



August 10, 2005

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

Dear Rhonda:

The Sacramento River Preservation Trust (Trust) has reviewed the Draft Environmental Impact Report (DEIR) for the Sacramento River - Chico Landing Subreach Habitat Restoration Project (Project) and would like to make the following comments:

1) Under Project Purpose, Need, and Objectives (page 1-1), it is stated that one of the objectives of the project is to "Provide shaded riverine aquatic (SRA) habitat for federally listed endangered winter-run Chinook salmon." The Trust is not clear why other fish species, including the federally and state listed spring-run Chinook salmon and federally listed Central Valley steelhead, are not specifically included in this objective.

D-1

2) Under Project Overview, Tract Histories (pages 3-10 & 11), the description of the Dead Man's Reach property makes no mention of the walnuts and riparian vegetation on the property. The Trust believes that a complete description of the history of the unit should be provided, even though only a portion is being proposed for restoration at this time.

D-2

Related to the above is the Trust's belief that the entire unit should be subject to restoration activities as soon as possible. With that in mind, why was the walnut orchard left out of this proposal?

3) Under Biological Resources, Habitat Types (page 4.4-2), it is stated that the "The location and extent of each habitat type present on and adjacent to the project area are depicted in Exhibits 4.4-1 through 4.4-3." However, in looking at the exhibits, only Exhibit 4.4-3 shows some habitat adjacent to the property to the north. Otherwise, no such representation of habitat types adjacent to the three project areas is shown. Please provide or explain why such representation was not made.

D-3

Related to the above, please note that Exhibit 4.4-1 is incorrect in its depiction of Restored Riparian Habitat relative to the two large areas that show up in the northwest corner of the unit (immediately west of the area shown as Fallow). These areas have been planted in native grasses and should be represented as such.

4) While the Trust understands the purpose behind the Socioeconomic Issues chapter, it takes strong exception to the fact that only economic activity as it applies to agricultural operations was represented. There was no discussion of the U.S. Fish and Wildlife Service's recently finalized Comprehensive Conservation Plan (CCP) for the Sacramento River National Wildlife Refuge and its designation of the units included in this project for various public purposes, including hunting, fishing, and wildlife

D-4

viewing activities. The positive economic benefits of such public use have been subject to several studies, which should be referenced in the DEIR. In addition, there should be at least some attempt to quantify what those benefits may equate to in terms of this project.

D-4 (Cont.)

Last but not least, the Trust remains unclear on why a full-blown Environmental Impact Report was required for this project, especially in light of the fact that the U.S. Fish and Wildlife Service has used an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the establishment of the Sacramento River National Wildlife Refuge (1989), a proposal for restoration activities on the Refuge (2002) and the CCP (2005). While the Trust has no argument with the need for full disclosure on projects that may have a significant impact on the environment, we find it hard to believe that this project qualifies. Instead, it appears to be an effort to appease various elements of the agricultural community who have expressed ongoing concerns about restoration activities on the Sacramento River for years. Environmental review should be based on the need for clarity in the area of science-based questions, rather than to address a political agenda that has recently led to a virtual standstill in terms of land acquisition activities from willing sellers and related restoration activities that are critical to the biological recovery of the Sacramento River ecosystem.

D-5

This project needs to move forward as quickly as possible so that another growing season is not lost. The Trust looks forward to your timely response to our comments and hopes that no further roadblocks are encountered in implementing the project as proposed.

