San Clemente Dam Seismic Safety Project

Final Supplement to the EIR, No. 2
Old Carmel River Dam Removal

SCH # 2012071036

Prepared for:

California State Coastal Conservancy

California American Water

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TABLE OF CONTENTS

Figures

ABBREVIATIONS AND ACRONYMS

BMPs	Best Management Practices
CAW	California American Water
CDFG	California Department of Fish and Game
CEQA	California Environment Quality Act
cfs	cubic feet per second
CRLF	California red-legged frog
CTS	California tiger salamander
cy	cubic yards
dBA	decibels on the A-weighted scale
DSOD	Division of Safety of Dams
DWR	(California) Department of Water Resources
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
FEMA	Federal Emergency Management Agency
HABS	Historic American Building Survey
HAER	Historic American Engineering Record
MBUAPCD	Monterey Bay Unified Air Pollution Control District
Mph	miles per hour
NEPA	National Environmental Policy Act
NGVD29	National Geodetic Vertical Datum
NRHP	National Register of Historic Places
OCRD	Old Carmel River Dam
OHWM	Ordinary High Water Mark
per. com.	Personal communication
SCC	State Coastal Conservancy
SCD	San Clemente Dam
SCDHD	San Clemente Dam Historic District
SEIR	Supplemental Environmental Impact Report
SPCC Plan	Spill Prevention Containment and Countermeasure Plan
SWPPP	Stormwater Pollution Prevention Plan
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service

1. INTRODUCTION

The California Department of Water Resources (DWR) and the U.S. Army Corps of Engineers (USACE) prepared a Final Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) under the California Environmental Quality Act (CEQA) of 1970, and the National Environmental Policy Act (NEPA) of 1969 for the San Clemente Dam Seismic Safety Project. This EIR/EIS analyzed the potential impacts of four project alternatives, plus a no-project alternative. Each of the project alternatives included constructing a notch in Old Carmel River Dam (OCRD), with the exception of the no-project alternative. On December 31, 2007, DWR certified the Final EIR in accordance with CEQA Guidelines section 15090. DWR published the Final EIR/EIS in January 2008. On March 14, 2011 DWR filed a Notice of Determination for the Project in compliance with section 21108 of the Public Resources Code approving the Carmel River Reroute and San Clemente Dam Removal Project, as described in Alternative 3 of the 2008 Final EIR/EIS (DWR 2008) (hereinafter referred to as "the project" or "Alternative 3").

Since that time, California American Water (CAW), the project proponent, identified several necessary changes to the project. DWR, as the lead agency, evaluated the proposed changes, and prepared a SEIR. This SEIR addressed changes to the project, including a new access route, excavation of additional sediment from San Clemente Creek (based on revised engineering calculations), proposed night work under certain circumstances, and revised impacts based on the latest engineering design. The SEIR was released for public review on April 24, 2012. On July 27, 2012 DWR certified the final SEIR and filed its Notice of Determination.

To improve fish passage and restore the Carmel River to a more natural state, CAW also proposes to remove OCRD entirely, including the bridge rather than notch this dam as described and analyzed in the 2008 Final EIR/EIS (DWR 2008). DWR did not address removal of OCRD and the bridge in the July 2012 Final SEIR.

On June 12, 2012, the California State Coastal Conservancy (Conservancy) circulated a second Draft Supplemental Environmental Impact Report (SEIR No. 2) to the Final EIR for the San Clemente Dam Seismic Safety Project. SEIR No. 2 evaluates the potential impacts of removing OCRD, rather than notching it. During the public review period for the Draft SEIR No. 2, which closed on July 29, 2012, the Conservancy received comments from two government agencies and one member of the public.

The complete SEIR No. 2 for the San Clemente Dam Seismic Safety Project consists of the following:

- The *San Clemente Dam Seismic Safety Project, Draft Supplement Environmental Impact Report Number 2, Old Carmel Dam Removal* (Draft SEIR No. 2), June 2012. Please note that the Draft SEIR No. 2 was submitted to the

State Clearinghouse under number 2005091148. However, for clarity in the State Clearinghouse database and to avoid confusion for reviewing agencies with the Final July 2012 SEIR prepared by DWR, the State Clearinghouse later assigned a new State Clearinghouse number: 2012071036.

- The comments, responses to comments, and revisions to the Draft SEIR contained in this document, the *San Clemente Dam Seismic Safety Project, Final Supplement Environmental Impact Report Number 2, Old Carmel Dam Removal* (Final SEIR No. 2).

This SEIR supplements the prior 2008 Final EIR and the July 2012 Final SEIR both prepared by the California Department of Water Resources for the San Clemente Dam Seismic Safety Project (DWR 2008 and DWR 2012, respectively) in accordance with Sections 15162 and 15163 of the California Environmental Quality Act (CEQA) Guidelines. It contains only the information necessary to make the previous EIR adequate for the project as revised.

This Final SEIR No. 2 includes the required contents under the CEQA Guidelines, 14 Cal.Code of Regulations Section 15132 and is organized as follows:

- Chapter 1: Introduction
- Chapter 2: Responses to Comments
- Chapter 3: Revisions to the Draft SEIR
- Chapter 4: Mitigation Monitoring and Reporting Program
- Chapter 5: References
- Appendix 1: Comment Letters

2. RESPONSES TO COMMENTS

On June 14, 2012, the Coastal Conservancy circulated the Draft SEIR No. 2 for public review for 45 days. The 45-day comment period ended on July 29, 2012. The Coastal Conservancy received three comment letters during this review period. This chapter contains copies of all the comment letters on the Draft SEIR No. 2 received during the comment period, presented in the order received. Individual comments within the letters have been delineated and assigned comment numbers, and responses to each comment are provided immediately following each comment. Full copies of each comment letter are provided in Appendix 1.

The organizations and individuals who submitted comment letters are listed below. Copies of the letters are presented in the following subsections:

- 2.1 Letter dated July 6, 2012, County of Monterey, Robert Schubert
- 2.2 Letter dated July 26, 2012, Doug Gardner
- 2.3 Letter dated July 27, 2012, Monterey Bay Unified Air Pollution Control District, Amy Clymo

2.1 LETTER DATED JULY 6, 2012, COUNTY OF MONTEREY, ROBERT SCHUBERT

General

GEN-1

The Second Draft SEIR states that "There would be no impacts to the following resource areas: Geology and Soils, Aesthetics, Recreation, Land Use, Other Environmental Effects (such as population and housing), or Other CEQA Considerations including Cumulative Impacts and Growth Inducement" (page 4-3). There is no analysis or discussion provided to support this statement. A brief explanation of this conclusion should be provided.

Response to Comment GEN-1

Rationale for "no impact" conclusion - Geology and Soils: Removal of OCRD would not affect geological resources nor would removal of this dam be affected by geological conditions. This action would not introduce structures that could be affected by geological conditions such as unstable or erodible soils or liquefaction or be affected by seismicity. Removal of OCRD and subsequent restoration of the streambed (grading) and replanting of riparian vegetation would not result in substantially increased erosion potential.

Rationale for "no impact" conclusion – Aesthetics and Recreation: The area around OCRD is not a scenic viewshed or designated scenic resource. OCRD is not visible from any residence or public vantage point. The area is private land, not open to the public, and therefore aesthetics would not be affected. The area is also not used for public recreational purposes as it is private land, thus there would be no impacts to recreation. See also Response to Comment PD-6.

Rationale for "no impact" conclusion – Land Use: Removal of OCRD would not change land use designations in the area.

Rationale for "no impact" conclusion – Other Environmental Effects: Population and housing would not be affected by removal of OCRD. Workers required for the removal of this dam are same workers conducting other parts of the project addressed in the DWR's July 2012 Final SEIR. Approximately 25 workers would be required to remove OCRD over the six-week period. This would include site workers supervisor and administrative staff. This is approximately the same number required for notching the dam. Temporary housing of these workers (assuming they are all from outside the Carmel area) for an additional three to four weeks would not significantly affect local housing, and most if not all of these staff would be present during removal of SCD and other aspects of the overall project. Removal of this dam would not have growth inducing effects since this action would not open new land for development or provide access to inaccessible areas which might induce development in the area.

Cumulative effects were addressed in Section 5.2 of the Draft SEIR No. 2.

GEN-2

> *The impacts and mitigation sections (4.2.1 through 4.2.10) do not include setting information, describe methodology used, nor list significance thresholds. Although the analysis presumably relies on past documents for this information, the Second SEIR should, at minimum, incorporate the 2008 Final EIR and April 2012 SEIR by reference and summarize the setting information that is particularly relevant to the proposed OCRD removal.*

Response to *Comment* GEN-2

Pursuant to section 15163 of the CEQA Guidelines ((California Code of Regulations (CCR) Title 14, Section 15163), this supplemental EIR contains only the information necessary to make the 2008 Final EIR and July 2012 Final SEIR adequate. The setting information, methodology used and significance thresholds relevant to removal of OCRD are set forth in the earlier EIR and SEIR and therefore are not repeated in this supplemental EIR. There is no need to incorporate the Final EIR and Final SEIR into this supplemental EIR because this document supplements those earlier documents.

GEN-3

The majority of mitigation measures in the 2008 Final EIRIEIS and April 2012 SEIR lack the information that is necessary to ensure that they will be effective. In a comment letter on the April 2012 SEIR dated June 7, 2012, the Monterey County - RMA Planning Department noted this deficiency. Because the Second SEIR refers to these previous documents instead of outlining OCRD-specific mitigation within the Second SEIR itself, the same comment applies.

Each mitigation measure applicable to OCRD removal should include the following information:

1) *Identify the agency, organization or individual who is responsible for implementing the measure;*
2) *Identify the agency, organization or individual responsible for monitoring implementation of the measure and whether any reporting is required; and*
3) *Indicate when the measure must be implemented.*

Of particular concern is the fact that it is unclear what roles the lead and responsible agencies (including the County, State Department of Fish and Game, USFWS, etc.) will play in monitoring the implementation of the various mitigation measures. Such interagency coordination should have occurred during the preparation of the Draft EIR/S. Furthermore, many of the mitigation measures use non-binding language like "will" or "would." It is recommended that the SEIR use "shall" instead, as this denotes a requisite obligation placed on the project application. The revised mitigation measures should be included in the Final SEIR as a Mitigation Monitoring and Reporting Program (MMPR).

Response to Comment GEN-3

The Mitigation Monitoring and Reporting Program (MMRP) adopted by the California Department of Water Resources (DWR) when the Notice of Determination for the 2008 Final EIR/EIS was filed on March 11, 2012 includes the requested specificity for each of the mitigation measures identified in that document. DWR released an updated the MMRP when the Notice of Determination for the July 2012 Final SEIR was filed on July 27, 2012. The Conservancy will adopt an MMRP for the new mitigation measures identified in the Final SEIR No. 2. The CEQA Guidelines do not require that an EIR or SEIR include an MMRP. The SEIR identifies mitigation measures with non-binding language because the purpose of the SEIR is to provide information to the agencies, which will determine whether to require the mitigation measures.

GEN-4

On the top page 2-2, the Second SEIR states: "If a general resource category or a particular impact is not discussed, it is because it does not apply either to OCRD removal or to the dam safety project as a whole." As noted under General Comments above, a more thorough explanation of why certain impacts were

excluded from the Second SEIR should be provided. It is recommended that a cross-reference to that discussion be provided here.

Response to Comment GEN-4

The explanation for excluding certain impacts is described in Responses to Comments WR-8, WQ-3, FI-6, WI-6, WET-5, AQ-7, NO-4, and TC-3.

GEN-5

Page 4-2 of the Second SEIR states that "CEQA significance criteria have also not changed since release of the 2008 Final EIRIEIS and the April 2012 SEIR, and are not repeated here." Although the CEQA Guidelines have not been revised since April 2012, changes were made since release of the 2008 Final EIR/EIS. These include: the removal of parking as a traffic-related impact; the addition of forestry resources; and the requirement that CEQA documents analyzes GHG emissions. This statement should be revised.

Response to Comment GEN-5

The purpose of the cited text is to explain that the Second SEIR assesses the impacts of the removal of OCRD using the same standards as used in the 2008 Final EIR and July 2012 Final SEIR for assessing whether an impact is significant or less-than-significant. Thus, the cited text does not refer to the CEQA guidelines. Because the CEQA Guidelines have not changed since April 2012, it is appropriate to use the significance criteria set forth in the earlier EIR and SEIR for the OCRD removal.

Project Description

PD-1

The description of the project in the Second SEIR lacks sufficient detail for a thorough analysis. Specific comments regarding this issue are provided in the Chapter 3.0, Description of the Proposed Project Refinement below.

Response to Comment PD-1

Refer to responses to comments on specific issues, below.

PD-2

Page 3-1 of the Second SEIR notes that the OCRD "appears to be founded on bedrock." Later, on page 3-4, the Second SEIR states that the "OCRD would be demolished to its bedrock foundation." If the presence of bedrock is unknown, this should be acknowledged consistently throughout the SEIR. The project description and analysis may also benefit from a detailed geotechnical analysis of the OCDR site.

Response to Comment PD-2

The discussion on Page 3-1 is hereby clarified as follows. The dam is founded on bedrock. The exact depth to bedrock throughout the entire cross section is not known, but this would not significantly impact construction or associated impacts since the lower portion of the dam is being demolished by hoe ram methods and the broken up material will be left in place.

PD-3

A figure should be provided showing the OCRD in greater detail than is visible in Figure 3-2. Specifically, the location of the fish ladder, plunge pool, and proximity of the OCRD bridge to the dam should be depicted.

Response to Comment PD-3

Figure 3-3: Old Carmel River Dam Site Plan shows these features and has been attached as part of this response and is incorporated into this Final SEIR No. 2

PD-4

The Second SEIR states that OCRD removal would occur "after the SCD is removed near the end of the fourth construction season of the overall project or during a partial fifth construction" (page 3-4). If the SCD is not removed for any reason, or if this component of the project is delayed, it is presumed that the OCRD removal would not proceed. Please confirm that, under no circumstances will the OCRD be removed prior to removal of the SCD.

Response to Comment PD-4

The project as defined in the Draft SEIR No. 2 is to remove at least a portion of SCD down to ground level in order for construction equipment to access the OCRD area. Therefore, for the project as currently planned, OCRD will not be removed until a sufficient portion of SCD has been removed to allow construction equipment to access the Plunge Pool Access Road. It is possible that the project proponent could choose to proceed with removal of OCRD using a different access route, which could enable removal of OCRD before SCD. However, a change in the access route would likely require new or modified regulatory permits, triggering further CEQA review of such a change at that time.

PD-5

The Second SEIR states that "a large volume of material" would be removed from the site (page 3-4). The description should explain what constitutes a "large volume" and provide quantified estimates, as feasible. The description should further describe where this material will be stored and/or hauled (if removed from the site).

Response to Comment PD-5

As stated in the document, a large volume of the material removed would be used as erosion protection in the Sediment Disposal Area. The estimated volume of material that would be hauled to the Sediment Disposal Area is 1160 cubic yards (cy).

PD-6

Page 3-4 of the Second SEIR states that "Metal, asphalt and other miscellaneous bridge materials would be disposed of at an approved offsite facility." Please specify the estimated amount of material that would be removed from the site and the anticipated location of disposal. The capacity of the receiver site and transportation-related impacts of relocation (including air pollutant emissions) should be analyzed in the appropriate SEIR Chapters.

Response to Comment PD-6

The exact quantity of waste materials (e.g., metal reinforcing bar, asphalt) is estimated to be less than 5% of the total material making up OCRD. It is estimated that up to four(4) 2-ton dump trucks worth of material would be transported to an approved disposal facility to be determined by the Contractor.

The air quality and GHG impacts for these truck trips and all truck trips necessary for OCRD removal are addressed in Section 4.2.6 and 4.2.7. The analysis of traffic impacts in the July 2012 Final SEIR included peak project truck trips which were somewhat overestimated to leave room for some modification in the number of vehicle trips without triggering the need for additional CEQA review.

PD-7

After the removal of the dam, remaining alluvial materials would be graded to provide fish passage. Please indicate the anticipated amount of grading that would be required, and how it would be designed to allow fish passage.

Response to Comment PD-7

Approximately 1,500 cubic yards of material would be graded to provide fish passage after the OCRD is demolished. No step pools or similar features would be needed. The final grades in the channel were determined to meet CDFG and NMFS fish passage velocity criteria.

PD-8

To help the reader understand the scale of the proposed project and to support the subsequent analysis, a diagram depicting the two phases of dam removal and the stream channel characteristics (i.e. showing the "dry section" of the streambed) should be provided.

Response to Comment PD-8

Figure 3-4 a-e: Old Carmel River Dam Demolition Sequence has been attached as part of this response and is incorporated into this Final SEIR No. 2.

PD-9

Page 3-4 of the Second SEIR states that "It is not expected that engineered diversion facilities (e.g., sheet piles, coffer dams, etc.) would be necessary to contain the river flow in its current low flow channel (around the initial demolition work area); however, they may be used if needed." This description is too vague to allow meaningful analysis. The project description should clarify why such diversion facilities are considered unnecessary, and what conditions would warrant their use "if needed." If used, such facilities must be described and analyzed within the Second SEIR.

Response to Comment PD-9

The discussion on page 3-4 of the Second SEIR is hereby clarified as follows. No coffer dams, sheet piles or other engineered structures will be used to contain the river flow in order to perform the demolition work. The river flow will be managed by using existing bed material to redirect the flow as described on page 3-4 of the Second SEIR.

PD-10

Additional detail regarding fish rescue and relocation should be provided. Specifically, the responsibility, timing, methods to be used, and relocation site should be identified.

Response to Comment PD-10

The fish rescue and relocation plan will be developed in consultation with, and in accordance with the standards of the National Marine Fisheries Service (NMFS) and the California Department of Fish and Game (CDFG), two agencies with regulatory authority over the affected resources.

