

Colusa-Sacramento River State Recreation Area

Preliminary General Plan and Final Program Environmental Impact Report



Response to Comments

April 15, 2016



Colusa-Sacramento River State Recreation Area

**Preliminary General Plan and
Final Program Environmental Impact Report**

State Clearinghouse No. 2014062053

Response to Comments

April 15, 2016

Edmund G. Brown, Jr.
Governor

John Laird
Secretary, Natural Resources Agency

Lisa Mangat
Director, California State Parks
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CHAPTER 1: INTRODUCTION

This document is organized as follows:

Chapter 1 INTRODUCTION describes the organization of this Final EIR, and provides a brief overview of the public review process for this GP/DEIR.

Chapter 2 LIST OF COMMENTERS provides a list of all written comments received on the GP/DEIR during the public review period.

Chapter 3 COMMENTS AND RESPONSES provides a complete copy of, and responses to, all written comments received on the GP/DEIR during the public review period.

Chapter 4 MASTER RESPONSES provides responses to issues expressed in several of the written comments reproduced in Chapter 3. Common themes or concerns that were repeated in several comment letters are addressed in this chapter through a series of master responses.

Chapter 5 RECOMMENDED CHANGES TO THE GENERAL PLAN provides a reproduction of portions of the GP/DEIR with proposed revisions to text and illustrations made in response to comments. These changes will be incorporated into the GP/DEIR if approved by the California State Park and Recreation Commission to create the final General Plan.

Public review process:

On February 8, 2016, California State Parks (DPR) released to the general public and public agencies the Preliminary General Plan (GP) and Draft Program Environmental Impact Report (DEIR) for the Colusa-Sacramento River State Recreation Area (the Park). The proposed GP will guide development and future management of the Park. It contains a comprehensive and integrated set of goals and guidelines for the development and long-term management of the Park that focuses on protection of environmental resources, activities and facilities, provisions of visitor use and opportunities, administration and operations, interpretation and partnerships.

The DEIR included in the GP contains the environmental analysis of potentially significant effects resulting from implementation. Together, the DEIR and this document, including responses to comments, constitute the Final Program Environmental Impact Report for the General Plan.

In accordance with Public Resources Code Section 21091 and California Environmental Quality Act (CEQA) Guidelines Section 15087, a 45-day public review period for the GP/DEIR was provided. The public was advised of the availability of the GP/DEIR through:

- A legal notice placed was placed in the Colusa Sun-Herald on February 17, 2016.
- A newsletter and notice were distributed in February 2016 to an email contact list of interested parties (about 90 addresses) and a mailing list of 17 adjacent property owners
- Notices and a copy of the draft Plan were posted at local libraries, Colusa City Hall and on the California State Parks web site www.parks.ca.gov/ColusaGP
- Notification was posted at the Park
- The Colusa City Council discussed the Plan on March 15, 2016 in a publicly-noticed meeting at Colusa City Hall.
- The Notice of Availability and Intent to Adopt was distributed along with publication of this Preliminary GP/DEIR as required by CEQA.

The public review period for the GP/DEIR ended on March 24, 2016. During the public review period, comments were received from several agencies and individuals. This document provides these written comments and responses to them. The focus of the responses is on the disposition of environmental issues that have been raised as specified by CEQA Guidelines Section 15088(b). The responses also include issues relating to planning considerations of the General Plan.

Disposition of Comments

CEQA Section 21091(d) and CEQA Guidelines Section 15088 require that the lead agency evaluate comments received during the noticed comment period and prepare a written response for each comment relating to any significant environmental issues raised in the Draft EIR. The written responses describe the nature of any significant environmental issues raised and provide a good-faith, reasoned analysis in response. The range of responses include providing clarification of the GP/DEIR, making factual corrections, explaining why certain comments may not warrant further response, or simply acknowledging the comment for consideration by the decision-making bodies.

Many of the comments received were related to the plans and programs for the Park, rather than the analysis in the DEIR. CEQA only requires responses to the significant environmental issues raised in a DEIR, rather than to the merits of the proposed project. However, in the interest of working cooperatively through issues that reflect the general interests of the public and important planning partners and stakeholders, California State Parks has responded to all comments received during the public comment period, regardless of whether they relate to the plans and programs for the Park or the DEIR. Adjustments to the Plan are proposed where further study is required or additional deliberation with stakeholders is necessary.

No comments were received on the DEIR that resulted in the discussion of any new impact or in a change in the significance level of impacts disclosed in the DEIR, or that required new mitigation, consideration of new alternatives, or any other substantial change to the DEIR. Changes made to the DEIR in response to comments are limited to corrections of minor errors and omissions.



CHAPTER 2: LIST OF COMMENTERS

COMMENT #	COMMENTS	ORGANIZATION	DATE RECEIVED
1	John Ketelhut	Colusa Paranormal Museum	2/9/2016
2	ctsnowfighter12		2/22/2016
3	Warren Halsey	Yosemite Pacific Partnership	3/2/2016
4	James Kinter	Yocha Dehe Wintun Nation	3/4/2016
5	Cy R Oggins	State Lands Commission	3/21/2016
6	Tom Batter, Sophie Preckler-Quisquater	UCDavis Mammalian Ecology and Conservation Unit	3/18/2016
7	Joshua Bush	California Department of Fish and Wildlife	3/21/2016
8	Stephanie Tadlock	Central Valley Regional Water Quality Control Board	3/15/2016
9	Woody Elliott	California Native Plant Society, Mt Lassen Chapter	3/24/2016
10	Lucas Ray RossMerz	Sacramento River Preservation Trust	3/24/2016



CHAPTER 3: INDIVIDUAL COMMENTS AND RESPONSES

This chapter provides a complete copy of, and responses to, all written comments received on the GP/DEIR during the public review period. The numbered code to the right of the comment paragraph corresponds to the response code in each table below.

Issues relevant to the EIR per CEQA Guidelines Section 15088(b) are indicated by an asterisk (*) next to the appropriate comment paragraph. No response is required for issues not relevant to the EIR.

Letter 1. John Ketelhut, Colusa Paranormal Museum

From: god realized [<mailto:satsangbeautiful@gmail.com>]
Sent: Tuesday, February 09, 2016 9:15 PM
To: General, Plan@Parks
Subject: Colusa Recreation Area

I had a meeting with Cheryl Essex years ago. My concern is that the Plan doesn't have any REAL historic relevance.

1A*

My name is John Ketelhut. My home is across the street from the river levee park at 741 Main St, Colusa, Ca.

1B

I opened a museum some years ago, 2011, after a construction of a 7 foot hole in the back yard revealed a 500 year old native American grave identified by Chico State University, John Furry PHD, Anthropologist as a 35 year old woman and a 10 year old child. They are from the Pit River Tribe. The name of the museum was "Paranormal Museum and experience center". It housed as it does now, "non ordinary realities of space time and other dimensional beings that consider themselves, "still alive".

1980's . Next door at 745 Main street, 2 human skeletons were exhumed from the cellar and thrown away by the construction crew that put down the concrete slab in the cellar. When the skeletal remains were found at my place, I needed a attorney, Lanny Winberry to rectify the accidental exhumation or prehistoric burial site. Lanny is contracted by the State of California for Indian burials, from Shasta to Mt Diablo when these occurrences happen publically, like at 5th and main street, when a utility crew unearthed bones. Albeit animal bones, but they learned the correct protocol after the debaucher imposed on me by incompetence in the police department, and the sheriff corners department, even CSUC anthropology department during the months after exhumation.

Retired Anthropology Lab Professor Dr John Furry is my consultant and determined the correct lineage of endian ancestry Pit River Tribe. John Furry also was the lead investigator in the little known fact that in 1421 a Chinese Junket from Gangues Chan empire sunk 7 miles up river, and its still there untouched because the Smithsonian didn't want to pay the land owners for access.

4 miles up river is where "The Colusa" steam boat built by Robert Semple, (California Constitution draftsman) ran on a gravel bar rounding "Devils Hackel", there Charles Semple and Willis Green and the ocean going captain unloaded the cargo to build the town Colusa up river to where it is now. Robert Semple directed them to present day Colusa because it is the deepest part of the river. Willis Green reported, It was built on Indian Ruins.....COLUSA IS BUILT ON A INDIAN GRAVE YARD.

2001 Fiber optic Contractors trenched through the front of the Colusa Court House and unearthed Indian graves...INTACT. The Colusa court house was built after the mound, 200 feet in diameter and 6 feet high 150 feet from the river was MOWED DOWN and used as FOUNDATION for the COURT HOUSE. Willis Green built his home across the court house as well as the old library, present day police station.

1B

Haunted, Ghost in every home and business, suicide, depression, Sept 10th 1976 UFO on CBS News...Google it....This is what people of Colusa told me when I moved there and bought the old Chinatown building...Why did I buy...because all my life I follow the spirit realm, direction from the other side....Discernment, truth and consequences and dreams that are more real than life....One dream I had, 4 men, 1 roman looking man with grey eyes and 3 blond tall men supposedly from Andromeda Galaxy were standing in a huddle in front of the building I own now. This was August 2006, I can tell you....I was brought to Colusa to fight EVIL...in this upside down world that drug me through hell....because it was meant to be, since my AWAKENING at 3 years old.

(Shaman...To Know...).The ones that lived, consider themselves still alive. They and all others speak to me daily....

Your intention should be to honor the past...the real past....not the MASONS or the KNIGHTS Templars, or the DRUIDS, or the Good Templars, Knights of Columbus, Odd Fellows, Arch Masons, Orange Masons, CLAMPERS....
Listen....The ones that Massacred in 1843 - 3,000 men and women native American children on the spot you want to build on are all EVIL. You go with the flow on this and it will haunt you and what I mean by this, is to cover up the truth that needs to be told and respected....

1C

You are not separate from the Creator of all things, you are in the Creator of all things and your intentions will be your fate...good or bad...what's in your heart will be revealed for purification, because you are on SACRED GROUND....NOT A GARBAGE DUMP.

1D*

I asked Cheryl Essex to listen and her heart is cold and the State of California politician's ears are of the Devil, the red and the blue ones the Madu tribe speak of. The red reptilian with yellow eyes and the blue one with tarus bull horns....The red eats the Heart and the blue eats the flesh and the multitude of animals eat the organs. IT is WHAT these ancient peoples stories are...I have seen and then found the story....THIS WORLD IS NOT WHAT IT SEEMS....and Colusa is the Non ordinary reality the Phtah, the civilization from outside and inside our galaxy and earth are residing now, on the surface...be careful, not everyone is human.

Sincerely, John Ketelhut, 530-777-6828
741 Main St. Colusa, Ca. 95932

Response #	Response	Plan Changes Page & Paragraph #
1A	The paragraph states that the plan does not have any real historic relevance. Historic research was conducted by two individuals who meet the Secretary of Interior Guidelines and therefore the Department of Parks and Recreation criteria for conducting cultural resource research for CEQA projects were met. In addition to cultural history discussion in Section F. Cultural Resources (GP pages 58-68), the DEIR addresses Impacts to Cultural and Historic Resources (Impact Cul-1 GP page 183), Paleontological Impacts (Impact Cul-2 GP page 183), and Disturbance to Human Remains (Impact Cul-3 GP page 184) and requires implementation of GP guidelines. Furthermore, DPR Operations Manual (DOM) policies will reduce potential impacts to any cultural resources found.	none
1B	Thank you for the information; however, these paragraphs present information about areas outside the footprint of the project.	none
1C	Please refer to GP pages 152-157 which details Interpretation and Education Plans for the park, including California Indian topics.	none
1D	Please refer to GP pages 65 and 68 for information about the former Colusa City Dump. In addition, the DEIR discusses potential archaeological resources within the former Colusa City Dump and requires implementation of GP guidelines to reduce potential impacts to these resources (Impact Cul-1 Impacts to Cultural and Historic Resources, GP page 183). Also the Phase One Environmental Site Assessment identified potential contamination to soil and groundwater due to historic use of the property as a landfill and outlines guidelines and policies to reduce potential hazards due to this site (Impact Haz-1 Potential Impacts Associates with Hazardous Sites, page 190). The rest of this comment expresses general opinion that is not relevant to the EIR.	none

Letter 2. Ctsnowfighter12

From: - <ctsncwfighter12@yahoo.com>
Sent: Monday, February 22, 2016 1:44 PM
To: General, Plan@Parks
Subject: Colusa Boat Ramp

1. Demonstrate for the General Population and Taxpayer how this is going to provide for a "better bang for our buck".

2A

2. Colusa State Park was given to the City of Colusa to operate for a period of time in part due to lack of use and general expense to the State Parks. Usage remains low and always has been with few exceptions of special events.

