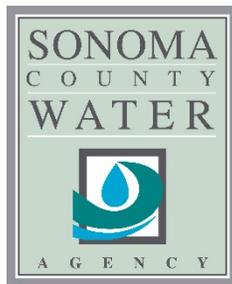


Dry Creek

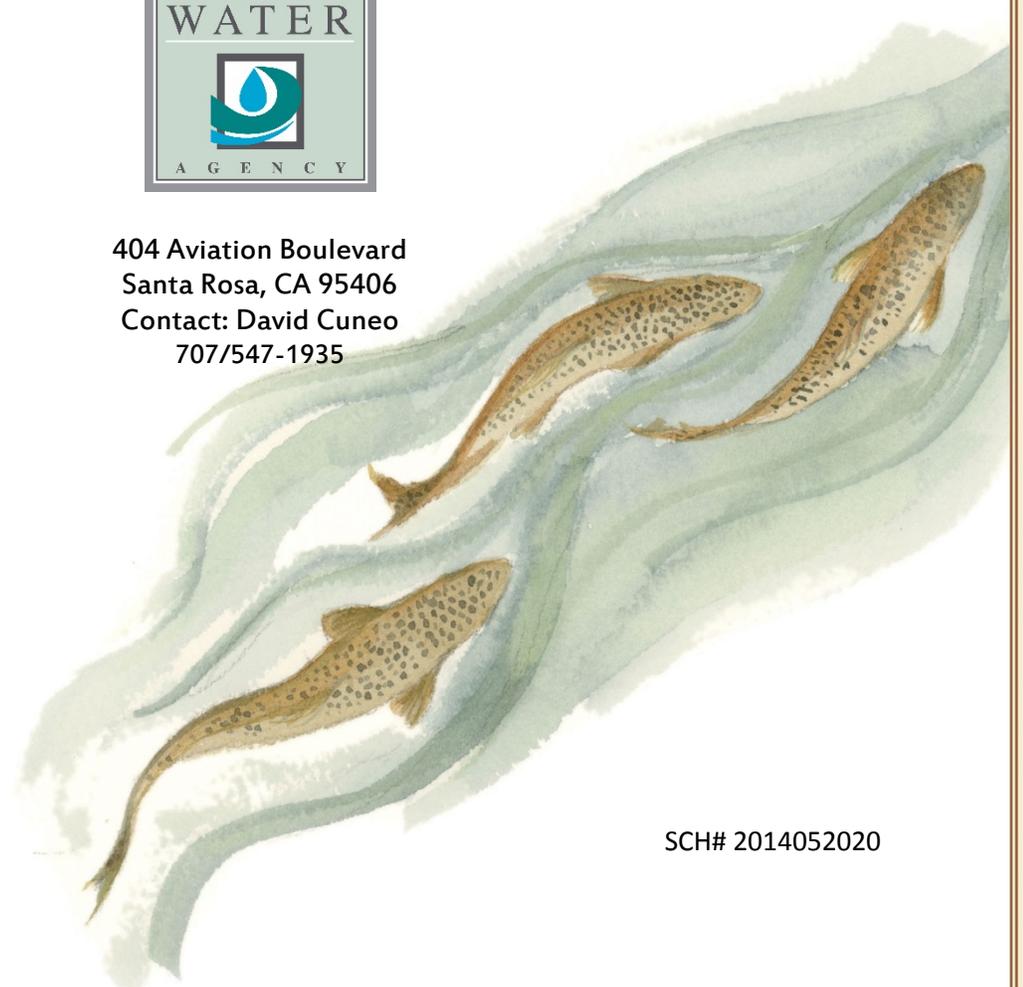
Dry Creek Habitat Enhancement Miles 2-6 Final Environmental Impact Report

Response To Comments

October 23, 2015



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DRY CREEK HABITAT ENHANCEMENT PROJECT, MILES 2 – 6 FINAL ENVIRONMENTAL IMPACT REPORT

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CHAPTER 1 Introduction

The Sonoma County Water Agency (Water Agency), as Lead Agency, has prepared this Final Environmental Impact Report (Final EIR) for the proposed Dry Creek Habitat Enhancement Project, Miles 2 - 6 (Dry Creek Project or proposed project), in accordance with the provisions of the California Environmental Quality Act (CEQA) of 1970, codified as California Public Resources Code Sections 21000 et. seq., the State CEQA Guidelines in the Code of Regulations, Title 14, Division 6, Chapter 3, and the Water Agency's Procedures for the Implementation of CEQA. The Final EIR is a public document for use by the Water Agency, other governmental agencies, and the public in identifying and analyzing the potential effects on the environment and mitigation measures to lessen or eliminate adverse impacts, and examining feasible alternatives to the proposed project.

On June 23, 2015, the Board authorized release for public review the Draft Environmental Impact Report (Draft EIR) and set a public hearing date of August 11, 2015. On July 10, 2015, Water Agency staff mailed a Notice of Availability of the Draft EIR to the agencies, organizations, and individuals on the project mailing list and made the Draft EIR document available on the Water Agency's website. Copies of the Draft EIR were sent to the State Clearinghouse and to the Sonoma County Central Library and the Sonoma County Healdsburg Branch Library. Water Agency staff also published the Notice of Availability on July 13, 2015 in the Press Democrat to inform the public of the review period for the Draft EIR and the August 11, 2015 public hearing. On August 11, 2015, the Board held a public hearing to receive comments on the Draft EIR and on the proposed project.

After the end of the public review period for the Draft EIR, Water Agency staff prepared a Final Environmental Impact Report consisting of the July 2015 Draft Environmental Impact Report and this document. This document contains the proposed revisions to the Draft EIR, the comments submitted during the Draft EIR review period, transcripts of the public hearing, and the Agency's responses to comments. The full text of all written comments, as well as those from the transcripts of the public hearing, are included in this document in Appendices A and B.

Each comment letter has been numbered and each individual comment (both written and oral) has been assigned number. To facilitate reading the responses to comments, each comment has been inserted just prior to each response. Some comments may have been summarized to facilitate reading the comment. Comments inserted just prior to each response do not substitute for the actual comment; the reader is urged to read

the full original text of all comments located in Appendices A and B of this document. The responses address the full context of the original comment.

In cases where the intent of comments were repeated, the reader may be referred to a previous response. Referring the reader to a previous response is intended to provide consistency regarding issues of common concern, not to minimize the importance of the individual comment.

The revisions, updates, and clarifications made for the Final Environmental Impact Report do not include disclosures of: (1) any new significant impacts from the project; (2) a substantial unmitigated increase in the severity of any impacts; or (3) a feasible alternative or mitigation measure considerably different from those previously analyzed that would clearly lessen project impacts but that is not adopted. None of the new information provided in the Final Environmental Impact Report is significant, therefore recirculation of the Final Environmental Impact Report is not required by CEQA. The Environmental Impact Report identified potential construction related noise impacts and potential cumulative transportation impacts during construction in combination with other proposed construction projects in the area as significant and unavoidable impacts associated with the project. All other impacts were identified as either beneficial, less than significant, or less than significant with the inclusion of proposed mitigation measures.

CHAPTER 2 Revisions

The following revisions to the Dry Creek Habitat Enhancement Miles 2-6 Project Draft EIR are to be included for the Final EIR. Changes in the text have been bolded and underlined to show additions. Strikeout text has been used to show deletions. Sections that contained bold or underlined type from the Draft Environmental Impact Report are shown in plain text in this chapter so that the proposed revisions can be clearly emphasized. The only changes to the Draft EIR were made to Chapter 1, Introduction. No changes were made to the Draft EIR in response to public comment on the Draft EIR; however, the Final Environmental Impact Report includes minor revisions and updates made by Water Agency staff that were not in response to comments from agencies or the public. The revisions, updates, and clarifications made for the Final Environmental Impact Report do not include disclosures of: (1) any new significant impacts from the project; (2) a substantial unmitigated increase in the severity of any impacts; or (3) a feasible alternative or mitigation measure considerably different from those previously analyzed that would clearly lessen project impacts but that is not adopted. None of the new information provided in the Final Environmental Impact Report is significant, therefore recirculation of the Final Environmental Impact Report is not required by CEQA. The following is the revised text of the Introduction chapter:

CHAPTER 1 Introduction

The Sonoma County Water Agency (Water Agency), as Lead Agency, has prepared this Draft Environmental Impact Report (EIR) for the proposed Dry Creek Habitat Enhancement Project, Miles 2 - 6 (Dry Creek Project or proposed project), in accordance with the provisions of the California Environmental Quality Act (CEQA) of 1970, codified as California Public Resources Code Sections 21000 et. seq., the State CEQA Guidelines in the Code of Regulations, Title 14, Division 6, Chapter 3, and the Water Agency's Procedures for the Implementation of CEQA. The EIR is a public document for use by the Water Agency, other governmental agencies, and the public in identifying and analyzing the potential effects on the environment and mitigation measures to lessen or eliminate adverse impacts, and examining feasible alternatives to the proposed project.

1.1 Background and Overview of Proposed Project

The Water Agency was created in 1949 by the California Legislature as a special district to provide flood protection and water supply services. The Sonoma County Board of Supervisors acts as the Water Agency's Board of Directors. The Water Agency's powers and duties, as authorized by the California Legislature, include the production and supply of surface water and groundwater for beneficial uses, control of flood waters, generation of electricity, provision of recreational facilities (in connection with the Water Agency's facilities), and the treatment and disposal of wastewater.

The Water Agency provides drinking water to cities and water districts in Sonoma and Marin counties, serving approximately 600,000 people. The Russian River is the primary water supply source for the Water Agency's water supply functions. The Russian River originates in central Mendocino County approximately 15 miles north of Ukiah. The Russian River watershed is shown on Figure 1.



It drains an area of approximately 1,485 square miles, including much of Mendocino and Sonoma counties, and empties into the Pacific Ocean at Jenner in Sonoma County, about 20 miles west of Santa Rosa. The main channel of the Russian River is about 110 miles long and runs generally southward from its headwaters near Redwood and Potter valleys, to Mirabel Park, where the channel's direction changes to generally westward as it crosses the Coast Range. Principal Russian River tributaries are the East Fork of the Russian River (which receives water diverted from the Eel River through Pacific Gas and Electric Company's Potter Valley Project), Big Sulphur Creek, Maacama Creek, Dry Creek, and Mark West Creek. Communities and cities along the Russian River include Ukiah, Hopland, Cloverdale, Geyserville, Healdsburg, Forestville, Mirabel Park, Rio Nido, Guerneville, Monte Rio, Duncans Mills, and Jenner.

Two major reservoir projects provide water supply storage in the Russian River watershed: 1) Coyote Valley Dam/Lake Mendocino, located on the East Fork of the Russian River three miles east of Ukiah, and 2) Warm Springs Dam/Lake Sonoma, located on Dry Creek 14 miles northwest of Healdsburg. The Water Agency is the local sponsor for these two federal water supply and flood control projects, collectively referred to as the Russian River Project. Under agreements with the United States Army Corps of Engineers (USACE), the Water Agency manages the water supply storage space in these reservoirs to provide a water supply and maintain summertime Russian River and Dry Creek streamflows. Dry Creek below Warm Springs Dam is the focused project area for the Dry Creek Habitat Enhancement Project – Miles 2-6.

From its outlet in Warm Springs Dam, Dry Creek meanders 14 miles to the Russian River. The creek is home to endangered **Central California Coast** coho salmon, and threatened **California Coastal** Chinook salmon and **Central California Coast** steelhead (including steelhead raised at the Don Clausen Fish Hatchery). The creek also serves as a conduit for water that is released from Lake Sonoma by the **USACE U.S. Army Corps of Engineers** for flood control purposes and by the Water Agency for water supply.

On September 24, 2008, the National Marine Fisheries Service (NMFS) issued the Biological Opinion for Water Supply, Flood Control Operations, and Channel Maintenance conducted by the U.S. Army Corps of Engineers, the Sonoma County Water Agency, and the Mendocino County Russian River Flood Control and Water Conservation District in the Russian River Watershed (Biological Opinion) (NMFS 2008). This Biological Opinion was the culmination of more than a decade of consultation between the Water Agency, the USACE, and the NMFS

regarding the impact of the Water Agency's and USACE's water supply and flood control activities on three fish species listed under the federal Endangered Species Act: Central California Coast steelhead, Central California Coast coho salmon, and California Coastal Chinook salmon. The California Department of Fish and Wildlife (CDFW) issued a consistency determination on November 9, 2009, finding that the Biological Opinion was consistent with the requirements of the California Endangered Species Act (CESA) and adopted the measures identified in the Biological Opinion.

NMFS concluded in the Biological Opinion that the continued operations of Coyote Valley Dam and Warm Springs Dam by the USACE and the Water Agency in a manner similar to recent historic practices, together with the Water Agency's stream channel maintenance activities and estuary management, are likely to jeopardize and adversely modify critical habitat for endangered coho salmon and threatened steelhead.

It was determined in the Biological Opinion that summer flows in the upper Russian River and Dry Creek are too high for optimal juvenile coho salmon and steelhead habitat. Current summer flows in Dry Creek typically range from 110 to 175 cubic feet per second (cfs). The velocities associated with these summer flows make it difficult for the juvenile fish to thrive. It is recognized in the Biological Opinion that large reductions in the summertime flows in Dry Creek would impair the Water Agency's ability to deliver water to its customers. Therefore, the Biological Opinion requires habitat enhancement of six miles of Dry Creek to improve summer rearing conditions for coho salmon and steelhead while allowing the Water Agency to maintain the existing flow range in Dry Creek of 110 to 175 cfs for water supply purposes. The six miles of habitat enhancement are to be distributed over the entire length of Dry Creek below Warm Springs Dam and implemented at a minimum of eight locations on the creek. It is intended that the enhancements for summer rearing will also provide winter rearing and refugia habitat. The habitat enhancements are to be implemented in phases to allow for evaluation of their effectiveness as the effort progresses.

One of the Water Agency's first steps toward meeting the requirements of the Biological Opinion was to conduct a current conditions inventory and fish habitat enhancement feasibility study for Dry Creek to identify what existing conditions were like and what potential opportunities existed in Dry Creek for habitat enhancement. These studies, conducted for the Water Agency by Inter-Fluve, an environmental engineering firm specializing in the sustainable design and construction of river habitat restoration projects, determined which areas of Dry Creek are candidates for habitat enhancement and evaluated the feasibility of designing projects that provide habitat enhancement while also accommodating high summertime flows (Inter-Fluve 2010 and 2011). A conceptual design report was also prepared which further refined habitat enhancement potential in Dry

Creek and provided a ranking of which sites within Dry Creek were best suited to focus on for habitat enhancement (Inter-Fluve 2012). Refer to Section 6.3.2 of Chapter 6 Alternatives for additional discussion of the Dry Creek habitat enhancement design process.

On November 15, 2011, the Water Agency's Board of Directors approved ~~an the~~ Initial Study and Mitigated Negative Declaration for the Dry Creek Habitat Demonstration Project (Demonstration Project), which ~~consisted of~~ **includes** the implementation of the first mile of habitat enhancement projects along Dry Creek. In 2012, the Water Agency began construction of the Demonstration Project, located in the Lambert Bridge area (approximately midway between Warm Springs Dam and the Dry Creek confluence with the Russian River). Construction of the Demonstration Project was completed in November of 2014. The purpose of the Demonstration Project is to demonstrate to regulators, landowners, and local decision-makers the feasibility of Dry Creek habitat enhancements on a smaller scale and, in particular, to determine how they could be constructed, what they may ultimately look like, and how effective they are before implementing the remaining five miles of habitat enhancements on Dry Creek. **In addition, the USACE has implemented a similar habitat enhancement on a 0.3 mile reach (Reach 15) of Dry Creek immediately below Warm Springs Dam. To date, between the Water Agency's Demonstration Project and the USACE's Reach 15 project, a little over one mile of habitat enhancement in Dry Creek has been completed towards the required six miles of habitat enhancement required under the Biological Opinion. These** ~~These~~ remaining five miles of habitat enhancements on Dry Creek are the focus of the currently proposed project.

The project sites for the remaining five miles of habitat enhancements are located within and adjacent to the Dry Creek channel and on private properties from approximately one-half mile downstream of Warm Springs Dam to the confluence with the Russian River in an unincorporated area of Sonoma County, California (Figure 1).

The Water Agency has identified feasible and sustainable enhancement techniques for implementation along more than two miles (~~Miles miles~~ 2 and 3) of Dry Creek at the project scale. These two miles of habitat construction would not be located all within a two-mile contiguous stretch of Dry Creek. Instead, the two miles of habitat area would be spread throughout the 14-mile length of Dry Creek between Warm Springs Dam and the Russian River. Miles 2 and 3 will be subject to project-level CEQA analysis because detailed information for specific sites and proposed designs is available for use in determining potential environmental impacts. Potential project sites totaling almost three will be analyzed at the project level in order to allow flexibility in choosing ~~Miles mile~~ 2 and 3 project sites as Water Agency staff work with interested landowners to determine the extent of their participation. Sites evaluated at the project level for ~~Miles mile~~ 2 and 3 but not enhanced as part of ~~Miles mile~~ 2 and 3 may still be included in ~~Miles mile~~ 4, 5, or 6 projects in the future.

Areas suitable for potential inclusion in **Miles mile** 4, 5, and 6 of required habitat enhancement will be evaluated at a programmatic level in this EIR, where impacts in general can be identified for the types of projects being considered and the types of habitat that exist within the Dry Creek Valley, but specific sites or proposed project design details are not yet known. The type and extent of habitat modifications for **Miles mile** 4, 5, and 6 **are is** still being determined.

NMFS' Biological Opinion stresses the importance of off-channel habitats in low velocity areas with substantial cover and features such as log or rock weirs, deflectors, log jams, constructed alcoves, side channels, backwaters, and dam pools that can successfully increase the quantity and quality of summer and winter rearing habitat for coho salmon and steelhead.¹ The proposed enhancements are likely to include combinations of pool and riffle enhancement, off-channel backwater and alcove enhancement and/or creation, side-channel enhancement and/or creation, enhancement and stabilization of streambanks, and other habitat features recommended by NMFS. For example, pools may be enhanced with large woody debris **to** provide places for juvenile coho and steelhead to avoid predators, escape high water velocities, and find food. Enhancements of riffles may include expanding existing riffles or constructing new riffles in appropriate locations, which may also enhance pools by slowing pool velocities. Streambank enhancements may address chronic erosion in critical locations and provide additional cover along the channel margins.

Construction activities will vary depending upon which structures are installed and where they are located, but typically these types of construction activities can include dewatering the construction area, grading, installation of large boulders as anchor material, installation of large wood logs, planting of vegetation, and installation of erosion control measures (e.g. fabric, straw, seeding). While it is not anticipated that the habitat enhancement structures will require regular maintenance work over the long term, temporary irrigation may be required to maintain newly-installed vegetation and periodic vegetation management may take place in certain locations to enhance fish habitat. Maintenance activities may also include repair to damaged structures or adjustments to structures if they are not functioning as intended.

1.2 Monitoring – Adaptive Management Plan

A question raised by the Biological Opinion is whether Dry Creek habitat enhancements will have the desired benefits. This question is important both for receiving credit toward the total amount of habitat enhancements set forth in the Biological Opinion (six miles) and for assessing the relative effectiveness of various habitat enhancements options. For the latter reason, the Biological Opinion states that “an adaptive management, monitoring and evaluation plan” will be developed that identifies “project goals, objectives and success criteria.” ESSA Technologies Ltd. (an independent consulting firm from Vancouver

¹ Biological Opinion, page 264.

Canada) facilitated the collaborative development of an adaptive management plan (AMP) for Dry Creek in an iterative process of meetings, discussions and document revision (ESSA 2014).

The goal of the Dry Creek AMP is to serve as a guide for monitoring juvenile coho and steelhead populations and the habitats they live in over multiple years to detect change resulting from habitat enhancement. A series of multi-agency workshops were convened to address the following objectives:

1. Identify performance measures;
2. Develop success criteria for each performance measure;
3. Select approaches for evaluating performance measures relative to success criteria;
4. Agree on a set of decision rules for determining credit toward the total amount of habitat enhancement.

Evaluation of performance measures will be based on the results of implementation monitoring, effectiveness (habitat) monitoring, and validation (fish) monitoring. This report represents the implementation monitoring results for the first mile of completed habitat enhancement efforts in Dry Creek.

For each type of monitoring, quantitative data for performance measures will be gathered using specific data collection protocols. These quantitative data will then be used to qualitatively rate whether the habitat enhancement was implemented correctly, whether it is having the desired effect on physical habitat conditions and whether juvenile coho and steelhead are benefiting from the work.

Implementation monitoring is “monitoring to determine if the habitat enhancement was done according to the approved design” (NMFS 2008, pg. 266). In other words, did the contractor/builder do what they said they were going to do? Implementation monitoring will occur immediately post-construction and will serve as a check-in point to determine if all the essential elements were placed according to the design as approved by NMFS/CDFW. Based on the results of post-construction implementation monitoring, the Water Agency’s, USACE’s or other engineering techniques and approaches will be re-visited as deemed necessary.

