

APPENDIX A
Notice of Preparation and Comment Letters Received

June 24, 2010



**NOTICE OF PREPARATION
OF INITIAL STUDY**

TO: State Clearinghouse,
Responsible and Trustee Agencies,
Property Owners and Interested Parties

FROM: Sonoma County Water Agency
404 Aviation Boulevard
Santa Rosa, CA 95403

DRY CREEK HABITAT ENHANCEMENT DEMONSTRATION PROJECT

The Sonoma County Water Agency (Agency) is preparing an Initial Study for the Dry Creek Habitat Enhancement Demonstration Project. An Initial Study is a preliminary analysis of a project's potential environmental impacts used to determine whether a Negative Declaration or an Environmental Impact Report will be prepared. It is a public document that analyzes the potential environmental effects related to construction, operation, and maintenance of a project and describes ways to reduce or avoid possible environmental damage.

The Initial Study for the Dry Creek Habitat Enhancement Demonstration Project will be prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the Agency's Procedures for the Implementation of CEQA. The Agency will act as the Lead Agency pursuant to CEQA, and will consider all comments received in response to this Notice of Preparation (NOP), including comments from responsible and trustee agencies, property owners, and interested parties regarding the scope and content of the information to be included in the Initial Study. Agencies and interested members of the public are invited to provide input on the scope and content of the environmental information that should be included in the Initial Study.

PROJECT BACKGROUND AND NEED: The 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 Agency's Board of Directors. The 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, providing recreational facilities (in connection with the Agency's facilities), and the treatment and disposal of wastewater.

From its outlet in Warm Springs Dam, Dry Creek meanders 14 miles to the Russian River. The creek is home to endangered coho salmon and threatened Chinook salmon and 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 U.S. Army Corps of Engineers in the winter for flood control purposes and by the Agency in the summer for water supply.

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* (Russian River BO) on September 24, 2008.¹ NMFS' Russian River BO is a culmination of more than a decade of consultation between the Agency, the U.S. Army Corps of Engineers (Corps), and the NMFS regarding the impact of the Agency's and Corps' 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 Game (CDFG) issued a consistency determination on November 9, 2009, finding that the Russian River BO was consistent with the requirements of the California Endangered Species Act (CESA) and adopted the measures identified in the BO.

NMFS concluded in the Russian River BO that the continued operations of Coyote Valley Dam and Warm Springs Dam by the U.S. Army Corps of Engineers and SCWA in a manner similar to recent historic practices, together with the 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' Russian River BO 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 the creek range from 110 to 175 cubic feet per second (cfs), which makes it difficult for the juvenile fish to thrive. NMFS' Russian River BO recognizes that large reductions in the summertime flows in Dry Creek would impair the Agency's ability to deliver water to its customers. Therefore, the Russian River BO requires habitat enhancement of six miles of Dry Creek to improve summer rearing conditions for coho salmon and steelhead while allowing the 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 Agency's first steps toward meeting the requirements of NMFS' Russian River BO is to conduct a habitat enhancement feasibility study on Dry Creek. This study, being conducted for the Agency by Inter-Fluve, an environmental engineering firm specializing in the sustainable design and construction of river habitat restoration projects, will determine which areas of Dry Creek are candidates for habitat enhancement and will evaluate the feasibility of designing projects that provide habitat enhancement while also accommodating high summertime flows. Inter-Fluve has prepared a draft Dry Creek Current Conditions Inventory Report² in which they identify numerous promising areas for habitat enhancement along Dry Creek.

¹ NMFS' Russian River BO may be accessed online at www.sonomacountywater.org and may be reviewed at SCWA's office at 404 Aviation Boulevard, Santa Rosa, CA.

² Inter-Fluve. *Draft Current Conditions Inventory Report – Dry Creek: Warm Springs Dam to Russian River, Sonoma County, CA.* March 2010.

The Dry Creek Habitat Enhancement Demonstration Project would implement habitat enhancement projects at two to three of the areas of interest identified by Inter-Fluve. The purpose of the 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 full six miles of habitat enhancements on Dry Creek.

