

## CHAPTER 13

### PUBLIC INVOLVEMENT

Numerous government agencies, organizations, special-interest groups, and individuals have participated in the reevaluation of flood protection alternatives for Sacramento. This chapter describes public involvement for the reevaluation, including scoping activities, the agencies and organizations consulted during preparation of the DSEIS/SDEIR, and comments on the DSEIS/SDEIR.

An executive committee was established in 1994 to review the progress of the reevaluation studies and to help ensure a successful process for selecting a flood protection plan. The committee is made up of representatives of the cost-sharing partners in a flood protection project and other interests that would be significantly affected by a project. The committee members are:

- Colonel John Reese, Sacramento District Engineer, Corps of Engineers
- Mr. Roger Patterson, Mid-Pacific Regional Director, U.S. Bureau of Reclamation
- Ms. Deanna Wieman, Director of Office of External Affairs, U.S. Environmental Protection Agency
- Mr. Joel Medlin, Field Supervisor, U.S. Fish and Wildlife Service
- Mr. William Mueller, Office of Congressman John Doolittle
- Ms. Susan McKee, Office of Congressman Vic Fazio
- Ms. Collette Johnson-Schulke, Office of Congressman Robert Matsui
- Mr. C. F. Raysbrook, Director, California Department of Fish and Game
- Mr. David Kennedy, Director, California Department of Water Resources
- Mr. Mike Stearns, President, The Reclamation Board
- Mr. John Upton, Chairman, El Dorado County Board of Supervisors
- Mr. Alex Ferreira, Chairman, Placer County Board of Supervisors
- Ms. Muriel Johnson, Chairwoman, Sacramento County Board of Supervisors
- Mr. Dave Cox, Sacramento County Board of Supervisors
- Mr. Dennis Nelson, Chairman, Sutter County Board of Supervisors
- Mr. Mike McGowan, Chairman, Yolo County Board of Supervisors
- Mr. F. I. "Butch" Hodgkins, Executive Director, Sacramento Area Flood Control Agency
- Ms. Betsy Marchand, Chairperson, Yolo-Solano Flood Control Task Force
- Mr. Bob Holderness, Mayor, City of Folsom
- Mr. Joe Serna, Jr., Mayor, City of Sacramento
- Ms. Cindy Tuttle, Mayor, City of West Sacramento

SEIS 13-1

Public Involvement

- Ms. Sara Myers, Councilwoman, City of Folsom
- Mr. David Breninger, General Manager, Placer County Water Agency
- Mr. Bill Denton, President, Reclamation District 900
- Mr. Ed Schnabel, General Manager, Sacramento Metropolitan Water Authority

A study management team has overseen the conduct and progress of the reevaluation studies and coordinated the efforts of several working groups focused on special interests or concerns. The study management team is made up of representatives from the Corps, Bureau of Reclamation, Department of Water Resources, Reclamation Board, SAFCA, Reclamation District 1000, and the American River Flood Control District. Members of this team have also served as a focal group for extensive coordination with the Environmental Protection Agency and key resources agencies, including the Fish and Wildlife Service and Department of Fish and Game.

### SCOPING

Congress' direction to the Corps in 1992 to conduct the American River reevaluation required the development of additional information on various flood control measures. To help in developing this information and in identifying public concerns about area flooding and significant natural resources, the Corps, Reclamation Board, and SAFCA held a series of general forums representing all the affected and interested groups in the reevaluation process. These forums were held on June 30, 1993; November 9, 1993; and May 24, 1994. The focus of these forums was to assist the agencies in (1) screening the flood protection measures identified by Congress, (2) formulating a reasonable range of alternatives for local decision makers, and (3) ensuring a full and fair evaluation of the impacts, costs, and comparative reliability of the alternatives.

As an outgrowth of the first general forum and the need to evaluate the existing condition of the levees and river channel of the lower American River, the Lower American River Task Force was organized in January 1994. This task force is made up of 34 representatives from the flood control and environmental agencies and organizations with a special interest in the lower river. The task force has participated in the development of (1) streambank protection measures needed to ensure the reliability of the Federal levees along the lower American River, being done as part of the Corps' Sacramento River Bank Protection Project, and (2) restoration and recreation opportunities in the lower river, as part of the American River reevaluation.

In November 1994, the Corps released the Alternatives Report for the American River Watershed. The report was for the use of the Sacramento community in identifying a locally preferred plan for increasing flood protection.