Effectiveness monitoring is “monitoring to determine whether habitat enhancement is having the intended effect on physical habitat quality” (NMFS 2008, pg. 266). This definition implies that protocols should facilitate a detailed comparison between baseline habitat quantity and quality data collected prior to any enhancement actions (pre-enhancement monitoring) and the habitat amounts/condition as measured over time after each implementation phase (post-enhancement monitoring). For example, pre-enhancement monitoring will occur

prior to each enhancement phase, and post-enhancement monitoring will occur after the first geomorphically-effective flow (i.e., flow that deposits substantial sediment on the flood plain), or within 3 years following each enhancement phase, and then at minimum every 3 years until 2023, to assess the long term sustainability of all implemented habitat enhancement actions

Validation monitoring is “monitoring to determine whether habitat enhancement work is achieving the intended objective (i.e., creating habitat that is inhabited by listed salmonids and appreciably improves the production and survival of rearing steelhead and coho salmon in Dry Creek”; NMFS 2008, pg. 266). Establishing the temporal component for validation monitoring (i.e., when should validation monitoring start and for how long) is challenging because of the inherent time lag between the physical habitat response and the expected biological response.

In addition to monitoring the habitat efforts over time (temporal scale), there is also a spatial scale at which data to evaluate habitat efforts are collected at the implementation, effectiveness, and validation monitoring stages. This spatial scale includes four progressively broader scales: feature, site, enhancement reach, project reach.

Features: Individually engineered elements (e.g., large woody debris accumulation, riffle, pool, side channel, alcove, boulder cluster, etc.) that will individually or in composite make up a habitat enhancement site (see definition for Site below). Features can in some cases represent complete habitat units (see definition for Habitat Unit below), while in other cases they represent only structural components within a habitat unit (e.g., large wood placement).

Site: One or more engineered habitat features (see definition for Features above) that have been designed to work in combination to enhance a stream reach.

Enhancement reach: A specified collection of enhancement sites (see definition for site below) that are implemented in close proximity to one another.

Project reach: A specified collection of enhancement reaches (see definition for Enhancement Reach above).

An important initial step prior to the commencement of post-construction effectiveness monitoring within a given enhancement reach will be an agreed-on definition of what constitutes a feature and a site within that reach. For features that will be enhanced (e.g., existing pools, placement of boulder clusters) this step could occur prior to the commencement of construction so that the degree of improvement in meeting target habitat conditions can be assessed for a given site. However, in cases where no habitat currently exists (e.g., construction of new off-channel habitat) features and sites will be defined immediately following construction (i.e., during implementation monitoring).

The focus of implementation monitoring is simply to determine whether actions have/have not been undertaken as intended/planned. As a matter of course, NMFS/CDFW will approve the construction plans for each phase of project construction. This approval is based on several factors including whether habitat enhancement in selected reaches is being designed in such a way to maximize the benefit to juvenile salmonids given the geomorphic opportunities and other constraints in the immediate vicinity of the enhancement reach.

The implementation monitoring design can be envisioned as a way to ensure that each feature has been constructed when, where and how intended and without any structural changes or omissions that would compromise integrity. Monitoring protocols and associated implementation monitoring checklists identified in the AMP provide a useful, consistent template that will be used for describing/documenting the implementation status of engineered enhancements in Dry Creek reaches. There is a separate checklist with respect to the three relative locations within the stream channel where habitat enhancement is being contemplated: 1) instream, 2) off-channel, 3) channel reconstruction and bank stabilization. Enhanced features will be assessed using one of these implementation checklists. Suites of feature-level assessments will then be rolled-up into a final composite site rating that will be used to determine whether enhancements at a particular site are considered successful or whether further remediation will be necessary. The final overall qualitative site-scale rollup assessments of habitat enhancement implementation (i.e., excellent, good, fair, poor, fail) will be undertaken by a Joint Monitoring Team consisting of representatives from NMFS, CDFW and either the Water Agency or USACE (or both as appropriate). In the event that implementation was insufficient, remedial action may be recommended by the Joint Monitoring Team.

Summary of implementation monitoring steps:

- Every attempt will be made to implement habitat enhancement measures in a manner that is consistent with designs approved by NMFS and CDFW.
- Upon completion of implementation, a Joint Monitoring Team consisting of representatives from NMFS, CDFW and either the Water Agency or USACE (as appropriate) will conduct a walk-through of newly-implemented enhancement reaches in order to evaluate whether the features were implemented according to the approved designs.
- Modifications to the approved designs will be documented and a determination made as to whether modifications were beneficial to performance or otherwise
- If implementation did not sufficiently follow the approved design, the Joint Monitoring Team will recommend what adjustments (if any) should be made.

1.32 Project Objectives, Purpose, and Need

The objective of the Dry Creek Project is to provide habitat in Dry Creek for threatened and endangered fish in order to comply with NMFS' Biological Opinion while allowing the Water Agency to maintain its ability to deliver water to its customers.

NMFS concluded in the Biological Opinion that the continued operations of Coyote Valley Dam and Warm Springs Dam by the U.S. Army Corps of Engineers and the Water Agency in a manner similar to recent historic practices, together with the Water Agency's stream channel maintenance activities and estuary management, are likely to jeopardize and adversely modify critical habitat for endangered coho salmon and threatened steelhead.

NMFS' Biological Opinion found that summer flows in the upper Russian River and Dry Creek are too high for optimal juvenile coho salmon and steelhead habitat. Current summer flows in Dry Creek range from 110 to 175 cubic feet per second (cfs), which makes it difficult for juvenile coho salmon and steelhead to thrive. NMFS' Biological Opinion recognizes that large reductions in the summertime flows in Dry Creek would impair the Water Agency's ability to deliver water to its customers. Therefore, the Biological Opinion requires habitat enhancement of six miles of Dry Creek to improve summer rearing conditions for coho salmon and steelhead while allowing the Water Agency to maintain the existing flow range in Dry Creek of 110 to 175 cfs for water supply purposes. The six miles of habitat enhancement are to be distributed over the entire length of Dry Creek below Warm Springs Dam, implemented at a minimum of eight locations on the creek. It is intended that the enhancements for summer rearing will also provide winter rearing and refugia habitat. The habitat enhancements are to be implemented in phases to allow for evaluation of their effectiveness as the effort progresses.

One of the Water Agency's first steps toward meeting the requirements of the Biological Opinion was to conduct a habitat enhancement feasibility study on Dry Creek. This study, conducted for the Water Agency by Inter-Fluve, an environmental engineering firm specializing in the sustainable design and construction of river habitat restoration projects, helped to determine which areas of Dry Creek are candidates for habitat enhancement and evaluates the feasibility of designing projects that provide habitat enhancement while also accommodating high summertime flows and flood releases. Inter-Fluve also prepared a Dry Creek Current Conditions Inventory Report (Inter-Fluve 2010) which identifies numerous potential areas for habitat enhancement along Dry Creek.

In order to comply with the requirements of the Russian River Biological Opinion, the Water Agency will implement the Dry Creek Habitat Enhancement Project to enhance channel and riparian conditions on lower Dry Creek to benefit juvenile life stages of listed coho salmon and steelhead, which will aid in their recovery

within the region. The following are the objectives for the Dry Creek Habitat Enhancement Project, Miles 2-6:

- **Enhance summer rearing habitat for coho salmon and steelhead to ‘near-ideal’ conditions;**
- **Create refugia from winter high-flow releases for coho salmon and steelhead;**
- **Enhance habitat, and to the extent feasible, minimize impacts on private property and infrastructure; and**
- **Enhance habitat without adversely affecting Chinook salmon.**

The Water Agency is also pursuing other projects in order to comply with the requirements of the Russian River Biological Opinion. The Russian River Estuary Management Project (Estuary Management Project) ² incorporates adaptive management of the Estuary with the primary objectives of enhancing rearing habitat for juvenile salmonids, particularly steelhead, and management of Estuary water levels to minimize flood hazard. Rearing habitat may be enhanced by reducing tidal influence on the Russian River Estuary during the lagoon management period to increase freshwater habitat available for rearing salmon and steelhead. Adaptive management requires: 1) monitoring of biological productivity, water quality, and physical processes in the Estuary in response to the changes in management actions that control water surface elevations in the estuary-lagoon system; and 2) refinement of management actions to achieve desired water levels to support biological productivity, while simultaneously providing flood management for properties adjacent to the Estuary. The Water Agency is also pursuing the Fish Habitat Flows and Water Rights Project (Fish Flow Project) ³ in order to comply with the Russian River Biological Opinion. The Fish Flow Project proposes changes to the way the Water Agency would manage water supply releases from Lake Mendocino and Lake Sonoma in order to provide instream flows in the Russian River and Dry Creek that would improve habitat for listed salmonids. Implementation of the flow changes proposed as part of the Fish Flow Project would require action to be taken by the State Water Resources Control Board (SWRCB) on the Water Agency’s petition to change Decision 1610, the minimum instream flow requirements for the Russian River and Dry Creek set by the SWRCB in 1986.

The Water Agency is also implementing the Mirabel Fish Ladder and Fish Screen Replacement Project. The project consists of the replacement of existing screens at the Water Agency’s existing facilities in the Mirabel area, the replacement of an existing Denil fish ladder with a vertical-slot fish ladder. The new vertical-slot fish ladder will include a viewing chamber to allow observation of fish moving through the new fish ladder. The replacement of the fish screen portion of the

² The Final EIR for the Russian River Estuary Management Project was certified and the project approved by the Water Agency’s Board of Directors on August 16, 2011.

³ The Water Agency released the Notice of Preparation for the Fish Flow Project on September 29, 2010 and is currently preparing a Draft EIR.

project is required by the Biological Opinion. The replacement of one of the fish ladders and construction of the viewing chamber, are not required under the Biological Opinion; however, the new fish ladder and viewing opportunities have been designed to complement and enhance the fish screen project.⁴

1.43 Agency Use of This Document

This EIR has been developed to provide the public and responsible and trustee agencies reviewing the Dry Creek Project an analysis of the potential effects, both beneficial and adverse, on the local and regional environment associated with construction and operation of the Dry Creek Project.

Section 15124(d) of the CEQA Guidelines requires that an EIR contain a statement briefly describing the intended uses of the EIR. This Draft EIR has been prepared to analyze the potential environmental impacts of **the proposed Dry Creek Project proposed management of the Russian River Estuary**. This EIR will be used primarily by the Water Agency, as the lead agency, and other Responsible Agencies, to evaluate environmental impacts of the proposed project and make a decision of approval for the proposed project. Prior to a decision, the Water Agency will consider certification of the EIR. Upon completion and certification of this EIR, the Water Agency will use this document to make written findings and decisions, adopt a Statement of Overriding Considerations, if necessary, and file a Notice of Determination (NOD).

As the decision-making entity of the Lead Agency for the Dry Creek Habitat Enhancement Project, Miles 2-6 (Dry Creek Project), the Water Agency's Board of Directors will be responsible for considering certification of the EIR and approval of the proposed project. The Dry Creek Project should be consistent with (but not limited to): section 404 of the Clean Water Act, the federal Endangered Species Act, the California Endangered Species Act, North Coast Region Basin Plan and the Sonoma County General Plan. The Water Agency would also need to comply with the terms of any new permits associated with the Dry Creek Project. A list of the agencies that may have permit authority over portions of the Dry Creek Project is provided below:

FEDERAL

The U.S. Army Corps of Engineers (USACE) regulates activities in waters of the United States under Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act ("Section 10" and "Section 404" permits).

⁴ **A Initial Study and Mitigated Negative Declaration for the Mirabel Fish Ladder and Fish Screen Replacement Project was approved by the Water Agency's Board of Directors on January 29, 2013.**

The U.S. Fish and Wildlife Service (USFWS) administers the federal Endangered Species Act. The Fish and Wildlife Service also advises the USACE on Section 10 or Section 404 permits for projects that affect fish and wildlife.

The U.S. National Marine Fisheries Service (NMFS) administers the federal Endangered Species Act as they pertain to marine species. They also advise the USACE on Section 10 or Section 404 permits with regards to projects that may affect anadromous fish spawning or habitat.

The U.S. Environmental Protection Agency (EPA) oversees the USACE's analysis and issuance of permits for filling of wetlands under Section 404 permits, and also issues permits for point source discharges to waterways. The federal Clean Air Act (CAA) authorizes the EPA to regulate air emissions through the establishment of National Ambient Air Quality Standards (NAAQS).

STATE OF CALIFORNIA

The California Department of Fish and Wildlife (CDFW) prepares streambed alteration agreements for all projects involving work in streams. The CDFW is also responsible for protecting plant and wildlife populations, and is responsible for overseeing the California Endangered Species Act (CESA).

The North Coast Regional Water Quality Control Board (NCRWQCB), is responsible for approving projects that may affect the water quality of waterways in the project area, through the issuance of waste discharge requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) permits.

The Northern Sonoma County Air Pollution Control District (NSCAPCD), which was created by the California Air Resources Control Board (CARB), monitor air quality and **has have** permit authority over certain types of facilities or activities.

LOCAL

The Sonoma County Permit and Resources Management Department (PRMD) issues permits in accordance with Sonoma County Ordinance 3836R to minimize roiling of water as a result of performing work in streams and rivers, and reviews projects for General Plan consistency, pursuant to Section 65402 of the California Government Code.

The Sonoma County Department of Transportation and Public Works (TPW) approves encroachment permits in TPW facilities such as county roadways and administers the Northern Sonoma County Air Pollution Control District (NSCAPCD).

1.43.1 Existing Permits

The Water Agency is currently in the process of completing the Dry Creek Habitat Enhancement Demonstration Project located within a one mile stretch of Dry Creek **located** between the confluence of Grape Creek on the upstream end and Crane Creek

on the downstream end. As a result the Water Agency hold permits for habitat enhancement activities from the North Coast Regional Water Quality Control Board (Clean Water Act Section 401 Water Quality Certification WDID No. 1B12001WNSO), the U. S. Army Corps of Engineers (Clean Water Act Section 404 Permit file no. 2012-00036N) and the California Department of Fish and Wildlife (Lake or Streambed Alteration Agreement No.1600-2012-0004-R3). The Water Agency currently conducts ongoing population monitoring and research on federally and state endangered coho salmon, and federally threatened Chinook salmon and steelhead trout in compliance with National Marine Fisheries Service ESA Section 10 Permit No. 14419 and California Department of Fish and Wildlife Scientific Collection Permit No.1728.

1.43.2 Reviewing Agencies

In addition to those agencies with permit authority over the proposed project, a copy of the Dry Creek Project Draft EIR will be mailed to federal, state, regional, and local agencies which are considered responsible or trustee agencies under CEQA, or which were determined to have an interest in the proposed project; and to public libraries. Copies of the Draft EIR will be sent to the following agencies for their consideration:

- U.S. Department of Agriculture, Natural Resources Conservation Service
- U.S. Geological Survey
- California Department of Boating and Waterways
- California Department of Health Services
- California Public Utilities Commission
- California Department of Transportation
- California Department of Water Resources
- California State Director of Agriculture
- Sonoma County **Agricultural Preservation and** Open Space District
- Sonoma County Department of Public Health
- Sonoma County Permit and Resource Management Department
- Sonoma County Department of Transportation and Public Works

A Notice of Availability for the Draft EIR will be mailed to individuals who had requested to be put on the proposed project mailing list and to property owners in the general project area.

1.54 CEQA Process

This document satisfies the requirements of the CEQA. The primary purpose of an EIR is to identify and publicly disclose environmental impacts that may result from implementation of a project and to identify feasible alternatives, mitigation measures, or revisions to the project that would reduce those impacts, to the degree feasible. CEQA requires a determination of impact significance for each impact discussed in an EIR based on the significance criteria. This document has been prepared as a project-level EIR **for Miles 2 and 3 and a program-level EIR for Miles 4, 5, and 6**, as provided for by CEQA Guidelines Section 15161.

1.54.1 Notice of Preparation and Public Scoping

In accordance with CEQA Guidelines Section 15082, the Water Agency circulated a Notice of Preparation (NOP) to local, state, and federal agencies, and to other interested parties on May 5, 2014. The NOP was mailed to the State Clearinghouse and was available online on the Water Agency website. The NOP was circulated for a 38-day public review period, which ended on June 12, 2014 to solicit both written and verbal comments on the EIR's scope and provide information on the public scoping meeting. Additionally, the NOP presented the background, purpose, description, and location of the proposed project, potential issues to be addressed in the EIR, and contact information for additional information regarding the project. The NOP was directly mailed to 650 parties.

During the NOP review period, the Water Agency held one scoping meeting on May 12, **2014**, at the Warm Springs Dam Visitor Center near Geyserville to discuss the project and to solicit public input as to the scope and content of this EIR.

The purpose of the scoping meetings was to present the proposed project to the public through use of display maps and handouts describing project components and potential environmental impacts. Attendees were provided an opportunity to voice comments or concerns regarding potential effects of the proposed project. Appendix 1 of this Draft EIR contains a copy of the NOP and the Scoping Report, which provides a summary of all verbal and written comments received, and copies of the written comments.

1.54.2 Draft EIR

This document constitutes the Draft EIR. The **Draft EIR** ~~report~~ contains a description of the Dry Creek Project elements, description of the environmental setting and baseline conditions, identification of impacts, and mitigation measures, where feasible, for impacts found to be significant, as well as an analysis of alternatives. This document is intended to provide the Water Agency with the information required to carry out its activities with respect to the proposed project. The Draft EIR addresses environmental issues that could result in potentially significant environmental effects from project implementation. Significance criteria have been developed for each environmental issue

analyzed in this Draft EIR and are defined at the beginning of each impact analysis section. Impacts are categorized as follows:

1. Significant and unavoidable;
2. Potentially significant, but can be mitigated to a less-than-significant level;
3. Less than significant (mitigation is not required under CEQA, but may be recommended);
4. No impact; or
5. Beneficial.

CEQA requires that a lead agency shall neither approve nor carry out a project as proposed unless the significant environmental effects have been reduced to an acceptable level, where possible (CEQA Guidelines Section 15091 and Section 15092). An acceptable level is defined as eliminating, avoiding, or substantially lessening the significant effects. If such a reduction is not possible, a lead agency must adopt mitigation measures and findings for potentially significant impacts that can be reduced to a less than significant level. For those impacts that remain significant and unavoidable, a lead agency must adopt findings regarding alternatives and a Statement of Overriding Considerations. As defined in CEQA Guidelines Section 15093, a Statement of Overriding Considerations balances the benefits of a project against its unavoidable environmental consequences.

The Dry Creek Project works in concert with the Estuary Management, and Fish Flow, and Mirabel Fish Ladder and Screen Projects mentioned above to enhance habitat for listed fish species in the Russian River watershed. However, while the three projects must complement each other, each must also function as an independent project to improve habitat for listed fish species regardless of the outcomes of the other efforts. For example, if the SWRCB declines to issue an order on the Water Agency's petition to change minimum instream flow requirements specified in Decision 1610 as described in the Fish Flow Project, the Dry Creek Project must still enhance fish habitat in Dry Creek and the Estuary Management Project must still enhance rearing habitat for juvenile salmonids, particularly steelhead. Therefore, each project has undergone independent environmental review under CEQA which included extensive cumulative impacts analyses considering all projects intended to implement components of the Russian River Biological Opinion.

Scope of This EIR

The Water Agency identified in the NOP the potential areas of analysis that could be addressed in the EIR. Based on the NOP scoping process, the Water Agency determined that this EIR would address the following technical issue areas, which are listed in the order in which they appear in Chapter 4.0:

1. Hydrology & Water Quality

2. Fisheries

- | | |
|--|---|
| 3. Vegetation & Wildlife | 8. Aesthetics |
| 4. Recreation | 9. Traffic & Transportation |
| 5. Geology, Geomorphology, Soils, & Mineral Resources | 10. Noise |
| 6. Land Use & Agricultural Resources | 11. Air Quality & Greenhouse Gas Emissions |
| 7. Cultural Resources | 12. Hazards & Hazardous Materials |
| | 13. Public Services and Utilities |

Organization of the Draft EIR

This Draft EIR has been organized into the following chapters:

- ES. **Executive Summary.** This chapter summarizes the contents of the Draft EIR and provides a tabulation of the impacts and mitigation measures for the proposed project and alternatives.
1. **Introduction.** This chapter discusses the background and Project overview, Project objectives and purpose, a description of the CEQA process, the purpose of the EIR, and the intended use of the document.
 2. **Project Description.** This chapter provides a detailed description of the proposed project.
 3. **Environmental Setting, Impacts and Mitigation Measures.** This chapter discusses existing conditions and establishes the environmental baseline in addition to providing a comprehensive analysis and assessment of impacts and mitigation measures for the proposed project. This section is divided into main sections for each environmental issue area (e.g., Hydrology & Water Quality, Fisheries Resources, etc.) that contain the environmental settings, regulatory framework, significance thresholds, and impacts of the proposed project.
 4. **Cumulative Impacts.** This chapter describes the potential impacts of the proposed project when considered together with other related projects in the action area.
 5. **Other Statutory Requirements.** This chapter describes the potential for the proposed project to induce growth and discusses indirect secondary impacts associated with the proposed project. This chapter also provides a discussion of significant environmental effects that cannot be avoided and irreversible environmental changes.
 6. **Alternatives Analysis.** This chapter presents an overview of the alternatives development process and describes the alternatives to the proposed project that were considered.
 7. **Permits, Reviewing Agencies, and Legal Requirements.** This chapter describes the federal, state, and local agencies that may be responsible for

review of the project and/or have permit authority over portions of the Dry Creek Project.