PROJECT LOCATION AND DESCRIPTION: The project site is within the Dry Creek channel and on private properties in an unincorporated area of Sonoma County, California (see attached figure). The project sites are located in and along Dry Creek from approximately ½ mile upstream of Lambert Bridge to ½ mile downstream of Lambert Bridge.

The type and extent of habitat modifications is still being determined; however, NMFS' Russian River BO stresses the availability 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 have successfully increased the quantity and quality of summer and winter rearing habitat for coho and steelhead.³. Inter-Fluve will identify feasible and sustainable enhancement techniques that will likely be implemented at the project scale.

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, and enhancement and stabilization of streambanks. For example, pools may be enhanced with large woody debris to improve pool quality in terms of cover and shelter rating. 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 what 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). It's not anticipated that the habitat enhancement structures will require regular maintenance work; however, future maintenance activities may include repair to damaged structures or adjustments to structures if they are not functioning as intended.

JURISDICTIONAL/PERMITTING AGENCIES: The following are public entities and agencies that may require review of the project or that may have jurisdiction over the project area:

- U.S. Army Corps of Engineers
- National Marine Fisheries Service
- California Department of Fish and Game
- Regional Water Quality Control Board, North Coast Region

³ Russian River BO, page 264.

- Sonoma County Permit and Resource Management Department

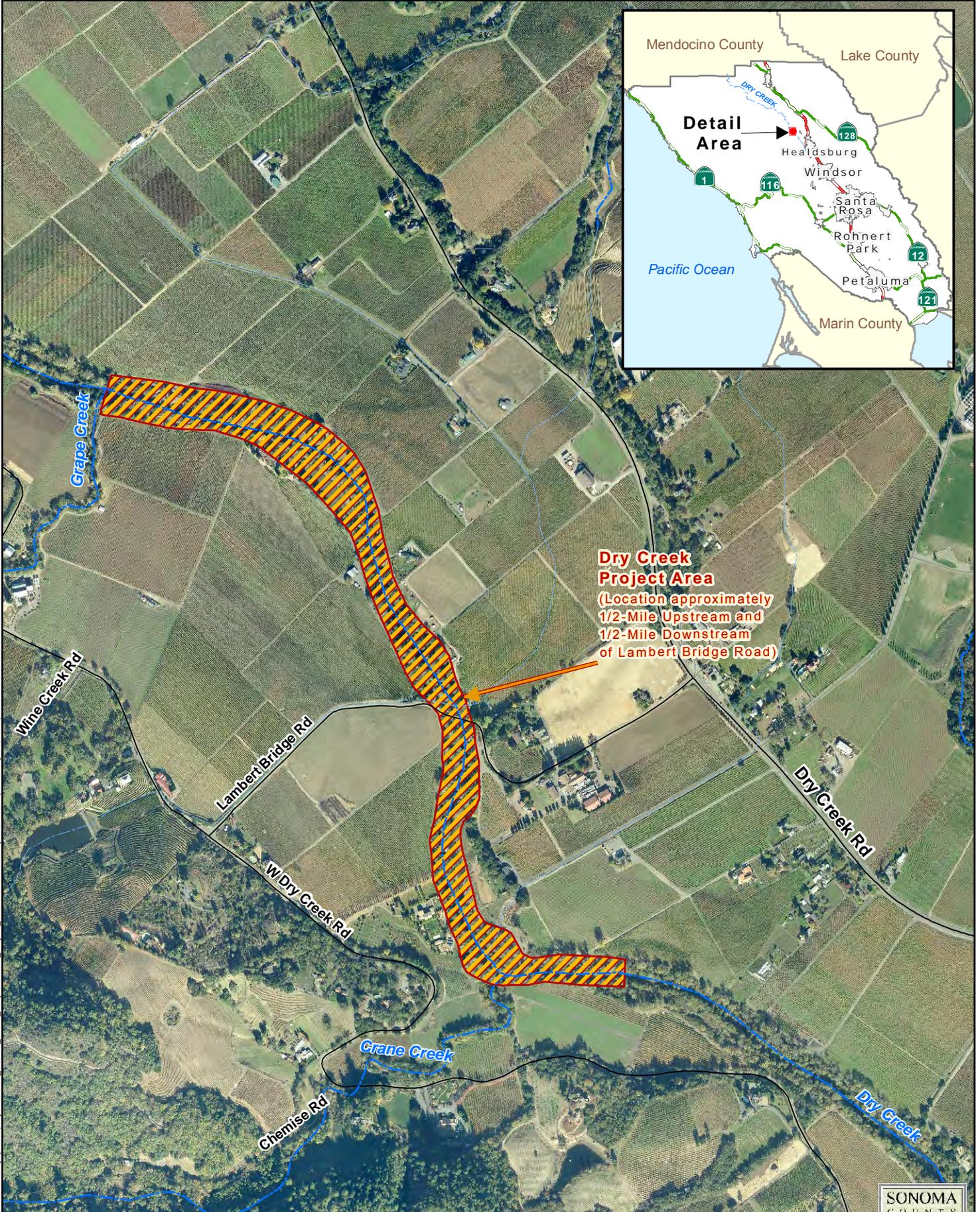
POTENTIAL ENVIRONMENTAL IMPACT AREAS: The Initial Study will analyze the environmental impacts, either individually or cumulatively, associated with the construction, operation, and maintenance of the proposed project. Specific areas of analysis in the Initial Study will include: Aesthetics, Agricultural Resources, Air Quality, Biological/ Fisheries Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use, Noise, Public Services, Recreation, Transportation/Circulation, and Utilities and Service System.. Where feasible, mitigation measures will be proposed to reduce or avoid impacts. Other areas of analysis may be added based on input from the public and public agencies during the Notice of Preparation review period. Decision-makers, responsible and trustee agencies under CEQA, property owners, and interested persons and parties will also have an opportunity to comment on the Initial Study after it is published and circulated for public review.