PD-11

On the bottom of page 3-5, the Second SEIR states that "the concrete block retaining wall at the right abutment that supports the outer portion of the existing access road would no longer be needed and would be removed." The timing and method of removal should be identified. In addition, the stability of the hillside in this location must be analyzed from a geotechnical perspective.

Response to Comment PD-11

The block wall will be removed in the same manner as the dam removal, breaking up the wall and using a small excavator to remove the material. The block wall and material behind the wall will be removed to bedrock, matching upstream and downstream cross sections. Since material will be removed to stable bedrock, a geotechnical assessment

is not necessary. The block wall will be removed when the south side of the dam is removed.

PD-12

Please clarify whether OCRD removal would require additional construction personnel. It should be noted that, if additional personnel are required, the potential for this to result in additional construction worker vehicle trips must be analyzed.

Response to Comment PD-12

The removal of OCRD would not require construction personnel or truck trips greater than those assessed in DWR's July 2012 Final SEIR. The values assessed were overestimated to leave room for an increase the number of construction personnel and vehicle trips without triggering additional CEQA review. The updated traffic analysis in the July 2012 Final SEIR was based on peak numbers at the height of construction for the overall San Clemente Dam Removal and Carmel River Reroute Alternative using the overestimated values. Thus, removal of OCRD will require more construction personnel and truck trips than notching but this increase has already been analyzed in the July 2012 Final SEIR.

PD-13

Please clarify the length of construction activities. Later in the Second SEIR it is stated that removal of the OCRD is expected to take up to six weeks. This should be discussed in Chapter 3.0, Description of the Proposed Project Refinement.

Response to Comment PD-13

The removal of OCRD is expected to take up to six weeks compared to two to three weeks for OCRD notching.

PD-14

Please clarify whether dewatering would be necessary, and if so, the process and timing of dewatering activities.

Response to Comment PD-14

Dewatering will not be necessary.

PD-15

Please clarify whether nighttime construction work would be required for removal of the OCRD.

Response to Comment PD-15

Nighttime construction work will not be required for removal of OCRD.

PD-16

Please quantify the disturbance area for OCRD removal. A map depicting the disturbance area is also recommended.

Response to Comment PD-16

See Figure 3-3: Old Carmel River Dam Site Plan attached to this response and incorporated into this Final SEIR No. 2.The footprint for the removal of OCRD is approximately 1.2 acres.

PD-17

If restoration work is included in the project, details regarding this restoration (including extent, timing, and responsibility) should be described.

Response to Comment PD-17

The following section is added at the end of Section 3.2:

Section 3.3 Restoration

The banks adjacent to the OCRD removal area will be restored with upland, facultative, and facultative wetland species in an approximately 30-foot wide band between the 100-year flood event water surface elevation and approximately the 2-year storm water surface elevation. The two vegetation assemblages that will be planted at the OCRD site will be Riparian and Upland. Salvaged topsoil from the project area as well as chipped and/or composted native plant material will be used to enhance the topsoil qualities prior to plant installation and hydroseeding.

Proposed riparian vegetation will include a diverse mix of facultative (FAC) and facultative wetland (FACW) herbaceous species and riparian trees that typically colonize riparian banks along the Carmel River. It will consist of willow (*Salix* spp.), alder (*Alnus rhombifolia*), and sycamore (*Platanus racemosa*), sedges, grasses and rushes such as Santa Barbara sedge (*Carex barbarae),* round-fruited sedge (*Carex globosa),* California fescue (*Festuca californica*), oceanspray (*Holodiscus discolor*), common rush (*Juncus effusus*), spreading rush (*Juncus patens*), creeping wildrye (*Leymus triticoides*), knotgrass (*Paspalum distichum*), and other herbs such as western goldenrod (*Euthamia occidentalis*), common horsetail (*Equisetum arvense*), miner's lettuce (*Claytonia perfoliata* ssp. *perfoliata*), fuchsia-flowering gooseberry (*Ribes speciosum*), and small Solomon seal (*Smilacena stellata*).

Upland habitat will be restored on the south-facing north bank rising above the riparian area. Reintroduced native plant species will be integrated with existing native upland plant communities to provide continuity and natural transition into adjacent existing habitats. Proposed upland vegetation will consist of blue wildrye (*Elymus glaucus*), California brome (*Bromus carinatus*), leafy bentgrass (*Agrostis pallens*), mulefat (*Baccharis salicifolia*), and California rose (*Rosa*

***californica*) will be planted in larger sizes to provide shade for the seeded plant species. The existing trees and vegetation damaged by construction activities will be protected to the extent possible by pruning damaged limbs, protecting and covering exposed roots.**

The restored habitats will be only hand- or truck- supplementally irrigated during the plant establishment period. The planting and seeding will be performed during late fall (late October through early November) or early spring (late February through March), so that the potential for the plants to naturally establish is maximized.

PD-18

Please specify when removal of the OCRD would commence, including its relationship to removal of the SCD.

Response to Comment PD-18

See Response to Comment PD-4.

PD-19

The statement is made on page 4-5 of the Second SEIR that construction activities, including within the streambed or vicinity of the stream, would be similar to notching the dam, as was analyzed previously (page 4-5). It should be noted that notching would remove a small portion (9 feet deep and 19 feet wide) of the dam, while the current proposal includes complete removal of the dam (which is 160 feet long, 32 feet tall, and 4 feet wide). Given the substantially increased scale of material removal, we believe this statement is inaccurate and misleading.

Response to Comment PD-19

Although removal of OCRD involves removal of more material, the construction activities for notching and complete removal of OCRD are similar. Both would involve access to and work within the streambed, diverting the stream channel, breaking up the dam structure (or a portion of the structure) using construction equipment such as hoe rams, jackhammers and cutting tools, and hauling material away from the site. Because of the increased scale of material removal for OCRD removal, the duration of work will be longer, more material will be hauled away and a greater area of the streambed will be disturbed.

However, these differences in scale do not result in new activities or new impacts. For example, both notching and removal could result in similar *types* of water quality impacts such as increased downstream turbidity and the accidental release of toxic materials from construction equipment. The longer duration of the work does not inherently mean that impacts will be greater. For example, turbidity levels in the river during installation of a stream diversion for OCRD removal would not necessarily be higher than for installation of a similar diversion for OCRD notching. Rewatering after the work is completed may however result in slightly higher levels of turbidity due to the

greater area of streambed disturbance for removal of OCRD. Mitigation measures for OCRD removal would be the same as for OCRD notching, as described in the Draft SEIR No. 2 and detailed in the 2008 Final EIR/EIS. Measures include implementation of the project's SWPPP (see Appendix K of the 2008 Final EIR/EIS) and water quality monitoring to minimize water quality impacts.

PD-20

The 2008 Final EIRJEIS stated that "notching the OCRD would require cutting and removal of concrete within the streambed and stream margins" (page 4.3-40). However, the Second SEIR states that "All demolition work would be done outside the active stream channel" (page 4-5). Please clarify how removal of the OCRD would be executed completely outside the stream channel, while considerably less intensive dam notching was found to require activities within the streambed.

Response to Comment PD-20

The "active stream channel" is the portion of the streambed containing flowing water. Construction work for removal of OCRD will be outside of the "active stream channel", meaning outside of any areas of flowing water. This is because the dam will be removed in two phases, and for each phase, the active channel will be relocated to be outside of the work area. Thus, construction work will be done in the streambed, but not in the "active stream channel."

Geology & Soils

GS-1

Removal of the OCRD would require more construction activity, including grading and sediment removal and disposal, than dam notching. Impacts related to soil erosion (Issue GS-4) and alteration of existing topography due to blasting and rock removal (Issue GS-5) would therefore increase compared to previous analyses. These impacts should be assessed in the Second SEIR.

Response to Comment GS-1

Activities to remove OCRD would primarily be conducted within the streambed (but not the active flowing channel as described in response to comment PD-20 above). Access to the site would be via the existing Plunge Pool Access Road. No new roads would be installed. Access to the streambed may require installing a dirt or gravel ramp at the OCRD site, which would also be potentially required for notching. In addition, removal of OCRD would occur during the dry season when the potential for significant erosion is limited. No blasting would occur and changes to topography would be limited to removal of the OCRD structure.

The potential for erosion would be minimized by implementation of the project SWPPP (see Appendix K of the 2008 Final EIR/EIS). This would include measures to be

implemented during construction, as well as post construction erosion control measures for any newly exposed soils on the river banks at OCRD.

Hydrology & Water Resources

WR-1

Page 4-3 of the Second SEIR states that the "OCRD has little to no storage capacity, and therefore, no flood peak attenuation is currently associated with the structure." The estimated storage amount should be quantified. Further, additional evidence to support the statement that the OCDR does not provide peak flood attenuation should be provided. A flood study, similar to what was conducted for removal of the San Clemente Dam (SCD) in April 2012, may be warranted.

Response to Comment WR-1

OCRD was built in the late 1800's to retain a small volume of water so that withdrawals for water supply could be made, a practice that was stopped many years ago. It was never intended to serve as a flood-attenuating dam. Further, the sluiceway (described in Section 3.1) was added to OCRD to give it a permanently open low-flow outlet. This effectively removed whatever minimal flood-storage capacity the dam may have had. As Section 4.1.2 notes (page 4-2), during high flow periods when the sluiceway cannot pass the total flow, the small impoundment behind OCRD fills until water spills over the four-foot wide crest. Thus, there is no significant flood storage.

WR-2

The analysis of downstream flooding impacts references modeling that was completed for both the SCD and OCRD. These models should be referenced in this section. In addition, specific detail should be cited indicating that this analysis adequately describes removal of the OCRD independent of the SCD, since the Second SEIR does not address removal of the SCD. Methodologies uses in this modeling should also be described.

Response to Comment WR-2

The Army Corps of Engineers HEC-RAS model was selected for steady flood-flow modeling under project conditions with both SCD and OCRD removed. HEC-RAS is the standard model used by FEMA for flood hazard analysis. The analysis in the Draft SEIR No. 2 is supplemental to the existing analysis, which included removal of SCD and notching OCRD. CEQA Section 15163(b) states that a Supplemental EIR need only include that information which is necessary to make the previous EIR adequate for the project as revised. OCRD will not be removed independently of SCD. That option is not being considered by the project proponents and therefore need not be included here.

WR-3

The analysis indicates that removal of the OCRD would result in bed level and flooding increases downstream, but states that "There are no residences or facilities within this area" (page 4-4). However, a spatial area was not specified in the preceding discussion. Please identify the area on a map that would be affected by flood increases downstream and indicate the nearest structures to this area.

Response to Comment WR-3

As stated in the Draft SEIR No. 2 (Section 4.2.1, page 4-4), the modeling indicated bed elevation increases within the first 1500 feet downstream of OCRD. The nearest structure downstream is the Sleepy Hollow Steelhead Rearing Facility which is located approximately 4500 feet downstream. While not intended for this purpose, Figure 4-2 of the Draft SEIR No. 2 (page 4-17) illustrates the location of Sleepy Hollow Ford leading to the Rearing Facility. The Sleepy Hollow subdivision is even further downstream beyond what is shown on Figure 4-2.

WR-4

The Second SEIR states that "Removal of OCRD restores the ability of the river to move this sediment downstream from OCRD, thereby providing a beneficial effect." The phrase "long term" should be added before "beneficial effect." In addition, please clarify how this would be beneficial from a hydrology and water resources perspective.

Response to Comment WR-4

Comment noted. CEQA does not require that an EIR or SEIR include an analysis of beneficial effects. For information purposes, the benefits of restoring a more natural sediment transport regime include: 1) improving downstream habitat for steelhead trout by providing a steady supply of spawning-size gravel; 2) increasing sand supply to Carmel State Beach, and 3) reducing channel incision and bank erosion in the lower Carmel River channel which is threatening infrastructure in several locations.

WR-5

The analysis under Issue WR-6a describes effects on upstream flooding and downstream flooding within approximately 100 feet of the OCRD. Please indicate the anticipated impact further downstream, including through the community of Carmel Valley.

Response to Comment WR-5

As stated in the document (page 4-5) modeling results show increased flood elevations for approximately 100 feet downstream of OCRD. There are no anticipated effects further downstream.

WR-6

Please clarify the impact level associated with Issue WR-6a. It is currently unclear if the impact is considered less than significant, or beneficial.

Response to Comment WR-6

The heading for this impact issue should read as follows:

Determination: **less than significant, long-term <u>beneficial</u>**

WR-7

Figure 4-1 is referenced in the analysis of Issue WR-6a, but not described. As the general public is likely unfamiliar with water surface profiles, please explain how this figure shows that flooding impacts would be less than significant and/or beneficial.

Response to Comment WR-7

Figure 4-1 shows that immediately downstream of OCRD, there is no modeled difference in water surface elevation between the existing conditions with OCRD and the proposed conditions without OCRD. This is shown by the fact that for each flood level modeled, the solid line, representing proposed conditions, and the dotted line, representing existing conditions, line up with each other within 100 feet downstream of OCRD. Thus, after the first 100 feet, the modeling shows no change in expected water surface elevation with the removal of OCRD compared to existing conditions.

WR-8

The 2008 Final EIRIEIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would have substantially greater impacts than notching, particularly for impacts generated by construction and long-term changes to the Carmel River channel and stream flow. With this in mind, we believe the following issue areas were improperly excluded from the Second SEIR analysis:

- *Changes in Stream Flow during Construction (Issue WR-l)*
- *Changes in Sediment Flow Passing OCRD Immediately after Construction (Issue*
- *WR-2a).*
- *Changes in Sediment Storage and Composition in the Lower River during*
- *Construction (Issue WR-2b)*
- *Increased Sediment Deposition in the Lower River (Issue WR-4a) ,*
- *Increase in Frequency of High Suspended Sediment Concentrations (Issue WR-*
- *4b)*
- *Changes to the l00-year Flood Elevation (Issue WR-6)*
- *Impact to the Location or Timing of Water Supply Diversions (Issue WR-7)*

Although some of the above impacts may be considered negligible or less than significant, or mitigated by measures described in the EIR/EIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Response to Comment WR-8

CEQA requires the disclosure and discussion of potentially significant project impacts and that a supplement need only include that information which is necessary to make the previous EIR adequate for the project as revised. The impact issues above either did not apply or were addressed adequately in the 2008 Final EIR or July 2012 Final SEIR.

Issue WR-1 (Changes in Stream Flow during Construction) specifically addressed construction-related impacts associated with the work that would occur at SCD. It did not pertain to OCRD. For example, page 4.2-31 in Section 4.2.3 of the 2008 Final EIR/EIS described the annual drawdown practices, the bypass pipelines, and other aspects of construction that would only apply to SCD. OCRD contains a sluiceway (described in Section 3.1) that was added to give it a permanently open low-flow outlet. Since construction would occur during low flow conditions and flow would be diverted and not impounded, substantial changes in flow in the Carmel River are not expected during removal of OCRD.

Issues WR-2a and 2b (Changes in Sediment Flow after and during Construction) are treated together since they are so closely related. Both of these impact issues in the 2008 Final EIR/EIS were related to sediment loads from the excavated area upstream of SCD, where there are large amounts of fine grained materials. Page 4-3 of the Draft SEIR No. 2 states that there are an estimated 6,000 cubic yards of alluvium behind OCRD. If OCRD were removed, an estimated 700 cubic yards of this total would be deposited in the plunge pool immediately downstream of OCRD. However, the changes in sediment transport in the Carmel River immediately after construction and of sediment storage and composition during construction would continue to be driven almost entirely by the removal of SCD and not by changing from notching to removing OCRD. Therefore, these impacts were not included in the second SEIR because they would not be substantially different than that discussed for notching OCRD in the 2008 Final EIR/EIS.

Issue WR-4a (Increased Sediment Deposition in the Lower River) is not described separately in the Draft SEIR No. 2, however the impact of sediment transport and deposition from OCRD removal is described as part of Issue WR-5a. Specifically, Page 4-4 includes a description of expected sediment deposition below OCRD as a result of removal of the dam. Further, the changes in sediment transport in the Carmel River immediately after removal of SCD and OCRD would continue to be driven almost entirely by the removal of SCD and not by the change from notching to removing OCRD.

Issue WR-6 (Changes in the 100-year Floodplain) was addressed in Draft SEIR No. 2 beginning on page 4-5.

Issue WR-7 (Impact to the Location or Timing of Water Supply Diversions) in the Final EIR/EIS pertained to any changes in water supply diversions from construction at SCD. It did not address OCRD because there are no water supply diversions from it (noted on page 3.2-27 of the 2008 Final EIR/EIS). Since there are no water supply diversions from OCRD, the change from notching this dam to removing OCRD would not change this impact.

Water Quality

WQ-1

On the bottom of page 4-5 of the Second SEIR it is stated that "Diverting the stream could result in a temporary increase in turbidity that would likely extend less than one mile downstream and persist for less than one day." Please indicate how the distance and duration of turbidity was determined.

Response to Comment WQ-1

Sediment settling calculations were made assuming a flow of 150 cubic feet per second (cfs) during the construction period. This is considered a conservative assumption and actual flows are expected to be less. As described under Issue WR-5a, page 4-4, bed material behind OCRD is predominantly cobble and coarse gravels, as most of the fine material settles out above SCD. Using sediment settling calculations presented by Julien (2009), all the sediment sizes found in the particle count at OCRD (the smallest particle was 65 mm) would settle out within a matter of a few feet after being resuspended (a conservative estimate of 150 cfs was used in the calculations, actual summer/fall flows would likely be less). Calculations were also made for very fine sand (0.5 mm) and medium silt (0.02 mm), assuming there is some amount of fine grained material that could be resuspended. According to the calculations, these particles would settle out within 92 and 205 feet, respectively. This suggests that elevated turbidity created during installation of the stream diversion and other work at OCRD would persist for less than one day and would extend for less than one mile as described in Draft SEIR No. 2.

