SOUTH YUBA RIVER CITIZENS LEAGUE

February 23, 2018

Alicia Kirchner, Chief
U.S Army Corps of Engineers, Sacramento District
Attn: Planning Division
1325 J Street, 10th Floor
Sacramento, CA 95814

RE: South Yuba River Citizens League comments on Draft Feasibility Report/Environmental Assessment for the Yuba River Ecosystem Restoration Feasibility Study

Dear Ms. Kirchner,

The South Yuba River Citizens League (SYRCL) respectfully submits comments and recommendations for the Draft Feasibility Report/Environmental Assessment for the Yuba River Ecosystem Restoration Feasibility Study (feasibility study). SYRCL is a 35-year-old organization with a mission to unite the community in protecting and restoring the Yuba River watershed. Since 1997, SYRCL has been actively involved in the planning of restoration projects both on the lower Yuba River, and throughout the watershed. SYRCL has been a regular participant in virtually all forums concerning ecosystem restoration in the Yuba River watershed, including the Yuba River Fisheries Technical Working Group, the Upper Yuba River Study Program, the Yuba Accord River Management Team, the Yuba Salmon Forum, the FERC relicensing process, and two Integrated Regional Watershed Management groups overlapping the Yuba River watershed. In recent years, SYRCL's Lower Yuba restoration program has grown from a 5-acre project at Hammon Bar to working on over 200 acres of floodplain restoration and spawning habitat projects at Hallwood, Long Bar, Rose Bar, and the Yuba River Canyon.

We have greatly appreciated the insight and availability of Army Corps staff to discuss the feasibility study during the 45-day comment period. In these conversations, Army Corps staff have stated that they are unable to change the configuration or focus of the preferred alternative because the feasibility study is too far along in the planning phase. It is our understanding that Army Corps is required to address submitted comments (see Council on Environmental Quality (CEQ): 40 CFR 1503.4) by modifying the preferred alternative or further developing previously overlooked alternatives.

We are pleased to see that the feasibility study acknowledges the importance of restoring habitat for salmon and steelhead in the Yuba River watershed. The study presents a preferred alternative (Alternative 5) that focuses on habitat restoration efforts in the Lower Yuba River. Local stakeholders are already engaged in this work, have completed planning documents similar to the feasibility study, and are set to complete over 200 acres of floodplain restoration work by 2020—for a fraction of the estimated cost proposed in the feasibility study. While SYRCL does not wish to discount the importance of the work proposed in Alternative 5 and would be supportive of the work if it is approved and funding is appropriated, focusing the feasibility study on habitat restoration work is redundant of work already in progress and completed by other stakeholder groups and federal agencies and is not the best use of the Army Corps unique authority, time, or funding.

As the feasibility study anticipates, we are disappointed that projects to improve or provide for fish passage at either Englebright Dam or Daguerre Point Dam were not extensively studied during this process. The Army Corps is the only agency with the authority to address fish passage at both Daguerre Point Dam and Englebright Dam, which are identified in the feasibility study as projects that would improve longitudinal connectivity of the Yuba River watershed. SYRCL asks that alternatives for fish passage at Englebright Dam and Daguerre Point Dam are considered and studied more thoroughly as (1) the Army Corps is the only entity with the authority to work in these locations and (2) habitat restoration work is already being undertaken by local stakeholders with support from the United States Fish and Wildlife Service (USFWS) and Yuba County.

Daguerre Point Dam

SYRCL urges the Army Corps to reconsider a preferred alternative that will improve fish passage at Daguerre Point Dam. The Army Corps is the only entity with the authority to alter Daguerre Point Dam, which, if reconfigured, could revitalize fish populations by improving upstream and downstream passage for Chinook, steelhead, and sturgeon and reduce the potential for loss of life due to boating accidents over the dam. Given the extensive planning that has already occurred at Daguerre Point Dam by the Army Corps and others (see section 1.5.2 in feasibility study), waiting for the authorization of another feasibility study to deal directly with Daguerre Point Dam is not acceptable. Army Corps staff have suggested that there is insufficient data to prove that Daguerre Point Dam impedes fish passage. However, fish passage at Daguerre Point Dam has long been documented as an issue for Chinook salmon, steelhead, and sturgeon.

