

FEDERAL AGENCY COMMENTS: CORPS OF ENGINEERS AUBURN DAM (ARWI FEIS, 12/91)

Department of the Interior - The Corps' report contains:

- * "...flawed alternative selection process that favored dam construction;
- * "...an inadequate analysis and mitigation plan for the dam impacts;
- * "lack of a mitigation plan with accompanying legal assurances..to compensate for project induced-impacts in the Natomas area."
- * "The FWS found major inadequacies in the impact analysis of the upstream dam and believes insufficient data has been presented on which to base an informed decision."
- * "Underestimation of inundation effect could result in catastrophic and irreversible damages to the environment. Such catastrophic damages could not be mitigated."
- * "We... believe the proposed plan will be seriously detrimental to nationally significant fish and wildlife resources and will be unable to satisfactorily mitigate losses to those resources."

United States Environmental Protection Agency

General Comments

- * "Nevertheless, EPA has significant unresolved concerns with the separate evaluations [emphasis added] of related flood control actions, the impact evaluation, significant cumulative environmental impacts, potential impacts on the Central Valley Project/State Water Project, adequate mitigation, and expansion into a multipurpose dam without explicit federal environmental review."
- * "Preliminary evaluation of the cumulative impacts of different combinations of temporary Folsom Reservoir reoperation alternatives and American River alternatives indicates the 100-year (FEMA) Folsom Reservoir Storage alternative may be the least environmentally damaging permanent flood protection alternative in conjunction with temporary Folsom Reservoir reoperation."
- * "EPA believes there is insufficient information to determine whether the proposed discharge is consistent with the environmental requirements set

forth in the Section 404(b)(1) Guidelines. Thus, we are unable to ascertain whether the 200-year dry dam (Selected Plan) in conjunction with 10-year reoperation of Folsom Reservoir is the least-environmentally damaging practicable alternative."

- * "The American River FEIS lacks a complete wetland jurisdictional determination, may have over-estimated other alternatives' costs and environmental impacts, and may have under-estimated environmental impacts of the dry dam."
- * "... it is EPA's judgment that these NEPA documents do not contain the requisite information to comply with full disclosure requirements of NEPA or to determine consistency with the Section 404 (b) (1) Guidelines. Therefore, we conclude that the COE proposals do not comply with NEPA and may not be consistent with these Section 404 (b) (1) Guidelines."

Specific Comments

- * "We are concerned that the dry dam (permanent protection plan) in conjunction with temporary Folsom Reservoir reoperation may have greater impacts than permanent Folsom Reservoir reoperation or other permanent protection alternatives with or without temporary reoperation."
- * "A single, comprehensive evaluation of these proposals may have resulted in a different alternative(s) being selected than made for interim and permanent protection proposals evaluated independently."
- * "... the COE appears to be segregating other parts of the flood protection action. ... the COE has chosen to propose and evaluate the Sacramento Metropolitan project as a separate federal action from the American River project but intends to combine the projects at the design stage. ...We believe fully concurrent disclosure and review of the Sacramento Metropolitan FEIS and the American River Watershed Investigation FEIS is required pursuant to NEPA."
- * "The dry dam selected plan may not meet these criteria [completeness and acceptability] because: 1.) other significant actions will be required to ensure realization of the planned effects (e.g., interim reoperation of Folsom Reservoir, lower American River levee repairs), 2.) there will be unavoidable adverse impacts which may not be fully mitigated, 3.) and public who find the proposed dry dam unacceptable, and 4.) the proposed dry dam may not be compatible with existing environmental regulations."

- * "The information presented minimizes the significance of potential impacts of the flood control dry dam. These impacts range from 500-2000 acres of potential impacts to upland and wetlands habitat (MR pg. V-15). EPA believes these potential impacts are significant, especially since adequate mitigation for these losses may not be feasible."
- * "Insufficient information was provided on potential impacts resulting from probable operational changes in the Central Valley Project (CVP) and State Water Project (SWP) as the result of interim and permanent flood protection proposals. ...The COE has not demonstrated that it has considered all feasible alternatives or mitigation measures that avoid or minimize potential impacts to water quality and fisheries."
- * "The COE has not documented its assumption that adverse impacts to the lower American River will not occur with implementation of the dry dam."
- * "We note the absence of information on potential environmental impacts of the permanent flood protection project even in the cumulative impact evaluation section of the temporary Folsom Reservoir reoperation DEIS (pg. DEIS 6-4)."
- * "Another significant omission is the evaluation of impacts from the proposed local sponsor's (SAFCA) Natomas area flood control improvement project..."
- * "EPA believes the COE should provide, prior to authorization or funding of the American River or Folsom Reservoir reoperation projects, a comparison of potential cumulative impacts (wetlands, fisheries, water quality, air quality, and fish and wildlife habitat) of a full range of combinations of interim and permanent flood protection alternatives."
- * "We recommend the DOE clearly describe the cost apportionment for all American River alternatives other than the Selected Plan."
- * "We note the major discrepancy still remaining between mitigation recommended by the U.S. Fish and Wildlife Service (USFWS) and mitigation proposed by the COE for the American River project. ...The USFWS and COE also appear to disagree on potential impacts and required mitigation of the temporary Folsom Reservoir reoperation project."
- * "EPA continues to be very concerned that the COE American River FEIS does not discuss full mitigation for indirect impacts."

- * "We do not believe the COE has clearly demonstrated that the proposed action would not contribute to violations of or delay timely attainment of the NAAQS."
- * "Based upon the lack of sufficient information, we are unable to determine whether the proposed discharge is consistent with the environmental requirements set forth by the Section 404(b)(1)."
- * "Sufficient information is not provided to demonstrate that the selected alternative is the least-environmentally damaging alternative and consistent with the Guidelines."
- * "Natomas and upper American River endangered species issues remain unresolved. Unless it is determined that the proposed project will not jeopardize federally-listed species, the project is not consistent with the 404(b)(1) Guidelines."
- * "The 404(b)(1) evaluation (Appendix G) is misleading and inaccurate in its analysis of impacts to jurisdictional areas. The American River FEIS states that direct impacts to special aquatic sites are zero for dam construction and quarry activities (Appendix G-16). However, significant wetland and aquatic losses associated with inundation and sloughing in the upper American River are not included in the evaluation."