

Attached

SECOND SET OF COMMENTS, WITH NOTICE OF ATTACHEMENTS INCORPORATED BY REFERENCE (email contents copied and pasted here for easier reading)

Subject: RE: 1 of 4 addition to Suard comments regarding Public Notice SPK-2014-00187] (UNCLASSIFIED)
From: <sunshine@snugharbor.net>(Add as Preferred Sender)
Date: Tue, Apr 08, 2014 10:18 am
To: "Guthrie, William H" <William.H.Guthrie@usace.army.mil>

Dear Mr. Guthrie,

Per our telephone conversation yesterday, since at this point USACE has not approved a public hearing for this very important matter, please note the ADDITIONAL comments that should be added to my previous comments on this matter. Please also see the attached documents for verification and reference related to my comments. Please forward these to your barriers contact with DWR but I would also ask that USACE itself, as a responsible agency, consider that there are gaps in the flow data reported at CDEC which should be addressed prior to any decisions affecting flow in the Delta. Below are my comments to be added to the list of 10 comments previously sent. I am attaching 5 files in pdf as well, which should be incorporated by reference into my comments:

1. Add to the top of the list that **USACE should question the wisdom of approving projects that affect water flow when the flow data as reported online has gaps that would indicate both of the following:**
 - (a) that flows have been under-reported in 2014 on the Sacramento River at the Freeport, Sutter, Steamboat and Georgiana gages;
 - (b) DWR or USBR has most likely been conducting flow experiments during the "data gap" timeframes, as shown from the screen prints of just one of the data gap days of 3/26/2014. (See attached pdf for verification)
2. DWR has not provided any data that validates the destruction of the terrestrial and aquatic plants of the "bench test" sites along Steamboat Slough which have been conducted by DWR and its partners/consultants over the last five or more years. Specifically, the lower water levels that DWR indicates will be the impact of barrier across Steamboat Slough is too low to sustain the plants that are being monitored as part of the millions of dollars spent on "restoration" test sites on this waterway. Water levels may be too low with the barriers installed to sustain even the tules and other aquatic plants as currently seen along the restoration sites located approximately
3. DWR refers to the migration pathway of salmon in the 2010 study without recognition that previous study years indicated Steamboat and Sutter Sloughs were important natural salmon migration pathways. In addition, DWR fails to acknowledge that the salmon migration studies manipulate the study outcomes at different times and different years by reducing flows on some rivers during migration time, thereby increasing water temperature to discourage salmon survival in the higher temperature waterways. DWR also fails to recognize that the salmon migration studies have been the impetus for the "pulse flows" at various times of each year of study, and since DWR will not be able to safely create the pulse flow on Steamboat and Sutter Sloughs during salmon incoming migration time, and since the slough water will be too warm for salmon survival, it is safe to assume no salmon will be utilizing those culverts to migrate upstream as they will most likely die before being able to swim upstream to reach the barriers.
4. Since DWR has been very inconsistent in disclosing actual North Delta inflow and outflow, as shown from the 2013 water balance chart found online at the published 2013 update to the California Water Plan, it is not wise for either DWR or USACE to move forward with any water flow revision

projects that impact North Delta waterways because any computer modeling done must have used the flow data as still showing online, complete with data gaps and unaccounted for water flows. (See Attachment linked:

<http://www.snugharbor.net/images-2014/news/unaccountedwater-update.pdf> This is a study that shows unaccounted for water and DWR's response was to revise the chart. Question WHY it takes non-water engineers to get DWR to post consistent correct water flow data?

Please confirm you received this email and five attachments which will be sent in individual emails as the files are a bit large.

Nicole S. Suard, Esq. Managing Member, Snug Harbor Resorts, LLC

FIRST SET OF COMMENTS:

From: sunshine@snugharbor.net [<mailto:sunshine@snugharbor.net>]

Sent: Friday, April 04, 2014 6:56 AM

To: Guthrie, William H

Cc: Bill Wells

Subject: [EXTERNAL] [FWD: Request for public hearing for Steamboat and Sutter Slough proposals Public Notice SPK-2014-00187]

Bill Guthrie, Project Manager
US Army Corps of Engineers, Sacramento District
1325 J Street, Room 1350
Sacramento, California 95814-2922
Email: William.H.Guthrie@usace.army.mil

Dear Mr. Guthrie: Please see my below request for public hearing on SPK-2014-00187 which were first sent to a different name and email as found on the USACE website. MY reasons for requesting public hearing are listed below. Please confirm by email that your received this request for public hearing regarding the installation of barriers across Steamboat and Sutter Sloughs.