Reference:
Julien, Pierre Y. 2002. *River Mechanics*. Cambridge University Press. Equations 4.34, 4.35, and 4.45

WQ-2

The mitigation section for Issue WQ-12a refers the reader to the mitigation for Issue WQ- 12 in 2008 Final EIRJEIS. The mitigation section for Issue WQ-12 in the 2008 Final EIRJEIS refers the reader to Best Management Practices (BMPs) in the EIR appendix and mitigation for other issue areas (including WQ-2, WQ-3, and WQ-7). For ease of review, it is recommended that the specific mitigation measures intended to reduce this impact be included (in full) in the Second SEIR. Please refer

also to the comment regarding adequacy of-mitigation measures in General Comments, above.

Response to Comment WQ-2

Comment noted. Section 15163(b) states that a Supplemental EIR need only include that information which is necessary to make the previous EIR adequate for the project as revised. Mitigation measures which are not changed are not restated in this SEIR No. 2. See also Response to Comment GEN-3.

WQ-3

The 2008 Final EIRJEIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would have substantially greater impacts than notching, particularly for impacts generated by construction in and near the stream channel. With this in mind, we believe the following issue areas were improperly excluded from the Second SEIR analysis:

- *Instream, Streambank and/or Stream Margin Construction Activities (Issue WQ- 2)*
- *Accidental Leaks and Spills of Toxic Substances (Issue WQ-3).*
- *Stream Diversions Sheetpile Cutoff Walls and Cofferdams (Increased Suspended Sediment and Turbidity) (Issue WQ-4)*
- *Stream Diversions Ponded Areas (Increased Turbidity and Temperature, Decreased Dissolved Oxygen) (Issue WQ-5)*
- *Stream Diversions Return of Bypassed Flows (Localized Scour, Sedimentation and Turbidity) (Issue WQ-6)*
- *Rewatering after Stream Diversions (Fine Sediment and Toxics in Return Flow) (Issue WQ-7)*
- *Discharge From Settling Basins (Increased Temperature and Turbidity, Decreased Dissolved Oxygen) (WQ-8)*
- *Dam-Related Construction or Demolition (Increased Turbidity, Release of Toxic Substances) (WQ-14)*
- *Operations/Post-Project Conditions (WQ-15)*
- *Sediment Disposal (WQ-16)*

Although some of the above impacts may be considered negligible or less than significant, or mitigated by measures described in the EIR/EIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Response to Comment WQ-3

For simplicity, several of these issue areas were combined in the discussion in the Draft SEIR No. 2, under the heading “Potential to Exceed Water Quality Standards During OCRD Removal”. For example, instream, stream bank, and stream margin construction activities (Issue WQ-2) are discussed. Instream, streambank and stream margin work includes any work done in these areas and would include installation of temporary access to the streambed, installation of diversions, and removal of OCRD itself (Issue WQ-14 in the 2008 Final EIR/EIS and July 2012 Final SEIR). All of these construction

activities within the streambed or margins have the potential to increase turbidity and release toxic substances. All of these activities would be mitigated in the same manner as for dam notching, as described in the 2008 Final EIR/EIS and referenced in SEIR No.2.

Potential impacts from accidental leaks and spills of toxic substances (Issue WQ-3) and installation of a stream diversion (Issue WQ-4) were also described in SEIR No. 2, under Issue WQ-12a, as both have the potential to cause an exceedance of water quality standards. Both would be mitigated through implementation of the project SWPPP as described for dam notching in the 2008 Final EIR/EIS (referenced in the Draft SEIR No. 2).

Issues WQ-6 (Return of Bypassed Flows) and WQ-7 (Rewatering after Stream Diversions) were not discussed in SEIR No.2. Impacts and mitigation for these potential impacts would be the same as described for the Proponents Proposed Alternative in the 2008 Final EIR/EIS.

Sediment disposal (Issue WQ-16) in the 2008 Final EIR/EIS and July 2012 Final SEIR was primarily related to disposal of sediment excavated from the San Clemente Creek arm and placed in the sediment disposal area. The amount of material from OCRD removal would be negligible compared to the amount of sediment placed in the sediment stockpile from excavation of the material in San Clement Creek (approximately 800,000 cubic yards). Approximately 1,160 cubic yards would be removed at OCRD. This material would primarily be rock from OCRD that would then be placed at the sediment disposal area to help control erosion. The incremental increase in potential erosion and subsequent water quality effects due to removal of OCRD and placement of materials at the sediment disposal area are considered negligible.

Issues WQ-5 and WQ-8 do not apply to OCRD removal. There would be no diversion dams or ponds created to route water through the construction area and no settling basins are proposed for this activity.

Fisheries

FI-1

The analysis for Issue FI-14a concludes that impacts to fish would be "minimal" due to "minimal disruption of the river channel accomplished by isolating the creek flow from the work, the short duration of turbidity events during dewatering, and because juvenile steelhead migrating downstream would be moved to river sites well below OCRD for the summer period preceding dam removal." Additional evidence should be provided to substantiate this conclusion. Specifically, the following details should be discussed in the analysis and/or within Chapter 3.0, Description of the Proposed Project Refinement:

- *Please define "minimal" disruption and clarify how this claim is consistent with the statement in Chapter 4.2.2, Water Quality, that removal of the OCRD would be executed completely outside the stream channel.*

- *Please provide evidence (e.g., bioacoustic evaluation) to demonstrate potential impacts to steelhead from demolition activities (i.e., identify the acoustic impact area).*
- *Please explain, in sufficient detail, how the creekflow would be isolated. The impacts of this diversion should be analyzed throughout the Second SEIR.*
- *Please define "short duration" of turbidity events.*
- *Please explain the dewatering process for removal of the OCRD. This is not explained in the project description.*
- *Additional detail regarding fish rescue and relocation should be provided Specifically, the fish rescue area (e.g., project footprint, acoustic impact area, and/or buffer determined and subsequently approved by NMFS), responsibility, timing, methods to be used (e.g., block nets to be installed upstream and downstream offish rescue area, etc.), and relocation site should be identified*

Response to Comment FI-1

The term minimal is used qualitatively here. Draft SEIR No. 2 provides several reasons why the impact would be considered minimal, including implementation of a fish rescue program as part of the project mitigation, conducting work in the dry section of the streambed during the dry season and conducting the work outside the migratory period for listed fish species. As noted above in response to PD-20, the work would not be conducted in the *active* stream channel, but work would be conducted in the dry streambed.

To further address bioacoustic effects, the Draft SEIR text is amended as follows (underlined text):

> Steelhead moving through the diverted channel may be temporarily exposed to underwater sound from demolition activities. Demolition of OCRD would require the use of jackhammers or hoe rams, which can generate sound that could be transmitted into nearby waters and may impact fish. A review of sound measurements recorded during the use of a jackhammer or hoe-ram on underwater objects in direct contact with the water indicates that source sound levels would be 180 to 206 dB (QinetiQ 2009; Thill 2011). During OCRD removal, these tools would be used to demolish the structure that is outside of the water, thus sound would be transmitted to the water indirectly through the substrate. Only a fraction of the source noise energy would be transmitted to steelhead habitat in nearby waters. Sounds measurements made on steel piles driven on land next to a water body show sound level reductions of 5 -10 dB over similar piles driven in direct contact with the water body (Caltrans 2009). The sound energy transmitted to steelhead habitat would be below the 206 dB level that potentially causes injury to fish (see FHWG 2008 for criteria), but the transmitted sound levels may affect fish behavior. The sound produced may cause temporary behavioral responses such as rapid bursts in swimming speed or other erratic swimming patterns. During the time period when such demolition

activities would take place, few steelhead would be present in the vicinity, as the fish relocation above SCD would be transporting out-migrating smolts to below OCRD.

The diversion of flow in the Carmel River at this location was described in Section 3 of the Draft SEIR No. 2. During the dry season, flow in the Carmel River is contained in a low flow channel. The first phase of work at OCRD would remove the dam from the dry portion of the streambed. A new channel would be cut in the streambed through the area where the dam has been removed. A berm would then be created upstream using existing bed material to route the flow into the newly created channel. Effects of this have been addressed in water quality and fisheries sections. Increases in turbidity during the creation and removal of the diversion are expected to be of short duration, on the order of one day or less (see response to Comment WQ-1).

The term “dewatering” was incorrectly used on Page 4-8 of Draft SEIR No. 2. The correct term should have been “diversion” or “stream diversion”. No dewatering, in the sense that water would be pumped to dry an area, would be conducted.

The fish rescue and relocation effort was described in the July 2012 Final SEIR. Fish would be captured above San Clemente Dam and relocated to suitable habitat downstream of OCRD during the outmigration period prior to OCRD removal. The release point would be determined in consultation with NMFS. Fish rescue efforts at OCRD would consist of capturing any fish that might be present (in spite of the relocation efforts) that become stranded in pools or other shallow water at the time the stream flow diversion is created.

References:

Caltrans (California Department of Transportation), 2009.Technical Guidance for Assessment and Mitigation of the Hydroacoustic Effects of Pile Driving on Fish. Prepared by ICF Jones & Stokes, Sacramento, CA; and Illingworth and Rodkin, Inc., Petaluma, CA.

FHWG (Fisheries Hydroacoustic Working Group), 2008. Agreement in Principle for Interim Criteria for Injury to Fish from Pile Driving Activities. June 12.

Thill, Michael S., 2011. Personal Communication with Michael Thill (Illingworth and Rodkin) regarding noise measurements taken during the Ten Mile Bridge Demolition Project in Mendocino County.

QinetiQ, 2009. Review of diver noise exposure. Prepared for the Health and Safety Executive of the United Kingdom.

FI-2

Mitigation for Issue FI -14a refers to preparation of a fish rescue and relocation plan, to be approved by the "appropriate resources agency." Please identify the resources agency responsible for approving this plan.

Response to Comment FI-2

The fish rescue and relocation plan will be approved by NMFS and CDFG.

FI-3

Chapter 3.0, Description of the Proposed Project Refinement, states that "As the active channel is re-routed, fish rescue and relocation would occur in areas of isolated standing water in the original channel." This description suggests that fish rescue and relocation is part of the project description. However, mitigation for Issue FI-14a requires preparation of a fish rescue and relocation plan. Please rectify this discrepancy. It should also be noted that, regardless of whether fish relocation is part of the project description 01' required as mitigation, additional detail regarding the methods, timing, and responsibility of fish relocation should be provided (please refer to the comment regarding adequacy of mitigation measures in General Comments, above).

Response to Comment FI-3

The project description recognizes that fish rescue and relocation will be necessary. The details of these activities will be determined in consultation with NMFS and CDFG and detailed in the Fish Rescue and Relocation Plan.

FI-4

Mitigation for Issue FI-14a states that "Once OCRD is removed, the river channel at the dam site and the surrounding area will be restored." Please describe the restoration efforts required. Refer also to the comment regarding adequacy of mitigation measures in General Comments, above.

Response to Comment FI-4

See Response to Comments PD-17 and GEN-3.

FI-5

Mitigation for Issue FI -14a also states that "The removal of this fish passage barrier along with the channel improvements to provide increased spawning and migration habitat will serve as long-term benefit to steelhead and other fish species." While the concept of long term, beneficial impact of this project to fishes is understood; please provide the methods for demonstrating the benefits of this project to steelhead and other fish species.

Response to Comment FI-5

Comment noted. Requested information is beyond the scope of CEQA requirements.

FI-6

The 2008 Final EIRIEIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would have substantially greater impacts than notching, particularly for impacts related to water quality, fish passage, and sediment. With this in mind, we believe the following issue areas were improperly excluded from the Second SEIR analysis:

- *Water Quality Effects on Fish (short-term loss of aquatic habitat) (Issue FI-6)*
- *Fish Ladder Closure (short-term limiting fish movement past the OCRD) (Issue FI-7)*
- *Upstream Fish Passage (long-term impact to fish migrating to upstream spawning and rearing habitat) (Issue FI-8)*
- *Sediment Impacts to Downstream Channels from Sluicing, Dredging or Sediment Transport Downstream (long-term alteration of aquatic habitat) (Issue FI-9a)*
- *Stream Sediment Removal, Storage, and Associated Restoration (long-term reduction of aquatic habitat, short-term alteration of aquatic habitat) (Issue FI-13)*
- *Sleepy Hollow Steelhead Rearing Facility (loss or degradation of water supply) (Issue FI-15)*

Although some of the above impacts may be considered negligible or less than significant, or mitigated by measures described in the EIRIEIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Response to Comment FI-6

Water quality effects were discussed in Section 4.2.2 of the Draft SEIR No. 2. A short-term increase in turbidity was acknowledged in Section 4.2.3 under issue FI-14a. As discussed under Issue FI-14a, fish would be relocated from the immediate project area. This would minimize the effects of changes in water during dam removal.

Issues FI-7 and FI-8 (fish ladder closure and upstream fish passage) related to closure of the SCD fish ladder and fish passage after removal of SCD. As discussed under Section 4.2.3, Issue FI-14a, most fish would be relocated from the area during the fish rescue and relocation efforts and work would be conducted outside of the migratory period. In addition, flow in the Carmel River would not be interrupted and if any fish are present they would be able to move through the area even without the fish ladder in place.

Issues FI-9a and FI-13 related to removal of SCD and associated downstream fine sediment and turbidity increases and loss or change of habitat due to channel realignment. As discussed in the Draft SEIR No. 2, Section 4.2.1, Issue WR-5a, the

median size class of material stored behind OCRD is large cobbles (203 millimeter), and the minimum counted size class was coarse gravel (64 millimeter). Movement of this coarse material would not contribute substantially to downstream turbidity after OCRD is removed. Downstream turbidity is primarily related to removal of SCD and the reroute of the Carmel River and this impact was addressed in DWR's 2008 EIR/EIS. Removal of OCRD would not result in realignment of the Carmel River Channel or loss of stream habitat in the vicinity of OCRD. Removal of OCRD would result a slight increase in stream habitat over the long-term. During OCRD removal there would be temporary disturbance of stream habitat, but work would be conducted in dry portions of the streambed.

Issue FI-15 (degradation of water quality or supply to the Sleepy Hollow Steelhead Rearing Facility[SHSRF]) would be the same as described in the July 2012 Final SEIR. The incremental contribution to water quality impacts from the OCRD removal component of the overall project would be small in comparison to the removal of SCD and the Carmel River Reroute. Increased turbidity is expected during the time when flow diversions in the Carmel River at OCRD are being created. This is expected to create short-term increases in turbidity which could affect water quality at the SHSRF. This impact would be less than significant with the mitigation described in the July 2012 Final SEIR that would be incorporated into Alternative 3.

Vegetation

VE-1

Page 4-9 the Second SEIR notes that approximately 0.6 acres of the Central Coast Cottonwood-Sycamore Riparian Forest would be disturbed around the OCRD as a result of activities for removal of the dam. It should be noted that disturbance area details were excluded from Chapter 3.0, Description of the Proposed Project Refinement. The analysis should clarify how this disturbance area was calculated, and show the area on a habitat map. As no other habitats or vegetation types are mentioned in the Second SEIR, a habitat map is also recommended as evidence that only one habitat type would be impacted by the project.

Response to Comment VE-1

This document serves as a supplement to DWR's 2008 Final EIR. The 2008 Final EIR includes a vegetation community map (Figure 4.5-1) showing the Central Coast cottonwood-sycamore riparian forest surrounding OCRD. The disturbance to this community type comes from removal of vegetation to access the dam. Access to the dam was also required by the originally proposed OCRD notching alternative, and therefore, is not further described. The impacted area was calculated by overlaying the proposed project footprint (for OCRD removal) on the habitat map and calculating the area of impact.

VE-2

The mitigation section for Issue VE-3a refers the reader to the mitigation for Issue VE-3 in the 2008 Final EIRJEIS. The mitigation discussion for Alternative 3 refers the reader to mitigation for the Proponent's Proposed Project. For ease of review, it is recommended that the specific mitigation measures intended to reduce this impact be included (in full) in the Second SEIR. Please refer also to the comment regarding adequacy of mitigation measures in General Comments, above.

Response to Comment VE-2

See Response to Comment WQ-2.

Wildlife

WI-1

Page 4-2 of the Second SEIR states that, "Within the project footprint, no suitable aestivation habitat for California tiger salamander (CTS) occurs, and the only suitable aestivation and breeding habitat is located far from OCRD along the ridge top immediately to the west of Cachagua Road." Please explain how this determination was made, and specify the distance and direction from the OCRD to suitable habitat. A map would further provide the needed clarification.

Response to Comment WI-1

The potential for presence of California tiger salamander in the area was evaluated through database searches (USFWS database for endangered species and the California Natural Diversity Database), site reconnaissance, previous biological surveys of the site associated with annual reservoir drawdown activities, and conversations with USFWS and CDFG staff.

DWR's July 2012 Final SEIR describes the nearest occurrences of California tiger salamander to the project site. There are no occurrences within the project footprint. The closest suitable habitat to OCRD (although there are no reported occurrences from this area) is approximately 0.6 miles to the northeast. This area is shown on Figure 4.5-2 of DWR's July 2012 Final SEIR.

WI-2

The analysis for Issue WI-4a notes that "Instream work during removal of the OCRD could temporarily disturb CRLF summer habitat, and could possibly affect steelhead spawning habitat downstream of the dam" (page 4-9). It should be noted that Chapter 4.2.2, Water Quality, states that removal of the OCRD would be executed completely outside the stream channel. Please rectify this discrepancy. Please also explain how removal of the dam would disturb spawning habitat downstream.

Response to Comment WI-2

As discussed in the document, removal of OCRD could result in short-term increases of turbidity downstream which could disturb downstream steelhead spawning habitat. See also Response to Comment PD-20.

WI-3

Please provide evidence supporting the claim that foothill yellow-legged frog and California tiger salamander would not be impacted by removal of the OCRD (e.g., description of suitable habitat[s] for each of these species in relation to the habitat[s] occurring within and adjacent to the project site, distance from project site to known occurrences of these species, etc.).

Response to Comment WI-3

Draft SEIR No. 2 acknowledges that instream work could possibly affect foothill yellow-legged frog. It also points out that foothill yellow-legged frog has not been documented in this area. The discussion on page 4.5-25 and Figure 4.5-2 of DWR's July 2012 Final SEIR provide evidence to support the conclusion that California tiger salamander would not be affected by removal of OCRD.

