

Item #	Agency/ Commentor	Page	Comment	Responsible Party	Team Guidance	Notes
1	California Department of Parks and Recreation	Figures 2-2 and 2-8, Pages 2-6 and 2-16	"Proposed Boundary of 2007 Gravel Bar Removal", Figure 2-2, correctly shows the proposed excavation boundary on its eastern side in red line nearly overlapping the eastern boundary of the excavation done in year 2001 shown in blue line. The boundary is at or below the ordinary low water elevation of the Sacramento River as defined by the area below permanently growing riparian vegetation on the gravel bar. The ordinary low water elevation is the lower limit to the area of Bidwell-Sacramento River State Park.	HDR SWRI		Figure re-labeling
2	California Department of Parks and Recreation	Figures 2-2 and 2-8, Pages 2-6 and 2-16	The correct extent of the area proposal for excavation shown in Figure 2-2 is not the "Dredging Area" shown in Figure 2-8 which is above the ordinary low water line and within Bidwell-Sacramento River State Park. The location of the dredging area in Figure 2-2 is the shallows and gravel bar to the west of the gravel bar in the State Park.	HDR SWRI		Figure re-labeling
3	California Department of Parks and Recreation	Figure 3-1, Page 3-99	"Habitat Characterization in the Action/Project Area", Figure 3-1, omits a thin, 1,500 foot strip of two to three year old Valley Foothill Riparian habitat on the western side of the gravel bar that is shown on the attached map and photos. This area is referenced at the bottom of page 3-119: <i>Some early successional riparian vegetation (i.e., young willows) on the gravel bar will be removed during bar excavation</i> . This strip of willows and cottonwoods within the State Park must be avoided by equipment during the excavation of gravel whenever possible. Orange plastic fencing should delineate this protected area to prevent incursions of earth moving equipment. The route across the gravel bar to the gravel storage site should be located to minimize damage to these species. If their removal or damage occurs, then they need to be replanted at that location as mentioned on Page 3-134: "However, riparian habitat would be restored by the M&T Chico Ranch and Llano Seco Rancho at the location where shrubs were removed..." This restoration could involve removing and setting aside the impacted plants and surrounding soil for replanting at the site(s) of their removal upon completion of the gravel operation. The above protective and restorative measures should be contained in Appendix F: "Riparian Vegetation and Native Grassland Mitigation Plan."	HDR SWRI		Add language to Appendix F - Riparian Vegetation and Native Grassland Mitigation Plan
4	California Department of Parks and Recreation		"Impacted habitats associated with the Dredging Only Alternative", Figure 3-3 and "Impacted habitats associated with the Proposed Action/Project", Figure 3-4, incorrectly shows the portion of the gravel bar administered by State Parks above the ordinary low water elevation as having Direct Impacts. The area to be mined of gravel and directly impacted by the alternative and proposed action/project is the gravel bar to the west of the ordinary low water elevation.	Project Proponent		GIS Layers provided by Galloway - Comment is a project description comment
5	California Department of Parks and Recreation		Obtaining a new State Parks Right of Entry Permit will be required of the project proponent as stated on page 5-3. Since the area to be mined of gravel is outside of the State Park, no appraisal or payments for lost recreational opportunities will be necessary as in the Right of Entry Permit for the previous gravel removal project.	Somach, Simmons and Dunn		Obtain permit
6	California Department of Water Resources - Floodway Protection Section		The project corresponding to the subject SCH identification number has come to our attention. The limited project description suggests your project may be an encroachment on the State Adopted Plan of Flood Control. You may refer to the California Code of Regulations, Title 23 and Designated Floodway maps at http://recbd.ca.gov/ . Please be advised that your county office also has copies of the Board's designated floodways for your review. If indeed your project encroaches on an adopted flood control plan, you will need to obtain an encroachment permit from the Reclamation Board prior to initiating any activities. The attached Fact Sheet explains the permitting process. Please note that the permitting process may take as much as 45 to 60 days to process. Also note that a condition of the permit requires the securing all of the appropriate additional permits before initiating work. This information is provided so that you may plan accordingly.	Somach, Simmons and Dunn		Obtain permit?
7	California Department of Water Resources - Bruce Ross		First, while the document adequately addresses the construction effects of the project related to Geomorphology and Soils, there appears to be no analysis of the actual effects of the project on the geomorphology and river dynamics in the project vicinity. A discussion of the projects' hydrologic and geomorphologic effects needs to be included in the document. And at the same level, the Cumulative Effects section needs to consider the combined effects of all the bank stabilization projects in the reach being analyzed, past as well as future. This would include a discussion of the amount of stabilization of outside bends and the overall effect this has had on river dynamics and meander migration throughout this reach.	Musseter Engineering, HDR SWRI, Project Proponents/SSD		Musseter and HDR SWRI to provide discussion of effects on geomorphology and soils. Project proponents and SSD to determine if additional discussion should be included in the cumulative effects analysis.
8	California Department of Water Resources - Bruce Ross	Section 3.6.1, Page 3-92	The Natural Resources Conservation Service produced a new soils map of Butte County in 2005. Columbia Soils are not present in the project vicinity. It is recommended that you use the most recent information to describe soils present.	HDR SWRI		New soils survey information currently being reserached and should be included
9	California Department of Water Resources - Bruce Ross	Section 3.6.1.1 River Meander, Page 3-93 PP 3	The revetment at RM 197-198 is not currently being maintained and the lower end is subject to a major scour hole that is continuing to erode the rip-rap. The river is not currently located along the line of Modesto Formation between RM 194 and RM 195.8 and is free to move across its historic flood plain deposits. Substantial movement to the east is occurring at RM 195 to 195.4 as the river is increasing sinuosity through this reach.	Musseter Engineering, HDR SWRI		MEI - Evaluate the validity of the comment and respond accordingly. HDR SWRI - Insert DWR language into Existing Conditions for Geomorphology and Soils section, as appropriate.
10	California Department of Water Resources - Bruce Ross	Section 3.6.1.1 River Meander, Page 3-93 PP 3	The upper end of the revetment protecting River Road above RM 194 is not off channel and substantial deposition is occurring in front of the upstream half of the revetment as the gravel bar and bend upstream migrate down river. The apex of the bend that was impinging on River Road has migrated to the downstream end of the rip-rapped section and is beginning to erode to the east. As this apex migrates downstream there will be less erosive force directed against the rip-rapped section of River Road.	Musseter Engineering, HDR SWRI		MEI - Evaluate the validity of the comment and respond accordingly. HDR SWRI - Insert DWR language into Existing Conditions for Geomorphology and Soils section, as appropriate.

11	California Department of Water Resources - Bruce Ross	Section 3.6.1.1 River Meander, Page 3-93 PP 3	Erosion of the right bank upstream of the pumps is caused by the apex of a slight meander bend encountering erodible floodplain deposits as it migrates downstream along with all the other bends in this reach. The current geometry of this bend and the bend upstream along River Road are such that the flow off the River Road rip-rap is directed toward the right bank thus enhancing the erosion. Eastward and downstream migration of the River Road bend apex and westward and downstream migration of the river right bend apex upstream of the pumps will continue irregardless of the presence of the River Road revetment.	Musseter Engineering,H DR SWRI	MEI - Evaluate the validity of the comment and respond accordingly. HDR SWRI - Insert DWR language into Existing Conditions for Geomorphology and Soils section, as appropriate.
12	California Department of Water Resources - Bruce Ross	Section 3.6.1.3 Bank Erosion, Page 3-94	Cause and effect are reversed here. Flow mechanics in rivers are such that erosive forces are present on the outside of bends, with the highest erosive force located in the area just downstream of the bend apex. As the erosive forces encounter erodible material erosion occurs and the bank migrates across and downstream. The channel cross section widens decreasing shear stress on the inside of the bend. The point bar migrates across and downstream following the nexus of erosion and maintaining channel width as the bend migrates. Removal of the point bar only reduces the erosive forces on the outside of the bend through increasing the cross sectional area and thus decreasing the flow velocity and shear stress. it does not remove the "pushing of the erosional force." Recent bank erosion is concentrated from the apex of the bend, about the area of heavy vegetation on the bank, downstream. Very little erosion has occurred in the upstream portion of hte bend since 1999.	Musseter Engineering,H DR SWRI	MEI - Evaluate the validity of the comment and respond accordingly. HDR SWRI - Insert DWR language into Existing Conditions for Geomorphology and Soils section, as appropriate.
