

From: capitolhack@netscape.net [<mailto:capitolhack@netscape.net>]
Sent: Thursday, February 26, 2009 2:44 PM
To: jdavis@qualco.com
Cc: mgt@timmermanco.com; info@safca.org
Subject: Re: From Dan Pellissier

Since the neighbors in Reach 7 have a unique interest in the proposed Reach 7 borrow pit, I think it is best to have a separate briefing where those specific issues can be addressed on-site and in detail. Prior to the briefing, a copy of any and all materials that SAFCA has that describes the NLIP's use and mitigation plans for the Reach 7 borrow pit would be useful, including any contracts with the land owner(s) and any studies, materials and communications used to characterize the site and prepare its Surface Mining and Reclamation Act permit (CA PRC 2710). This request for public records is being submitted in accordance with CA GC 6250 et al.

I1-1

Thank you for your help.

Dan Pellissier
7021 Garden Highway
Sacramento, CA 95837

-----Original Message-----

From: Jay Davis <jdavis@qualco.com>
To: capitolhack@netscape.net
Cc: mgt@timmermanco.com
Sent: Thu, 26 Feb 2009 1:35 pm
Subject: FW: From Dan Pellissier

Hi Dan:

I do not have a SAFCA engineer available this Saturday. I have asked appropriate staff to forward me dates for the next two weeks of when they anticipate being in the field early in the morning or late afternoon so that we can find a mutually acceptable date/time. I should have those soon to forward to you. Alternatively, we can explore looking at scheduling a meeting at SAFCA (downtown) during the lunch hour or a telephone call as well. Also, SAFCA representatives will be presenting at a Natomas Town Hall on March 11, which starts at 5:30pm at the South Natomas Community Center, where they will be available.

Regards,

Jay Davis
Gualco Consulting
11230 Gold Express Dr. #310
Gold River, CA 95670
(916) 351-0600 tele
(916) 351-9392 fax
jdavis@qualco.com

Begin forwarded message:

From: capitolhack@netscape.net

Date: February 24, 2009 12:45:38 PM PST

To: JayDavis@aim.com, "[jdavis"@gualco.com][jdavis@qualco.com]

Cc: mgt@timmermanco.com

Subject: From Dan Pellissier

Please use this, my private email account, for future communications.

I spoke with my next door neighbor (7011) Mark Timmerman about the draft EIR and he would like to attend the on-site briefing. We are both available this Saturday, February 28 from 9:am to 4:pm. Please let me know if you can schedule the SAFCA representatives at this time.

Thank you for your help.

Dan Pellissier

**Letter
I1
Response**

Dan Pellissier
February 26, 2009

- I1-1 This is not a comment on the Phase 3 DEIS/DEIR. USACE and SAFCA are committed to maintaining good communications with potentially affected residents and business owners throughout project planning and construction. See also Chapter 2.0, “Changes to the Phase 3 Project and Master Responses to Comments on the DEIS/DEIR,” of this FEIR for identification of borrow sites within the Elkhorn Borrow Area.

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From: David Lichman <David@DavidLichman.com>
Date: Thu, 26 Feb 2009 11:24:31 -0800
To: Jay Davis <jdavis@gualco.com>
Cc: John Bassett <bassettj@SacCounty.NET>, Barbara Gualco <bgualco@gualco.com>, Zarah Wyly <zarah@sactree.com>, Nancy Lichman <nlichman@aol.com>, "Nagy, Meegan G SPK" <Meegan.G.Nagy@usace.army.mil>, "Turner, Claire Marie SPK" <Claire.Marie.Turner@usace.army.mil>, "Holland, Elizabeth G SPK" <Elizabeth.G.Holland@usace.army.mil>
Subject: Phase 3 NLIP

Hi Jay,

We received the notice on the DEIS/DEIR. We would like to reiterate our comments from our last exchange, to make sure that they are included, and I would appreciate some additional information from you.

1) I looked at the diagrams in the DEIS/DEIR. When you visited, you indicated that no land-side slope changes would be required south of the pumping station on the NEMDC levee. I did not see any diagrams or information indicating that. As you know, this would impact our property directly. Can you point me to where this is documented, or let me know how to make sure that it gets done?

12-1

2) We did not ever get a clear indication that removal of the trees was important to the integrity of the levee. In fact, we found documentation on the SAFCA web site to the contrary. I have again included that reference, and also a letter from Elizabeth Holland, which indicates that the Corps is doing studies, but no results are in. I would suggest that the trees remain until those studies are complete, and would like your advice as to how to best prevent them from being removed before it is proven that it is required for stability.

12-2

It is my understanding that more recent studies have shown that the removal of mature trees *increases* seepage risk, because the dead roots eventually decay. I would like to make sure that everyone has all the facts.

3) As far as right of way, I would like to request another visit, so we can look at the trees behind our property, to see if we can find some way to preserve these heritage oaks and still provide sufficient access. I would also be interested to look at the fence line at that time, to see if any of my facility will be taken.

12-3

These are protected heritage oak trees, and we would like to make sure that they are given the special attention they deserve, and not just clear cut along with everything else along the levee.

12-4

Thanks

David Lichman
5000 Tunis Rd.
Sacramento, CA 95835

(916) 648-1092 (office)
(916) 205-1092 (cell)

34

Dr. F. Douglas Shields, P.E., Research Hydraulic Engineer
USDA Agricultural Research Service National Sedimentation Laboratory

Role of Vegetation in Levee Slope Stability and Revetment Durability

ABSTRACT

Effects of vegetation on slope stability of sandy levees were investigated. Six sites on the river side of the Sacramento River levee supporting various types of vegetation were intensively studied during the summer of 1987. Information on levee geometry, soils, vegetative cover, and root sizes and distributions was collected. These data were then used in seepage and slope stability analyses. Roots reinforced the levee soil and increased factors of safety for infinite slope and circular arc-type analyses of slope stability. Seepage analyses indicated no problems related to vegetation except under the most extreme (and unlikely conditions). These findings were confirmed using a recently developed numerical bank stability model, which predicted failure of the riverside levee slope without vegetation during extreme hydrologic conditions but stability with either bunch grass or large tree cover. Effects of woody vegetation on the ability of Sacramento River revetments to withstand forces created by high flows were examined by documenting vegetative cover on revetments before and after the 1986 flood using inspection records and aerial photographs. Revetment damage rates were significantly higher for older revetments, but differences based on vegetation cover were not significant.

Dr. F. Douglas Shields, P.E., Research Hydraulic Engineer
USDA Agricultural Research Service National Sedimentation Laboratory
PO Box 1157
Oxford, MS 38655-1157
Tel: (662) 232-2919
Email: dshields@ars.usda.gov <<mailto:dshields@ars.usda.gov>>
Web: iapreview.ars.usda.gov/pandp/people/people.htm?personid=5120

Doug has been a research hydraulic engineer at the National Sedimentation Laboratory of the USDA Agricultural Research Service since 1990. Prior to coming to NSL, he worked ten years in the Environmental Laboratory of the US Army Engineer Waterways Experiment Station, and he spent two years with the Nashville District of the Corps of Engineers. He earned a M.S. in environmental and water resources engineering from Vanderbilt (1977) and a Ph.D. in hydraulic engineering from Colorado State (1987). Research interests include stream corridor habitat rehabilitation in incising streams, role of woody debris in fluvial systems, riverine backwater rehabilitation and the influence of

vegetation on sedimentation and erosion. During the late 1980s he conducted studies of the effects of woody vegetation on Sacramento River revetments and levees. Doug is a member of the American Society of Civil Engineers and co-edited the book River Channel Restoration (John Wiley and Sons, 1996). He also was a contributor to the document, "Stream Corridor Restoration: Principles, Processes, and Practices", jointly published by 14 federal agencies. He is a registered as a professional engineer in Mississippi.

On Nov 24, 2008, at 9:11 AM, Holland, Elizabeth G SPK wrote:

David,

I have been out of the office due to a family emergency - the FEIS is now posted on the Corps web site. Tree removal will have to be addressed on a case-by-case basis. The Corps will require SAFCA to remove trees to comply with Corps Policy. I am not sure about the trees you are referring to but the project will only remove trees required to meet levee stability criteria and nothing more than that. The tree removal will be compensated for based on requirements under CEQA and county policy.

If you would like a hard copy of the FEIS please let me know and I will send one to you. We only sent actual documents to those who had commented - you stated that you commented on the document - we did not receive any comments from you on the Draft EIS - where and what did you send? We work very hard to make commenting and public input as simple as possible, if you have any suggestions on making this process better please let me know. Letters were sent to over 700 people in the project area - and yes only 16 comments were made. While this seems like very little we can only provide the opportunity to comment but not make people actually send in comments. We did hold multiple public meetings and few people (no more than 20) showed up at those meeting so the 16 comment letters was not surprising to us.

We do not have an agronomist on staff at the Corps - decisions with regards to tree removal are made at our Headquarters level based on best available science and our geotechnical engineers expertise. I would again emphasize that the Corps will only require tree removal of those trees required for levee stability and Corps policy. Trees in levees and their risk factor is being studied extensively at the Corps but to date no new results have been verified to change our current policy.

Please let me know if you would like any additional information.

Thank you

Liz Holland
U.S. Army Corps of Engineers
Environmental Resources Branch
(916) 557-6763
elizabeth.g.holland@usace.army.mil

- I2-1 As described in Section 2.3, “Proposed Action,” in the Phase 3 DEIS/DEIR slopes of the existing levee *north* of the NEMDC Stormwater Pumping Station to Elkhorn Boulevard would be widened and flattened. However, only seepage and slope stability remediation would occur on the NEMDC west levee *south* of the NEMDC Stormwater Pumping Station to Northgate Boulevard; no landside slope changes are anticipated (see Plate 17c in the Phase 3 DEIS/DEIR). This remediation includes construction of a cutoff wall in the existing levee and/or reconstruction of portions of the levee from the NEMDC Stormwater Pumping Station to Northgate Boulevard where required to reduce and slope instability.
- I2-2 Tree removal would be addressed on a case-by-case basis; however, it is anticipated that USACE will require removal of those trees required for levee integrity and to conform with USACE guidance regarding levee encroachments. An important purpose of landside vegetation removal is to provide a reliable corridor of access to and along the levee. The corridor must be free of obstructions to assure adequate access by personnel and equipment for surveillance, inspection, maintenance, monitoring, and flood-fighting. Accessibility is essential to the reliability of flood damage reduction facilities. USACE guidelines for vegetation removal address removal of “non-compliant” vegetation by requiring removal of all organic debris and filling and compacting voids according to original soil and compaction specifications (USACE 2009). See also Response to Comment I2-4.
- I2-3 Land parcels included in the Phase 3 Project footprint are listed in Table H-1 in Appendix H of the Phase 3 DEIS/DEIR. USACE and SAFCA will arrange meetings to discuss individual concerns as appropriate. See also Responses to Comments I2-2 and I2-4.
- I2-4 As noted in Impact 4.8-a of the Phase 3 DEIS/DEIR, page 4.8-3, no woodlands are expected to be removed along the PGCC and NEMDC levees as part of Phase 3 Project construction. Removal of levee encroachments is not a part of the Phase 3 Project. Section 1.4.2.1, “Encroachment”, in the Phase 3 DEIS/DEIR has been revised to clarify the fact that removal of any encroachments, including trees, that could be identified as threatening levee integrity would be subject to future separate, environmental review and compliance with CEQA and NEPA.
- The proposed woodland mitigation plan includes transplanting suitable trees from the Phase 3 Project footprint, where feasible, as well as planting a variety of native tree species that could become woodland habitat (see Mitigation Measure 4.8-a, “Minimize Effects on Woodland Habitat, Complete Detailed Design of Woodland Creation and Management Agreements to Ensure Compensation for Loss of Habitat, Implement all Management Agreements, and Comply with the DFG Section 1602 Permit Process,” in the Phase 3 DEIS/DEIR). A detailed design of the woodland habitats to be created is being developed and provided for USFWS and DFG review and approval; protective mechanisms and specific management protocols for the woodlands are currently being prepared by SAFCA in coordination with these agencies.

----- Forwarded Message

From: David Lichman <David@DavidLichman.com>

Date: Mon, 2 Mar 2009 15:51:39 -0800

To: Jay Davis <jdavis@gualco.com>

Cc: John Bassett <bassettj@SacCounty.NET>, Barbara Gualco <bgualco@gualco.com>, "Nagy, Meegan G SPK" <Meegan.G.Nagy@usace.army.mil>, "Turner, Claire Marie SPK" <Claire.Marie.Turner@usace.army.mil>, "Holland, Elizabeth G SPK" <Elizabeth.G.Holland@usace.army.mil>

Subject: Fwd: Tree Removal

Hi Jay,

Could you please make sure that our comments include reference to this attached agreement, as well as Dr. Gray's statements here?

Thank you

dml

Begin forwarded message:

----- Forwarded Message

From: David Lichman <David@DavidLichman.com>

Date: Mon, 2 Mar 2009 09:25:11 -0800

To: Jay Davis <jdavis@gualco.com>

Cc: John Bassett <bassettj@SacCounty.NET>, Barbara Gualco <bgualco@gualco.com>, "Nagy, Meegan G SPK" <Meegan.G.Nagy@usace.army.mil>, "Turner, Claire Marie SPK" <Claire.Marie.Turner@usace.army.mil>, "Holland, Elizabeth G SPK" <Elizabeth.G.Holland@usace.army.mil>

Subject: Fwd: Sacramento NLIP tree removal

Hi Jay,

Could you please include this email in the comments for the EIR document under review?

Thanks

dml

From: harfgray@aol.com

Date: March 2, 2009 12:21:58 PM PST

To: David@DavidLichman.com

Subject: Tree Removal

Hello Mr. Lichman,

13-1

Doug Shields included me in copies of e-mail correspondence between you and him. He and I have collaborated and published papers on the effects of vegetation on levee stability and integrity. I too am working as a technical consultant to SAFCA.

I am surprised to hear about the imminent removal of the trees from the levee. My understanding is that an agreement was reached between the US Army Corps of Engineers and various California resource agencies (including SAFCA) to hold such removal in abeyance until a levee vegetation policy was developed.

A copy of this agreement or communique is attached as a PDF file. The relevant paragraph on page 2 reads as follows:

The agencies agreed to work together to draft a phased system-wide plan, with short-term and long-term elements, that will include vegetation management requirements for Central Valley levees and adjoining channels. Participants also agreed that levee-maintaining districts should defer any substantial vegetation removal along levees while this plan is being developed.