2B

3. Special interest groups are behind the big push - this will in reality provide little or any economic gain to the City as a whole. It will however tax the resources of all services provided by the county, city and state.

2C

4. Boat ramp services are now available within 2 miles of this site and are built in a location the river has little if any chance of changing channel or currents. Ample parking is or will be available as demand/use require.

2D

5. Impacts to the clearance and additional safety margins near the Colusa Water Works will be adversely affected by any changes in river side egress or ingress. The river has changed course here for a great distance all brought about by upstream changes as far North as Red Bluff. These changes effect flow velocity and will only continue as long as the river is allowed to be somewhat natural and less channel restricted as it is from Colusa to the Delta.

2E*

6. Without detailed sub-surface exploration and compaction -could expose old China Town and the underground works, additional expenses to backfill and provide necessary flood protection may be necessary and required.

7. Populating the riparian areas of the State Park were proven to be expensive and flood prone. Any infrastructure would require high maintenance.

2F

8. People do not want to camp or be exposed to the many vectors present within the riparian areas of the Sacramento River basin. Mosquitoes, gnats, rodents, skunks, etc are present including rattlesnakes. Placing a campground within this riparian area is without having spent any time and is based solely on ones lack of knowledge!

2G

Prior to entertaining this though - maybe one would like to attempt a camping experience in summer with the heat, humidity and various vectors. Any light sources will aggravate the situation by drawing more insects and their predators.

In Short -- this is a bad idea from the start - based upon monetary gains for a few and great expenses to the taxpayers. It should have been shelved long ago, yet it continues to be a bottomless pit eating our taxdollars with no benefits.

Thanks for the opportunity to respond - I hope others will follow suit and use reality and not dreams to base opinions upon.

Response #	Response	Plan Changes Page & Paragraph #
2A	The GP/DEIR does not, and is not required to, provide an economic analysis. CEQA Guidelines, including Sections 15064 and 15131, do not require a DEIR to evaluate economic or social changes that may result from a project, except to the extent they cause physical changes to the environment.	none
2B	Please refer to GP pages 25-26 for Park attendance and Appendices F and G for city operating agreements.	none
2C	The GP/DEIR does not, and is not required to, provide an economic analysis. CEQA Guidelines, including Sections 15064 and 15131, do not require an EIR to evaluate economic or social changes that may result from a project, except to the extent they cause physical changes to the environment.	none
2D	Please refer to GP page 18 for private outdoor recreation facilities, including the Colusa Landing boating facility, where a new boat ramp was installed adjacent to Steelhead Lodge.	none
2E	Please refer to GP page 104-105 for information about the proposed City of Colusa Boat Launching Facility in Colusa Levee Scenic Park. In addition, Impact Hyd-3 Potential Alteration of the Course of Stream or River Impacts (GP page 196) of the DEIR requires implementation of GP guidelines to reduce potential alteration impacts to the river, including NRM-1A (encourage, design, and implement projects that allow a more natural Sacramento River meander; limit projects that would require bank revetment); NRM-1B (monitor river course changes and erosion); NRM-10B (conduct or review recent hydrologic analyses before locating new facilities in the floodway, construct new infrastructure and facilities in areas less likely to impact natural processes); VF-1B (facilities and infrastructure construction or protection should not compromise natural river meander); and RIPMZ-2D (Infrastructure or facility construction and protection should not compromise natural river meander). Please contact the City of Colusa regarding potential environmental effects of their project, as the boat ramp is outside the Park boundary.	none

2F	DPR recognizes the difficulty of managing facilities within the floodway. Please refer to GP pages 101-102 for an analysis of floodway management challenges adequate for the GP/DEIR.	none
2G	Please refer to GP pages 109-111 for an analysis of overnight accommodations, based on several studies, which indicate the need for the GP-recommended facilities.	none

Letter 3. Warren Halsey, Yosemite Pacific Partnership

YOSEMITE PACIFIC PARTNERSHIP

P.O. Box 189
Monroe, OR 97456

TEL.: 541/847-5733
FAX: 541/847-5346
E-mail: WSHALSEY@aol.com

February 25, 2016

Cheryl Essex
California State Parks
One Capitol Mall, Suite 410
Sacramento, CA 95814

RE: Colusa – Sacramento River, State Recreation Area
Preliminary General Plan and Draft Environmental Impact Report

Gentlepersons:

As long-time Park supporters and owners of farmland immediately adjacent to the Proposed Colusa-Sacramento River State Recreation Area, we, (Yosemite Pacific Partnership), owners of APN #015-070-115-000 have the following specific concerns as they relate to mis-stated facts and apparent abandonment of our agreements and understandings with the Department of Water Resources and State Parks representatives from 2008 to 2012:

1. References to the road on the north end of the "Park" shown on F162.3, "*Existing Circulation, Land Use, and Facilities,*" are shown as a Park Road, (see index). IN FACT, this road is located on the land of Yosemite Pacific and not the former Ward Tract. This is clearly visible on the State EIR map F162.3. The Park Boundary has been surveyed and is clearly marked, generally being 50' to 100' south of the Yosemite Pacific road.

On page 76, it is stated: "*Public vehicular access to the RESTORATION PROJECT AND RIPARIAN AREA FROM ROBERTS ROAD is currently restricted by a locked maintenance gate. Access on single land natural surface roads is restricted to authorized DWR and California State Park vehicles, and farm equipment servicing private property on the Park's northern boundary. Refer to the Department's Land Ownership Record dated 2/26/2013 for*

3A

information regarding access easements.” Yosemite Pacific is unaware of any documents granting the State access over our road, other than to inspect compliance with Yosemite Pacific’s Conservation Easement. This is not a park road. PLEASE EXPLAIN THIS DISPARITY, and specifically provide the documents supporting the State’s position. Quite to the contrary, however, the DWR and State Parks recognized our exclusive right to the road as early as 2009 when Yosemite Pacific granted River Partners a temporary right to use Yosemite Pacific’s road and electrical panel for the purpose of obtaining power and access for the proposed irrigation well for the Restoration Project. (See attached Agreement between Yosemite Pacific and River Partners, dated April 30, 2009.) (Yosemite Pacific Exhibit A)

3A

By way of omission, there is no mention of the 1,000 foot set back of the campground from Yosemite Pacific’s property which was agreed to in 2009 with DWR. (See e-mail dated April 6, 2009, from Denise Reichenberg to W.S. Halsey.) (Yosemite Pacific Exhibit B)

3B

“The State Parks recreation map will move the campground to the south away from your property line. It will still be in the savanna but as far south as possible. This should move the campground approximately 1000 feet from your property line. ; We also do not intend to have the service road running near your property line. We will bring the road south near the campground and then to the parking area on the south east of the parcel. There will be no need for us to continue a service road farther north since the campground will not be there. Water Resources and River Partners may need to use the existing access road to service the well. That will be an agreement you have with them since the road is on your property.”

Rather than state this campground setback, under the EIR you simply recommend that State Parks discuss issues with Landowners, completely ignoring what was already agreed to in gaining our support for temporary use of our road and electrical panel.

2. Following expiration of our License Agreement with River Partners in 2011, DWR requested “to continue the power supply and access to the well on an unimproved farm road to irrigate the restoration mitigation site.” (See e-mail from Caitlin E. Reddy (DWR) to W.S. Halsey, dated November 29, 2011.) (Yosemite Pacific Exhibit C)–Failing willingness to address the lot line adjustment, DWR (or

3C

State Parks) built a road directly south from the well on the State Park lands in order to bring in and out a portable diesel power unit for the well. This road is also not shown on the map F162.3.

3C

3. The irrigation well shown on the NE corner of the Park is mis-located. It is actually located immediately adjacent to Yosemite Pacific's boundary, approximately 300 feet to the north, (Figure 2.7: Hydrology).

3D

4. The Restoration Project immediately adjacent to the northern Park Boundary is shown as Valley Oak forest, (F162.11). The Restoration along the northern boundary failed due to abandonment of irrigation circa 2012. By any standard, it does not meet the criteria for an established forest or successful restoration. Is this Restoration Area being abandoned with no further work? (It was specifically designed as a buffer between the Park and Yosemite Pacific's farmland following the field meeting including Woody Elliott, Senior Environmental Scientist and Denise Reichenberg, Sector Superintendent.)

3E

In summary, after years of supporting acquisition of the Ward Parcel by The Nature Conservancy and subsequent Restoration by Department of Water Resources, and now the expanded State Park, we are frustrated that after numerous on-site meetings and conversations with State officers, our efforts were for naught. It appears that we are now being ignored and/or given vague platitudes. In Chapter 3 the recommendation now being made is for staff to discuss issues with landowners. In theory, this approach is most desirable to facilitating direct resolution of potential conflicts *in advance*. The exhibits presented with this document (Yosemite Pacific's Exhibits A,B,C and D) represent only some of the communications between Yosemite Pacific and CA parks, yet demonstrate the unfortunate fact that this approach has not proven adequate for addressing conflicts between the Park and adjoining landowners, such as safety, trespass, signage, road ownership, dust, noise, etc. Trespassing continues to be a grave problem, as belligerent and threatening trespassers, including hunters, claim our land is Public.

3F

We remain in favor of a Park concept and consider that selling Yosemite Pacific's parcel to the State may be a viable plan in the future. However, we are strongly opposed to the Park and EIR documents as currently presented. We are happy to continue discussions to resolve these conflicts *in advance*, but not after the fact.

Yosemite Pacific continues to be willing to provide the Park with access to the unimproved road north of the Park for administrative use as well as access to Yosemite Pacific's electrical panel in order to run the pump for further restoration provided a mutually beneficial agreement is reached.

As presented we believe the Colusa-Sacramento River State Recreation Area, General Plan and EIR are neither complete nor accurate. They should not be approved without modifications to address the issues presented herein.

3G*

Thank you for giving Yosemite Pacific, as an adjacent Landowner, the opportunity to review the document and address errors and issues of particular concern.

Yours truly,



Warren S. Halsey

For: Yosemite Pacific Partnership

NOTE: The attached Exhibits A through D have not been reproduced here, but are part of the administrative record and available upon request.

Response #	Response	Plan Changes Page & Paragraph #
3A	<p>The GP does not supersede any existing agreement or constitute abandonment of any agreements previously made with DPR or DWR. The DPR does not dispute that there is a road on Yosemite Pacific Partnership’s parcel just north of the Park boundary. Please note the disclaimer on Figure 2.3: “Parcel boundaries are approximate and should not be considered legal descriptions. Maps are intended for study purposes only.”</p> <p>Figure 2.3 and most other GP exhibits use aerial imagery that is not based on field surveys. Aerial imagery, even with its known inaccuracies in georeferencing (locating an image accurately in regards to known geographic coordinates), is helpful in illustrating land use concepts to the general public. While the DPR cannot adjust the aerial imagery, the DPR will remove the inaccurate depiction of a State Park Road on your property. The access easement referenced does not give the State access over the referenced property or road.</p>	Page 15, Figure 2.3
3B	<p>The GP sets the overall goals for park management and provisions for public use. It does not define project-level development specifics, such as the layout and design of facilities. Please refer to Master Response A: Purpose of State Park General Plans and the Scope of Environmental Analysis. Because conditions may change in the 20-year expected life of the GP, the GP includes Goals and Guidelines that are flexible enough to respond to these changes, such as Goal O&M 3 on GP page 151 and the adaptive management process illustrated on Table 4.2 on page 146.</p>	none
3C	<p>Figure 2.3 on GP page 15 is not intended to illustrate all existing roads.</p>	none
3D	<p>Thank you for the information. The irrigation well on the northeast corner of the park is incorrectly depicted on Fig 2.7, “Hydrology.” This will be noted and corrected.</p>	Page 30, Figure 2.7
3E	<p>The status of the DWR restoration project was envisioned to be a three to five year effort, with additional efforts taken since then to maintain restoration progress. DWR and DPR have continued to monitor the project. To respond to your comment, DPR requested clarification from DWR on April 4, 2016 on the status of the project. Due to the four year drought, growth of vegetation has slowed; however, it is still considered to be within the success criteria of the project. DPR and DWR will continue to monitor this project.</p>	none

<p>3F</p>	<p>The GP sets the overall goals for park management and provisions for public use. It does not define project-level development specifics, such as the layout and design of facilities. Please refer to Master Response A: Purpose of State Park General Plans and the Scope of Environmental Analysis. Because conditions may change in the 20-year expected life of the GP, the GP includes Goals and Guidelines that are flexible enough to respond to these changes, such as Goal O&M 3 on GP page 151 and the adaptive management process illustrated on Table 4.2 on page 146.</p> <p>Unauthorized access and trespass onto State and private properties are experienced around California. The State's responsibility is to ensure the public's safety and to manage and protect state properties and its resources. Private property owners have similar responsibilities to protect their property. DPR encourages land owners to report concerns and issues with trespassers and other impacts from Park visitors. Park management has not had any report of concerns in the past two years about the type of activity mentioned. Please consider reporting illegal activities to the Northern Buttes District office at (530) 538-2200. The GP includes an adaptive management process, illustrated on Table 4.2 on GP page 146, Goal VF 14 on GP page 141 regarding Park boundary signage, to address these issues.</p>	<p>none</p>
<p>3G</p>	<p>Please refer to response 3B above.</p>	

Letter 4. James Kinter, Yocha Dehe Wintun Nation



March 4th, 2016

Cheryl Essex
One Capitol Mall, Suite 410
Sacramento, CA 95814

RE: Colusa-Sacramento River SRA, Colusa County

Dear Ms. Essex:

Thank you for your comment request letter dated February 5, 2016 regarding the proposed Colusa-Sacramento River SRA Project, Colusa County, CA. We appreciate your effort to contact us.