In response to the Alternatives Report, SAFCA and The Reclamation Board held a series of six public workshops and hearings on the alternatives, on December 15, 1994, and January 19 and 20, and February 2, 16, and 17, 1995. The Reclamation Board and SAFCA identified the Detention Dam Plan as the preferred upstream plan and the Stepped Release Plan as the preferred downstream plan and requested the Corps to fully analyze both plans in the draft Supplemental Information Report and DSEIS/SDEIR. The Reclamation Board and SAFCA indicated their intent to select a locally preferred plan following public workshops and hearings to be held following completion of the draft. (See Appendix A, Part II, for February 24, 1995, letter from The Reclamation Board and March 10, 1995, letter from SAFCA.)

Public notices concerning preparation of the DSEIS/SDEIR (see Appendix A, Part II) were issued on:

- April 5, 1995 - Notice of intent published in the "Federal Register"
- April 14, 1995 - Joint notice of intent and notice of preparation by The Reclamation Board, SAFCA, and the Corps
- May 2, 1995 - Notice of preparation by The Reclamation Board

Throughout the reevaluation, Federal, State, and local agencies worked cooperatively to provide information to the public about flood protection alternatives and to solicit public views and concerns. In addition to the public meetings discussed above, numerous meetings, presentations, and interviews were given with the news media, government officials, environmental groups, trade and fraternal organizations, and other interests throughout the study area.

## **MAJOR PUBLIC ISSUES AND CONCERNS**

This SEIS/EIR describes the significant environmental impacts that likely would result from the flood protection alternatives. Listed below are major issues and concerns identified through the public scoping process, including issues identified during review of the December 1991 EIS/EIR.

The following significant areas of controversy were identified during this study:

SEIS 13-3

### Detention Dam Plan

- Relationship between the Detention Dam Plan and the authorized multipurpose Auburn Dam.
- The extent of environmental and recreational impacts that would result from temporary inundation during large storms and the appropriate scope of mitigation for these impacts.
- Potential impacts from sloughing in the north and middle forks of the American River during periods when the detention dam would detain water.
- Potential impacts from reservoir-induced seismicity during periods when the detention dam would detain water.

### Folsom Modification Plan

- Increasing the seasonal flood space in Folsom Reservoir and concern about impacts on water and power supplies, local water availability, water quality, and recreation.
- Relatively low level of flood protection achieved and likely preclusion of other options to provide higher levels of protection and other water resource goals.
- Residual flood risk.

### Stepped Release Plan

- Hydraulic impacts to area downstream from the American River due to higher objective releases.
- Continued reoperation of Folsom Dam and Reservoir and related impacts, mainly on water supply, water quality, and recreation.
- Higher objective releases to the lower American River and levee modifications necessary to accommodate those releases.

### General

- The application of the Federal Principles and Guidelines for water resource projects adopted by Congress in 1986 and Section 404(b)(1) of the Clean Water Act, including the application of 404(b)(1) guidelines to the analysis of the Detention Dam Plan and the requirements and effects of compliance with Section 404(r). The Corps believes

that the Detention Dam Plan meets the Section 404(b)(1) guidelines of the Clean Water Act, and an exemption under Section 404(r) of Public Law 92-500, as amended, is requested. The EPA (Environmental Protection Agency) has determined that the Detention Dam Plan as proposed is not consistent or otherwise in compliance with the Section 404(b)(1) guidelines of the Clean Water Act.

- The EPA rated the three action alternatives individually and based its rating on continuing EPA concerns regarding baseline, potential impacts, and mitigation. The EPA ratings for the three action alternatives are based on the "Environmental Impact of the Action" and the "Adequacy of the Impact Statement." EPA rated the Folsom Modification and Stepped Release Plans as "EC—Environmental Concerns" and "EC-2—Insufficient Information." The Detention Dam Plan was rated "EU—Environmentally Unsatisfactory."

EC-Environmental Concerns - The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EC-2-Insufficient Information - The DSEIS/SDEIR does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the DSEIS/SDEIR, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final SEIS/EIR.

EU-Environmentally Unsatisfactory. The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health, or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected for the final SEIS/EIR, this proposal will be recommended for referral to the CEQ (Council on Environmental Quality).

- The FWS has stated that the impacts from constructing and operating the detention dam would cause significant and unmitigable impacts to fish and wildlife resources.
- The overall reaction of the public and reviewing agencies to the ARWP alternatives centered on the major issues shown below and are based on comments received on the DSEIS/SDEIR. Responses to the following issues are discussed in appendix M:

SEIS 13-5

**Public Involvement**

Seismicity at damsite  
Development in flood plains  
Reoperation impacts under worst-case conditions  
Inundation of vegetation by the dry dam  
Project costs and benefits  
Project funding  
Analysis of expanding detention dam to multipurpose facility  
Hodge decision as minimum flow standard  
Flooding in Sacramento area from tributaries below Folsom Reservoir  
Traffic impacts at Folsom Dam  
Proposed adaptive management plan

- The draft Supplemental Information Report did not identify a tentatively selected plan, nor did it designate the NED plan. The final SIR identifies the Detention Dam Plan as the NED plan.

