Appendix M:

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

June 16, 2008

Deborah Condon
Central Valley Flood Protection Board
2825 Watt Avenue
Sacramento, CA 95821

Subject: The Erosion Repairs of 13 Bank Protection Sites, 2008 and 2009, Sacramento River Bank Protection Project
SCH#: 2008052034

Dear Deborah Condon:

The enclosed comment (s) on your Mitigated Negative Declaration was (were) received by the State Clearinghouse after the end of the state review period, which closed on June 9, 2008. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2008052034) when contacting this office.

Sincerely,

Terry Roberts
Senior Planner, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

STATE OF CALIFORNIA—THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, *Governor*

DELTA PROTECTION COMMISSION
14215 RIVER ROAD
P.O. BOX 530
WALNUT GROVE, CA 95690
Phone (916) 776-2290
FAX (916) 776-2293
E-Mail: dpc@citlink.net Home Page: www.delta.ca.gov

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JUN 1 3 2008
STATE CLEARING HOUSE

Clear 6.9.08 late e

June 9, 2008

State Clearinghouse
P. O. Box 3044
Sacramento, California 95812-3044

Dear Project Manager:

SUBJECT: Erosion Repairs of 13 Bank Protection Sites, 2008 and 2009, Sacramento River Bank Protection Project (SCH #2008052034)

Staff of the Delta Protection Commission (Commission) has reviewed the Mitigated Negative Declaration for the subject proposed project. Based on the information provided, a determination has been made that portions of the project area involves lands in the Primary Zone of the Legal Delta.

The Delta Protection Act (Act) was enacted in 1992 in recognition of the increasing threats to the resources of the Primary Zone of the Delta from urban and suburban encroachment having the potential to impact agriculture, wildlife habitat, and recreation. Pursuant to the Act, a Land Use and Resource Management Plan (Management Plan) for the Primary Zone was completed and adopted by the Commission in 1995.

The Management Plan sets out findings, policies, and recommendations resulting from background studies in the areas of environment, utilities and infrastructure, land use, agriculture, water, recreation and access, levees, and marine patrol/boater education/safety programs. As mandated by the Act, the policies of the Management Plan are incorporated in the General Plans of local entities having jurisdiction within the Primary Zone, including Sacramento, Solano and Yolo Counties.

The policies and recommendations from the Management Plan that are relevant to this project include, but are not limited to, the following:

Water

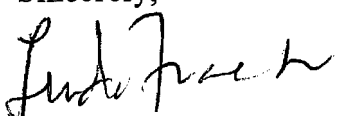
- Policy 3: Water agencies at local, State, and federal levels shall work together to ensure that adequate Delta water quality standards are set and met and that beneficial uses of State waters are protected consistent with the CALFED (see Water Code Section 12310 (f)) Record of Decision dated August 8, 2000.
- Recommendation 7: State and federal water projects are beneficiaries of the Delta waterways and levees; the projects should fund that portion of levee erosion caused by water transport and should continue programs that fund protection of Delta levees.

Levees

- Policy 1: Local governments shall ensure that Delta levees are maintained to protect human life, to provide flood protection, to protect private and public property, to protect historic structures and communities, to protect riparian and upland habitat, to promote interstate and intrastate commerce, to protect water quality in the State and federal water projects, and to protect recreational use of the Delta area. Delta levee maintenance and rehabilitation shall be given priority over other uses of the levee areas. To the extent levee integrity is not jeopardized, other uses, including support of vegetation for wildlife habitat, shall be allowed.
- Recommendation 1: Levee maintenance, rehabilitation, and upgrading should be established as the first and highest priority of use of the levee. No other use whether for habitat, trails, recreational facilities, or roads should be allowed to unreasonably adversely impact levee integrity or maintenance.
- Recommendation 6: A "clearinghouse" for material suitable for levee maintenance should be created to assist in distributing appropriate materials to sites slated for maintenance work. Materials which have value for levee maintenance work, such as materials routinely dredged from Delta channels or materials otherwise excavated from within the Delta area, should be reserved first for levee maintenance work. Other uses should be considered only if the material is not needed or is unsuitable for levee maintenance work. Regulations should establish priorities for in-Delta use of soil excavated from within the Delta.
- Recommendation 7: Study appropriateness of materials from other sources for levee maintenance and repair, similar to the Long Term Management Strategy prepared for the San Francisco Bay region.

Thank you for the opportunity to provide input into the proposed project. Please contact me at (916) 776-2290 or lindadpc@citlink.net if you have any questions or need clarification regarding the comments provided herein.

Sincerely,



Linda Fiack
Executive Director