The Cultural Resources Department has reviewed the project and concluded that it is within the aboriginal territories of the Yocha Dehe Wintun Nation. Therefore, we have cultural interest and authority in the proposed project area.

We would like more information on your project can you please send us the following information: Cultured Resource Study?

Based on the information provided, Cachil Dehe Band of Wintun Indians of the Colusa Indian Community may have cultural interests in the area. We ask that you also provide them with a copy of the information you sent us. Their contact information is provided below:

Cachil Dehe Band of Wintun Indians
3730 Highway 45
Colusa, CA 95932
P: (530) 458-8231

Should you have any questions, please feel free to contact Mr. James Sarmento, Cultural Resources Manager, at 530.723.0452 or via email at jsarmento@yochadehe-nsn.gov.

Please refer to identification number YD – 12102013-02 in any correspondences concerning this project.

Thank you for providing us with this notice and the opportunity to comment.

Sincerely,

James Kinter
Tribal Secretary
Tribal Historic Preservation Officer

Yocha Dehe Wintun Nation
PO Box 18 Brooks, California 95606 p) 530.796.3400 f) 530.796.2143 www.yochadehe.org

4A

Response #	Response	Plan Changes Page & Paragraph #
4A	No specific comments on the GP/DEIR are included. As requested, cultural studies have been mailed to the Yocha Dehe Wintun Nation and the Cachil Dehe Band of Wintun Indians.	none

Letter 5. Cy R Oggins, State Lands Commission

STATE OF CALIFORNIA

EDMUND G. BROWN JR., Governor

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



Contact Phc
Contact F

Established in 1938

JENNIFER LUCCHESI, Executive Officer
(916) 574-1800 Fax (916) 574-1810
California Relay Service TDD Phone 1-800-735-2929
from Voice Phone 1-800-735-2922

March 21, 2016

File Ref: SCH # 2014062053

Cheryl Essex
California State Parks
One Capital Mall, Suite 410
Sacramento, CA 95814

Subject: Draft Programmatic Environmental Impact Report (Draft PEIR) for Colusa-Sacramento River State Recreation Area General Plan, Colusa County

Dear Ms. Essex:

The California State Lands Commission (CSLC) staff has reviewed the subject Draft PEIR for the Colusa-Sacramento River State Recreation Area General Plan Project (Project), which is being prepared by the California Department of Parks and Recreation (DPR). The DPR, as the public agency proposing to carry out the Project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The CSLC is a trustee agency for projects that could directly or indirectly affect sovereign lands and their accompanying Public Trust resources or uses. Additionally, because 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 lakes and waterways. The CSLC also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6009, subd. (c), 6301, 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of 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 lakes and 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 but are not limited to 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 areas of fill or artificial accretion or where the boundary has been fixed by agreement or a court. On navigable non-tidal waterways, including lakes, the State holds fee ownership of the bed of the waterway landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high water mark, except where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present day site inspections.

Based upon the information provided and a review of in-house records, staff has determined that the existing ramp in the Channel and the proposed ramp in the Sacramento River (River), as proposed, will be located on State-owned sovereign land under CSLC's jurisdiction. On May 27, 1976, the CSLC authorized a 49-year Public Agency Permit, PRC 2699.9, to the DPR. This Permit, which expires on March 6, 2025, authorized a floating wharf for use as a safety wharf for boaters, and fishing platform, on the River. The Draft PEIR explains that these structures no longer exist. Instead, there is a boat ramp in the Channel under CSLC's jurisdiction but not previously authorized by the CSLC. CSLC staff requests that the DPR contact George Asimakopoulos in the Land Management Division (LMD; see contact information below) to obtain a formal authorization and amendment of Permit PRC 2699.9 for the use of sovereign land for the existing boat ramp in the Channel, ongoing dredging in the Channel, and proposed boat ramp (outside of the Park boundaries for which CSLC provided the attached comment letter on January 24, 2013) in the River.

5A

Project Description

The DPR proposes to update the General Plan (GP) that was adopted in 1957 for the Colusa-Sacramento River State Recreation Park (Park) to meet the agency's objectives and needs as follows:

- Identify the current land ownerships;
- Evaluate resources conditions; and
- Evaluate Park management and opportunities for the next 20 years or more.

The Park is approximately 359 acres. Much of the Park is undeveloped and within the River floodway because the River's eastern riverbank meanders resulting in changing the Park's size. From the Project Description, CSLC staff understands that the proposed Project would be in the following areas of the Park with the following characteristics shown in Figures 2.3, 2.6, and 5.2:

- Restoration Project. This area is about 137 acres (102 acres of riparian forest [including three acres for access and parking] and 35 acres are native grassland). It is expected to flood up to about 25 feet every 1-4 years, on average, with the deepest and most frequent flooding near the River (Draft PEIR page 34). There are no facilities on this portion of the Park. It was re-vegetated in 2009 after it was inventoried for natural and cultural resources.
- Riparian Area. This area is about 205 acres of mature trees and dense undergrowth that transition into younger stands and occasional beaches along

the River's edge. The area is expected to flood up to about 25 feet every 1 to 4 years, on average, with the deepest and most frequent flooding near the River (Draft PEIR page 34). There are a few large Valley oak trees, tall cottonwood trees, dense California wild grape, non-native blackberries, figs, willow and other native and non-native plants. Much of this area was either formed over the last 40 years as the River adjusted its course, previously farmed, or previously modified by recreational development. The riverbank is eroding and accreting regularly, with steep sandy banks in many areas that limit safe access for fishing, boating and swimming. This area has not been recently surveyed for natural or cultural resources due to the vegetation density.

- Channel. The Channel, bed, and banks is under CSLC's jurisdiction and outside the Park's boundary. It floods almost every year up to 28 feet from Channel bed (Draft PEIR page 123). The River is often inaccessible unless the Channel is regularly maintained through a costly sediment dredging operation. Resource protection and regulatory compliance requirements make the process for acquiring dredging permits expensive and lengthy. Therefore, dredging did not occur between 2006 and 2014.
- Southwest Parcel. This area is about 6 acres and is the Park's core developed area. It is protected from the River flooding and disconnected from the rest of the Park by the levee and Roberts Road. About 4.5 acres of native riparian forest were planted in the reclaimed borrow pit in 2001 around an-acre stand of native vegetation. A maintenance shop, carport, hazardous materials building and storage building serve the Park.
- Southeast Parcel. This area is about 11 acres of relatively flat landwill that was closed in the 1950s. This area, which is the Park's core developed area, typically floods at least once every 4 years. This area was first developed in the 1950s and 1960s including the following facilities:
 - Restroom/shower building and 14 campsites. Two sites are currently used for a camp host.
 - Entrance building, restroom building, interpretive panel structure, and picnic tables.
 - Boat launch ramp and parking lot.
 - Roadways.
- Levee. The levee protects the Southwest Parcel from being flooded. It is maintained by the Department of Water Resources.

The Draft PEIR (starting on page 226) identifies the following alternatives: No Project Alternative, Minor Recreation/Habitat Focus Alternative, and Moderate Recreation Alternative. One of the major differences between the two alternatives (excluding No Project Alternative) is the construction of a boat launch ramp in the River to the south of the Southeast Parcel as seen in Figure 4.1. Even though the Draft PEIR does not identify an Environmentally Superior Alternative, it seems like the Moderate Recreation Alternative is preferred because the city of Colusa (City) is moving forward with the boat ramp (see the bottom of www.parks.ca.gov/?page_id=27289).

5B*

Environmental Review

CSLC staff requests that the DPR consider the following comments on the Project's Draft PEIR.

General Comments

1. Previous CSLC Comment Letter: Many of the previous Notice of Preparation (NOP) comments in the CSLC comment letter submitted on July 21, 2014 (see attached) appear to be still outstanding based on the following statement on Draft PEIR page 5:

“Tiering is a process where a lead agency prepares a series of EIRs or Negative Declarations, progressing from general concerns (program) to more site-specific evaluations (project) with the preparation of each new document (State CEQA Guidelines Section 15152). This GP also serves as a first-tier (program) EIR, as defined in Section 15166 of the State CEQA Guidelines, and will be a reference for future environmental documents that could provide more detailed information and analysis for site-specific developments and projects.”

The CSLC staff requests that the comments in CSLC’s July 21, 2014, letter and this present letter be considered as these subsequent documents are prepared.

2. Existing Boat Ramp in the Channel: The existing boat ramp in the Channel was not authorized by the CSLC in 1976 under the 49-year Public Agency Permit PRC 2699.9. The CSLC only authorized construction and operation of a floating wharf for use as a safety wharf for boaters and a fishing platform as explained in the CSLC Jurisdiction and Public Trust Lands section of this letter and on Draft PEIR page 21. CSLC staff requests that the DPR contact George Asimakopoulos in the LMD (see contact information below) to seek formal authorization for the use and maintenance of the existing boat ramp in the Channel as further explained on Draft PEIR page 36.
3. Existing Dredging in the Channel: As explained on Draft PEIR page 19, sediment settling in the Channel requires regular dredging to allow access to the River from the existing ramp. The Draft PEIR does not discuss what happens to this dredged material or how it is disposed. Generally, if dredged materials are commercially marketed they are considered part of the mineral estate which is managed on behalf of the state by the CSLC. Certain arrangements for royalties or the prevention of waste may be required in this circumstance. Therefore, any subsequent CEQA analysis should analyze disposal of dredge materials in the soils section of the environmental analysis for each applicable project.
4. Proposed New Boat Ramp: As stated on www.parks.ca.gov/?page_id=27289, the City is moving forward with the proposed boat ramp analyzed in this Draft PEIR. Because the ramp would be in the River and under CSLC’s jurisdiction,

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the City should contact CSLC staff immediately (see contact information below) to start the necessary application process to obtain a lease from the CSLC. CSLC staff commented on the Mitigated Negative Declaration (SCH # 2012122063) for the City's proposed boat ramp in a January 24, 2013, letter (attached), and sent the City an application during this time to initiate the leasing process, but has not received a lease application for this boat ramp.