PUBLIC COMMENT PERIOD FOR THIS NOTICE OF PREPARATION: The public comment period will close at 5:00 p.m. on July 29, 2010, which is 35 days after the date of publication. Please include a name, address, and telephone number of a contact person in your agency for all future correspondence on this subject. **Please send comments to:**

**David Cuneo
Sonoma County Water Agency
404 Aviation Boulevard
Santa Rosa, CA 95403.**

Comments may also be submitted electronically to: david.cuneo@scwa.ca.gov

Documents or files related to the Dry Creek Habitat Enhancement Demonstration Project are available for review online at www.sonomacountywater.org, or at the Agency's office located at 404 Aviation Boulevard, Santa Rosa, California, 95403. If you have any questions regarding this Notice of Preparation, or if you wish to update information on our mailing list, please contact David Cuneo, Senior Environmental Specialist, at (707) 547-1935.

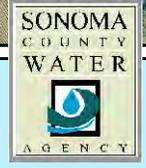


Dry Creek Project Area
 (Location approximately 1/2-Mile Upstream and 1/2-Mile Downstream of Lambert Bridge Road)

\\sd-data\proj\special\projects\7345_RRIFR_Demo_Project\Demo_Project_Location.mxd May 19, 2010 (REV May 26, 2010)

**Dry Creek -
 Habitat Enhancement
 Demonstration Project**

DISCLAIMER
 This map document and associated data are distributed for informational purposes only "AS-IS" at the published scale and provided without warranty of any kind expressed or implied. The positional accuracy of the data is approximate and not intended to represent survey map accuracy. The Sonoma County Water Agency assumes no responsibility arising from use of this information.





DEPARTMENT OF FISH AND GAME

John McCamman, Director

Bay Delta Region
7329 Silverado Trail
Napa, CA 94558
(707) 944-5500
www.dfg.ca.gov



July 27, 2010

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

Dear Mr. Cuneo:

Subject: Dry Creek Habitat Enhancement Demonstration Project, Notice of Preparation of the Initial Study, SCH #2010062082, County of Sonoma

The Department of Fish and Game (DFG) has reviewed the Notice of Preparation (NOP) of the Initial Study (IS) for the Dry Creek Habitat Enhancement Demonstration Project (Project). The NOP was received in our office on June 29, 2010.

