

PUBLIC COMMENT MEETING, JULY 25, 2005

CBDA held a public meeting in Hamilton City at the Hamilton City Fire Department on July 25, 2005, to describe the Draft EIR conclusions and accept comments on the Draft EIR. Staff from EDAW assisted in describing Draft EIR findings, and staff members from The Nature Conservancy (TNC) and the Sacramento River National Wildlife Refuge (SRNWR) were present to answer questions. A total of 16 people are known to have attended the public meeting. No written comments were received at the meeting, but several people provided verbal comments and addressed questions to the project team. Some people commenting requested clarification of aspects of the proposed project, and others specifically addressed the Draft EIR analysis and conclusions. The verbal questions and comments of the speakers are summarized below. Responses to these comments are provided following the individual comment summaries.

The following list of public meeting attendees includes staff members from agencies and organizations who were present to represent the project team:

Rebecca Fris, CBDA
Vicki Newlin, CBDA
Ryan Luster, TNC
Dawit Zeleke, TNC
Kelly Moroney, SRNWR
Ron Unger, EDAW
Christine Stiffer, Tri County Newspaper
Roger Calloway, California Department of Parks and Recreation
Dan McManus, California Department of Water Resources
Burt Bundy, Sacramento River Conservation Area Forum
Lee Ann Puente, Hamilton City Citizens in Action (HCCIA)
John Merz, Sacramento River Preservation Trust
José Puente, HCCIA
Ron Keyawa, landowner
Will Nichols, landowner
Mike Billiou, landowner

Comment PM-1: Ron Keyawa, landowner adjacent to (south of) Dead Man's Reach

SRNWR is good for fish habitat and probably good for endangered species habitat. The project has positive effects on species, soils, and water. I would like to work with the Refuge to have a positive influence on restoration at the site. Farmers are good stewards of their land. I have a bluebird nest trail on my property and we'll fledge 200 bluebirds there.

We farm both sides. With regard to Dead Man's Reach restoration plan, how does this benefit me as a farmer; will it make it easier to farm? How does this benefit my land value?

The current awareness of the river and farm practices is shared locally by neighbor farmers; I have good relationships now with adjacent farmers. This project may have impacts that could cause me to change some practices on 238 acres. The EIR contradicts itself; it acknowledges that there are flood problems but doesn't find this project to cause impacts to adjacent landowners. The model this report relied on doesn't address site-specific issues, like siltation that comes onto my property. The issue of practices has not been addressed in the Draft EIR. I'm concerned about orchard removal and land preparation. With regard to Impact 4.3-b and 4.3-c and soil erosion issues, I disagree that the project will not have soil erosion consequences. How can you say that there will be no soil erosion after you remove the orchard? I'm concerned about the timing and approach to preparing and implementing the site.

The velocity of floodwater is great and the velocity is different (faster) when the river stage is at 114,000–115,000 cubic feet per second (cfs) or just coming out of bank versus when the river is at 118,000–119,000 cfs and the whole area is flooded and becomes a “lake.” Scour velocities are high in certain areas. Will restoration slow floodwaters across the property? The current orchard conditions on Dead Man’s Reach allow floodwater to move through the property from northeast to southwest, based on floods in the 1980s and 1990s. Erosion of even the hard pack at the south end of Dead Man’s Reach occurs when floodwater first goes out-of-bank and flows across the property. The report does not predict or acknowledge scour and deposition effects on adjacent properties. Loosened soil will move. I’m concerned with sedimentation resulting in mounds on my property in the early years following implementation. If the orchard is disked as part of this project, you’ll need to pack the soil and install a cover crop in order to avoid scour, loss of trees, and losing soil downstream, resulting in deposition onto neighbors’ properties. Are alternative soil disturbance practices available? I would anticipate new channels will be cut through Dead Man’s Reach as a result of the project; there’s a chance of flows cutting through an old filled in 10-acre gully running through the site and undoing 25 years of work on protecting the bank upstream of the gully. Deposition on neighboring property is an issue to agricultural use of that property. The area must be planted properly or soil will end up on neighbors’ lands. I suggest that you implement and plant the project in sections over time instead of all at once. If you don’t plant the area correctly it will flow out and deposit to the adjacent area southwest of Dead Man’s Reach. The restoration ground cover needs to be addressed in the EIR. I am also concerned with velocities on the eastern edge (of Dead Man’s Reach). What about more water potentially going down into the Butte Sink? (The orchard removal and planting plan and ultimate densities of plants equate to increased roughness and matter in order to minimize these effects.)

The EIR is not complete; it is not site-specific enough. With regard to the Appendix G (initial study) checklist, it doesn’t address potential affects by pest species on neighbors’ properties and I have concerns about checklist item “c” under Agricultural Resources (wants to know why economic considerations are not addressed in CEQA). How can it be less-than-significant with the agricultural impacts? The EIR is boilerplate, not site specific enough. CEQA requires consideration of pest species on neighbors, but this and vector control were not addressed in the EIR. The report needs to analyze wildlife potential effects on adjacent areas and adjacent landowner practices affected by the project; this is currently considered a less-than-significant impact.

Mitigation Strategy 4 [CALFED Final Programmatic EIS/EIR] was not addressed. If I have a problem, who do I go to? The document, in responding to the Mitigation Strategy 4 guideline (page 4.2-8 of document) of involving all affected parties (especially landowners and local communities), states that you go to the (Sacramento River Conservation Area) Forum. This could take a very long time. These issues need to be addressed in the EIR. You should have a goal to work with neighbors as a good neighbor policy.

This project will not benefit bank and fish habitats. CBDA objectives are not well met by restoring oak savanna, etc.; it only has minor effects on fish or bank habitat. Take funds from other sources for this instead. Where is the money coming from to support this work after it is implemented? It is not indicated in the document.

Build the Refuge, but do it right. I would like to be contacted if you have questions on my comments.

Comment PM-2: Will Nichols, landowner northeast of Dead Man’s Reach

A lack of bank protection maintenance on the northwest corner of Dead Man’s Reach will cause a “blowout” at the northwest corner of that property. The EIR should include a statement that rock at the Dead Man’s Reach site will not be maintained.

Your project will not have positive impacts on water quality; this is not a good use of CBDA funds. How will restoration of wetlands at Dead Man's Reach affect Ron Keyawa? Who is responsible for reimbursing Ron Keyawa if restoration results in flood damage on Keyawa's property?

What happens when the whole project is back in habitat? Is there enough money for the Refuge to address ground squirrel issues on neighboring property?

When walnuts are pulled out and it is time to restore that area, how will that restoration affect neighbors' properties in conjunction with the current restoration affects?

As a kid, before all the cultural resource protection laws, we were brought out one day to Dead Man's Reach for an archaeological find there. I'm concerned about the social effects of the project. What happens to our local culture if/when the agricultural basis for our community is reduced. It also leads to less students at local schools.

Comment PM-3: Mike Biliou, landowner adjacent to (southwest of) Capay site

An 8-foot fence needs to be considered for this project (for deer) and it needs to be coordinated with the Hamilton City levee set-back project.

How can you say that an increase of 1 foot river stage has no effect on neighbors' ability to conduct agriculture on their properties? I'm concerned about this project potentially raising the water level on my property to the east. The issue can be up to 2/3 mile additional land that gets affected by flooding, and more frequently than before. Why is this being done as a piece? You need to coordinate with Hamilton City and the M and T water control structures.

I understood that the Capay site was under the Hamilton City flood damage reduction and ecosystem restoration project. I want to make sure that restoration will not negatively affect the Hamilton City levee project. Are project assumptions different from the Ayres model? How was the hydrology modeled on the Capay property? Was it modeled as a stand alone property and not as part of the setback levee project? I'm very concerned that the stand alone approach and Capay (restoration planning) will have a negative affect on the Hamilton City setback levee. It may be impossible to build the levee project if roughness model assumptions change due to this project. The first two impact analyses (hydrology and geomorphology) should be significant. I'm concerned about coordination with the Hamilton City setback levee and M and T intake pump protection project.

The report should acknowledge that rock will be allowed to disappear on the north edge of Dean Man's Reach. That will affect reformation and scour of the Dead Man's Reach project. The report needs to reanalyze the flow velocities in Dead Man's Reach.

Talk to neighbors regarding a need for buffers (e.g., 100–150') adjacent to neighboring orchards. On page 4.2-8, there should be a goal to work with neighbors as a good neighbor policy. For elderberry shrubs that will be planted on Capay and Dead Man's Reach, how close will they be to my farm property?

Comment PM-4: Burt Bundy, Manager, Sacramento River Conservation Area Forum

What is the status of rock on Dead Man's Reach? I'm concerned that flows will rechannelize through the property if not protected. (Comment interjected by another attendee: Should include statement that rock at Dead Man's Reach will not be maintained.) I'm concerned about flow velocities at Dead Man's Reach. This needs to look at flow velocities at Dead Man's Reach, specifically, and the nexus between the Hamilton City project and the Capay restoration project.

Comment PM-5: Lee Ann Puente, Board President, Hamilton City Citizens in Action

How long does the restoration process last before people can use the properties for recreation? Recreation is very important for the citizens of Hamilton City. Butte County and Hamilton City surveys indicate there is a high interest in recreation (the #2 issue). There is currently little or no school funding for field trips. As a result, there will be stronger local interest in local opportunities. It would be nice if schools would be able to go on field trips to the Refuge.