My understanding is that this agreement is still in force! In fact both SAFCA and the Corps are presently working along parallel tracts to develop a management / removal plan.

I'm not sure what parties you have spoken with, but in view of the above your principal recourse seems to be administrative and/or legal. I've assisted home owners and home owners associations in similar situations (in Portland, OR and New Orleans, LA). Both ultimately entailed legal actions (incl. injunctions) which can be very expensive, arduous, and uncertain!

Sincerely,

Donald H. Gray
Professor (Emeritus) of Civil and
Environmental Engineering

=====

From: David Lichman <David@DavidLichman.com>
Date: March 2, 2009 9:22:49 AM PST
To: "Shields, Doug" <Doug.Shields@ARS.USDA.GOV>
Cc: Nancy Lichman <nlichman@aol.com>, Zarah Wyly <zarah@sactree.com>
Subject: Re: Sacramento NLIP tree removal

Hi Doug,

Thank you for your help. According to the engineers that I spoke with... the tree removal is imminent.

I3-1
Cont.

If you are consulting to SAFCA, is it not possible that you could, without conflict of interest, at least direct them to look at the most current scientific and engineering data before moving ahead? I just hate to see these trees removed for expediency alone.

If you could direct me to a resource to consult in the private sector, I would certainly appreciate it. I don't really know where to begin looking.

Thanks

dml

On Mar 2, 2009, at 8:58 AM, Shields, Doug wrote:

Dear Mr. Lichman,

I cannot provide any direct assistance to you as I am a federal employee. Representing you in a conflict with the federal government violates professional ethics due to conflict of interest.

However, I am currently acting as a technical consultant to the Sacramento Area Flood Control Agency (SAFCA) regarding levee vegetation. I read the text of Ms. Holland's message to you (below) with some interest. I was under the impression that tree removal from Sacramento Area levees was currently delayed pending research and investigations that are ongoing. The research is largely funded and conducted by the Corps, but with technical input from SAFCA.

Furthermore, SAFCA is proposing a plan to the Corps that would lead to gradual (long term) removal of trees, with those that pose real hazards removed first.

Ms. Holland's message seems to indicate that tree removal is imminent. Am I mistaken?

In the meantime, I suggest you contact SAFCA to get more information.
<http://www.safca.org/contact/contact.asp>

sincerely,

d

F. Douglas Shields, Jr. Ph.D., P.E., D. WRE
Research Hydraulic Engineer
USDA-ARS National Sedimentation Laboratory
PO Box 1157
Oxford, MS 38655-1157
doug.shields@ars.usda.gov
ph 662.232.2919
fax 662.232.2988

<http://www.ars.usda.gov/Research/docs.htm?docid=12773>

From: David Lichman [<mailto:David@DavidLichman.com>]
Sent: Thursday, February 26, 2009 1:24 PM
To: Shields, Doug
Subject: Sacramento NLIP tree removal

Hi Doug,

The NLIP threatens to remove several heritage oak trees from behind our property on the East Main Drain Canal in Sacramento.

I'm interested in any studies you have done regarding levee instability due to trees. I've copied what I've read on the SAFCA web site, but I've also talked with a local soil engineer, who indicated he had seen something regarding weakening the levees when the trees are killed, because the roots decay and make for more seepage pathways.

He suggested we hire an agronomist, but I'm not even sure where to look. The Corps indicates they do not have an agronomist on staff.

Can you help point us to some information that might help preserve these trees?

Thanks

David Lichman

5000 Tunis Rd.
Sacramento, CA 95835
(916) 648-1092 (office)
(916) 205-1092 (cell)

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34

Dr. F. Douglas Shields, P.E., Research Hydraulic Engineer
USDA Agricultural Research Service National Sedimentation Laboratory

Role of Vegetation in Levee Slope Stability and Revetment Durability

ABSTRACT

Effects of vegetation on slope stability of sandy levees were investigated. Six sites on the river side of the Sacramento River levee supporting various types of vegetation were intensively studied during the summer of 1987. Information on levee geometry,

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Dr. F. Douglas Shields, P.E., Research Hydraulic Engineer
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Oxford, MS 38655-1157
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Web: iapreview.ars.usda.gov/pandp/people/people.htm?personid=5120

Doug has been a research hydraulic engineer at the National Sedimentation Laboratory of the USDA Agricultural Research Service since 1990. Prior to coming to NSL, he worked ten years in the Environmental Laboratory of the US Army Engineer Waterways Experiment Station, and he spent two years with the Nashville District of the Corps of Engineers. He earned a M.S. in environmental and water resources engineering from Vanderbilt (1977) and a Ph.D. in hydraulic engineering from Colorado State (1987). Research interests include stream corridor habitat rehabilitation in incising streams, role of woody debris in fluvial systems, riverine backwater rehabilitation and the influence of vegetation on sedimentation and erosion. During the late 1980s he conducted studies of the effects of woody vegetation on Sacramento River revetments and levees. Doug is a member of the American Society of Civil Engineers and co-edited the book River Channel Restoration (John Wiley and Sons, 1996). He also was a contributor to the document, "Stream Corridor Restoration: Principles, Processes, and Practices", jointly published by 14 federal agencies. He is a registered as a professional engineer in Mississippi.

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about the trees you are referring to but the project will only remove trees required to meet levee stability criteria and nothing more than that. The tree removal will be compensated for based on requirements under CEQA and county policy.

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Please let me know if you would like any additional information.

Thank you

Liz Holland
U.S. Army Corps of Engineers
Environmental Resources Branch
(916) 557-6763
elizabeth.g.holland@usace.army.mil

----- End of Forwarded Message



**US Army Corps
of Engineers** ®



Media Communiqué

California Levee Vegetation Policy: Next Steps

21 September 2007

Background

The devastation of New Orleans by Hurricane Katrina in 2005 has focused national attention on levees and public safety concerns.

As a result, the U.S. Army Corps of Engineers (Corps) has determined that existing levee maintenance standards must be more rigorously enforced across the nation. In April 2007 the Corps released a draft white paper on the "Treatment of Vegetation within Local Flood Damage Reduction Systems" that called for the removal of wild growth, trees, and other encroachments which might impair levee integrity or flood-fighting access in order to reduce the risk of flood damage.

The Corps has proposed that levees which fail to meet these existing standards be rated as unacceptable, with the consequence that they could lose eligibility for federal assistance in post-flood levee rehabilitation as well as certification under FEMA's National Flood Insurance Program.

Due to the unique history of the flood control system in the California Central Valley, levee slopes often contain brush and trees that are the last remnants of a vast riparian forest which once extended across the valley floor adjacent to the Sacramento and San Joaquin rivers. Much of this vegetation provides important environmental, recreational, and cultural benefits that would be impacted by the stricter enforcement of Corps regulations.

In order to learn more about how levee safety goals can be met while protecting these environmental assets, the Corps, the State of California, and the Sacramento Area Flood Control Agency sponsored a levee vegetation symposium in Sacramento on August 28-29, 2007. The symposium brought together over 500 scientists, engineers, and policy-makers who shared important information about the risks, benefits, and methods to manage vegetation on and near levees.

Proposed Vegetation Management Approach

Following the symposium a group of senior leaders representing both flood management and resource protection agencies - including the Corps, the California Department of Water Resources, the State of California Reclamation Board, the U.S. Fish and Wildlife Service, NOAA's National Marine Fisheries Service, the California Department of Fish and Game, Reclamation District No. 2068, and the Sacramento Area Flood Control Agency - met to discuss how they could cooperate in achieving better levee safety while protecting and enhancing the environmental values that levees also provide.

The agencies agreed to work together to draft a phased system-wide plan, with short-term and long-term elements, that will include vegetation management requirements for Central Valley levees and adjoining channels. Participants also agreed that levee-maintaining districts should defer any substantial vegetation removal along levees while this plan is being developed.

In drafting this phased plan the Agencies will be guided by the following fundamental principles:

- Public safety is the top priority;
- It is urgent that levee integrity and maintenance concerns be addressed as rapidly as possible;
- Levee deficiencies not associated with vegetation issues will require corrective action, with the most urgent and cost-efficient actions implemented first. In the short-term, vegetation-related deficiencies will be addressed through this collaborative effort;
- The plan will be collaboratively formulated, focus on public safety, and respect the public trust responsibilities of all the involved agencies;

This plan may include bio-engineering techniques that could allow for the retention of stream bank riparian vegetation; the retention of vegetation on the landward side except where site-specific removal of brush and trees that compromise levee safety and emergency response access is required; and mitigation for any required levee slope vegetation removal. These actions would be phased in over a presently-undetermined time period combined with more intensive trimming and monitoring of existing vegetation. The plan will be comprehensive, in that it will also address other maintenance and engineering concerns that affect levee safety and use.

Consistent with the Corps' interim guidance, the State of California will take the lead in developing this phased plan, working closely with affected local levee-maintaining agencies. A draft framework for the plan will be available for stakeholder review in early 2008.

The Corps and the State of California will continue to conduct joint levee inspections this fall, rigorously applying the Corps' existing maintenance standards. Portions of the Central Valley levee system may receive consideration for a variance from the Corps' vegetation standard provided [1] that vegetation management meets the requirements of the inter-agency plan described above; and [2] the variance retains the safety, structural integrity, and functionality of the flood damage reduction system. The participating agencies agreed that preliminary 'unacceptable' ratings regarding vegetation would not cause levees within the Corps levee rehabilitation program to be classified as 'inactive' while this plan is being collaboratively developed and vegetation management progress meets the requirements of the plan. However, vegetation issues that are deemed by the joint inspection teams to significantly impair levee integrity or operations will require immediate attention.

This phased approach will give the State and local levee-maintaining agencies time to plan, design, and finance more intensive levee maintenance and vegetation management programs; apply the best available science; and deal with habitat mitigation on a system-wide basis. A phased approach will also ensure that public safety is not compromised and will allow flood risk to be reduced by addressing the most urgent problems first.

**Letter
I3
Response**

David Lichman
March 2, 2009

I3-1 See Responses to Comments I2-2 and I2-4.

From: [Basnett, John \(MSA\)](mailto:Basnett.John@MSA)
To: [Rader, David; Dunn, Francine; Henningsen, Sarah;](mailto:Rader,David.Dunn@Henningsen)
[Holland, Elizabeth G SPK;](mailto:Holland,Elizabeth.G@SPK)
Subject: FW: Swabbies
Date: Thursday, March 05, 2009 10:37:01 AM

From: Jay Davis [mailto:jdavis@gualco.com]
Sent: Wednesday, March 04, 2009 8:46 AM
To: Basnett, John (MSA)
Cc: Barbara Gualco
Subject: FW: Swabbies

----- Forwarded Message

From: Christopher Barabino <swabbies_ontheriver@msn.com>
Date: Wed, 4 Mar 2009 15:28:19 +0000
To: Jay Davis <jdavis@gualco.com>
Subject: Swabbies

Jay,

I have been hearing some chatter from Garden Hwy residents about road closures on the Garden Hwy and the extensive extra work being done under the I-5 bridge area. As you know Swabbies is very concerned over the type and amount of access it will have during the construction period. For instance if North Bayou was shut down for days or months it would have catastrophic results on the business during that period since it will be during peak season. Please let me know of any news and I will be looking for the new EIR concerning the 2010 project.

I4-1

Sincerely,

Chris Barabino

----- End of Forwarded Message

COUNTY OF SACRAMENTO EMAIL DISCLAIMER:

This email and any attachments thereto may contain private, confidential, and privileged material for the sole use of the intended recipient. Any review, copying, or distribution of this email (or any attachments thereto) by other than the County of Sacramento or the intended recipient is strictly prohibited.

If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments thereto.

I4-1 As stated in the Phase 3 DEIS/DEIR, approximately 1,000 feet of Garden Highway (about 500 feet upstream and 500 feet downstream of the I-5 Bridge) would be closed for approximately 8 to 12 weeks during the summer season to allow for cutoff wall construction. Access would be maintained to the two nearby marinas. North Bayou Road's intersection with Garden Highway would remain open; however, it would have a detour with a gravel surface during construction. This would allow access to the two private marinas north of the public boat launch ramp to remain open. Following completion of the cutoff wall, the intersection would be rebuilt, and roadway paving would be replaced.

As discussed in Impact 4.2-c, "Potential to Physically Divide or Disrupt an Established Community," in the Phase 3 DEIS/DEIR, temporary disruptions to access for residents and businesses are considered a significant impact. SAFCA would provide residents and business owners located adjacent to the construction areas with a construction timeline and will post its construction schedule on the SAFCA Web site (www.safca.org), as well as road closures and detour information. The schedule will be updated on a monthly basis (see Mitigation Measure 4.2-c, "Notify Residents and Businesses of Project Construction and Road Closure Schedule; and Implement Mitigation Measure 4.12-a, [Prepare and Implement a Traffic Safety and Control Plan for Construction-Related Truck Trips,] and Mitigation Measure 4.12-c, [Notify Emergency Service Providers about Project Construction and Maintain Emergency Access or Coordinate Detours with Providers]," in the Phase 3 DEIS/DEIR).

From: Diane Hovey <djhovey@gmail.com>
Date: March 10, 2009 4:38:27 PM PDT
To: Barbara Gualco <bgualco@gualco.com>
Subject: Re: Diane Hovey Inquiry No. 3

Hi Barbara,

My 10am appointment slot is open on that day. I could easily book the meeting with you in that time.

Thank you,
Diane

On Tue, Mar 10, 2009 at 4:36 PM, Barbara Gualco <bgualco@gualco.com> wrote:
Hello Diane:

Would you be available any part of Monday, March 16 to meet at SAFCA offices in Sacramento. I have set aside time on the SAFCA calendar for an in-office meeting. Please let me know if you are free to meet, most likely in the a.m.

Regards,

Barbara Gualco

On Mar 9, 2009, at 6:08 PM, Barbara Gualco wrote:

If you would like to reach me by phone I am working at my desk...351-0600.

On Mar 9, 2009, at 5:31 PM, Diane Hovey wrote:

Hello Barbara,

True, this is not something that would normally go into a formal review. However, it is representative of the reality of what it is like living beneath the shadow of this project, coupled with the other slings and arrows life is throwing at all of us at present time. Perhaps, including it would bring a more human perspective to a project that has worked so diligently at removing that element for those of us living on the river side of the levee. In rereading my prior email, I note a grammatical error, but I do not read it as being the ramblings of a madwoman. That is, of course, my personal perspective. Left up to me, I would include it, as well as this response in the formal record.