DFG is identified as a Trustee Agency pursuant to the California Environmental Quality Act (CEQA) Section 15386 and is responsible for the conservation, protection, and management of the State's biological resources. DFG is submitting comments on the NOP as a means to inform the Lead Agency of our concerns regarding sensitive resources which could potentially be affected by the Project.

The Project proposes to implement habitat enhancement projects at two or three areas within a one-mile section of Dry Creek near Lambert Bridge in order to demonstrate to regulatory agencies, landowners, and local decision makers the feasibility of Dry Creek habitat enhancements. To comply with the National Marine Fisheries Service Russian River Biological Opinion and DFG's Consistency Determination, the Sonoma County Water Agency (SCWA) is required to enhance six miles of in habitat in Dry Creek to improve summer rearing conditions for coho salmon and steelhead trout. The demonstration Project will help determine the design features of the enhancement projects, how enhancements will be constructed, and how effective they are before implementing the full six miles of habitat enhancements on Dry Creek.

Habitat Modifications

The IS should include a discussion of each of the proposed habitat enhancement types and at a minimum discuss the expected function of each enhancement project, the initial habitat value of each, the long term benefits to salmonid species, the feasibility of success in the short- and long term, and the sustainability and long term maintenance of each enhancement type. The cumulative effect of each enhancement in relation to other enhancements should be considered and addressed in the IS.

Habitat enhancement analysis should review each enhancement and their effect on the Department of Fish and Game's *Recovery Strategy for the California Coho Salmon* (2004; Recovery Strategy). Any enhancement undertaken in the Project has a potential impact on the success of the Recovery Strategy and DFG's ability to manage the recovery efforts.

Enhancement plans should reference and use the guidance provided in the *California Salmonid Stream Habitat Restoration Monitoring* (DFG 1998) during the design and review process to ensure compliance with DFG standards and procedures.

Biological Resources

The IS should contain a complete description and map of the vegetation communities, wildlife habitats, creeks, wetlands, and other important habitat features on and around the Project area which will be affected by the Project for each of the alternatives under consideration. Acreage of vegetation communities and habitat types should be described. The IS should identify and discuss any significant impacts to habitats and special-status species. The discussion on impacts to vegetative communities and wildlife should be addressed for each of the expected enhancement sites and individual types of enhancement.

Lake and Streambed Alteration Agreement

Any Project activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, will require a Lake and Streambed Alteration Agreement (LSAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance of an LSAA is subject to CEQA. DFG, as a responsible agency under CEQA, will consider the CEQA document for the project for issuance of LSAs for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the LSAA notification process, please access our website at <http://www.dfg.ca.gov/habcon/1600/> or to request a notification package, contact the Lake and Streambed Alteration Program at (707) 944-5520.

California Endangered Species Act

Please be advised that a California Endangered Species Act (CESA) Permit must be obtained if the project has the potential to result in take of species of plants or animals listed under CESA, either during construction or over the life of the project. Issuance of a CESA Permit is subject to CEQA documentation; therefore, the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the project will impact CESA listed species, early consultation is encouraged, as significant modification to the project and mitigation measures may be required in order to obtain a CESA Permit.

DFG appreciates the opportunity to comment on the Dry Creek Habitat Enhancement Demonstration Project. DFG staff is available to meet with you to further clarify our comments and provide technical assistance on any changes necessary to protect resources. If you have any questions, please contact Mr. Adam McKannay, Environmental Scientist, at (707) 944-5534; or Mr. Richard Fitzgerald, Coastal Habitat Conservation Supervisor, at (707) 944-5568.