WI-4

The analysis for Issue WI-4a states that impacts related to sedimentation, elevated turbidity, and habitat disturbance would be similar to those for notching the OCRD, but would occur over a longer period of time. It should be noted that notching would remove a small portion (9 feet deep and 19 feet wide) of the dam, while the current proposal includes complete removal of the dam (which is 160 feet long, 32 feet tall, and 4 feet wide). Given the substantially increased scale of material removal, it seems logical that additional disturbance area would be required. Please clarify how the same area would be disturbed for both notching and removal.

Response to Comment WI-4

Although notching OCRD requires removal of only a portion of the dam, it requires mobilization of the same type of construction equipment in the same project area. No substantial difference other than the temporal extent of impacts cited in the comment and possibly slightly higher levels of turbidity during rewatering are expected. Mitigation would be the same as for OCRD notching. Also see Response to Comment PD-19.

WI-5

The mitigation section for Issue WI-4a refers the reader to the mitigation for Issue WI-4 in the 2008 Final EIRJEIS. Issue WI-4 is not discussed in the Alternative 3 analysis in the 2008 Final EIRJEIS; instead, page 4.5-59 of the 2008 Final EIRJEIS states that impacts and mitigation for this issue "would be the same as the Proponent's Proposed Project." For ease of review, it is recommended that the specific mitigation measures intended to reduce this impact be included (in full) in the Second SEIR. It should also be noted that mitigation for this issue described for

the Proponent's Proposed Project in the 2008 Final EIRJEIS defers mitigation by requiring protocol surveys. Timing of the surveys is not specified, and no mitigation is outlined in the event that surveys determine presence of sensitive species. Please refer also to the comment regarding adequacy of mitigation measures in General Comments, above.

Response to Comment WI-5

See Response to Comment WQ-2.

WI-6

The 2008 Final EIRJEIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would have substantially greater impacts than notching, particularly for impacts related to vegetation removal, sediment, and nighttime construction lighting (if required). With this in mind, we believe the following issue areas were improperly excluded from the Second SEIR analysis:

- *Special-Status Plant Species (Issue VE-1)*
- *Loss of Protected Oak Woodland (Issue VE-2)*
- *Indirect Effects on Native Vegetation (effects caused by increased erosion and sedimentation) (Issue VE-4)*
- *Vegetation Removal (effects on special-status bird species and others protected by the Migratory Bird Treaty Act or raptor protections) (Issue WI-8)*
- *Sediment Removal (destruction of spawning habitat) (Issue WI-11)*
- *Increased Traffic on Cachagua/Jeep Trail (effects to special-status species) (Issue WI-14)*
- *Nighttime Work and Associated Lighting (effects to special-status species) (Issue WI-15)*

Although some of the above impacts may be considered negligible or less than significant, or mitigated by measures described in the EIR/EIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Response to Comment WI-6

CEQA requires the disclosure and discussion of potentially significant project impacts. The impacts listed above, in general, do not apply specifically to the removal of OCRD and were thus not discussed. These impacts apply to other parts of the project addressed in DWR's 2008 EIR/EIS and July 2012 Final SEIR.

There would be no impact to special status plant species or oak woodland as these do not occur in the vicinity of OCRD. Refer to page 4.5-20 of the July 2012 Final SEIR for a discussion of special status plants and Figure 4.5-1a which maps oak woodland habitat.

Impacts and mitigation measures related to Issues VE-4 (Indirect Effects on Native Vegetation) and WI-8 would be that similar to those described in the July 2012 Final SEIR for the proponents proposed project.

Issue WI-11 was in reference to potential loss of CRLF spawning habitat above San Clemente Dam. As described in the Draft SEIR No. 2, page 4-2, no CRLF spawning habitat occurs in the vicinity of OCRD.

Issue WI-14 in the April 2012 SEIR described potential impacts to CTS on the roadway from vehicles moving to and from the project site at night during the rainy season. There would be no night work associated with the removal of OCRD and thus this impact issue would not apply. Since there would be no night work, effects associated with Issue WI-15 (nighttime lighting) would not occur and were thus not discussed in the Draft SEIR No. 2.

Wetlands

WET-1

The analysis for Issue WET-1a states that "Removal of the OCRD would not impact wetlands as no wetland habitat is present at this site" (page 4-10). Please provide evidence to substantiate this claim. A description of the methods used to determine the presence of wetlands and a map indicating wetlands in the vicinity, as well as the disturbance area of the proposed project, would be particularly helpful.

Response to Comment WET-1

The requested information was provided in the July 2012 Final SEIR prepared by DWR (see Appendix BB of the July 2012 Final SEIR for the US Corps of Engineers verified wetland delineation).

WET-2

The Second SEIR states that "Removal of OCRD would result in permanent increase of approximately 0.05 acre of Other Waters of the U.S. in the Carmel River through the removal of fill created by the dam structure and recontouring the Carmel River" (page 4- 10). Please explain what this means and provide evidence supporting this statement. It should also be noted that the term "recontouring" has not been used in the Second SEIR until this description on page 4-10. If recontouring is proposed as part of the project, it should be described in Chapter 3.0 and analyzed throughout the Second SEIR.

Response to Comment WET-2

The dam structure is considered “fill” in the stream channel which is designated as Other Waters of the U.S. Removal of the dam will remove the fill and thus increase the amount of Other Waters of the U.S. Recontouring is a synonym for grading. Grading is discussed in Chapter 3.0.

WET-3

The analysis for Issue WET-2a states "There are no wetland resources near OCRD. Potential impacts to Other Waters of the U.S. from the removal of OCRD include temporary diversion of Carmel River and temporary disturbance of other waters during removal of OCRD. Removal of OCRD would temporarily impact 0.4 acre of Other Waters of the U.S." (page 4-10). Please provide evidence to support this analysis (e.g., map depicting OHWM of river and area[s] of temporary fill).

Response to Comment WET-3

A wetland delineation of the entire project area, including the footprint of OCRD removal area, was conducted by URS in May and August of 2011. The jurisdictional delineation (USACE File #233030S) was verified by USACE on April 13, 2012. The delineation showed no wetlands in the vicinity of OCRD. The verified wetlands and other waters are shown on Figure 4.6-1a of the July 2012 Final SEIR. The wetland delineation report is also included as Appendix BB of the July 2012 Final SEIR. Impact areas were estimated by overlaying the project footprint onto these delineated wetlands and waters.

WET-4

The mitigation discussion for Issue WET-2a states that "Restoration proposed as part of Alternative 3" is "summarized" in Issue WET-1a (page 4-10). No such summary is provided. A description of what restoration would occur and the timing and responsibility of such restoration should be included in the project description.

Response to Comment WET-4

This was a typographical error in the document. Since there will be no permanent impacts to wetlands or waters associated with the removal of OCRD, no additional mitigation or restoration is proposed in this Second Supplemental EIR. The temporarily impacted areas will be restored per the guidance in Appendix U of the Botanical Management Plan of the July 2012 Final SEIR (e.g., removing any temporary fills, regrading the banks as necessary and applying erosion control as needed) and in accordance with any additional agency requirements. Additionally, the Determination for this impact should read: ***Less than significant, short-term***

WET-5

The 2008 Final EIR/EIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would have substantially greater impacts than notching, particularly for impacts related to construction disturbance and vegetation removal. With this in mind, we believe the following issue area was improperly excluded from the Second SEIR analysis:

- *Indirect Impacts to Wetlands and Other Waters of the Us. (indirect adverse impacts to vegetation, including increased erosion and sedimentation) (Issue WET-3)*

Although the above impact may be considered negligible or less than significant, or mitigated by measures described in the EIR/EIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Response to Comment WET-5

Comment noted. The impact discussion for Issue WET-3 in the 2008 Final EIR/EIS applies equally to the Alternative 3 with the removal of OCRD rather than notching. No additional discussion is needed.

Air Quality

AQ-1

The figures in Tables 4-1 and 4-2 for "Other construction Activities associated with Alternative 3 (addressed in April 2012 SEIR)" do not appear to match the corresponding figures in Tables 4.7-33 and 4.7-34 in the April 2012 SEIR.

Response to Comment AQ-1

The emission rates in Tables 4-1 and 4-2 for “Other construction activities associated with Alternative 3 (addressed in April 2012 SEIR) covers emission rates from Tables 4.7-33 and 4-7.34 (unmitigated emissions for Dam Site Activities), Table 4.7-40 and 4.7-41 (unmitigated emissions for Screening Plant), Tables 4.7-42 and 4.7-43 (unmitigated emissions for Access Road Upgrades), and Tables 4.7-46 and 4.7-47 (unmitigated emissions for Project Generated Traffic – Additional Truck Trips). These elements were analyzed separately in DWR’s July 2012 Final SEIR as they were aspects of the Alternative that had changed since the 2008 Final EIR.

AQ-2

The title of Table 4-2 should be changed to "Estimated Temporary Daily Annual Construction Emissions" (page 4-12).

Response to Comment AQ-2

The Title of Table 4-2 is changed to "Estimated Temporary ~~Daily~~ Annual Construction Emissions".

AQ-3

It is unclear why only NOx is discussed in the text following Tables 4-1 and 4-2, on page 4-12. It is recommended that all pollutants of concern be discussed briefly.

Response to Comment AQ-3

The only two pollutants that exceed the MBUAPCD CEQA thresholds of significance for all construction activities are NOx and PM10F. The removal of OCRD contributes to NOx emissions, but does not contribute to any PM10F emissions. That is why the text focuses on NOx emissions – because the project could contribute to an exceedance of

the associated air quality standards (ozone in this case). Other pollutants emissions would be below the CEQA threshold of significance, and therefore would have less than significant impacts.

AQ-4

Mitigated daily and annual construction emissions should be included, as was added to Issue AQ-1 in the April 2012 SEIR.

Response to Comment AQ-4

The mitigated emissions numbers in the July 2012 Final SEIR only applied to PM10F. Removal of OCRD does not contribute to PM10F emissions. The reduction in NOx based on mitigation measures cannot be accurately estimated.

AQ-5

Please clarify if the air emissions calculations included increased vehicle trips that may be required to transport additional construction workers to the OCRD site and/or additional haul trips related to material removal. If no additional trips will be required, this should be explained in Chapter 3.0, Description of the Proposed Project Refinement.

Response to Comment AQ-5

See Response to Comment PD-12

AQ-6

The mitigation section for Issue AQ-1 refers the reader to unspecified mitigation in 2008 Final EIRIEIS and April 2012 SEIR. It is recommended that the specific mitigation measures intended to reduce this impact be included (in full) in the Second SEIR. Please refer also to the comment regarding adequacy of mitigation measures in General Comments, above.

Response to Comment AQ-6

The mitigation measures for Issue AQ-1a in SEIR No. 2 would be the same as identified for Alternative 3, Issue AQ-1 in the 2008 Final EIR/EIS (which were also subsequently presented in the July 2012 Final SEIR). Since the mitigation measures are unchanged, they are not reiterated here. Also see Response to Comments WQ-2 and GEN-3.

AQ-7

The 2008 Final EIRIEIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would generate additional construction-related emissions, including those generated by transportation of additional construction workers to the OCRD site. With this in mind, we believe the following issue areas were improperly excluded from the Second SEIR analysis:

- o *Project-Generated Traffic (Short-Term Dust and Other Emissions During Project-Related Travel) (Issue AQ-3)*

Although the above impact may be considered negligible or less than significant, or mitigated by measures described in the EIRIEIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Response to Comment AQ-7

See Response to Comment PD-12

Greenhouse Gases

GHG-1

The figures in Table 4-3 for "Other construction Activities associated with Alternative 3 (addressed in April 2012 SEIR)" do not appear to match the corresponding figures in Tables 4.7a-5 in the April 2012 SEIR.

Response to Comment GHG-1

The emission rates in Table 4-3 are updated as follows:

Activity	CO_2	CO_2
	Tons Total	Metric tons Total
OCRD Removal	**37**	**34**
Other construction Activities associated with Alternative 3 (addressed in April 2012 SEIR)	8828	8009
Total Construction GHG Emissions with OCRD Removal	**8865**	**8043**

GHG-2

Please clarify if the greenhouse gas (GHG) calculation included increased vehicle trips that may be required to transport additional construction workers to the OCRD site and/or additional haul trips related to material removal. If no such additional trips will be required, this should be explained in Chapter 3.0, Description of the Proposed Project Refinement.

Response to Comment GHG-2

See Response to Comment PD-12

GHG-3

The SEIR uses the criteria of 25,000 metric tons ofC02E per year to determine the significance of the project. This is the amount of GHG emissions for stationary source facilities that are required to report their GHG emissions to the U.S. Environmental Protection Agency (USEP A). CEQA explicitly gives lead agencies the authority to choose thresholds of significance, and defers to lead agency discretion when choosing thresholds. However, the 25,000 MT/C02E/year mandatory reporting threshold is intended to be applied to stationary sources, such as fossil fuel suppliers, industrial gas suppliers, direct greenhouse gas emitters, and manufacturers of heavy-duty and off-road vehicles and engines. Please clarify how the proposed project fits this characterization as a major stationary source facility.

Response to Comment GHG-3

For consistency with previous analyses for the project, SCC has utilized DWR's methodologies and policies regarding GHG emissions. DWR evaluated GHG emissions that would result from the project to determine whether those emissions would have a significant cumulative impact on the environment or would conflict with an applicable plan, policy or regulation designed to reduce GHG emissions. Although the project is not a stationary source of GHG emissions, the cumulative environmental impact of GHG emissions, the greatest impact of which is assumed to be global climate change, is independent of whether the source is mobile or stationary. The US Environmental Protection Agency and California Air Resources Board have established mandatory reporting requirements for GHG emissions that exceed 25,000 metric tons of CO2e per year. (See July 2012 Final SEIR, page 4.7a-17.) There is no one universally accepted significance threshold for GHG emissions, but DWR regards the 25,000 MT reporting requirement established by US EPA and CARB as a useful point of reference because it relates to quantitative limits established by agencies with regulatory authority and expertise over air quality and GHG emissions.

DWR chose to analyze, describe, and estimate the project's GHG impacts based on a qualitative threshold. (See July 2012 Final SEIR, page 4.7a-13.) DWR considered the extent to which the project may increase GHG emissions (see July 2012 Final SEIR, pages 4.7a-14 through 4.7a - 16); whether the project emissions exceed different thresholds including reporting thresholds and suggested thresholds of significance; and the extent to which the proposed project complies with regulations or requirements adopted to implement a statewide, regional, or local plans for the reduction or mitigation of GHG emissions (see DWR's July 2012 Final SEIR, pages 4.7a-4 through 4.7a-10, and 4.7a-17).

In the July 2012 Final SEIR, DWR utilized three different qualitative significance criteria to determine significance. These are also used in Draft SEIR No. 2 for OCRD removal.

The comment refers to Criteria B. As stated in the foregoing, this criterion for determining the significance of emissions from the project is not meant as a quantitative emissions threshold. Instead, the 25,000 ton level is identified as a benchmark to provide scale for the level of emissions that might be considered large or substantial.

The 25,000 ton number is held up as important because both the US EPA and California Air Resources Board have identified this level as the appropriate level above which stationary sources of emissions are required to report their emissions. This level therefore, represents a level of emissions that could be important in the context of impacts from GHG emissions. Using this level as a screening tool for assessing significance does not mean to imply that the proposed project is a major stationary source facility. DWR's July 2012 Final SEIR includes a discussion of the CAPCOA "white paper" on evaluating and addressing GHGs under CEQA. (CAPCOA, 2008, page 4.7a-12). This white paper is a resource guide and provides information about key elements of CEQA GHG analyses, however it is not a guidance document. Since the emissions from the project, including OCRD removal, are much lower than 25,000 metric tons, and are short-term, even if the quantitative thresholds set out in CAPCOA's whitepaper were used, we would find that the emissions are less than cumulatively considerable and therefore, not significant.

GHG-4

Both the April 2012 SEIR and Second SEIR claim that project emissions would be "well below" the 25,000 MT/C02E/year threshold chosen for this analysis. Note that the 8,040 metric tons of C02E cited in the Second SEIR is still higher than some of the quantitative emissions thresholds discussed in Section 4.7a of the April 2012 SEIR. It is recommended that the lead agency provide substantial evidence justifying the use of the identified threshold - and not one of the lower thresholds discussed - to determine the significance of project GHG emissions.

Response to Comment GHG-4

See Response to Comment GHG-3.

GHG-5

It is recommended that construction-related GHG emissions be amortized over the project's lifetime in order to compare these emissions to quantitative GHG thresholds, which are generally expressed in terms of metric tons of C02E per year. A common default project lifetime is 30 years.

Response to Comment GHG-5

For consistency with previous analyses conducted for the San Clemente Dam Removal and Carmel River Reroute project, the State Coastal Conservancy used DWR's GHG methodology when analyzing the removal of OCRD. DWR elected not to apply the lifetime amortized emissions method of accounting for GHG emissions to the current project. See Response to Comment GHG-3 for further discussion on the chosen methodology. For information purposes, the Conservancy calculated the amortized rate of emissions as follows. The total project emissions are estimated to be 8043 metric tons of CO2E. Amortized over a 30 year project lifetime, this would be approximately 268 metric tons of CO2E per year.

GHG-6

An inventory which accounts for CH4 and N20 emissions, in addition to CO2, would provide a more complete estimate of total project GHG emissions. It is therefore recommended that the SEIR include emissions of all three GHGs in order to avoid underestimating the project's GHG emissions.