Best regards,
Diane Hovey, Ph.D.

On Mon, Mar 9, 2009 at 5:14 PM, Barbara Gualco <bgualco@gualco.com> wrote:

Diane. Thank you for your message. I can certainly appreciate your position. I am presuming you do not wish this email to be entered in the formal record of comments that will become public record. Please confirm what you would like me to do with this message.

Barb Gualco

On Mar 6, 2009, at 6:48 PM, Diane Hovey wrote:

Barbara,

Thank you. As you might imagine I feel as though I am standing in front of an on-coming train. The value of my house has dropped significantly. Ben and I put a lot of cash into the construction phase, so I cannot afford to sell it. (Ben died a week after we moved in...the will and trust to change beneficiaries arrived a few hours after his death.) My client base has decreased due to the economy, which is making it nearly impossible to negotiate a refinance the 15-year mortgage to 30-years, which would let me meet my payments. Then, I am looking at construction that would further erode my ability to make a living. And, of course, there is the problem with my eroding river bank that is responding to the change in the flow of the river due to the DWR work across the the way, which I am ill equipped to repair. Meanwhile, the tax bill still comes in asking me to contribute to all of the projects that are "conspiring" to cause me to lose my home and all of my savings. Tell me again why I should be sanguine about what is happening around me.

Best regards,

Diane Hovey, Ph.D.

On Fri, Mar 6, 2009 at 5:34 PM, Barbara Gualco <bgualco@gualco.com> wrote:

Diane,

Thank you for the follow-up message. I have responded to what I can tell you at this time. We look forward to discussing all issues noted in your email messages when a proposed project design is available for review. SAFCA's Natomas Levee Improvement Program Project Manager and designers have been made aware of your concerns.

Again, when this information becomes available, I will contact you and set a meeting.

Regards,
Barb Gualco

On Mar 6, 2009, at 12:00 AM, Diane Hovey wrote:

15-1

Hello Barbara,

Thank you for your response. I note that you have responded to three of the issues, but have declined to address the issue of relocation of my place of business from my home to an office during the construction phase although you do reference relocation to a hotel as a point of temporary residence. The nature of NeuroMuscular Therapy or any other type of therapy that involves physical contact is not something that translates well to a hotel environment. My home office is just that, it has a separate entrance, dedicated bath/restroom, waiting room, treatment room, and office. If I must relocate, I would need an office with equal amenities.

I5-1
Cont.

Best regards,

Diane Hovey, Ph.D.

On Thu, Mar 5, 2009 at 5:50 PM, Barbara Gualco <bgualco@gualco.com> wrote:

[Ms. Diane Hovey 6075 Garden Highway](#)

Hello and thank you for your email. I have not seen the "Garden Highway group's" email you referenced, so I am unable to respond specifically to its content. However, I am familiar with your location from our prior exchanges.

As you are probably aware, the EIS/EIR is meant to address several construction alternatives that could be implemented for the project and evaluate the potentially significant environmental impacts of those alternatives. However, it does not determine which of those alternatives will ultimately be constructed in any given area. Well before the 2010 construction season begins, SAFCA's project designers will have more definitive plans developed which will help to address the issues you have raised: 1.) information regarding any suggested detours for traffic necessitated by road closures, 2.) proper notification of pending 24-hour construction, if applicable, and 3.) the opportunity for impacted residents to temporarily relocate to a hotel.

I anticipate that this detailed construction information will be available in the fall of 2009. SAFCA will work to explore opportunities to reduce the impact on residents living and working near the project. SAFCA staff and consultants will certainly take into consideration the issues you have raised and work with you to address them. Once we have those details, we would be happy to schedule a meeting with you to discuss how construction may impact your property specifically and the mitigation measures that are available. In the meantime if there is anything that you require, please do not hesitate to get in contact with my office.

Barbara Gualco

cc: Jay Davis, Ombudsman

Hello Barbara,

There was a recent email from the Garden Highway group that stated the work at Garden Highway and N.Bayou road will require the road be closed to traffic for an extended period along with the 24 x

I5-1
Cont.

7 truck activity. Apparently SAFCA is offering to cover hotel rooms for those who will not be able to sleep through the noise.

I work from my home. My therapy office was designed into the house and has its own business entrance. If the road is closed to traffic, how am I supposed to a) live in my house and b) make a living...that activity that produces the income that goes to pay the taxes, that fund the jobs of the people that will apparently be keeping me from working..... Is SAFCA proposing to obtain a professional office (of equal quality) for me in another location for the duration of the construction period? If so, is SAFCA also going to pay for moving my office equipment to and from that new location?

Based on what I have seen on the drawings, I thought the property across from me is supposed to have seepage wells installed instead of widening the levee. That seems quite at odds with closing the road at N. Bayou and Garden Highway for widening. Please clarify SAFA's intentions for me. I am located at 6075 Garden Highway, about 0.4-mile north of the I-5 overpass and the N.Bayou / Garden Highway intersection.

Best regards,

Diane Hovey

I5-1
Cont.

I5-1 See Response to Comment I4-1.

Mitigation Measure 4.14-a, “Implement Noise-Reducing Construction Practices, Prepare a Noise Control Plan, and Monitor and Record Construction Noise Near Sensitive Receptors,” in the Phase 3 DEIS/DEIR requires that residents in or near the affected work area would be afforded the opportunity, at SAFCA’s expense, to temporarily relocate to a nearby hotel for as long as the 24/7 cutoff wall construction schedule persists within 500 feet of their residence. Under the Proposed Action, access to residences along Garden Highway would remain open, with some temporary construction closures. Mitigation Measure 4.2-c, “Notify Residents and Businesses of Project Construction and Road Closure Schedule; and Implement Mitigation Measure 4.12-a, “Prepare and Implement a Traffic Safety and Control Plan for Construction-Related Truck Trips,” and Mitigation Measure 4.12-c, “Notify Emergency Service Providers about Project Construction and Maintain Emergency Access or Coordinate Detours with Providers,” requires SAFCA to notify residents and businesses of the construction schedule and road closures and detours. Under the Levee Raise-in-Place Alternative, Mitigation Measure 4.2-c further requires SAFCA to negotiate an agreement, consistent with the terms of existing leases, with any business required to suspend operations during levee/cutoff wall construction in order to reimburse them for loss of revenue during the time that they will be closed, based on actual income for that time of year. USACE and SAFCA are committed to maintaining good communications with potentially affected residents and business owners throughout project planning and construction, and meeting with those affected to discuss individual concerns. See also Master Response: 24/7 Cutoff Wall Construction.

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From: [Holland, Elizabeth G SPK](#)
To: [bassettj](#); [Dunn, Francine](#); [Henningsen, Sarah](#); [Washburn, Timothy \(MSA\)](#); [Jay Davis](#);
Subject: NLIP Phase 3 comment
Date: Monday, March 16, 2009 11:00:35 AM

John, Francine, and Sarah,

I received a call from Mr. Ed Bianci with regards to the Phase 3 NLIP project - he would like to make an official comment on the design of the levees and irrigation ditches. He would like the footprint to be as small as possible because the larger the footprint the more land he will loose. He does not want his land to be fragmented with ditches and native grasses. He does not understand and does not want there to be a 50 to 60 foot buffer on the landside of the levee or irrigation ditches. He does not want the ditches to be so large and does not believe they need to have a 5:1 slope.

| 17-1

| 17-2

| 17-3

| 17-4

He would like to receive any future documents related to this project.

| 17-5

John - he is also expecting an engineer to call him this week per Jay Davis. I also informed him that we do not have control over the irrigation ditches and the extra land being obtained beyond the levee structure and the required landside maintenance road. He said you told him all of the design was based on requirements from the Corps of Engineers - I told him only the levee structure and maintenance area has Corps requirements - not the irrigation ditches. Can you please call him and discuss the irrigation ditches and their design.

| 17-6

Thank you all.

Liz Holland
U.S. Army Corps of Engineers
Environmental Resources Branch
(916) 557-6763
elizabeth.g.holland@usace.army.mil

- I7-1 Comment noted; USACE and SAFCA have designed the Phase 3 Project in an effort to reduce acquisition of private property.
- I7-2 Comment noted; Appendix H of the Phase 3 DEIS/DEIR includes a list of parcels that are located within the Phase 3 Project footprint. The Proposed Action includes the relocation of the existing Elkhorn Canal south of Elkhorn Reservoir. Portions of privately maintained local canals, some of which may provide a drainage function, would be overlapped by the footprint of the adjacent setback levee along the Sacramento River east levee. Drainage would need to be rerouted to new replacement canals before the existing canals are decommissioned to ensure that local drainage and ponding areas would not be adversely affected as a result of project construction. Detailed plans for these replacements are still under development.
- As noted in Mitigation Measure 4.4-b, “Coordinate with Landowners and Drainage Infrastructure Operators, Prepare Final Drainage Studies as Needed, and Implement Proper Project Design,” in the Phase 3 DEIS/DEIR, project engineers will coordinate with owners and operators of local drainage systems and landowners served by the systems throughout detailed project design. This coordination will enable the project engineers to evaluate the preproject and postproject drainage needs and the design features to consider in project design.
- The footprint of the setback levee, maintenance corridor, levee setback area, and extension of the Elkhorn Canal would encroach upon the western side of the commenter’s property, adjacent to the existing levee. The project footprint would be restricted to the west side of the property; therefore the property would not be fragmented into smaller pieces and would not make farming practices difficult or infeasible. The alignment of the Elkhorn Canal was sited as close to the new levee toe as possible, which reduces land acquisition. The width of the right-of-way for the relocated canal is needed to accommodate the canal itself, embankments on both sides, and patrol roads. The canal alignment is described in Appendix H of the Phase 3 DEIS/DEIR.
- I7-3 A 50-foot-wide operations and maintenance corridor is required by CVFCB, and necessary for considerations such as utility upkeep and woodland corridor function. Specific circumstances, such as residences, businesses, and some existing utilities allow for a reduced corridor of 20 feet in width in certain areas. SAFCA will compensate owners for land acquired as a result of project implementation.
- I7-4 The proposed canal embankments are planned to be built with a 3:1 ratio, not a 5:1 ratio, as the commenter states. Regarding the size of the ditches, canals, and other irrigation components, project design is based upon needs in Natomas Basin, including irrigation system connectivity considerations. These components also include operations and maintenance corridors. See Section 2.3.4, “Irrigation and Drainage Components,” and Appendix H, “Construction Details,” in the Phase 3 DEIS/DEIR for further information.
- I7-5 Comment noted; the commenter has been added to the NLIP distribution list for future environmental documents.
- I7-6 See Response to Comments I7-2 through I7-4 and Master Response: Sacramento River East Levee Prism.

Mr. John Bassett
Director of Engineering, SAFCA
1007 7th St.
Sacramento, Ca. 95814

April 6,2009

Ref: Natomas Levee Improvement, Phase 3 DEIS/DEIR

As a resident of Valley View Acres, I am surprised the DEIS/DEIR has not provided more specific information regarding construction to the NEMDC and a better analyze of the impacts to our community.

Valley View Acres is an approximately 300 acre community bounded by Elkhorn Blvd on the north, Del Paso Road on the south, Sorento Road on the west, and the East Levee Road on the east. Included in this area are 150 residential homes, two horse farms, one cattle ranch, and other livestock. Water for drinking, cleaning, agricultural irrigation, and livestock care is provided by private wells maintained by Valley View Acre Residents.

18-1

The NEMDC construction will border our community for two miles. It will create the usual issues of road closures, noise, traffic etc. However, I have special concerns regarding the impact to ground water and thus affecting our well water.

1. The ground water evaluation as provided by the consulting engineers Luhdorff and Scalmanini are based on the Integrated Groundwater and Surface Water Models (IGSM) dated 2004 for present conditions and project conditions for the year 2030. An updated model by WRIME in 2008 is the model for the Sutter/Placer County portion. Is there an update model for Sacramento City/County/Natomas areas? After three years of draught and maybe more to follow, should a new draught-type model be prepared?

18-2

2. According to the Luhdorff and Scalmanini Groungwater Report, the impact of ground water flows beneath the NEMDC West Levee with proposed cutoff walls installed will drop from 684 to 547 acre feet yearly for the 2004 ("existing") simulation and from 38 to 30 acre feet yearly for the 2030 simulation (Table 6-6) for a 3% drop. The slurry walls along the length of the levee are estimated to be 60-80 feet deep. Most of our residential water wells are 50-80 feet deep. How can these combined conditions not greatly impact our access to water? Our water wells may have to go deeper. If needed, will the DEIS/DEIR provide compensation for water well improvements?

18-3

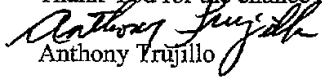
3 .According to section 9.3, "no groundwater contamination would be expected due to construction of the proposed slurry walls and other improvements..." After 30 years of living in Valley View Acres, my water has been contaminated three or four times for periods of three to eight days when some new well has been dug in the neighborhood. If my water has been contaminated by a 12 inch bore, why would it not be contaminated by a two mile 80 foot slurry wall?

18-4

This DEIS/DEIR document appears to ignore ground water impacts that may occur during the NEMDC construction. If not addressed in this document, I hope a through up to date analysis will be conducted with appropriate mitigation measures included in Phase four documentation.

18-5

Thank You for the chance to comment,


Anthony Trujillo

**Letter
18
Response**

Anthony Trujillo
April 6, 2009

- I8-1 See Master Response: Groundwater Hydrology in the Vicinity of the NEMDC.
- I8-2 See Master Response: Groundwater Hydrology in the Vicinity of the NEMDC.
- I8-3 See Master Response: Groundwater Hydrology in the Vicinity of the NEMDC.
- I8-4 See Master Response: Groundwater Hydrology in the Vicinity of the NEMDC.
- I8-5 See Master Response: Groundwater Hydrology in the Vicinity of the NEMDC.