8. **Glossary.** This chapter lists definitions and clarifications for acronyms, abbreviations, symbols, and terms used in the Draft EIR.
9. **List of Preparers.** This chapter identifies authors and consultants involved in preparing this Draft EIR, including persons and organizations consulted.
10. **Appendices.** The appendices contain supporting documents and technical data used in the preparation and documentation of the analysis included in the EIR.

Public Review

This Draft EIR will be available to local, state, and federal agencies and to interested organizations and individuals who may want to review and comment on the report. Notice of this Draft EIR will also be sent directly to every agency, person, or organization that commented on the NOP. Publication of this Draft EIR marks the beginning of a 60-day public review period, during which written comments will be accepted via regular mail, fax, and e-mail at the contact information listed below. During the review period, the Water Agency will hold a public hearing on the Draft EIR. Details regarding the public hearing will be posted on the Water Agency's website, www.sonomacountywater.org, in local newspapers, or by sending inquiries to:

Sonoma County Water Agency
 Attention: David Cuneo
 404 Aviation Boulevard
 Santa Rosa, CA 95403

email: David.Cuneo@scwa.ca.gov

1.54.3 Final EIR

Written and oral comments received in response to the Draft EIR will be addressed in a Response to Comments document which, together with the Draft EIR, will constitute the Final EIR. As the CEQA Lead Agency, the Water Agency's Board of Directors will consider certification of the EIR as complete under CEQA (CEQA Guidelines Section 15090). Once the EIR has been certified, the Water Agency may proceed to consider project approval. Prior to approving the project, the Water Agency must make written findings with respect to each significant environmental effect identified in the EIR in accordance with Section 15091 of CEQA Guidelines. The Water Agency would be required to adopt Findings of Fact, and for impacts determined to be significant and unavoidable, adopt a Statement of Overriding Considerations.

1.65 References

~~Inter-Fluve. Draft Current Conditions Inventory Report – Dry Creek: Warm Springs Dam to Russian River, Sonoma County, CA. March 2010.~~

ESSA 2014. Dry Creek Adaptive Management Plan (AMP). Final, May 2014.

Inter-Fluve 2010. Final Current Conditions Report, Dry Creek from Warm Springs Dam to the Confluence with the Russian River. Prepared for the Sonoma County Water Agency. December 2010.

Inter-Fluve 2011. Fish Habitat Enhancement Feasibility Study Report, Dry Creek from Warm Springs Dam to the Confluence with the Russian River. Prepared for the Sonoma County Water Agency. Draft Report, March 2011.

Inter-Fluve 2012. Final Dry Creek Fish Habitat Enhancement: Conceptual Design Report: Dry Creek: Warm Springs Dam to the Russian River Sonoma County, CA. Prepared for the Sonoma County Water Agency. July 2012.

National Marine Fisheries Service (NMFS). Biological Opinion for water supply, flood control operations, and channel maintenance conducted by the U.S. Army Corps of Engineers, the Sonoma County Water Agency, and the Mendocino County Russian River Flood Control and Water Conservation Improvement District in the Russian River watershed. September 2008.

CHAPTER 3 - Comment Summaries and Responses

3.1 Written Comments and Responses

Comment Letter 1 – California Department of Transportation (Caltrans)

Caltrans - Comment 1-1

Please provide Caltrans with the project's Traffic Control Plan as soon as it is available. If it is determined that traffic restrictions and detours are needed on or which may affect State highways, Caltrans approval of this plan may be required prior to construction. These must be prepared in accordance with Caltrans' TMP Guidelines. Please ensure that such plans are also prepared in accordance with the TMP requirements of the corresponding jurisdictions.

Response to Caltrans - Comment 1-1

Project construction Traffic Control Plans will be prepared by the Water Agency's construction contractor. The Traffic Control Plan will be submitted to Caltrans for approval if it is determined that construction activities require traffic restrictions and detours on, or which would affect, State highways.

Caltrans - Comment 1-2

Work that encroaches onto the state right of way requires an encroachment permit that is issued by Caltrans.

Response to Caltrans - Comment 1-2

No work within state right of way is currently anticipated for the construction, operation, or maintenance of the Dry Creek Habitat Enhancement Projects. However, if project changes occur resulting in the need to encroach onto the state right of way, the Water Agency would apply for and obtain an encroachment permit from Caltrans prior to the start of construction.

Comment Letter 2 – Russian River Watershed Protection Committee (RRWPC)

RRWPC - Comment 2-1

We are concerned that recommended lower flows in the Biological Opinion (85 cfs at Hacienda) are assumed for this document. Low flows have been

implemented through Temporary Urgent Change Petitions and Orders, which have not been subjected to environmental review. We wrote the following recently: “The proposed flow decrease was directed by the Biological Opinion (BO), entered into the Federal Register as law by National Marine Fisheries Service, and received no public review. SCWA was directed to carry out its requirements that were handed down on September 24, 2008. While the State Water Board is the only entity with jurisdiction to change Decision 1610, (State Law governing Russian River flows), and the final decision is theirs, the federal agency is quite clear that they expect to have this BO fully implemented. We are seeing signs that this may be a ‘done deal’ before the EIR is even released.” This situation with the scope of the project is similar to what happened with the Estuary Management Project where the study area ignored impacts to and from the river upstream of Duncans Mills, the defined limit of the ‘box’ for that project. RRWPC’s legal settlement with SCWA brought the impact area up about five miles to Vacation Beach. It made some sense to do that because the summer dams at Johnson’s and Vacation Beaches artificially raise flows each summer. We are here asking you to address flow impacts from this project at least as far down the river as Hacienda, location of the USGS gauge.

Response to RRWPC - Comment 2-1

As noted on page 1-3 of the Draft Environmental Impact Report, the Russian River Biological Opinion requires habitat enhancement of six miles of Dry Creek to improve summer rearing conditions for coho salmon and steelhead while allowing the Water Agency to maintain the existing flow range in Dry Creek of 110 to 175 cfs for water supply purposes. The volume of flow, as measured in cubic feet per second (cfs), would not change from existing conditions as a result of the proposed project. The habitat features create wider areas along the creek, which results in lower velocities as measured in feet per second (fps), in the project area without a change in flow volume. The proposed habitat enhancement project does not include any components that modify or propose to change existing flows (in cfs) from Warm Springs Dam, in Dry Creek, or downstream in the Russian River. The main goal of the project is to create areas of lower velocities (fps) for coho salmon and steelhead while maintain existing flow (cfs) conditions.

RRWPC – Comment 2-2

There are many references in the Dry Creek EIR to the Biological Opinion and its requirement that the main goal of this project is to slow flows in order to protect juvenile salmonids from fast moving water. The intent is to slow the water to protect the fish and also provide areas where adults can successfully procreate. And yet, one of the main drawbacks of this EIR is that there is no in depth analysis of what the flows are now, how they are managed, and no description of how they might change as a result of this project.

Response to RRWPC - Comment 2-2

See response to comment 2-1.

RRWPC – Comment 2-3

The BO assumes the water is going too fast for fish on the one hand, and indicates it needs to be slowed so as to not harm juveniles, while not evaluating what flow changes should be anticipated and acting as though nothing will change. Where is the consistency here? Also, one needs to think in terms of other kinds of impacts, and not just those that affect the fish.

Response to RRWPC - Comment 2-3

See response to comment 2-1.

The Draft EIR discusses terrestrial wildlife and wildlife habitat in relation to the construction, operation, and maintenance of the Dry Creek Project in **Chapter 3.3, Biological Resources**. Special-status wildlife species with the potential to occur in the vicinity of the Dry Creek Project are discussed on pages 3.3-18 through 3.3-35. They include: amphibians (California red-legged frog and foothill yellow-legged frog); reptiles (Western pond turtle); birds (Allen’s hummingbird, bald eagle, Cooper’s hawk, loggerhead shrike, merlin, olive-sided flycatcher, osprey, peregrine falcon, white-tailed kite, yellow warbler, and yellow-breasted chat); and mammals (pallid bat). Potential impacts to candidate, sensitive, or special-status species as well as nesting birds are addressed in **Impact 3.3.1** and **Mitigation Measures 3.3.1a through 3.3.1d**. **Impact 3.3.4** addresses potential interference with the movement of native wildlife and potential impacts to wildlife corridors. Potential impacts to wildlife habitat are addressed in **Impacts 3.3.5 and 3.3.6**.

The habitat enhancement features are designed for providing high quality habitat for coho salmon and steelhead as required by the Russian River Biological Opinion; however, the habitat enhancement features are not exclusive to just providing habitat for coho salmon and steelhead. These habitat enhancement features increase the overall structure and diversity of habitat that is available along the Dry Creek channel, which is beneficial to a wide range of species that utilize the riparian corridor. The increased availability of areas with lower water velocities benefit several semi-aquatic and terrestrial species directly, including Western pond turtle, California red-legged frog, yellow-legged frog, and birds such as herons and egrets. In the short time that the existing Dry Creek Habitat Enhancement Demonstration Project has been in place, Water Agency staff have observed a wide range of species utilizing these habitat features including adult and juvenile salmonids, a range of other native fish species, western pond turtles, as well as myriad riparian bird species such as herons, egrets, mergansers, and kingfishers. Scat from river otters has also been commonly found along the shores of the new habitat features. Property owners have also reported seeing or hearing coyotes and mountain lion in the project areas. In addition, the bank stabilization techniques that have been used in some locations, are intended to reduce fine sediment inputs by repairing failing stream banks while also providing

an increase in habitat structure and cover that provides a benefit to coho salmon, steelhead, as well as the whole range of other fisheries and terrestrial species found along the Dry Creek riparian corridor.

Removal of dense patches of invasive, non-native plants such as Himalayan blackberry (*Rubus armeniacus*) and periwinkle (*Vinca major*), both widely distributed along Dry Creek, followed by appropriate revegetation, provides diversity in structure and species composition. As stated on page 83 of the Riparian Habitat Joint Venture's *Riparian Bird Conservation Plan*, removal of invasive, non-native plant species promotes a diverse herbaceous layer and benefits riparian birds. The document goes on to say that "early successional habitats with a dense, shrubby understory and herbaceous groundcover are critical for successful nesting on nine of the 17 focal riparian species" addressed in the *Riparian Bird Conservation Plan* (RHJV 2004).

Overall, the Dry Creek Habitat Enhancement Projects will provide a benefit to the entire Dry Creek ecosystem.

RRWPC – Comment 2-4

The EIR (p. 3.8-6) states that the mean Dry Creek flow as measured at USGS Gauge is 390 cfs and 100 cfs between May-October, which are stated to be consistent with Dry Creek Flows. Over the last year, we have seen Lake Sonoma releases noted in Press Democrat as low as 68 cfs and as high as 128 cfs during summer months. Maybe you can average those to come to 100 cfs, but it doesn't tell you what the impacts might be on the outer edges. Please address this.

Response to RRWPC - Comment 2-4

See response to comment 2-1. Dry Creek below Warm Springs Dam is controlled by releases from the dam, but at times also receives natural runoff from the watershed area below the dam as well as flow inputs from tributaries. There is a wide range of flows that can occur in Dry Creek depending upon rainfall and water supply conditions. The Dry Creek Habitat Enhancement design team has taken the expected range of flows that occur under existing conditions both during periods when flows are primarily just coming from dam releases as well as anticipated high flow events that occur during and after rainfall. The habitat enhancement projects will be designed with the existing range of flows considered; however, the habitat enhancement projects will not result in any changes to existing flow volumes (cfs) in Dry Creek or the Russian River.

RRWPC – Comment 2-5

RRWPC is still waiting for response from the State Board to our eight-page comment letter on this decision (Temporary Urgency Change Order of May, 2015). This is an outrageous circumstance where these kinds of drastic changes are made without benefit of public input. We need this EIR to address what will happen downstream when extreme actions such as this are taken in the future.

Dry Creek Habitat Enhancement Project,

In the meantime, we are dealing now with toxic blue-green algae, which are aggravated by low flows.

Response to RRWPC - Comment 2-5

See response to comment 2-1.

RRWPC – Comment 2-6

This document makes certain assumptions without fully explaining their basis in fact. (p. 3.5-32) It assumes travel time and water velocity is the same before and after project, even while the project is intended to slow the flow.

Response to RRWPC - Comment 2-6

The discussion on p. 3.5-32 of the Draft EIR was with respect to travel time of flows through a side-channel versus the main channel as it relates to the potential for an increase in water temperature in the habitat features. Side channels, because of their upstream connection point are flow-through systems that are expected to have lower velocities, but the overall residence time through the feature would be similar enough to mainstem Dry Creek with respect to temperature and solar inputs. For example, a 500-foot long section of channel with the typical Dry Creek existing velocity of 4 feet per second would have a residence time of approximately 2 minutes. Compare that against a side-channel of the same length with velocities of 1 foot per second and the side channel would have a residence time of approximately 8 minutes. So, while the residence times would not be the same, the increase is not sufficient enough from a temperature perspective to have a noticeable effect. Observations of existing features of the Dry Creek Habitat Enhancement Demonstration Project, have shown that even backwater features, which are not flow through from the surface and would tend to have much longer residence times, have similar temperatures as the mainstem of Dry Creek.

RRWPC – Comment 2-7

It is also expected to be the same in the side channels, but rapid enough to prevent sedimentation flows. How was this determined? Where is back up information?

Response to RRWPC - Comment 2-7

See response to comment 2-6. Water Agency staff, its design team, and the National Marine Fisheries Service and California Department of Fish and Wildlife representatives working with the Water Agency are aware of the potential for sedimentation of the habitat features. Sedimentation flows (flows high enough to start mobilizing sediments and bed load material in the creek) do not occur during the lower flows typically associated with summer flows in Dry Creek. As flows increase during storm events, finer sediments and eventually pebbles and larger cobbles start to be transported down the creek. One of the jobs of the design team is to look at the anticipated flows that could occur and design their features

anticipating the potential for sediment and material movement. The design team looks at these potential flow events and includes design features to minimize the potential for the site to fill due to inundation with sediments. Each project design comes with a design report prepared by the design team which explains the basis of the project design and how it is expected to function under different flow conditions. Based on the performance of the existing Dry Creek Habitat Enhancement Demonstration Project features, the project features can be designed to withstand high flow events without being significantly impacted by sedimentation.

RRWPC – Comment 2-8

We ask if you can provide analysis of the factors determining your Lake Sonoma releases, how this project may change those releases, and how it will impact flows as measured at Hacienda for the lower river? Do current releases account for drought, global warming, and growth?

Response to RRWPC - Comment 2-8

See response to comment 2-1. The Dry Creek Habitat Enhancement Project does not propose any changes to flow volumes, water diversions, or water rights.

RRWPC – Comment 2-9

Rohnert Park is currently building at least 1500 new units and has over 4000 more already approved. They anticipate serving about 11,000 new residents if all of these are built. What flows will be needed to accommodate these? How will this project impact SCWA's ability to provide water for new growth under all drought scenarios?

Response to RRWPC - Comment 2-9

See response to comment 2-1.

RRWPC – Comment 2-10

By the way, we saw nothing in the Appendices on flow and releases from dam. The analysis provided in Section 9 was general and historical. There was information on joint management with USACE and flood versus water supply management (winter vs. summer), but no information on impact of project on how project might effect down stream water supply. (It's hard to imagine that you can slow water and not have an impact on supply.)

Response to RRWPC - Comment 2-10

See response to comment 2-1.

RRWPC – Comment 2-11

Project impacts on transport of nutrients and bacteria. It is our concern that construction of the project and the movement of banks and stream sediments may possibly help accumulate and disburse nutrients and bacteria, about which I saw little mention.

Response to RRWPC - Comment 2-11

See response to comment 2-3. The project is creating an enhancement to the habitat features in Dry Creek. The work areas are typically taking advantage of existing high flow channel areas. These areas are regularly inundated under existing high flows in Dry Creek. The materials are primarily gravels and finer silts and are currently subject to movement during high flow events. Any existing nutrients or bacteria in these areas are subject to being mobilized under existing conditions. Any existing nutrient or bacteria sources from runoff would also remain the same with or without the habitat enhancement projects. The project would not bring in any new source of nutrients or bacteria into the project area. If anything, the removal of sand and gravel material in order to construct the habitat features would result in a net loss of existing nutrients, bacteria, or any other constituents associated with existing streambed or floodplain sediments that could potentially be mobilized during high flow events.

RRWPC – Comment 2-12

There was a comment that it is common for nutrients to build up during low flow periods but no information on the fate of those nutrients. (Nutrients reside in sediments and can be transported to distant areas during high flows. What is expected from this project and why in regards to this circumstance?) In many places it was stated that because impacts were temporary, they were insignificant. There was some analysis on turbidity and temperature and dissolved oxygen (D.O.), but I don't recall anything on bacteria and nutrients. There are almost no problems in the lower river with turbidity and D.O. and it's hard to imagine that temperature impacts by Dry Creek Project could further impair levels in lower river which are already astronomically high in summer.

Response to RRWPC - Comment 2-12

See response to comment 2-11.

RRWPC – Comment 2-13

Only three day's ago, the North Coast Regional Water Board released their Draft TMDL for bacteria (attached), which is considering designation of the whole lower river (and possibly whole river) as impaired for that constituent. The bacteria TMDL is currently their top priority and is intended to protect public health of the recreating public. Some of the sources that may occur in Dry Creek area are runoff from irrigated lands to which fertilizers and soil amendments have been added, runoff from areas that have animal waste on them in any form, discharges from onsite wastewater systems, discharges from homeless and farmworker encampments, etc. Dry Creek project will stir up sediments during construction and it is conceivable that some can wind up in the main stem Russian River and go downstream (especially during rain events). How will this be addressed?

Response to RRWPC - Comment 2-13

See response to comment 2-11.

RRWPC – Comment 2-14

We are just as concerned about additional nutrient loads to the river, especially phosphorus. There is more and more information lately about the advent of toxic blue-green algae. Only days ago the Dept. of Health Services released a warning that this algae has been found in the Russian River (They did not state where.) and the Press Democrat wrote a prominent article about it. This is a first for that agency, although we believe we identified it many years ago and have extensive photos going back several years. We have seen similar algal growth upstream also and it's been a significant problem in the Eel and Klamath Rivers and Clear Lake as well.

Response to RRWPC - Comment 2-14

See response to comment 2-11.

RRWPC – Comment 2-15

Pollutant impacts from project including endocrine disrupting chemicals & mercury.....We believe there are abandoned mercury mines in the project area. Also mercury has been found in the abandoned gravel pits along the river. It is a problem countywide because it is naturally occurring in our area; USGS studies have found that the Laguna has some of the highest Mercury readings in the nation. Since it is such a toxic chemical, we believe that its existence and potential for harm should be analyzed in this document. Furthermore, we have heard that methylation is more likely to occur in the presence of sulphur, which I understand is used extensively by vineyards for pest control. We request that you address this issue.

Response to RRWPC - Comment 2-15

See response to comment 2-11.

RRWPC – Comment 2-16

Chemical pollutants and endocrine disruption (CEC's).....Many, if not most pesticides, herbicides, and other similar chemicals are frequently used by agriculture and commonly have endocrine disrupting properties. Pesticide and herbicide use is tracked by the Ag Commissioner's office. There was a report done in 1995 by an outside group that found many vineyards use those products extensively. We doubt that that has changed much. There is a vast amount of scientific literature on this topic that is growing every day. To refer to them as 'constituents of emerging concern' (CEC's), as many do, is not to do them justice, as it does not acknowledge the vast amount of scientific information, based on peer review studies, that has occurred. Up to now risk assessment has assumed that the 'dose makes the poison' and a higher dose causes more risk. Therefore studies have involved uncovering the dose at which harm does not occur. With endocrine disruption, it has been found that extremely small amounts, sometimes in the parts per trillion range, can cause gender bending changes in aquatic life. What's more, this alteration is unpredictable in its

occurrence and does not happen (or not happen) reliably. It has also been discovered that these effects can be transferred to future generations and applies to both humans and the smallest creatures in the environment. What is particularly sad is that fish are most definitely affected by such exposures and NMFS, to the best of my knowledge, does not even acknowledge the possibility of a problem. So all this money and effort going into this project could be for nil because of this oversight. We urge you to consider this issue in your response to comments.

Response to RRWPC - Comment 2-16

See response to comment 2-11.

RRWPC – Comment 2-17: Accumulation of nutrients and toxins in new backwaters...Finally, this is also an issue of concern. Since our time to submit this is running out, we merely ask you to assess whether nutrients and toxins can accumulate in sediments near the water and then cause impacts during high flows? If so, please analyze their impacts in light of previous concerns mentioned.

Response to RRWPC - Comment 2-17

See response to comment 2-11.

Comment Letter 3 – Terrence Smith

Terrence Smith – Comment 3-1

You state several times in different sections of the document that you have studied geomorphology, hydrology, and fluvial processes in the creek. I see no solid data showing seasonal charts of water runoff or management from the Army Corps of Engineers who manage the dam. I have pictures and videos of my land and adjacent lands being flooded for a week this winter. Where is your report of natural bridging, damming, and stream course change because of flooding or excess water release?