Sincerely,

John Merz
President
jmerz@sacrivertrust.org

- Response D-1** It is true that shaded riverine aquatic (SRA) habitat has benefits for all anadromous fish species that are found in the Sacramento River. See the Draft EIR text corrections in Chapter 3, “Responses to Lead Agency Comments and Revisions to the Draft EIR.”
- Response D-2** Section 3.4.1, “Tract Histories,” in Chapter 3, “Description of the Proposed Project,” summarizes historical land use conditions and the agricultural histories for the three project sites, including Dead Man’s Reach. Further discussions of habitat types for the project sites, including the walnut orchard on Dead Man’s Reach, are provided in Section 4.4, “Biological Resources,” on pages 4.4-2 and 4.4-9. These text descriptions are accompanied by the images presented in Exhibits 4.4-1 through 4.4-3 that show habitat types for the three SRNWR units. Chapter 7, “Alternatives,” includes a detailed discussion of the status of efforts to restore riparian habitat on other units within the SRNWR. Section 7.2.5, “Alternatives Considered and Eliminated From Detailed Evaluation,” (page 7-4) discusses the walnut orchard on Dead Man’s Reach and states that: “An additional 315 acres exists adjacent to the west side of the project site within the Dead Man’s Reach Unit. This land is currently planted as walnut orchard that continues to yield a walnut crop, with production continuing at a satisfactory level. This additional acreage within the Dead Man’s Reach Unit will be a restoration site in the future provided that additional funding is obtained (Luster, pers. comm., 2005).”
- Response D-3** Chapter 1, “Introduction,” (pages 1-7 and 1-8) lists standard terminology used throughout the Draft EIR. The term, *project area*, refers collectively to the three project sites. *Units* refer to the federal properties within the SRNWR. The statement on page 4.4-2 that refers to habitat types adjacent to the project area applies to those lands beyond the project area that are within the unit boundaries, except for Exhibit 4.4-3, which does show the mix of habitats on some land beyond the unit boundary to the north. Exhibits 3-3 through 3-5 show the project area boundaries for each project site.
- As discussed on page 4.4-9 of the Draft EIR, most of the acreage on Pine Creek (approximately 555 acres) has been restored. This area is depicted on Exhibit 4.4-1 as an expansive area that is identified as “restored riparian habitat,” which was planted in a combination of native habitat community types, including native grasslands. The native grassland areas that have been planted at the Pine Creek Unit are not differentiated from other habitat community types because it was not necessary to discuss previously restored habitat areas at that level of detail. Table 3-2 shows approximate acreages for community types that would be planted at the project sites for the proposed project.
- Response D-4** As discussed in Chapter 3, “Description of the Proposed Project,” (pages 3-1 and 3-2) of the Draft EIR, the project purpose involves restoration and enhancement of native riparian habitat on three project sites within the Sacramento River National Wildlife Refuge. The proposed project has been designed to achieve consistency with the programmatic guidance contained in the CALFED Final Programmatic EIS/EIR. Section 3.1.2, “Project Objectives,” outlines the objectives for this proposed habitat restoration project and shows the connections between those objectives and the applicable goals and objectives from the CALFED Program Ecosystem Restoration Program. Potential future recreational uses on the restored project sites were not part of the scope for this proposed project; therefore, impacts related to recreation are not part of the analysis.

A discussion of the Sacramento River National Wildlife Refuge Comprehensive Conservation Plan and Environmental Assessment prepared by USFWS is provided in the paragraph at the bottom of page 3-6 of the Draft EIR. Also, see response to comment CBDA-6 in Chapter 3, “Responses to Lead Agency Comments and Revisions to the Draft EIR.” Also, see Response PM-5 (Puente) near the end of this chapter.

Response D-5 CBDA prepared an initial study for the project to restore habitat on Pine Creek, Capay, and Dead Man’s Reach. (Appendix B of the Draft EIR). The initial study concluded that implementation of the project had the potential to result in significant impacts to biological resources, agricultural resources, cultural resources, and hydrology and water quality. Also, deposition of woody debris downstream of the project sites was identified as a potentially significant impact to public service systems. The initial study also identified the potential for cumulatively considerable impacts to occur. At the point in the CEQA process of deciding whether to prepare an EIR or a Negative Declaration, if a fair argument exists that a significant effect on the environment may occur, the lead agency is obligated to prepare an EIR.