13	California Department of Water Resources - Bruce Ross	Section 3.6.3 Effects	The geomorphic effect of this project is not addressed in this section. The geomorphic effect of this project is to restrict the natural migration of the Sacramento River across its floodplain. This effect needs to be addressed on both a site specific basis and a cumulative basis. The geomorphic effect has consequential effects on the riparian ecosystem from fish habitat to riparian forest regeneration to bank swallow nesting habitat. The consequential effects need to be addressed in each appropriate section.	Musseter Engineering,H DR SWRI	MEI - Conduct analysis of effects? HDR SWRI - Evaluate Eric Larsen analyses and summarize in the Geomorphology and Soils effects section, as appropriate
14	California Department of Water Resources - Bruce Ross	Section 3.6.3.4 Page 3-96.	The only effects addressed in this section are the possible construction impacts. There needs to be a discussion of the geomorphic effects of restricting the natural migration of the river across the flood plain and the hydrologic effects on this site of the construction of a toe revetment. Potential effects could include incision of the channel, leading to the formation of a nick point that would migrate upstream removing the upstream riffle. (This is on e of the known consequences of rip-rapped banks.) Another potential consequence is the "fossilization" of the opposite bar with the formation of a riparian berm and subsequent loss of graded edge habitat. Another set of effects that needs to be addressed are those of potential failure of the structure. These could include the formation of a scour hole at the downstream end of the structure leading to an increase in the rate of erosion toward the west, opposite the pumps and reducing the life span of the bank and scour behind the revetment. Locking bends in place with are also known to increase the erosion of the downstream opposite bank by focusing flow energy through time. All these potential impacts need to be addressed. Somehow this last sentence got deleted from the current version???	Musseter Engineering,H DR SWRI	MEI - Conduct analysis of effects? HDR SWRI - Evaluate Eric Larsen analyses and summarize in the Geomorphology and Soils effects section, as appropriate. Last sentence refers to deletion in the document of, "This effect is potentially significant."
15	California Department of Water Resources - Bruce Ross	Section 3.6.4.3 Mitigation, Page 172	The only mitigation suggested here is for construction effects only. Mitigation for the geomorphic and hydrologic effects of the structure itself needs to be included.	Musseter Engineering	MEI - provide mitigation measures for geomorphic and hydrologic effects.
16	California Department of Water Resources - Bruce Ross	Section 4.1.1 Other Local Pr0ojects	One of the project proponents of this project is currently advocating for additional rock to be placed at RM 192.4. This potential project needs to be included in the assessment of cumulative impacts.	Musster Engineering, SSD	SSD - determine if this potential project should be included in cumulative impacts section. Musseter - provide appropriate analysis of cumulative impacts on geomorphology and soils.
17	California Department of Water Resources - Bruce Ross	Section 4.1.2.5 Cumulative Effects	The cumulative effects that need to be considered for this project are those of the combined effect of all the bank protection measures that have occurred or may occur in the future for this reach of the river. Address the cumulative effects in terms of the amount of outside bend that has revetment as this is the only measure that has geomorphic meaning. (Nobody revets inside bends). Cumulative effects should include not only the geomorphic effects of restriction of natural bend migration but also the subsequent effects on the entire riparian ecosystem. There is wide recognition that bank stabilization projects throughout the Sacramento River system have adversely affected the underlying geomorphology and the aquatic and riparian ecosystems that depend on continued migration of the channel. Some how none of these effects have been considered in this discussion of cumulative impacts. The discussion is incomplete without such information being included. This section only discusses construction effects.	Musster Engineering, SSD, HDR SWRI	SSD - determine if this potential project should be included in cumulative impacts section. Musseter - provide appropriate analysis of cumulative impacts on geomorphology and soils. HDR SWRI - Evaluate Eric Larsen analyses and summarize in the cumulative effects section, as appropriate
18	California Department of Transportation	Section 3.12.4.3, Pages 3-194 to 3-195.	The Traffic Management Plan described in this section is appropriate. Any placement of signs, flaggers, or other items within the right of way of a state highway will require an encroachment permit as described below.	Somach, Simmons and Dunn	Obtain permit
19	California Department of Transportation	Section 3.8	The Hydraulics Branch of the Office of Engineering services is in concurrence with the statements of this document and requests that it be informed of the final design choice. Please forward the final design to Mr. Cameron Knudson of Caltrans Hydraulics Branch at the above address for review when complete.	Somach, Simmons and Dunn	Forward final design to CalTrans
20	California Department of Transportation	General	An Encroachment Permit will be required for any work conducted in the State's Right-of-Way. To secure an application, please contact Caltrans District 3 Office of Permits, at 530-741-4403.	Somach, Simmons and Dunn	Obtain permit
21	Chico Paddleheads		As a Paddleheads member I have apprised our membership of various developments over time. We discussed this issue at our meeting on Wednesday, September fifth and strongly in agreement with the position taken by the Trust. Please add the name of our organization as endorsing the points made by John Merz in the letter below and the electronic file he sent you.	SSD, HDR SWRI	Note Chico Paddleheads' endorsement of the Sacramento River Preservation Trust comments.

22	Altacal Audubon Society - Dawn Garcia	General Bank Swallow Comment.	Consider status change petition before removing additional habitat As noted in the EA/IS (3-107) Bank Swallow habitat will be directly impacted by removing previous nesting habitat and future nesting habitat (due to the continuous erosion of the site) in subsequent years. It is well documented and stated in the EA that an estimated 75% of the CA Bank Swallow population nests along the Sacramento and Feather River with a significant portion on stretch from Red Bluff to Colusa. Due to the pervasive decline of the swallow from its baseline high in 1986 of 13, 000 pairs the species was listed as threatened in 1989 (CDGF website 2006) and a recovery plan was published in 1992 (Schlorff 1993). This summer the legal status of the Bank Swallow was petitioned to be changed from threatened to endangered by DFG wildlife biologist Ron Schlorff, in the summer of 2007 (pers. comm. July 2007), based on documented decline of the species during 21 years of annual surveys. We request that the petition of status change be considered, and what those consequences would be when eliminating Bank Swallow habitat.	HDR SWRI		Provide discussion of petition to change status - within the context of CEQA, is there a difference in level of analysis or mitigation requirements to endangered vs threatened species?
23	Altacal Audubon Society - Dawn Garcia	General Bank Swallow Comment.	Write a specific mitigation plan for loss of bank swallow habitat Other than mention of a 2:1 ratio replacement of Bank Swallow habitat, the mitigation plan for removal of existing habitat is ambiguous and dubious, with no specific properties identified for purchase and protection in perpetuity (3-149). How can the public review and comment, and be assured sufficient mitigation will ensue if nothing specific is proposed? We request a mitigation proposal that includes a specific site location, an assessment of the site which discusses its values/history and potential as Bank Swallow habitat, and the conservation of the property.	HDR SWRI , USFWS		USFWS provided habitat evaluation HDR SWRI will include the habitat evaluation in a detailed mitigation plan for team review prior to document finalization
24	Altacal Audubon Society - Dawn Garcia	General Bank Swallow Comment.	Consider additional mitigation measures for a goal of no net loss of bank swallow habitat While the recovery plan discusses purchase of Bank Swallow habitat as a recovery action it also states that impact avoidance must be considered (Schlorff 1993). More recent research concluded that at least 10 percent of existing rock be removed to restore nesting habitat and stabilize the Sacramento River population of Bank Swallows (Moffatt et al. 2005). Removing rock has proven successful for swallows. In 1999, a private levee and rip-rap was removed at River mile 233. The following spring an estimated 2,770 burrows, the most counted that year, were documented at this site (Golet et al. 2003) We request that you consider removing rock at a retired site as an additional mitigation measure, to result in no net loss of habitat. As over 48% of the Sacramento River is already armored by the Department of Water Resources (DWR), Army Corp of Engineers and private property (unpublished poster data Silveira et al. 2007), no net loss of habitat is crucial to the species.	Somach, Simmons and Dunn		Should additional mitigation be considered?