Response to Comment GHG-6

Diesel fuel combustion produces small quantities of methane and nitrous oxide (approximately 2% of total emissions, even when converted to carbon dioxide equivalents (http://www.epa.gov/climateleadership/documents/resources/mobilesource_guidance.pdf)). The Final SEIR No. 2 has been updated to include methane and nitrous oxide emissions, but the increase (from 8,043 metric tons of CO_2 to 8,347 metric tons of CO_2e) does not change the analysis of the emissions or the ultimate significance determination. Table 4-3 is amended as follows to include methane and nitrous oxide:

Activity	CO_2 Tons Total	CO_2 Metric tons Total	CH_4 Tons Total	N_2O Tons Total	CO_2e Metric tons Total
OCRD Removal	**37**	**34**	**0**	**0**	**34**
Other construction Activities associated with Alternative 3 (addressed in April 2012 SEIR)	8828	8009	1	1	8314
Total Construction GHG Emissions with OCRD Removal	**8865**	**8043**	**1**	**1**	**8347**

GHG-7

It is recommended that implementation of the AB 32 GHG reduction measures cited in the April 2012 SEIR be mandatory and enforceable if their implementation is a prerequisite for a determination that GHG impacts would be less than significant.

Response to Comment GHG-7

The greenhouse gas emissions have been determined to be less than significant and no mitigation is required. The July 2012 Final SEIR states that “the construction contractors will work to implement various GHG reduction and efficiency programs (Best Management Practices [BMPs}) that would further reduce emissions….” (July 2012

Final SEIR page 4.7a-16). However, these BMPs were not presented and should not be construed as mitigation measures as even without consideration of these BMPs, under the qualitative threshold considered by DWR in the July 2012 Final SEIR and in the Final SEIR No. 2, the GHG emissions impacts would remain less than significant.

Noise

NO-1

The 2008 Final EIRJEIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would require a longer construction period and additional blasting and rock removal. Such activities would increase noise impacts compared to the previous proposal (dam notching). Therefore, we believe the statement that "Noise impacts during OCRD removal would be similar to those during notching because demolition techniques would be similar" (page4-14) is misleading. Please revise the analysis of Issue NO-1a to acknowledge that short-term noise impacts would increase, or provide additional evidence to support the claim that impacts would be the same as those analyzed in the April 2012 SEIR.

Response to Comment NO-1

The noise levels themselves (measured in dB) would not increase with removal of OCRD since the construction techniques which generate noise would be similar (demolition with hoe ram or jackhammer). The duration that increased noise levels would be present would increase since it would take approximately 3 to 4 weeks longer to remove rather than notch OCRD. As discussed in the Draft SEIR No. 2, the modeled construction noise levels generated by removal of OCRD would be less than the ambient background noise levels at the nearest receptors in the Sleepy Hollow community. In other words, the construction noise would not likely be discernible. Therefore, the impact does not increase with the increased period of construction activities. Removal of OCRD will not involve blasting.

This impact however was conservatively considered significant and unavoidable because as stated in the Final 2008 EIR/EIS (page 4.8-10), “given the sparsely populated rural nature of the area it cannot be determined with certainty that the impact will be less than significant.”

NO-2

The mitigation section for Issue NO-1a refers the reader to the mitigation for Issues NO-1 and NO-2 in 2008 Final EIRJEIS. The mitigation section for Issue NO-1 in the 2008 Final EIRJEIS vaguely states that "Standard measures such as limiting operations to normal daytime working hours to reduce noise nuisances would be routinely applied." Please refer to the comment regarding adequacy of mitigation measures in General Comments, above. Mitigation for Issue NO-2 in the 2008 Final EIRJEIS focuses on road construction noise; to this point, the Second SEIR is silent regarding whether OCRD removal would result in additional vehicle trips. Therefore, it is unclear why this mitigation is specifically referenced. Please clarify.

Response to Comment NO-2

The mitigation measures identified for Issue NO-2 for off-road construction equipment would apply to construction equipment used to remove OCRD.

NO-3

Please clarify why mitigation would not reduce Issue NO-1a to a less than significant level.

Response to Comment NO-3

As stated in the Final 2008 EIR/EIS (page 4.8-10), "given the sparsely populated rural nature of the area it cannot be determined with certainty that the impact will be less than significant." However, modeling of noise generated during OCRD removal indicates that noise levels at the Sleepy Hollow community would not be above background given the distance and steep terrain between the OCRD site and the residences.

NO-4

The 2008 Final EIRJEIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would have substantially greater impacts than notching, including those generated by transportation of additional construction workers to the OCRD site. With this in mind, we believe the following issue area was improperly excluded from the Second SEIR analysis:

- *Project-Generated Traffic (noise from construction-related travel, including mobilization, materials, and workers) (Issue NO-3)*

Although the above impact may be considered negligible or less than significant, or mitigated by measures described in the EIRJEIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Response to Comment NO-4

See Response to Comment PD-12

<u>Traffic and Circulation</u>

TC-1

The only impact discussed in Chapter 4.2.9, Traffic and Circulation, is a new issue (Issue TC-9) related to access to a private property located southwest of the SCD. The analysis should clarify whether secondary access to the property in question is required. If secondary access is required, the Fire Department should be consulted and impacts related to fire safety should be addressed.

Response to Comment TC-1

As stated in the Draft SEIR No. 2, Monterey County Regional Fire District Division Chief confirmed that the road is not designated as an official emergency access route.

TC-2

A map indicating the primary access, current secondary access, and proposed alternative access easements to the property southwest of the SCD should be provided. Depending on the ultimate location of secondary access, grading on slopes exceeding 25% and/or tree removal could be required. These activities would require analysis in the Second SEIR and inclusion in the Use Permit application for removal of the OCRD.

Response to Comment TC-2

A map showing secondary access to the property (High Road via the Sleepy Hollow Ford) was provided in the Draft SEIR No. 2 (Figure 4-2). As described in response to Comment TC-1, this is not an official emergency access route. No improvements to this road are needed or proposed. No further analysis is required.

TC-3

The 2008 Final EIR/EIS and April2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would require additional construction activities, and may generate additional vehicle trips to the site for construction worker access. In addition, page 3-4 of the Second SEIR notes that "a large volume of material" would be removed from the site and that "Metal, asphalt and other miscellaneous bridge materials would be disposed of at an approved offsite facility." As noted under Chapter 3.0, Description of the Proposed Project Refinement above, the estimated amount of material and the location of disposal should be specified. These details would help to determine the number of trips required for material hauling, which we believe would increase over what was analyzed in the April 2012 SEIR. With these considerations in mind, we believe that the following issue areas were improperly excluded from the Second SEIR analysis:

- *Road Segment Traffic Operations (additional traffic on area road network) (Issue TC-I)*
- *Intersection Traffic Operations (changes to intersection level of service) (Issue TC-2)*
- *Traffic Safety Carmel Valley Road (increased accident rates) (Issue TC-3a)*
- *Traffic Safety San Clemente Drive (increased accident rates) (Issue TC-3b)*
- *Inadequate Corner Sight Distances (adequate visual sight distance at intersections for stopping safety) (Issue TC-4)*
- *Neighborhood Quality of Life (effect of increased traffic on residential neighborhoods) (Issue TC-6)*
- *Pavement Loadings (effect of project traffic on pavement) (Issue TC-7)*

Although the affect of OCDR removal on the above impacts may be considered negligible or less than significant, or mitigated by measures described in the EIRIEIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Response to Comment TC-3

See Response to Comment PD-12.

Cultural Resources

CR-1

The analysis for Issues CR-2a, CR-3a, CR-5a, and CR-6a rely on the assumption that the SCD would be completely removed prior to the OCRD. The analysis continues by presuming that removal of the SCD and its associated fish ladder would cause the San Clemente Dam Historic District (SCDHD) as a whole to lose its ability to convey significance and, as such, would not retain NRHP eligibility. Therefore, removal of the OCRD would not impact this resource, because it would no longer be considered a resource. Please see the comment under Chapter 3.0, Description of the Proposed Project Refinement regarding the timing of OCRD removal. If the OCRD is removed prior to the SCD, the analysis in Chapter 4.2.10 may be inappropriate. Therefore, confirmation that this could not occur is warranted.

Response to Comment CR-1

See Response to Comment PD-4. Also, the analysis for Issues CR-2a, CR-3a, CR-5a and CR-6a rely on the assumption that the SCD will be removed and therefore, changing notching of OCRD to removal is not an impact on the SCDHD. The exact timing of OCRD removal is not critical to the analysis; what is critical is that OCRD is being removed in conjunction with removal of SCD.

Visual Quality

VQ-1

Removal of the OCRD would generate additional construction activities compared to notching, which would affect views in the area (Issue VQ-2). After construction, dam and bridge removal would permanently alter the existing landscape. Although this impact may be beneficial in the long term, such short term impacts should be briefly considered

Response to Comment VQ-1

OCRD is not visible from any residence or public vantage point. Construction activities will not be visible nor affect views in the area.

Recreation

REC-1

The additional construction activities could further disrupt use of the Jeep Trail (Issue REC-2) and generate delay for motorists traveling to the Los Padres National Forest (Issue REC-5). These potential recreation impacts should be considered.

Response to Comment REC-1

See Response to Comment PD-12.

Land Use

LU-1

Removal of the OCRD requires a Use Permit from the County of Monterey. Consistency with existing County plans and policies (Issue LU-l) should be addressed.

Response to Comment LU-1

Removal of OCRD would not result in any changes to land use. The combined permit application submitted to the County of Monterey for the San Clemente Dam Removal Project includes the removal of OCRD.

Other Environmental Impacts

Other -1

"Other" environmental effects include population and housing. The additional construction activity required for removal of the OCRD could generate more construction jobs than previously analyzed. The effect of this increase should be described.

Response to Comment Other-1

See Response To Comment GEN-1..

Cumulative Impacts

Cumulative -1

As stated in the 2008 Final EIRIEIS, "Cumulative effects may occur when the incremental impacts of [a project], added to those of other closely related past, present, and reasonably foreseeable probable future projects, become environmentally important" (page 5-9). Such impacts should be addressed for the OCRD removal.

Response to Comment Cumulative-1

See Section 5.2 of the Draft SEIR No. 2.

2.2 LETTTER DATED JULY 26, 2012, DOUG GARDNER

General

Comment GEN-6

How were residents notified about this project? I received no notification or updates regarding circulation of the SEIRs. Is it possible that residents closer to the actual site---such as those at Sleepy Hollow---had more formal notification than Cachagua residents, who will bear significant impact? If newspaper notices were placed, I would question the effectiveness of that approach in such a rural area where many people do not have newspaper delivery. Reliance on previous lists of interested parties does not seem sufficient either since the original project and its EIR did not so directly impact Cachagua. I asked the archeological team that came to my property to be sure to let me know when the environmental documentation was available, but I received no notices. This lack of notice does not sit well. It is the responsibility of the sponsor to do all it can to make sure all affected parties are familiar with the project and aware of the public process, especially in light of the fact that this appears to be a tax-payer funded project.

Response to Comment GEN-6

Following CEQA Guidelines Section 15087, notices for SEIR No. 2 were sent to organizations and individuals who had requested such notice in writing. The mailing list for this portion of the notification was obtained from DWR, based on previous requests for documents and information on the San Clemente Dam project. The mailing list contained approximately 120 addresses. In addition, legal advertisements were placed in the Monterey Herald and Salinas Californian. Advertisements for SEIR No. 2 ran in both papers from June 14 to June 16, 2012 announcing the availability of the document and provided a website address where the document could be reviewed.

Comment GEN-7

I believe that the informational meeting recently held in Cachagua took place after the close of comment for SEIR 1. Informational meetings are helpful, but in this case should have happened before the close of the comment period and residents should have been formed of the existence of the SEIR and their right to comment.

Response to Comment GEN-7

The information meeting held in Cachagua on July 11, 2012 was organized by California American Water to provide information to the community about the project. It

was not conducted as part of the CEQA-review process for this SEIR No. 2 or for the July 2012 Final SEIR prepared by DWR.

Traffic and Circulation

Comment TC-4

The comment period for SEIR 2 is open till July 29, so please consider this letter a comment letter. Since these comments are traffic related, they also apply to SEIR 1. The two SEIRs and 2 projects are linked; they cannot be piecemealed. After all, Addendum 2 states that bridge materials "would be disposed at an approved offsite facility", suggesting that even more truck traffic will be directed to Cachagua Rd.

Response to Comment TC-4

It is estimated that up to four(4) 2-ton dump trucks worth of material would be transported to an approved disposal facility to be determined by the Contractor. The air quality and GHG impacts for these truck trips and all truck trips necessary for OCRD removal are addressed in Section 4.2.6 and 4.2.7 of the Draft SEIR No. 2. The analysis of traffic impacts in DWR's July 2012 Final SEIR included peak project truck trips, and these numbers were somewhat overestimated to leave room for some modification in the number of vehicle trips without triggering the need for additional CEQA review. No additional truck trips beyond those considered in the July 2012 FSEIR are required in order to remove OCRD rather than notch it.

Comment TC-5

Cachagua residents do not understand why this long route through their community was selected when shorter routes much closer to the project were rejected. There is concern that the gate-guarded Sleepy Hollow community was able to influence the decision to keep this project out of their backyards and force its impacts on Cachagua. SEIR analysis suggested that alternate routes would have had an adverse impact on flora and fauna. Why were studies not done in regard to the impacts to people in Cachagua? Should there not have been Noise and Air Quality studies? Impacts that stretch for four or more years cannot be dismissed as "short-term" or "temporary". It does not appear that decision makers had all the analysis that should have been made available to them.

Operational Questions:
Cachagua residents are very concerned about the traffic impacts to Cachagua Rd. They rely Cachagua Rd on a daily basis to get to and from work; truck traffic can have a major impact on this commute. There will also be a potentially dangerous impact to emergency access, not only for fire fighters but for individuals who may need prompt medical attention not available in Cachagua Valley.

Also, the added heavy truck traffic on Carmel Valley Road may have unfortunate consequences. This is already a dangerous road, and by extending the route of construction vehicles 8 miles further east than a more sensible access route adjacent to Sleepy Hollow, the County will be creating frustration that may cause drivers to take risks in passing slow trucks. This is not a minor issue.
It appears that the successful contractor will have to produce a "traffic management plan"; will this plan have public review and input?

The following questions and comments apply to Community meeting presentation at Cachagua, the SEIR and to the traffic management plan:

-Do the estimated construction trips shown on the "Construction Traffic Estimate" include Construction Equipment Mobilization? What do the footnotes allude to on this chart? There are no notes explaining the footnote numbers.
-The management plan should require the posting trip estimates in advance on a monthly basis.
-The County and Contractor should have a "hot-line" manned by a live body to receive reports of violations of any traffic management requirements. Violations should result in penalties.
-The traffic management plan should set standards for truck and bus brake maintenance; the screech brakes on the Cachagua grade will be fierce.
-Will the County and/or Contractor have the ability to change the proposed "improvements" to Cachagua Rd? If so how will residents be notified?
-Trucks should be required to pull over at designated lay-by zones along both Cachagua and Carmel Valley roads to permit passage of cars stuck behind slow moving vehicles. Truck drivers should be instructed to allow passenger vehicles to pass whenever possible.
-What will be the permitted hours and days of truck operations? The Community Meeting presentation said "material hauling" would be limited to 9 a.m. to 3 p.m. Monday through Friday; what about heavy equipment mobilization?

Response to Comment TC-5

DWR and the USACE prepared a Final Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) under CEQA and NEPA for the San Clemente Dam Seismic Safety Project. On December 31, 2007, DWR certified the Final EIR in accordance with CEQA Guidelines section 15090. On March 14, 2011 DWR filed a Notice of Determination for the Project in compliance with section 21108 of the Public Resources Code approving the Carmel River Reroute and San Clemente Dam Removal Project, as described in Alternative 3 of the 2008 Final EIR/EIS (DWR 2008).

Since that time, California American Water (CAW), the project proponent, identified several necessary changes to the project. DWR, as the lead agency, evaluated the proposed changes, and prepared an SEIR. This SEIR addressed changes to the project, including a new access route, excavation of additional sediment from San Clemente Creek (based on revised engineering calculations), proposed night work

under certain circumstances, and revised impacts based on the latest engineering design. The SEIR was released for public review on April 27, 2012. On July 27, 2012 DWR certified the SEIR as final and filed its Notice of Determination.

Pursuant to section 15163 of the CEQA Guidelines ((California Code of Regulations (CCR) Title 14, Section 15163), this supplemental EIR No. 2 contains only the information necessary to make the 2008 Final EIR and July 2012 Final SEIR adequate. The DWR SEIR addressed the traffic, air quality, and noise impacts related to project revisions to access routes to the project site. This SEIR No. 2 addresses only the proposed change to remove OCRD rather than notch it. Removal of OCRD will not require an increase in truck or vehicle trips beyond what was assessed in DWR's Final SEIR.

The Carmel River Reroute and San Clemente Dam project requires heavy earthmoving and other construction equipment to access the reservoir area approximately one-half mile upstream of San Clemente Dam. There is currently no road access to this area. In 2011, CAW analyzed the feasibility of potential access routes, including two routes through the Sleepy Hollow residential community. As a result of this analysis, it was determined that the Jeep Trail access route analyzed in the 2008 Final EIR/EIS was the most technically feasible route and also had the least environmental impacts. This analysis also determined that in order to mobilize heavy construction equipment to the site it would be necessary to reach the Jeep Trail via Tassajara Road and southern Cachagua Road, rather than use northern Cachagua Road as had been proposed in the 2008 Final EIR/EIS. This is due to the steeper grade and sharper curves on the northern portion of Cachagua Road. The traffic and circulation impacts due to this change in the access route for mobilizing heavy equipment are discussed in Section 4.9 of DWR's July 2012 FSEIR.

As described in DWR's July 2012 Final SEIR (page 4.7-38), the increase in emission of air pollutants from the additional truck trips generated by revisions to the project will not result in any exceedance of air quality standards. The noise impacts of both the access road upgrades and the project generated traffic are analyzed in Section 4.8 of DWR's July 2012 FSEIR, and both are found to be significant, unavoidable impacts. DWR determined that these impacts were short-term because they are not permanent,

The traffic management plan will be approved by the County of Monterey as a condition of the County permit. Approval of the County permit will be considered at a public hearing of the Monterey County Planning Commission. Please contact the County directly for additional information.