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From: Chris Mortensen [mailto:mortens1@apple.com]
Sent: Monday, April 06, 2009 3:01 PM
To: Elizabeth.G.Holland@usace.army.mil; Bassett. John (MSA)
Cc: Chris Mortensen; Caroll Mortensen
Subject: EIR / EIS Phase Three Landside Improvement Project Comments

To: Mr. John Bassett
Ms. Elizabeth Holland

From: Chris and Caroll Mortensen
6576 Garden Hwy
Sacramento, CA 95837

RE: EIR / EIS Phase Three Landside Improvement Project

Please accept these comments in response to the draft EIR / EIS:

As property owners on the landside of the Garden Hwy in Reach #8, we are still concerned that an EIS / EIR is still proceeding with so many variables that have not been decided. It seems that it would be problematic to determine the scope of the project.

19-1

We have not received any type of formal offer or estimate as to where and how much of our property would be needed to complete the project. This seems a necessary step and critical to the estimation of the scope and impact of the project. Without knowing what the levee and other improvements would look like on our property it is not understandable as to what the EIR/ EIS should look for and what the alternatives are.

19-1
Cont.

Along these lines, but in the broader scope, the same uncertainty as to what the impact to our parcel seems to exist for the final project. It seems problematic to perform an adequate EIR/ EIS under those circumstances.

The latest EIR/EIS appears to show our parcel surrounded by borrow sites. Since the ground water is extremely high in the winter we are concerned that we will be surrounded by a potential swamp. We are concerned the type of eco system that this will promote and the potential for mosquitoes.

19-2

Specifically clarity is lacking regarding:

What structures as well as trees and other vegetation are proposed to be removed and from where.

19-3

Clarity is also lacking as to the relocation of the power poles along the Garden Hwy and where and when they will be moved.

In the areas where they will be constructing 'slurry walls', it appears there will be around the clock, 7 day per week construction. It is unclear if this evaluated in this phase of the EIR / EIS.

19-4

It also appears that the possibility of around the clock, 7 day per week construction for ANY sections deemed necessary to keep the project moving within the timeline. It is not clear in what areas slurry walls will be constructed, or how long noise and construction will affect individual homeowners.

Construction of this type will likely have to noise, dust, and vibration generated from the tremendous trucking and digging activity that will be happening at the various 'borrow' sites located adjacent to the Garden Hwy. This seems to be a larger impact that the previous construction schedules and the increase does

19-5

Also, it appears that there are future variables with requirements that are likely to be imposed by other agencies including the Army Corps of Engineers that will come in the future that may necessitate changes in the proposed current project. This also makes the complete and adequate preparation of an EIR / EIS problematic

19-6

Thank you for your consideration of these comments. Please contact us if you have further questions.

Chris and Caroll Mortensen

Elizabeth.G.Holland@usace.army.mil

ATTN: US Army Corps NLIP Phase 3 DEIS

And

BassettJ@saccounty.net

ATTN: SAFCA N

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- I9-1 The scope of the project is addressed in Chapter 2.0, “Alternatives,” in the Phase 3 DEIS/DEIR where the construction methods are described, as well as in Appendix H, “Project Construction Details,” in the Phase 3 DEIS/DEIR. Impact analysis has proceeded on the basis that design refinements, including exact property acquisition requirements, would occur beyond the timeframe of the Phase 3 DEIS/DEIR. Where uncertainty exists in terms of ultimate project footprint or use of potential soil borrow sites, the impact analysis is based on probable worst-case scenarios. As noted in Section 2.3.6, “Lands, Easements, Relocations, and Rights-of-Way,” in the Phase 3 DEIS/DEIR, privately owned lands would be acquired in fee. Real property acquisition and relocation services would be accomplished in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 USC 4601 *et seq.*) and implementing regulation, 49 CFR Part 24; and California Government Code Section 7267 *et seq.*
- I9-2 As described in Section 3.3.4.5, “Groundwater Hydrology,” in the Phase 3 DEIS/DEIR, groundwater levels in the Natomas Basin average 10–25 feet below ground surface level. Borrow material excavation would be between 2 and 5.4 feet, as described in Table 2-2 of the Phase 3 DEIS/DEIR, and should therefore not penetrate underground aquifers. In addition, groundwater monitoring in the Natomas Basin has been in place for decades (see Appendix B of the Phase 3 DEIS/DEIR). Data extracted from this monitoring, in conjunction with geotechnical borings completed prior to excavation activities would ensure that use of borrow materials would not be extracted to a depth that would create swamp habitat that may be an attractant to mosquitoes.
- I9-3 See Response to Comment O2-5 regarding removal of encroachments. Mitigation Measure 4.17-b, “Verify Utility Locations, Coordinate with Utility Providers, Prepare and Implement a Response Plan, and Conduct Worker Training with Respect to Accidental Utility Damage,” in the Phase 3 DEIS/DEIR addresses the potential impacts of power pole relocations. Exact locations for relocated power poles would be determined through detailed project design. The timing of relocation of power poles is addressed in Appendix H, Section 2.2, “Construction Sequence,” in the Phase 3 DEIS/DEIR.
- I9-4 See Master Response: 24/7 Cutoff Wall Construction.
- I9-5 Impacts associated with noise, dust, and vibration are presented in Sections 4.13, “Air Quality,” and 4.14, “Noise,” in the Phase 3 DEIS/DEIR. Magnitude and duration of construction of various project phases may overlap and could occur over a different time frame than presented in the Phase 3 DEIS/EIR. The scenario presented in the Phase 3 DEIS/EIR is the reasonable worst-case scenario and encompasses the maximum extent of impacts from implementation of the Phase 3 Project.
- I9-6 With any proposed project, it is likely that as detailed project design proceeds, project refinements or modifications may become necessary. As these refinements/modifications are identified, the lead agencies must consider whether the environmental review adequately evaluated the impacts of the refined/modified proposed project, or whether additional or supplemental analyses are warranted.

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-----Original Message-----

From: Gibson Howell [mailto:gib@mail.com]

Sent: Monday, April 06, 2009 4:57 PM

To: Bassett, John (MSA)

Subject: Phase 3 NLIP Comments

John,

SAFCA

Below are my comments concerning SAFCA's Phase 3 of the NLIP DEIS:

1. This document is 484 pages and very disjointed. It repeats itself in several areas, very technical for the average 'stakeholder', and includes very significant information couched within seeming unimportant subsections (i.e.: not in the synopsis). I would like to know how many of the SAFCA board and USACE staff have been able to review the ENTIRE document in a detailed way.

I10-1

2. From on my read of the EAR, the 'No Action Alternative' is MUCH worse to the residents of Natomas and the environment than the EIR implies. Based on current USACE standards, Natomas residents would not gain any meaningful flood protection, and the Army Corps would require 'de-nuding' of the levees causing irreparable harm to the environment, those living on the Garden Hwy, and the greater community who enjoys all the recreational activities and beauty the river provides.

I10-2

3. I am very concerned the EIR dismissed other flood protection improvement alternatives that could reduce the risk to Natomas, lessen the strain on the levee during floods, and possibly relegate the levee to a 'backup' during flood events. This could also allow the levee to exist in its 'current state' (with all environmental habitat preserved) since the chance of flooding would be greatly diminished.

I10-3

Please provide further explanation why these alternatives were dismissed:

Increasing the use of bypasses (Yolo, Fremont, Sacramento, etc)to contain the massive amount of water that has to flow down a relatively narrow channel (the river). The Central Valley Flood Protection Board (CVFPB) includes this as a viable option they are working on in their current "Framework" document. SAFCA seems to dismiss it because it would involve "too many other agencies outside of their control". Doesn't the State have a plan to work together, called "FloodSAFE"?

I10-3
Cont.

Increasing the number of reservoirs. We are living in drought conditions, yet no government agencies seems willing to address the need for more reservoirs. This would increase our water supply and reduce the chance of flooding. A win/win in my opinion.

Study and implement 'watershed plans' that have been proposed by scientists to improve flood control, enhance our environment, and increase our water supply.

4. Disruption of utility service during NLIP construction

Local residents have still not been informed how long they can expect to be without utility service during the construction and power pole relocation. I think this is basic information we need to know since we all rely exclusively on electricity for everything (no city gas, sewer, water).

I10-4

5. SAFCA has continually advocated the 'adjacent setback levee' will move the "levee prism" landside and effectively remove our properties from current USACE, RD1000, and Title 23 levee standards. I agree with the concept and feel they are actively advocating this position, but I have never seen an actual diagram of the "new" levee prism showing we will be outside of it and thus exempting any requirement to conform to 'levee prism' standards.

I10-5

6. Title 23 (Waters) Division 1, Chapter 1, Article 8, Paragraph 133 needs to be updated to address the 'adjacent set-back levee'. This section was specifically created to accommodate the unique conditions of the Natomas section of the levee. This section was written in 1996, and should be re-written to incorporate the obvious advantages gained by the increased size of the levee.

I10-6

7. 24/7 Construction. Nowhere in the NLIP does it state how long the "average" homeowner will be subject to 24/7 construction. Furthermore, it states there is a possibility for continuous 24/7 construction and does

I10-7

not
address the fact that this construction would require the use of
equipment
and trucks along a great length of the Garden Hwy due to the use of
multiple
'borrow facilities' next to the homeowners. How can we judge this EIR
if we
have no idea how long we will be affected?

Thank you for your time and consideration,

Gibson Howell
3551 Garden Hwy
916/730-0141

I10-7
Cont.

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- I10-1 The Phase 3 DEIR/DEIS has been prepared by both the USACE, Sacramento District, as Federal lead agency under NEPA and SAFCA as state lead agency under CEQA. As such, appropriate staff from both lead agencies has participated in the development and review of the Phase 3 DEIR/DEIS, which was developed in accordance with applicable NEPA and CEQA regulations.
- I10-2 See Responses to Comments L3-10 and O2-2, which address concerns regarding the environmental effects of the No-Action Alternative.
- I10-3 Numerous alternatives have been considered by SAFCA to provide flood risk reduction to the Natomas Basin. These alternatives have been evaluated and eliminated from further consideration during completion of previous environmental documents. More detailed information on alternatives considered but eliminated is provided in Appendix I, "Alternatives Formulation and Screening Details," of the Phase 3 DEIS/DEIR. See also Response to Comment L3-8.
- The Yolo Bypass Improvements Alternative was eliminated because (1) it would be too costly for SAFCA to implement; (2) even following implementation of this alternative, some levee height increases and substantial seepage, underseepage, and slope stability remediation would still be required for the perimeter levee system, adding to the costs; (3) these improvement lie outside of SAFCA's jurisdiction and would require Federal, state, and local cooperation and funding; and (4) the project objective of restoring 100-year flood protection to the Natomas Basin could not be achieved as quickly as possible (considered and eliminated in Phase 2 EIR and Phase 2 EIS). The alternatives that were carried forward would address the immediate flood control issues facing the Natomas Basin in a way that would not adversely affect other portions of the Sacramento River system or other entities with flood management responsibilities. These alternatives would not prejudice the state's FloodSAFE effort or other future efforts from identifying additional long-term solutions to the flood protection system deficiencies related to the river system, including improvements to the Yolo and Sacramento Bypass systems and additional reservoir and watershed management plans.
- I10-4 See Response to Comment O2-3. Temporary electrical service outages during relocation of electrical utilities are expected to be approximately four hours in duration and are not anticipated to exceed eight hours. No disruption of service during construction of flood risk reduction facilities is anticipated.
- I10-5 See Master Response: Sacramento River East Levee Prism.
- I10-6 See Response to Comment O2-8.
- I10-7 See Master Response: 24/7 Cutoff Wall Construction. Further, as shown in Plate 10 in the Phase 3 DEIS/DEIR, and as agreed upon in the settlement agreement between SAFCA the Garden Highway Community Association (Appendix G of the Phase 3 DEIS/DEIR), haul routes for levee embankment material would not be located on Garden Highway.

From: Laura Gilbeau [mailto:lauragilbeau@gmail.com]
Sent: Monday, April 06, 2009 9:32 PM
To: Bassett. John (MSA)
Subject: Sacramento Levee project - 5871 Garden Highway

April 6, 2009

Dear Interested parties

Metro Marina, located at 5871 Garden Hwy, is in the business of renting space for a Restaurant (Swabbies), residences, boat slips and dry storage. Closing or disrupting our business in the middle of summer could seriously impact our ability to charge rents due to the seasonality of our location. Some of our boat customers rent slips for the year with the anticipation of having the prime time use during summer. If our customers were forced to find other accommodations during the levee repairs they may not return, impacting our revenue for several months after the access is regained. Please consider making adequate access roads around construction so we don't lose our valuable clients to other marinas.

I11-1

Sincerely,

Laura and Harvey Gilbeau
Don and Anita Glidewell
916-869-2625
Metro Marina Partnership

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**Letter
I11
Response**

Laura and Harvey Gilbeau and Don and Anita Glidewell
April 6, 2009

I11-1 See Responses to Comments I4-1, PH-2, and PH-3.

From: Christopher Barabino [mailto:swabbies_ontheriver@msn.com]
Sent: Monday, April 06, 2009 9:27 PM
To: elizabeth.g.holland@usace.army.mil; Bassett. John (MSA)
Subject: Public comments Draft EIR

April 6, 2009

Dear SAFCA and interested parties,

Swabbies Restaurant at 5871 Garden Hwy is currently a thriving seasonal destination. We rely on a number of different patrons such as boaters, motorcyclists, airport employees, fisherman, and local Garden Hwy residents to name a few. The draft EIR spells out possible closures or disruptions in 2010, during our peak season. Even a moderate disruption during the critical summer months could result in the entire 2010 being lost.

Our business needs the best possible access from all directions that is suitable for all types of vehicles. In addition the access needs to be simple without creating time delays for our customers. We also rely on the Elkhorn Boat Launch for business. I have suggested that perhaps a co-op arraignment be made to temporary connect the two properties and share driveways during construction. I have also suggested that we could possibly save asphalt grindings during the levee tear down and use it to make a solid two lane temporary access to our business.

I12-1

Please consider my verbal statements from May 19th in front of the board of supervisors. Hopefully our restaurant can continue to thrive even with the levee repairs. Please don't hesitate to contact me for further information or mitigation suggestions.

I12-2

Sincerely

Christopher Barabino
Owner Swabbies Restaurant
916-320-4126

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**Letter
I12
Response**

Christopher Barabino, Owner, Swabbies Restaurant
April 6, 2009

- I12-1 See Response to Comments I4-1, PH-2, and PH-3.
- I12-2 See Response to Comments I4-1, PH-2, and PH-3.