As stated in the email request sent 4/1/2014 copied below, the reasons a hearing are needed are as follows:

1. No computer modeling or other data has been provided to show how the barriers will impact land owners both above and below the barriers in case of a late spring heavy rain or flood. Based on common sense and local experience, the barriers would create unnecessary and artificial flood hazard on my property located at Snug Harbor, a peninsula off Ryer Island and downstream of the proposed barriers. Barriers could create pressure on the levees just above the barrier location in case of excess flows on the Sacramento River due to a late snow followed by a quick warming and runoff, which can be quite likely in late spring. No documentation has been provided showing analysis or consideration of the flood flow impacts. Documentation also does not provide any indication of the water quality impacts to this original navigable waterway of the North Delta, where the water always has run fresh except for the times of excess exports or diversions north of Steamboat and Sutter Sloughs.
2. Proposed barriers on Steamboat and Sutter Sloughs will create unreasonable hindrance to navigation. Steamboat Slough in particular is an important and popular recreation thoroughfare

between San Francisco bay and Sacramento, and hinderance of traffic or more specifically the barrier proposed, could hinder on-water emergency response to boating accidents or fires.

3. Proposed barriers are expected to reduce water levels as much as 18 inches on the lower side of the barriers, according to DWR representatives. However, local knowledge from the 977-78 barrier on Sutter Slough indicated two to three feet lowering of water levels. At low tides, the reduction of water level even by 18 inches can pose boating and dock access risk to persons along Steamboat Slough. In addition, loss of 18 inches of water level on low tides would tend to encourage the growth of egeria densa which would further cause hindrance to navigation.

4. Since no barriers have been placed on Steamboat Slough in the past, and DWR or its consultants have not been forthright in providing current effects data, this project should not move forward without full consideration of impacts to navigation, water quality for irrigation, water quality for drinking.

5. Common sense says if there is no freshwater outflow on Steamboat and Sutter Slough, then eventually saltwater will invade these natural waterways of the Delta causing long term damage as these waterways have always been freshwater aquatic environments. For example, even with low level of salinity or brackish water encroachment into lower Steamboat Slough, the roots of the tall trees along the levees and at places like Snug Harbor may be damaged by salinity encroachment. Salinity in the root water will have the effect of drawing the water out of the trees, one by one, and the trees will be more likely to die and fall, Trees along the levees may fall and damage the levees as well.

6. There are fresh water otter and beaver living along Steamboat Slough inside the cove locally called Snug Cove. These animals will have to be relocated or killed as the river otter, in particular, do not survive in saltwater according to some records of freshwater otters.

7. The original reason for the proposal of the barriers on Steamboat Slough was made by Metropolitan Water District in 2003-2005 for the Flooded Island Feasibilities Studies or the MWD "Emergency Freshwater Pathway" which was envisioned in case of levee failures due to earthquakes or flood. The barriers were also apparently a focus of FloodSAFE according to 2012 documentation however the assumption of the FloodSafe plan was action in case of FLOOD, not water shortage created by the mismanagement of Northern California reservoirs.

8. DWR has not considered other alternative locations for the barriers, as proposed by landowners at the meeting in Walnut Grove that was not a DWR-called meeting but was one first organized by locals to get more information. For example, one landowner suggested that if barriers became necessary, that they be placed down by Hidden Harbor so that the freshwater would remain within Steamboat and Sutter Sloughs and the farmers would have access to their pumps without having to borrow portable pumps. Another proposal presented is to install a wood barrier part of the way across Steamboat Slough at its north end so that some of the Sacramento River water still flows into Steamboat Slough while more of it continues down Sacramento River to allow further export into Georgiana Slough or the DCC, the reason for the barriers proposal in the first place.

9. DWR has failed to disclose accurate water flow data for the North Delta for several years, bringing into serious question the flow data as shown online and in California Water Plan reports. There are questions regarding unaccounted for substantial amounts of fresh water as well as questions regarding the reason for the pattern of missing flow data.

10. The damage to lower Steamboat Slough, at a minimum, could be ecologically quite substantial if installation of the barriers causes saltwater encroachment into the waterway, damaging the freshwater plants and aquatic environment which will also affect the terrestrial environment.

Nicole S. Suard, Esq. Managing Member, Snug Harbor Resorts, LLC <http://www.snugharbor.net>