CEQA does not require that an EIR or SEIR comment on materials presented at a community information meeting that was not conducted as part of any CEQA process.

Comment TC-6

The Community meeting presentation indicated 5 specific "improvements" to be made to Cachagua Rd. My comments to these proposals are as follows:
-Regarding Bridge 529, it does not appear that the bridge will be widened, only structurally reinforced: is this correct? Can I request, as a concession to the community, that this bridge also be cleaned up and painted?
-Regarding the improvements to the Cachagua-Tassajara intersection, are these permanent changes? They appear only as useful to construction traffic. Will any existing vegetation be removed? Will this area be restored after construction?
-In general, this road is not always in great shape; the significant truck traffic will no doubt cause additional damage. Will damage be repaired on an ongoing basis?
-Will there be additional tree removal or pruning along Cachagua Rd.?
-What are the "staging areas"?
-Will the community be informed if the contractor wants to make other "improvements" in addition to these five? Will traffic be allowed to use these portions of the road while the improvements are under construction? Will Cachagua Rd. be closed at any time?

Response to Comment TC-6

CEQA does not require that an EIR or SEIR comment on materials presented at a community information meeting that was not conducted as part of any CEQA process. See also Response to Comment TC-5.

Section 3.5 of DWR's July 2012 Final SEIR (page 3.5-41 and 3.5-42) describes the road improvements that will be made to Cachagua Road. The improvements to Bridge 529 will be permanent and the July 2012 Final SEIR assumes the other improvements will also be permanent; however, the County of Monterey could require some or all of the improvements to be removed as a condition of its permit. As described in Section 4.5 of the July 2012 Final SEIR, the improvements along Cachagua Road will result in impacts to 0.5 acres of oak woodland and 0.05 acres of riparian habitat. Impacts to Traffic and Circulation during construction of the improvements to Cachagua Road are discussed in Section 4.10 of the July 2012 Final SEIR. Because the improvements could result in delays for drivers of greater than 10 minutes, the impact was determined to significant.

Mitigation measures for Issue TC-7 Pavement Loading require that the applicant repair any damage to Cachagua Road and portion of Tassajara Road that will be used for the project. The County of Monterey will be responsible for determining how this mitigation measure will be carried out.

If additional road improvements are found to be needed, they would be subject to further CEQA review. Any further CEQA review would provide notification as specified in CEQA Guidelines Section 15087.

Visual Quality

Comment VQ-2

It should be noted that Cachagua is a scenic country road. There is no discussion of potential aesthetic impacts to this road, which is utilized and enjoyed by visitors, cyclists and many others. It is not simply a back-woods truck route.

Response to Comment VQ-2

See Response to Comment TC-5. Please also refer to Section 4.11 in DWR"S July 2012 Final SEIR for an explanation of the methodology used to determine if impacts on a scenic resource were significant.

Other

Comment Other-2

Please also consider and comment on the economic impact of this construction work. During the multi-year timeframe of this work, many homeowners may wish to market their homes for sale. What will be the impact on potential sales price to the disclosure of this long-term disruption?

Response to Comment Other-2

Comment noted. Requested information is beyond the scope of CEQA requirements.

Comment Other-3

Finally, I would like to point out that the construction of this project will create burdens for the Cachagua community with no benefit other than the advertised improvement to a remote interior environment. It is customary, when communities are impacted, to provide compensating benefits beyond required mitigations. I would suggest that the perceived negative effects of this project could in part be offset by some compensatory benefits, such as landscaping, lighting, park improvements, etc. I suspect that the community, if asked, would have ideas.

Response to Comment Other -3

Comment noted. The CEQA Guidelines do not require that an EIR or SEIR discuss "compensatory benefits" beyond measures to mitigate for identified environmental impacts.

2.3 LETTER DATED JULY 27, 2012, MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT, AMY CLYMO

Comment AQ-8

Fugitive Dust from Demolishing and Removing the Old Cannel River Dam (OCRD)
The construction impact analysis fails to identify the potential impact for fugitive dust emissions from demolishing the OCRD. The mitigation measures presented in the 2008 Final EIRIEIS and the April 2012 SEIR address fugitive dust from soil disturbance but do not include mitigation measures specifically addressing dam demolition fugitive dust emissions. Therefore, the Air District recommends including the following additional mitigation measures to address the potential fugitive dust emissions from OCRD demolition and removal.

1. *Sufficiently wet the structure prior to removal and continue wetting as necessary to minimize visible emissions during active removal and the debris reduction process.*
2. *Prohibit removal activities when the peak wind speed exceeds 15 miles per hour.*

Response to Comment AQ-8

The first paragraph of the impact discussion of Issue AQ-1a is revised as follows:

> Construction activities would generate temporary emissions from diesel-powered equipment. Removal of OCRD would have no operational impacts because it would not create any new air pollutant sources nor generate new employee vehicle trips. **The demolition of OCRD could generate fugitive dust from the structure itself.** ~~Removal of OCRD by itself would not have significant air quality impacts.~~ ~~However, the~~ **The** construction activities associate**d**~~s~~ with OCRD removal, in conjunction with the other construction activities for Alternative 3 described in the **draft** April 2012 SEIR, would affect regional and local air quality during construction.

The mitigation section of Issue AQ-1a is revised as follows:

> Mitigation measures were identified for Alternative 3 in the 2008 Final EIR/EIS and the **draft** April 2012 SEIR and would be implemented for OCRD removal as part of the overall project. **In addition, the following measures will be taken to reduce fugitive dust generated by demolition of OCRD:**
>
> - **Sufficiently wet the structure prior to removal and continue wetting as necessary to minimize visible emissions during dam demolition and debris removal.**
> - **Prohibit demolition activities during periods of high wind (over 15 mph).**

These mitigation measures will not reduce the air quality impacts to less than significant, and no additional mitigation measures are available to reduce this impact to less than significant.

Comment AQ-9

Air District Rule 424- Asbestos Program
Please be aware that the OCRD project may be subject to Air District Rule 424 National Emissions Standards for Hazardous Air Pollutants. Rule 424 contains the investigation and reporting requirements for asbestos. If you have any questions about District Rule 424, please contact Mike Sheehan, District Compliance Inspector III, at (831) 647-9411 x 217.

Response to Comment AQ-9

Comment noted. OCRD was built in 1883 and is not expected to contain asbestos. The OCRD bridge was built later and could have contained asbestos; however, a hazardous materials assessment of the bridge conducted in 2011 did not find any asbestos (Acumen 2011).

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3. Revisions to the Draft SEIR No. 2

This section contains those portions of the San Clemente Dam Seismic Safety Project Draft SEIR No. 2 that have been revised based on the comments received during the public review period and/or staff-generated clarifications. Text deleted from the Draft SEIR No. 2 is shown below in ~~strikethrough format~~; text that has been added is shown in **bold and underline**. These revisions supersede the Draft SEIR No. 2 dated June 2012 as specified below. The Conservancy has carefully reviewed the revisions and determined that they are not significant new information requiring recirculation under CEQA guidelines Section 15088.5.

Section 3.1 Existing OCRD, the first paragraph is revised as follows:

OCRD is located about 1,800 feet downstream of SCD on a bend of the Carmel River (Figure 3-2). OCRD is a masonry dam that was built in 1883 by Pacific Improvement Company to divert water for commercial use. The dam is approximately 160 feet long and approximately 4 feet wide at the crest. The dam has a maximum height of approximately 32 feet, with a dam crest and spillway elevation of 443 feet (National Geodetic Vertical Datum [NGVD] 29), and ~~appears to be~~ **is** founded on bedrock. Geotechnical borings indicate that bedrock is located at elevations ranging from 413 to 417 feet (Woodward Clyde 1997). A fish ladder is located to the north side of the dam at a downstream invert of 434 feet **(Figure 3-3)**. A sluiceway opening approximately 4 feet wide by 15 feet high, located to the right side of OCRD (looking downstream), acts as a permanently open low water outlet. The sluiceway has an invert elevation of about 432 feet. A plunge pool is located immediately downstream of OCRD with an estimated bottom elevation of 419 feet.

Section 3.2 OCRD Removal, paragraph three is revised as follows:

To accomplish this, the dam removal would involve demolishing the dam in two sections sequentially (phase 1 and phase 2), while temporarily diverting the active Carmel River channel within the existing river bed away from each section as demolition proceeds **(Figure 3-4 a-e)**. The first section of OCRD to be removed (phase 1) would be the section that is the farthest away from the existing low flow channel. Work would occur outside of the active channel, in the dry section of streambed, to minimize impacts to fish and water quality. ~~It is not expected that engineered diversion facilities (e.g., sheet piles, coffer dams, etc.) would be necessary to contain the river flow in its current low flow channel (around the initial demolition work area); however, they may be used if needed.~~

Section 3.3 is added immediately following Section 3.2:

Section 3.3 Restoration

The banks adjacent to the OCRD removal area will be restored with upland, facultative, and facultative wetland species in an approximately 30-foot wide band between the 100-year flood event water surface elevation and approximately the 2-year storm water surface elevation. The two vegetation assemblages that will be planted at the OCRD site will be Riparian and Upland. Salvaged topsoil from the project area as well as chipped and/or composted native plant material will be used to enhance the topsoil qualities prior to plant installation and hydroseeding.

Proposed riparian vegetation will include a diverse mix of facultative (FAC) and facultative wetland (FACW) herbaceous species and riparian trees that typically colonize riparian banks along the Carmel River. It will consist of willow (*Salix* spp.), alder (*Alnus rhombifolia*), and sycamore (*Platanus racemosa*), sedges, grasses and rushes such as Santa Barbara sedge (*Carex barbarae),* round-fruited sedge (*Carex globosa),* California fescue (*Festuca californica*), oceanspray (*Holodiscus discolor*), common rush (*Juncus effusus*), spreading rush (*Juncus patens*), creeping wildrye (*Leymus triticoides*), knotgrass (*Paspalum distichum*), and other herbs such as western goldenrod (*Euthamia occidentalis*), common horsetail (*Equisetum arvense*), miner's lettuce (*Claytonia perfoliata* ssp. *perfoliata*), fuchsia-flowering gooseberry (*Ribes speciosum*), and small Solomon seal (*Smilacena stellata*).

Upland habitat will be restored on the south-facing north bank rising above the riparian area. Reintroduced native plant species will be integrated with existing native upland plant communities to provide continuity and natural transition into adjacent existing habitats. Proposed upland vegetation will consist of blue wildrye (*Elymus glaucus*), California brome (*Bromus carinatus*), leafy bentgrass (*Agrostis pallens*), mulefat (*Baccharis salicifolia*), and California rose (*Rosa californica*) will be planted in larger sizes to provide shade for the seeded plant species. The existing trees and vegetation damaged by construction activities will be protected to the extent possible by pruning damaged limbs, protecting and covering exposed roots.

The restored habitats will be only hand- or truck- supplementally irrigated during the plant establishment period. The planting and seeding will be performed during late fall (late October through early November) or early spring (late February through March), so that the potential for the plants to naturally establish is maximized.

Issue WR-6a Determination heading is changed as follows:

Determination: **less than significant, long-term <u>beneficial</u>**

Issue FI-14a, Removal of OCRD, Impact discussion paragraph 3 is revised as follows:

Steelhead moving through the diverted channel may be temporarily exposed to underwater sound from demolition activities. Demolition of OCRD would require the use of jackhammers or hoe rams, which can generate sound that could be transmitted into nearby waters and may impact fish. **<u>A review of sound measurements recorded during the use of a jackhammer or hoe-ram on underwater objects in direct contact with the water indicates that source sound levels would be 180 to 206 dB (QinetiQ 2009; Thill 2011). During OCRD removal, these tools would be used to demolish the structure that is outside of the water, thus sound would be transmitted to the water indirectly through the substrate. Only a fraction of the source noise energy would be transmitted to steelhead habitat in nearby waters. Sounds measurements made on steel piles driven on land next to a water body show sound level reductions of 5 -10 dB over similar piles driven in direct contact with the water body (Caltrans 2009).</u>** The sound energy transmitted to steelhead habitat would be below the ~~levels that potentially cause injury~~ **<u>206 dB level that potentially causes injury to fish (see FHWG 2008 for criteria)</u>**, **<u>but the transmitted sound levels</u>** may affect **<u>fish</u>** behavior. The sound produced may cause temporary behavioral responses such as rapid bursts in swimming speed or other erratic swimming patterns. **<u>During the time period when such demolition activities would take place, few steelhead would be present in the vicinity, as the fish relocation above SCD would be transporting out-migrating smolts to below OCRD.</u>**

Impacts to fish would be minimal due to minimal disruption in the river channel accomplished by isolating the creek flow from the work, the short duration of turbidity events during ~~dewatering~~ <u>stream diversion</u>, and because juvenile steelhead migrating downstream would be moved to river sites well below OCRD for the summer period preceding dam removal.

Issue WET-2a: is revised as follows:

Issue WET-2a: Short-term Disturbance of Wetlands and Other Waters of the U.S.

Short-term filling of non-wetland waters of the U.S.
Determination: ***Less than significant ~~with mitigation~~, short-term***

IMPACT

There are no wetland resources near OCRD. Potential impacts to Other Waters of the U.S. from the removal of OCRD include temporary diversion of Carmel River and

temporary disturbance of other waters during removal of OCRD. Removal of OCRD would temporarily impact 0.4 acre of Other Waters of the U.S.

MITIGATION

No additional mitigation is required for temporary disturbance to Other Waters during removal of OCRD. ~~Restoration proposed as part of Alternative 3, as summarized in WET-1a above, would serve to mitigate impacts from removal of OCRD.~~

Issue AQ-1a: OCRD Site Activities is revised as follows:

Issue AQ-1a: OCRD Site Activities

Short-term emissions from construction equipment
Determination: significant, unavoidable, short-term (when considered with other activities for Alternative 3 described in the April 2012 SEIR)

IMPACT

Construction activities would generate temporary emissions from diesel-powered equipment. Removal of OCRD would have no operational impacts because it would not create any new air pollutant sources nor generate new employee vehicle trips. **The demolition of OCRD could generate fugitive dust from the structure itself.** ~~Removal of OCRD by itself would not have significant air quality impacts.~~ ~~However, the~~ **The** construction activities associate**d**~~s~~ with OCRD removal, in conjunction with the other construction activities for Alternative 3 described in the **draft** April 2012 SEIR, would affect regional and local air quality during construction.

Tables 4-1 and 4-2 show estimated aggregated maximum emissions in pounds per day and tons per year that would occur due to OCRD removal along with other construction activities for Alternative 3 as described in the April 2012 SEIR. Emissions on an annual basis for OCRD removal are negligible and too small to report.

Table 4-1: Estimated Temporary Daily Construction Emissions — OCRD Removal with other Alternative 3 Activities

Location	NO_X	SO_X	CO	PM_{10}	ROC	PM_{10F}
	lbs/day	lbs/day	lbs/day	lbs/day	lbs/day	lbs/day
CEQA Level of Significance	137	150	550	82	137	82
OCRD Removal	**21**	**0**	**12**	**1**	**1**	**0**
Other construction Activities associated with Alternative 3 (addressed in April 2012 SEIR)	757	0	702	38	86	1570
Total with OCRD Removal	778	0	714	39	87	1570

Table 4-2: Estimated Temporary ~~Daily~~ Annual Construction Emissions — OCRD Removal with other Alternative 3 Activities

Location	NO_X	SO_X	CO	PM_{10}	ROC	PM_{10F}
	tons/yr	tons/yr	tons/yr	tons/yr	tons/yr	tons/yr
OCRD Removal	**0**	**0**	**0**	**0**	**0**	**0**
Other construction Activities associated with Alternative 3 (addressed in April 2012 SEIR)	75	0	88	4	10	109
Total with OCRD Removal	**75**	**0**	**88**	**4**	**10**	**109**

Table 4-1 shows that estimated daily emissions from fuel combustion for OCRD demolition activities alone would not exceed the CEQA level of significance for NO_X, but will contribute to the overall emissions for the project. When considered with other project activities, the threshold would be exceeded for the project. Although construction for the overall project would exceed the CEQA threshold for NO_X, dispersion modeling performed in the previous environmental documents showed that maximum estimated NO_X impacts would be below state and federal ambient air quality standards (338 µg/m^3 hourly and 100 µg/m^3 annually, respectively). The impact is still considered significant and unavoidable with or without OCRD removal.