We think that the stated costs and risks associated with removal, partial removal, or other configurations at Daguerre Point Dam are too heavily weighted when measured against the benefits that salmon, steelhead, sturgeon, and people would experience. We recommend the Army Corps reconsider a project that would maintain water deliveries, reduce the potential for loss of human life, continue to act as a barrier for predatory fish to the upstream reaches of the Lower Yuba River, and could benefit endangered Spring-run Chinook if engineered to function as a segregation weir.

Fish Passage at Englebright Dam

Englebright dam has blocked the passage of salmon and steelhead to the upper Yuba River watershed since its construction in 1941. Since that time, salmon populations have declined significantly. As the feasibility study itself states, we are disappointed that passage options for Englebright Dam were not fully evaluated in the alternatives analysis. The Army Corps should review available studies developed by the Yuba Salmon Forum, the National Marine Fisheries Service, and others about the feasibility of implementing a passage project at Englebright Dam. The letter SYRCL submitted to the Army Corps during the scoping phase of the feasibility study (dated December 4, 2015, attached) gives an overview of our vision and asks that the Army Corps view Englebright Dam as a challenge to be solved. We ask that alternatives for passage, either volitional or assisted, be further developed at Englebright Dam to provide stakeholders with more accurate cost estimates and benefits analyses.

Lower Yuba River Habitat Restoration

Alternative 5 has overlapping footprints both geographically and in methodology to (1) projects that have been proposed and are funded by the United States Fish and Wildlife Service (USFWS) Anadromous Fish Restoration Project (AFRP), (2) draft project designs that are in development by cbec and SYRCL, and (3) the proposed habitat enhancements within the Yuba River Development Project through the Yuba River Development Project FERC (#2246) relicensing process. SYRCL and its partners will continue to make progress on habitat restoration projects in the Lower Yuba River. While the Army Corps waits for funding to be approved by congress, local stakeholders will be restoring the river, chipping away at the proposed Army Corps investment in the Yuba River.

In Habitat Increment 3a, the project at Bar A is overlapping the USFWS AFRP project at Long Bar. SYRCL, USFWS, The Long Bar Mine Company, Silica Resources, cbec, and Cramer Fish Sciences have been working on this project together since 2015 and at present 65% designs are nearly complete. SYRCL staff showed maps and discussed this project with Army Corps staff during the scoping period for the study, specifically during a meeting convened by Congressmen Garamendi on May 31, 2016. The USFWS Long Bar Project is mentioned in the feasibility study but a project at Bar A was still designed in the same location.

The comments submitted by SYRCL during the scoping period reflected a desire to include the project at Long Bar in the feasibility study, however, now that the project has received funding and is moving forward it appears that including the Long Bar Project (Bar A) will only reduce the future investment in the Lower Yuba River. This is an unfortunate an unacceptable outcome for the final feasibility study given that the Army Corps is still in the planning phase.

We urge ACOE to update the study to include a project in the Lower Yuba River that is not already in the planning phase by another federal agency. We understand that if Bar A remains in the feasibility study, funds will be returned to the federal government. It is duplicative and wasteful of taxpayer dollars for two federal agencies to both be planning projects at the same location. It is also unacceptable that a percentage of the projects planned in the study are not “feasible” at this draft stage and that funding, which would otherwise be used to benefit endangered and threatened species, would be returned to the federal government.

SYRCL is also surprised by the cost of implementation for Alternative 5. Moving material is one of the most expensive aspects of floodplain restoration projects where large gravel must be removed to create habitat. There are multiple companies along the Lower Yuba River within the footprint of Alternative 5 where gravels could be processed. In addition, gravels could be moved to off channel areas adjacent to restoration areas and piled for later use. Instead, the feasibility study estimates travel to processing facilities outside of the area. We suggest that the feasibility study should reevaluate these costs given these suggested alternatives. If the cost to implement is reduced through this exercise and Alternative 5 remains the preferred alternative, we suggest adding additional acreage to the preferred alternative to maintain the total investment in the Yuba River.

Errata

SYRCL biologists surveyed Hammon Bar in 2017 and note that just over nearly 2,000 trees remain after the 2016-2017 flood events, not hundreds as noted in the feasibility study (pg. 12 of feasibility study)

In closing, SYRCL suggests that the Army Corps incorporate stakeholders in this feasibility study process. Local stakeholders, like SYRCL and other active agencies, landowners, and non-profits have a vested interest in outcomes for the Yuba River watershed and are willing partners with decades of experience working in the watershed.

If you have any questions for SYRCL, please direct them to Rachel Hutchinson, River Science Director, 530-265-5961 x 205 or rachel@yubariver.org

Sincerely,

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