The following issue remains unresolved:

- The difference of opinion between the Corps and the FWS on appropriate strategies to mitigate project impacts in the upper American River canyon resulting from periodic inundations.

**OPPORTUNITIES FOR PUBLIC INVOLVEMENT**

The notice of availability for the DSEIS/SDEIR was published in the "Federal Register" on August 25, 1995. Information on public meetings and opportunities to provide comments included:

- Public meetings on the DSEIS/SDEIR were held in September and October 1995. Both verbal and written comments could be provided at these meetings.

All comments received by October 10, 1995, have been incorporated into this final SEIS/EIR.

**AGENCIES AND ORGANIZATIONS CONSULTED**

The following agencies and organizations were consulted during preparation of the DSEIS/SDEIR:

SEIS 13-6

- American River Flood Control District
- California Air Resources Board
- California Board of Equalization, Research and Statistics Division
- California Department of Boating and Waterways
- California Department of Conservation
- California Department of Fish and Game
- California Department of Forestry and Fire Protection
- California Department of General Services
- California Department of Health Services
- California Department of Parks and Recreation, American River District
- California Department of Toxic Substances Control, CEQA Tracking Center
- California Department of Transportation, District 3
- California Department of Transportation, District 10
- California Department of Transportation, Planning
- California Department of Water Resources, Division of Dam Safety
- California Department of Water Resources, Division of Planning
- California Department of Water Resources, Division of Water Rights
- California Energy Conservation and Development Commission
- California Highway Patrol, Planning and Analysis Division
- California Integrated Waste Management Board
- California Lands Commission
- California Office of Historic Preservation
- California Office of Local Assistance
- California Office of Planning and Research, Permit Assistance
- California Public Utilities Commission
- California Regional Water Quality Control Board, Central Valley Region
- California Water Resources Control Board, Division of Clean Water Programs
- California Water Resources Control Board, Division of Water Quality
- California Water Resources Control Board, Division of Water Rights
- California Water Resources Control Board, Lahonton Region 6
- California Wildlife Conservation Board
- City of Sacramento, Parks and Recreation
- City of Sacramento, Planning and Development Department
- City of Sacramento, Police Department
- City of Sacramento, Public Works Department
- City of Sacramento, Utilities Department
- El Dorado County Board of Supervisors
- El Dorado County Community and Development Department
- National Marine Fisheries Service
- Native American Heritage Commission
- Placer County Board of Supervisors
- Placer County Planning Department

SEIS 13-7

Public Involvement

- Sacramento Area Council of Governments
- Sacramento Board of Realtors
- Sacramento County Board of Supervisors
- Sacramento County Fire Department
- Sacramento County Parks and Recreation
- Sacramento County Public Works
- Sacramento County Redevelopment Agency and Housing Authority
- Sacramento Municipal Airport, Department of Planning and Development
- Solano County Board of Supervisors
- Sutter County Board of Supervisors
- Sutter County Planning Department
- Tahoe Regional Planning
- U.S. Bureau of Land Management, Folsom Resource Area Office
- U.S. Bureau of Reclamation, Central Valley Operations Coordinating Office
- U.S. Bureau of Reclamation, North-Central California Area Office
- U.S. Environmental Protection Agency, Office of Federal Activities
- U.S. Fish and Wildlife Service
- U.S. Forest Service, El Dorado National Forest
- U.S. Forest Service, Tahoe National Forest
- U.S. Natural Resources Conservation Service
- Yolo County Board of Supervisors

**COMMENTS ON DSEIS/SDEIR**

The public comment period on the DSEIS/SDEIR extended from the release of the report on August 15, 1995, to October 10, 1995. Between September 12 and October 2, The Reclamation Board, SAFCA, and the Corps held six public information open houses and four public hearings. The purpose of these meetings was to present to the community the candidate plans for flood protection for Sacramento and to receive public comments on them.

Following the public review, The Reclamation Board and the SAFCA Board of Directors met separately to select the locally preferred plan for the American River Watershed Project. On October 12, The Reclamation Board adopted Resolution No. 95-17, which recommended that the Corps pursue congressional authorization of the Detention Dam Plan. On November 9, SAFCA adopted Resolution No. 95-123, which identified the Detention Dam Plan as the locally preferred alternative. (These resolutions are included in Appendix A, Part II.)

During the public review, the Corps received approximately 2,250 letters on the draft Supplemental Information Report and DSEIS/SDEIR. A total of 183 individuals provided

SEIS 13-8

testimony at one of four formal hearings. The comments received and responses to them are in the Comments and Responses Appendix (M). This final SEIS/EIR reflects changes made to respond to public comments received on the DSEIS/DSEIR.

SEIS 13-9