25	Altacal Audubon Society - Dawn Garcia	General Bank Swallow Comment.	Consider the well documented consequences of cumulative revetment to bank swallow habitat In August 2007, M&T Ranch releases a Mitigated Negative Declaration inferring that provision of a 2:1 ratio replacement of existing Bank Swallow habitat will have "no significant impact" on the Sacramento River and California Bank Swallow populations. In June 2007, I was on the official USFWS/DFG survey party; we estimated 200 pairs of Bank Swallows at this "3 colony site." Although 2006 surveys were not conducted due to boat engine failure, the EA (3-107) states that "nesting individuals were not observed during 2006." Please provide a reference for this observation. As noted in the EA (3-107), based on official survey data, from 1999- 2005 estimates of 50 nesting pairs in 202 to 340 in 2001, were observed in the proposed project area (HDR/SWRI 2007).	HDR SWRI		Add sentence describing number of nesting individuals at the site (from ASIP) Provide reference (K. Foerster - personal communication)?
26	Altacal Audubon Society - Dawn Garcia	General Bank Swallow Comment.	Consider the well documented consequences of cumulative revetment to bank swallow habitat Based on the abbreviated summary of California Bank Swallow research, it is obvious that armoring of 0.3 miles of successful Bank Swallow habitat as proposed by the M&T Ranch (HDR/SWRI 2007), without removal of armor from elsewhere along the Sacramento River, will reduce Bank Swallow habitat. This action will add to the cumulative loss of habitat, and likely continued decline of the threatened/proposed endangered California Bank Swallow population. We urge you to consider other methods to protect the M&T pump other than armoring Bank Swallow habitat.	Somach, Simmons and Dunn		Policy level comment
27	Altacal Audubon Society - Dawn Garcia	General bird survey comment	No bird surveys other than NESTING raptor surveys were conducted (page 3-103 and see Table 3-6). Without conducting field surveys it is impossible to say if, and to what extent, Yellow-billed Cuckoos (<i>Coccyzus americanus occidentalis</i>) and other special status species use the site and to thereby "dismiss" special-status species from project impact.	HDR SWRI, SSD		SSD - Do the project proponents wish to conduct detailed presence/absence surveys for migratory songbirds HDR SWRI prepare response. Pre-construction surveys for presence/absence would be conducted. Increase discussion of riparian habitat mitigation to explain why it is sufficient to offset impacts on riparian nesting songbirds. Discussion could be added regarding overwintering birds. Some riparian nesting species were not included for detailed analysis by Gallaway. Detailed reasons for not evaluating these species were not included in the Gallaway document so it is not known specifically why they were not included.
28	Altacal Audubon Society - Dawn Garcia	General Western Yellow-billed Cuckoo comment	Conduct seasonal surveys to document presence/absence of special-status species CSU Chico State university student conducting research on Yellow-billed Cuckoos (WYCU) surveyed two riparian forests proximate to this site in summer 2007. She detected cuckoos and concludes that WYCU could use the riparian forest in the action zone (J. Hammond pers. comm. August 2007). This project could remove 33.8 acres of mature riparian forest (HDR/SWRI 2007) where Cuckoos forage or nest.	HDR SWRI, SSD		SSD - Do the project proponents wish to conduct detailed presence/absence surveys for migratory songbirds HDR SWRI prepare response. Pre-construction surveys for presence/absence would be conducted. Increase discussion of riparian habitat mitigation to explain why it is sufficient to offset impacts on riparian nesting songbirds. Discussion could be added regarding overwintering birds.

29	Altacal Audubon Society - Dawn Garcia	General yellow-breasted chat and yellow warbler comment	Yellow-breasted Chat (<i>Icteria virens</i>) and Yellow Warbler (<i>Dendroica petechia</i>) should not be dismissed from your assessment. Without songbird surveys conducted during the summer, it is impossible to "dismiss" riparian forest nesting species from this site based on CNDDDB review. The website disclaimer states that the CNDDDB should not be used "as an exhaustive and comprehensive inventory of all rare species and natural communities statewide. Field verification for the presence or absence of sensitive species will always be an important obligation of our customers.input into this database" (CNDDDB website 2007). Although no formal surveys have been formerly conducted in the action area by our members, both Chat and Yellow Warbler have been documented nearby and on site in the riparian habitat, from spring through fall (M. Skram, M. Fisher, and J. Shedd pers. comm. Aug 2007). Additionally, both warbler species are documented to breed in similar riparian habitat in the proposed project, along Big Chico Creek and Butte Creek. Adults and fledglings of both species have been recorded during point count surveys and mist-netting efforts for the last two years	HDR SWRI, SSD	SSD - Do the project proponents wish to conduct detailed presence/absence surveys for migratory songbirds HDR SWRI prepare response. Pre-construction surveys for presence/absence would be conducted. Increase discussion of riparian habitat mitigation to explain why it is sufficient to offset impacts on riparian nesting songbirds. Discussion could be added regarding overwintering birds. Some riparian nesting species were not included for detailed analysis by Galloway. Detailed reasons for not evaluating these species were not included in the Galloway document so it is not known specifically why they were not included.
30	Altacal Audubon Society - Dawn Garcia	General willow flycatcher comment	Willow Flycatchers (<i>Empidonax traillii</i>) likely use the riparian habitat (including willows) along the east bank during migration. In similar habitat at the sites noted above, Willow Flycatchers have been detected and banded during spring and fall migration (pers. obs. 2006-2007).	HDR SWRI, SSD	SSD - Do the project proponents wish to conduct detailed presence/absence surveys for migratory songbirds HDR SWRI prepare response. Pre-construction surveys for presence/absence would be conducted. Increase discussion of riparian habitat mitigation to explain why it is sufficient to offset impacts on riparian nesting songbirds. Discussion could be added regarding overwintering birds. Some riparian nesting species were not included for detailed analysis by Galloway. Detailed reasons for not evaluating these species were not included in the Galloway document so it is not known specifically why they were not included.
31	Altacal Audubon Society - Dawn Garcia	General mitigation comment	Consider additional mitigation measures for a goal of no net loss of riparian habitat and fragmentation that will occur with loss of habitat. Mitigation solely requiring 2:1 creation of mature riparian forest is inadequate as it does not provide the in-kind structure, foraging or nesting habitat that characterizes mature forest. We recommend the purchase of in-kind mature riparian forest conserved in perpetuity, in addition to the proposed 2:1 restoration, as the required mitigation. Purchase of existing riparian habitat will result in a no net loss of riparian habitat.	SSD, HDR SWRI	SSD - Would the project proponents consider purchasing mature riparian habitat? HDR SWRI include discussion regarding why 2:1 mitigation makes up for the time value of lost habitat while riparian habitat matures.
32	Altacal Audubon Society - Dawn Garcia	General mitigation comment	The fragmentation of riparian habitat, which will occur if the proposed project is permitted, increases birds' potential for predation as well as parasitism by brown-headed cowbirds (<i>Molothrus ater</i>). If implemented, our mitigation recommendations will help ensure the survivorship and productivity of the Yellow Warblers and Yellow-breasted Chats as well as other nesting songbirds.	SSD, HDR SWRI	Determine if additional mitigation would be undertaken.
33	Sacramento River Preservation Trust - John Merz	Page 4 of MND	In the Draft Mitigated Negative Declaration document drafted by DFG, it is stated, "A detailed mitigation monitoring plan...will be developed" (page 4). Appendices E and F of the Draft EA/Initial Study (Draft EA/IS) are labeled as such. Is there more coming or is something missing?		
34	Sacramento River Preservation Trust - John Merz	Page 2-1, Table 2-1	In the Draft EA/IS, under Description of the Alternatives, Table 2-1 (page 2-1), it is stated, shown that the No Action Alternative has a "high" degree of public controversy, while the Dredging/Material Removal and 1520-foot Rock Toe and Tree Plus Dredging/Material Removal Alternatives are shown as having "moderate" degrees of public controversy. No justification appears to be made for any of these judgments and the Trust, among others, definitely regards the latter two alternatives as highly controversial. Please justify your characterization of each alternative in this regard.		
35	Sacramento River Preservation Trust - John Merz	Section 2.2.2, Page 2 3	Under section 2.2.2 Dredging Only Alternative (page 2-3) of the Draft EA/IS it is stated, "The spoils site is located within the floodplain of the river, at an existing gravel storage area. The storage site would not significantly alter floodplain capacity." Please justify this statement.		
36	Sacramento River Preservation Trust - John Merz	Section 2.2.2, Page 2 3	Under the same section as above, it is stated "The gravel and sand would be made available only for river and floodplain restoration activities at a future date." The original gravel bar removal project that created the spoils site was done in 2001 and there was no provision at that time for the future use of that material. Please clarify who owns all of this material and verify that the proposed dredging of additional materials will be limited to the current configuration of the 2001 spoils site. In addition, please identify who will have the authority to make future decisions concerning the use of this material.		
37	Sacramento River Preservation Trust - John Merz	Page 2-3	Related to the above, the Trust would like to know why the 2001 project is not referenced in the Draft EA/IS in a more complete fashion, including an update on any and all mitigation requirements that were required of that project.		
38	Sacramento River Preservation Trust - John Merz	Section 2.2.2, Page 2 3	Under the same section as above (page 2-5), it is stated "As mitigation for loss of riparian bar and aquatic backwater habitat, M&T Chico Ranch/Llano Seco Rancho would restore degraded habitat at or near the affected area." No details are given concerning how much habitat will be impacted and the mitigation required to address this issue. In fact, the Trust is unable to determine if the impacts from the dredging portion of the Project are addressed anywhere in the proposed Mitigation Monitoring and Reporting Plan (MMRP). Please provide further details as required by law.		
39	Sacramento River Preservation Trust - John Merz	Appendix E, Page E-2	Under Biological Resources: Valley Riverine Aquatic (page E-2) it is stated that, "As a sub-component of VRA habitat, 1520 linear feet of SRA habitat will be restored or enhanced through the incorporation of tree clusters in the design of the stone toe and tree revegetment." Please identify which agency/agencies agree with this evaluation, as the Trust finds it difficult to believe. Appropriate scientific references would be appreciated.		

40	Sacramento River Preservation Trust - John Merz	Appendix E, Page E-2, and E-3	Under Biological Resources: VRA, Valley/Foothill Riparian and Grassland (pages E-2&3) it is stated that "The M&T Chico Ranch/Llano Seco Rancho and the Sacramento River National Wildlife Refuge will work cooperatively to develop a plan of planting, maintenance, and management" for each of the restoration areas associated with these habitat types. It appears that Appendix F, Riparian Vegetation and Native Grassland Mitigation Plan, speaks to this issue. Is there more coming or is something missing?			
41	Sacramento River Preservation Trust - John Merz	Appendix E, Page E-3	Under Biological Resources: Valley Elderberry Longhorn Beetle (page E-3) it is stated that EO5 & EO7 are to be transplanted as necessary. Where are these plants going to be transplanted? What is going to happen to EO4?			
42	Sacramento River Preservation Trust - John Merz	Appendix E, Page E-4	Under Biological Resources: Bald Eagle (page E-4), it appears there may be an impact to winter roosting sites if the construction season runs into November. In addition, the Trust believes that there may well be impacts to other raptor species in addition to the Bald Eagle and Swainson's Hawk. In fact, there are any number of avian species that are dependent on the riparian and aquatic habitats of the Sacramento River. A more thorough discussion in this regard is hereby request.			
43	Sacramento River Preservation Trust - John Merz	Appendix E, Page E-4	Under Biological Resources: Bank Swallow (page E-4) the problem is simply put - a legally defensible mitigation monitoring plan has yet to be developed. This is unacceptable.			
44	Sacramento River Preservation Trust - John Merz	Appendix E, Page E-5	Under Biological Resources: Northwestern Pond Turtle (page E-5) it is stated that "impacts to suitable habitat will be compensated for at a greater than 1:1 ratio." How much greater? In addition, there is a statement made in Appendix F (page F-2) that states "To the extent practicable, remove or exclude evaluated amphibian and reptile species from construction corridors before construction is initiated." What species are being referred to and who will make the determination of what is "practical"? More importantly, where is this referenced in the MMRP?			
45	Sacramento River Preservation Trust - John Merz	Appendix E, Page E-5	Under Recreation and Navigational Safety (page E-5) it is stated that "IWM would be placed in a manner that reduces its ability to act as a "strainer", thus reducing the risk to recreationists flowing with the river current, especially swimmers and those in canoes." Reduction is not elimination. Who is going to be liable if someone gets hurt or killed as a consequence of this Project?			
46	Sacramento River Preservation Trust - John Merz	Appendix F	It is stated that the restoration of valley foothill riparian habitat as part of Project mitigation "will be implemented by the M&T Chico Ranch and the Llano Seco Rancho". What does that mean exactly in terms of responsibilities?			
47	Sacramento River Preservation Trust - John Merz	Appendix F, Page F-7, Figure 3	Specific to the Valley Oak/Mixed Riparian Forest Mitigation Site referenced on page F-6 (shown in Figure 3, page F-7), the location is on the Llano Seco Rancho approximately 8 miles downstream of the Proposed Action Area. Why is this mitigation not occurring closer to the area of impact? For instance, why isn't a suitable location available on the adjacent M&T Chico Ranch?			
48	Sacramento River Preservation Trust - John Merz	Appendix F	Of similar concern is the Grassland Restoration Site located within the Rio Vista Unit of the Sacramento River National Wildlife Refuge. This site is 24 miles upstream, which leaves a lot to be desired in terms of habitat continuity in the Proposed Action Area. Please justify.			
49	Sacramento River Preservation Trust - John Merz	Appendix F	Related to the above is a statement on page F-17 that "Various phases of the Rio Vista project implementation have already occurred." Since the Project has yet to be approved, how does that work?			
50	Sacramento River Preservation Trust - John Merz	Appendix F, Page F-11, and F-17	The budgets found on pages F-11 and F-17 seem hard to believe. Do the figures shown cover the entire mitigation period and who is responsible for paying the bills?			
51	Sacramento River Preservation Trust - John Merz	Page 2-19	Under Other Alternatives Considered But Rejected (page 2-19), the Trust finds it interesting that 17 days after we submitted our comments concerning the October 2006 Draft EA/IS for this project, the Steering Committee "determined the need to increase the length of the rock toe revetment ... from 700 feet to 1520 feet to ensure that the rock toe and brush revetment would not become 'flanked'." The Trust believes that our November 13, 2006 comments still have value in the current conversation and hereby incorporate them as part of this submittal (see attached Comments on MT).			
52	Sacramento River Preservation Trust - John Merz	Page 3-10	Related to the above, on page 3-10 it is stated "the State Reclamation Board and State Lands Commission issued letters authorizing the construction of the rock and brush revetment." The Trust hereby requests copies of said letters.			
53	Sacramento River Preservation Trust - John Merz	Page 2-1 and Page 2-10	Also related to the above, on page 2-1 it states "Each of the alternatives was identified by the Steering Committee as a temporary solution (emphasis added) to the bank erosion and gravel deposition occurring in the Action/Project Area until a permanent solution (emphasis added) can be identified and implemented." This is reinforced by the comment on page 2-10 stating "subsequent discussions among the Action/Project Proponents and the resource agencies indicated that the proposed Action/Project may be included as part of the permanent, long-term solution." This Project is clearly part of a larger effort and must be evaluated as such.			
54	Sacramento River Preservation Trust - John Merz	General Comment	The Trust finds that the Draft EA/IS is deficient in a number of areas, with the treatment of aesthetics and cumulative impacts of particular note.			

55	Sacramento River Preservation Trust - John Merz	General Comment	The Trust also finds it interesting that the discussion of potential impacts to fish species is one-sided in most regards and that the dynamics of the river have not been adequately addressed and respected. In short, the vision of CALFED relative to a meandering river system is being seriously challenged by the Project and should be rejected.			