Sincerely,

 FOR

Charles Armor
Regional Manager
Bay Delta Region

cc: State Clearinghouse



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maziar Movassaghi
Acting Director
700 Heinz Avenue
Berkeley, California 94710-2721



Arnold Schwarzenegger
Governor

July 21, 2010

David Cuneo
Sonoma County Water Agency
404 Aviation Boulevard
Santa Rosa, California 95403

Dear Mr. Cuneo:

Thank you for the opportunity to comment on the Notice of Preparation (SCH #2010062082) for the Dry Creek Habitat Enhancement Demonstration Project draft Environmental Impact Report (EIR). As you may be aware, the California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8. As a potential Resource Agency, DTSC is submitting comments to ensure that the environmental documentation prepared for this project to address the California Environmental Quality Act (CEQA) adequately addresses any required remediation activities which may be required to address any hazardous substances release.

The Notice of Preparation does not include a thorough description of the property's historical uses. Without this information we are unable to determine whether hazardous substances may have been released into the soil at the Site. We strongly recommend that a historical assessment of past uses be done. Based on that information, sampling may need to be conducted to determine if there is an issue which will need to be addressed in the CEQA compliance document. If hazardous substances have been released, they will need to be addressed as part of this project.

For example, if the remediation activities include the need for soil excavation, the CEQA document should include: (1) an assessment of air impacts and health impacts associated with the excavation activities; (2) identification of any applicable local standards which may be exceeded by the excavation activities, including dust levels and noise; (3) transportation impacts from the removal or remedial activities; and (4) risk of upset should be there an accident at the Site.

David Cuneo
July 21, 2010
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DTSC and the Regional Water Quality Control Boards (Regional Boards) signed a Memorandum of Agreement, March 1, 2005 (MOA) aimed to avoid duplication of efforts among the agencies in the regulatory oversight of investigation and cleanup activities at brownfield sites. Under the MOA, anyone requesting oversight from DTSC or a Regional Board must submit an application to initiate the process to assign the appropriate oversight agency. The completed application and site information may be submitted to either DTSC or Regional Board office in your geographical area. The application is available at <http://www.calepa.ca.gov/brownfields/MOA/application.pdf>.

Should you have any questions regarding this letter, please contact me by phone at (510) 540-3773 or via email at CGribble@dtsc.ca.gov.

Sincerely,



Chip Gribble, P.G.
Project Manager
Brownfields and Environmental Restoration Program
Berkeley Office

cc: Governor's Office of Planning and Research
State Clearinghouse
P. O. Box 3044
Sacramento, California 95812-3044

Guenther Moskat
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

From: [Nick Frey](#)
To: [David Cuneo](#)
Subject: Dry Creek Habitat Enhancement Demonstration Project
Date: Monday, June 28, 2010 11:52:26 AM

I am writing in support of the proposed Dry Creek Habitat Enhancement Demonstration Project. This project is being supported by grape grower, landowners in Dry Creek Valley. This project addresses the need to provide refuge for salmonids while allowing for higher flow releases from Lake Sonoma than would otherwise be possible under the Biological Opinion from National Marine Fisheries. This demonstration project would not be possible without the cooperation of landowners along Dry Creek, which shows their commitment to improving fish habitat.

Thank you for the opportunity to comment on this project.

Sincerely,

Nick Frey
President
Sonoma County Winegrape Commission
3637 Westwind Blvd
Santa Rosa, CA 95403
Ph 707-522-5861; Cell 707-291-2857
www.sonomawinegrape.org

Sonoma County Water Agency Phone Contact Record



Name of Caller: Gordon Winstrom
Address/Phone Number: 433-1886

SCWA Contact: David Cuneo

Date of Contact: July 9, 2010

Subject: Dry Creek Habitat Demonstration Project

Notes: Gordon Winstrom called in response to the Notice of Preparation of an Initial Study that we issued for the Dry Creek Habitat Enhancement Demonstration Project.

Gordon stated that he has been in Dry Creek since 1971 and a grape grower for 36 years. He said he has a problem with the amount of money being spent for fish in Dry Creek (especially in comparison to how little we spend per child in education). He wanted to know if we have calculated a dollar figure per fish that is being spent. He said someone has to have a backbone in the system to stand up to the feds forcing the local ratepayers to spend so much on the fish. He said, "If I were Mike McGuire, I would ask how much money on fish improvements have we spent over the last 10 years and how have the fish responded? What is the dollar per fish cost to the ratepayers?"

Follow Up: