

APPENDIX A

Public Notices and Scoping Comments

Notices of Intent and Preparation

require a larger buffer either as a stipulation in the lease or as a condition of Construction and Operations Plan approval.

In response to concerns regarding potential impacts to the surf clam/quahog fishery in the area of interest, BOEMRE intends to consider potential impacts to the fishery in a proposed lease area as well as the industry associated with this fishery as part of our compliance process.

In response to requests that BOEMRE conduct outreach to the mariner and fishing communities, BOEMRE will continue its ongoing outreach efforts, including but not limited to, participation in meetings with the Mariners Advisory Committee for the Bay and River Delaware and outreach to the Mid-Atlantic Fishery Management Council and regulators of associated activities offshore Delaware.

Dated: March 29, 2011.

Michael R. Bromwich,

Director, Bureau of Ocean Energy Management, Regulation and Enforcement.

[FR Doc. 2011-8341 Filed 4-11-11; 8:45 am]

BILLING CODE 4310-MR-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R8-R-2011-N042; 1261-0000-80230-W2]

Llano Seco Riparian Sanctuary Unit Restoration and Pumping Plant/Fish Screen Facility Protection Project, California; Intent To Prepare an Environmental Impact Statement

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent; request for public comment.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), in coordination with the California Department of Fish and Game (CDFG), are preparing a joint environmental impact statement/environmental impact report (EIS/EIR) for the proposed Llano Seco Riparian Sanctuary Unit Restoration and Pumping Plant/Fish Screen Facility Protection Project, in Glenn and Butte Counties, California. The proposed project includes riparian restoration and protection of the Princeton-Cordora-Glenn and Provident Irrigation Districts (PCGID-PID) pumping plant and fish screen facility. This notice advises the public that we intend to gather information necessary to prepare an EIS pursuant to the National Environmental Policy Act (NEPA). We encourage the public and

other agencies to participate in the NEPA scoping process by sending written suggestions and information on the issues and concerns that should be addressed in the draft EIS/EIR, including the range of alternatives, appropriate mitigation measures, and the nature and extent of potential environmental impacts.

DATES: To ensure that we have adequate time to evaluate and incorporate suggestions and other input, we must receive your comments on or before May 27, 2011. A public scoping meeting will be held on May 10, 2011 from 4 p.m. to 6:30 p.m., at the Ord Bend Community Hall, 3241 Highway 45, Ord Bend, California 95943-9654.

ADDRESSES: Send written comments or requests to be added to our project mailing list to: Daniel W. Frisk, Project Leader, Sacramento National Wildlife Refuge Complex, U.S. Fish and Wildlife Service, 752 County Road 99W, Willows, CA 95988. Alternatively, you may send written comments or requests by fax to (530) 934-7814, or by e-mail to dan_frisk@fws.gov. Please indicate that your comments refer to the Riparian Sanctuary Restoration and Pumping Plant/Fish Screen Facility Protection Project.

FOR FURTHER INFORMATION CONTACT: Kelly Moroney, Refuge Manager, (530) 934-2801.

SUPPLEMENTARY INFORMATION:

Background

The Llano Seco Riparian Sanctuary Unit was acquired by the Service in 1991 and added to the Sacramento River National Wildlife Refuge. The Service acquired the Llano Seco Riparian Sanctuary Unit as part of the Joint Management Agreement between Parrot Investment Co., The Nature Conservancy, California Department of Fish and Game, and the Service to cooperatively manage lands on the Llano Seco Ranch. The Llano Seco Riparian Sanctuary Unit is one piece of the larger Llano Seco Ranch, and was cleared of riparian vegetation for agricultural production by the previous landowner during the 1970s. Although the property has been out of agricultural production for close to 15 years, the habitat remains dominated by nonnative and invasive noxious weeds. Currently, just over 200 acres is farmed to dryland row crops to help control nonnative weeds.

Prior to acquisition by the Service, rock revetment was placed on the north end of the Llano Seco Riparian Sanctuary Unit by the Department of Water Resources in 1985 and 1986. The rock was placed in order to lock the

Sacramento River in place ensuring that flood flows would continue to be diverted from the Sacramento River through the Goose Lake overflow structure and into the Butte Basin. When the Service acquired the ranch property in 1991, we did so with the understanding that our management activities would not impact the Goose Lake overflow structure that diverts flood water into the Butte Basin.

Since the placement of rock revetment in 1986, the natural riverbank that is south of the revetment has eroded approximately 600 feet. The erosion on refuge property is directly across from the PCGID-PID pumping plant and fish screening facility. In 1999, the PCGID-PID consolidated three pumping plants into one new facility equipped with state-of-the-art fish screens. The fish-screening efficiency of the new PCGID-PID pumping plant is now endangered by the bank erosion on the refuge property and the migration of the Sacramento River. Although the rock revetment on the north edge of refuge property is decades old and eroding, it plays a key role in protecting the PCGID-PID pumping plant. As the bank erodes, the angle of flow and velocity of the water passing the screens will change, trapping fish against the screen rather than sweeping them past. Without some type of protection, it is likely the bank will continue to erode and the pumping plant facility will fail to meet guidelines for operation of the pumping-plant fish screens that were published by the National Marine Fisheries Service of National Oceanic and Atmospheric Administration (Department of Commerce).

To address these issues we are proposing the restoration of approximately 500 acres of the Llano Seco Riparian Sanctuary Unit to improve habitat for wildlife with an emphasis on endangered and threatened species and the protection of the PCGID-PID pumping plant and fish screen facility.

Previous Planning Studies

In 2001, River Partners submitted a planning proposal to the CALFED Bay-Delta Program for grant funding to investigate the following problems:

- River meander may threaten the operation of the PCGID-PID fish screen and pumping plant located across the river from the Llano Seco Riparian Sanctuary (part of the Sacramento River National Wildlife Refuge).
- Current site conditions on much of the 950-acre Llano Seco Riparian Sanctuary have contributed little to endangered species recovery and overall riparian health.

- Few restoration projects integrate an interdisciplinary scientific approach into project implementation, limiting the opportunities to learn restoration.

In 2004, following approval of CALFED Bay-Delta Program grant funding, River Partners and an interdisciplinary team began studies to examine measures to protect the PCGID–PID pumping plant and fish screen facility and develop restoration options for the Llano Seco Riparian Sanctuary Unit.

River Partners initiated a cooperative process with the Service and the PCGID–PID to address complex and potentially controversial issues associated with restoration activities and pumping plant and fish screen facility protection measures. MBK Engineers completed the Llano Seco Unit Sacramento River Mile 178 Pumping Plant Protection Feasibility Study in August 2005 to identify alternatives that meet the PCGID–PID's pumping plant and fish screen protection objectives.

In 2005, River Partners prepared a Riparian Feasibility Study for the Llano Seco Riparian Sanctuary Unit to investigate the feasibility of restoration and other management options for this area. Approximately 500 acres of the site was found to be dominated by nonnative plants, with poor wildlife habitat values, and suitable for restoration.

In 2010, Ayres Associates refined the alternatives identified in the MBK study, identifying the most feasible alternatives that should be considered for protection of the PCGID–PID facility.

Summary of Alternatives

No Action Alternative

Under the No Action alternative, only the ongoing removal and management of invasive plant species would occur at the Riparian Sanctuary. No active restoration of native plants would occur. Maintenance activities for the PCGID–PID pumping plant and fish screens would continue, but no new actions would be taken to prevent river meander.

Action Alternatives

A full range of reasonable alternatives will be developed based on the River Partners 2005 feasibility study, the 2010 Ayres feasibility study, and public input received during this scoping period. The 2005 River Partners study identified restoration measures consisting of full plantings or site-specific plantings of the Llano Seco Riparian Sanctuary Unit. The 2010 Ayres feasibility study identified the following measures to

protect the PCGID–PID pumping plant and fish screen facility: Construction of spur dikes, traditional riprap revetment, traditional riprap with a low berm, and traditional riprap with removal of existing revetment. A combination of these measures will be used to develop a range of alternatives.

Public Comment

We are furnishing this notice in accordance with section 1501.7 of the NEPA implementing regulations to obtain suggestions and information from other agencies and the public on the scope of issues to be addressed in the EIS/EIR. We invite written comments from interested parties to ensure identification of the full range of issues.

Written comments we receive become part of the public record associated with this action. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that the entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Public Scoping Meeting

In addition to providing written comments, the public is encouraged to attend a public scoping meeting to provide us with suggestions and information on the scope of issues and alternatives to consider when drafting the EIS/EIR. A public scoping meeting will be held on the date shown in the **DATES** section.

Persons needing reasonable accommodations in order to attend and participate in the public meeting should contact us at the address listed in the **ADDRESSES** section no later than 1 week before the public meeting. Information regarding this proposed action is available in alternative formats upon request. We will accept both oral and written comments at the scoping meeting.

NEPA Compliance

Information gathered through this scoping process will assist us in developing a range of alternatives to address restoration of the Llano Seco Riparian Sanctuary Unit and protection of the PCGID–PID pumping plant and fish screen facility. A detailed description of the proposed action and alternatives will be included in the EIS/EIR. The EIS/EIR will identify the direct, indirect, and cumulative impacts

of the alternatives on biological resources, cultural resources, land use, air quality, water quality, water resources, and other environmental resources. It will also identify appropriate mitigation measures for adverse environmental effects.

We will conduct environmental review in accordance with the requirements of NEPA, as amended (42 U.S.C. 4321 *et seq.*), its implementing regulations (40 CFR parts 1500–1508), other applicable regulations, and our procedures for compliance with those regulations. The environmental document will be prepared to meet both the requirements of NEPA and the California Environmental Quality Act (CEQA). The CDFG is the CEQA lead agency. We anticipate that a draft EIS/EIR will be available for public review in the fall of 2011.

Dated: April 6, 2011.

Alexandra Pitts,

Regional Director, Pacific Southwest Region.

[FR Doc. 2011–8664 Filed 4–11–11; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLMT921000–11–L13200000–EL0000–P; MTM 101687–MTM 101688]

Notice of Invitation–Coal Exploration License Applications MTM 101687 and MTM 101688

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: Members of the public are hereby invited to participate with the Spring Creek Coal Company on a pro rata cost sharing basis in a program for the exploration of coal deposits owned by the United States of America in lands located in Big Horn County, Montana, encompassing a combined 9,011.61 acres.

DATES: Any party seeking to participate in this exploration program must send written notice to both the Bureau of Land Management and Spring Creek Coal Company as provided in the “**ADDRESSES**” section below no later than May 12, 2011 or 10 calendar days after the last publication of this Notice in the *Sheridan Press* newspaper, whichever is later. This Notice will be published once a week for 2 consecutive weeks in the *Sheridan Press*, Sheridan, Wyoming. Such written notice must refer to serial numbers MTM 101687 or MTM 101688.

ADDRESSES: The proposed exploration license and plan are available for review

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH# **2011042102**

Project Title: Riparian Sanctuary Restoration Project

Lead Agency: California Department of Fish and Game Contact Person: Tracy McReynolds
 Mailing Address: 629 Entler Ave, Suite 12 Phone: 530-895-5111
 City: Chico Zip: 95928 County: Butte County

Project Location: County: Glenn and Butte City/Nearest Community: Chico
 Cross Streets: SR 45/SR 162 Zip Code: _____
 Longitude/Latitude (degrees, minutes and seconds): 39 ° 32 ' 42 " N / 121 ° 59 ' 35 " W Total Acres: 1,000
 Assessor's Parcel No.: _____ Section: Unscd Twp.: 20N Range: _____ Base: _____
 Within 2 Miles: State Hwy #: 45/162 Waterways: Sacramento River
 Airports: _____ Railways: _____ Schools: _____

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) _____ Draft EIS Other: _____
 Mit Neg Dec Other: _____ FONSI

RECEIVED
 APR 28 2011
 STATE CLEARING HOUSE

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: CALFED Funds

Development Type:

Residential: Units _____ Acres _____ Transportation: Type _____
 Office: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Power: Type _____ MW _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Waste Treatment: Type _____ MGD _____
 Educational: _____ Hazardous Waste: Type _____
 Recreational: _____ Other: Restoration/Flood Protection
 Water Facilities: Type _____ MGD _____

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: _____

Present Land Use/Zoning/General Plan Designation:

Orchard and Field Crops (OFC); Public-Quasi Public (P-Q) (Butte County land use and zoning designations)

Project Description: (please use a separate page if necessary)

The proposed project would consist of a combination of measures to restore riparian habitat on approximately 500 acres of the Riparian Sanctuary, which is currently dominated by non-native plants with poor wildlife habitat values, and protect the banks of the Sacramento River in the vicinity of the Riparian Sanctuary in order to protect the PCGID-PID pumping plant and fish screen facility. Several alternatives for restoration and bank stabilization will be considered in the EIS/EIR.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X". If you have already sent your document to the agency please denote that with an "S".

- | | |
|---|--|
| <input type="checkbox"/> Air Resources Board | <input checked="" type="checkbox"/> Office of Emergency Services |
| <input checked="" type="checkbox"/> Boating & Waterways, Department of | <input checked="" type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Office of Public School Construction |
| <input checked="" type="checkbox"/> Caltrans District # <u>3</u> | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Public Utilities Commission |
| <input checked="" type="checkbox"/> Central Valley Flood Protection Board | <input checked="" type="checkbox"/> Regional WQCB # <u>5R</u> |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input checked="" type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Delta Protection Commission | <input checked="" type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Energy Commission | <input checked="" type="checkbox"/> SWRCB: Water Quality |
| <input checked="" type="checkbox"/> Fish & Game Region # <u>2</u> | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> General Services, Department of | <input checked="" type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Health Services, Department of | Other: _____ |
| <input type="checkbox"/> Housing & Community Development | Other: _____ |
| <input type="checkbox"/> Integrated Waste Management Board | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date April 28, 2011 Ending Date May 27, 2011

Lead Agency (Complete if applicable):

| | |
|---|--|
| Consulting Firm: <u>North State Resources, Inc.</u> | Applicant: <u>Helen Swagerty, River Partners</u> |
| Address: <u>1321 20th Street</u> | Address: <u>580 Vallombrosa Ave</u> |
| City/State/Zip: <u>Sacramento, CA 95814</u> | City/State/Zip: <u>Chico, CA 95926</u> |
| Contact: <u>Leslie Wagner</u> | Phone: <u>530-894-5401</u> |
| Phone: <u>916-446-2566x206</u> | |

Signature of Lead Agency Representative:  Date: 4/28/11

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Notice of Preparation for a Joint Environmental Impact Statement and Environmental Impact Report

Project Title: Riparian Sanctuary Restoration Project

Project Location: Glenn and Butte Counties

Name of Lead Agencies: California Department of Fish and Game and U.S. Fish and Wildlife Service

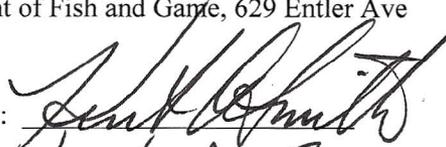
The California Department of Fish and Game (CDFG) in conjunction with the U.S. Fish and Wildlife Service (Service) will prepare an Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the proposed Riparian Sanctuary Restoration Project. We would like to know the views of your agency with regard to the scope and content of the environmental information that is germane to your agency's statutory responsibilities and specific concerns that should be addressed in the EIS/EIR. Your comments should provide input on the significant environmental issues, reasonable alternatives, and mitigation measures that should be considered in the Draft EIS/EIR and identify whether the agency will be a responsible agency or trustee agency for the proposed project. We request that you also provide the name for a contact person in your agency.

We are also interested in receiving input from the public on their concerns about the project or specific issues to address in the EIS/EIR. A public scoping meeting will be held at the Ord Bend Community Hall, located at 3241 Highway 45, on Tuesday May 10, between 4:00 and 6:30 p.m. The meeting announcement will be published in the local newspaper and on the refuge website. Comments can be submitted in writing any time during the scoping period. Comments will also be received orally or in writing at the scoping meeting.

The project description and location, possible alternatives, anticipated environmental issues, and potential effects that are expected to be evaluated in the EIS/EIR are contained in the attached materials.

Due to the time limits mandated by State law, please provide your comments on the project and input on the EIR/EIS at the earliest possible date, but no later than May 27, 2011. All comments should be submitted in writing to: Tracy McReynolds, California Department of Fish and Game, 629 Entler Ave Suite 12, Chico, CA 95928.

Date: 4/28/11

Signature: 
Name: Kent A. Smith
Title: Regional Manager
Telephone: (916) 358-2382
Email: ksmith@dfg.ca.gov

Project Location and Overview

The 950-acre Riparian Sanctuary resides 15 miles southwest of Chico in the southwest corner of Butte County, on the east bank of the Sacramento River between River Mile 176.5 and 178 (Figure 1). It is part of the Llano Seco Riparian Sanctuary Unit of the Sacramento River National Wildlife Refuge, a component of the Sacramento National Wildlife Refuge Complex managed by the Service. River Partners is proposing to restore approximately 500 acres of the Riparian Sanctuary to improve habitat for wildlife, with emphasis on endangered and threatened species. Restoration activities would involve removing non-native and invasive plants, cleaning up flood debris, and planting native species at varying densities across 500 acres of the sanctuary.

In addition to restoration activities at the Riparian Sanctuary, bank protection measures are proposed along the Sacramento River in the vicinity of the Riparian Sanctuary to protect the Princeton-Cordora-Glenn and Provident Irrigation Districts (PCGID-PID) pumping plant and fish screen facility, which is at River Mile 178. Bank protection measures may involve installation of spur dikes, installation of traditional riprap, removal or maintenance of the existing revetment upstream of the facility, or a combination of these measures.

The proposed project would consist of a combination of measures to restore riparian habitat on approximately 500 acres of the Riparian Sanctuary, which is currently dominated by non-native plants with poor wildlife habitat values, and protect the banks of the Sacramento River in the vicinity of the Riparian Sanctuary in order to protect the PCGID-PID pumping plant and fish screen facility.

Project Objectives

The CDFG has identified the following objectives for the proposed project:

- Improve habitat conditions on the Riparian Sanctuary to contribute to endangered species recovery and overall riparian health.
- Integrate an interdisciplinary scientific approach into project implementation to learn about different methods for restoration.
- Protect the operation of the PCGID-PID fish screen and pumping plant located across the river from the Riparian Sanctuary from anticipated river meander.

Possible Alternatives

Several alternatives have been evaluated at the feasibility level by River Partners in 2005 in its *Riparian Restoration Feasibility Study for the Riparian Sanctuary* and by Ayres Associates in 2010 in its *Design Alternatives Report Pumping Plant Protection and Riparian Restoration at the Llano Seco Unit on the Sacramento River*. The alternatives discussed in these studies will be refined to identify the most feasible alternatives to evaluate in detail in the EIS/EIR.

The restoration alternatives identified in River Partner's feasibility study include:

- No Action – Limited active restoration efforts would be implemented at the Riparian Sanctuary. Ongoing removal and management of invasive species would continue, but restoration of native plants would be limited to natural processes (passive restoration).
- Active Restoration (Full Planting) – Active restoration would be used to enhance wildlife habitat and benefit endangered species. Modern farming practices and ecological science would be used to establish riparian vegetation at the Riparian Sanctuary. Plantings would be dense but diverse across the site, estimating up to 212 plants per acre.
- Active Restoration (Site Specific Planting) – Similar to the Active Restoration (Full Planting) alternative, modern farming practices and ecological science would be used to establish riparian vegetation with greater diversity across the site. In addition to wildlife benefits, measures under this alternative would incorporate PCGID-PID alternatives and flood control objectives. Planting locations and species would be influenced by site-specific conditions, such as where flooding may occur or future changes to the river corridor.

The bank protection alternatives discussed by Ayres Associates include:

- No Action – No new bank protection actions would be implemented to protect the PCGID-PID pumping plant. Existing revetment upstream of the plant would be actively maintained to prevent a cutoff of the upstream oxbow, and sedimentation would likely need to be removed from in front of the plant intakes.
- Spur Dikes – Eight rock dikes would be installed along the left (east) bank between the bend apex and the downstream end of the existing revetment, along the northern boundary of the Riparian Sanctuary, to hold the river's current alignment. The dikes would direct the river flow against the bank between the dikes eventually causing the river to move away from the pumping plant. This alternative would also leave areas of soft riverbank between the dikes for habitat diversity and revegetation.
- Traditional Riprap Revetment – A layer of bank armor would be installed along the existing bank line from the end of the existing bank armor to a point almost directly across from the pumping plant to protect the riverbank from further erosion. A toe trench would also be excavated a minimum of 3 feet below the river thalweg. The armor would contain an adequate mix of soil and sand materials to support woody vegetation on the finished rock slope.
- Traditional Riprap with Low Berm – In combination with the traditional riprap revetment, a sloping low berm would be installed just above or at the summer low water level to provide shallow water habitat and some additional area for riparian plantings. The edge of the low berm would follow a smooth curve alignment along the entire site while the bank armor above the berm level would be against the existing eroded bank and would be placed among the existing trees to minimize environmental damage.
- Traditional Riprap Revetment with Upstream Rock Removal – In combination with the traditional riprap revetment, the existing upstream bank revetment would be removed. Removal of the revetment would encourage a natural progression of streambank erosion, and an eventual

cutoff of the oxbow could occur. Woody vegetation may also be established along the bank where the revetment is removed. The extent of the revetment to be removed needs to be refined.

Environmental Issues and Potential Environmental Effects

The EIS/EIR will address applicable environmental issues and evaluate potential environmental effects of the alternatives. Some anticipated issues and impacts have been identified during the feasibility studies and through preliminary research. The following issues and potential environmental effects will be considered in the EIS/EIR:

- River meander may threaten the operation of the PCGID-PID fish screen and pumping plant on the west bank of the river.
- The effectiveness of the pumping plant and anadromous fish screen needs to be maintained.
- The protection measures could have adverse impacts on aquatic and terrestrial habitat.
- Riprap along the river could affect important wildlife (such as bank swallow and salmon), floodplain processes, and associated vegetation succession and habitat diversity.
- The protection measures could result in hydraulic alterations to surrounding areas (both upstream and downstream of the project area), including changes to flows into the Butte Basin and downstream levee system and changes to flow velocity in the vicinity of the pumping plant.
- Current site conditions on much of the 950 acres of the Riparian Sanctuary contribute little to endangered species recovery and overall riparian health.
- Restoration plans will need to be compatible with pumping plant protection measures and the U.S. Army Corps of Engineers flood control system.
- Restoration plans should include measures to reduce potential for colonization of invasive, non-native plants.
- Restoration plans should incorporate the use of Sacramento Valley seed sources.
- Restoration plans need to provide suitable habitat for wildlife and meet Service goals for the Sacramento National Wildlife Refuge Complex and Sacramento River National Wildlife Refuge.
- Archeological resources in the area may be affected by river meander or restoration activities.
- Adjacent lands may be affected by the protection measures or restoration plans.
- Long-term maintenance responsibilities and actions will need to be defined for the protection measures and restoration plans.
- Access to the land to implement the alternatives may be difficult.
- Erosion and sedimentation during construction could affect water quality in the river.
- Dust and noise disturbance from construction traffic could affect uses and activities on adjacent properties and properties used for access, primarily in the Llano Seco Ranch.
- In-river recreational activities could be affected during installation of bank protection, and boating safety could be a concern.
- Cumulative effects could occur relative to other Sacramento River bank protection projects.

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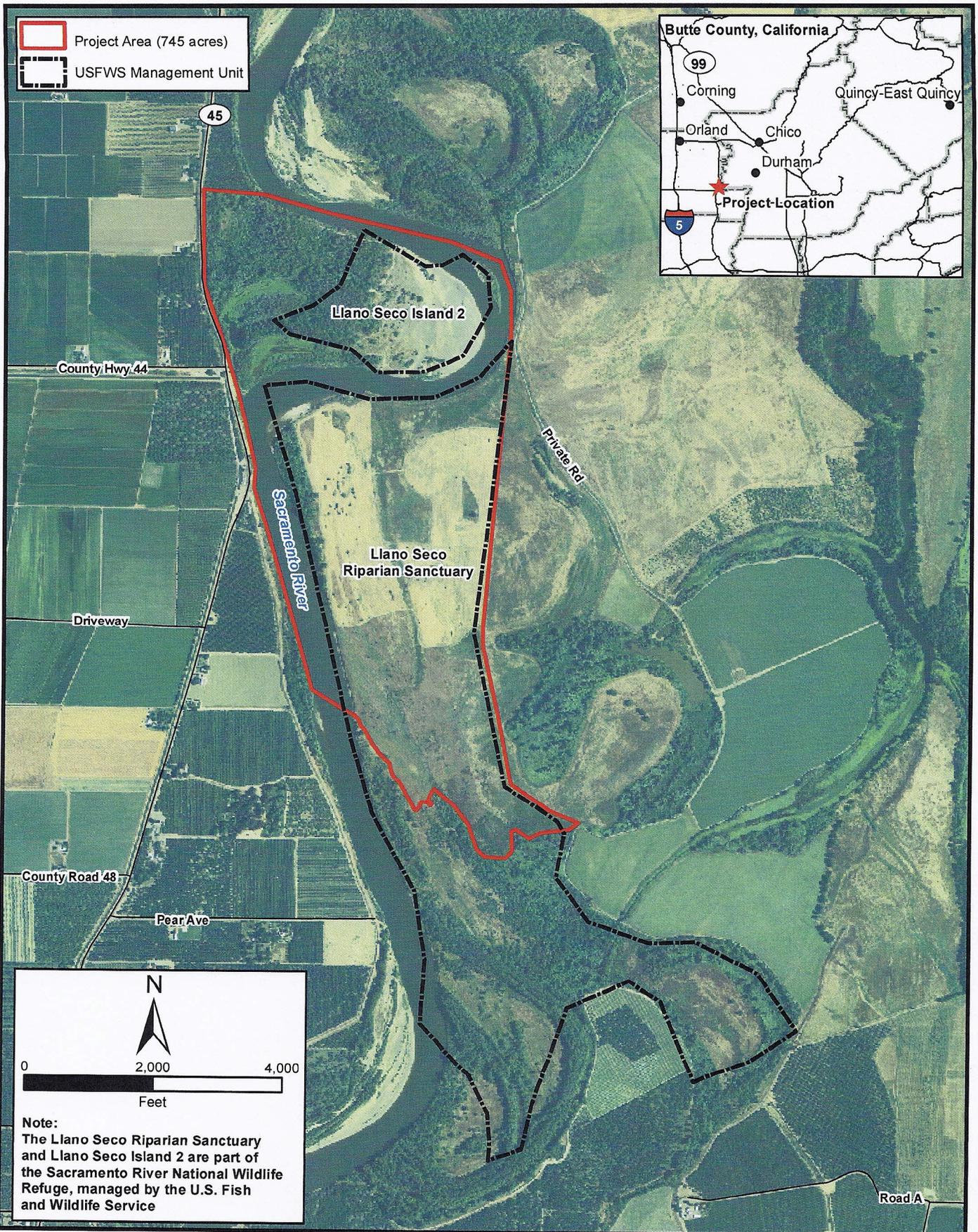


Figure 1
Project Location

Agency and Public Comment Letters

Written Scoping Comment Form

U.S. Fish and Wildlife Service / California Department of Fish and Game

Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR)

Llano Seco Riparian Sanctuary Unit Restoration and Pumping Plant/Fish Screen Facility
Protection Project

Your input is important to us; please use this comment sheet to provide input on issues to be evaluated in the Draft EIS/EIR. Your comments will be addressed in the Draft EIS/EIR. Please include your name and address below to receive a copy of the Draft EIS/EIR.

The document needs to address public access and more specifically disabled access to the Llano Seco Riparian Sanctuary & to the pumping plant.

Is Bay Delta funding going to influence water deliveries south of the Delta associated with this project.

In what manner is Bay Delta & Metropolitan water district gaining water rights or the ability direct water

Concerned that a cut off will result in more water staying in the main channel & through the Delta - potentially being shipped south.

Include on mailing list.

Concerned about water being shipped from the north state south of the delta.

Additional space? Please use other side.

Name

Tom Edgar

Affiliation

Concerned citizen

Address

154 Centennial Ave.

City/State/Zip Code

Chico, CA 95928

send a copy of SPIOWR CCP

Please submit your comments at the Sign-In Station or mail or fax or e-mail your comments by May 27, 2011 to:

California Department of Fish and Game

or

U.S. Fish and Wildlife Service

Attn: Tracy McReynolds

Sacramento National Wildlife Refuge Complex

629 Entler Avenue

Attn: Daniel W. Frisk, Project Leader

Chico, CA 95928

752 County Road 99W

Fax Number: (530) 895-4236

Willows, CA 95988

E-mail: TMCREYNOLDS@dfg.ca.gov

Fax: (530) 934-7814

E-mail: dan.frisk@fws.gov

Native American Contact List

Butte and Glenn Counties

May 13, 2011

Berry Creek Rancheria of Maidu Indians
Cultural Resources Rep
#5 Tyme Way Tyme Maidu
Oroville , CA 95966
gmix@berrycreekrancheria.com
(530) 534-3859
(530) 534-1151 FAX

Maidu Nation
Clara LeCompte
P.O Box 204 Maidu
Susanville , CA 96130

Mechoopda Indian Tribe of Chico Rancheria
Dennis E. Ramirez, Chairperson
125 Mission Ranch Blvd Mechoopda Maidu
Chico , CA 95926 Concow
dramirez@mechoopda-nsn.gov
(530) 899-8922 ext 215
(530) 899-8517 - Fax

Butte Tribal Council
Ren Reynolds
1693 Mt. Ida Road Maidu
Oroville , CA 95966
(530) 589-1571

Greenville Rancheria of Maidu Indians
Kyle Self, Chairperson
PO Box 279 Maidu
Greenville , CA 95947
kself@greenvillerrancheria.com
(530) 284-7990
(530) 284-6612 - Fax

Paskenta Band of Nomlaki Indians
Andrew Freeman, Chairperson
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(530) 865-2010
(530) 865-1870 Fax

Grindstone Rancheria of Wintun-Wailaki
Ronald Kirk, Chairperson
P.O. Box 63 Nomlaki
Elk Creek , CA 95939 Wintun (Patwin)
(530) 968-5365 Wailaki
(530) 968-5366 FAX Muimok

Mooretown Rancheria of Maidu Indians
Gary Archuleta, Chairperson
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frontdesk@mooretown.org
(530) 533-3625
(530) 533-3680 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed CH# 2011042102 Riparian Sanctuary Restoration Project; Butte and Glenn Counties.

Native American Contact List

Butte and Glenn Counties

May 13, 2011

Maidu Cultural and Development Group
Lorena Gorbet

PO Box 426 Maidu

Greenville , CA 95947

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Berry Creek Rancheria of Maidu Indians
Jim Edwards, Chairperson

#5 Tyme Way Tyme Maidu

Oroville , CA 95966

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(530) 534-1151 FAX

KonKow Valley Band of Maidu

Patsy Seek, Chairperson

1706 Sweem Street KonKow / Concow

Oroville , CA 95965 Maidu

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Enterprise Rancheria of Maidu Indians

Art Angle, Vice Chairperson

3690 Olive Hwy Maidu

Oroville , CA 95966

eranch@cncnet.com

(530) 532-9214

(530) 532-1768 FAX

T si-Akim Maidu

Eileen Moon, Vice Chairperson

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Grass Valley , CA 95945

(530) 477-0711

Enterprise Rancheria of Maidu Indians

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Wailaki

Muimok

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Native American Contact List
Butte and Glenn Counties
May 13, 2011

Mechoopda Indian Tribe of Chico Rancheria
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Chico , CA 95926 Concow
mdespain@mechoopda-nsn.gov
(530) 899-8922 ext 219
(530) 899-8517 - Fax

April Wallace Moore
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Colfax , CA 95713 Konkow
530-637-4279 Washoe

This list is current only as of the date of this document.

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This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2011042102 Riparian Sanctuary Restoration Project; Butte and Glenn Counties.

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-2380 FAX: (916) 574-0682



May 16, 2011

Ms. Tracy McReynolds
California Department of Fish and Game
629 Entler Avenue, Suite 12
Chico, California 95928

Subject: Response to the Notice of Preparation for the Draft Environmental Impact Report
Riparian Sanctuary Restoration Project Program SCH Number: 2011042102

Dear Ms. McReynolds:

Staff of the Central Valley Flood Protection Board (Board) has reviewed the subject document and provides the following comments:

The proposed project is located within the jurisdiction of the Central Valley Flood Protection Board. The Board is required to enforce standards for the construction, maintenance and protection of adopted flood control plans that will protect public lands from floods. The jurisdiction of the Board includes the Central Valley, including all tributaries and distributaries of the Sacramento River and the San Joaquin River, and designated floodways (Title 23 California Code of Regulations (CCR), Section 2).

A Board permit is required prior to starting the work within the Board's jurisdiction for the following:

- The placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee (CCR Section 6);
- Existing structures that predate permitting or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the encroachment has not been clearly established or ownership and use have been revised (CCR Section 6);
- Vegetation plantings will require the submission of detailed design drawings; identification of vegetation type; plant and tree names (i.e. common name and scientific name); total number of each type of plant and tree; planting spacing and irrigation method that will be within the project area; a complete vegetative management plan for maintenance to prevent the interference with flood control, levee maintenance, inspection and flood fight procedures (CCR Section 131). The Central Valley Flood Protection Board (Board)

Ms. Tracy McReynolds

May 16, 2011

Page 2 of 2

In accordance with CEQA Guidelines Section 15130 "Discussion of Cumulative Impacts. (a) An EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined in section 15065(a)(3). Where a lead agency is examining a project with an incremental effect that is not "cumulatively considerable," a lead agency need not consider that effect significant, but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable."

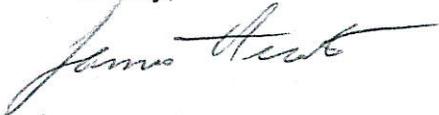
Vegetation requirements in accordance with Title 23, Section 131 (c) states "Vegetation must not interfere with the integrity of the adopted plan of flood control, or interfere with maintenance, inspection, and flood fight procedures."

The accumulation and establishment of woody vegetation that is not managed has a negative impact on channel capacity and increases the potential for levee over-topping. When a channel develops vegetation that then becomes habitat for wildlife, maintenance to initial baseline conditions becomes more difficult, as the removal of vegetative growth is subject to federal and state agency requirements for on-site mitigation within the floodway.

Hydraulic Impacts - Hydraulic impacts due to encroachments could impede flood flows, reroute flood flows, and/or increase sediment accumulation. The DEIR should include mitigation measures for channel and levee improvements and maintenance to prevent and/or reduce hydraulic impacts. Off-site mitigation outside of the State Plan of Flood Control should be used when mitigating for vegetation removed within the project location.

If you have any questions, please contact me at (916) 574-0651, or via email at jherota@water.ca.gov.

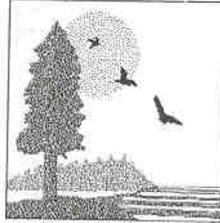
Sincerely,



James Herota
Staff Environmental Scientist
Flood Projects Improvement Branch

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, California 95814

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



CURTIS L. FOSSUM, Executive Officer
(916) 574-1800 FAX (916) 574-1810
California Relay Service From TDD Phone 1-800-735-2929
from Voice Phone 1-800-735-2922

Contact Phone: (916) 574-1890
Contact FAX: (916) 574-1885

May 26, 2011

File Ref: SCH #2011042102

Tracy McReynolds
California Department of Fish and Game
629 Entler Avenue, Suite 12
Chico, CA 95928

Subject: Notice of Preparation (NOP) of a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the proposed Riparian Sanctuary Restoration Project, Glenn and Butte Counties

Dear Ms. McReynolds:

Staff of the California State Lands Commission (CSLC) has reviewed the subject NOP for the Riparian Sanctuary Restoration Project (Project), which is being prepared jointly by the California Department of Fish and Game (CDFG) as the lead agency under the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] § 21000 et seq.) and the U.S. Fish and Wildlife Service (Service) as the lead agency under the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.). CSLC staff has prepared these comments as a trustee agency because of its trust responsibility for projects that could directly or indirectly affect sovereign lands, their accompanying Public Trust resources or uses, and the public easement in navigable waters. Additionally, if the Project involves work on sovereign lands, the CSLC will act as a responsible agency.

CSLC Jurisdiction and Public Trust Lands

The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable rivers, sloughs, lakes, etc. The CSLC has certain residual and review authority for tide and submerged lands legislatively granted in trust to local jurisdictions (PRC § 6301, § 6306). All tide and submerged lands, granted or ungranted, as well as navigable rivers, sloughs, etc., are impressed with the Common Law Public Trust.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the State for statewide Public Trust purposes, which include waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation and open space. On tidal waterways, the State's sovereign fee ownership extends landward to the mean high tide line, except for fill or artificial accretion. On navigable non-tidal waterways, the

State holds fee ownership of the bed landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high water mark. Such boundaries may not be readily apparent from present day site inspections.

The Project may involve sovereign land in the Sacramento River under the jurisdiction of the CSLC. The NOP contains an insufficient level of detail to enable CSLC staff to determine the extent or location of sovereign ownership interests of the State in the Project area. Therefore, CSLC staff requests the CDFG contact the Public Land Manager identified below once specific construction details and locations are identified for a determination of whether the Project or any components of the Project implicate the CSLC's jurisdiction. If the Project does involve the use or alteration of sovereign land, a lease or permit will be required. CSLC also requests placement on any future distribution mailing list for the Project.

Proposed Project

The CDFG proposes to use a combination of measures to restore riparian habitat on approximately 500 acres of the 950-acre Riparian Sanctuary (Sanctuary), which is located near the city of Chico in Glenn and Butte counties.

The CDFG has identified the following objectives for the Project:

- Improve habitat conditions on the Sanctuary to contribute to endangered species recovery and overall riparian health.
- Integrate an Interdisciplinary scientific approach into the project implementation to learn about different methods for restoration.
- Protect the operation of the Princeton-Cordora-Glenn and Provident Irrigation Districts (PCGID-PID) fish screen and pumping plant located across the river from the Riparian Sanctuary from the anticipated river meander.

The Sanctuary is currently dominated by non-native plants with poor wildlife habitat values. Among other things, the proposed Project includes removal of non-native plants, active native plant restoration, and construction of bank protection structures on the Sacramento River in the vicinity of the Sanctuary in order to protect the PCGID-PID pumping plant and fish screen facility. As described in the NOP, bank protection measures could include installation of spur dikes or riprap, removal or maintenance of the existing upstream revetment, or a combination of the identified measures.

Environmental Review

CSLC staff requests that the following potential impacts be analyzed in the draft EIS/EIR.

Project Description

A thorough and complete Project Description should be included in the draft EIS/EIR in order to facilitate meaningful environmental review of potential impacts, mitigation measures, and alternatives. The Project Description should be as precise as

possible in describing the details of all allowable activities (e.g., types of equipment or methods that may be used, maximum area of impact or volume of sediment removed or disturbed, seasonal work windows, locations for material disposal, etc.), as well as the details of the timing and length of activities, both for bank protection construction and for restoration activities. Thorough descriptions will facilitate CSLC staff's determination of the extent and locations of its leasing jurisdiction, make for a more robust analysis of the work that may be performed, and minimize the potential for subsequent environmental analysis to be required.