5F

5. Mitigation and Monitoring Program (MMP): The Draft PEIR does not appear to include a MMP. Pursuant to State CEQA Guidelines section 15097, a lead agency is required to adopt a program for the monitoring and reporting of mitigation measures imposed to mitigate or avoid significant environmental effects (see www.slc.ca.gov/Info/Reports/Mohave/5.0.pdf as an example). The references to Department Operations Manual (DOM) policies and guidelines may not be sufficient mitigation measures. Also, the DOM should be included in the Appendices and not just referenced as a link (see Draft PEIR page 125).
6. Deferred Mitigation: The mitigation measures currently proposed on Draft PEIR page 125, appear to be deferred. In order to avoid the improper deferral of mitigation, these measures should either be presented as specific, feasible, enforceable obligations, or should be presented as formulas containing "performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way" (State CEQA Guidelines, §15126.4, subd. (a)).
7. Flooding of Restrooms/Sewage Dump Stations: As seen in one of the figures in Appendix L called "Colusa Sacramento River State Recreation Area Draft General Plan Appendix L Core Area Concept Study Regular" or on pdf page 14 (www.parks.ca.gov/pages/21299/files/colusa%20gp%20map%20figure%20completion.pdf), restrooms are proposed in the Southeast parcel which can typically flood up to 8 feet (Draft PEIR page 34) once every 4 years. Regular winter and spring flooding) in the proposed bathrooms and a sewage dump station with its own septic tank and leach field serving the recreational vehicles with sewage tanks in the Southeast parcel (see Draft PEIR pages 2 & 21) may cause human waste to be released to the River. CSLC staff requests that additional details be provided about what measures would be taken to prevent human waste from the bathrooms/sewage dump station entering into the River floodwaters.
8. Recreation: The specific projects should analyze potential Project-related public access impacts to members of the public using the recreational facilities and the River in the Project area. CSLC staff requests that construction-related public access impacts (related to the Channel or the River) be analyzed and appropriate mitigation measures be proposed to reduce any significant impacts.

5G*

5H*

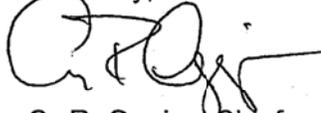
5I*

5J*

Thank you for the opportunity to comment on the Draft PEIR for the Project. As a responsible and trustee agency, the CSLC will need to rely on the Final PEIR for the issuance of any amended/new lease as specified above and, therefore, we request that you consider our comments prior to certification of the Final PEIR.

Please send copies of future Project-related documents, including electronic copies of the Final PEIR, MMP, Notice of Determination, CEQA Findings and, if applicable, Statement of Overriding Considerations when they become available, and refer questions concerning environmental review to Afifa Awan, Environmental Scientist, at (916) 574-1891 or via e-mail at Afifa.Awan@slc.ca.gov. For questions concerning archaeological or historic resources under CSLC jurisdiction, please contact Assistant Chief Counsel Pam Griggs at (916) 574-1854 or via e-mail at Pamela.Griggs@slc.ca.gov. For questions concerning CSLC leasing jurisdiction, please contact George Asimakopoulos, Public Land Management Specialist, at (916) 574-0990, or via e-mail at George.Asimakopoulos@slc.ca.gov.

Sincerely,



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

Enclosures:

1. CSLC NOP Comment Letter submitted on July 21, 2014
2. CSLC Mitigated Negative Declaration Comment Letter submitted on January 24, 2013

cc: Office of Planning and Research
G. Asimakopoulos, CSLC
A. Awan, CSLC
J. Fabel, CSLC

NOTE: The enclosures 1 and 2 have not been reproduced here, but are part of the administrative record and available upon request.

Response #	Response	Plan Changes Page & Paragraph #
5A	<p>The GP does not change operation of the existing boat ramp (built in 1954 by the Colusa County Boat Club), include the ongoing dredging in the Channel, or include operation of the proposed City of Colusa boat ramp. Please refer to Chapter 5: Environmental Analysis, Section C. Project Description on page 169 of the DEIR. DPR contacted CSLC regarding this issue in January 2013 and learned that they were asserting ownership of this Channel. The GP acknowledges the authority of CSLC stating (page 36): “The State Lands Commission has jurisdiction over the bed and bank of the river, and the former river channel, so any encroachments such as boat ramps, docks, or piers must be approved by them.” DPR will continue coordination with CLSC for the use of sovereign lands.</p>	none
5B	<p>Table 5.1 on GP page 220 includes a comparison of the uses proposed under the Minor Recreation/Habitat Focus Alternative, Moderate Recreation Use Alternative, and the Preferred Plan, which are analyzed, along with the No Project Alternative, in the DEIR. In addition to the City of Colusa’s proposed boat ramp, there are significant differences between the three alternatives. As described in Section G. Alternatives to the Preferred Plan, the Minor Recreation/Habitat Focus Alternative was rejected because it does not meet the State Recreation Area Classification objectives of enhancing regional recreational facilities; this Alternative focused on habitat preservation and restoration. The Moderate Recreation Alternative was rejected because, although it would respond to the basic goals and objectives of the project and would avoid or reduce some of the potential impacts of the Plan, the Preferred Plan provides greater enhancement of the recreational opportunities while still avoiding significant resources impacts. The purpose of EIR alternatives is to evaluate and propose mitigation to reduce or avoid significant impacts. None of the alternatives identified significant impacts.</p> <p>For these reasons and others identified in Section G., the Preferred Plan would be the environmentally superior alternative. Revisions will be made to GP page 227 to clarify this determination.</p>	Section G. Alternatives to the Proposed Plan Page 227

5C	The comment reiterates information presented in the DEIR, describing the CEQA requirements related to the Proposed Project. As further described in the referenced discussion on GP page 6, some future actions may require additional CEQA analysis once project detail are known, while others may simply comply with the goals and guidelines. DPR will consider CSLC's comment letter and letter in response to the Notice of Preparation in future environmental review of subsequent actions. Please also refer to Master Response A: Purpose of State Park General Plans/Scope of Environmental Analysis.	none
5D	The GP does not change operation of the existing boat ramp (built in 1954 by the Colusa County Boat Club), does not include the on-going dredging in the Channel, and does not include operation of the proposed City of Colusa boat ramp. Please refer to Chapter 5: Environmental Analysis, Section C. Project Description on page 169 of the DEIR. DPR contacted CSLC regarding this issue in January 2013 and learned that they were asserting ownership of this Channel. The GP acknowledges the authority of CSLC stating (page 36): "The State Lands Commission has jurisdiction over the bed and bank of the river, and the former river channel, so any encroachments such as boat ramps, docks, or piers must be approved by them." DPR will continue coordination with CLSC for the use of sovereign lands.	none
5E	The Channel is not within the Park boundary. DPR is not proposing any future dredging of the Channel. Please refer to the analysis on GP page 102, as well as GP Goals CMZ 1 and 2 on GP page 163.	none
5F	DPR has shared your letter with the City of Colusa. It is their responsibility to obtain this lease, which is outside the Park.	none
5G	CEQA Guidelines Section 21081.6(a) requires lead agencies to adopt a Mitigation Monitoring and Reporting Program (MMRP) to describe measures that have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The specific "reporting or monitoring" program required by CEQA is not required to be included in the Draft EIR. Most importantly, the Draft EIR does not identify any potentially significant impacts requiring mitigation, and, therefore, pursuant to CEQA Guidelines Section 15097(a), a MMRP is not required. The DOM policies and guidelines are adequately cited and available in compliance with CEQA and are not required to be presented in an appendix. Please refer to Response 5H for a discussion regarding sufficient mitigation.	none
5H	As stated above in response to comment 5G, the Draft EIR does not identify any potentially significant impacts that require mitigation, and, therefore, the Draft EIR does not include any mitigation measures. The DOM includes policies that are required	none

	<p>to be implemented at all State Parks, including this park and are not considered mitigation measures. Potential impacts in the Draft EIR are impacts that may occur at the specific project-level. As stated in the Draft EIR Chapter 5. Environmental Analysis, Section A. Introduction (page 167): “This General Plan does not approve or commit the Department to specific projects, sites, or management plans. These items are subject to consideration and approval at a later date by Department management.” As stated in the Draft EIR Chapter 5. Environmental Analysis, Section B. EIR Summary (page 168): “At each level (whether a management or facility development plan), the plan or project will be subject to subsequent environmental review to determine if the discretionary action is consistent with the General Plan and to identify any significant environmental impacts and actions to minimize impacts that would be specific to the project. Actions to minimize impacts generally require resource specialists to evaluate the scope of work, identify the cause of the impacts, and specify measures to avoid or reduce the impacts to a less than significant level.” This process ensures that the mitigation measures will comply with current applicable plans and regulatory requirements and the mitigation measures will identified based on analysis of the actual potential impacts.</p>	
5I	<p>GP page 21 describes existing facilities, while the DEIR evaluates proposed changes to the Park facilities. The GP analyzes the demand for overnight accommodations on GP pages 109-112 and recommends construction of an RV campground outside the floodway. GP page 113-114 analyzes existing utilities in the Southeast Parcel and recommends, “The sewage system supporting new facilities shall include disposal into the City of Colusa sewer system, with treatment outside the levee. GP page 142 includes Guideline 1A: Upgrade existing sewage treatment systems when replacing or expanding facilities in the Southeast MZ, to protect water quality. Additional details will be provided when development projects are proposed. Please refer to Master Response A: Purpose of State Park General Plans/Scope of Environmental Analysis for the level of detail provided..</p>	none
5J	<p>Please refer to Master Response A: Purpose of State Park General Plans/Scope of Environmental Analysis for the level of detail provided in this programmatic GP/DEIR. Following adoption of the Proposed Plan, the DPR will conduct additional project-level design studies and CEQA review, as needed, on the specific projects it proposes to implement, this would include analyzing potential project-related public access impacts. Project-level CEQA analysis on program actions will be conducted at later dates</p>	none

at such a time that subsequent discretionary actions are taken.

In addition, as stated on Chapter 5. Environmental Analysis Section A. Introduction (page 167) of the DEIR: “This General Plan does not approve or commit the Department to specific projects, sites, or management plans. These items are subject to consideration and approval at a later date by Department management.” Therefore, the Proposed Plan would not directly result in any construction related activities; these activities would be analyzed at the project-level. It is not practicable to fully analyze construction-related public access impacts because project-level development specifics, such as the layout and design of facilities or specific resource management plans and processes are not clear.

Public access impacts are addressed throughout the DEIR. Specifically, in reference to public access impacted related to the Channel or River, “Impact Bio-3. Potential Increase in Public Access and Use,” on page 181 of the DEIR outlines performance standards by which future development must adhere to reduce potential impacts to biological resources from increased public access and use. “Impact Rec-1. Potential Impacts to Recreational Facilities,” on page 206 sets performance standards to reduce potential recreational impacts. Also, “Impact Noi-1. Potential Noise Exposure and Generation Impacts,” on page 200 sets performance standards for temporary construction noise impacts and states “Construction activities will also be required to implement standard construction BMPs related to noise.” “Impact Hyd-3. Potential Alteration of the Course of Stream or River Impacts,” on page 196 states, “Implementation of the proposed General Plan would not result in the alteration of the course of a stream or river,” and requires implementation of guideline “VF-1B(facilities and infrastructure construction or protection should not compromise natural river meander),” to reduce potential river alteration impacts. “Impact Hyd-1. Potential Water Quality Impacts,” on page 193 of the DEIR requires DPR to “prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to project construction and would require its contractors to apply all Best Management Practices (BMPs) included in the SWPPP during construction, in accordance with RWQCB requirements under Section 401 of the Clean Water Act.”

In conclusion, construction-related public access impacts to the Channel or River are adequately addressed for a program-level EIR throughout the document. In addition, the DEIR requires specific projects to undergo CEQA review where impacts on natural resources, such as public access to the Channel or River, can be analyzed more thoroughly when project-specific design features are known.

**Letter 6. Tom Batter And Sophie Preckler-Quisquater, UC Davis
Mammalian Ecology And Conservation Unit**



Dear Sirs and Madams:

As technical staff members of the Mammalian Ecology and Conservation Unit at the University of California, Davis, we are conducting research on the Sacramento Valley red fox (*Vulpes vulpes patwin*). We are writing today in response to the Preliminary Colusa-Sacramento River State Recreation Area General Plan / Draft Program EIR. We have had the opportunity to review this document. We have also had the privilege to conduct field research in cooperation with California Department of Parks and Recreation at this location, and have exchanged talking points with staff and volunteers involved with the management of this area. We incorporate our research and thoughts in these comments issued today.

We appreciate the efforts of CA Parks and Recreation to address unmet and increasing needs for outdoor recreation. Increased use of wildlife areas, recreation areas, etc. increases public awareness and the value of natural resources, so we feel it is important to offer ample outdoor recreation opportunities to all. We applaud State Parks for their efforts in making increased outdoor recreation opportunities a reality. **However, this document completely neglects addressment of the Sacramento Valley red fox that we have confirmed to be actively denning within the Southwest Parcel.**

The Sacramento Valley red fox is one of only two subspecies of red fox **native** to California and is currently awaiting listing as a California state species of special concern. The EIR acknowledges the existence of fox dens within the parcel, yet fails to consider potential impacts that conversion to an RV lot may have on these red foxes. Last spring we surveyed for denning activity at this particular site. We monitored fox activity from 04/10/2015 through 06/27/2015 via remote trail cameras as well as collection of scat for DNA analysis. Results confirmed three den entrances within the Southwest Parcel, and we were also able to genetically confirm that these foxes are native Sacramento Valley red fox. We will continue to monitor the area this spring as part of a broader den survey.

As of now, it is understood that population numbers of this subspecies have declined from historical levels. It is unknown what kind of impact land conversion at an active denning site would have on the success of the foxes in this area. The habitat encompassed within the Southwest Parcel is known to be used for denning by Sacramento Valley red fox. We do not know if the remaining state-managed land to the north and east is suitable for these animals. The current predictive habitat model we use to guide surveys indicates the adjacent land managed by CA Parks and Recreation and other state agencies is less likely to support red foxes. Our fall 2015 camera survey at the Sacramento River Wildlife Area Colusa Unit North supports this prediction, as we did not record any red fox detections over a three month period despite the close proximity to this den site (~1 mile to the north).

6A*



Within the Southwest Parcel, the state provides these foxes with the benefit of a protected, undisturbed denning site that presumably promotes the persistence of this subspecies. This provision directly aligns with many if not all of the points listed under the Issues and Opportunities presented in this document. Statements of issues and opportunities that directly apply to this subspecies include “preservation of biological diversity,” “protection of natural and cultural resources,” and “sustainable physical and biotic natural resources including special status plant and wildlife species,” among many others.

Before the actions outlined in the EIS can be adequately evaluated, the committee should perform the due diligence in regards to this native subspecies. As an example, the California Rangeland Conservation Coalition performed a satisfactory review of the Sacramento Valley red fox as a species of special concern in their land management agreement document in 2009.

6A*

Sincerely,

A handwritten signature in black ink, appearing to read "TBH".

Tom Batter
Mammalian Ecology and
Conservation Unit
UC Davis

A handwritten signature in black ink, appearing to read "Sophie".

Sophie Preckler-Quisquater
Mammalian Ecology and
Conservation Unit
UC Davis

Recommended Resources

CRCC. 2009. Programmatic Safe Harbor Agreement and Voluntary Local Program. Butte, Glenn, Shasta, Tehama counties, CA.

Sacks, B.N. In press. Sacramento Valley red fox, *Vulpes vulpes patwin*. Species account for California Department of Fish and Wildlife.

Sacks, B.N., M. Moore, M.J. Statham, Wittmer H.U. 2011. A restricted hybrid zone between native and introduced red fox (*Vulpes vulpes*) populations suggests reproductive barriers and competitive exclusion. *Molecular Ecology* 20:326–341.

Sacks, B.N., M.J. Statham, J.D. Perrine, S.M. Wisely, K.A. Aubry. 2010a. North American montane red foxes: expansion, fragmentation, and the origin of the Sacramento Valley red fox. *Conservation Genetics* 11:1523–1539.

Sacks, B.N., H.U. Wittmer, M.J. Statham. 2010b. The Native Sacramento Valley red fox. Report to the California Department of Fish and Game, May 30, 2010, 49pp.

Response #	Response	Plan Changes Page & Paragraph #
6A	Please refer to Master Response B: Sacramento Valley Red Fox. In addition, the DEIR requires implementation of GP guidelines and DOM policies to reduce potential impacts to native habitats and species (Impact Bio-1 page 176) and special-status species and sensitive habitats (Impact Bio-2 page 179).	none

Letter 7. Joshua Bush, California Department Of Fish And Wildlife

Summary of comments: colusa gp prelim draft 020516 w figures jbush 03142016.pdf

COMMENT	GP PAGE	
Page:29 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 10:28:48 Seems unnecessary and can be interpreted as disparaging to hunters and anglers. There are many more reasons for hunters and anglers to go into the field.	3	7A
Page:40 Number: 1 Author: JBUSH Subject: Insert Text Date: 2016-03-14 10:31:14 and recreation	12	7B
Page:47 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 10:37:28 Wildlife oriented recreation is a term that generally describes what can take place at these areas. All of these activities fit within this description. Number: 2 Author: JBUSH Subject: Insert Text Date: 2016-03-14 10:35:33 hunting Number: 3 Author: JBUSH Subject: Highlight Date: 2016-03-14 10:40:42 This is inaccurate. Deer hunting along the river has been increasingly popular with many visitor days dedicated to this type of hunting. Please revisit and revise. Number: 4 Author: JBUSH Subject: Highlight Date: 2016-03-14 10:41:20 Please revise. Fishing is common from the Sac NWR river parcels.	17	7C
Page:56 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 10:53:39 Table should be corrected with a column that eliminates Free Use because of its variable nature.	26	7D
Page:58 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 10:56:05 Quail cannot be hunted in summer months. Number: 2 Author: JBUSH Subject: Highlight Date: 2016-03-14 10:57:02 Waterfowl and quail hunting continue into winter.	28	7E
Page:73 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 11:04:36 An explanation that these are Sacramento Valley Red Fox dens is needed. Although not currently protected they are proposed to be listed as Species of Special Concern.	41, FIG 2.11	7F*
Page:76 Number: 1 Author: JBUSH Subject: Insert Text Date: 2016-03-14 11:18:59 deer, turkey Deer and turkey utilized orchard ground for foraging. Eating both off of the orchard floor and the crop itself.	44	7G
Page:86 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 11:33:48 bald eagle have the potential to inhabit the park. They are seen and have documented nest upriver.	54, Table 2.5	7H*
Page:87 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 11:36:47 I believe that they occur on the park. They inhabit the Sac River main stem which includes the SRA. There is habitat for them on the banks and when the channel is flooded.	55	7I
Page:127 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 11:56:32 These should be outline to make better an informed decision. Number: 2 Author: JBUSH Subject: Highlight Date: 2016-03-14 11:57:48 Steelhead Marina opened a boat ramp 1.5 RM south of the SRA. This needs to be stated.	93	7J

<p>Page:133 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 12:06:47 It is also the closest and only native habitat for wildlife displaced by river flooding. If this section is developed it will further displace animals and put them and motorists at risk to vehicle collisions from animals crossing the highway. Sac Valley Red Fox are found on this parcel. They are not currently protected but are planned to be considered a species of special concern. History may not look back favorably to the decision to displace them.</p>	<p>99</p> <div style="border: 1px solid black; padding: 2px; width: 30px; text-align: center;">7K*</div>
<p>Page:163 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 12:28:47 Other agencies are already doing this (CDFW DWR). Not sure that parks needs to duplicate. Engaging the BANS Tac would be nice and we would be happy to share data.</p>	<p>127</p> <div style="border: 1px solid black; padding: 2px; width: 30px; text-align: center;">7L</div>
<p>Page:164 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 12:31:23 Please see: https://www.dfg.ca.gov/wildlife/nongame/nuis_exo/dom_cat/feral.html</p>	<p>128</p> <div style="border: 1px solid black; padding: 2px; width: 30px; text-align: center;">7M</div>
<p>Page:165 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 12:34:49 As more visitors use the park you may have issues with coyotes, raccoon, possum, ravens, etc. Park visitors will also feed them. These activities put the animals and people at risk. The impacts need to be addressed via signage and regulation. Trash should be picked up regularly to avoid these impacts.</p>	<p>129</p> <div style="border: 1px solid black; padding: 2px; width: 30px; text-align: center;">7N*</div>
<p>Page:167 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 12:38:02 River Signage: There is a large portion of hunters that use the river. The SRA boundaries should be clearly posted to avoid unnecessary conflict with hunters who do not identify the park as a no hunting zone.</p>	<p>131</p> <div style="border: 1px solid black; padding: 2px; width: 30px; text-align: center;">7O*</div>
<p>Page:178 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 12:40:45 Incorporate signs to discourage the feeding of wild animals and warn of the dangers of habituated wildlife.</p>	<p>142</p>
<p>Page:179 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 12:42:02 Signs should be placed at the waters edge to inform boat hunters from other areas that hunting is prohibited on the SRA.</p>	<p>143</p>
<p>Page:214 Number: 1 Author: JBUSH Subject: Highlight Date: 2016-03-14 12:49:13 Probable effect is habituation of wildlife to humans. This will likely cause human and wildlife conflicts including direct contact between people and wildlife and sck wildlife due to the consumption of human sources of food.</p>	<p>176</p> <div style="border: 1px solid black; padding: 2px; width: 30px; text-align: center;">7P*</div>

NOTE: The first page numbers in each comment above do not represent page numbers in the GP/DEIR. The GP/DEIR page number has been added on the right for the reader’s convenience.

Response #	Response	Plan Changes Page & Paragraph #
7A	The GP will have the phrase “tapping into a primeval urge” removed to eliminate confusion.	3, 3, bullet 1
7B	The GP will add “and recreation” to be more complete.	12, 2

7C	Comment noted. The GP will reiterate “hunting” in the third sentence to eliminate confusion. Table 2.1 was published as shown in the 2013 USFWS report <u>Banking On Nature</u> , and we have no authority to evaluate or modify this data.	17, 2
7D	DPR’s attendance reports commonly include Free Day Use, as this data is useful for planning. Please note the disclaimer at the bottom of the table, “Reported free attendance varies significantly due to different estimating techniques.”	none
7E	Thank you for the information. Regulations show quail season for archery hunters from 8/15 to 9/4, however the GP will be modified to show waterfowl and quail hunting into winter. Please note that this table is not intended to modify current or future hunting regulations.	28, Table 2.3
7F	Please refer to Master Response B: Sacramento Valley Red Fox. In addition, the DEIR requires implementation of GP guidelines and DOM policies to reduce potential impacts to native habitats and species (Impact Bio-1 page 176) and special-status species and sensitive habitats (Impact Bio-2 page 179).	none
7G	Thank you for the information. This activity occurs off-site, and this narrative does not need to include all species that might inhabit these areas.	none
7H	Thank you for the information. The GP will be modified to include bald eagle. In addition, the DEIR requires implementation of GP guidelines and DOM policies to reduce potential impacts to native habitats and species (Impact Bio-1 page 176) and special-status species and sensitive habitats (Impact Bio-2 page 179).	54, Table 2.5
7I	Thank you for the information. The GP will be modified to include northwestern pond turtles.	55, 1
7J	The Colusa Subreach is illustrated on GP page 14 Figure 2.2. GP page 18 describes regional boating facilities, including the nearby Colusa Landing where the new boat ramp and Steelhead Lodge are located.	none
7K	Please refer to Master Response A: Purpose of State Park General Plans/Scope of Environmental Analysis, Master Response B: Sacramento Valley Red Fox and Master Response C: Southwest Management Zone Development. In addition, the DEIR requires implementation of GP guidelines and DOM policies to reduce potential impacts to native habitats and species (Impact Bio-1 page 176) and special-status species and sensitive habitats (Impact Bio-2 page 179).	none
7L	The intent of Guideline NRM-1B is to collaborate with other agencies to document the effect or river course changes and erosion on bank swallow habitat, not duplicate efforts.	none
7M	Thank you for the information. DPR will consider this if it becomes necessary to implement control methods to reduce non-native and feral animals.	none

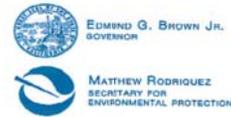
7N	<p>The impact of habituation of wildlife to humans is addressed throughout the DEIR, and specifically on GP page 176 under “Impact Bio-1. Potential Effects to Native Habitats and Species.” For example, limiting direct contact between people (and domestic animals) and wildlife is addressed in Guideline NRM-10A (concentrate Park facilities and programs in accordance with the Colusa Subreach Recreation Access Plan to reduce impacts on natural resources) and DOM policy 0311.2 General Animal Management Policy, which states among other animal management policies, “In managing animals and animal habitats, the Department will: a. Preserve, protect, and restore the natural abundance, diversity, dynamics, distributions, habitat, and behaviors of native animal populations and the communities and ecosystems in which they occur...” and “d. Minimize negative human impacts on native animals, populations, communities, and ecosystems, and the processes that sustain them while providing opportunities for the public to experience animals native to California.”</p> <p>Also, limiting litter, which would result in sick wildlife from consuming human sources of food, is addressed in Guideline NRM-7C (inform Park visitors about releasing and feeding animals), Guideline INF-2B through D (provide visitor information about waste management and proper disposal of dog waste in the floodway, provide animal-resistant waste receptacles to minimize negative wildlife interactions, remove or secure waste receptacles when floods threaten the Park, to reduce trash and pollution in the river), as well as DOM policy 0311.5.3.3.1 Supplemental Feeding Policy, which states, “It is the policy of the Department that supplemental wildlife feeding is not allowed...” These are identified as in the Impact Bio-1 discussion.</p>	none
7O	<p>Please refer to Goals RCA 8 regarding wildlife observation, VF 14 regarding signage, and VM4 regarding hunter education, for GP direction that will reduce the impacts of visitors to wildlife values. Also refer to response 7N.</p>	none
7P	<p>Please refer to response 7N.</p>	none

Letter 8. Stephanie Tadlock, Central Valley Regional Water Quality Control Board



RECEIVED

MAR 18 2016



NORTHERN SERVICE CENTER
Central Valley Regional Water Quality Control Board

15 March 2016

Cheryl Essex
California Department of Parks and Recreation
One Capitol Mall, Suite 410
Sacramento, CA 95814

CERTIFIED MAIL
91 7199 9991 7035 8422 5936

COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, COLUSA-SACRAMENTO RIVER STATE RECREATION AREA GENERAL PLAN DRAFT PROGRAM EIR PROJECT, SCH# 2014062053, COLUSA COUNTY

Pursuant to the State Clearinghouse's 5 February 2016 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environment Impact Report* for the Colusa-Sacramento River State Recreation Area General Plan Draft Program EIR Project, located in Colusa County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

11020 Sun Center Drive #20, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

8A*

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements – Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_app_oval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.

Stephanie Tadlock
 Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

Response #	Response	Plan Changes Page & Paragraph #
8A	The General Plan sets the overall goals for park management and provisions for public use. It does not define project-level development specifics, such as the layout and design of facilities. All of the comments presented relate to environmental permitting, which is not applicable to the GP/DEIR. It is acknowledged that implementation of specific projects will require environmental permitting activities. Please refer to Master Response A: Purpose of State Park General Plans/Scope of Environmental Analysis.	none

Letter 9. Woody Elliott, California Native Plant Society / Mt Lassen Chapter

From: Woody Elliott <woody.elliott@gmail.com>
Sent: Thursday, March 24, 2016 1:25 PM
To: General, Plan@Parks
Cc: Essex, Cheryl@Parks; Guaracha, Eddie@Parks; Wright, Aaron@Parks; Ladd, Trish@Parks; Greg Suka
Subject: Preliminary General Plan and Draft Program Environmental Impact Report for Colusa-Sacramento River State Recreation Area
Attachments: 2005_11_01 Hanover ES_Phase I Envrio Site Assesement_Final.pdf; 2014_08_24_The Red Fox Population of the Sacramento Valley_MVZ Archives.pdf; Riparian Recuritment Photos.pdf

In response to Dept. of Parks & Recreation's (DPR) Notice of Availability and Intent to Adopt an Environmental Impact Report For The Proposed Colusa-Sacramento River State Recreation Area General Plan Draft Program EIR Project dated Feb. 5, 2016, I offer the following comments on the Preliminary General Plan and Draft Program Environmental Impact Report for Colusa-Sacramento River State Recreation Area (State Clearing House No. 2014062053).

In response to DPR's Notice of Preparation for the Draft Environmental Impact Report (EIR) for this Draft Area General Plan, I offered via email on July 24, 2014 several points of information and issues for consideration in the Preliminary Plan and its DRAFT EIR. Among them several points were NOT addressed including the following which need a response:

1.

Consider the need / requirement for additional evaluation of hazardous materials contained within the Colusa-Sacramento River State Recreation Area (SRA) on the dump sites inside and outside of the levee given the following conclusion of the (attached) report PHASE I ENVIRONMENTAL SITE ASSESSMENT, Colusa-Sacramento River State Recreation Area. By: HANOVER ENVIRONMENTAL SERVICES, INC. dated 1 November 2005:
8.3 Opinions, Conclusions and Recommendations

.....*The information contained in this report would lead one to the opinion that the probability of recognized environmental conditions in association with the subject property is significant enough to warrant further investigation.*

2.

Analyze how possible changes in the location of water diverted from the Sacramento River across the SRA by Roberts Ditch Company to their adjacent parcel (e.g. surface or buried pipelines and alternative diversion channel locations), given the legal privileges of their vested riparian water right, could affect the natural plant communities and developed facilities (proposed and existing) of the SRA.

3.

Evaluate the beneficial effects to wildlife movement and amelioration of flood flows from removal of the abandoned wire fence now almost concealed with vegetation along the southern boundary of the Ward Parcel that was recently planted to riparian habitat.

4.

Analyze the benefits of realigning the northern boundary of the SRA to exclude the unused agricultural well recently installed by Department of Water Resources for their habitat restoration project on the Ward Parcel. This state-of-the-art well could then be owned and used on the adjacent farm land to replace its owner's pumping diversion of irrigation water from the Sacramento River which is not screened to mitigate for sucking up and killing sensitive and protected fish. Also, the angled, common property line could be straightened which would facilitate its future relocation.

Since I made the above points for consideration in the Preliminary Plan/Draft EIR, additional information has become known and needs to be addressed in its EIR:

1. Sacramento Valley red fox has been determined to den on the Southwest Management Zone. This fox has been proposed for inclusion on Dept. of Fish & Wildlife's list of Species of Special Concern and warrants consideration for listing as a Threatened or Endangered subspecies of native red fox (see

9A*

9B

9C

9D

9E*

link and
attached: Sacks BN, Wittmer HU, Statham MJ (2010) The Native Sacramento Valley red fox. Report to the California Department of Fish and Game, May 30, 2010, 49pp

9E



. and Moyer, A. J., Jan. 24, 2014 The Red Fox Population of the Sacramento Valley: Artifact of Manifest Destiny or Endemic Anomaly? Part III. MVZ Archives, Univ. of Calif., Berkeley

). The only acknowledgement of the presence of Sacramento Valley red fox in the Preliminary Plan/Draft EIR are in Fig. 2.11 Habitat & Wildlife and Fig. Colusa SRA, Borrow Area: Elderberry, Fox, Wetland on Page N58. The text of the Preliminary Plan/Draft EIR has no mention of the presence or specific mitigation measures for Sacramento Valley red fox that would be required for the proposed development of an all season campground, cabins and caretaker residence in the foxes' occupied area, the Southwest Management Zone.

2. The riparian restoration project, begun 15 years ago for an initial \$20,000 of DPR's Resource Management Program funds in the Southwest Management Zone, is maturing into a native species mix of sustainable natural habitat with reproducing native grasses, shrubs and trees (see attached photos). This contradicts the Draft Plan's statement on page 99: *The restored vegetation currently exhibits no recruitment.....* which implies unfounded justification for replacement of maturing riparian vegetation with a developed campground.

Recommendations on Pages 100 & 112: *This Plan prioritizes the acquisition of land outside the floodway to provide all season camping:* In fact, more than 10 years ago, DPR was funded in its legislated budget for acquisition of the two parcels southwest and northwest and adjacent to the Southwest Management Zone in anticipation of developing them into all season campgrounds. Currently, this southwest parcel is undeveloped and used for equipment storage. DPR should actively pursue its acquisition for development of an all season campground as recommended in this Preliminary Plan to avoid:

1. denuding a successful riparian restoration project,
2. waste of government funds spent on this riparian restoration
3. problematic, expensive mitigation required for displacement of maturing riparian forest should development proceed in the Southwest Management Zone.

Therefore, I support the Preferred Plan generalized in Table 5.1 Alternative Description on Pages 220 & 221 **without any development in the Southwest Management Zone (campground, cabins or caretaker residence)** given the public benefits and negligible environmental impacts of developed facilities in the Southeast Management Zone and primitive campground and public access elsewhere in the Riparian Recreation Management Zone.

Woody Elliott
, Conservation Chair



CALIFORNIA
NATIVE PLANT SOCIETY -
MOUNT LASSEN CHAPTER

287 Pinyon Hills Dr.
Chico, CA 95928

NOTE: Three attachments are part of the administrative record.

- Hanover Phase 1 Site Assessment is available at: <http://www.sacramentoriver.org>
- Red Fox population study is available at: <https://mvzarchives.wordpress.com/2014/08/21/the-red-fox-population-of-the-sacramento-valley-artifact-of-manifest-destiny-or-endemic-anomaly-part-iii/>
- Riparian Recruitment photos submitted by commenter are reproduced on the following page.

9F*



Mulefat, Willow, Cottonwood, Native & Alien Grasses: 3/13/2016



Mulefat: 3/13/2016



Valley Oak, Elderberry, Native & Alien Grasses: 3/13/2016



Mugwort Recruitment: 3/13/2016



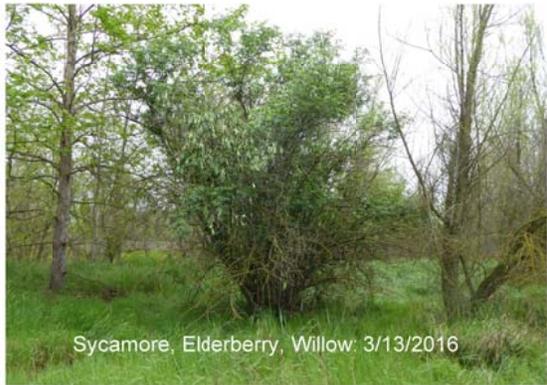
Willow Recruitment: 3/13/2016



Creeping Wild Rye Recruitment: 3/13/2016



Box Elder, Oregon Ash Recruitment: 3/13/2016



Sycamore, Elderberry, Willow: 3/13/2016

Response #	Response	Plan Changes Page & Paragraph #
9A	DPR agrees with the comment and will continue to evaluate hazardous materials, as recommended in the Phase 1 Environmental Site Assessment conducted in 2005, on a project-level basis. Refer to Goal SEMZ on GP page 164. In addition, Impact Haz-1 Potential Impacts Associated with Hazardous Sites (GP page 190) of the DEIR requires implementation of GP guidelines and DOM policies to reduce potential hazard impacts, and specifically discusses those impacts associated with the dump site.	none
9B	This comment is beyond the scope of the GP, and no changes to the existing condition have been proposed. Please refer to Master Response A: Purpose of State Park General Plans/Scope of Environmental Analysis. Robert's Ditch Irrigation Company maintains water rights under contract with the Federal government (see GP page 88). DPR cannot legally plan modifications, alterations, or relocations to this water diversion. Should the owner of the water right wish to modify the existing diversion, DPR will work cooperatively with them to develop alternatives that are in the public interest.	none
9C	Thank you for the suggestion. DPR agrees removal of the abandoned wire fence could provide beneficial effects to wildlife movement and amelioration of flood flows. This action may be considered on a project-level basis. Please refer to Master Response A: Purpose of State Park General Plans/Scope of Environmental Analysis.	none
9D	Thank you for the comment. Realignment of State property boundaries is beyond the scope of the GP/EIR and is a matter involving the State Legislature. Please refer to Master Response A: Purpose of State Park General Plans/Scope of Environmental Analysis. DPR will continue coordination with the neighboring landowner regarding use of this well. Should the owner of the existing water diversion wish to modify or eliminate it, DPR will work cooperatively with them to develop alternatives that are in the public interest.	none
9E	Please refer to Master Response B: Sacramento Valley Red Fox. In addition, the DEIR requires implementation of GP guidelines and DOM policies to reduce potential impacts to native habitats and species (Impact Bio-1 on GP page 176) and special-status species and sensitive habitats (Impact Bio-2 on GP page 179).	none
9F	Please refer to Master Response C: Southwest Management Zone Development.	none

Letter 10. Lucas Ray Rossmerz, Sacramento River Preservation Trust

March 23, 2016

To:

Cheryl Essex, California State Parks
One Capitol Mall, Suite 410
Sacramento, CA 95814



Subject: Response to Request for Comments on the Colusa-Sacramento River State Recreation Area General Plan Draft Program EIR - *Notice of Availability*

Ms. Essex,

In response to Dept. of Parks & Recreation's (DPR) Notice of Availability and Intent to Adopt an Environmental Impact Report for the Proposed Colusa-Sacramento River State Recreation Area General Plan Draft Program EIR Project dated Feb. 5, 2016, the Sacramento River Preservation Trust (SRPT) offers the following comments and recommendations on the Preliminary General Plan Draft EIR for Colusa-Sacramento River State Recreation Area:

First, thank you for your great work on this multi-benefit project. Our organization is currently working with the National park Service Rivers, Trails, and Conservation Assistance program to create a new waterproof guide to recreating on the Sacramento River from Redding to Colusa and the elements within this general plan, once implemented, will prove to be a highlight for public access, remote riverine camping, wildlife habitat restoration and preservation, and flood protection. We have come a long way in our regional watershed and riparian planning process and prioritization approach.

Other comments and recommendations:

1. We recommend that you further evaluate the beneficial effects to wildlife movement and amelioration of flood flows from the removal of the abandoned wire fence along the southern boundary of the Ward Parcel, which was recently planted to riparian habitat.

10
A*

2. Further analyze the benefits of realigning the northern boundary of the SRA to exclude the unused agricultural well recently installed by Department of Water Resources for their habitat restoration project on the Ward Parcel. This state-of-the-art well could then be owned and used on the adjacent farm land to replace its owner's pumping diversion of irrigation water from the Sacramento River which is not properly screened to mitigate for the illegal taking of endangered anadromous species, especially Winter-run Chinook salmon. Also, the angled, common property line could be straightened which would facilitate its future relocation.

10
B

3. Sacramento Valley red fox has been determined to den within the Southwest Management Zone. This fox has been proposed for inclusion on the Dept. of Fish & Wildlife's list of Species of Special Concern and warrants consideration for listing as a Threatened or Endangered subspecies of native red fox: (Sacks BN, Wittmer HU, Statham MJ (2010) *The Native*

10
C*

Sacramento Valley red fox. Report to the California Department of Fish and Game, May 30, 2010, 49pp. and Moyer, A. J., Jan. 24, 2014 *The Red Fox Population of the Sacramento Valley: Artifact of Manifest Destiny or Endemic Anomaly?* Part III. MVZ Archives, Univ. of Calif., Berkeley). The only acknowledgements of the presence of Sacramento Valley red fox in the Draft Plan/EIR are in Fig. 2.11 Habitat & Wildlife and Fig. Colusa SRA, Borrow Area: Elderberry, Fox, Wetland on Page N58. The text of the Draft Plan/EIR has no mention of the presence of, or specific mitigation measures for, Sacramento Valley red fox that would and should be required for the proposed development of an all season campground, cabins and caretaker residence in the foxes' occupied area - the Southwest Management Zone.

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C

3.b. The riparian restoration project, begun 15 years ago for an initial \$20,000 of DPR's Resource Management Program funds in the Southwest Management Zone, is maturing into a native species mix of sustainable natural habitat with reproducing native grasses, shrubs and trees (see attached photos). This contradicts the Draft Plan's statement on page 99: "The restored vegetation currently exhibits no recruitment...."

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D*

4. Recommendations on Pages 100 & 112: "*This Plan prioritizes the acquisition of land outside the floodway to provide all season camping:*" More than 10 years ago, DPR was funded in its legislated budget for acquisition of the two parcels southwest and northwest, and adjacent to the Southwest Management Zone, in anticipation of developing them into all season campgrounds. Currently, this southwest parcel is undeveloped and used for equipment storage. DPR should actively pursue its acquisition for development of an all season campground as recommended in the Draft Plan/EIR. This would avoid denuding a successful riparian restoration project, associated waste of government funds spent on this riparian restoration and problematic, expensive mitigation required for displacement of maturing riparian forest should development proceed in the Southwest Management Zone.

Therefore, we support the Preferred Plan generalized in Table 5.1 Alternative Description on Pages 220 & 221 with a strong recommendation that no development occur in the Southwest Management Zone (campground, cabins or caretaker residence) given the public benefits of trails and wildlife viewing. We recommend that the developed facilities in the Southeast Management Zone and primitive campground and public access elsewhere in the Riparian Recreation Management Zone be prioritized due to the negligible environmental impacts in those areas.

Sincerely,



Lucas R. RossMerz
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530-345-1865

NOTE: Two attachments have not been reproduced here, but are part of the administrative record:

- Figure 2.11 can be found on GP page 41.
- Riparian Recruitment photos submitted by commenter are reproduced with the previous comment letter #9 above.

Response #	Response	Plan Changes Page & Paragraph #
10A	Thank you for the suggestion. DPR agrees removal of the abandoned wire fence could provide beneficial effects to wildlife movement and amelioration of flood flows. This action may be considered on a project-level basis. Therefore, impacts associated with removal of the wire fence would be evaluated on a project-level basis. Please see Master Response A: Purpose of State Park General Plans/Scope of Environmental Analysis. However, the DEIR does require implementation of GP guidelines and DOM policies to reduce potential impacts to native habitats and species (Impact Bio-1 on GP page 176) and special-status species and sensitive habitats (Impact Bio-2 on GP page 179).	none
10B	Thank you for the comment. Realignment of State property boundaries is beyond the scope of the GP/EIR and is a matter involving the State Legislature. Please refer to Master Response A: Purpose of State Park General Plans/Scope of Environmental Analysis. DPR will continue coordination with the neighboring landowner regarding use of this well. Should the owner of the existing water diversion wish to modify or eliminate it, DPR will work cooperatively with them to develop alternatives that are in the public interest.	none
10C	Please refer to Master Response B: Sacramento Valley Red Fox and to Master Response A: Purpose of State Park General Plans/Scope of Environmental Analysis. In addition, the DEIR requires implementation of GP guidelines and DOM policies to reduce potential impacts to native habitats and species (Impact Bio-1 page 176) and special-status species and sensitive habitats (Impact Bio-2 page 179).	none

10D	Please refer to Master Response C: Southwest Management Zone Development. In addition, the importance of preserving riparian areas is stressed throughout the DEIR. Specifically, the DEIR requires implementation of GP guidelines and DOM policies to reduce potential impacts to native habitats and species (Impact Bio-1 on GP page 176) and special-status species and sensitive habitats (Impact Bio-2 on GP page 179). For example, GP guideline SWMZ-2A through C (preserve elderberry shrubs, minimize impacts on restored habitats, retain native vegetation to the extent feasible, compensate for removal of native vegetation by removing exotic plant species from riparian habitat and replace with native vegetation, and utilize native plants for vegetation buffers) is required under Impact Bio-2.	none
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CHAPTER 4: MASTER RESPONSES

The following master responses address comments received from numerous commenters. They provide a means of giving a broader context to the response than may be possible when making individual responses. The following topics are addressed by the master responses, numbered in order of discussion in this chapter:

Master Response A: Purpose of State Park General Plans/Scope of Environmental Analysis

Master Response B: Sacramento Valley Red Fox

Master Response C: Southwest Management Zone Development

Each of these master responses provides some background regarding the issue, identifies how the issue was addressed in the Preliminary General Plan and/or DEIR, and provides additional explanation to address the commenters' concerns. In some cases, these master responses have also been prepared to address specific planning concerns related to the proposed program.

Master Response A: Purpose of State Park General Plans/Scope of Environmental Analysis

The GP sets the overall goals for park management and provisions for public use. It does not define project-level development specifics or the exact methods for attaining resource protection goals, such as the layout and design of facilities or specific resource management plans and processes. The GP determines Parkwide goals and guidelines identifying the types of activities that will be allowable in the Park. The GP also determines goals and guidelines identifying the types of activities and facilities that will be allowable in specific areas identified as Management Zones.

Once the General Plan is approved and adopted, the Department can prepare management and facility development plans as required and as staff and funding allow. These would address such issues as vegetation treatment and site development. The management and facility development plans will provide specific information on resources and design considerations, including layout, facilities configuration, capacities, and level of use within designated Management Zones.

Conceptual studies (Appendix L) showing potential locations and sizes of facilities being considered within the Park are based on a range of factors including location of existing recreational uses,

resource constraints, administrative and operational constraints, site access, etc. These studies illustrate one possible solution, which undergoes programmatic level environmental review with this Plan. Other solutions may be considered that meet the GP goals and guidelines.

Implementation of the goals and guidelines described in Chapter 4, along with the Department's Operation Manual (DOM) policies and Standard Project Requirements (Appendix M), ensures that potential significant impacts remain less than significant or maintains them at a less than significant level.

As described in Chapter 5: Environmental Analysis Section A. Introduction (GP page 167) of the DEIR: "The General Plan and EIR constitute the first tier of environmental review. 'Tiering' in an EIR prepared as part of a General Plan allows agencies to address broad environmental issues at the general planning stage, followed by more detailed examination of actual development projects (that are consistent with the Plan) in subsequent EIRs or negative declarations. Later EIRs incorporate, by reference, the general discussions from the broader EIR (the General Plan) and concentrate solely on the issues specific to the later projects (Public Resources Code Section 21093; CEQA Guidelines Section 15152). This General Plan does not approve or commit the Department to specific projects, sites, or management plans. These items are subject to consideration and approval at a later date by Department management."

The DEIR has been prepared as a "first tier (program) EIR" under Section 15166 of the State CEQA Guidelines. It is not intended to identify site-specific environmental concerns, but the general environmental issues that are relevant to the approval being considered (Pub. Res. Code §21068.5, §21093; see also CEQA Guidelines Sections 15152, 15161, 15168, 15385). . A Program EIR is prepared on a series of actions that can be characterized as one large project, including a general plan or planning document such as the GP (CEQA Guidelines Section 15168). The DEIR assesses and documents the broad environmental impacts of the GP with the understanding that a more detailed site-specific environmental review may be required to evaluate future development projects implemented under the program.

In comparison to a Program EIR, a project EIR is typically prepared for a specific construction-level project (see CEQA Guidelines Section 15161). The level of detail of the project and impacts are more specific in a project-level document, since a greater level of detail is available regarding the project. Under CEQA, a project EIR "should focus primarily on the changes in the environment that would result from the development project . . . [and] examine all phases of the project including planning, construction, and operation" (Ibid.). The level of detail of the project and impacts are more specific in a project-level document, since a greater level of detail is available regarding the project.

DPR, as the CEQA lead agency, has the discretion to determine whether to proceed with a project or program-level EIR. The Draft EIR is appropriate for a Program EIR since it addresses environmental impacts in a programmatic manner or at the planning level of detail. Accordingly, the DPR does not have sufficient construction-level details available to enable an analysis of project-specific impacts at this time. Due to the long-term nature of the Proposed Plan, it is preferable not to speculate as to specific uses or exact building characteristics at this time because the precise future role of these project components likely will evolve over the coming years and in future planning horizons as identified in the Draft EIR.

As stated in Chapter 1. Introduction Section G. California Environmental Quality Act (page 5) and Chapter 5. Environmental Analysis Section A. Introduction (page 167) following adoption of the Proposed Plan, “site specific development and resource management projects at the Park will be subject to subsequent project-level CEQA compliance and to the permitting requirements and approval of other agencies, such as the CDFW, State Water Resources Control Board (SWRCB), and others as specific projects are proposed.” However, DPR acknowledges that the Proposed Plan serves as the foundation for future site-specific development, and, therefore, “measures have been incorporated as goals and guidelines, where feasible, to help ensure that planned actions will not result in significant environmental impacts. Therefore, the CEQA analysis detailed in this GP/EIR is intended to be adequate for many future actions implemented if they are consistent with the Plan’s goals and guidelines. Actions may require additional CEQA analysis once project details are known, while others may simply comply with the goals, guidelines and any mitigation measures identified in this document to ensure they are in environmental compliance.”

Master Response B: Sacramento Valley Red Fox

DPR has been coordinating with UC Davis/California Fish and Wildlife biologists regarding the Sacramento Valley red fox since 2014, collecting scat samples for genetic testing and installing wildlife cameras to monitor the Southwest Parcel to further studies regarding native populations of red foxes. Denning of red foxes has been confirmed in this area.

The Plan recognizes that the Southwest Parcel includes native vegetation and habitat, and red fox dens are illustrated on GP page 41 Figure 2.11.

The California Department of Fish and Wildlife (CDFW), as of January 2016 has not included the Sacramento Valley red fox (*Vulpes vulpes patwin*) on their “Special Animals List” maintained annually by the Wildlife Branch’s Nongame Wildlife Program that includes: officially listed or proposed for listing under the State and/or Federal Endangered Species Acts; CDFW Species of Special Concern, taxa which meet the criteria for listing, even if not listed; biologically rare, spatially restricted, or declining taxa, etc. The “Special Animal List” was reviewed by DPR prior to preparation of the DEIR and again prior to preparation of this FEIR.

The Fish and Game Commission was also contacted on March 29, 2016 to confirm any formal petitions related to the Sacramento Valley red fox for listing under the California Endangered Species Act (CESA). It was relayed to DPR that no formal petitions have been submitted regarding the Sacramento Valley red fox for consideration for listing as Threatened or Endangered under CESA. Additionally, California Fish and Game Code §4152 allows depredation of red foxes (except the Sierra Nevada red fox) when foxes are found “injuring growing crops or other property,” DPR does not partake in depredation of red foxes but is aware of active depredation in areas surrounding the Park.

Due to an absence of any legal status, or official consideration of the Sacramento Valley red fox, there are no specific or recommended mitigation measures to incorporate within the first-tiered DEIR at this time. Further analysis under CEQA will be evaluated at the project-level prior to development, within the Park. At that time, sufficient information regarding the status, requirements, standard avoidance and minimization measures, and any required mitigation of the Sacramento Valley red fox will be evaluated and incorporated.

Master Response C: Southwest Management Zone Development

Stated on GP page 161 Goal SWMZ1, “This Plan prioritizes acquisition of land outside the floodway to provide all season camping; however, if land acquisition is infeasible when the existing campground is impacted by boat ramp parking expansion, a campground shall be allowed in the SWMZ (Southwest Management Zone).”

The Plan recognizes that the SWMZ includes native vegetation and habitat, as illustrated on GP page 41 Figure 2.11. Please refer to GP pages 99-100 for an analysis of the natural resources present in the SWMZ. GP pages 109-111 describe the significant and long-standing latent demand for overnight accommodations in the region. GP page 112 includes a description of previous planning for a campground in the SWMZ. Appendix N includes the Riparian Forest Restoration Plan, with soils information, a history of the site as a borrow pit and leaf disposal site, as well as a letter describing the acquisition purpose of the parcel.

DPR’s mission and policies include protection of natural resources as well as creating recreation opportunities. Because the Park is classified as a State Recreation Area [PRC§5019.56(a)], consisting of areas selected, developed, and operated to provide outdoor recreational opportunities, DPR has considered the best locations in the Park to develop high intensity recreational facilities. The SWMZ provides the only location to develop desired all-season camping that will not disturb the integrity of the Sacramento River floodway, or cause impacts to intact riparian habitat within the floodway. The text on page 112 of the GP/EIR discusses the Southwest Parcel as a proposed location for additional camping in the Park since 1975. Unfortunately, the planting in 2000-2001 was completed without reserving sufficient space for the planned campground.

Regardless, the tree and elderberry plantings have matured and now provide habitat for native species. These plantings do not fully meet the criteria of a “riparian wetland” as defined by the US Army Corps of Engineers, *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0)*, September 2008. The vegetation stratum (shrub and grass/forbs) of this site does not meet prevalence or indicator species typical of riparian areas, nor do hydric soils exist within the restored areas. Thus, the text on page 99 will be revised to discuss “recruitment” of native riparian/wetland species as it relates to the delineation of jurisdictional wetlands regulated by the US Army Corps of Engineers under the Section 404 of the Clean Water Act. It is acknowledged that campground development will require federal and state actions that are subject to consultation under the federal Endangered Species Act and Clean Water Act Section 404 and 401 to avoid/minimize impacts to listed species and their designated habitat.

Acquisition of sufficient land outside the Sacramento River floodway is DPR’s preferred solution to providing overnight accommodations, if feasible. Acquisition decisions are guided by the State Public Works Board. Securing both acquisition and long-term funding commitments are a significant challenge; however, DPR has committed to prioritize acquisition to minimize impacts to the SWMZ’s natural resources.



CHAPTER 5: RECOMMENDED CHANGES TO THE GENERAL PLAN

This chapter contains the department's recommended GP/DEIR revisions in response to public and agency comments that are presented in Chapters 3 and 4 of this document. Text revisions are organized by section and page numbers as they appear in the GP/DEIR. Revisions to text are shown with a ~~striketrough~~ or underline. Text that has a ~~striketrough~~ is recommended to be deleted from the final GP. Text that is recommended to be added has a single underline. The Final General Plan may include additional minor revisions to ensure accuracy of information. The page #, then paragraph # is followed by revised text.

Chapter 1: Introduction

Page 3, Paragraph 3:

- The river provides active recreational opportunities on or near the water. The summer heat brings people wishing to picnic, hike and walk in the shade of tall trees, and splash in the water. Autumn, in particular, brings anglers and hunters with their boats, ~~tapping into a primeval urge~~ to connect with, and often harvest, wildlife. Others search for exhilarating experiences while kayaking, running or riding a bicycle.

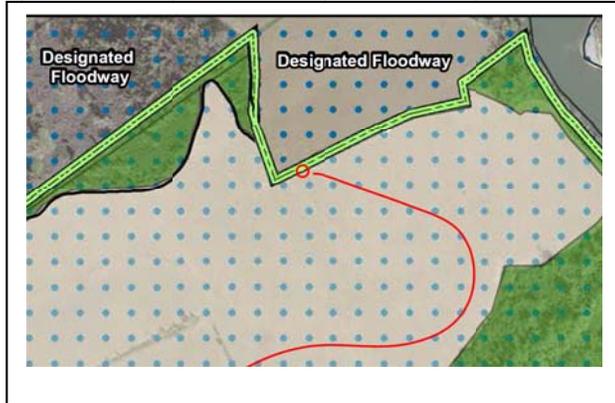
Chapter 2: Existing Conditions

Page 12, Paragraph 2:

Much of the Park lies within the designated floodway of the Sacramento River. The Colusa Subreach of the Sacramento River, the floodway between Princeton and Colusa, has been a focus of natural resource preservation and restoration through collaboration with the Sacramento River Conservation Area Forum (SRCAF), The Nature Conservancy (TNC) and several state and federal agencies.

The California Department of Fish and Wildlife (CDFW) manages conservation lands to the north and just across the river. Seven state and federal wildlife areas are managed for conservation and recreation purposes within twelve miles. The Colusa Bypass, northeast of the Park, redirects large flood flows south toward the Sacramento-San Joaquin Delta.

Page 15, Figure 2.3: (removed road per comment 3a)



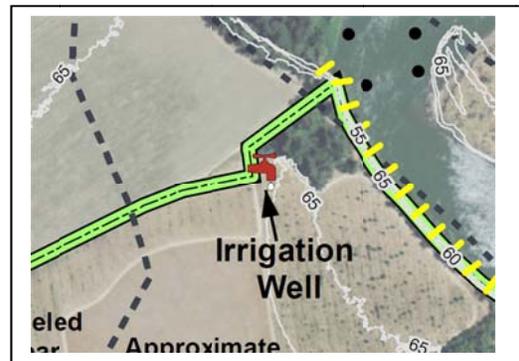
Page 17, Paragraph 2:

Most significant to the Park’s management is the Sacramento River Wildlife Area because of proximity, access, similar flooding and natural resources management issues. The Wildlife Area comprises about 4,000 acres of riparian forest, grasslands, oxbow lakes, and gravel bars where hunting, fishing, bird watching, nature study, and trapping are allowed.

Page 28, Table 2.3:

SEASON	ACTIVITIES
Spring	Hiking, bicycle riding, camping, fishing for striped bass, black bass, catfish & sturgeon, turkey hunting, Old West re-enactments
Summer	Motorized and non-motorized boating and floating, American shad fishing, striped bass thru June, salmon (starts mid-July), City of Colusa July 4th celebration, Colusa Farmer’s Market, State Duck Calling Contest in late August, Labor Day and Independence Day floating events at Bidwell-Sacramento River State Park. Deer and quail hunting.
Autumn	Chinook salmon and steelhead fishing, Motorized and non-motorized boating, camping, hiking. Hunting for waterfowl, deer, turkey, pheasant, quail, snipe & dove
Winter	Waterfowl and shorebird observation and photography, Winter run salmon fishing, sturgeon fishing starts early December. <u>Waterfowl and quail hunting.</u>
SOURCE: Department staff, USFWS, local recreation providers, <u>CDFW</u>	

Page 30, Figure 2.7: (corrected location of well per comment 3d)



Page 54, Table 2.5:

Table 2.5. Special-Status Terrestrial Wildlife Anticipated to Occur within the Park			
Species	CDFW	USFWS	Habitat
Invertebrates			
valley elderberry longhorn beetle / <i>Desmocerus californicus dimorphus</i>	--	T	Elderberry shrubs, usually in streamside habitats below 3,000 feet through the Central Valley
Sacramento Valley tiger beetle / <i>Cicindela hirticollis abrupta</i>	--	--	Now considered extinct. Occurred on moist open sand or mud along river.
Reptiles and Amphibians (none)			
Birds			
Swainson's hawk / <i>Buteo swainsoni</i>	T	--	Forages in open meadows, grasslands, and agricultural fields; nests in tall trees (20-30 feet)
western-yellow billed cuckoo / <i>Coccyzus americanus occidentalis</i>	E	--	Large patches of mature riparian forest
bank swallow / <i>Riparia riparia</i>	T	--	Riparian woodland; nests in vertical banks and cliffs with fine or sandy soils
<u>bald eagle / <i>Haliaeetus leucocephalus</i></u>	<u>E</u>	<u>--</u>	<u>Forages over wetlands and meadows. Winters in the region</u>
Mammals			
western red bat / <i>Lasiurus blossevillii</i>	CSC	--	Nests in old cottonwood, sycamore and Valley oak cavities. Forages over wetlands, forests and meadows.
hoary bat / <i>Lasiurus cinereus</i>	--	--	
western small-footed myotis / <i>Myotis ciliolabrum</i>	--	--	
CDFW State Listing Categories: E California Endangered T California Threatened FP Fully Protected CSC California Species of Concern			USFWS Federal Listing Categories: T Federal Threatened PD Proposed for Delisting FSC Federal Species of Concern
Source: CNDDDB 2013, <u>CDFW (March 2016)</u>			

Page 55, Paragraph 1:

Northwestern pond turtles are known to utilize the Sacramento River; however, they tend to prefer slow, sluggish areas with many basking locations. The river's edge adjacent to the Park and the former river channel ~~do not~~ contain the type of habitat the turtles prefer, thus northwestern pond turtles are unlikely to reside in the Park.

Chapter 3: Issues and Analysis

Page 99, Paragraph 2:

SOUTHWEST PARCEL. Of the 6 acre Southwest Parcel, remnant riparian forest occurs on about one acre, and 4.5 acres were planted with native plants in 2001 by the department. These plantings do not fully meet the criteria of a “riparian wetland” as defined by the US Army Corps of Engineers, Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0), September 2008. The restored vegetation currently exhibits poor recruitment of native riparian/wetland species as it relates to the delineation of jurisdictional wetlands regulated by the US Army Corps of Engineers under the Section 404 of the Clean Water Act, as the vegetation stratum (shrub and grass/forbs) of this site does not meet prevalence or indicator species typical of riparian areas, nor do hydric soils exist within the restored areas. However, it still provides some habitat for native wildlife. Refer to Chapter 2 Habitat Restoration and Appendix N for more information.

Chapter 5: Environmental Analysis

Page 227, after Paragraph 3:

ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA Guidelines Section 15126.6(e)(2) requires that an environmentally superior alternative to the proposed project be specified, if one is identified. In general, the environmentally superior alternative is one which minimizes adverse environmental impacts while achieving the basic objectives of the project. The No Project Alternative would be considered environmentally superior because all of the adverse impacts associated with the project would be avoided (construction and operational). However, CEQA Guidelines §15126.6(e)(2) states that if the environmentally superior alternative is the No Project Alternative, “the EIR shall also identify an environmentally superior alternative among the other alternatives.”

Given the nature of the project, which consists of providing passive and active recreational opportunities and to protect and enhance the riparian and riverine environment, few alternatives are available that would meet the project’s most basic objectives. An alternative location is not feasible. The Minor Recreation/Habitat Focus and Moderate Recreation would not meet the basic objectives of the project or provide the greatest enhancement of recreational opportunities while avoiding significant resource impacts.

For the reasons presented above, the Proposed Plan meets the project objectives and avoids significant resource impacts, and, therefore, is identified as the environmentally superior alternative.

Colusa-Sacramento River State Recreation Area



Sacramento River looking south toward Sutter Buttes. SOURCE: Courtesy of Dennis Dahlin