56	Sacramento River Preservation Trust - John Merz	General Comment	Once again, the Trust believes that an Environmental Impact Report /Statement must be required for this project			
57	Sacramento River Preservation Trust - John Merz	General Comment	In addition, the Trust requests that at least one public hearing be held concerning this Project before any further action is taken.			
58	Sacramento River Preservation Trust	General	Overall, the proposed action limits the migration of the channel, eliminates bank erosion, and ultimately—by simple definition of the actions proposed—limits channel migration. While the document evaluates numerous resource areas, it fails in its analysis to expand its scope to include the obvious effects on macro-scale river and ecological processes. For example, while Section 3.7, Geomorphology and Soils includes mention of "channel meander" in the Affected Environment subsection, it fails to include any "significance criteria" that evaluate the proposed projects adverse effects on river channel meander. Further, the analysis neglects to examine other important criteria that are significant, such as changes to bed elevation and ecological processes that are driven by physical river process.			
59	Sacramento River Preservation Trust	General	This project is part of a larger project called the M&T/Llano Seco Fish Screen Facility, Short-term/Long-term Protection Project. A full description of the larger project can be found on the Ducks Unlimited website and is summarized in a "Technical Memorandum: Workshop 4 Summary" and PowerPoint, which was presented at the October 3, 2006 Technical Advisory Committee meeting of the Sacramento River Conservation Area Forum (SRCAF) and is hereby incorporated by reference. It is also worth noting that the document being analyzed uses the word "interim" in a number of locations (i.e. Figures 2-3 and 3-1). As a consequence, this document is only a piece of a larger picture (project) and is therefore in violation of both CEQA and NEPA.			
60	Sacramento River Preservation Trust	General	Despite the fact that this project has a long history, the document consistently ignores existing, relevant, readily available information regarding conditions on the river at the time the decision document was made available for comment. Specifically, the document ignores information on bank retreat from the 2005-2006 high-water season which is in distinct contradiction to information and trends presented in the document. Furthermore, this information was available over one month prior to release of the document. This information must be integrated into the NEPA/CEQA analysis.			
61	Sacramento River Preservation Trust	General	Throughout the document, resource analysis sections simply treat the effects of Alternative D as the same as Alternative C, "except that an additional 500-feet of rock toe and tree would be installed on the western bank of the Sacramento River." While this citation is clearly the only difference between the two actions, the effects of the two alternatives must be analyzed individually. This is particularly the case when examining visual and aesthetic resources. This environmental decision document is deficient without complete analysis of all alternatives.			
62	Sacramento River Preservation Trust	General	While the document clearly covers every applicable special status species potentially occurring on site, the analysis of potential project affects falls far short of adequate. While the analysis covers each impact mechanism for the project, missing from the analysis is the most crucial aspect of the document: accurately describing and evaluating all of the actual affects (short term and long-term) that accompany each of these impact mechanisms. For example, take spawning gravel recruitment. For five years in a row (should conditions merit) the project could remove from the river approximately 189,000 tons of sediment; however, the project never describes or discusses the potential adverse effects on spawning gravel recruitment. Similarly, with over 700 feet of revetment proposed, the analysis fails to examine the effects of bank revetment on inhibiting bank erosion and subsequent spawning gravel recruitment. This omission is particularly important when the document itself points out that "Reduction in the availability and quality of spawning gravel downstream of dams has also been identified as a factor affecting the species [Chinook salmon]." Other omission			
63	Sacramento River Preservation Trust	General	A considerable amount of effort and disagreement appears to be included in the history of the Expert Panel and Steering Committee. Despite the fact that criteria were established to inform a decision on finding a final recommendation, the decision was made to abandon those goals, and evaluate a "non-goal alternative" in the decision matrix. Aside from the fact that your process essentially cast aside what was a legitimate process (instead a solution was decided upon that met all but the ecological goal of meeting river meander criteria) we are curious about how the costs of the project can be justified, and ultimately, how they were found to be cost-effective—particularly after 5 years when additional dredging and/or redesign or configuration of revetment is required. In short, the decision to begin down the path of any of the alternatives (A-E) proposed in the document, leads to what will undoubtedly be a perpetual fight to control the river. The cost of these sorts of river-control efforts is only now beginning to be totaled by researchers. And if the costs to society (i.e. the loss of habitat and ongoing cost of design, modeling, engineering, human energy in me			
64	Sacramento River Preservation Trust	Section 1.1	(Section 1.1) The text describes that "...actions evaluated in this document would occur on Federal property, would be fully or partially funded by Federal agencies..." and that "the project is funded by the California Bay-Delta Authority (CBDA)." It is unclear if "the project" is the preparation of the environmental document, the proposed action, or both. Please clarify. Additionally, please describe the amount and nature of public and private funds used for the project.			

65	Sacramento River Preservation Trust	Section 1.4	(Section 1.4) This section of the document uses the terms "study area" and "project area" interchangeably, ostensibly to describe the area of the proposed action. Please clarify the specific area examined for environmental effects (including cumulative effects) in relation the project footprint as outlined in Figure 1-3.			
66	Sacramento River Preservation Trust	Section 2.2.1	(Section 2.2.1) The document states definitively that "The No-Action alternative would result in continued erosion of the right (west) bank, and growth of the in-channel gravel bar upstream of the diversion." While perhaps based on modeling results and expert opinion, this statement is clearly speculative and inaccurate. For instance, channel migration monitoring this past water year illustrates that channel migration as a function of water year type is not entirely clear-cut: this past year was wet, yet bank retreat was minimal (see attached information from DWR, Northern District). A more accurate characterization of the no action alternative would be that natural channel processes would occur, with the exact outcome of channel migration and sediment dynamics unknown.			
67	Sacramento River Preservation Trust	Section 2.2.1	(Section 2.2.1) Alternative A describes the "No-Action alternative" for the project. As is stated in the document the No-Action alternative was developed to "meet the requirements of NEPA and to serve as a baseline for assessing the impacts of proposed actions." (our emphasis). Yet the document goes on to suggest that "The No Action Alternative includes the actions, practices, and land uses that would be assumed to occur at the project site without Federal funding authorized by the CALFED Program. Alternate sources of funding would need to be acquired before M&T Chico Ranch/Llano Seco Rancho could implement the activities to maintain pumping capabilities without impacting salmonids in the Sacramento River or Big Chico Creek." (our emphasis). This language entirely confuses the nature of the evaluation of the proposed action and the no-action alternatives. Firstly, if, as is written in the document, similar activities to maintain pumping capabilities (albeit via alternative funding, as noted in the document) is to constitute "no action," then it is quite unclear what analysis is actually being conducted.			
68	Sacramento River Preservation Trust	Section 2.2.1	Secondly, because Section 2.2.1, Paragraph 1, Sentences 3 & 4 (assuming the missing period is included) implies that No-Action would be comprised of "activities to maintain pumping capabilities," we find noteworthy that section 2.2.1 goes on to only describe what would occur should no such activities take place. Because the No-Action "activities to maintain pumping capabilities" are not described, an adequate baseline has not been established and environmental analysis is deficient. This suggests that conducting analysis against this "no action" baseline is not consistent with the NEPA because it is at best a comparison against an unspecified, undefined "baseline" action that has yet to occur, and at worst actually constitutes a comparison of action alternatives (activity to maintain pumping capabilities, either Federally funded or funded via an alternate source).			
69	Sacramento River Preservation Trust	Section 2.2.1	Finally, if the only difference between No-Action (which would consist of activities to maintain pumping capabilities similar to proposed actions, but funded by "alternate sources") and the proposed actions is the fact that the proposed action would utilize Federal funding via the CALFED Program, isn't this less an analysis of alternatives than an evaluation of a Federally funded action versus some other, unspecified action? It is our contention that language describing and discussing funding (or alternative funding) is entirely inappropriate, confusing, and misleading.			