March 27, 2009

Mr. John Bassett
Director of Engineering
SAFCA
1007 7th Street, 7th Floor
Sacramento, CA 95819

Re: Draft Environmental Impact Statement/Draft
Environmental Impact Report (DEIS/DEIR) for the Natomas
Levee Improvement Program (NLIP), Phase 3 Landslide
Improvement Project (Phase 3 Project)

Dear Mr. Bassett,

My family and I have are long time residents of the Valley View Acres Community (VVA) residing on Sorento Road between Del Paso Road and the East Levee Road. Because our location within the Natomas Basin and a constant threat of flooding, we have been supportive of all flood control efforts by SAFCA and the U.S. Army Corps of Engineers. In general, we are in support of the Phase 3 Project. However, we are concerned that the DEIS/DEIR never addressed critical areas of concern for the VVA Community. These critical areas of concern include groundwater and wells, traffic impacts, noise, soils and land use. Because these issues were not covered in the DEIS/DEIR, we believe these documents must be revised and re-circulated to comply with the requirements of the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA).

I13-1

I13-2

I13-3

In the Phase 3 DEIS/DEIR there is no mention of the traffic related noise and emergency service impacts to the Valley View Acres Community. Most importantly, there is no mention of impacts to domestic wells for VVAC residents.

I13-4

Chapter 3 page 54, there is no mention of using Sorento Road as a project area road way for the project which is a vital road way for my family.

I13-5

In Chapter 4, Hydrology and Hydraulics, there is no review of the effects on groundwater and domestic wells. This issue is important to my family and other residents here in VVA. We are concerned that are wells will not go dry because of the improvements to the levee. We believe that if wells are affected, it should be the responsibility of SAFCA to amend and finance the needed improvements to ensure my well, as well as all domestic wells within our community, are protected and run as they had prior to levee improvements. This issue must be reviewed and analyzed prior to moving forward with this project.

I13-6

My family and I are long time supporters of flood protection within the Natomas Basin including additional assessments on properties for flood protection. However, because the Phase 3 Project DEIS/DEIR failed to review potentially significant impacts to the community my family and I reside in, Valley View Acres Community, we must call for the analysis to be revised and relevant mitigation measures be included, to address the impacts of how this project will effect my family and other residents of the Valley View Acres Community.

I13-7

Respectfully,



Joe Angel & Angela Angel

5600 Sorento Road
Sacramento CA 95835

**Letter
I13
Response**

Joe and Angela Angel
March 27, 2009

- I13-1 Comment noted; the commenters are long-time residents of the Valley View Acres Community Association.
- I13-2 See Response to Comment O4-13.
- I13-3 See Response to Comment O4-25.
- I13-4 See Response to Comment O4-17 regarding emergency service impacts to East Levee Road, adjacent to the Valley View Acres Community. Noise-sensitive land uses that could be affected by construction on the NEMDC west levee are discussed under Impact 4.14-a, "Generation of Temporary, Short-Term Construction Noise," in the Phase 3 DEIS/DEIR. These would include the VVA neighborhood. See also Master Response: Groundwater Hydrology in the Vicinity of the NEMDC.
- I13-5 See Response to Comment O4-11. Construction of the Phase 3 Project would not include the use of Sorento Road as a truck haul route (see Plate 10 in the Phase 3 DEIS/DEIR).
- I13-6 See Master Response: Groundwater Hydrology in the Vicinity of the NEMDC.
- I13-7 See Response to Comment O4-25.

CHAIR SUSAN PETERS:

CALL TO ORDER THE SACRAMENTO AREA FLOOD CONTROL AGENCY MEETING FOR MARCH 19, 2009.

WOULD YOU LIKE TO CALL THE ROLL.

CLERK:

JAMES GALLAGHER
JIM MILLER - HERE
JOHN SHIELDS - HERE
BRIAN HOLLOWAY -
VIRGINIA MOOSE - HERE
STEVE COHN -
BONNIE PANNELL - HERE
RAY TRETHERWAY -
ART GEE - HERE
DENNIS ROGERS - HERE
DON NOTTOLI -
ROGER DICKINSON - HERE
SUSAN PETERS - HERE

MADAM CHAIR WE HAVE A QUORUM

CHAIR SUSAN PETERS:

OKAY, THANK YOU.

OUR FIRST ITEM IS A CLOSED SESSION, WHICH WE ARE GOING TO CANCEL SINCE THE ANALYSIS HAS NOT BEEN COMPLETED AND THEN WE WILL LOOK TO DO THAT AT OUR NEXT MEETING.

SO WE WILL GO ON TO TIMED ITEMS NOW.

CLERK:

I NEED TO READ THE OPENING STATEMENT

CHAIR SUSAN PETERS:

OKAY, THAT'S FINE

CLERK

GOOD AFTERNOON LADIES AND GENTLEMEN, THIS MEETING OF SAFCA IS BEING BROADCAST LIVE AND WILL BE CABLECAST WITHOUT INTERRUPTION ON METRO CABLE 14. TODAY'S MEETING WILL BE REPEATED ON FRIDAY, MARCH 20TH, AT 1:00 P.M. ON CHANNEL 14. THIS MEETING IS BEING CLOSED CAPTIONED AND WILL BE WEBCAST AT WWW.SACMETROCABLE.TV STREAMING VIDEO OF THE BOARD MEETING IS AVAILABLE ON WWW.SAFCA.ORG WITHIN 48 HOURS AFTER THE MEETING. A VHS COPY IS ALSO AVAILABLE FOR CHECK OUT FROM ANY LIBRARY BRANCH.

MEMBERS OF THE AUDIENCE WISHING TO ADDRESS THE BOARD SHOULD FILL OUT A BLUE SPEAKER FORM LOCATED ON THE TABLE AT THE ENTRANCE OF THE CHAMBERS AND AT THE PODIUM, AND GIVE IT TO THE CLERK. WHEN ADDRESSING THE BOARD, PLEASE IDENTIFY YOURSELF FOR THE RECORD AND SPEAK DIRECTLY INTO THE MICROPHONE AND PLEASE LIMIT YOUR COMMENTS TO THREE MINUTES. THANK YOU.

CHAIR SUSAN PETERS

OKAY, THEN I SUPPOSE WE OUGHT TO DO THE PLEDGE, MR. ROGERS..

ALL:

I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA, AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL.

CHAIR SUSAN PETERS:

SO NOW WE'LL SAY THAT WE ARE CANCELLING THE CLOSED SESSION AND MOVING ON TO TIMED ITEMS.

CLERK:

TIMED ITEM; ITEM 1. PUBLIC HEARING - DRAFT ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT ON THE NATOMAS LEVEE IMPROVEMENT PROGRAM PHASE 3 LANDSIDE IMPROVEMENTS PROJECT.

TIM WASHBURN:

MADAM CHAIR, MEMBERS OF THE BOARD, TIM WASHBURN, SAFCA STAFF.

THIS ITEM IS A PUBLIC HEARING ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT AND ENVIRONMENTAL IMPACT REPORT FOR THE NATOMAS LEVEE IMPROVEMENT PROGRAM LANDSIDE IMPROVEMENTS PROJECT, PHASE 3. IT'S THIS DOCUMENT AND I KNOW WE INCLUDED IT IN THE BOARD'S PACKET AND IT'S OF COURSE POSTED ON SAFCA'S WEBSITE, AND WHAT WE HAVE TODAY FOR THE BOARD, I WILL MAKE KIND OF A BRIEF OVERVIEW OF WHAT'S IN THE PROJECT AND THEN YOU CAN OPEN THE HEARING, TAKE COMMENTS FROM THE PUBLIC THAT WE WILL RECORD AND REPRODUCE AND RESPOND TO, IN THE FINAL EIR/EIS WHEN WE GET THERE.

LET ME JUST DO A... CAN YOU... I'LL HAVE TO IMPROVISE A LITTLE BIT HERE. SO, WHAT WE ARE COVERING IN THE PHASE 3 PROJECT, IS THE WORK THAT WOULD GO ON ALONG THE EAST LEVEE OF THE SACRAMENTO RIVER. (I THINK THAT IS PRETTY GOOD) EAST LEVEE OF THE SACRAMENTO RIVER, BASICALLY JUST UPSTREAM OF ELVERTA ROAD, JUST DOWNSTREAM OF THE PRICHARD LAKE PUMP STATION, RD'S PUMP STATION, RD1000'S PUMP STATION THERE, AND THEN, CONTINUING ALONG THE EAST LEVEE, FOR ABOUT, A LITTLE MORE THAN 4 MILES, DOWN PAST I-5, THAT WOULD BE THE REACH ALONG THE SACRAMENTO RIVER AND IN ORDER TO CLEAR THE WAY FOR THAT LEVEE WORK TO BE DONE, WE WOULD BE LOCATING THIS LOWER PORTION OF THE ELKHORN IRRIGATION CANAL, THE NATOMAS CENTRAL MUTUAL WATER COMPANY IRRIGATION CANAL, FROM JUST NORTH OF THE GOLF COURSE, ALL THE WAY DOWN TO JUST THE OTHER SIDE OF ELKHORN BLVD., AND THEN WE WOULD ALSO BE RELOCATING OR CREATING, IN EFFECT, A NEW DRAINAGE CANAL; THE GIANT GARTER SNAKE DRAINAGE CANAL, RUNNING FROM AGAIN, JUST THE NORTHERLY EDGE OF THE GOLF COURSE FROM THE ELKHORN RESERVOIR THERE ALL THE WAY DOWN TO CONNECT TO THE RD1000 WEST DRAINAGE CANAL HERE AT I-5.

AND THIS FACILITY, AS I'VE DISCUSSED WITH THE BOARD IN THE PAST, WILL OFF SET THE RECONFIGURATION AND ESSENTIALLY ABANDONMENT OF THE AIRPORT WEST DITCH. THIS IS A DRAINAGE AND IRRIGATION DITCH THAT RUNS THROUGH THE AIRPORT OPERATION AREA ON SACRAMENTO INTERNATIONAL AIRPORT. AND WE WOULD BE SHIFTING THE FUNCTIONS OF THE AIRPORT WEST DITCH, WHICH CURRENTLY CARRY IRRIGATION WATER AND PROVIDE A DRAINAGE FUNCTION FOR PROPERTIES JUST TO THE WEST OF THE AIRPORT. THOSE IRRIGATION AND DRAINAGE FUNCTIONS ALONG WITH THE HABITAT VALUES THAT WE WOULD CREATE WOULD BE SHIFTED OVER TO THE GIANT GARTER SNAKE DRAINAGE CANAL AND THAT WOULD ALLOW US TO RECONFIGURE AND ESSENTIALLY TURN WHAT IS NOW A RELATIVELY DEEP DITCH WITH WATER THAT RUNS ALMOST CONTINUOUSLY THROUGH IT INTO A KIND OF A GRASSY SWALE, THAT WILL STILL PROVIDE SOME MINIMAL DRAINAGE ON THE AIRPORT, BUT WE WILL ELIMINATE IT AS A SIGNIFICANT DRAINAGE AND IRRIGATION FACILITY.

IN ORDER TO FINISH AND CONTINUE TO SUPPLY IRRIGATION WATER TO THE PROPERTIES JUST WEST OF THE AIRPORT, THIS PHASE OF THE PROJECT ALSO INVOLVES OUR

CONSTRUCTION OF SOME IRRIGATION FACILITIES TO IRRIGATE THAT LARGE PARCEL JUST TO THE WEST OF THE AIRPORT.

PHASE 3 ALSO INCLUDES SOME SIGNIFICANT IMPROVEMENTS ON THE EAST SIDE OF NATOMAS. SO SWITCH OVER TO THE EAST SIDE OF THE BASIN AND WE WOULD BE IMPROVING, STRENGTHENING AND ADDRESSING THE UNDER SEEPAGE AND STABILITY ISSUES ON THE PLEASANT GROVE CREEK CANAL, WHICH IS ABOUT A THREE MILE REACH CONNECTING FROM THE CROSS CANAL DOWN JUST PAST SANKEY ROAD WHERE IT HITS THE NATOMAS EAST MAIN DRAINAGE CANAL. SO THE PLEASANT GROVE CREEK CANAL WOULD BE SLIGHTLY RAISED FOR A HUNDRED-YEAR FLOOD PROTECTION AT THE VERY UPPER END HERE, WOULD HAVE SEEPAGE REMEDIATION WORK DONE AND THE LEVEE STABILIZATION WORK OF THE LEVEE SECTION WOULD BE WIDENED IN THAT UPPER REACH OF NATOMAS.

AND THEN SWITCHING TO THE LOWER PORTION OF THE NATOMAS EAST MAIN DRAIN, PHASE 3 INCLUDES IMPROVEMENTS TO THE WEST LEVEE CANAL, EXTENDING ESSENTIALLY FROM ELKHORN BLVD., DOWN PAST OUR PUMPING STATION HERE, NEAR DRY CREEK AND ALL THE WAY DOWN TO NORTHGATE BOULEVARD. IN THIS SHORT UPPER REACH BETWEEN ELKHORN AND THE PUMPING STATION WE ARE ESSENTIALLY FIXING A LEVEE STABILIZATION ISSUE, AND THE LEVEE WILL BE WIDENED SIMILAR TO WHAT WE ARE DOING WITH THE ADJACENT LEVEE OVER ON THE EAST SIDE, IT WON'T BE RAISED, BUT THE LEVEE SECTION WILL BE MADE WIDER TO MAKE THAT LEVEE MORE STABLE. AND THEN IN THE REACH FROM THE PUMPING STATION DOWN TO NORTHGATE WE ARE ADDRESSING UNDER SEEPAGE IN THAT REACH OF THE LEVEE, PARTICULARLY IN SPOTS WHERE PRE-EXISTING SPOTS WHERE DRY CREEK, ARCADE CREEK, OLD MAGPIE CREEK CROSS UNDERNEATH THE LEVEE, AND WHERE THERE IS UNDER SEEPAGE POTENTIAL THERE.

SO THOSE ARE THE BASIC ELEMENTS IN THE PHASE THREE PROJECT, I SHOULD ALSO SAY THAT THERE ARE SOME PUMPING STATIONS THAT NEED TO BE ADJUSTED TO THE CHANGED LEVEE HEIGHT AND THAT WOULD BE RD1000'S PRICHARD LAKE PUMP STATION, WHICH WILL NEED TO BE RETRO FITTED AND IMPROVED TO GET OVER THE NEW LEVEE AND THE ELKHORN PUMPING STATION FOR NATOMAS CENTRAL MUTUAL WATER COMPANY THAT WILL HAVE TO BE RETRO FITTED AND IMPROVED TO ADJUST TO THE NEW HEIGHT OF THE SACRAMENTO RIVER EAST LEVEE.