Biological Resources

Sensitive Species: The draft EIS/EIR should disclose and analyze the potential for Project activities to affect special status plant or wildlife species that may occur in the Project area. In particular, the analysis should include a discussion of the potential turbidity, siltation, entrainment, burial and other physical effects on all life stages of sensitive fish such as Chinook salmon or steelhead trout resulting from the construction of bank protection measures. Additionally, the draft EIS/EIR should identify whether the construction of bank protection measures could adversely impact species that could utilize or inhabit habitat along the bank of the Sacramento River, such as giant garter snake and bank swallow. While staff of the CSLC recognizes that the Project is intended to enhance the Sanctuary's suitability for endangered and threatened species in the long-term, implementation of certain components of the Project could nonetheless have effects that are adverse, either temporarily or permanently. If impacts to special-status species are found to be potentially significant, the draft EIS/EIR should include feasible measures that could be implemented to avoid or substantially lessen the impact including, if appropriate, compensatory mitigation.

Construction Noise: The draft EIS/EIR should evaluate noise and vibration impacts on fish and birds from construction, vegetation removal, restoration, or bank protection activities. The draft EIS/EIR should identify and describe in detail the type or types of bank protection that will be implemented, as well as the method(s) and timing of installation, in order to facilitate meaningful independent evaluation of the potential for those activities to result in disturbance to aquatic life or adjacent terrestrial species and the likely effectiveness of any proposed mitigation measures.

Invasive Species: The NOP states that restoration of the Sanctuary would involve removing non-native and invasive plants, cleaning up flood debris, and planting native species at varying densities across 500 acres of the Sanctuary. Although some of the construction activities mentioned in the NOP are designed primarily to reduce or control the coverage of these plants, the draft EIS/EIR should also analyze how other activities in the channel, such as bank protection or sediment removal, may affect the spread of these species.

Bank Protection: The NOP identifies several bank protection options which may be implemented as part of the proposed Project. The CSLC staff recommends the determination of the preferred bank protection measure or combination of measures

along the Sacramento River include consideration of the planned improvements to determine the most feasible armoring and benefit to the existing upstream revetment.

Vegetative Habitat: A key construction activity to be analyzed is the control and removal of non-native and invasive vegetation to be replaced by planting native species at varying densities across the 500 acres of the Sanctuary. Both types of vegetative cover, however, can provide cover and foraging habitat for birds and other animal species. The draft EIS/EIR should include a discussion on the current level of use by these species and the potential temporary impacts that vegetation removal activities may have on the availability of habitat for resident or migratory birds and other species. If the ultimate suitability of the enhanced site is expected to be sufficient to offset any potential temporal impacts on these species, the draft EIS/EIR should pay particular attention to including restoration success criteria, remedial measures, and time frames for completion of the restoration so that the effectiveness of that habitat is assured.

Climate Change

A greenhouse gas (GHG) emissions analysis consistent with the California Global Warming Solutions Act (AB 32) and required by section 15064.4 of the CEQA Guidelines should be included in the draft EIS/EIR. This analysis should identify a threshold for significance for GHG emissions, calculate the level of GHGs that will be emitted as a result of the proposed Project's construction activities, determine the significance of the impacts of those emissions, and, if impacts are significant, identify mitigation measures that would reduce them to the extent feasible. The analysis in the draft EIS/EIR should pay particular attention to the possibility of cumulative impacts of GHG emissions.

Cultural Resources

The draft EIS/EIR should include an evaluation of potential impacts to submerged cultural resources in the Project area. Any submerged archaeological site or submerged historic resource remaining in state waters for more than 50 years is presumed to be significant. The title to all abandoned shipwrecks and all archaeological sites and historic or cultural resources on or in the tide and submerged lands of California is vested in the state and under the CSLC's jurisdiction. The CSLC maintains a shipwrecks database, available at <http://shipwrecks.slc.ca.gov>, which can assist with this analysis; however, the location of many shipwrecks remains unknown. The recovery of objects from any submerged archaeological site or shipwreck requires a salvage permit from CSLC, pursuant to PRC section 6309.

Mitigation measures should be developed to address any submerged cultural resources that may be affected by the Project and any unanticipated discoveries during the Project's construction. CSLC staff would like to review the proposed mitigation measures and requests that CDFG consult with CSLC staff, should any cultural resources be discovered during construction of the Project.

Hydrology and Water Quality

CDFG should disclose and analyze the Project's potential to adversely affect water quality. Such impacts are likely to include increased turbidity and sedimentation from bank stabilization, any channel construction, dredging and sediment removal, and potential pollution from equipment spills or mobilization of pollutants from the dredged or removed soils. For any effects found to be potentially significant, the draft EIS/EIR should identify feasible mitigation measures that would avoid or lessen such effects.

Recreation

As public access and recreation on State lands are key Public Trust values, CSLC staff requests that the draft EIS/EIR analyze the proposed Project's short-term and long-term impacts on recreation resources, both during and after the construction and implementation of the Project's permitted activities. For any significant effects, the draft EIS/EIR should identify feasible mitigation measures to avoid, lessen, or if appropriate, compensate for impacts.

CSLC staff appreciates the opportunity to comment on the NOP for the proposed Project. As a trustee and potential responsible agency, the CSLC may need to rely on the EIS/EIR for the issuance of any new lease as specified above and, therefore, we request that you consider the comments contained herein and any comments we may subsequently provide on the draft EIS/EIR. Please send additional information on the proposed Project to the CSLC staff identified below as Project details and locations of bank protection measures are developed.

If you have any questions concerning the CSLC's leasing jurisdiction, please contact Ninette Lee, Public Land Manager at (916) 574-1869 or by e-mail at Ninette.Lee@slc.ca.gov. For questions or comments related to environmental review, please contact Christopher Huitt, Staff Environmental Scientist, at (916) 574-1938 or by e-mail at Christopher.Huitt@slc.ca.gov. For questions involving archaeological or historic resources under CSLC jurisdiction, please contact Staff Counsel Pam Griggs at (916) 574-1854 or by email at Pamela.Griggs@slc.ca.gov.

Sincerely,



Cy R. Oggins, Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
N. Lee, CSLC
C. Huitt, CSLC
P. Griggs, CSLC