70	Sacramento River Preservation Trust	Section 2.2.1	(Section 2.2.1) The document states that "The time frame used to analyze all alternatives is 5-years (Steering Committee conference call, August 25, 2005)." It is entirely unclear why this statement is made within the description of the No-Action alternative. Furthermore, if analysis performed for this NEPA/CEQA analysis was done on a timeframe of 5 years, this entire environmental document is invalid as this does not meet the definition of "reasonably foreseeable" for determining cumulative effects, and other aspects of environmental analysis.			
71	Sacramento River Preservation Trust	Section 2.2.2	The statement that "As mitigation for loss of riparian bar and aquatic backwater habitat, M&T Chico Ranch/Llano Seco Rancho would restore degraded habitat at or near the affected area. Proposed restoration activities would include the removal of non-native vegetation and provide Shaded Riverine Aquatic (SRA) and/or riparian habitat" does not specifically state the timing of implementation, quantity or location of mitigation, nor a timetable for implementation. This is appears to be in violation of CEQA.			
72	Sacramento River Preservation Trust	Section 2.2.2	(Section 2.2.2) Please provide modeling results to substantiate the claim that "The storage site would not significantly alter floodplain capacity." Based on our experience, the placement of approximately 189,000 tons of sediment in a floodway can have an adverse effect on capacity and nearby infrastructure (ie bridges, levees, etc). Further, a Reclamation Board permit is required to place fill material in a floodway. The document appears deficient because it contains no information or analysis of the affects of the proposed action on the floodway from this fill placement.			
73	Sacramento River Preservation Trust	Section 2.2.2 - Figure 2-2	While the lack of scale is irrelevant, the diagram depicting "proposed ground" (shown as a dashed line in the section view of the figure) is inconsistent with the description of a 5-10 foot berm being left to isolate the river from the excavation area.			
74	Sacramento River Preservation Trust	Section 2.2.3 and others	(Section 2.2.3, and others) The information in Paragraph 2 should be revised to include bank retreat data from water year 2005—a wet year which breaks the trend of strong bank retreat in wet years (see DWR attachment referenced above).			
75	Sacramento River Preservation Trust	Section 2.2.3 and others	All sections of the document (of note, details in Section 2.2.5) that describe and lay out generalizations regarding bank retreat must be revised, integrating the relevant information for years beyond 2003. Given the timing of the data collected by DWR, it is clear that this information exists, is relevant, readily available, and should be integrated into the NEPA/CEQA analysis.			

76	Sacramento River Preservation Trust	Figure 2-6	(Figure 2-6) Figure 2-6 is an important figure in describing a key aspect of the proposed action. Unfortunately, the drawings do not include existing and proposed land surface lines. A dashed line is included that, based on the scale of the drawings, does not appear to match conditions on site. Further, while the figure notes that some fill will be undertaken in the conspicuous void behind the rock in section B-B, it is unclear what the finished grade will look like, and if any contouring of the banks will be undertaken.			
77	Sacramento River Preservation Trust	Section 2.2.3	(Section 2.2.3) The document states that an advantage of the 1:10 slope is that "The outboard edges of the trees/brush will "drape" over the rock at an elevation that is less than 119 feet, thereby creating Shaded Riverine Aquatic [SRA] Habitat" (our emphasis). By definition, wood (and brush) that functions in-stream—as is proposed in the document—cannot fulfill the function of SRA as it is instead functioning as instream large woody debris. Because of this mischaracterization, the document is flawed in its analysis of mitigation measures because it evaluates the proposed action (with the falsely labeled benefits of SRA creation) against its effects on the environment, which include actions that eliminate the potential for SRA creation—e.g. bank revetment and the elimination of channel migration. Quite simply, the type of mitigation described does not fulfill the ecological function that is asserted in the document, and analysis is therefore deficient.			
78	Sacramento River Preservation Trust	Section 2.2.3	(Section 2.2.3) The document states that "...the trees/brush will be inundated for longer than 38 days at 42% exceedence flow. The entire structure will be inundated for 23 days at 25% exceedence flow." Given the stated design specifications of the woody material of the revetment, it is clear that the woody material will not be placed in a saturated environment, instead being inundated from just a few days (no high flows in an extremely dry year) to perhaps as many as 40 to 50 days in an exceptionally wet year. This leaves the woody material subject to setting and drying the vast majority of the time. While saturated woody material can remain intact for hundreds of years, woody material that is subjected to wetting and drying (particularly the harsh Mediterranean climate of California summers) is likely to begin to weaken, decay and become susceptible to breakage and removal by higher flows. Maintenance of the revetment structure (particularly wood replacement or clearing) is not discussed in the document. This needs to be included for a complete analysis to be undertaken. Without descriptions of maintenance activities, environmental document			
79	Sacramento River Preservation Trust	Section 2.2.4	(Section 2.2.4) The document states that: "This alternative would be implemented if it is determined Alternative C is ineffective in maintaining bank stabilization...Permitting requirements and mitigation under this alternative would be increased compared to those required under Alternative C (H. Brown, NOAA, 2005 pers comm.). Alternative D would be the same as Alternative C except that an additional 500- linear feet of toe and bank protection would be installed upstream of the 700-foot section, bringing the total length of bank revetment under this alternative to 1,200-feet." First, while the document points out earlier that implementing Alternative D (should Alternative C prove ineffective) "would require a new decision document", the wording in the section cited above indicates that Alternative D (and ostensibly Alternative E) would be the default action should Alternative C prove ineffective. This is inconsistent with conversation between the Trust and Paul Ward, Tracy McReynolds, Olen Zirkle, and Kevin Foerster on October 19, 2006 in Chico, CA. At that time, the Trust was told that additional steps beyond the proposed action were not yet decided. In fact, the above Second, no substantiation is offered to support the claim that "Alternative D would be th			
80	Sacramento River Preservation Trust	Section 2.2.5	(Section 2.2.5) The document states that "The length of the revetment was based on a review of banklines from 1996 to 2005. Since 1996, the average annual rate of retreat varies from 20 to 60 feet, with some years loosing 100-feet of bank." While it is unclear if the reference is to calendar year or water year, it is clear that data from DWR (provided in the aforementioned DWR attachment) is not included in the analysis used to derive the gross generalizations in the text cited above. In actuality, bank erosion rates at the site, as averaged by year, are much lower than stated in the document. Furthermore, the correlation between wet years and large amounts of bank retreat, oft referenced in the document, is also proved false by inclusion of the latest relevant and available information. As is usually the case, reality is more complex than the document describes.			
81	Sacramento River Preservation Trust	Section 2.2.5	(Section 2.2.5) Given the design criteria stated in the text (21 foot footprint, etc.) and the assumption of launch of the entire windrow, the expectation stated in the text that "launched rock can be expected to extend 10 feet up from the toe of the bank" is an underestimate.			
82	Sacramento River Preservation Trust	Section 2.3	(Section 2.3) The document states that project actions on USFWS property "...would impact resources at a CALFED Project site that has already undergone NEPA/CEQA EA/EIR review known as the "Final EIR – Sacramento River- Chico Landing Sub-reach Habitat Restoration Planning". This provides another example where the document fails to undertake sufficient cumulative effects analysis. The site has undergone environmental analysis for another project, not this project. The fact that the previous project was undertaken by the same funder as is proposed for this potential action is entirely irrelevant; however, the document insinuates that this somehow alleviates the impetus for analysis of the actions of this proposed action. The document's cumulative effects analysis also fails to analyze the effects of this project in conjunction with, or upon, other projects and actions in the area.			
83	Sacramento River Preservation Trust	Section 2.4 and Appendix D	(Sections 2.4 and Appendix D) The "Project Commitments" listed in Section 2.4 are different from those in the section of the document labeled as Appendix D. Our comments on Project Commitments are based on those listed in Section 2.4; however, this inconsistency leads us to believe that a clear understanding and commitment of BMPs and mitigation measures is lacking on the part of the project proponents.			

84	Sacramento River Preservation Trust	Section 2.4	(Section 2.4) The document states that "M&T Chico Ranch/Llano Seco Rancho would apply for certification from the Central Valley Regional Water Quality Control Board (RWQCB) under section 401 of the Clean Water Act, and implement an Erosion Control Plan and Post Construction Stormwater Management Plan (PCSWMP)." It is unclear to us why M&T Chico Ranch/Llano Seco Rancho would make application for said certification. This is entirely inappropriate, as the project sponsors are the USFWS and the CDFG. These public agencies should apply for said certification, not M&T Chico Ranch/Llano Seco Rancho.			
85	Sacramento River Preservation Trust	Section 2.4	(Section 2.4) Apart from a series of what are essentially construction site BMPs, applicable to almost any project along a waterway, only the self-mitigating aspects of the woody material placed atop the revetment structure (which, as we mentioned in Comment # 11, is invalid) and the "develop[ment of] a plan to avoid, compensate and enhance natural vegetation, including riparian habitats and Instream Woody Material (IWM) prior to, during and post construction activities" are offered as mitigation to affected resources. As we mention in comments later in this review, analysis conducted in various resource areas is deficient in accurately analyzing the mitigating nature of the woody material atop the rock. Furthermore, "the plan" mentioned in the citation above is not provided. Therefore, because the "project commitments" offer no additional mitigating actions for the direct adverse effects the project has on potential channel migration, incision, and aggradation, critical habitat for bank swallow, and SRA, the analysis is incorrect as the project as proposed has actual unmitigated effects that remain to be addressed.			
86	Sacramento River Preservation Trust	Section 2.4	(Section 2.5) The document dismisses the alternative of a 1,200-foot long tree revetment placed along the toe of the bank. First, the analysis should have also considered the use of shorter sections of woody revetment as other projects, on rivers of similar size to the Sacramento (i.e. the Hoh River in Washington state), are using engineered log jams (far shorter than the 700-foot preferred rock alternative) to effectively control channel processes. We also question why this alternative was rejected from further consideration because of the "high potential to fail in rivers with high embankments and high flow rates (Harvey, 2005); and r[emoval difficult] and potential for tree material to escape from site is high (Harvey, 2005)" if "the tree material would be secured with cables tied into the embankment." Given the parameters described in Section 2.2.5, we would disagree with the characterization of this area as having "high embankments." Further, because the wood to be placed atop the revetment is to be attached with cables, we see an inconsistency in the logic of the documents analysis to find this alternatives wood structure to be inappropriate. Quite si			
87	Sacramento River Preservation Trust	Section 3.2.2	(Section 3.2.2) The document states that "This project would not result in any changes in land use. Specifically, there would be no change to the adjacent land uses including recreation." Clearly, a rock revetment structure (albeit topped with cabled woody material) located on USFWS property, and within a wildlife refuge, changes the character and potential for use of the land at that site. Therefore, the document is deficient because it fails to address changes in land use. Furthermore, the document uses conclusions drawn for land use to dismiss any effects on other resource areas, specifically recreation (as the above citation states) and socioeconomic and environmental justice. Failure to analyze socioeconomic and environmental justice on the faulty conclusion that there is no effect on land use, is an "if-then fallacy". Specifically, there is no description to substantiate the false assumption that "if one thing, then another." Other analysis also uses this false pretext to dismiss effects or bypass analysis altogether.			
88	Sacramento River Preservation Trust	Section 3	(Section 3) Several sections of analysis state that the mitigation for various alternatives would be "same mitigation for vegetation and wildlife as Alternative B; however the scope and scale of the re-vegetation and monitoring plan would be commensurate to the effects associated with this alternative." Because the various alternatives are significantly different (ranging from differences in length of rock revetment, to type of revetment placement an disposition on the landscape), this sort of deferred analysis is clearly in violation of CEQA and NEPA. Specific actions must be described and any differences evaluated.			
89	Sacramento River Preservation Trust	Section 3.4.3.	(Section 3.4.3) The effects analysis for protected species includes the following impact mechanisms for the project: 1) Placement of revetment materials and associated access improvements; 2) Dredging; and 3) Spoils deposition and associated access improvements. While at first glance such a list appears comprehensive, missing from the analysis is the most crucial aspect of the document: accurately describing the actual affects (short term and long-term) that accompany each of these impact mechanisms. For example, while the document examines the "loss of habitat" as a subsection for each species or group of species, it limits its scope to the direct loss at the site of rock and woody material placement. The analysis fails to examine more-complex "cause and effect" type issues such as the affect of the revetment on water velocities within the channel (which could affect green surgeon mobility), the affect of revetment on spawning gravel recruitment from the bed and banks, etc. In short, the analysis puts on blinders and charges ahead. The analysis of dredging focuses solely on the direct potential affects on the fish (e.g. water quality form the generation of turbid			
90	Sacramento River Preservation Trust	Section 3.5.2.2	(Section 3.5.2.2) While actually the creation of void space (rather than placement of a structure) the analysis of dredging neglects to analyze the potential to impede or redirect flood flows within the 100-year floodplain. Further, this highlights the fact that the significance criteria in this section are inadequate.			
91	Sacramento River Preservation Trust	Section 3.5.2.3	(Section 3.5.2.3) This section entirely negates an analysis of the significance criteria to analyze effects on the "Placement of structures that would impede or redirect flood flows within a 100-year floodplain." In fact, this section fails to analyze all of the alternatives relative to affects that meet this significance requirement. Clearly a channel manipulation project involving revetment and major removal of sediment should describe the results of analysis on the impediment or redirection of flood flows. This should be done even if the results of the analysis find there are no adverse effects: the analysis needs to be presented to substantiate whether or not there is an affect, adverse or otherwise.			

92	Sacramento River Preservation Trust	Section 3.7.1	(Section 3.7.1) Missing from the description of the affected environment is the fact that, coupled with Shasta Dam, private and Federal revetment and levee projects have altered sediment transport capacity upstream and downstream of the project site. Additionally, this section fails to describe how, at the very location of the project, overland flood flows from the Bosqueo Basin—coming from out-of-bank floodwaters of the Sacramento River, Pine Creek, Kusal Slough, Mud Creek, etc.—re-enter the Sacramento River at roughly the confluence of Big Chico Creek. The Nature Conservancy has undertaken hydraulic modeling of this reach, and at least one formal publication (TNC. 2001. Restoration Opportunities at Tributary Confluences: Critical Habitat Assessment of the Big Chico Creek-Mud Creek-Sacramento River Confluence Area. http://www.watershedportal.org/viewDoc.html?did=64) has highlighted the hydraulic and ecologic significance of this location.			
93	Sacramento River Preservation Trust	Section 3.7.2	(Section 3.7.2) Again, the Significance Criteria used in the document to conduct analysis is sorely remiss for not including obvious and potentially significant effects on things such as channel migration, bank erosion, sediment transport capacity, channel incision, or aggradation. Clearly, any project aiming to control a river's thalweg and velocity should examine the very aspects of the alteration that is proposed. For instance, a major aspect of the affects of the project has been ignored—that of vertical changes in the river channel profile in response to proposed actions. The meander model (Larsen) used by the expert panel is focused solely on bank erosion and channel migration rates and does not explicitly examine changes to the river bed in response to a constriction such as a groin field or revetted bank. Both the meander model (Larsen) and the 2-D model (Musseter) do not take into account vertical bed movement (aggradation or degradation) because of river constriction (groins or revetment) or sediment removal (dredging). Further, neither model accounts for well-known concepts proposed for describing how a river will evolve in response to perturbat			
94	Sacramento River Preservation Trust	Section 3.7.2	Finally, the 2-D modeling conducted by Musseter and Harvey (page 18 of Workshop 4 summary) clearly shows that the project would transfer energy off the right bank and onto the bed. That is in fact the purpose of the project. The full effects of this—in terms of river form and function upstream and downstream of the project area, are not fully described or analyzed. Indeed, the Workshop 4 summary notes that "Details of the channel adjustment due to the presence of the dikes will need to be quantified with a mobile-boundary physical model," clearly indicating that channel adjustment is anticipated. To our knowledge, a mobile-boundary model has not been assembled and run to address the proposals evaluated in the document.			
95	Sacramento River Preservation Trust	Section 4	(Section 4) The cumulative effects section of this document is deficient for several reasons. First, because, as has been demonstrated earlier in our review (see Comment #13), the document clearly indicates that should one alternative not be successful, another alternative would be implemented. This clearly indicates that other future actions are both being considered, but have also undergone planning—which means there is sufficient information at hand to analyze this reasonably foreseeable future action(s).			