Response to RRWPC - Comment 3-1

Chapter 2, Project Description, of the Draft EIR provides a description of the design process the Water Agency and its design team have undergone to identify habitat enhancement potential in Dry Creek. The Dry Creek Current Conditions Report, Fish Habitat Enhancement Feasibility Report, and Conceptual Design Report mentioned in Chapter 2 were prepared by the Water Agency's design consultant Inter-Fluve. These reports provide background information on the geomorphology, hydrology, and fluvial processes in Dry Creek and identify at a conceptual level the habitat opportunities that exist along Dry Creek. These reports are referenced in the Draft EIR and are all available for viewing on the Water Agency's website (<http://www.scwa.ca.gov/drycreek/>).

Terrence Smith – Comment 3-2

Why don't you address the parts of the creek that have already created pools and habitats where coho and steelhead can thrive on their way upstream to the dam? I saw nothing addressing that point. There are places where the habitat is conducive to the enhancement of this project.

Response to RRWPC - Comment 3-2

See response to comment 3-1. As noted in Chapter 2, Project Description, the Dry Creek Conceptual Design Report prepared by the Water Agency's design consultant Inter-Fluve, provided an evaluation and ranking of the potential habitat enhancement areas and estimated habitat benefits for the entire 14-mile length of Dry Creek below Warm Springs Dam to the confluence with the Russian River. The Water Agency has been prioritizing its outreach to landowners based on the potential habitat benefits of a project on their section of the creek. Because the water Agency is working solely with voluntary landowners, there are likely to be locations that have a high potential for habitat enhancement but the site is not selected because the landowner does not want to participate in the project.

Terrence Smith – Comment 3-3

There is also concern the EIR makes no mention of the displacement of mountain lion, rattlesnake, garter snake, king snake, turtles, lizards, coyotes, fox, raptors, and various other critters that live and are more prolific in the Dry Creek riparian habitat.

Response to RRWPC - Comment 3-3

See response to comment 2-3.

3.2 Public Hearing Comments and Responses

Speaker 1 - Russian River Watershed Protection Committee – Brenda Adelman

Brenda Adelman 1-1

One thing that struck me is that these back waters may become sinks for pollution and I don't know if the document addresses that or not but I'd be concerned about chemical pollution and nutrient pollution.

Response to Brenda Adelman - Comment 1-1

See response to written comment 2-1.

Brenda Adelman 1-2

The other big issue for me is that from what I have seen so far there is absolutely no description that I have seen so far and I have read about half OF IT, about how this is going to impact flows and what flows are needed to sustain water agency needs and how these projects will affect the current flows and various aspects of these issues and how it's going to affect downstream. If at all, maybe flows will stay exactly the same. But there is quite a range of flows that are currently used somewhere in the area of 90-175 I believe I have read..., there has not been an analysis that I have seen as to how those flows affect downstream water quality, recreation, etc..

Response to Brenda Adelman - Comment 1-2

See response to written comment 2-11.

APPENDIX 4.1

Mitigation Monitoring Plan

EXHIBIT A: DRAFT Mitigation Monitoring Plan

Introduction

In compliance with Section 21081.6 of the California Environmental Quality Act (CEQA), the Sonoma County Water Agency (Water Agency) has prepared this Mitigation Monitoring Plan (MMP). This plan is in draft form to allow for possible future inclusion of mitigation measures that may be proposed by the Water Agency's Board of Directors. All mitigation measures that are applicable to components of the Project described in the *Dry Creek Habitat Enhancement Project, Miles 2-6 (Project) Final Environmental Impact Report* (Final EIR) have been included in the MMP. All mitigation measures are applicable to all components of the Project unless specified otherwise. Each mitigation measure and the method of monitoring or verifying the completion of the measure are described in the MMP. Upon approval of the MMP by the Water Agency's Board of Directors, each mitigation measure will be entered onto one of the Water Agency's Mitigation Monitoring Report forms (MMR) and entered into the Water Agency's Environmental Resource Section's Mitigation Monitoring Database (Database). Before monitoring of a specific mitigation measure is required, the MMR will be forwarded by the Environmental Resource Section to the appropriate Water Agency department/staff for monitoring. A sample MMR form is included at the end of this MMP. This sample MMR would be used to monitor a measure to mitigate potential impacts to aesthetic resources.

Various Water Agency departments/staff members are responsible for monitoring or verification of project mitigation measures and their general areas of responsibility are as follows:

The **Project Engineer** is responsible for project design and specifications.

The **Technical Writing Section** is responsible for preparation of project manual.

The **Construction Inspection Section** is responsible for enforcement of the provisions of the project specifications during the construction period.

The **Environmental Resources Section** is responsible for preparation of the MMP, for informing the various departments of their mitigation responsibilities, for distribution of the appropriate monitoring forms, and for maintenance of the Database which tracks the status of mitigation measures. In some cases, the Environmental Resources Section is responsible for implementing and monitoring various mitigation measures.

The **Right-of-Way Section** is responsible for coordinating with private property owners for acquisition of property or temporary and/or permanent easements; and for coordinating any issues concerning property rights with property owners.

The **Operations and Maintenance Division** is responsible for implementation of mitigation measures during the operation and maintenance phase of the project.

The Water Agency's **Board of Directors** approves and adopts the MMP and approves the project specifications.

Following is a description of the Project's mitigation measures and the required monitoring/verification. Mitigation measure numbers correspond to the numbers presented in the Final EIR. Each mitigation measure is followed by a checklist indicating which Water Agency sections or staff is responsible for monitoring or verification of mitigation measures.

Aesthetics

Impact 3.1.2, as identified in the Final EIR, would be mitigated through the implementation of **Mitigation Measure 3.3.1a** from **Chapter 3.3, Biological Resources** and **Mitigation Measure 3.6.3** from **Chapter 3.6, Geology, Soils, and Mineral Resources**, described below, as well as the following mitigation measure.

Mitigation Measure 3.1.2: The Sonoma County Water Agency will present participating landowners with design drawings as they become available and will work closely with participating landowners to address concerns regarding aesthetic resources wherever feasible.

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| <input checked="" type="checkbox"/> Project Engineer | <input type="checkbox"/> Technical Writing |
| <input type="checkbox"/> Construction Inspection | <input type="checkbox"/> Right-of-Way |
| <input type="checkbox"/> Environmental Resources | <input type="checkbox"/> Operations and Maintenance |

The mitigation measure will be considered effective when design drawings have been shared with participating landowners and concerns regarding aesthetic resources have been addresses wherever feasible.

Impact 3.1.3, as identified in the Final EIR, would be mitigated through the implementation of **Mitigation Measure 3.3.1a** from **Chapter 3.3, Biological Resources** and **Mitigation Measure 3.6.3** from **Chapter 3.6 Geology, Soils, and Mineral Resources**, described below, and **Mitigation Measure 3.1.2**, described above.

Impact 3.1.4, as identified in the Final EIR, would be mitigated through the implementation of **Mitigation Measure 3.3.1a** from **Chapter 3.3, Biological Resources** and **Mitigation Measure 3.6.3** from **Chapter 3.6 Geology, Soils, and Mineral Resources** described below and **Mitigation Measure 3.1.2** described above.

Air Quality, Greenhouse Gas Emissions, Energy, and Sustainability

Although **Impact 3.2.1**, as identified in the Final EIR, is considered less-than-significant, **Mitigation Measures 3.2.1a and 3.2.1b** described below would further reduce this potential impact.

Mitigation Measure 3.2.1a: The project specifications will require the contractor to comply with the dust control provisions of the Sonoma County Water Agency’s Standard Contract Documents and the Northern Sonoma County Air Pollution Control District’s Rule 430 that regulate fugitive dust emissions. Measures to reduce dust emissions may include, but are not limited to sprinkling unpaved construction areas with water; covering trucks hauling dirt; limiting dust generating activities during periods of high winds (greater than 15 miles per hour); replacing ground cover in disturbed areas as soon as possible; enclosing, covering, watering, or applying soil binders to exposed stock piles; removing earth tracked onto neighboring paved roads at least once daily; and limiting equipment speed to 10 miles per hour in unpaved areas.

- | | |
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| <input checked="" type="checkbox"/> Project Engineer | <input checked="" type="checkbox"/> Technical Writing |
| <input checked="" type="checkbox"/> Construction Inspection | <input type="checkbox"/> Right-of-Way |
| <input type="checkbox"/> Environmental Resources | <input type="checkbox"/> Operations and Maintenance |

The mitigation measure will be considered effective when project specifications include the above requirements and when construction inspection verifies that contractors comply with requirements.

Mitigation Measure 3.2.1b: The project specifications will require that all construction vehicles and equipment emission levels meet current air quality standards and that idling time for all heavy equipment be minimized to reduce on-site emissions.

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| <input type="checkbox"/> Project Engineer | <input checked="" type="checkbox"/> Technical Writing |
| <input checked="" type="checkbox"/> Construction Inspection | <input type="checkbox"/> Right-of-Way |
| <input type="checkbox"/> Environmental Resources | <input checked="" type="checkbox"/> Operations and Maintenance |

The mitigation measure will be considered effective when project specifications include the above requirements and when construction inspection verifies that contractors comply with requirements.

Biological Resources (Vegetation and Wildlife)

Impact 3.3.1, as identified in the Final EIR, would be mitigated through implementation of the following mitigation measure.

Mitigation Measure 3.3.1a: Habitat enhancement features will be placed and designed in a way that preserves trees with high wildlife habitat value where feasible. These may include snags, living trees with cavities, or other large, mature trees.

Project Engineer

Technical Writing

Construction Inspection

Right-of-Way

Environmental Resources

Operations and Maintenance

Mitigation Measure 3.3.1b: The Water Agency shall conduct a pre-construction biological resources survey to identify special-status plants, amphibians, reptiles, and nesting birds present within 50 feet of the project footprint. The pre-construction survey shall:

- Be conducted by a qualified biologist no more than one week prior to commencement of construction activities or maintenance that could impact special-status plant or animal species. The biologist shall have familiarity with special-status species of the area and experience with conducting special-status species and nesting bird surveys.
- If no special-status plants or animals, or nesting birds are encountered, no further mitigation would be required for at least two weeks, unless additional measures are required by regulatory permit conditions obtained for the proposed project.
- Additional pre-construction surveys, specifically for nesting birds, shall be conducted such that no more than two weeks will have lapsed between the survey and construction or maintenance activities.
- If a special-status plant or animal is encountered, the location shall be documented and avoidance and minimization shall be prepared by the qualified Water Agency biologist, or consulting biologist, in coordination with the Water Agency and appropriate resource agencies. Avoidance and minimization measures may include, but not be limited to, establishment of a no-work buffer

around federally- or state-listed threatened or endangered plants or replanting of other special-status plant species during revegetation. Should foothill yellow-legged frog, California red-legged frog, or western pond turtle be found within the construction area, individuals will be relocated by a qualified biologist to an area of appropriate habitat outside of the construction area.

- If a nesting bird is encountered, the location shall be documented and avoidance and minimization shall be prepared by the qualified Water Agency biologist, or consulting biologist in coordination with the Water Agency, and appropriate resource agencies. A no-work buffer shall be established around active bird nests in coordination with the CDFW. Nests will be monitored weekly during construction activities.

Project Engineer

Technical Writing

Construction Inspection

Right-of-Way

Environmental Resources

Operations and Maintenance

Mitigation Measure 3.3.1c: Sites where construction activities result in exposed soil will be stabilized to prevent erosion. For each of these sites, the Water Agency will prepare and implement a revegetation plan to mitigate the loss of native riparian vegetation.

- Erosion control fabric, hydromulch, or other mechanisms will be applied as appropriate to provide protection to seeds, hold them in place, and help retain moisture.
- Recontoured banks will be seeded and revegetated and erosion control fabric will be used to prevent erosion.
- Plant species selected for revegetation will be based upon surveys of riparian habitat along Dry Creek upstream and downstream of the project site.
- Planting requirements in the revegetation plan will be based upon species composition and density recommendations associated with the overall habitat enhancement design for the project.
- If soil moisture is deficient, new vegetation will be supplied with supplemental water until vegetation is firmly established.
- Revegetation shall be regularly monitored for survival until minimum survival/cover is achieved.
- If invasive plant species colonize the area, action shall be taken to control their spread; options include hand and mechanical removal and replanting with native species.
- The final revegetation plan will include details regarding planting, implementation, maintenance, and monitoring.

Mitigation Measure 3.3.1d: A worker environmental awareness training shall be included to inform construction personnel of their responsibilities regarding sensitive biological resources that are present within 50 feet of the project footprint, staging areas, and access roads; or 300 feet for nesting raptors. The training shall comply with the following measures:

- The training shall be developed by a qualified biologist familiar with the sensitive biological resources that are known or have the potential to occur in the area.
- The training shall be completed by all construction personnel before any work occurs at the proposed habitat enhancement sites, including construction equipment and vehicle mobilization. If new personnel are added to the proposed project, the Contractor shall ensure that new personnel receive training before they start working.
- The training shall provide educational information on the special-status species that are known or have potential to occur in the area, how to identify the species, as well as other sensitive biological resources (e.g., sensitive natural communities, federal and state jurisdictional waters). The training shall also review the required mitigation measures to avoid impacts on the sensitive resources, and penalties for noncompliance with biological mitigation requirements.

The mitigation measure will be considered effective when (1) trees with high wildlife habitat value are preserved where feasible; (2) pre-construction biological surveys are completed by a qualified biologist in all areas within 50 feet of the project footprint as described above; (3) sites where construction activities result in exposed soil are stabilized to prevent erosion and a revegetation plan has been implemented; and (4) a worker environmental awareness training is completed for each construction crew according to the requirements described above.

Impact 3.3.2, as identified in the Final EIR, would be mitigated through implementation of **Mitigation Measures 3.3.1a through 3.3.1d**, described above.

Impact 3.3.5, as identified in the Final EIR, would be mitigated through implementation of **Mitigation Measures 3.8.1a through 3.8.1d** from **Chapter 3.8, Hydrology and Water Quality** and **Mitigation Measure 3.6.8a** from **Chapter 3.6, Geology, Soils, and Mineral Resources** described below.

Impact 3.3.5, as identified in the Final EIR, would be mitigated through the implementation of **Mitigation Measures 3.3.1a through 3.3.1d**, described above, and **Mitigation Measure 3.5.1** from **Chapter 3.5, Fisheries Resources**, described below.

Cultural Resources

Impact 3.4.1, as identified in the Final EIR, would be mitigated through implementation of the following mitigation measure.

Mitigation Measure 3.4.1a: A qualified archaeologist or representative from the Dry Creek Rancheria will be present during ground-disturbing activities at the site P-49-0006000.

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| <input type="checkbox"/> Project Engineer | <input type="checkbox"/> Technical Writing |
| <input checked="" type="checkbox"/> Construction Inspection | <input type="checkbox"/> Right-of-Way |
| <input checked="" type="checkbox"/> Environmental Resources | <input type="checkbox"/> Operations and Maintenance |

Mitigation Measure 3.4.1b: A tribal representative will be present during ground-disturbing activities throughout the project area.

- | | |
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| <input type="checkbox"/> Project Engineer | <input type="checkbox"/> Technical Writing |
| <input checked="" type="checkbox"/> Construction Inspection | <input type="checkbox"/> Right-of-Way |
| <input checked="" type="checkbox"/> Environmental Resources | <input type="checkbox"/> Operations and Maintenance |

Mitigation Measure 3.4.1c: The project specifications will require the contractor to comply with the Sonoma County Water Agency's Standard Contract Documents regarding the discovery of cultural resources. The Water Agency Construction Inspector and construction personnel will be notified of the possibility of encountering archaeological materials during project construction and maintenance. The project specifications will provide that if discovery is made of items of historical or archaeological interest, the contractor will immediately cease all work activities in the area (within approximately 100 feet) of discovery. Prehistoric archaeological materials may include, but are not limited to, dwelling sites, obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. After cessation of excavation the contractor will

immediately contact the Water Agency. The contractor shall not resume work until authorization is received from both agencies.

1. In the event of unanticipated discovery of archaeological materials occurs during construction, the Water Agency shall retain the services of a qualified professional archaeologist to evaluate the significance of the items prior to resuming any activities that could impact the site.
2. In the case of an unanticipated archaeological discovery, if it is determined that the find is potentially eligible for listing in the California and/or National Registers, and the site cannot be avoided, the Water Agency shall provide a research design and excavation plan, prepared by a qualified archaeologist, outlining recovery of the resource, analysis, and reporting of the find. The research design and excavation plan shall be approved by the Water Agency. Implementation of the research design and excavation plan shall be conducted prior to work being resumed.

Project Engineer

Technical Writing

Construction Inspection

Right-of-Way

Environmental Resources

Operations and Maintenance

The mitigation measure will be considered effective when (1) a qualified archaeologist or tribal representative is present during ground-disturbing activities at site P-49-0006000; (2) a tribal representative is present for ground-disturbing activities throughout the project area; (3) project specifications include requirements related to cultural resources; and (4) construction inspection and construction and maintenance crews have received training regarding the potential for historical or archaeological materials during ground-disturbing activities.

Impact 3.4.2, as identified in the Final EIR, would be mitigated through implementation of the following mitigation measure.

Mitigation Measure 3.4.2: The project specifications will require the contractor to comply with Public Resources Code 5097.98 and Health and Human Safety Code 7050.5 as they pertain to the discovery of human remains. If potential human remains are encountered, the Contractor shall halt work in the vicinity of the find and contact the Water Agency construction inspector and the Sonoma County coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the coroner determines the remains are Native American, the coroner will contact the Native American Heritage Commission (NAHC). As provided in Public

Resources Code Section 5097.98, the NAHC will identify the person or persons believed to be most likely descended from the deceased Native American. The Most Likely Descendent (MLD) makes recommendations for means of treating the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98. Work shall cease in the immediate area until the recommendations of the appropriate MLD are concluded.

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| <input type="checkbox"/> Project Engineer | <input checked="" type="checkbox"/> Technical Writing |
| <input type="checkbox"/> Construction Inspection | <input type="checkbox"/> Right-of-Way |
| <input type="checkbox"/> Environmental Resources | <input type="checkbox"/> Operations and Maintenance |

The mitigation measure will be considered effective when project specifications comply with Public Resources Code 5097.98 and Health and Human Safety Code 7050.5 as they pertain to the discovery of human remains.

Impact 3.4.3, as identified in the Final EIR, would be mitigated through implementation of the following mitigation measure.

Mitigation Measure 3.4.3a: During construction and pre-construction activities in areas that contain basket sedge, the Water Agency and its contractors will remove, store, and replant basket sedge, *Carex barbarae*, at a 1:1 ratio to ensure its continued presence.

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| <input type="checkbox"/> Project Engineer | <input type="checkbox"/> Technical Writing |
| <input checked="" type="checkbox"/> Construction Inspection | <input type="checkbox"/> Right-of-Way |
| <input checked="" type="checkbox"/> Environmental Resources | <input checked="" type="checkbox"/> Operations and Maintenance |

Mitigation Measure 3.4.3b: Prior to finalizing revegetation plans on public lands, Water Agency staff will consult with local tribal interests and prioritize inclusion of high priority species on those lands as well as other project locations, where feasible.

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| <input checked="" type="checkbox"/> Project Engineer | <input type="checkbox"/> Technical Writing |
| <input type="checkbox"/> Construction Inspection | <input type="checkbox"/> Right-of-Way |
| <input checked="" type="checkbox"/> Environmental Resources | <input checked="" type="checkbox"/> Operations and Maintenance |

The mitigation measure will be considered effective when any basket sedge that could be disturbed during construction and pre-construction activities are removed, stored, and replanted and when Water Agency staff or contractors have consulted with local

tribal interests regarding inclusion of high priority plant species in revegetation plans on public lands.

Fisheries Resources

Impact 3.5.1, as identified in the Final EIR, would be mitigated through implementation of the following mitigation measure.

Mitigation Measure 3.5.1: During dewatering activities, fish located within the project site would be removed and relocated to appropriate habitat downstream of the project site. Qualified fisheries biologists, using methods approved by the National Marine Fisheries Service and California Department of Fish and Wildlife, would perform the fish rescue and relocation.

Project Engineer

Technical Writing

Construction Inspection

Right-of-Way

Environmental Resources

Operations and Maintenance

The mitigation measure will be considered effective when fish are removed prior to dewatering activities and relocated by qualified fisheries biologists using methods approved by NMFS and CDFW.

Impact 3.5.2, as identified in the Final EIR, would be mitigated through the implementation of **Mitigation Measure 3.5.1**, described above.

Impact 3.5.3, as identified in the Final EIR, would be mitigated through the implementation of **Mitigation Measure 3.5.1**, described above.

Geology, Soils, and Mineral Resources

Impact 3.6.1, as identified in the Final EIR, would be mitigated through implementation of the following mitigation measure.

Mitigation Measure 3.6.1: The Contractor shall prepare and implement a Site Safety Plan which shall include but not be limited to:

- Documentation of an emergency communication system and protocols;
- Information on available emergency first aid supplies;

- Evacuation procedures and emergency escape route assignments; and
- Description of emergency response training for workers.