MITIGATION

Mitigation measures were identified for Alternative 3 in the 2008 Final EIR/EIS and the **draft** April 2012 SEIR and would be implemented for OCRD removal as part of the overall project. **In addition, the following measures will be taken to reduce fugitive dust generated by demolition of OCRD:**

- **Sufficiently wet the structure prior to removal and continue wetting as necessary to minimize visible emissions during dam demolition and debris removal.**
- **Prohibit demolition activities during periods of high wind (over 15 mph).**

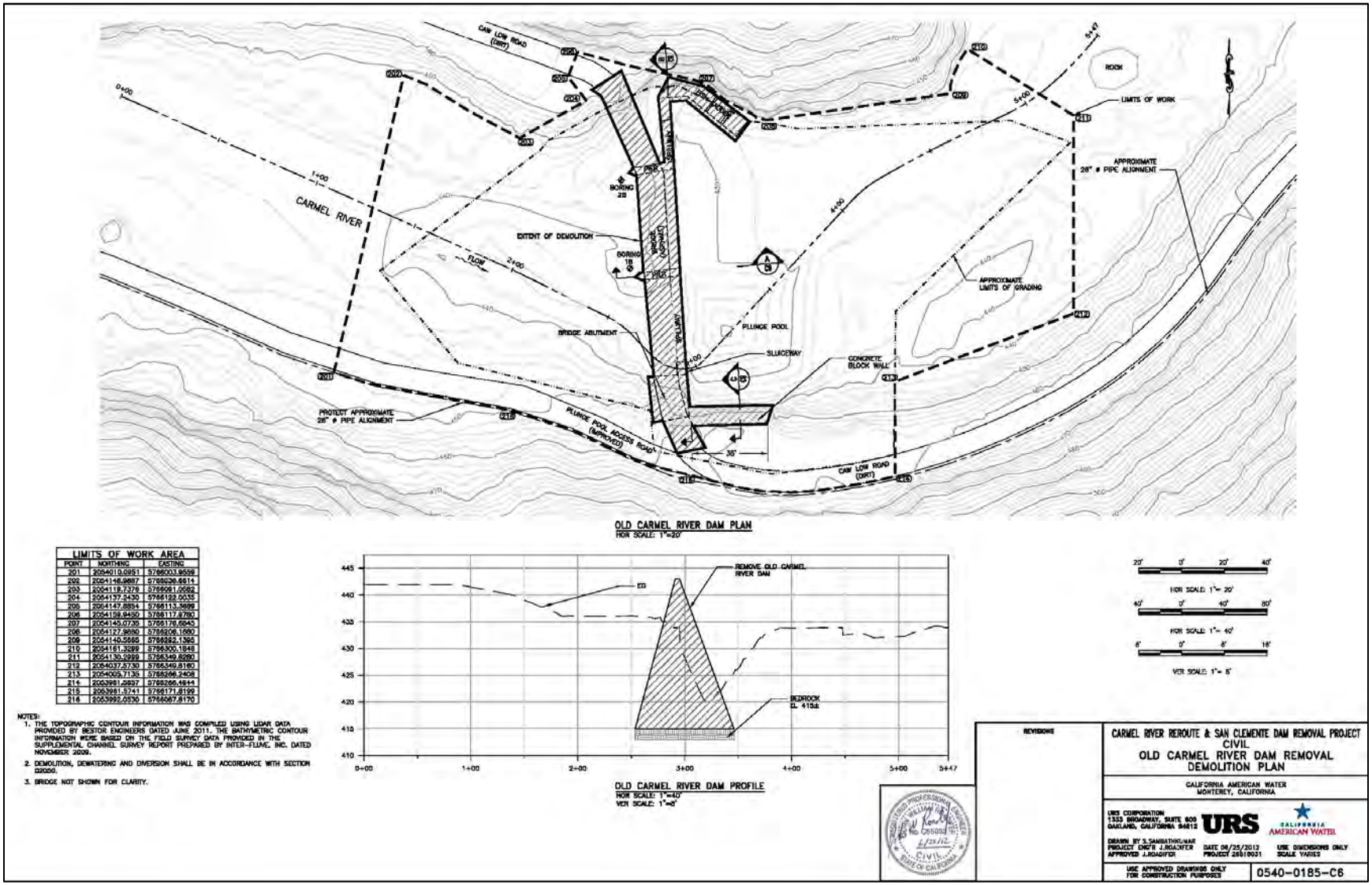
These mitigation measures will not reduce the air quality impacts to less than significant, and no additional mitigation measures are available to reduce this impact to less than significant.

Table 4-3 is replaced with the following:

Table 4-3: Estimated Construction GHG Emissions - OCRD Removal with other Alternative 3 Activities

Activity	CO_2	CO_2	CH_4	N_2O	CO_2e
	Tons Total	Metric tons Total	Tons Total	Tons Total	Metric tons Total
OCRD Removal	**37**	**34**	**0**	**0**	**34**
Other construction Activities associated with Alternative 3 (addressed in April 2012 SEIR)	8828	8009	1	1	8314
Total Construction GHG Emissions with OCRD Removal	**8865**	**8043**	**1**	**1**	**8347**

Figure 3-3: Old Carmel River Dam Site Plan



LIMITS OF WORK AREA		
POINT	NORTHING	EASTING
201	2054010.0951	5766003.9569
202	2054148.9887	5765936.6614
203	2054118.7376	5765961.9582
204	2054137.2430	5766122.0035
205	2054147.8854	5766113.3689
206	2054159.9450	5766117.6780
207	2054145.0735	5766176.6845
208	2054127.9890	5766206.1660
209	2054140.5665	5766282.1365
210	2054161.3289	5766300.1848
211	2054130.2999	5766349.8280
212	2054037.5730	5766349.8160
213	2054005.7135	5766296.2408
214	2053981.5697	5766266.1844
215	2053961.5741	5766171.8199
216	2053992.0530	5766067.8170

NOTES:
1. THE TOPOGRAPHIC CONTOUR INFORMATION WAS COMPILED USING LIDAR DATA PROVIDED BY BESTOR ENGINEERS DATED JUNE 2011. THE BATHYMETRIC CONTOUR INFORMATION WERE BASED ON THE FIELD SURVEY DATA PROVIDED IN THE SUPPLEMENTAL CHANNEL SURVEY REPORT PREPARED BY INTER-FLUVE, INC. DATED NOVEMBER 2009.
2. DEMOLITION, DEWATERING AND DIVERSION SHALL BE IN ACCORDANCE WITH SECTION 02050.
3. BRIDGE NOT SHOWN FOR CLARITY.

REVISIONS

CARMEL RIVER REROUTE & SAN CLEMENTE DAM REMOVAL PROJECT
CIVIL
OLD CARMEL RIVER DAM REMOVAL
DEMOLITION PLAN

CALIFORNIA AMERICAN WATER
MONTEREY, CALIFORNIA

URS CORPORATION
1333 BROADWAY, SUITE 800
OAKLAND, CALIFORNIA 94612

URS

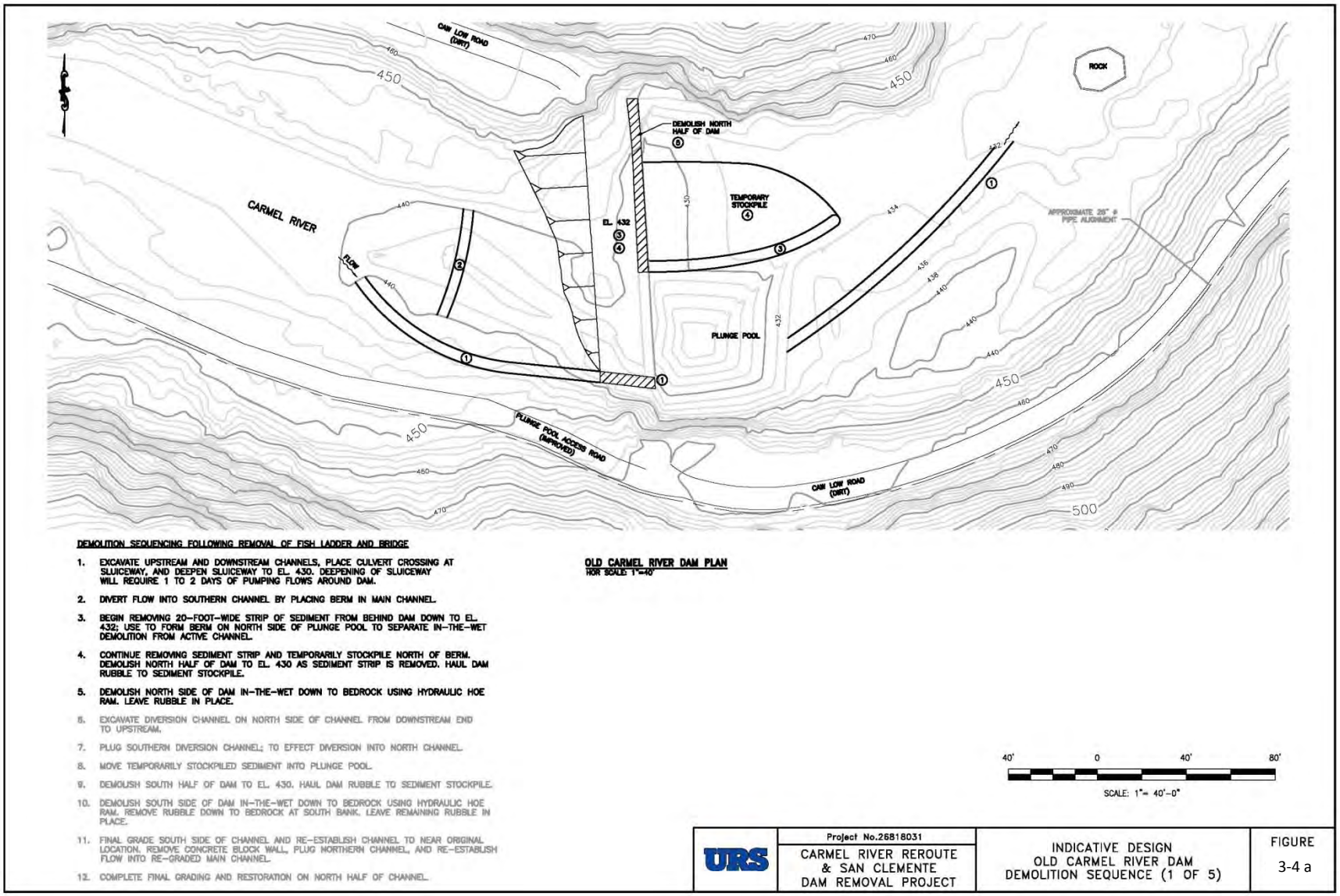
CALIFORNIA AMERICAN WATER

DRAWN BY S.SAMBATHKUMAR
PROJECT ENG'R J.ROACHFER
APPROVED J.ROACHFER
DATE 08/25/2012
PROJECT 28610031
USE DIMENSIONS ONLY
SCALE VARIES

USE APPROVED DRAWINGS ONLY FOR CONSTRUCTION PURPOSES

0540-0185-C6

Figure 3-4a: OCRD Demolition Sequence (1 of 5)



DEMOLITION SEQUENCING FOLLOWING REMOVAL OF FISH LADDER AND BRIDGE

1. EXCAVATE UPSTREAM AND DOWNSTREAM CHANNELS, PLACE CULVERT CROSSING AT SLUICEWAY, AND DEEPEN SLUICEWAY TO EL. 430. DEEPENING OF SLUICEWAY WILL REQUIRE 1 TO 2 DAYS OF PUMPING FLOWS AROUND DAM.
2. DIVERT FLOW INTO SOUTHERN CHANNEL BY PLACING BERM IN MAIN CHANNEL.
3. BEGIN REMOVING 20-FOOT-WIDE STRIP OF SEDIMENT FROM BEHIND DAM DOWN TO EL. 432; USE TO FORM BERM ON NORTH SIDE OF PLUNGE POOL TO SEPARATE IN-THE-WET DEMOLITION FROM ACTIVE CHANNEL.
4. CONTINUE REMOVING SEDIMENT STRIP AND TEMPORARILY STOCKPILE NORTH OF BERM. DEMOLISH NORTH HALF OF DAM TO EL. 430 AS SEDIMENT STRIP IS REMOVED. HAUL DAM RUBBLE TO SEDIMENT STOCKPILE.
5. DEMOLISH NORTH SIDE OF DAM IN-THE-WET DOWN TO BEDROCK USING HYDRAULIC HOE RAM. LEAVE RUBBLE IN PLACE.
6. EXCAVATE DIVERSION CHANNEL ON NORTH SIDE OF CHANNEL FROM DOWNSTREAM END TO UPSTREAM.
7. PLUG SOUTHERN DIVERSION CHANNEL; TO EFFECT DIVERSION INTO NORTH CHANNEL.
8. MOVE TEMPORARILY STOCKPILED SEDIMENT INTO PLUNGE POOL.
9. DEMOLISH SOUTH HALF OF DAM TO EL. 430. HAUL DAM RUBBLE TO SEDIMENT STOCKPILE.
10. DEMOLISH SOUTH SIDE OF DAM IN-THE-WET DOWN TO BEDROCK USING HYDRAULIC HOE RAM. REMOVE RUBBLE DOWN TO BEDROCK AT SOUTH BANK. LEAVE REMAINING RUBBLE IN PLACE.
11. FINAL GRADE SOUTH SIDE OF CHANNEL AND RE-ESTABLISH CHANNEL TO NEAR ORIGINAL LOCATION. REMOVE CONCRETE BLOCK WALL, PLUG NORTHERN CHANNEL, AND RE-ESTABLISH FLOW INTO RE-GRADED MAIN CHANNEL.
12. COMPLETE FINAL GRADING AND RESTORATION ON NORTH HALF OF CHANNEL.

URS	Project No.26818031 CARMEL RIVER REROUTE & SAN CLEMENTE DAM REMOVAL PROJECT	INDICATIVE DESIGN OLD CARMEL RIVER DAM DEMOLITION SEQUENCE (1 OF 5)	FIGURE 3-4 a

Figure 3-4b: OCRD Demolition Sequence (2 of 5)

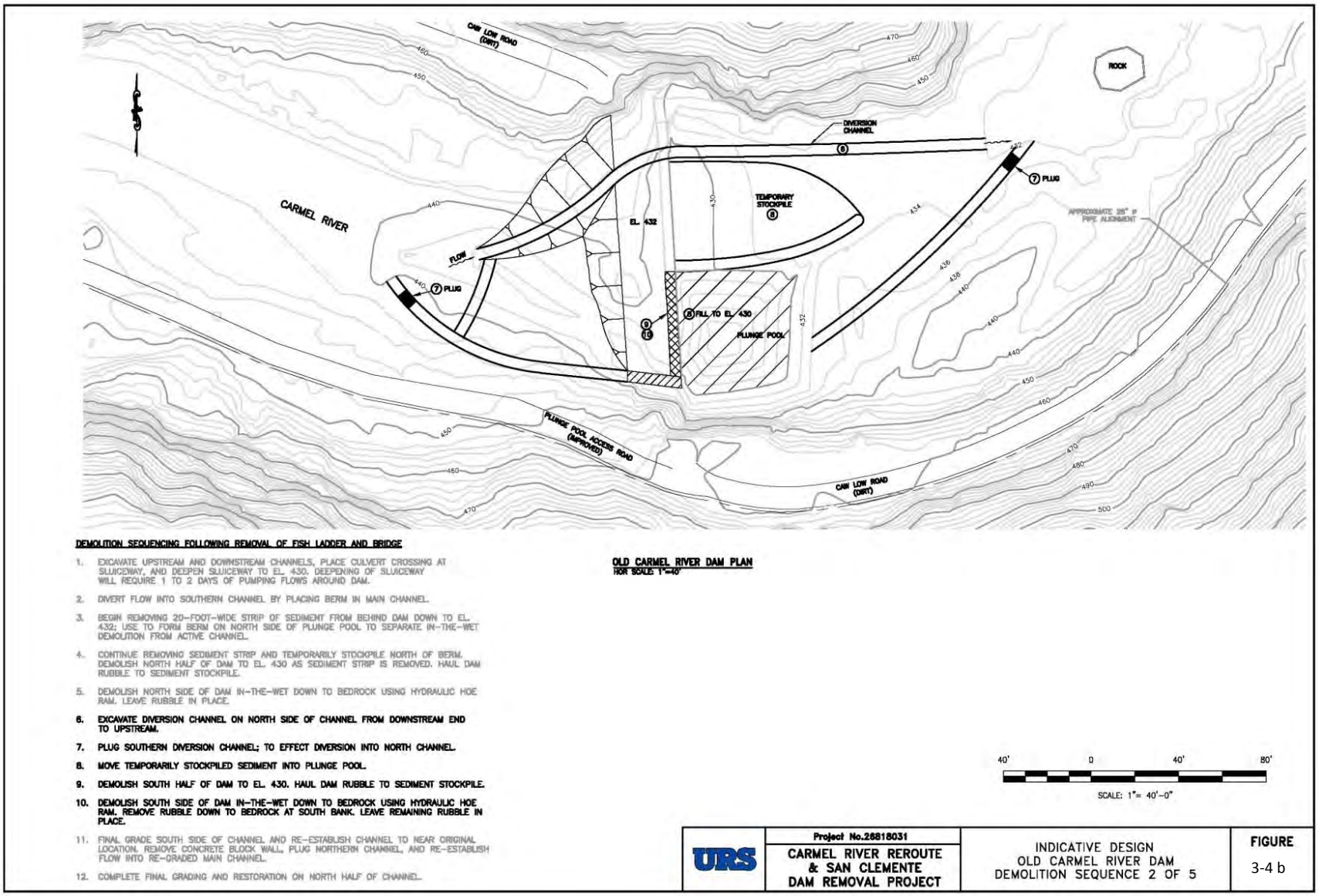


Figure 3-4c: OCRD Demolition Sequence (3 of 5)