THE DOCUMENT COVERS THE IMPACTS ASSOCIATED WITH THIS WORK. THE IMPACTS ARE I'M SURE, FAMILIAR TO THE BOARD AT THIS POINT. WE DO, BECAUSE OF THE EXTENT OF THE IMPROVEMENTS AND THE WIDTH OF THE FOOTPRINTS OF THE LEVEE IMPROVEMENTS, WHETHER WE LOOK AT THE ADJACENT LEVEE OR EVEN RAISING THE LEVEE IN PLACE, THERE ARE IMPACTS ON THE LANDSIDE OF THE LEVEE, LOSS OF WOODLANDS AND LOSS OF AGRICULTURAL LANDS, IMPACTS TO HABITAT ASSOCIATED WITH THOSE LANDS AND, OF COURSE, SIGNIFICANT SHORT-TERM CONSTRUCTION IMPACT, AIR QUALITY NOISE, DUST THAT ARE UNAVOIDABLE WITH A PROJECT OF THIS SIZE.

THE DOCUMENT, AS WE HAVE IN THE PAST COMPARES ESSENTIALLY THREE ALTERNATIVES. ONE IS NO ACTION. AND NO ACTION IN THIS CONTEXT MEANS WE WILL HAVE COMPLETED THE PHASE 2 PROJECT WHICH THE BOARD RECALLS IS THE PROJECT TO IMPROVE THE CROSS CANAL RAISE AND STRENGTHEN THE CROSS CANAL WALLS, ALL 5.3 MILES OF IT AND TO DO THE UPPER REACHES OF THE SACRAMENTO RIVER EAST LEVEE. SO WE COME DOWN TO JUST PAST THE PUMPING STATION JUST NORTH OF ELVERTA ROAD. IT'S ASSUMED IN THIS DOCUMENT THAT, PHASE TWO, WHICH THIS BOARD CERTIFIED THE FIRST ENVIRONMENTAL DOCUMENT IN NOVEMBER AND WE DID A SUPPLEMENTAL DOCUMENT IN JANUARY, IN WHICH THE CORPS ISSUED A RECORD OF DECISION ON IN JANUARY, THAT THAT WORK WILL GO FORWARD BUT UNDER THE NO ACTION ALTERNATIVE; NO ADDITIONAL WORK WOULD BE DONE. AND SO UNDER THAT ALTERNATIVE, WHICH IS NECESSARY TO CONSIDER UNDER NEPA AND CEQA FOR THIS PURPOSE, IT WOULD BE ASSUMED THAT WOULD BE NECESSARY TO BRING THE SACRAMENTO RIVER EAST LEVEE INTO COMPLIANCE WITH THE CORP VEGETATION AND ENROACHMENT STANDARDS, WHICH UNDER THE NO ACTION ALTERNATIVE WOULD REQUIRE A

SUBSTANTIAL REMOVAL OF VEGETATION AND ENCROACHMENTS ALONG THE EAST LEVEE, TO MEET CORPS CRITERIA.

THOSE IMPACTS WOULD BE AVOIDED UNDER THE SECOND ALTERNATIVE THAT WE'RE LOOKING AT, WHICH THE BOARD IS FAMILIAR WITH AND WHICH IS IN FACT THE ALTERNATIVE THAT IS THE PREFERRED PLAN FOR SAFCA, WHICH IS THE ADJACENT LEVEE ALTERNATIVE. AND OF COURSE UNDER THE ADJACENT LEVEE ALTERNATIVE WE ESSENTIALLY BUILD A NEW LEVEE DIRECTLY CONNECTED TO AND ADJACENT TO THE GARDEN HIGHWAY LEVEE ON THE EAST SIDE, AND THAT AVOIDS THE NEED TO REMOVE VEGETATION AND ENCROACHMENTS ALONG THE SACRAMENTO RIVER EAST LEVEE, BUT OF COURSE, IT HAS MORE IMPACTS ON THE LAND SIDE OF THE LEVEE BECAUSE IT CONSUMES MORE LAND, SO THERE ARE MORE LANDSIDE WOODLANDS IMPACTS ASSOCIATED WITH THAT ALTERNATIVE, MORE LOSS OF AGRICULTURAL LANDS ASSOCIATED WITH THAT ALTERNATIVE. BUT, WE WOULD AVOID THE LOSS OF WOODLANDS, RIPARIAN HABITAT ON THE WATERSIDE OF THE LEVEE AND WOULD AVOID THE NEED TO REMOVE ENCROACHMENTS, RESIDENTIAL ENCROACHMENTS, IN PARTICULAR, ALONG THE WATERSIDE OF THE GARDEN HIGHWAY.

THE THIRD ALTERNATIVE AS IN THE PREVIOUS DOCUMENTS IS; RAISE THE LEVEE IN PLACE. SO UNDER THAT ALTERNATIVE, RATHER THAN BUILD THE RAISED ADJACENT LEVEE CONNECTING TO THE EXISTING GARDEN HIGHWAY, IT WOULD ESSENTIALLY, RAISE AND STRENGTHEN THE EXISTING GARDEN HIGHWAY LEVEE, WHICH WOULD HAVE MORE SEVERE IMPACTS ON THE VEGETATION AND ENCROACHMENTS ON THE WATERSIDE, BECAUSE YOU WOULD HAVE TO COMPLY WITH THE CORP STANDARDS AND OF COURSE THE SHORT-TERM CONSTRUCTION IMPACTS FOR FOLKS LIVING AND RELYING ON THE GARDEN HIGHWAY FOR TRANSIT WOULD BE MUCH MORE SEVERELY AFFECTED, BY THE RAISE-IN-PLACE ALTERNATIVE.

UNDER NEPA, THESE ALTERNATIVES NEED TO BE VIEWED ESSENTIALLY AT AN EQUAL LEVEL OF DETAIL AND ANALYSIS AND SINCE THIS DOCUMENT IS PROVIDING THE NEPA COMPLIANCE FOR THE CORPS DECISION MAKING, AND THE CORPS DECISION MAKING HERE AS THE BOARD WILL RECALL - IS THE CORPS HAS TO DECIDE TO GIVE SAFCA A PERMIT UNDER SECTION 408 OF THE RIVERS AND HARBORS ACT OF 1899 TO PHYSICALLY ALTER THE STATE PROJECT LEVEE AND THE CORPS HAS TO GIVE US A PERMIT TO FILL WETLANDS, AND THERE ARE SOME WETLANDS FILLED AS A PART OF THIS PROJECT, DEPENDING ON OUR ALTERNATIVE. SO IT WILL SERVE THE CORP'S DECISION-MAKING PROCESS FOR THE ISSUANCE OF THOSE PERMITS AND OF COURSE, IT WILL PROVIDE CEQA COMPLIANCE FOR SAFCA AND FOR THE CENTRAL VALLEY FLOOD CONTROL BOARD AND OTHER STATE AGENCIES WHO HAVE TO ACT IN CONNECTION WITH THIS PROJECT.

THE DOCUMENT WAS ISSUED ON FEBRUARY 13TH. THE COMMENT PERIOD WILL REMAIN OPEN UNTIL APRIL 6TH, AT WHICH POINT THE COMMENT PERIOD WILL THEN CLOSE, WE WILL RESPOND TO ALL THE COMMENTS THAT WE RECEIVE AND WE WILL PREPARE AND BRING TO THE BOARD A FINAL EIR SOMETIME PROBABLY IN MAY.

THE CORP WILL DO ITS OWN DECISION-MAKING PROCESS AND THEIR RECORD OF DECISION TYPICALLY IS ISSUED SOMETIME AFTER WE'RE READY TO CERTIFY UNDER CEQA. SO THAT'S THE PROCESS. I WOULD BE HAPPY TO ANSWER ANY QUESTIONS THAT THE BOARD MAY HAVE AND THEN WE COULD OPEN THE PUBLIC HEARING AND TAKE ANY PUBLIC COMMENTS THAT THERE MAY BE.

CHAIR SUSAN PETERS:

ANY QUESTIONS FROM THE BOARD AT THIS TIME? THANK YOU.

ANOTHER MOMENT AND WE WILL OPEN THE PUBLIC HEARING. I ONLY HAVE ONE REQUEST TO SPEAK, SO IF YOU ARE HERE AND YOU WANT SPEAK, PLEASE FILL OUT THE FORM, ITS AT THE BACK TABLE. CHRISTOPHER BARABINO.
PLEASE NOTE THAT WE HAVE A THREE MINUTE LIMIT.

CHRISTOPHER BARABINO:

GOOD AFTERNOON, MY NAME IS CHRISTOPHER BARABINO. MY WIFE AND I HAVE LIVED AT 5871 GARDEN HIGHWAY FOR SIX YEARS. WE OWN A SMALL SEASONAL BUSINESS ON THE RIVER LOCATED AT THE SAME ADDRESS. SINCE THE NEWS OF THE PENDING LEVEE PROJECT, I'VE BEEN TO MEETINGS, SPOKE TO THE BOARD OF SUPERVISORS. I'VE WRITTEN NUMEROUS LETTERS AND HAD IN PERSON MEETINGS TO ADDRESS CONCERNS.

PH-1

AFTER RECENTLY REVIEWING THE DRAFT 3 EIR, PRINTED THIS FEBRUARY, I'M CONCERNED ON A NUMBER OF ISSUES. FIRST I'D LIKE TO MAKE IT CLEAR THAT WE'RE NOT, OUR COMPANY AND WHERE WE'RE LIVING AT, WE'RE NOT IN THE BUSINESS OF TRYING TO FIGURE SOME HANDOUT FROM SAFCA, OR ANY AGENCIES, I ALSO WOULD LIKE TO MAKE IT CLEAR THAT WE'RE NOT NECESSARILY AGAINST THE LEVEE PROJECT GOING IN FOR NATOMAS, TO PROTECT ITS RESIDENTS.

WHAT WE ARE FOR IS A RESPONSIBLY RAN PROJECT THAT MITIGATES FAIRLY. THE LATEST EIR ADDRESSED NONE OF MY PRIOR CONCERNS AND IN FACT, WAS FAR WORSE THAN PREDICTED. EVEN MORE SURPRISING IS THAT ANOTHER BUSINESS TO THE NORTH, TEAL BEND GOLF COURSE RECEIVED MENTIONS IN THE EIR ABOUT STAYING OPEN, EVEN THOUGH I'VE NEVER SEEN A REPRESENTATIVE OR COMMUNICATION FROM THEM. SUGGESTING THAT THE ENTIRE MARINA, RESTAURANT AND BOAT LAUNCH CLOSE DOWN AT SOME RANDOM DATE FOR TWO MONTHS IN THE MIDDLE OF THE SUMMER AND TELLING EVERYONE JUST TO GO ELSEWHERE, WOULD BE CONSIDERED A TOTAL SHUT DOWN FOR OUR 2010 SEASON. THIS SHUT DOWN WOULD NOT ONLY INCLUDE OUR RESTAURANT BUT ALSO ASSOCIATED BUSINESSES, RESIDENT RENTAL INCOME, MARINA INCOME.

PH-2

I CAN'T SPEAK FOR THE MARINA AND RESTAURANT NEXT DOOR. BUT I WOULD ASSUME THEY'RE IN THE SAME BOAT. I FEEL THIS WOULD BE AN EXPENSIVE PROPOSITION BETWEEN THE TWO BUSINESSES AND THE BOAT LAUNCH, AND ESTIMATED \$2.0 MILLION WORTH OF REVENUES FOR TAXES AND LOCAL MONEY SPENT, AND JOBS WOULD BE LOST FOR THAT SEASON. I THINK IT'S IMPORTANT THAT WE FIND WAYS TO KEEP THE TRAFFIC FLOW AROUND THESE BUSINESSES AND THE BOAT LAUNCH FLOWING. I THINK THERE ARE WAYS FOR US TO CONNECT THE PROPERTIES WITH THE BOAT LAUNCH AND OUR RESTAURANT PROPERTY TO ALLOW ENTRANCE FROM BOTH SIDES OF THE GARDEN HIGHWAY NORTH AND SOUTH, ON THE NORTH BAYOU ROAD.

PH-3

I FEEL IT'S ONLY FAIR THAT IT'S TIME TO START GETTING SOME OF THE STATEMENTS THAT I'VE RECEIVED IN THE PAST VERBALLY AND IN WRITING, TELLING US WHAT TO EXPECT FOR THE FUTURE IN 2010. IF AGENCIES FEEL THAT WE'RE NOT GOING TO HAVE ANY INTERRUPTION WITH OUR POWER AND OUR WELL WATER ISN'T GOING TO BE AFFECTED, I THINK IT'S TIME TO GET THAT IN WRITING. IF AGENCIES ARE GOING TO PROMISE THAT WE'RE GOING TO HAVE ACCESS, I THINK IT'S TIME TO START GETTING THAT IN WRITING SO WE CAN START PLANNING OUR BUSINESS YEAR IN 2010. IT IS MY SINCEREST HOPE THAT WE CAN BUILD A PLAN THAT WORKS FOR EVERYONE AND ANY NEGATIVE BUSINESS IMPACTS ARE MINIMIZED. THANK YOU FOR YOUR TIME.

PH-4

CHAIR SUSAN PETERS:

THANK YOU MR. BARABINO. COULD YOU PAUSE FOR A QUESTION? TURN YOUR MICROPHONE ON...

CHRISTOPHER BARABINO:

I'M SOUTH OF ALAMAR. IT'S RIGHT NEXT TO THE ELKHORN BOAT LAUNCH.

DIRECTOR (DON'T KNOW WHO SPOKE)

OKAY THANK YOU.

CHAIR SUSAN PETERS:

TURN YOUR MICROPHONE ON.
THANK YOU. DID YOU WANT TO RESPOND TO COMMENTS AT THIS TIME?

TIM WASHBURN:

NO, WE ARE TAKING COMMENTS AND WE WILL RESPOND TO THESE COMMENTS IN THE FINAL EIS/EIR AND I WOULD CERTAINLY BE HAPPY TO, ONCE WE HAVE TAKEN ALL THE COMMENTS, RESPOND TO ANY QUESTIONS THE BOARD MAY HAVE.