Project Engineer

Technical Writing

Construction Inspection

Right-of-Way

Environmental Resources

Operations and Maintenance

The mitigation measure will be considered effective when a Site Safety Plan which includes the above provisions has been prepared and implemented.

Impact 3.6.3, as identified in the Final EIR, would be mitigated through implementation of **Mitigation Measure 3.6.1**, described above.

Impact 3.6.5, as identified in the Final EIR, would be mitigated through implementation of **Mitigation Measure 3.6.1**, described above.

Impact 3.6.8, as identified in the Final EIR, would be mitigated through implementation of **Mitigation Measure 3.3.1c** from **Chapter 3.3, Biological Resources**, described above, and **Mitigation Measures 3.8.1a** through **3.8.1d** described below.

Mitigation Measure 3.6.8a: Sites where construction activities result in exposed soil will be stabilized to prevent erosion. For each of these sites, the Water Agency will prepare and implement a revegetation plan to mitigate the loss of native riparian vegetation.

- Erosion control fabric, hydromulch, or other mechanisms will be applied as appropriate to provide protection to seeds, hold them in place, and help retain moisture.
- Recontoured banks will be seeded and revegetated and erosion control fabric will be used to prevent erosion.
- Plant species selected for revegetation will be based upon surveys of riparian habitat along Dry Creek upstream and downstream of the project site.
- Planting requirements in the revegetation plan will be based upon species composition and density recommendations associated with the overall habitat enhancement design for the project.
- If soil moisture is deficient, new vegetation will be supplied with supplemental water until vegetation is firmly established.

- Revegetation shall be regularly monitored for survival until minimum survival/cover is achieved.
- If invasive plant species colonize the area, action shall be taken to control their spread; options include hand and mechanical removal and replanting with native species.
- The final revegetation plan will include details regarding planting, implementation, maintenance, and monitoring.

Project Engineer

Technical Writing

Construction Inspection

Right-of-Way

Environmental Resources

Operations and Maintenance

Mitigation Measure 3.6.8b: The Water Agency will implement its Adaptive Management Plan and revise current and future enhancement feature designs as needed.

Project Engineer

Technical Writing

Construction Inspection

Right-of-Way

Environmental Resources

Operations and Maintenance

This mitigation measure will be considered effective when exposed soil has been stabilized, a revegetation plan has been implemented, and future habitat enhancement designs have been informed by monitoring data collected at existing habitat enhancement sites.

Impact 3.6.9, as identified in the Final EIR, would be mitigated through implementation of **Mitigation Measures 3.6.1, 3.6.8a, and 3.6.8b**, described above.

Hazards and Hazardous Materials

Although **Impact 3.7.2**, as identified in the Final EIR, is considered less-than-significant, **Mitigation Measure 3.7.2** described below would further reduce this potential impact.

Mitigation Measure 3.7.2: To minimize the potential for accidental spills from equipment and to provide for a planned response in the event that an accidental spill does occur, the Sonoma County Water Agency will include the following construction best management practices in the project specifications:

- The contractor must comply with the Sonoma County Water Agency’s Standard Contract Documents to protect the project area from being contaminated by the accidental release of any hazardous materials and/or wastes;
- The contractor will prepare a Safety Plan in accordance with the Sonoma County Water Agency’s Standard Contract Documents;
- Spill containment and clean up equipment will be maintained onsite;
- Construction personnel will be trained in proper material handling, clean up, and disposal procedures;
- Disposal of all hazardous materials will be in compliance with all current hazardous waste disposal laws;
- The construction contractor will contact the local fire agency and the Sonoma County Department of Environmental Health for any site-specific requirements regarding hazardous materials or hazardous waste containment or handling;
- If hazardous materials are encountered during construction activities, the contractor will be required to halt construction immediately and notify the Water Agency’s Construction Inspection Section; and
- Disposal of all hazardous materials will be in compliance with all applicable hazardous waste disposal laws.

Project Engineer

Technical Writing

Construction Inspection

Right-of-Way

Environmental Resources

Operations and Maintenance

This mitigation measure will be considered effective when project specifications include the above best management practices regarding the Water Agency’s Standard Contract Documents, preparation of a Safety Plan, spill containment and clean-up, construction personnel training, hazardous material disposal, contact with the local fire agency and Sonoma County Department of Environmental Health, and discovery of hazardous materials or hazardous waste during construction activities.

Although **Impact 3.7.3**, as identified in the Final EIR, is considered less-than-significant, **Mitigation Measures 3.7.2**, described above, would further reduce this potential impact.

Hydrology and Water Quality

The following measures would mitigate for **Impact 3.8.1** as identified in the Final EIR.

Mitigation Measure 3.8.1a: Construction of all enhancement features, including backwater channels, alcoves, and side channels, will occur during the dry season, typically from June 15 to October 15, except in cases when permission is granted from permitting agencies to work beyond this time frame. Upon prediction or recognition of a storm during the work period, the work site would be prepared following appropriate best management practices (BMPs) such as those included in California Department of Transportation's *Construction Site Best Management Practice (BMP) Field Manual and Troubleshooting Guide (Caltrans' BMP Guide)* that specify construction rules to prevent excessive erosion.

Mitigation Measure 3.8.1b: If required by the NCRWQCB, the Water Agency will file a Notice of Intent prior to construction, direct the contractor to develop and implement a SWPPP. Typically, SWPPPs include the following elements:

- Source identification;
- Site map;
- Description of construction materials, practices, and equipment storage and maintenance;
- List of pollutants likely to contact stormwater;
- Estimate of the construction site area and percent impervious area;
- Erosion and sedimentation control practices, including soil stabilization, revegetation, and runoff control to limit increases in sediment in stormwater runoff, such as detention basins, straw bales, silt fences, check dams, geofabrics, drainage swales, and sandbag dikes;
- Proposed construction dewatering plans;
- List of provisions to eliminate or reduce discharge of materials to stormwater;
- Description of waste management practices;
- Spill prevention and control measures;
- Maintenance and training practices; and
- Sampling and analysis strategy and sampling schedule for discharges from construction activities.

Mitigation Measure 3.8.1c: In locations where construction would take place in the creek and could result in excess sediment delivery to Dry Creek that may increase turbidity, the contractor will divert the stream around work zones and/or dewater active work zones during construction. Methods to divert water around the work zone could include temporary pipes and culverts, and lined open bypass channels. Methods to dewater the work zones could include using sheet piling to isolate a discrete portion of the active channel from which water is removed using high capacity pumps. Turbidity curtains will be used as appropriate to separate in-channel work areas from the main channel.

Mitigation Measure 3.8.1d: Best Management Practices (BMPs) such as those included in the California Department of Transportation’s *Construction Site Best Management Practice (BMP) Field Manual and Troubleshooting Guide* will be incorporated into project specifications to stabilize soil and prevent erosion in areas where construction activities result in exposed soil. These may include the following:

- Erosion control techniques such as silt fencing, desilting basins, sediment traps, check dams, fiber rolls, gravel bag berms, street sweeping and vacuuming, sandbag barriers, and straw bale barriers will be employed as appropriate.
- Soil exposed during construction activities will be reseeded and revegetated and erosion control fabric will be used to prevent erosion.
- Erosion control fabric, hydromulch, or other mechanisms will be applied as appropriate to provide protection to seeds, hold them in place, and help retain moisture.
- If soil moisture is deficient, new vegetation will be supplied with supplemental water until vegetation is firmly established.
- Revegetation shall be regularly monitored for survival until minimum survival/cover is achieved.
- The final revegetation plan will include details regarding planting, implementation, maintenance, and monitoring.

Project Engineer

Technical Writing

Construction Inspection

Right-of-Way

Environmental Resources

Operations and Maintenance

This mitigation measure will be considered effective when construction activities take place between June 15 and October 15, unless otherwise approved; appropriate BMPs are adhered to if precipitation is anticipated during construction; a Notice of Intent and SWPPP are prepared, if required; water is diverted around work areas and work areas are dewatered as needed to prevent excess sediment delivery to Dry Creek; and BMPs are incorporated to stabilize soil and prevent erosion.

Impact 3.8.9, as identified in the Final EIR, would be mitigated through implementation of **Mitigation Measure 3.8.1** described above.

Land Use, Planning, and Agriculture Resources

Impact 3.9.5, as identified in the Final EIR, would be mitigated through the implementation of **Mitigation Measures 3.1.1** and **3.1.2** from **Chapter 3.1, Aesthetics**

and **Mitigation Measure 3.2.1a** from **Chapter 3.2, Air Quality, Greenhouse Gas Emissions, Energy, and Sustainability** described above as well as **Mitigation Measures 3.9.5a, b, and c** described below.

Mitigation Measure 3.9.5a: The Water Agency will coordinate construction activities with adjacent landowners and vineyard managers in order to avoid potential conflicts with road use and agricultural activities.

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| <input checked="" type="checkbox"/> Construction Inspection | <input type="checkbox"/> Right-of-Way |
| <input type="checkbox"/> Environmental Resources | <input type="checkbox"/> Operations and Maintenance |

Mitigation Measure 3.9.5b: Except in cases of emergency, the Water Agency will coordinate with property owners to schedule maintenance and monitoring activities to minimize conflicts with existing land uses.

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| <input type="checkbox"/> Project Engineer | <input type="checkbox"/> Technical Writing |
| <input type="checkbox"/> Construction Inspection | <input type="checkbox"/> Right-of-Way |
| <input checked="" type="checkbox"/> Environmental Resources | <input checked="" type="checkbox"/> Operations and Maintenance |

Mitigation Measure 3.9.5c: Where appropriate and feasible, the Water Agency will avoid locating habitat enhancements in areas with the potential to encroach on existing land use and agricultural resources. Implementation of **Mitigation Measures 3.1.1** and **3.1.2** from **Chapter 3.1, Aesthetics** would further reduce this impact.

| | |
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| <input checked="" type="checkbox"/> Project Engineer | <input type="checkbox"/> Technical Writing |
| <input type="checkbox"/> Construction Inspection | <input type="checkbox"/> Right-of-Way |
| <input type="checkbox"/> Environmental Resources | <input type="checkbox"/> Operations and Maintenance |

The mitigation measure will be considered effective when Water Agency staff works with landowners and vineyard managers in order to avoid potential conflicts between agricultural activities and related road use and project-related construction, monitoring, and maintenance activities as well as when Water Agency staff avoids locating habitat enhancement features in areas with the potential to encroach on existing land use and agricultural resources.

Although **Impact 3.9.6**, as identified in the Final EIR, is considered less-than-significant, **Mitigation Measures 3.1.1** and **3.1.2** from **Chapter 3.1 Aesthetics** as well as

Mitigation Measure 3.9.5a, b, and c, described above, would further reduce this potential impact.

Noise

Impact 3.10.1, as identified in the Final EIR, would be mitigated to some extent with the following mitigation measures but could remain significant and unavoidable.

Mitigation Measure 3.10.1a: Construction activities and potential maintenance activities will generally take place between the hours of 7:00 am – 6:00 pm, Monday through Friday. Weekend work and evening work is not anticipated; although may be necessary to complete work. If necessary, dewatering pumping may be allowed on a 24-hour basis in order to limit the time that diversion of stream flows is required. In such a case, prior notification of these activities will be given to residents.

| | |
|--|--|
| <input checked="" type="checkbox"/> Project Engineer | <input checked="" type="checkbox"/> Technical Writing |
| <input checked="" type="checkbox"/> Construction Inspection | <input type="checkbox"/> Right-of-Way |
| <input type="checkbox"/> Environmental Resources | <input type="checkbox"/> Operations and Maintenance |

Mitigation Measure 3.10.1b: Equipment and trucks used for construction will utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds), wherever feasible.

| | |
|--|--|
| <input checked="" type="checkbox"/> Project Engineer | <input checked="" type="checkbox"/> Technical Writing |
| <input checked="" type="checkbox"/> Construction Inspection | <input type="checkbox"/> Right-of-Way |
| <input type="checkbox"/> Environmental Resources | <input type="checkbox"/> Operations and Maintenance |

Mitigation Measure 3.10.1c: Construction contractors will locate fixed construction equipment (such as compressors and generators) and construction staging areas as far as feasible from nearby sensitive receptors.

| | |
|--|--|
| <input checked="" type="checkbox"/> Project Engineer | <input checked="" type="checkbox"/> Technical Writing |
| <input checked="" type="checkbox"/> Construction Inspection | <input type="checkbox"/> Right-of-Way |
| <input type="checkbox"/> Environmental Resources | <input type="checkbox"/> Operations and Maintenance |

The mitigation measure will be considered effective when construction activities are limited to Monday through Friday 7:00 am – 6:00 pm unless necessary; residents are notified prior to 24-hour dewatering activities; best available noise control techniques

are utilized wherever feasible; and contractors locate fixed construction equipment and staging areas as far as feasible from nearby sensitive receptors.

Public Services and Utilities/Service Systems

No mitigation measures were identified.

Recreation

No mitigation measures were identified.

Traffic and Transportation

The following mitigation measure would mitigate for **Impact 3.13.1**, as identified in the Final EIR.

Mitigation Measure 3.13.1: The contractor will prepare a Traffic Control Plan in coordination with the Water Agency to ensure safe and efficient traffic movement throughout the project area during project construction and major repair projects. The Traffic Control Plan will identify alternative emergency access routes, where feasible and necessary, to avoid areas most affected by construction-related traffic. The Contractor will provide alternative route information signage and other information to alert motorists, cyclists, and pedestrians of potential delays.

Project Engineer

Technical Writing

Construction Inspection

Right-of-Way

Environmental Resources

Operations and Maintenance

The mitigation measure will be considered effective when a Traffic Control Plan and signage are prepared for construction and major repair activities.

Impact 3.13.2, as identified in the Final EIR, would be mitigated through the implementation of **Mitigation Measure 3.13.1**, described above.

Impact 3.13.3, as identified in the Final EIR, would be mitigated through the implementation of **Mitigation Measure 3.13.1**, described above.

Impact 3.13.4, as identified in the Final EIR, would be mitigated through the implementation of the following mitigation measure.

Mitigation Measure 3.13.4: Private roadways utilized during construction and/or maintenance activities for the Dry Creek Project will be inspected for damage and returned to their previous condition per landowner agreements following completion of project-related activities at the site.

| | |
|--|---|
| <input checked="" type="checkbox"/> Project Engineer | <input type="checkbox"/> Technical Writing |
| <input checked="" type="checkbox"/> Construction Inspection | <input type="checkbox"/> Right-of-Way |
| <input type="checkbox"/> Environmental Resources | <input checked="" type="checkbox"/> Operations and Maintenance |

This mitigation measure will be considered effective when private roadways utilized during construction and/or maintenance activities are returned to their previous condition per landowner agreements.

Cumulative Impacts

Impact 4.6.13.1, as identified in the Final EIR, would be mitigated to some extent by **Mitigation Measure 3.13.1** from **Chapter 3.13, Traffic and Transportation** and the following mitigation measure but could remain significant and unavoidable.

Mitigation Measure 4.6.13.1: The Water Agency shall coordinate with the appropriate planning agencies for projects implemented simultaneously within the Dry Creek Valley (e.g., Sonoma County, the U.S. Army Corps of Engineers) to develop and implement a Construction Traffic Coordination Plan. The purpose of the plan shall be to lessen the cumulative effects of the project and other local development project traffic delays and congestion. The plan shall address construction-, maintenance-, and operation-related traffic associated with all project sites in the vicinity of Dry Creek Habitat Enhancement Project, Miles 2-6 components (i.e., within one mile or would use the same roads) and whose construction, maintenance, or special event schedules overlap that of the project. However, the construction traffic coordination plan shall, at a minimum, include the following components:

- Identification of all projects located in the vicinity of Dry Creek Habitat Enhancement Project, Miles 2-6 components (within one mile or would use the

same roads) and whose construction, maintenance, or special event schedules overlap that of the project.

- Consideration for the types of vehicles and corresponding numbers and timing of trips associated with each said project.
- An evaluation of roadways affected by construction activities and measures to minimize roadway and traffic disturbances (e.g., lane closures and detours).
- Phasing of construction activities, as feasible and necessary to prevent degradation of levels of service on affected roadways.
- A program that provides for continual coordination with the affected agencies to allow for adjustments and refinements to the plan once project construction is underway.

The construction traffic plan may be modeled after the Traffic Control Plan described in **Mitigation Measure 3.13.1**.

Project Engineer

Technical Writing

Construction Inspection

Right-of-Way

Environmental Resources

Operations and Maintenance

This mitigation measure will be considered effective when the Water Agency prepares and implements a Construction Traffic Coordination Plan in coordination with the appropriate agencies and the contractor.

Sample Electronic SCWA Mitigation Monitoring Report Form

| | | | | | |
|---|---|--|----------------|--|--|
|  | | ENVIRONMENTAL RESOURCES COMPLIANCE DATABASE SONOMA COUNTY WATER AGENCY | | Welcome admin Log Out | |
| Projects | | Add New Project | | | |
| <p>DRY CREEK HABITAT ENHANCEMENT PROJECT, MILES 2-6</p> | | | | | |
| Environmental Lead: | Cuneo, David | MMR: | MMR | | |
| Resource Type: | Aesthetics | MMR Number: | 3.1.2 | | |
| MMR Due: | 01/01/2019 | Term: | ongoing | | |
| Impact Type: | | | | | |
| Mitigation Measure: | <p>The Sonoma County Water Agency will present participating landowners with design drawings as they become available and will work closely with participating landowners to address concerns regarding aesthetic resources wherever feasible.</p> | | | | |
| Department | Engineering | Report Prepared By | | | |
| Inspection/verification date | | Inspection/verification performed by | | | |
| Mitigation Measure Status | Pending | | | | |
| Exceptions from Mitigation Measure (above) | | | | | |
| Remaining Work to Complete Mitigation Measure | | | | | |
| Estimated Date for Completion of Mitigation | | | | | |
| <input type="button" value="Edit"/> | | | | | |
| <input type="button" value="Report is Complete"/> | | | | | |

APPENDIX 4.2

Written Comment Letters

DEPARTMENT OF TRANSPORTATION

DISTRICT 4

P.O. BOX 23660, MS-10D

OAKLAND, CA 94623-0660

PHONE (510) 286-5528

FAX (510) 286-5559

TTY 711

<http://www.dot.ca.gov/dist4/>**ORIGINAL DOCUMENT**

JUL 20 2015

SONOMA COUNTY WATER AGENCY



*Serious Drought.
Help save water!*

July 20, 2015

SON1011918
SON-101-36.27
SCH# 2014052020

Mr. Dave Cuneo
Sonoma County Water Agency
404 Aviation Boulevard
Santa Rosa, CA 95403

To: Cuneo

CF/45-6.1-9 Dry Creek Habitat Enhancement Project Miles 2-6 (ID 5062)

Dear Mr. Cuneo:

Dry Creek Habitat Enhancement Project, Miles 2-6 – Draft Environmental Impact Report (DEIR)

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. The proposed project would create or enhance coho salmon habitat features, adjacent to Dry Creek. The project is located in northern Sonoma County, and construction road will use US 101 via the Canyon Road, Lytton Springs, or Dry Creek Road ramps.

Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this local development for impacts to the State Highway System in keeping with our mission, vision, and goals for sustainability/livability/economy, and safety/health. We provide these comments consistent with the State's smart mobility goals that support a vibrant economy, and build communities, not sprawl. The following comments are based on the DEIR.

Traffic Control Plan

Please provide Caltrans with the project's Traffic Control Plan, noted on Page 3.13.15 of the DEIR, as soon as it is available. If it is determined that traffic restrictions and detours are needed on or which may affect State highways, Caltrans approval of this plan may be required prior to construction. These must be prepared in accordance with Caltrans' *TMP Guidelines*. Further information is available for download at the following web address:
http://www.dot.ca.gov/hq/traffops/trafmgmt/tmp_lcs/index.htm.

Please ensure that such plans are also prepared in accordance with the TMP requirements of the corresponding jurisdictions. For further TMP assistance, please contact the Caltrans District 4 Office of Traffic Management Operations at (510) 286-4579.

1-1

Ms. Karen Davis-Brown/Sonoma County Regional Parks
July 21, 2015
Page 2

Work that encroaches onto the state right of way (ROW) requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating the state ROW must be submitted to: Office of Permits, California Department of Transportation, District 4, P.O. 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. As soon as they are available, please forward one hard copy and one CD of the environmental document, along with the TIS including the Technical Appendices. See the website link below for more information.

1-2

<http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Please feel free to call or email Greg Currey at (510) 286-5623 or gregory.currey@dot.ca.gov with any questions regarding this letter.

Sincerely,



PATRICIA MAURICE
District Branch Chief
Local Development – Intergovernmental Review

c: Scott Morgan, State Clearinghouse



RRWPC

Russian River Watershed Protection Committee

P.O. Box 501
Guerneville, CA 95446
<http://www.rrwpc.org>

Dave Cuneo
Sonoma County Water Agency
David.Cuneo@scwa.ca.gov

RRWPC comments on:

Dry Creek Habitat Enhancement Miles 2-6 Draft Environmental Impact Report

Submitted by Brenda Adelman on behalf of RRWPC
August 24, 2015: submitted by Email

Dear Mr. Cuneo:

Thank you for the opportunity to enter comments into the record for the Dry Creek Habitat Enhancement Project Draft EIR. For the most part, we believe that this project is worthwhile, although we wish the degradation making this project necessary had not occurred in the first place. We would also have preferred that property owners who inflict damage to the environment over the years and who create the need for such projects, would be held accountable and required to pay for their own mistakes (or at least contribute). But that is not at issue now.

