

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791

August 9, 2005



RECEIVED
DEPARTMENT OF WATER RESOURCES
AUG 11 2005
PM 1:59

Rhonda Reed, Ecosystem Restoration Program
California Bay-Delta Authority
650 Capitol Mall, 5th Floor
Sacramento, California 95814

Staff for The Department of Water Resources has reviewed the Notice of Availability of a DEIR for the Sacramento River-Chico Landing Subreach Habitat Restoration Project and provides the following comments on behalf of the **State Reclamation Board**:

Portions of the proposed project may impact a Federal and State authorized flood control project over which the Reclamation Board has jurisdiction and exercises authority. Section 8710 of the California Water Code requires that a Board permit must be obtained prior to start of any work, including excavation and construction activities, within floodways, levees, and 10 feet landward of the landside levee toes. A list of streams regulated by the Board is contained in the California Code of Regulations, Title 23, Section 112.

Section 8(b)(2) of the Regulations states that applications for permits submitted to the Board must include a completed environmental questionnaire that accompanies the application and a copy of any environmental documents if they are prepared for the project. For any foreseeable significant environmental impacts, mitigation for such impacts shall be proposed. Applications are reviewed for compliance with the California Environmental Quality Act.

Section 8(b)(4) of the Regulations states that additional information, such as geotechnical exploration, soil testing, hydraulic or sediment transport studies, biological surveys, environmental surveys and other analyses may be required at any time prior to Board action on the application.

For further information on where to send the documentation, please contact me at (916) 574-0373 or ddjones@water.ca.gov.

DeeDee Jones, Chair
Environmental Review Committee

B-1

LETTER B
DEEDEE JONES, CHAIR
ENVIRONMENTAL REVIEW COMMITTEE
CALIFORNIA DEPARTMENT OF WATER RESOURCES

Response B-1 This comment does not raise significant environmental points that would affect the adequacy of the EIR. The project sites are located on federally owned and maintained lands within the Sacramento River National Wildlife Refuge (SRNWR). Federally owned and maintained lands are exempt from The Reclamation Board's permitting requirements. Nevertheless, USFWS maintains a working relationship with The Reclamation Board through coordination of activities and by providing habitat restoration plans for review and comment. USFWS is committed to maintaining this relationship and shall provide project restoration plans to The Reclamation Board for review and comment. Additional information regarding coordination with The Reclamation Board is provided in Chapter 3 of the Draft EIR, "Description of the Proposed Project," at the bottom of page 3-22.