96	Sacramento River Preservation Trust	Section 4	Second, while Section 4.1.1 does an adequate job of listing local projects in the area, the subsequent analysis omits examination of both the effects on these projects, but also the effects of the two (or more) individual projects which, when considered together are considerable. In short, it is not enough to list the Sacramento River Bank Protection Project (SRBPP) as a project in the area—the analysis needs to assess how this bank revetment project works in conjunction with the (SRBPP) to adversely affect aquatic habitat. In fact, the document mentions the SRBPP, but then never again references it or provides a cumulative effects analysis of the project relative to it.			
97	Sacramento River Preservation Trust	Section 4	Third, the scope of the cumulative effects analysis—spatially, temporally, and in terms of the types of effects—is far too narrow to meet the letter and intent of the NEPA and CEQA. To again use the example of the SRBPP, the project is functionally equivalent to the practices of the SRBPP, and therefore the cumulative effect of the proposed action must be evaluated cumulatively for all resource areas.			
98	Sacramento River Preservation Trust	Section 4	Finally, as we have discussed in our general comments, because this project is being proposed in a piecemeal fashion, it negates a truly complete cumulative effects analysis.			
99	Sacramento River Preservation Trust - Keith Wagner	General Comment	The mitigated negaative declaration inappropriately cites the anticipated adverse environmental effects of not approving the project to justify its finding that approving the project will not result in significant, adverse environmental effects. The consequences of not implementing the proposed project do not address impacts to the environment that may occur from implementing the proposed project, and therefore, do not constitute substantial evidence that implementation of the project will not have significant adverse effects on the environment.			
100	Sacramento River Preservation Trust - Keith Wagner	General Comment	The analysis and proposed mitigation measures in the mitigated negative declaration and supporting documents do not meet CEQA's requirements. Mitigation measures do not meet CEQA's procedural or substantive requirements, or will not otherwise clearly mitigat the project's impacts to less than significant levels. These defects lead to a range of CEQA violations, including 1) failure to accurately describe the "whole" of the project (especially related to impacts and activities at undisclosed off-site mitigation areas), 2) failure to describe the affected environment (again, especially with regard to undisclosed off-site areas that will be required for mitigation activities), 3) piecemealing of environmental review, and 4) deferral of the formulation and adoption of mitigation.			
101	Sacramento River Preservation Trust - Keith Wagner	General Comment	Unlawful deferral of development and adoption of mitigation monitoring plan until after project approval.			

102	Sacramento River Preservation Trust - Keith Wagner	General Comment	Unlawful deferral of analysis and mitigation of impacts to bank swallows and their habitat. The identification of potential sites where mitigation might occur is not included in the initial study, but instead has been unlawfully deferred until after project approval.			
103	Sacramento River Preservation Trust - Keith Wagner	General Comment	The Initial Study is also inadequate, because the activities involved in restoring off site habitat (e.g., grading, removal of rock, and other activities that change the landscape) themselves may have short-term construction, and long-term impacts on unique resources at the unidentified, off-site mitigation areas. The failure to describe or mitigate such impacts constitutes a piecemealing of environmental review, and deferral of mitigation.			
104	Sacramento River Preservation Trust - Keith Wagner	General Bank Swallow Comment.	The mitigation measure for loss of bank swallow habitat is also inadequate, because it fails to describe the "ongoing management activities" that will actually be implemented at the off site locations "to ensure that bank swallow habitat is maintained over time."			
105	Sacramento River Preservation Trust - Keith Wagner	General Comment	Failure to discuss downstream impacts and loss of meandering river channel. The initial study for the project is also inadequate because it fails to actually disclose the impacts of preventing the Sacramento River from naturally meandering at this location, and instead locking the channel into place with a revetment.			
106	Sacramento River Preservation Trust - Keith Wagner	General Dredging Comment	On this point, it would also appear that the Initial Study is inadequate because it treats that gravel dredging operation on the east side of the river as if it were a one time activity. However, once the western bank of the river is locked into place with the proposed revetment, it is foreseeable that gravel deposition will continue to occur in the dredged channel, and will have to be periodically removed to keep the channel maintained. The Initial Study fails to discuss or mitigate this ongoing, operational impact of implementing the project.			
107	Sacramento River Preservation Trust - Keith Wagner	General Comment	Improper piecemealing of larger flood control and channel alignment activities anticipated for the Sacramento River. To the extent that my understanding is correct, it would appear that the mitigated negative declaration and Initial Study also violate CEQA because either 1) this "project" is actually just one smaller part of a larger overall "project" that is being unlawfully piecemealed; or 2) if these activities do qualify as separate CEQA and/or NEPA projects, then these activities are not adequately accounted for in terms of considering and mitigating the cumulative effects that might result from the proposed M&T project combined with such other activities.			
108	The Nature Conservancy	General Comment	The draft analyses and mitigation actions repeatedly refer to a 5 year project lifespan. For the existing analyses to be relevant, the document should clearly state that rock revetment will be removed and dredging activities will cease at the end of this stand-alone project's 5 year lifespan. Additionally, there should be some reasonable demonstration that there is a plan and funding for such removal. Environmental analyses of rock removal, as well as the associated costs of those activities, should also be included as part of this stand-alone, 5 year project for public review. If the lifespan of the project is not, in fact, 5 years, then existing analyses are not adequate and impacts must be re-analyzed for a longer time period.			
109	The Nature Conservancy	General Bank Swallow Comment	There are clearly significant impacts to bank swallows, a State Threatened species under consideration for Endangered status, that have not been adequately addressed. Required analyses beyond the construction period are absent.			
110	The Nature Conservancy	General Bank Swallow Comment	Construction activities would destroy the location and habitat of an actively nesting colony of bank swallows. Other such projects along the Sacramento River are negatively and significantly impacting bank swallow populations. For example, the first attached figure shows accumulated bank protection over time on the Sacramento River. The second attached figure, titled 7-12 from a recent analysis, shows an example reach of the Sacramento River containing bank armoring. The figure shows that bank protection disproportionately affects bank swallow habitat and is typically installed on cutbanks that provide prime habitat. The third attached figure, titled figure 7-8 from a recent analysis, displays a strong relationship between the rate of river channel migration and the average number of bank swallow colonies. The figure shows that reductions in the rate of channel migration, resulting from additional bank protection measures, will result in a decrease in the number of colonies. The fourth attached figure, titled Figure 7-15 from a recent analysis, depicts both decreases in the number of breeding pairs as well as decreases in nesting colonies from 1986 to 2005. <i>The evidence presented by these data suggests that the proposed project will have a significant impact on bank swallow populations.</i>			
111	The Nature Conservancy	General Cumulative Impacts Comment	The document should also include an analysis of this proposed project's impacts within the context of cumulative impacts from existing bank revetment on the Sacramento River's meandering reach.			
112	The Nature Conservancy	General Bank Swallow Comment	In addition, no site specific or project specific mitigation actions are proposed for impacts to bank swallows.			
113	The Nature Conservancy	General Bank Swallow Comment	Mitigation to a level of insignificance for the proposed project would be removal of bank protection and the resultant creation of appropriate habitat elsewhere where this removal allows for long-term meander at least comparable to the subject site.			
114	The Nature Conservancy	General Gravel Comment	...it is critical that resource agencies ensure that this gravel resource is in fact only used for restoration projects, it does not go to any other use, and is recycled back into the Sacramento River channel. The EA/IS should clearly explain the plan for recycling the gravel back to the river.			
115	The Nature Conservancy	General Hydraulic Impact Analysis Comment	Hydraulic impact analysis has become standard practice in order to disclose the affects of a proposed project on flow velocities and levels. This analysis is absent from the document.			

116	The Nature Conservancy	General Public Review Comment	The document also states that the mitigation action as well as funding for these actions will be identified prior to the construction date of October 1, 2007. We believe this information should be shared with the public as part of the draft EA/IS so that public input can be received in accordance with the objectives of NEPA and CEQA.			
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