Our comments will focus on four main issues that we believe were not addressed in this EIR. They are the issues of dam releases and creek flow as they affect the lower Russian River, and the potential release and resulting transport of toxins, nutrients, and bacteria into the Russian River. We mentioned most of these in brief at the hearing before the Board of Supervisors on August 11, 2015.

Once again, SCWA has chosen to draw a box around a project in order to contain the realm of impacts, and focused their attention on only those things that appear in the box. We can sympathize that it becomes very difficult to examine all potential impacts in the universe, but we believe this EIR cuts off some critical concerns that should be addressed at some level, if not in full. In any case, we raise those issues that are of greatest concern to ourselves, and our downstream community.

It is also understandable that to some extent the 'box' has been foisted upon you by the federal agency National Marine Fisheries Service (NMFS) in that they require you to make changes to flows in the whole Russian River (subject to a separate EIR of which this one should have been a part). If the Fish Flow EIR had been released first, or at the same time, it may have been appropriate for you to separate from this one, but unfortunately, that was not the case. It is also a problem that they don't care about anything but the fish and ignore toxins that might affect the fish, while just focusing on habitat concerns. But there is a great deal of science on these toxicity issues that is being ignored.

We are concerned that recommended lower flows in the Biological Opinion (85 cfs at Hacienda) are assumed for this document. Low flows have been implemented through Temporary Urgent Change Petitions and Orders, which have not been subjected to environmental review. We wrote the following recently:

The proposed flow decrease was directed by the Biological Opinion (BO), entered into the Federal Register as law by National Marine Fisheries Service, and received no public review. SCWA was directed to carry out its requirements that were handed down on September 24, 2008. While the State Water Board is the only entity with jurisdiction to change Decision 1610, (State Law governing Russian River flows), and the final decision is theirs, the federal agency is quite clear that they expect to have this BO fully implemented. We are seeing signs that this may be a 'done deal' before the EIR is even released

2-1

This situation with the scope of the project is similar to what happened with the Estuary Management Project where the study area ignored impacts to and from the river upstream of Duncans Mills, the defined limit of the 'box' for that project. RRWPC's legal settlement with SCWA brought the impact area up about five miles to Vacation Beach. It made some sense to do that because the summer dams at Johnson's and Vacation Beaches artificially raise flows each summer. We are here asking you to address flow impacts from this project at least as far down the river as Hacienda, location of the USGS gauge.

Dry Creek Flows as they impact lower Russian River.....

Project area....

This EIR (p.3.8-1) defines the project as covering the 14 miles from Lake Sonoma down Dry Creek to the confluence with the Russian River and includes the creek, the floodway, terraces, and riparian areas that lead to that waterway. It also includes tributaries that drain into that section of Dry Creek. It goes on to mention three major Russian River reaches, the lower two of which include Dry Creek and the area roughly between Healdsburg and Forestville (middle section) and the lower section from Forestville to Jenner. While these segments can be divided geologically, they are unified by one Russian River travelling throughout and uniting all. Furthermore, the lower Russian, especially upstream of the dams and downstream of the Wohler water facility, is the recipient (victim?) of upstream flow management activities as well as potential pollution deposits.

Dry Creek flow management analysis needed....

The lower river is reliant on Dry Creek releases for summer flows as measured at Hacienda. Decision 1610 as it stands now requires your agency to provide flow for recreation, fisheries, and health and safety water needs for the lower river. It is clear we

cannot expect water supply from Lake Mendocino, especially in drought, and in fact SCWA has said on many occasions that Lake Sonoma is source of our supply.

There are many references in the Dry Creek EIR to the Biological Opinion and its requirement that the main goal of this project is to slow flows in order to protect juvenile salmonids from fast moving water. The intent is to slow the water to protect the fish and also provide areas where adults can successfully procreate. **And yet, one of the main drawbacks of this EIR is that there is no in depth analysis of what the flows are now, how they are managed, and no description of how they might change as a result of this project.**

2-2

This is covered slightly (p. 3.8-6) but little detail is given, other than to say that fairly consistent flow is provided during summer, although that was not the case prior to the dam being built. More detail should be included so that the project might be evaluated. The BO assumes the water is going too fast for fish on the one hand, and indicates it needs to be slowed so as to not harm juveniles, while not evaluating what flow changes should be anticipated and acting as though nothing will change. Where is the consistency here? Also, one needs to think in terms of other kinds of impacts, and not just those that affect the fish.

2-3

The EIR (p. 3.8-6) states that the mean Dry Creek flow as measured at USGS Gauge is 390 cfs and **100 cfs between May-October**, which are stated to be consistent with Dry Creek Flows. Over the last year, we have seen Lake Sonoma releases noted in Press Democrat as low as **68 cfs and as high as 128 cfs during summer months**. Maybe you can average those to come to 100 cfs, but it doesn't tell you what the impacts might be on the outer edges. Please address this.

2-4

Furthermore, the water supply capacity of Lake Sonoma is around 78% full, yet SCWA persuaded the State Water Board last May (2015) to bring Hacienda minimum flows down to 50 cfs. RRWPC is still waiting for response from the State Board to our eight-page comment letter on this decision (Temporary Urgency Change Order of May, 2015). **This is an outrageous circumstance where these kinds of drastic changes are made without benefit of public input.** We need this EIR to address what will happen downstream when extreme actions such as this are taken in the future. In the meantime, we are dealing now with toxic blue-green algae, which are aggravated by low flows.

2-5

This document makes certain assumptions without fully explaining their basis in fact. (p. 3.5-32) It assumes travel time and water velocity is the same before and after project, even while the project is intended to slow the flow. It is also expected to be the same in the side channels, but rapid enough to prevent sedimentation flows. How was this determined? Where is back up information? (There are resources at the end of each chapter, but we didn't see citations on individual issues which would have been very helpful.)

2-6

2-7

We ask if you can provide analysis of the factors determining your Lake Sonoma releases, how this project may change those releases, and how it will impact flows as measured at Hacienda for the lower river? Do current releases account for drought, global warming, and growth? Rohnert Park is currently building at least 1500 new units and has over 4000 more already approved. They anticipate serving about 11,000 new residents if all of these are built. What flows will be needed to accommodate these? How will this project impact SCWA's ability to provide water for new growth under all drought scenarios?

2-8

2-9

By the way, we saw nothing in the Appendices on flow and releases from dam. The analysis provided in Section 9 was general and historical. There was information on joint management with USACE and flood versus water supply management (winter vs. summer), but no information on impact of project on how project might effect down stream water supply. (It's hard to imagine that you can slow water and not have an impact on supply.)

2-10

Project impacts on transport of nutrients and bacteria.....

It is our concern that construction of the project and the movement of banks and stream sediments may possibly help accumulate and disburse nutrients and bacteria, about which I saw little mention. There was a comment that it is common for nutrients to build up during low flow periods but no information on the fate of those nutrients. (Nutrients reside in sediments and can be transported to distant areas during high flows. What is expected from this project and why in regards to this circumstance?) In many places it was stated that because impacts were temporary, they were insignificant. There was some analysis on turbidity and temperature and dissolved oxygen (D.O.), but I don't recall anything on bacteria and nutrients. There are almost no problems in the lower river with turbidity and D.O. and it's hard to imagine that temperature impacts by Dry Creek Project could further impair levels in lower river which are already astronomically high in summer.

2-11

2-12

Only three day's ago, the North Coast Regional Water Board released their Draft TMDL for bacteria (attached), which is considering designation of the whole lower river (and possibly whole river) as impaired for that constituent. The bacteria TMDL is currently their top priority and is intended to protect public health of the recreating public. Some of the sources that may occur in Dry Creek area are runoff from irrigated lands to which fertilizers and soil amendments have been added, runoff from areas that have animal waste on them in any form, discharges from onsite wastewater systems, discharges from homeless and farmworker encampments, etc. Dry Creek project will stir up sediments during construction and it is conceivable that some can wind up in the main stem Russian River and go downstream (especially during rain events). How will this be addressed?

2-13

We are just as concerned about additional nutrient loads to the river, especially phosphorus. There is more and more information lately about the advent of toxic blue-green algae. Only days ago the Dept. of Health Services released a warning that this algae has been found in the Russian River (They did not state where.) and the Press Democrat wrote a prominent article about it. This is a first for that agency, although we believe we identified it many years ago and have extensive photos going back several years. (see RRWPC website at www.rrwpc.org) We have seen similar algal growth upstream also and it's been a significant problem in the Eel and Klamath Rivers and Clear Lake as well.

2-14

We have learned that the factors generating toxic algae are excessive phosphorus, (well documented by SCWA in their monitoring of the lower river for several perimeters from May 15th through Oct. 15th, where 100% of the samples exceeded EPA guidelines for that constituent), high water temperatures, excessive sediments, and low flows. Since the Biological Opinion has ignored the impacts of low flows on the health and safety of people who recreate in the river, it is a major issue of concern for those of us who live downstream of ALL contributors to our major problem.

Pollutant impacts from project including endocrine disrupting chemicals & mercury.....

We believe there are abandoned mercury mines in the project area. Also mercury has been found in the abandoned gravel pits along the river. It is a problem countywide because it is naturally occurring in our area; USGS studies have found that the Laguna has some of the highest Mercury readings in the nation. Since it is such a toxic chemical, we believe that it's existence and potential for harm should be analyzed in this document. Furthermore, we have heard that methylation is more likely to occur in the presence of sulphur, which I understand is used extensively by vineyards for pest control. We request that you address this issue.

2-15

Chemical pollutants and endocrine disruption (CEC's).....

Many, if not most pesticides, herbicides, and other similar chemicals are frequently used by agriculture and commonly have endocrine disrupting properties. Pesticide and herbicide use is tracked by the Ag Commissioner's office. There was a report done in 1995 by an outside group that found many vineyards use those products extensively. We doubt that that has changed much. There is a vast amount of scientific literature on this topic that is growing every day. To refer to them as 'constituents of emerging concern' (CEC's), as many do, is not to do them justice, as it does not acknowledge the vast amount of scientific information, based on peer review studies, that has occurred.

Up to now risk assessment has assumed that the 'dose makes the poison' and a higher dose causes more risk. Therefore studies have involved uncovering the dose at which harm does not occur. With endocrine disruption, it has been found that extremely small amounts, sometimes in the parts per trillion range, can cause gender bending changes in aquatic life. What's more, this alteration is unpredictable in its occurrence and does not happen (or not happen) reliably. It has also been discovered that these effects can be transferred to future generations and applies to both humans and the smallest creatures in the environment. What is particularly sad is that fish are most definitely affected by such exposures and NMFS, to the best of my knowledge, does not even acknowledge the possibility of a problem. So all this money and effort going into this project could be for nil because of this oversight. We urge you to consider this issue in your response to comments. (We have a vast amount of information on this but will not burden you with it now. We can provide if you request it. We do refer you to the following website for the list of endocrine disrupting chemicals and some of the best information on the topic:

2-16

The Endocrine Disruption Exchange: <http://www.endocrinedisruption.org/>

Accumulation of nutrients and toxins in new backwaters.....

Finally, this is also an issue of concern. Since our time to submit this is running out, we merely ask you to assess whether nutrients and toxins can accumulate in sediments near the water and then cause impacts during high flows? If so, please analyze their impacts in light of previous concerns mentioned. Thank you.

2-17

Submitted by Brenda Adelman

Dear Sonoma County Water Agency,

August 20, 2015

I am writing in response of your preliminary E.I.R. on the Dry Creek Habitat Enhancement Program. After reading this lengthy document. I am in need of more clarification.

You state several times in different sections of the document that you have studied the geomorphology, hydrology, and fluvial processes in the creek. I see no solid data showing seasonal charts of water runoff or management from the Army Corps of Engineers who manage the dam. I have pictures and videos of my land and adjacent lands being flooded for a week this winter. Where is your report on the effect of flooding on the salmon run and habitat protection in this circumstance? Where is your report of natural bridging, damming, and stream course change because of flooding or excess water release?

3-1

Why don't you address the parts of the creek that have already created pools and habitats where Coho and Steelhead can thrive on their way upstream to the dam? I saw nothing addressing that point. There are places where the habitat is conducive to the enhancement of this project. I have the pictures and movies to prove it.

3-2

There is also concern the E.I.R. Report makes no mention of the displacement of Mountain Lion, rattlesnake, garter snake, king snake, turtles, lizards, coyotes, fox, raptures, and various other critters that live and are more prolific in the Dry Creek riparian habitat.

3-3

Respectfully Submitted,

Terrence M. Smith

APPENDIX 4.3

Public Hearing Transcript

AUGUST 11, 2015
SONOMA COUNTY
BOARD OF SUPERVISORS

[GAVEL]

>>BOARD CHAIR SUSAN GORIN: HELLO, THANK YOU FOR YOUR PATIENCE AND LET'S COME BACK TO OUR REGULAR CALENDAR AND WE ARE GOING TO BE MOVING ON TO ITEM NO. 33 WHICH IS CONDUCTING A PUBLIC HEARING ON A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE DRY CREEK HABITAT ENHANCEMENT PROJECT, MILES 2 THROUGH 6. I BELIEVE THAT DAVID CUNEO A PRINCIPAL ENVIRONMENTAL SPECIALIST AND ANNE CREALOCK A SENIOR ENVIRONMENTALIST SPECIALIST FOR THE SONOMA COUNTY WATER AGENCY WILL BE TALKING WITH US ABOUT THE NEXT STEPS. THANK YOU BOTH, VERY MUCH. AS SOON AS WE GET OUR POWER POINT QUEUED UP THEN WE'LL HAVE BETTER INFORMATION TO TALK ABOUT.

>>

>> DAVID CUNEO: GOOD MORNING, MADAM CHAIR AND MEMBERS OF THE BOARD. MY NAME IS DAVID CUNEO, I'M A PRINCIPAL ENVIRONMENTAL SPECIALIST WITH THE SONOMA COUNTY WATER AGENCY AND WITH ME TODAY IS ANNE CREALOCK A SENIOR ENVIRONMENTAL SPECIALIST WITH THE WATER AGENCY. WE ARE HERE TODAY FOR THE PUBLIC HEARING ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE DRY CREEK HABITAT ENHANCEMENT PROJECT MILES 2-6.

>> THE PURPOSE OF THE PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS ON THE DRAFT ENVIRONMENTAL REPORTS. COMMENTS CAN BE SUBMITTED IN WRITING THROUGH THE END OF THE PUBLIC REVIEW PERIOD FOR THE DOCUMENT WHICH ENDS ON AUGUST 24TH. WE'LL BE RESPONDING TO ALL COMMENTS THAT EITHER COME IN TODAY VERBALLY OR IN WRITING AS PART OF OUR FINAL ENVIRONMENTAL IMPACT REPORT. A TRANSCRIPT OF ANY COMMENTS THAT COME IN TODAY WILL ALSO BE PART OF THAT FINAL ENVIRONMENTAL IMPACT REPORT ALSO.

I WOULD LIKE TO START WITH A BRIEF BACKGROUND OF THE PURPOSE OF THE PROJECT.

IN 2008, THE NATIONAL MARINE FISHERIES SERVICE ISSUED THEIR RUSSIAN RIVER BIOLOGICAL OPINION WITH RESPECT TO THE WATER AGENCIES ACTIVITIES AND THEIR EFFECTS ON LISTED SALMONID SPECIES IN THE REGION. WITH RESPECT TO DRY CREEK, THE FINDING OF THE RUSSIAN RIVER BIOLOGICAL OPINION IS THAT OUR WATER SUPPLY FLOWS IN DRY CREEK WERE EFFECTING STEELHEAD AND COHO SALMON. THERE IS A THIRD SPECIES, CHINOOK SALMON, THAT IT WAS FOUND THAT OUR ACTIVITIES WERE NOT EFFECTING THIS SPECIES BASED ON A DIFFERENCE IN THEIR LIFE HISTORIES. THE BIOLOGICAL OPINION HAS SPECIFIC MILESTONES THAT WE ARE TO IMPLEMENT IN ORDER TO ADDRESS THESE EFFECTS ON THESE SPECIES. WE ARE ULTIMATELY CREATING 6 MILES OF HIGH QUALITY HABITAT IN THE DRY CREEK ITSELF BETWEEN WARM SPRINGS DAM AND THE CONFLUENCE WITH THE RUSSIAN RIVER. THERE ARE SPECIFIC MILESTONES SET IN

THE BIOLOGICAL OPINION. THE FIRST MILESTONE IS TO COMPLETE 1 MILE OF HABITAT ENHANCEMENT BY 2014, WHICH THE WATER AGENCY AS WELL AS WITH THE ARMY CORP OF ENGINEERS HELPED TO MEET THIS MILESTONE. BETWEEN 2012-2014 WE IMPLEMENTED THE DRY CREEK HABITAT ENHANCEMENT DEMONSTRATION PROJECT WHICH WAS ABOUT A MILE OF HABITAT WORK CENTERED IN THE MIDDLE OF THE DRY CREEK VALLEY. I DON'T THINK IT SHOWS VERY WELL ON THE SCREEN THERE. IT'S THE SECTION RIGHT IN THE MIDDLE OF THAT PHOTO. THAT'S CENTERED AROUND LAMBERT BRIDGE AND THE CORPS OF ENGINEERS REACH 15 PROJECT THAT AREA AT THE FAR LEFT TO THE SCREEN JUST BELOW WARM SPRINGS.

THE NEXT MILESTONE IN THE BIOLOGICAL OPINION IS TO IMPLEMENT TWO ADDITIONAL MILES OF HABITAT ENHANCEMENT BY 2017. THOSE ARE THE REMAINING AREAS HIGHLIGHTED THAT WE ARE TARGETING FOR MILES 2 AND 3 EFFORTS. IN 2018 THERE IS A DECISION POINT WHERE WE HAVE TO DETERMINE WHETHER OR NOT THESE HABITAT EFFORTS ARE CREATING THE NECESSARY HABITAT BENEFIT LIFT THAT IS ANTICIPATED. IF IT'S DETERMINED THAT WE ARE GETTING THAT BENEFIT, THEN WE ARE CONTINUING WITH AN ADDITIONAL 3 MILES HABITAT WITH THE MILES 4, 5, 6-PIECE WHICH WILL BE IMPLEMENTED BY 2020.

RIGHT NOW FOR MILES 2 AND 3 WE KNOW THE SITES WE ARE LOOKING AT UNDER THE DRAFT ENVIRONMENTAL IMPACT REPORT. WE ARE EVALUATING THOSE SITES AT A PROJECT SPECIFIC LEVEL AND FOR MILES 4, 5, 6 WE ARE LOOKING AT THE IMPACT OF THOSE ON A PROGRAMMATIC LEVEL BECAUSE WE DON'T KNOW THE SPECIFIC LOCATIONS OF THOSE SITES. WE MAY HAVE TO COME BACK AT SOME FUTURE DATE WITH MORE PROJECT SPECIFIC ANALYSIS ONCE WE KNOW THOSE SITES. ASSUMING THE DECISION POINT SAYS TO MOVE FORWARD ON THOSE HABITAT PIECES.

THE MAIN ISSUE THAT THE BIOLOGICAL OPINION FOUND WITH OUR WATER SUPPLY USE OF DRY CREEK IS THAT THE WATER WE SEND DOWN DRY CREEK FOR WATER SUPPLY PURPOSES RESULTS IN VELOCITIES OF WATER THAT ARE TOO HIGH FOR JUVENILE STEEL HEAD AND COHO TO THRIVE THROUGHOUT THE SUMMER. AS I MENTIONED BEFORE, THERE IS A DIFFERENCE IN LIFE HISTORIES WITH CHINOOK. THEY DON'T SPEND TIME OVER SUMMER IN THE SYSTEM AND THOSE HIGHER VELOCITIES ARE NOT AFFECTING THOSE SPECIES. IN ORDER TO BENEFIT THOSE SPECIES WE ARE TRYING TO CREATE A HABITAT AREAS ADJACENT TO THE CREEK TO CREATE SHELTERED AREAS THAT ALLOW US TO STILL MAINTAIN OUR WATER SUPPLY FUNCTION WHILE CREATING LOW VELOCITY AREAS THAT THESE SALMONID SPECIES CAN THRIVE IN. SOME OF THE DIFFERENT TECHNIQUES WE ARE LOOKING AT ARE, CREATING SIDE CHANNELS FOR FISH OR BIOTECHNICAL BANK STABILIZATION EFFORTS OR BACK WATER ALCOVES OR PONDS THAT ARE SORT OF OFF RAMPS TO THE MAIN STEM OF DRY CREEK THAT RESULTS IN AREAS THAT HAVE A LOT OF COVER HABITAT STRUCTURE AND LOW VELOCITY WATER THAT THE FISH CAN HANG OUT IN AND SURVIVE OVER THE SUMMER. THE KEY IS TO GET THEM TO GROW AS MUCH AS THEY CAN. THE BIGGER THE FISH ARE WHEN THEY DO GO OUT INTO THE OCEAN, THE BETTER CHANCE FOR THEM RETURNING AS ADULTS.