CHAIR SUSAN PETERS:

OKAY. THANK YOU, STAY TUNED. NEXT SPEAKER IS CHRIS MCKENZIE?

CHRIS MCKENZIE

YES. THANK YOU FOR HAVING THIS HEARING AND ALLOWING ME TO SPEAK. I'VE PREPARED A BRIEF STATEMENT, BECAUSE THEY ARE NUMEROUS QUESTIONS, AND LOTS OF DETAILS INVOLVED, AND THE REPORTS, THEY ARE THIS THICK (HAND MOTION) AND I ...

CHAIR SUSAN PETERS:

MR. MCKENZIE FOR THE RECORD, COULD YOU IDENTIFY YOURSELF?

PH-5

CHRIS MCKENZIE

OH YES. MY NAME IS CHRIS MCKENZIE, I LIVE AT 6641 PLEASANT GROVE ROAD, IN PLEASANT GROVE, WHICH IS IN SUTTER COUNTY. I'M A LONG TIME RESIDENT OF SUTTER COUNTY, I HAVE ABOUT 160 ACRES JUST EAST OF THE PLEASANT GROVE CREEK CANAL AND NORTH OF SANKEY ROAD.

I'M VERY CONCERNED ABOUT THE ASPECTS OF THIS EXPENSIVE PROJECT, AND ITS APPARENT ADVERSE IMPACT ON ALL PROPERTIES WHICH RELY ON THE PLEASANT GROVE CREEK CANAL, NATOMAS CROSS CANAL AND SACRAMENTO RIVER SYSTEM FOR DRAINAGE. THE APPARENT DESIGN IS TO HOLD THE WATER AT A HIGHER LEVEL, FOR A LONGER TIME, OUTSIDE OF THE BASIN. THE DOCUMENTS PRESENT - APPEAR TO INDICATE THAT THE IMPACT OF, UH NO, WAIT, JUST A SECOND, THE DOCUMENTS PRESENTED APPEAR TO INDICATE THE DESIGN WILL RESULT IN HIGHER FLOOD LEVELS IN THAT CANAL, AT EACH EVENT AND RESTRICTED FLOW VOLUMES. AND THESE ARE QUOTES, OF COURSE. THIS IS THE RESULT OF RESTRICTIONS IN THE CROSS SECTIONAL AREA, BACKFILLS AND FLOODPLAIN PLANTING ZONES.

THE IMPACT ON DRAINAGE OF A SMALL INCREASE IN HIGH WATER ELEVATIONS AND FLOW RESTRICTIONS HAVE NOT BEEN DISCUSSED OR COMMENTED UPON SPECIFICALLY IN THE PLEASANT GROVE CREEK CANAL. ACTUAL EXPERIENCE HAS SHOWN THAT A RELATIVELY MINOR ELEVATION AT THE SACRAMENTO RIVER, DRAMATICALLY AFFECTS THE UPSTREAM DRAINAGE. IN 1986, 1995, 2003, ET CETERA. DETAILED MODELING IS NEEDED ON THE PLEASANT GROVE CREEK CANAL AND THE NATOMAS CROSS CANAL DRAINAGE. THIS NEEDS TO INCLUDE NEW AND UNMITIGATED DRAINAGE DEMANDS OF THE NUMEROUS NEW AND PLANNED COMMUNITIES IN PLACER COUNTY.

PH-6

I DON'T KNOW IF YOU'RE AWARE OF IT, BUT VIRTUALLY EVERYTHING FROM THE MIDDLE OF AUBURN, DRAINS INTO THE PLEASANT GROVE CREEK CANAL AND THE NATOMAS CROSS CANAL. I'M ALSO CONCERNED ABOUT SPECIFIC IMPROVEMENTS NOT DETAILED ALONG PLEASANT GROVE CREEK CANAL AND HOW THESE MIGHT AFFECT EXISTING SANKEY ROAD, HOW THEY MIGHT AFFECT THE EXISTING SANKEY ROAD OVERFLOW GAP WESTWARD INTO NATOMAS AND SOUTH ALONG THE EAST MAIN DRAIN. WILL THE LEVEES BE EXTENDED TO THE EAST TO ACCOMMODATE FOR THE HIGHER WATER ELEVATIONS? WILL PROPERTY BE PURCHASED AND HOMES IN THE AREA FLOOD PROOFED? OR, WILL THERE BE PUMPS INSTALLED? IT'S NOT CLEAR. THE MAPPING AS PRESENTED IN THE FLYER DOES NOT INDICATE WHETHER EAST SIDE LEVEE IMPROVEMENTS WILL BE MADE IN ADDITION TO THE WEST SIDE LEVEE IMPROVEMENTS.

PH-7

PH-8

ANOTHER COMMENT, THE FLOODPLAIN PLANTINGS PRESENT OBVIOUS CONCERNS FOR THOSE OF US WHO NEED THE SYSTEM TO CONTINUE TO WORK. HOW WILL THE GROWTH OF TREES AND BRUSH BE MAINTAINED? WHAT CRITERIA WILL BE USED TO ENSURE ADEQUATE FLOOD STAGE FLOWS AND ARE THE MAINTENANCE FUNDS BUDGETED AND BONDED?

PH-9

CONSIDER THE WIDESPREAD FLOODING IMPACTS IN 1986 AS A RESULT OF NOT CONTROLLING THE OVERGROWTH IN A RELATIVELY SMALL ACREAGE AT FREMONT WEIR. THE CORPS, AND SAFCA WILL UNDERSTAND THAT.

AND SECONDLY, WHAT HAPPENS IN FIVE OR TEN YEARS WHEN THE COTTONWOOD TREES AND ELDERBERRIES - NEED TO BE REMOVED TO MAINTAIN WATER FLOW? DO WE GET ANOTHER EIR/EIS AND HOW MANY DOLLARS WILL THAT COST AND STRUCTURES ON ENDANGERED SPECIES THAT ARE NOT THERE NOW AND WE WOULD CREATE HABITAT FOR?

PH-10

I THANK YOU FOR THE OPPORTUNITY TO EXPRESS MY CONCERNS AND OPINIONS. BUT WITH THE DIRECT IMPACTS THIS PROJECT WILL HAVE ON MY PROPERTY. BY THE WAY, IN 1986 I BUILT MY HOUSE APPROXIMATELY A FOOT HIGHER IN 1985, APPROXIMATELY A FOOT HIGHER THAN WAS REQUIRED BY SACRAMENTO COUNTY. THE 1986 FLOOD WAS WITHIN 18 INCHES OF INUNDATING THE HOUSE. WHEN THE WATER -- WHEN THE FLOOD LEVEL PEAKED AT SACRAMENTO, WE HAD ALMOST 400- ACRE FEET OF WATER ON MY PROPERTY, IN SIX HOURS, WITH A 6-INCH VARIATION IN ELEVATION AT SACRAMENTO RIVER, THAT WATER LEFT.

PH-11

CHAIRS SUSAN PETERS:

THANK YOU MR MCKENSIE. IF YOUR COMMENTS ARE TYPED, GIVE THEM TO THE CLERK, THAT WOULD BE HELPFUL.

THANK YOU. NEXT SPEAKER IS BRUCE SEVIER

BRUCE SEVIER:

HELLO, MY NAME IS BRUCE SEVIER AND I'M AT 7283 GARDEN HIGHWAY. THERE'S NOT MANY HOMEOWNERS HERE BECAUSE I THINK THEY'VE KINDA GIVEN UP ON THE PROJECT, AS FAR AS THE AFFECT TO HOMEOWNERS ALONG THE RIVER. WE RECOGNIZE THERE'S BEEN AN EFFORT TO CUT BACK, TAKING THE TREES OFF THE RIVER. BUT THEN WHEN YOU LOOK AT THE LANDSIDE PART, IT'S GOING TO REALLY DEVASTATE A LOT OF THE AREA.

PH-12

ONE STATEMENT THAT WAS JUST MADE IN THE REPORT WAS RAISING THE PUMPING STATIONS, AND I HAVE A QUESTION ABOUT THAT. ARE THEY BEING RAISED TO A HIGHER LEVEL BECAUSE THE LEVEE IS GOING TO BE HIGHER? AND IF THAT'S THE CASE, WHEN WE BUILT OUR HOME AND IT WAS FINISHED IN 2002. WE BUILT IT AT 200 YEAR FLOODPLAIN LEVEL, WHICH WAS ABOUT THREE QUARTERS OF A FOOT HIGHER THAN THE LEVEE ROAD. SO, THAT MEANS THAT WE ARE NOW IN DANGER OF BEING FLOODED. IF YOU READ THE PAPER TODAY, THERE'S A DISCUSSION ABOUT OTHER LEVEES IN THE AREA BEING RAISED WITH SIMILAR CONCERNS AS TO THIS PROJECT.

PH-13

WE'VE BEEN TOLD IN PRIOR MEETINGS THAT PROBABLY THE OTHER LEVEES WOULD NOT BE RAISED AND WE SHOULD NOT BE CONCERNED ABOUT THAT. I AM. AND I THINK A LOT OF OTHER HOMEOWNERS WOULD BE AS WELL. I KNOW THERE'S A MINORITY OF US COMPARED TO MANY THOUSANDS OF PEOPLE THAT LIVE ON THE OTHER SIDE OF THE LEVEE. BUT THEN AGAIN, WHEN THOSE HOMES WERE BUILT WHO APPROVED THAT? I MEAN, THEY KNEW IT WAS IN A FLOODPLAIN. SO ANYWAY, I GUESS MY QUESTION WOULD BE, IF WE'RE GOING TO BE RAISING THE PUMPING FACILITY, THEN MAYBE WE SHOULD BE RAISING OUR HOMES AS WELL, TO KEEP US OUT OF THE FLOODPLAIN.

PH-14

CHAIR SUSAN PETERS:

THANK YOU.
ED BIANCHI.

THAT'S THE LAST SPEAKER SHEET I HAVE, IF THERE'S ANYONE ELSE HERE WHO WISHES TO SPEAK..

ED BIANCHI:

I'M ED BIANCHI, FROM 7050 GARDEN HIGHWAY, NATOMAS AREA. I'VE GOT A COUPLE CONCERNS ABOUT THE DESIGN OF THE IRRIGATION FACILITIES AND THE AMOUNT OF GROUND BEING TAKEN FOR THIS PROJECT. ORIGINALLY IT WAS GOING TO BE AROUND 350 ACRES. I HAD SAFCA COME OUT AND MARK OFF MY PROPERTY AND IT'S BETWEEN 420 AND 460 FEET FROM THE TOE OF THE LEVEE. I UNDERSTAND THERE'S WHATEVER IS NEEDED FOR THE LEVEE AND THE MAINTENANCE ROAD IS ONE THING. BUT THEN IT BECOMES A PROBLEM WITH THE BIG DITCH THAT IS GOING TO BE SERVING LESS PROPERTY, THAT IS GOING TO HAVE HABITAT ADJACENT TO THE LANDSIDE, THAT WE FOUND IS NOT NECESSARY. IT WOULD PUT ANOTHER BURDEN ON THE FARMING OUT THERE IF THERE'S A HABITAT BETWEEN THE TOE OF THE DITCH, THE IRRIGATION DITCH AND OUR PROPERTIES. THAT'S MY MAIN CONCERN RIGHT NOW THAT I HAVE. I THINK SOMEONE OUGHT TO TALK US, SOMEONE BESIDES THE WATER COMPANY, OUT THERE BY WHO'S GONNA BE AFFECTED BY IT, THE FARMERS, OR WHOEVER

PH-15

PH-16

CHAIR SUSAN PETERS:

OKAY, ANY QUESTIONS FOR MR. BIANCHI? THANK YOU. MR WASHBURN, COULD YOU, THIS WOULD BE A GOOD OPPORTUNITY TO EXPLAIN HOW PEOPLE HAVE THEIR QUESTIONS ANSWERED AND ANYONE WHO'S WATCHING, IF THEY HAVE ADDITIONAL QUESTIONS, THEY HAVE UNTIL APRIL 6TH TO GET THEM IN.

TIM WASHBURN:

RIGHT AND UH,

CHAIR SUSAN PETERS:

IF YOU COULD EXPLAIN, PARTICULARLY TO THE FOLKS THAT TOOK THE TIME TO COME DOWN TODAY, HOW THEIR QUESTIONS WILL BE ANSWERED.

TIM WASHBURN:

THESE COMMENTS THAT WE'VE RECEIVED TODAY, WE WILL RECORD, REPRODUCE IN THE FINAL EIR/EIS AND PROVIDE A SPECIFIC RESPONSE TO EACH OF THE COMMENTS THAT WERE RAISED HERE TODAY. AND OF COURSE, EVERYONE IS FREE TO SUBMIT ADDITIONAL WRITTEN COMMENTS UP THROUGH APRIL 6TH EITHER TO SAFCA OR TO THE ARMY CORPS OF ENGINEERS. THE ADDRESSES ARE SET FORTH IN THE DOCUMENT ON OUR WEBSITE, AT WWW.SAFCA.ORG AND SO WE WILL BE RECEIVING WRITTEN COMMENTS THROUGH APRIL 6TH AND WE WILL RESPOND TO THE COMMENTS THAT WERE MADE TO THE BOARD HERE TODAY, AND IF THE BOARD WOULD LIKE, I DON'T KNOW IF YOU'RE INTERESTED IN ANY RESPONSE TO THE COMMENTS THAT HAVE BEEN MADE ON A PRELIMINARY BASIS OR NOT. THAT'S UP TO THE BOARD.

CHAIR SUSAN PETERS:

ANY QUESTIONS? MR. DICKINSON.

ROGER DICKINSON:

I HAVE ONE I WANTED TO FOLLOW UP ON. BUT I THINK IN GENERAL AS FAR AS I'M CONCERNED THERE DOESN'T NEED TO BE A RESPONSE TODAY. I DO THINK THAT, OF COURSE, AS WE RESPOND TO THESE COMMENTS WE NEED TO --BESIDES PUTTING THEM IN THE FINAL, WE SHOULD LET PEOPLE KNOW INDIVIDUALLY WHAT THE RESPONSE IS. BUT I WANT TO GO BACK TO, MR GARDINO? OUR FIRST..

CHAIR SUSAN PETERS:

BARABINO.

ROGER DICKINSON:

GARABINO?

CHRIS BARABINO:

BARABINO.