WITH THAT I WILL TURN IT TO ANNE TO TALK ABOUT THE CEQA PROCESS.

>> ANNE CREALOCK: THANK YOU. GOOD MORNING, MADAM CHAIR AND DIRECTORS, AS DAVE MENTIONED MY NAME IS ANNE CREALOCK AND I'M A SENIOR ENVIRONMENTAL SPECIALIST FOR THE SONOMA COUNTY WATER AGENCY. I'M GOING TAKE A FEW MINUTES TO TALK ABOUT OUR ENVIRONMENTAL REVIEW PROCESS FOR THE DRY CREEK HABITAT ENHANCEMENT PROJECT, MILES 2-6, UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, OR CEQA. THE PURPOSE OF CEQA IS TO DISCLOSE ENVIRONMENTAL IMPACTS TO THE PUBLIC, AVOID OR REDUCE POTENTIAL IMPACTS, OPEN UP THE GOVERNMENT AGENCY DECISION-MAKING PROCESS TO THE PUBLIC, FOSTER COORDINATION BETWEEN AGENCIES, AND ENCOURAGE PUBLIC PARTICIPATION.

WE INITIATED OUR CEQA PROCESS FOR THIS PROJECT ON MAY 5 OF LAST YEAR WHEN THE WATER AGENCY DISTRIBUTED A NOTICE OF PREPARATION, OR NOP, TO APPROXIMATELY 650 RESIDENTS, REGULATORY AGENCIES, AND OTHER INTERESTED PARTIES TO LET THEM KNOW THAT WE WERE GETTING READY TO BEGIN THE PROCESS OF PREPARING THE DRAFT ENVIRONMENTAL IMPACT REPORT, OR EIR, FOR THE PROPOSED PROJECT.

ON MAY 12 OF 2014, THE WATER AGENCY HELD A SCOPING MEETING AT THE WARM SPRINGS DAM VISITOR CENTER TO EXPLAIN THE PROJECT, DISCUSS POTENTIAL LOCATIONS AND DESIGNS, TALK ABOUT HOW LAND OWNERS CAN PARTICIPATE, EXPLAIN THE ENVIRONMENTAL REVIEW PROCESS, ANSWER QUESTIONS, AND GET FEEDBACK FROM THE PUBLIC.

AFTER THE REVIEW PERIOD, STAFF BEGAN PREPARING A DRAFT EIR CONSIDERING COMMENTS RECEIVED DURING THE NOP PUBLIC REVIEW PERIOD. WRITTEN AND VERBAL COMMENTS RECEIVED GENERALLY WERE RELATED TO TRAFFIC AND THE CONDITION OF THE ROADWAYS FOLLOWING CONSTRUCTION AS WELL AS NATIVE AMERICAN CONTACT.

THE BOARD GRANTED APPROVAL FOR THE RELEASE OF THE DRAFT EIR ON JUNE 23 OF 2015 AND THE DRAFT EIR WAS RELEASED FOR PUBLIC REVIEW ON JULY 10, 2015. THE BOARD ALSO SET TODAY, AUGUST 11, AS THE DATE FOR THE PUBLIC HEARING.

THE DRAFT EIR CONSIDERS POTENTIAL SHORT- AND LONG-TERM IMPACTS ASSOCIATED WITH THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE PROPOSED PROJECT. THE DOCUMENT ALSO INCLUDES ANALYSIS RELATED TO CUMULATIVE IMPACTS AND PROJECT ALTERNATIVES. A CUMULATIVE IMPACTS REFERS TO A SITUATION WHERE TWO OR MORE IMPACTS ARE CONSIDERED

TOGETHER. ALTERNATIVES TO THE PROPOSED PROJECT ARE DISCUSSED BUT ARE, OF COURSE, CONSTRAINED BY THE REQUIREMENTS OF THE BIOLOGICAL OPINION.

THE ENTIRE LENGTH OF DRY CREEK WAS CONSIDERED FOR POTENTIAL HABITAT ENHANCEMENT AND AT LEAST EVALUATED AT THE PROGRAM-LEVEL, AS DAVE DISCUSSED, WITH AREAS FOR MILES 2 AND 3 DISCUSSED AT THE PROJECT LEVEL.

THE DRAFT EIR CONSIDERS A LONG LIST OF RESOURCE AREAS, AND STAFF DETERMINED THE PROPOSED PROJECT WOULD NOT RESULT IN ANY SIGNIFICANT IMPACTS RELATED TO THE RESOURCE AREAS LISTED ON THIS SLIDE. THEY INCLUDE: THE AESTHETICS OF THE PROJECT AREAS; THE AIR QUALITY IN AND AROUND THE PROJECT AREA; GREENHOUSE GAS EMISSIONS AS WELL AS SUSTAINABILITY AND ENERGY CONSIDERATIONS; BIOLOGICAL RESOURCES SUCH AS PLANTS AND TERRESTRIAL AND AQUATIC ANIMALS; CULTURAL RESOURCES, SUCH AS HISTORIC BUILDINGS AND NATIVE AMERICAN SITES IN THE VALLEY; FISHERIES RESOURCES, OF COURSE; GEOLOGY, SOILS, AND MINERAL RESOURCES, AND THIS INCLUDES SEISMIC CONSIDERATIONS; HAZARDS AND HAZARDOUS MATERIALS; HYDROLOGY AND WATER QUALITY; NEIGHBORING LAND USES AND AGRICULTURAL RESOURCES SUCH AS PROPERTIES WITH WILLIAMSON ACT CONTRACTS; PUBLIC SERVICES, UTILITIES AND SERVICE SYSTEMS, SUCH AS FIRE PROTECTION, WATER AND SEWER; RECREATION IN THE VALLEY, INCLUDING WINE TASTING AND CYCLING; AND TRAFFIC AND TRANSPORTATION. MITIGATION MEASURES ARE PROPOSED TO REDUCE POTENTIAL IMPACTS TO A LESS-THAN-SIGNIFICANT LEVEL.

AND, WHILE IT WOULD TAKE A FEW DAYS TO GO THROUGH THESE IN DETAIL, I WILL SPARE YOU THAT BUT I WILL TAKE A MOMENT TO TALK ABOUT THE RESOURCE CATEGORIES THAT WERE BROUGHT UP IN PUBLIC COMMENTS DURING THE SCOPING PERIOD. THAT INCLUDES TRAFFIC AND ROADWAY CONDITIONS IN THE VALLEY AND ALSO CULTURAL RESOURCES.

SO TRAFFIC AND ROADWAY CONDITIONS ARE ADDRESSED IN CHAPTER 3.13, TRAFFIC AND TRANSPORTATION. TRAFFIC IMPACTS WERE CONSIDERED LESS THAN SIGNIFICANT WITH MITIGATION BECAUSE THE MAXIMUM INCREASE IN TRAFFIC VOLUME, ASSUMING 2 MILES OF HABITAT CONSTRUCTION PER YEAR, WOULD RESULT IN LESS THAN A 6% INCREASE IN WEEKDAY TRAFFIC VOLUMES ON DRY CREEK ROAD AT KINLY DRIVE, WHICH IS THE SOUTHERN PORTION OF THE VALLEY.

MITIGATION MEASURES INCLUDE THE PREPARATION OF A TRAFFIC CONTROL PLAN TO ENSURE SAFE AND EFFICIENT TRAFFIC MOVEMENT THROUGHOUT THE PROJECT AREA. IMPACTS TO ROADWAYS FROM CONSTRUCTION-RELATED VEHICLES WERE NOT CONSIDERED SIGNIFICANT BECAUSE PUBLIC

ROADWAYS IN THE DRY CREEK VALLEY ARE DESIGNED AND CONSTRUCTED TO WITHSTAND FREQUENT USE BY LARGE TRUCKS RELATED TO VINEYARD OPERATIONS. MITIGATION IS PROPOSED, HOWEVER, TO ADDRESS ANY IMPACTS TO PRIVATE ROADWAYS FROM CONSTRUCTION VEHICLES. AND THOSE ROADWAYS WOULD BE INSPECTED FOR DAMAGE AND RETURNED TO THEIR PREVIOUS CONDITION FOLLOWING COMPLETION OF CONSTRUCTION.

CULTURAL RESOURCES AND NATIVE AMERICAN CONTACT ARE ADDRESSED IN CHAPTER 3.4, CULTURAL RESOURCES. THE WATER AGENCY HIRED TOM ORIGER & ASSOCIATES TO PERFORM RECORDS SEARCHES FOR PREVIOUSLY DISCOVERED CULTURAL RESOURCES THROUGHOUT THE PROJECT AREA AND ALSO DO ON-THE-GROUND SURVEYS FOR AREAS CONSIDERED AT A SITE-SPECIFIC LEVEL, SO MILES 2-3.

WHILE THESE STUDIES SHOWED A RELATIVELY LOW RISK OF ENCOUNTERING CULTURAL RESOURCES DURING GROUND-DISTURBING ACTIVITIES, SEVERAL MITIGATION MEASURES ARE PROPOSED, INCLUDING HAVING A QUALIFIED ARCHAEOLOGIST OR TRIBAL REPRESENTATIVE PRESENT DURING GROUND-DISTURBING ACTIVITIES AND HAVING A SET PROTOCOL IN PLACE IF ARCHEOLOGICAL OR HISTORICAL RESOURCES OR HUMAN REMAINS ARE ENCOUNTERED. ADDITIONALLY, BECAUSE BASKET SEDGE, WHICH IS PRESENT ADJACENT TO SOME AREAS OF THE PROPOSED PROJECT AREA... BECAUSE BASKET SEDGE IS A CULTURALLY SIGNIFICANT PLANT, WE WOULD CERTAINLY BE STORING AND REPLANTING ANY OF THOSE PLANTS THAT MAY BE ENCOUNTERED DURING CONSTRUCTION ACTIVITIES. ALSO, WATER AGENCY STAFF WILL CONSULT WITH TRIBAL INTERESTS ON INCLUDING CULTURALLY SIGNIFICANT PLANTS IN REVEGETATION PLANS WHERE APPROPRIATE. SEVERAL NATIVE AMERICAN AGENCIES, ORGANIZATIONS, AND INDIVIDUALS WERE CONTACTED (AND THAT LIST IS PROVIDED IN THE DRAFT EIR APPENDICES. AND WATER AGENCY STAFF ALSO MET WITH A REPRESENTATIVE OF THE DRY CREEK RANCHERIA BAND OF POMO INDIANS TO SHARE PROJECT DESIGNS, RESULTS OF THE CULTURAL RESOURCE SURVEYS, AND GET INPUT. THE TRIBAL REPRESENTATIVE ALSO EXPRESSED SUPPORT FOR THE PROJECT.

>> THE POTENTIAL IMPACTS LISTED IN THE DRAFT EIR WERE MITIGATED TO LESS-THAN-SIGNIFICANT LEVELS WITH THE EXCEPTION OF NOISE. THERE ARE NO COUNTY THRESHOLDS FOR CONSTRUCTION-RELATED NOISE AND FEDERAL GUIDELINES THAT WE USED SET UP BY THE FEDERAL TRANSIT ADMINISTRATION INDICATED THAT THIS IMPACT WOULD BE LESS THAN SIGNIFICANT. IN FACT, IT COULD BE ARGUED THAT NOISE-RELATED IMPACTS WOULD NOT BE SIGNIFICANT BECAUSE (1) THEY'RE TEMPORARY AND PERIODIC, (2) LARGE TRUCKS ARE USED ROUTINELY IN VINEYARD OPERATIONS IN THE PROJECT AREA, AND (3) BECAUSE THERE ARE RELATIVELY FEW RESIDENCES AND BUSINESSES ADJACENT TO POTENTIAL CONSTRUCTION SITES AND MANY OF THEM HAVE VOLUNTEERED TO PARTICIPATE IN THE PROJECT. HOWEVER, WE DECIDED THAT A CONSERVATIVE APPROACH WOULD BE APPROPRIATE HERE BECAUSE NOISE-RELATED IMPACTS ARE INHERENTLY

SUBJECTIVE AND SOME RESIDENTS AND VISITORS COULD FIND CONSTRUCTION-RELATED NOISE A NUISANCE IN A RURAL SETTING LIKE DRY CREEK VALLEY AND THAT'S DESPITE THE IMPLEMENTATION OF MITIGATION MEASURES AND BEST MANAGEMENT PRACTICES. THOSE MITIGATION MEASURES WOULD INCLUDE LIMITING MOST CONSTRUCTION ACTIVITIES TO MONDAY THROUGH FRIDAY FROM 7AM TO 6PM WITH A FEW EXCEPTIONS; REQUIRING THAT THE BEST AVAILABLE NOISE CONTROL TECHNOLOGY WOULD BE INSTALLED ON ALL EQUIPMENT AND TRUCKS; AND ENSURING THAT FIXED CONSTRUCTION EQUIPMENT SUCH AS COMPRESSORS AND GENERATORS WOULD BE LOCATED AS FAR AS POSSIBLE FROM NEARBY HOMES AND BUSINESSES.

WE ALSO DETERMINED THAT BOTH TRAFFIC AND NOISE IMPACTS COULD BE SIGNIFICANT WHEN CONSIDERED CUMULATIVELY. IN OTHER WORDS, WHEN TWO OR MORE SEPARATE PROJECTS ARE CONSIDERED TOGETHER AND MAY OCCUR AT THE SAME TIME IN RELATIVELY CLOSE PROXIMITY – SUCH AS HABITAT ENHANCEMENT CONSTRUCTION PLUS CONSTRUCTION OF A BUILDING AT A NEARBY WINERY. WATER AGENCY STAFF DETERMINED THAT IT WAS APPROPRIATE TO BE CONSERVATIVE AND CALL THESE IMPACTS SIGNIFICANT AND UNAVOIDABLE ALTHOUGH MITIGATION MEASURES ARE PROPOSED IN BOTH OUR TRAFFIC IMPACT AND NOISE IMPACT ANALYSIS.

OF COURSE THE OPERATION OF THE PROPOSED PROJECT WOULD RESULT IN HUGE BENEFITS, PARTICULARLY TO FISHERIES RESOURCES, WHICH IS, OF COURSE, THE WHOLE REASON FOR PROPOSING THE PROJECT IN THE FIRST PLACE. THE PROJECT WOULD PROVIDE BOTH WINTER AND SUMMER HABITATS FOR THREATENED YOUNG STEELHEAD AND ENDANGERED YOUNG COHO SALMON.

THE WATER AGENCY IS SEEKING PUBLIC COMMENT ON THE DRAFT EIR. COMMENTS ARE DUE BY 5PM ON AUGUST 24TH AND CAN BE MAILED TO DAVE CUNEO AT THE WATER AGENCY'S OFFICE IN SANTA ROSA OR OR E-MAILED DIRECTLY TO HIM. VERBAL COMMENTS CAN BE PROVIDED AT TODAY'S PUBLIC HEARING AND WILL BE INCLUDED IN TRANSCRIPTS OF THIS MEETING.

AT THIS POINT, I'D LIKE TO TURN IT BACK OVER TO DAVE TO TALK ABOUT NEXT STEPS. THANK YOU.

>> DAVID CUNEO: THE NEXT STEPS IN THE CEQA PROCESS AFTER THE CLOSE OF THE PUBLIC REVIEW PERIOD FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, THE WATER AGENCY WILL BE PREPARING THE FINAL ENVIRONMENTAL WHICH WILL INCLUDE OUR RESPONSES TO ALL THE COMMENTS SUBMITTED DURING THE PUBLIC REVIEW PERIOD. WE'LL THEN MAKE THAT FINAL ENVIRONMENTAL IMPACT REPORT DOCUMENT AVAILABLE FOR PEOPLE TO LOOK AT, THE PUBLIC OR

ANY AGENCIES, AND THEN WE'LL BE BRINGING THAT BACK BEFORE THE BOARD FOR CERTIFICATION OF THAT DOCUMENT AND PROJECT APPROVAL. AT WHICH POINT WE THEN WILL ALSO GET PERMISSION FROM THE BOARD TO FILE A NOTICE OF DISCRIMINATION ON THE DOCUMENT. BEYOND THE CEQA PROCESS, THE NEXT STEPS WILL BE TO CONTINUE WITH PROJECT DESIGN AS WELL AS CONTINUING OUR COORDINATION WITH LANDOWNERS AND THEN ALSO BEGIN OUR APPLICATION FOR PERMITS TO CONSTRUCT THE PROJECT, WHICH INCLUDES STREAMBED ALTERATION AGREEMENTS FROM CALIFORNIA DEPARTMENT OF FISH AND WILD LIFE; U.S. ARMY CORPS OF ENGINEERS PERMITS UNDER THE CLEAN WATER ACT, SECTION 404 PERMITS; AS WELL AS WATER QUALITY CERTIFICATIONS UNDER THE CLEAN WATER ACT SECTION 401 FROM THE REGIONAL WATER QUALITY CONTROL BOARD.

ALSO ONCE WE HAVE AN APPROVED CEQA DOCUMENT AND WE CAN REACH AGREEMENTS WITH LAND OWNERS AND WE'LL BE BRINGING THESE AGREEMENTS BACK TO THE BOARD FOR APPROVAL AND BEYOND THAT POINT ONCE WE COMPLETED CONSTRUCTION CONTRACTS THAT HAVE GONE OUT AND WOULD BRING THOSE BACK TO THYE BOARD FOR APPROVAL. WE ARE ANTICIPATING CONSTRUCTION TO BEGIN AS EARLY AS SUMMER OF 2016 AND WOULD CONTINUE TO SUMMER OF 2017. AND WITH THAT I'D LIKE TO TURN IT BACK TO THE BOARD.

>> BOARD CHAIR SUSAN GORIN : THANK YOU BOTH VERY MUCH FOR YOUR WORK ON THIS ITEM. I DID HAVE A QUESTION REGARDING, OKAY, WE HAVE THE COMMENT PERIOD THROUGH AUGUST 24TH, AND YOU WILL RESPOND TO THE COMMENTS AND BRING THAT BACK WITH THE FINAL PLAN.

APPROXIMATELY WHEN WILL THE BOARD AND THE PUBLIC ANTICIPATE THE FINAL PLAN COMING FORWARD AND THE OPPORTUNITY TO COMMENT.

>> DAVID CUNEO: ULTIMATELY IT DEPENDS ON THE NUMBER OF COMMENTS THAT COME IN AND HOW LONG IT TAKES TO RESPOND TO THEM. BUT FROM WHAT WE HAVE SEEN SO FAR, THESE PROJECTS HAVE BEEN FAIRLY WELL RECEIVED AND HAVE NOT BEEN GENERATING A HUGE AMOUNT OF COMMENTS ON THEM. WE ANTICIPATE TO COME BACK BEFORE THE BOARD SOMETIME IN SEPTEMBER.

>> BOARD CHAIR SUSAN GORIN: O.K., GREAT. THANK YOU. OPEN UP TO THE BOARD FOR QUESTIONS. SUPERVISOR RABBITT, ANYTHING. I SHOULD GO TO SUPERVISOR CARRILLO. OKAY, SUPERVISOR RABBITT?

>>SUPERVISOR RABBITT. NO QUESTIONS.

>> BOARD CHAIR SUSAN GORIN: OKAY. SUPERVISOR CARRILLO?

>> SUPERVISOR EFREN CARRILLO: MADAM CHAIR I HAVE GOT SOME QUESTIONS AND COMMENTS BUT I WILL WAIT UNTIL YOU OPEN THE PUBLIC HEARING.

>> BOARD CHAIR SUSAN GORIN: OKAY. SUPERVISOR ZANE?

>>SUPERVISOR ZANE. NO QUESTIONS.

>> BOARD CHAIR SUSAN GORIN: OKAY. ROXANNE, DO WE HAVE ANY CARDS HERE FROM THE PUBLIC. OKAY I NEED TO OPEN UP THE PUBLIC HEARING. IT WOULD HAVE BEEN GREAT TO HAVE A CARD, BUT YOU DON'T NEED A CARD. IF THERE IS ANYONE WHO WANTS TO COMMENT FROM THE AUDIENCE ON THIS, PLEASE COME FORWARD. OH, I'M SEEING NO ONE RISE. DON'T BE SHY. THERE WAS SOMEONE WHO TALKED TO ME ABOUT POTENTIAL COMMENTS AND I'M NOT SEEING THEM. I THINK IT WAS THIS GENTLEMEN IN THE BLUE. WOULD YOU LIKE TO COMMENT ON THE EIR FOR THE DRY CREEK HABITAT?

>>NO NAME PROVIDED: NO COMMENT.

>> BOARD CHAIR SUSAN GORIN: NOW IS THE TIME TO COMMENT OR ASK QUESTIONS. I CAN TELL THIS PROJECT IS VERY WELL RECEIVED BECAUSE NO ONE IS COMING FORWARD EXCEPT BRENDA ADELMAN. HI, BRENDA.

>> BRENDA ADELMAN. HI. I WAS RELUCTANT TO STEP UP BECAUSE I HAVEN'T FINISHED IT BUT I DO HAVE ONE CONCERN. IT DOES APPEAR TO BE A PRETTY WELL CONCEIVED PROJECT FROM WHAT I COULD TELL SO FAR, BUT I HAVE A COUPLE OF CONCERNS AND BECAUSE I HAVEN'T FINISHED READING IT, I WASN'T SURE IF I COULD EXPRESS THEM. SO THEY ARE SPOKEN WITH RESERVATION UNTIL I FINISH THE DOCUMENT.

ONE THING THAT STRUCK ME IS THAT THESE BACK WATERS MAY BECOME SINKS FOR POLLUTION. AND I DON'T KNOW IF THE DOCUMENT ADDRESSES THAT OR NOT BUT I'D BE CONCERNED ABOUT CHEMICAL POLLUTION AND NUTRIENT POLLUTION. IF IT DOESN'T ADDRESS THAT, I THINK IT SHOULD.

THE OTHER BIG ISSUE FOR ME IS THAT FROM WHAT I HAVE SEEN SO FAR THERE IS ABSOLUTELY NO DESCRIPTION THAT I HAVE SEEN SO FAR AND I HAVE READ ABOUT HALF OF IT, ABOUT HOW THIS IS GOING TO IMPACT FLOWS AND WHAT FLOWS ARE NEEDED TO SUSTAIN WATER AGENCY NEEDS AND HOW THESE PROJECTS WILL AFFECT THE CURRENT FLOWS AND VARIOUS ASPECTS OF THESE ISSUES AND HOW IT'S GOING TO AFFECT DOWNSTREAM. IF AT ALL, MAYBE FLOWS WILL STAY EXACTLY THE SAME. BUT THERE IS QUITE A RANGE OF FLOWS THAT ARE CURRENTLY USED SOMEWHERE IN THE AREA OF 90-175 I BELIEVE I HAVE READ. THE BIG CONCERN IS THAT THE FISH FLOW PROJECT IS SUPPOSED TO COME OUT WITHIN THE NEXT COUPLE OF MONTHS AND THAT'S THE BIGGY WHERE THEY WANT TO MAKE PERMANENT CHANGES TO THE FLOW REGIME IN THE LOWER RIVER. ALSO THE UPPER RIVER BUT I'M FOCUSED ON THE LOWER RIVER. CURRENTLY DECISION 1610 SAYS THERE IS A REQUIREMENT TO PROVIDE FLOWS FOR RECREATION AND FISHERY CONCERNS AND WATER QUALITY CONCERNS TO THE LOWER RIVER. SINCE WE CAN'T COUNT ON MENDOCINO AT ALL, MAYBE NEVER AGAIN, UNLESS CONDITIONS UP THERE IMPROVE CONSIDERABLY, WE ARE CONCERNED ABOUT RELYING ON LAKE SONOMA BECAUSE WHILE THERE IS ADEQUATE CAPACITY, THERE HAS NOT BEEN AN ANALYSIS THAT I HAVE SEEN AS TO HOW THOSE FLOWS AFFECT DOWN STREAM WATER QUALITY, RECREATION, ETC. SO THESE ARE BIGGIES IN MY MIND AND I REALLY THINK THAT THIS NEEDS TO

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BE ADDRESSED. I WILL LEAVE THIS FOR NOW AND AFTER I READ THIS FURTHER I WILL GET INTO MORE DETAIL. THANK YOU.

>> BOARD CHAIR SUSAN GORIN: THANKS, BRENDA. WOULD ANYONE ELSE LIKE TO COMMENT ON THE DRAFT EIR? I SEE NO ONE ELSE. I WILL CLOSE THE PUBLIC HEARING. BACK TO THE BOARD, SUPERVISOR CARRILLO?

>> SUPERVISOR EFREN CARRILLO: THANK YOU MADAME CHAIR. FIRST OF ALL I'D LIKE TO THANK STAFF FOR BRINGING THIS ITEM BACK AND THIS IS REALLY A LONG TIME COMING. YOU LOOK AT THE IMPLEMENTATION OF THE BIOLOGICAL OPINION AND SPECIFICALLY ADDRESSING THE DRY CREEK HABITAT ENHANCEMENT IT HAS NECESSITATED REALLY A FULL TEAM TO ONE, RECOGNIZING THE FUNDING MECHANISMS THAT ARE NECESSARY TO MAKE THIS PROJECT HAPPEN AND THERE HAS BEEN A TEAM THAT HAS CONSTANTLY WORKING GOING BACK IN 2008 AND WORKING WITH OUR WASHINGTON COUNTERPARTS TO FIND THE FUNDING THE IS NECESSARY TO DO THIS TYPE OF WORK.

SECONDLY, THERE HAS BEEN A REALLY AN INCREDIBLE GROUND GAME THAT'S TAKING PLACE TO WORK WITH THE PRIVATE LAND OWNERS THAT EFFECTICELY HAVE TO WORK WITH US TO GET THOSE PROJECTS SUCCESSFUL. IF YOU LOOK AT THE 1 MILE DEMONSTRATION AND THE SUCCESS WE HAVE SEEN THERE. I HAVE A QUESTION WITH THE DYNAMIC THAT'S OCCURRING AT THE STATE LEVEL AND LOOKING AT THE FOUR TRIBUTARIES AND THE RESPONSE TO THE DROUGHT AND SO FORTH. DO WE HAVE ANY CONCERNS THAT THERE MAY BE SOME CHALLENGES IN GETTING THE LAND OWNERS TO WORK WITH US THROUGH THAT ENVIRONMENT AND REALLY ACHIEVE WHAT WE HOPE TO ACHIEVE THROUGH THIS WORK AND IF THERE ARE, OTHER THINGS WE CAN DO THAT ARE PROACTIVE AND IF THERE ARE NOT, MAYBE THAT'S NOT A QUESTION WE SHOULD BE ASKING, I DON'T KNOW DAVID OR ANNE IF YOU WANT TO COMMENT TO THAT, IS THAT SOEMTHING THAT'S PLAYING OUT, WE'RE CONCERNED ABOUT, OR DO WE THINK THERE IS NO REAL CONNECTION BETWEEN THE LAND OWNERS AND HOW TO CONTINUE TO KEEP THAT ENGAGEMENT?

>> DAVID CUNEO: I THINK THERE IS ALWAYS A CONCERN WHEN WE ARE TALKING ABOUT THE TRIBUTARY AREAS AND THE IMPRESSIONS THAT OCCUR AND HOW THEY AFFECT THE HABITAT EFFORTS AND OUR EFFORTS TO GAIN VOLUNTARY ACCESS FROM THE LANDOWNERS OUT THERE. IF THERE IS SOMETHING THAT IS DONE THAT UPSETS PEOPLE. EVERYONE UP THERE TALKS. THEY KNOW EACH OTHER AND IT CAN AFFECT OUR ABILITY TO GET OUT AND GET ACCESS TO THESE PROPERTIES. THAT BEING SAID FROM A DROUGHT PERSPECTIVE, BECAUSE OF OUR WATER SUPPLY USE OF DRY CREEK, WATER ISN'T AN ISSUE IN DRY CREEK ITSELF FOR THESE HABITAT PROJECTS. THE MAIN STEM OF DRY CREEK IS FAIRLY INSULATED AND IN FACT HAS THE OPPOSITE PROBLEM OF EVERYWHERE ELSE IN THE STATE THIS AREA OF HAVING TOO MUCH VELOCITY COMING DOWN THAT CREEK. IT'S A CHALLENGE THAT A LOT OF OTHER TRIBUTARIES WOULD LIKE TO HAVE.

>> SUPERVISOR CARRILLO: OKAY. AND SPECIFIC TO MS. ADELMAN'S QUESTIONS WITH REGARD TO

THE CONSTRUCTED BACK WATER AND SIDE CHANNELS. IT'S MY UNDERSTANDING IS THAT THOSE AREAS ARE PRIMARILY TO ALLOW THE YOUNG FISH THE PLACES TO BE ABLE TO ESCAPE THE HIGH FLOWS. ARE THERE ANY CONCERNS THAT THERE MAY BE SOME UNINTENDED CONSEQUENCES. IT'S MY UNDERSTANDING THE BACK WATER IN THE ORIGINAL ONE-MILE PILOT HAVE WORKED AND HAVEN'T CREATED THOSE NEGATIVE CONSEQUENCES. IS THAT SOMETHING YOU CAN SPEAK TO?

>> DAVID CUNEO: THAT IS SOMETHING WE ARE STILL WATCHING AND THAT IS PART OF THE REASON FOR DOING THE PROJECT IN A MULTI-PHASES. WE HAVE AN ADAPTIVE MANAGEMENT PROCESS WHERE WE CONSTRUCT PIECES AND OBSERVE THEM AND SEE CHANGES AND ADAPT MOVING FORWARD TO SAY, OKAY, THAT ONE DIDN'T CREATE AND WE HAVE THIS PROBLEM AND WE ARE GOING TO ADJUST AS WE ARE MOVING FORWARD. THAT'S SOMETHING WE ARE WATCHING AND LOOKING AT WATER TEMPERATURES AND WATER QUALITIES IN THESE BACK WATER AREAS TO MAKE SURE THEY ARE PROVIDING THE HABITAT. THERE ARE MULTILEVEL MONITORING ASPECTS OF IT. WE ARE LOOKING AT AND MONITOR WHAT WAS ACTUALLY BUILT DID WE BUILD IT AS DESIGNED AND APPROVED BY THE REGULATORY AGENCIES AND DID WE CREATE THE HABITAT THAT'S REQUIRED AND THAT'S WHAT THE HABITATS ARE BEING JUDGED ON, BY TEMPERATURE AND DEPTHS OF WATER AND THE PHYSICAL QUALITIES OF THE HABITAT. AND WE HAVE VALIDATION MONITORING WHERE WE ARE LOOKING AT BIOLOGICAL RESPONSE ALSO. BUT FOR THE BO WE ARE BEING HELD TO THE PHYSICAL HABITAT FEATURE AS TO WHETHER WE MET OUR OBLIGATIONS UNDER THE BIOLOGICAL OPINION TO CREATE THAT HABITAT. IT'S THAT BIOLOGICAL PIECE THAT FEEDS INTO THE ADAPTIVE MANAGEMENT PIECE AS WE MOVE FORWARD TO MAKE CHANGES TO WHAT WORKS BETTER FOR THE FISH.

>> SUPERVISOR CARRILLO: GREAT, THE TWO LAST THINGS, AS YOU LOOK AT THE BANK STABILIZATION TO REDUCE EROSION, THAT CAN HAVE MULTIPLE BENEFITS ACROSS THE BOARD, THE ANCHORED BOULDERS ARE TO CREATE THE RIFFLES. HOW DOES THAT SPECIFICALLY ADDRESS THE AMOUNT OF OXYGEN IN THE WATER BECAUSE I THINK THAT IS ONE OF THE OTHER BENEFITS WE ARE TRYING TO RECEIVE. IN LAYMAN'S TERMS. I'M TRYING TO UNDERSTAND HOW THAT WORKS.

>> DAVID CUNEO: DRY CREEK IN ITSELF HAS REALLY GOOD DISSOLVED OXYGEN IN THE WATER ITSELF. THE PRIMARY FUNCTION OF THOSE RIFFLES IS TO BREAKUP THE UNIFORMITY OF THE FLOW IN THE CREEK. IF YOU GO OUT THERE, IT'S ALMOST A FLUME ALL THE WAY DOWN. IT'S PRETTY CONSISTENT AND WE ARE TRYING TO BREAK UP THAT SOLID FLUME, TRYING TO CHANGE THE POOL TO RIFFLE RATIOS OUT THERE. THE RIFFLES ALSO ARE REALLY GOOD SO YOU GET THE FASTER WATER RUNNING OVER THE RIFLE, MORE OXYGENATED, EVEN MORE SO THAN THE REST OF DRY CREEK. IT'S GOOD FOR THE HABITAT FOR A LOT OF THE INVERTEBRATES THAT LIVE IN THE CREEK. IT'S GOOD FOOD PRODUCTION FOR THE FISH THAT EAT THESE INVERTABRATES. THE OTHER PRIMARY ASPECT OF THESE RIFFLES IS THEY WORK IN TANDEM WITH SOME OF THE BACKWATER FEATURES THAT WE ARE CREATING. THEY SET THE WATER ELEVATION LEVEL SO WE KNOW WHAT

THE WATER ELEVATION IS GOING TO BE FOR THE BACKWATERS SO THE BACKWATER FUNCTIONS AS INTENDED.

>> SUPERVISOR CARRILLO: GREAT, JUST A LAST QUESTION. IT'S MY UNDERSTANDING THAT ON PRIOR PROJECTS THAT WORK WAS PRIMARILY DONE ON WEEKENDS TO HELP ALLEVIATE THE TRAFFIC IMPACT. IS THAT THE INTENT FOR THE NEXT MILES, IS THAT GOING TO BE A FOCUS OR BECAUSE OF THE TIMEFRAME OF WHEN THE WORK NEEDS TO GET DONE WE MAY HAVE TO LOOK AT MIDWEEK OR DURING THE WEEK.

>> DAVID CUNEO: WORK WAS INTENDED TO BE MONDAY THROUGH FRIDAY ORIGINALLY. OUR CONTRACTOR HAD APPROACHED US BASED ON THE AMOUNT OF WORK THEY HAD TO DO AND THE LIMITED WORK PERIOD AND ASKED PERMISSION TO WORKED ON SATURDAY AND WE REACHED OUT TO LAND OWNERS TO GET PERMISSION TO BE ABLE TO DO THAT. IT'S SOMETHING THAT STILL FACTORS INTO TRANSPORTATION AND NOISE ISSUES IN THAT VALLEY.

>> SUPERVISOR CARILLO: GREAT. MADAM CHAIR. THANK YOU MR. CUNEO.

>>BOARD CHAIR SUSAN GORIN: THANK YOU VERY MUCH. ANY OTHER QUESTIONS OR COMMENTS. SUPERVISOR ZANE?

>>SUPERVISOR SHIRLEE ZANE: JUST A COMMENT. YOU KNOW I REMEMBER GOING BACK TO 2011 AND APPROVING THE FIRST DEMONSTRATION PROJECT AND THEN GETTING IT BUILT AND THE SUCCESSFUL OUTCOMES IN TERMS OF NURTURING OUR CHINOOK AND COHO AND STEELHEAD. SO IT'S REALLY GOOD TO BE HERE TODAY, WE HAVE A COUPLE OF MILES DONE. WE STILL HAVE 13 MILES IN ALL AND THE ALTERNATIVE IS TO BUILD A MULTIBILLION DOLLAR PIPELINE WHICH IS NOT A GOOD ALTERNATIVE. WE KNOW WE NEED TO BE SUCCESSFUL. BUT I DO LIKE TO REMIND US THAT WE DO CALL IT ENHANCEMENT. IT'S A NICE WORD AND WE ARE REALLY RESTORING THINGS WE HAVE REMOVED OVER MANY MANY YEARS. WE NEED TO BE MINDFUL OF THAT IN THE FUTURE MOVING FORWARD. I'M EXCITED. IT'S BEEN A GREAT OUTCOME AND I WANT TO THANK OUR AGRICULTURAL PARTNERS. THEY HAVE BEEN GREAT PARTNERS IN ALL OF THIS AND I EXPECT THEY WILL CONTINUE TO BE AND HOPE THAT WE CAN MITIGATE THOSE NOISE AND TRAFFIC IMPACTS AS MUCH AS POSSIBLE. SINCE WE HAVE REPAVED THE ROAD, I KNOW BICYCLIST LOVE THIS ROAD HAVING BEEN ON IT A FEW TIMES. IT IS ONE NICE ROAD, WE WANT TO MAKE SURE IT STAYS THAT WAY WHILE WE CONTINUE OUR BIOLOGICAL OPINION. SO I LOOK FORWARD TO FINISHING THESE MILES UP AS WELL. THANK YOU.

>>BOARD CHAIR SUSAN GORIN: SUPERVISOR RABBITT?

>>SUPERVISOR DAVID RABBITT: GREAT, THANK YOU VERY MUCH AND THANK YOU FOR THE PRESENTATION TODAY. HAVING THE FIRST MILE UNDER OUR BELT CERTAINLY MAKES IDENTIFYING THE POTENTIAL IMPACTS, I WOULD IMAGINE, A LITTLE EASIER. ALTHOUGH I IMAGINE ALSO THERE IS NO SINGLE MILE ON THE DRY CREEK THAT IS NECESSARILY THE SAME. I GUESS TO THAT AND I KNOW WE ARE STUDYING A TOTAL OF 5.7 MILES 2.8 NORTH OR 2.9 SOUTH OF THE LAMBERT BRIDGE

TO SELECT TWO TO DO. MY QUESTION IS THERE A MAXIMUM DISTANCE BETWEEN THE ENHANCED SEGMENTS TO WHERE THEY GO THE BETTER OFF THEY WILL BE FOR THE FISH. IS THERE ANYTHING IN WRITING AND IS THERE FLEXIBILITY. I UNDERSTAND HOW WE HAVE TO DEAL WITH THIS.

>> DAVID CUNEO: THE BIOLOGICAL OPINION SPECIFIES THAT WE HAVE TO ENHANCE 6 MILES OUT OF THE 14 MILES OF DRY CREEK AND IT'S TO BE SPREAD OUT THROUGHOUT THAT 14 MILES SO IT'S NOT ONE CONTIGUOUS STRETCH.

>> SUPERVISOR DAVID RABBITT: IT'S NOT TELLING YOU EXACTLY WHAT THE DISTANCES SHOULD BE.

>> DAVID CUNEO: CORRECT.

>> SUPERVISOR DAVID RABBITT: GREAT. I JUST WANT TO SAY REALLY, THE LACK OF PEOPLE SPEAKING HERE IS A TESTAMENT TO WHAT'S TAKEN PLACE IN THE FIRST MILE. CONGRATULATIONS TO THE WATER AGENCY DOING SUCH GREAT OUTREACH AND TAKING CARE OF THOSE. I THINK AT THE END OF THE DAY, REALLY TEMPORARY CONSTRUCTION NOISE IMPACTS OR TEMPORARY CONSTRUCTION TRAFFIC IMPACTS OR OBVIOUSLY FROM ANYTHING ARE TO BE EXPECTED AND THERE ARE MITIGATIONS THAT WE CAN DO AND JUST BEING GOOD NEIGHBORS WORKING WITH THE FOLKS IN DRY CREEK AND I DO LOOK FORWARD TO THAT. I THINK AS SUPERVISOR ZANE SAID THE ALTERNATIVE IS NOT A GOOD ONE. IT WAS AN EXTRAORDINARILY EXPENSIVE PIPELINE THAT WOULD END UP DOING VERY LITTLE FOR THE WATER WAY OUTSIDE OF REDUCING FLOWS BUT I WOULD IMAGINE HAVING THAT SAME FLUME EFFECT WITHOUT THIS ENHANCEMENT WHICH IS REALLY MORE OF A RESTORATION TO A MORE NATURAL FLOW, I BELIEVE. CONGRATULATIONS AND I LOOK FORWARD TO THE PROJECT BEING SUCCESSFUL.

>>BOARD CHAIR SUSAN GORIN: THANK YOU, THIS IS AS OTHER SUPERVISORS HAVE NOTED AN IMPORTANT MILESTONES NOT ONLY FOR MILES 2-6 BUT TO ALSO RECOGNIZE THE COLLECTIVE ANGST THAT WE HAVE BOTH FROM THE PERSPECTIVE OF THE WATER CONTRACTORS AND THE WATER AGENCY TRYING TO FIGURE OUT A WAY FORWARD IN ANTICIPATION OF THE BIOLOGICAL OPINION AND HOW TO COMPLY WITH THAT AND TO DO SOME AMAZING THINGS COLLABORATIVELY RESTORING DRY CREEK AND ENHANCING ITS HABITAT FOR SURE AND HOPEFULLY THIS WILL HELP WITH OUR WATER SUPPLY AS WELL.

SO, IT IS KUDOS TO EVERYBODY INVOLVED. JESSICA, PAM JEANE. EVERYONE AT THE WATER AGENCY. IT'S BEEN A LONG CAREFUL, I DON'T WANT TO SAY SLOG BECAUSE THAT'S PEJORATIVE BUT ALMOST SLOG IN TRYING TO GET TO THIS POINT. I LOVE THAT WE ARE PROPOSING SOMETHING THAT IS AN ENHANCEMENT AND MAJOR EXPANSION AND YET LOOK WE HAVE BRENDA'S LEGITIMATE CONCERNS AND QUESTIONS BUT KUDOS TO THE PROPERTY OWNERS ALONG THE WATER WAY FOR THEIR SUPPORT.

SO, LET ME SEE WHAT KIND OF ACTION DO WE NEED? WE'VE HELD A PUBLIC HEARING. I DON'T KNOW THAT WE NEED TO TAKE ANY OTHER PUBLIC. SO WE WILL BE COMING BACK WHEN THE

COMMENT PERIOD HAS BEEN FINALIZED AND YOU WILL ISSUE ANOTHER FINAL REPORT AND WE
LOOK FORWARD TO YOUR VISIT. THANK YOU VERY MUCH. I DID CLOSE THE PUBLIC HEARING BUT
REMINDERS ARE ALWAYS GOOD BECAUSE SOMETIMES I DO FORGET.