ROGER DICKINSON

BARABINO. THANK YOU, I'M SORRY,

CHAIR SUSAN PETERS:

??? MUCH (ROGER TALKING OVER HER, COULDN'T GET FIRST WORD)

ROGER DICKINSON:

YES. HE MAY HAVE ENVIRONMENTAL ISSUES THAT HE WANTS TO GET ON THE RECORD. I DIDN'T HEAR THINGS OF THAT NATURE. BUT WHAT I DID HEAR WAS A CONCERN ABOUT BUSINESS INTERRUPTION.

CHRIS BARABINO:

RIGHT.

ROGER DICKINSON:

AND I DON'T KNOW IF BARB HAS BEEN IN CONTACT WITH HIM OR NOT. BUT IN ANY CASE, WHETHER OR NOT WE CERTAINLY SHOULD BE WORKING TO GIVE HIM AS MUCH CERTAINTY, AS WELL AS THE OTHER BUSINESS OWNERS, THAT WILL BE AFFECTED, AS MUCH CERTAINTY, SO THEY CAN PLAN FOR WHATEVER THE INTERRUPTION MIGHT BE, AND OBVIOUSLY THAT'S AN ISSUE THAT WE HAVE TO TAKE INTO ACCOUNT AS A PRACTICAL MATTER WITH RESPECT TO THE FINANCIAL CONSIDERATIONS, WE'RE OBVIOUSLY INTERESTED FOR A HOST OF REASONS IN TRYING TO MINIMIZE BUSINESS INTERRUPTION. BUT I JUST WANTED TO MAKE SURE THAT WE'RE EITHER IN CONTACT WITH HIM AND TRYING TO ADDRESS HIS LEGITIMATE CONCERNS, OR WE WILL BE, PROMPTLY.

STEIN BUER:

THE ANSWER IS WE'VE BEEN HAVING ONGOING DISCUSSIONS WITH HIM.

ROGER DICKINSON:

OKAY, THAT'S GOOD. AND I UNDERSTAND HE WOULD LIKE THINGS THAT HAVE BEEN VERBALIZED TO BE REDUCED TO WRITING, AND IT MAY NOT BE POSSIBLE TO DO THAT WITH THE SPECIFICITY NOW, BUT I DO THINK THE UNDELYING CONCERN IS LEGITIMATE, OF HAVING, AS EARLY AS POSSIBLE, A CLEAR AND RELIABLE SENSE OF SCHEDULE, SO THAT HE CAN MAKE SUITABLE AND APPROPRIATE PLANS AS HIS FELLOW BUSINESS, AS CAN HIS FELLOW BUSINESS PEOPLE WHO ARE IN AN UNCERTAIN AMOUNT OF --WE HAVE A CERTAIN AMOUNTY OF UNCERTAINTY OURSELVES I SUPPOSE, BECAUSE OF THE NATURE OF THE FLOW OF FUNDING. BUT THAT'S WHAT WE NEED TO TRY TO REDUCE AS MUCH AS WE CAN, I THINK.

CHAIR SUSAN PETERS:

I AGREE WITH YOUR ROGER, IN A SEASONAL BUSINESS YOU REALLY NEED TO KNOW AT LEAST A SEASON AHEAD, IF AT ALL POSSIBLE, WHAT IS GOING TO BE HAPPENING WITH YOUR BUSINESS, RECOGNIZE THAT, ANY FURTHER QUESTIONS?

JAMES GALLAGHER:

MADAM CHAIR

CHAIR SUSAN PETERS:

MR. GALLAGHER?

JAMES GALLAGHER:

YAH, I HAVE A COUPLE QUESTIONS.

ONE, JUST A CLARIFICATION, TIM, AS FAR AS THE SANKEY GAP, ON PHASE THREE PROJECT, THAT IS NOT PROPOSED TO BE CLOSED OFF DURING THIS PROJECT, RIGHT?

TIM WASHBURN:

THAT'S CORRECT.

JAMES GALLAGHER:

AND I THINK MR. MCKENZIE RAISED SOME IMPORTANT ISSUES REGARDING THE FLOW RESTRICTIONS IN PLEASANT GROVE CREEK AND NATOMAS CROSS CANAL. I DIDN'T REALLY SEE THAT IN WHAT I HAD READ IN THE EIR. BUT DOES THAT --HAVE WE DOCUMENTED WHAT IMPACT IF ANY THAT WILL HAVE ON FLOW IN THE CANAL AND THE NATOMAS CROSS CANAL?

TIM WASHBURN:

AGAIN, ON THE EAST SIDE OF NATOMAS, AS ON THE SACRAMENTO RIVER, OUR IMPROVEMENTS ARE ALL TO THE LANDSIDE, IN ORDER TO AVOID GOING WATERSIDE, WE'RE WIDENING THE LEVEE TO THE LANDSIDE. SO I CERTAINLY NEED TO FOLLOW-UP WITH MR. MCKENZIE TO FIND OUT WHAT THE FLOW RESTRICTION ISSUE IS, BECAUSE AS I UNDERSTAND, THE PROJECT HERE, EVERYTHING IS KINDA ON THE LANDSIDE WITH NO CHANGE IN THE CHANNEL CONFIGURATION WATERSIDE. I'LL FOLLOW UP WITH MR. MCKENZIE.

CHAIR SUSAN PETERS:

OKAY, GOOD.

JAMES GALLAGHER:

OKAY, AND THEN THIS IS MY LAST QUESTION, WITH REGARD TO THE ISSUE ABOUT HABITAT, OBVIOUSLY WE HAVE TO DO A CERTAIN AMOUNT OF MITIGATION AS WE'RE GOING FORWARD WITH THIS PROJECT AND IN TERMS OF ADDRESSING, YOU KNOW A LOT OF TIME WHEN WE PUT THESE BUFFER ZONES OR HABITAT AREAS RIGHT NEXT TO AN AGRICULTURAL AREA, THOSE HABITAT AREAS OR BUFFER ZONES CAN BECOME, YOU KNOW, KIND OF A HOME PLACE FOR PESTS THAT CAUSE PROBLEMS FOR OUR AGRICULTURAL INTERESTS. SO, I MEAN, WE MAY IN THE FINAL, JUST NEED TO THINK HOW WE CAN ADDRESS THOSE POTENTIAL CONFLICTS.

TIM WASHBURN

WHAT I BELIEVE MR. MCKENZIE WAS REFERRING TO IS THE GRASS LANDS THAT WOULD BE PLACED ON TO THE LANDSIDE OF THE IRRIGATION CANAL BERM. SO IT'S A PERENNIAL NATIVE GRASS THAT DOES PROVIDE SOME HABITAT VALUE, BUT IT'S NOT A SUBSTANTIAL ENVIRONMENTAL FEATURE IN THAT RESPECT. THERE ARE ALSO WOODLANDS IN HIS AREA, BUT THEY WOULD TEND TO BE ON THE LANDSIDE OF THE CANAL. SO WHAT IS IMMEDIATELY ADJACENT WOULD BE THE GRASS LANDS ON THE BERM OF THE IRRIGATION CANAL.

JAMES GALLAGHER:

OKAY.

CHAIR SUSAN PETERS:

OKAY. ANY OTHER QUESTIONS FROM THE BOARD?

OKAY, JUST TO REPEAT TO ANYBODY WHO IS IN THE AUDIENCE OR WATCHING, THE COMMENTS WILL BE RESPONDED TO IN THE FINAL EIS AND EIR AND THE FEIR WILL BE PRESENTED TO THE BOARD IN LATE SPRING OR EARLY SUMMER, SO YOU HAVE STILL HAVE UNTIL APRIL 6TH, AT 5:00 P.M., TO COMMENT, SO THAT YOUR QUESTIONS ARE ANSWERED IN THE FINAL DOCUMENT.

SO WE'LL CLOSE THE PUBLIC HEARING AND MOVE ON

CLERK:

NEXT UP, WE HAVE CONSENT MATTERS, MADAM CHAIR THEY ARE IN ORDER.

CHAIR SUSAN PETERS:

DOES ANYBODY HAVE ANY QUESTIONS ABOUT CONSENT OR WANT TO PULL ANYTHING?

- PH-1 See Responses to Comments PH-2 through PH-4.
- PH-2 As stated in the Phase 3 DEIS/DEIR, although a section of Garden Highway would be closed for approximately 8–12 weeks during the summer season to allow for the construction of a cutoff wall in the Sacramento River east levee (adjacent to the I-5 Bridge), access would be maintained to the two nearby marinas. However, as stated under Impacts 4.2-c, “Potential to Physically Divide or Disrupt an Established Community,” and 4.15-b, “Temporary Changes in Recreational Opportunities during Project Construction Activities,” in the Phase 3 DEIS/DEIR, overall, these temporary disruptions during project construction are considered to be a significant impact. As such, USACE and SAFCA are committed to maintaining good communications with potentially affected residents and business owners throughout project planning and construction, and meeting with those affected to discuss individual concerns.
- PH-3 See Response to Comment PH-2. Access to the two private marinas near the I-5 Bridge would be maintained. However, the construction of a cutoff wall in the Sacramento River east levee would prevent access to Sacramento County’s Elkhorn Boat Launching Facility at this location (Reach 9B).
- PH-4 Comment noted. As previously stated, USACE and SAFCA are committed to maintaining good communications with affected residents and business owners throughout project planning and construction, and meeting with those affected to discuss individual concerns.
- PH-5 This is not a comment on the Phase 3 DEIS/DEIR.
- PH-6 The channel structure of the PGCC would not be altered; therefore, hydraulic changes would not occur as a result of the Proposed Action. The information regarding hydraulic changes presented by the commenter refer to the NCC discussion contained in the Phase 2 EIS and do not apply to the PGCC. See also Response to Comment PH-8.
- With regard to the commenter’s modeling comment, a UNET hydraulic computer model was used to compare existing conditions in the waterways surrounding the Natomas Basin and in the larger SRFCP with and without the Proposed Action (With Project and Without Project [i.e., No-Action Alternative], respectively) and other reasonably foreseeable improvements to Folsom Dam and the urban levees outside the Natomas Basin. Table 4.4-1 in the Phase 3 DEIS/DEIR summarizes the conditions and assumptions associated with each of the model runs. The modeling outputs generated by these conditions under the targeted flood scenarios are displayed in Tables 4.4-2 through 4.4-8 in the Phase 3 DEIS/DEIR.
- PH-7 The Phase 3 Project includes raising of the PGCC west levee to meet “200-year” FEMA levee height requirements, slope flattening and widening, and seepage remediation, as discussed in Chapter 2.0, “Alternatives,” and Appendix H of the Phase 3 DEIS/DEIR. The lower height levee segments at Howsley and Sankey Roads would remain at their current elevations, thereby not causing any project-related changes in flood stages.
- Sankey Road would be used to transport personnel, equipment, and other construction materials to the PGCC west levee during project construction, which would result in a temporary increase

in traffic, as discussed under Impacts 4.12-a, “Temporary Increase in Traffic on Local Roadways,” in the Phase 3 DEIS/DEIR. Mitigation Measure 4.12-a, “Prepare and Implement a Traffic Safety and Control Plan for Construction-Related Truck Trips,” in the Phase 3 DEIS/DEIR would reduce this impact; however, the impact would remain significant and unavoidable because of the high amount of hauling required for the Phase 3 Project and the limited number of roadways in the project vicinity that would be suitable for hauling between borrow sites and project construction sites.

See also Response to Comment PH-8.

- PH-8 The Phase 3 Project includes improvements to the PGCC west levee; no improvements are proposed for the PGCC east levee.
- As noted in Section 2.3.1.1, “Levee Raises, Widening, and Slope Flattening,” in the Phase 3 DEIS/DEIR, the levee segment of the PGCC at Sankey Road that lacks adequate levee height would be maintained at its current elevation, under the Phase 3 Project, because the flows through this levee segment into the interior of the Natomas Basin during a FEMA 100-year or “200-year” design event would not damage the levee and are subject to management as part of Natomas Basin’s interior drainage system.
- PH-9 It is not clear what is meant by the comment’s reference to floodplain plantings. The floodplain is protected by the Natomas Basin perimeter levee system. Woodland plantings would occur in this protected floodplain, on the landside of the Sacramento River east levee. These plantings would have no effect on flood stage flows, which occur in the designated floodway on the waterside of the Sacramento River east levee. Section 2.3.3.6, “Long-Term Management of Habitat Components,” in the Phase 3 DEIS/DEIR addresses the long-term management of habitat areas, such as woodland plantings. Funding mechanisms for Phase 3 Project habitat improvements would be addressed in SAFCA’s Programmatic Long-Term Management Plan.
- PH-10 The only proposed revegetation of the PGCC would be with native perennial grasses. No trees or elderberry shrubs would be planted on the banks of the PGCC. The native grasses would replace ruderal and annual nonnative grass habitat that currently provides foraging habitat for raptors and terrestrial habitat for the aquatic giant garter snake. See also Response to Comment PH-9.
- PH-11 Comment noted; SAFCA acknowledges the commenter’s history of flooding at his property.
- PH-12 Comment noted. Vegetation removal is discussed under Impact 4.8-a, “Loss of Woodland Habitats,” in the Phase 3 DEIS/DEIR.
- PH-13 USACE does not allow pipes that convey water into the Natomas Basin to penetrate the levees below the design water surface profile. Such low-level penetrations create vulnerabilities in the levees. Pipes can only be installed in the levees. Therefore, because the Phase 3 Project includes raising the levees, the pipes also need to be raised above the design water surface profile.
- The Phase 3 Project would not change the water surface elevations in the channel with the raised levee. Further, the Phase 3 Project would not alter the existing water surface elevation and would not increase the commenter’s existing exposure to flood damage.
- Plate 3, “Levee Segments Requiring Seepage Remediation and Levee Height Increases,” in the Phase 3 DEIS/DEIR illustrates the locations and amounts of levee height deficiency that would be addressed by the Phase 3 Project.

- PH-14 See Response to Comment PH-13 regarding raising of pumping facilities. Hydraulic impacts of the Phase 3 Project are addressed in Impact 4.4-a, “Hydraulic Impacts on Other Areas and Exposure to Flood Risk.” Additional information regarding hydraulic impacts to Garden Highway residents was provided in the Phase 2 FEIR under Master Response 1, “Hydraulic Impacts of the NLIP” (SAFCA 2007b).
- PH-15 See Response to Comment I7-2. SAFCA is currently discussing issues with the commenter specific to his property.
- PH-16 See Response to Comment I7-2.

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