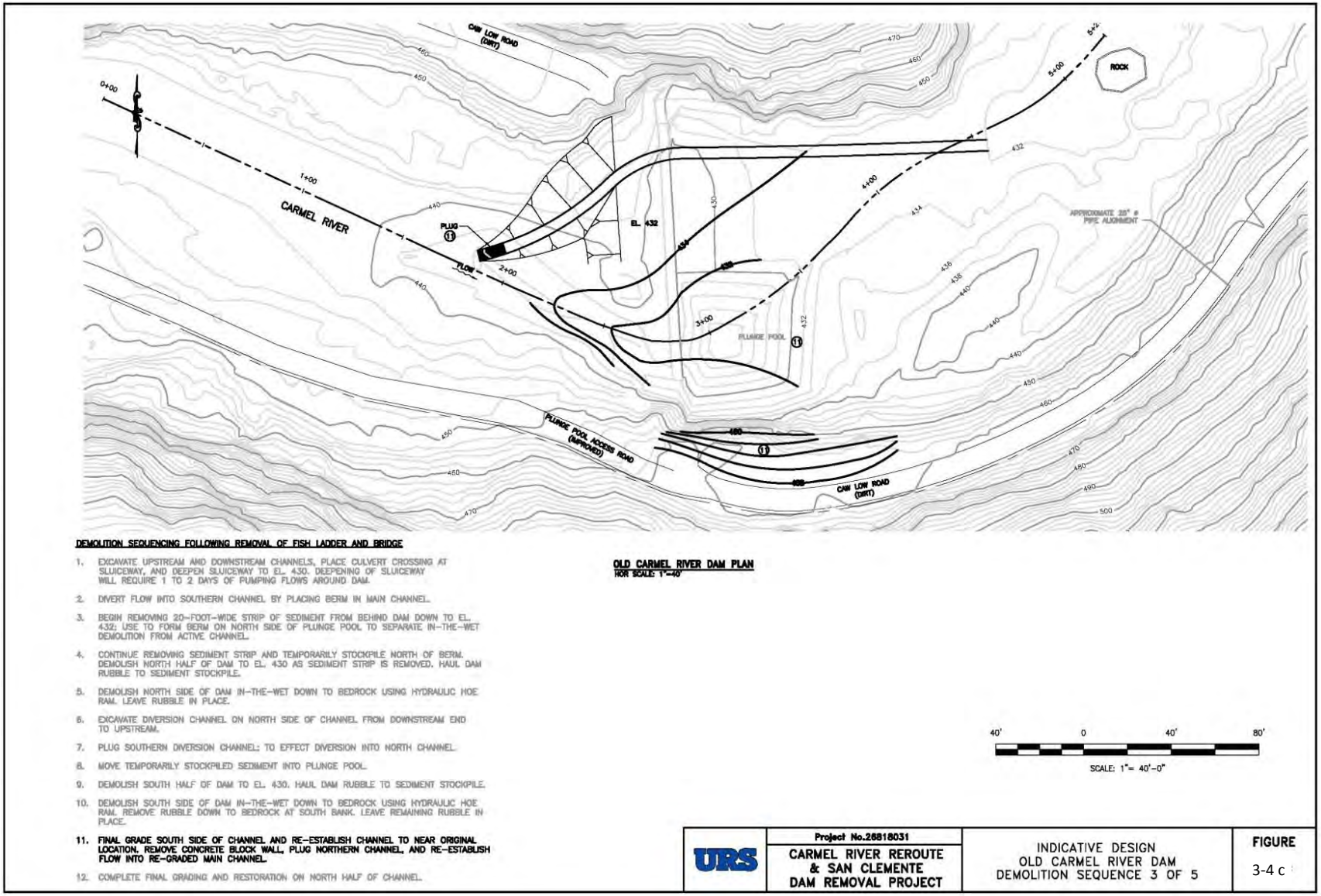


Figure 3-4d: OCRD Demolition Sequence (4 of 5)

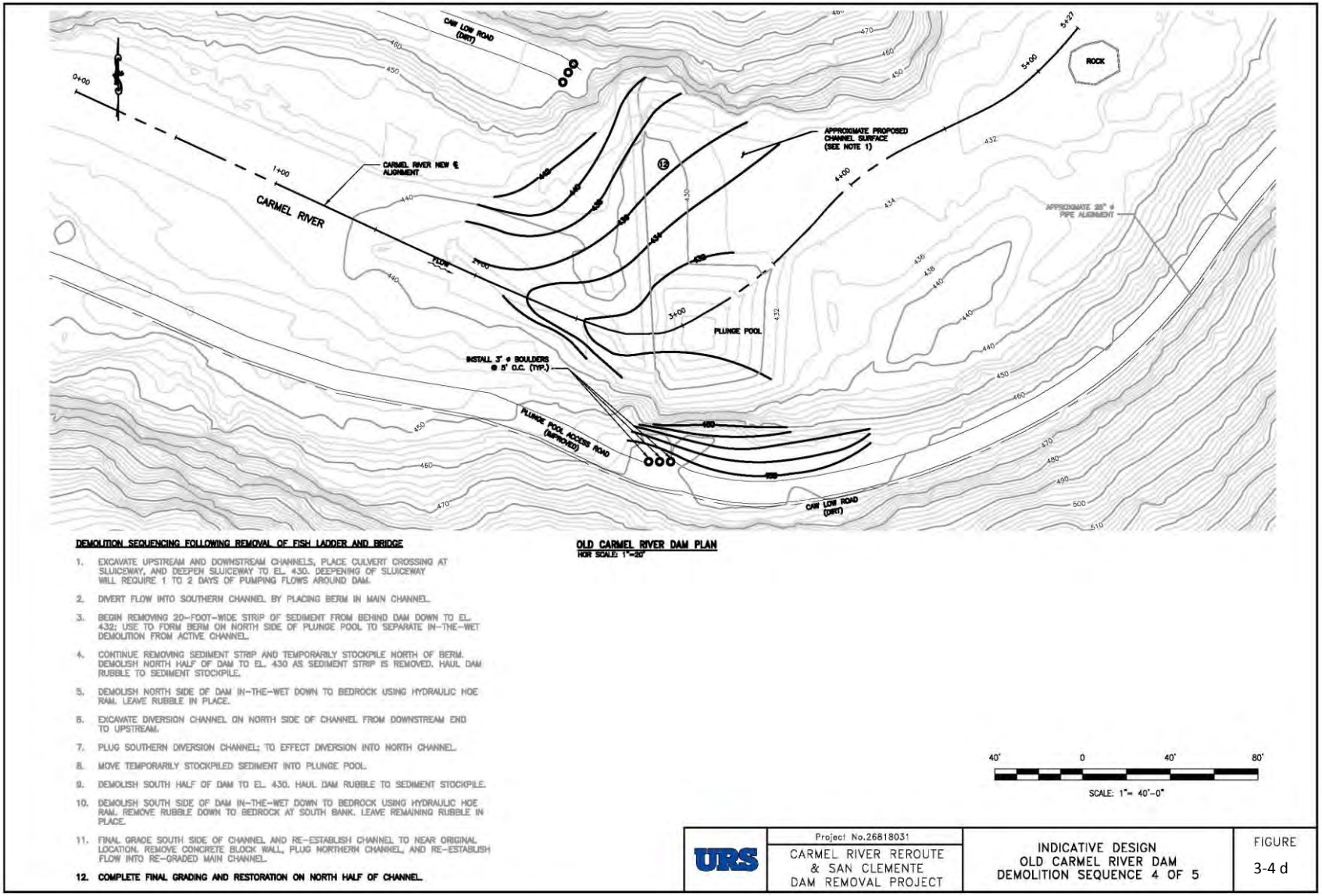
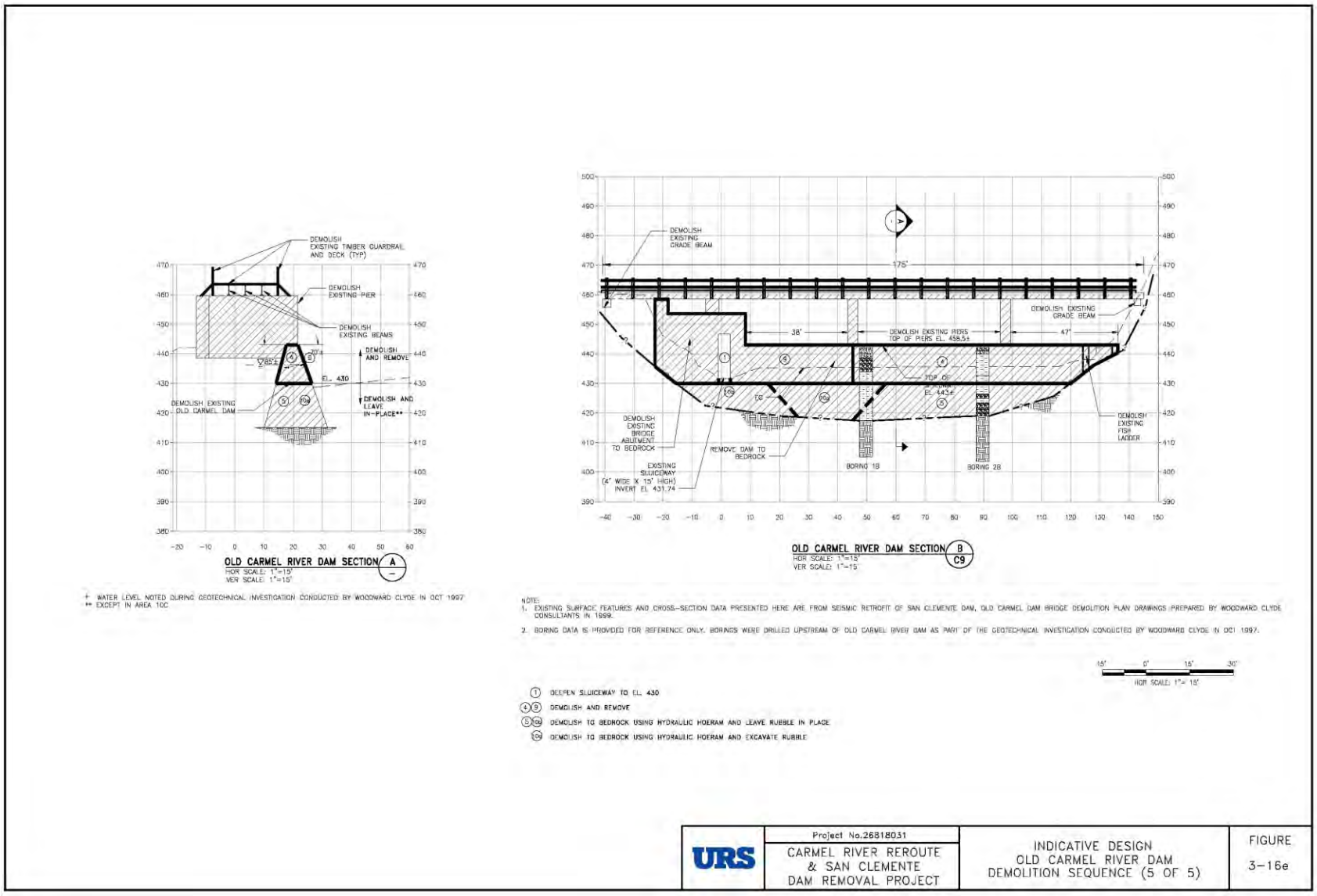


Figure 3-4e: OCRD Demolition Sequence (5 of 5)



4. MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Monitoring or Reporting Action	Monitoring or Reporting Entity	Timing	Enforcement Entity
WQ-12a Stream margins shall be revegetated with native species as designated in the Botanical Resources Management Plan (2008 Final EIR/EIS, Appendix U) when construction is completed.	Monitor compliance with revegetation measures and report to CCRWQCB, Monterey County, USACE, CDFG, and DWR	Applicant's Environmental Inspector and Project Engineer	Throughout construction, inspect daily in areas under active construction or equipment operation, weekly areas with no active construction or equipment operation, and in all areas within 24 hours of each 0.5-inch rainfall event, soil and weather condition permitting. Reports of daily and weekly inspections will be submitted to the agencies monthly.	CCRWQCB, USACE, CDFG, and Monterey County Planning and Building Inspections Department
FI-14a A fish rescue and relocation plan will be provided to and approved by the appropriate resource agencies before the OCRD diversion system is installed. Fish shall be rescued from waters isolated during dewatering, and captured fish shall be relocated to suitable locations as designated in the relocation plan. Fish shall be rescued primarily with the use of block nets, seines and	Monitor fish capture and relocation efforts especially in terms of compliance with permit conditions and report to CDFG, USFWS, NMFS, CCRWQCB, and DWR.	Applicant's Environmental Inspector	Monitor fish capture and relocation efforts, daily, during water diversion and report to the agencies as specified in permits.	CDFG, USFWS, NMFS, CCRWQCB, and MPWMD

Mitigation Measure	Monitoring or Reporting Action	Monitoring or Reporting Entity	Timing	Enforcement Entity
dip nets. Backpack electrofishing units may be used if bottom topography makes the use of nets ineffective. Electrofishing shall follow guidelines established by NMFS (2000).				
AQ-1a OCRD structure shall be sufficiently wetted prior to removal and as necessary during removal to minimize visible emissions during dam demolition and debris removal. Dam demolition activities will be prohibited during periods of high wind (over 15 mph).	Monitor compliance with measures to reduce fugitive dust emissions from demolition and removal of OCRD.	Applicant's Environmental Inspector.	Monitoring will occur daily, during construction. Monthly reports will be submitted to the MBUAPCD throughout construction.	MBUAPCD

5. REFERENCES

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APPENDIX 1: COMMENT LETTERS

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MONTEREY COUNTY

PLANNING AND BUILDING INSPECTION DEPARTMENT

68 W. ALISAL ST. 2nd FLOOR, SALINAS, CA 93901

PERMIT CENTER LOCATIONS:

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☐ KING CITY OFFICE: 522 – NORTH SECOND ST., KING CITY, CA 93930 FAX: (831) 385-8387; PHONE: (831) 385-8315

http://www.co.monterey.ca.us/pbi/

July 6, 2012

Trish Chapman
California Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612-2530

Subject: Comments on the Second Supplemental Environmental Impact Report for the San Clemente Dam Removal Project (PLN110373)

Dear Ms. Chapman,

The Monterey County RMA-Planning Department has reviewed the Second Draft Supplement to the Environmental Impact Report (Second SEIR) for the San Clemente Dam Seismic Safety Project (June 2012) and has the following comments:

General Comments

Global comments on the Second Draft SEIR are provided below.

GEN-1

- The Second Draft SEIR states that "There would be no impacts to the following resource areas: Geology and Soils, Aesthetics, Recreation, Land Use, Other Environmental Effects (such as population and housing), or Other CEQA Considerations including Cumulative Impacts and Growth Inducement" (page 4-3). There is no analysis or discussion provided to support this statement. A brief explanation of this conclusion should be provided. Specific issues that warrant consideration include:

GS-1

  - Removal of the OCRD would require more construction activity, including grading and sediment removal and disposal, than dam notching. Impacts related to soil erosion (Issue GS-4) and alteration of existing topography due to blasting and rock removal (Issue GS-5) would therefore increase compared to previous analyses. These impacts should be assessed in the Second SEIR.

VQ-1

  - Removal of the OCRD would generate additional construction activities compared to notching, which would affect views in the area (Issue VQ-2). After construction, dam and bridge removal would permanently alter the existing landscape. Although this impact may be beneficial in the long term, such short-term impacts should be briefly considered

REC-1

- The additional construction activities could further disrupt use of the Jeep Trail (Issue REC-2) and generate delay for motorists traveling to the Los Padres National Forest (Issue REC-5). These potential recreation impacts should be considered.

LU-1

- Removal of the OCRD requires a Use Permit from the County of Monterey. Consistency with existing County plans and policies (Issue LU-1) should be addressed.

Other-1

- "Other" environmental effects include population and housing. The additional construction activity required for removal of the OCRD could generate more construction jobs than previously analyzed. The effect of this increase should be described.

Cumulative-1

- As stated in the 2008 Final EIR/EIS, "Cumulative effects may occur when the incremental impacts of [a project], added to those of other closely related past, present, and reasonably foreseeable probable future projects, become environmentally important" (page 5-9). Such impacts should be addressed for the OCRD removal.

GEN-2

- The impacts and mitigation sections (4.2.1 through 4.2.10) do not include setting information, describe methodology used, nor list significance thresholds. Although the analysis presumably relies on past documents for this information, the Second SEIR should, at minimum, incorporate the 2008 Final EIR and April 2012 SEIR by reference and summarize the setting information that is particularly relevant to the proposed OCRD removal.

PD-1

- The description of the project in the Second SEIR lacks sufficient detail for a thorough analysis. Specific comments regarding this issue are provided in the Chapter 3.0, Description of the Proposed Project Refinement below.

GEN-3

- The majority of mitigation measures in the 2008 Final EIR/EIS and April 2012 SEIR lack the information that is necessary to ensure that they will be effective. In a comment letter on the April 2012 SEIR dated June 7, 2012, the Monterey County – RMA Planning Department noted this deficiency. Because the Second SEIR refers to these previous documents instead of outlining OCRD-specific mitigation within the Second SEIR itself, the same comment applies.

  Each mitigation measure applicable to OCRD removal should include the following information:

  1) *Identify the agency, organization or individual who is responsible for implementing the measure;*
  2) *Identify the agency, organization or individual responsible for monitoring implementation of the measure and whether any reporting is required; and*
  3) *Indicate when the measure must be implemented.*

Of particular concern is the fact that it is unclear what roles the lead and responsible agencies (including the County, State Department of Fish and Game, USFWS, etc.) will play in monitoring the implementation of the various mitigation measures. Such interagency coordination should have occurred during the preparation of the Draft EIR/S. Furthermore, many of the mitigation measures use non-binding language like "will" or "would." It is recommended that the SEIR use "shall" instead, as this denotes a requisite obligation placed on the project application. The revised mitigation measures should be included in the Final SEIR as a Mitigation Monitoring and Reporting Program (MMPR).

Chapter-Specific Comments

The following comments are submitted on specific Chapters of the Second SEIR.

Chapter 2.0, Summary

GEN-4

- On the top page 2-2, the Second SEIR states: "If a general resource category or a particular impact is not discussed, it is because it does not apply either to OCRD removal or to the dam safety project as a whole." As noted under General Comments above, a more thorough explanation of why certain impacts were excluded from the Second SEIR should be provided. It is recommended that a cross-reference to that discussion be provided here.

Chapter 3.0, Description of the Proposed Project Refinement

PD-2

- Page 3-1 of the Second SEIR notes that the OCRD "appears to be founded on bedrock." Later, on page 3-4, the Second SEIR states that the "OCRD would be demolished to its bedrock foundation." If the presence of bedrock is unknown, this should be acknowledged consistently throughout the SEIR. The project description and analysis may also benefit from a detailed geotechnical analysis of the OCDR site.

PD-3

- A figure should be provided showing the OCRD in greater detail than is visible in Figure 3-2. Specifically, the location of the fish ladder, plunge pool, and proximity of the OCRD bridge to the dam should be depicted.

PD-4

- The Second SEIR states that OCRD removal would occur "after the SCD is removed near the end of the fourth construction season of the overall project or during a partial fifth construction" (page 3-4). It the SCD is not removed for any reason, or if this component of the project is delayed, it is presumed that the OCRD removal would not proceed. Please confirm that, under no circumstances will the OCRD be removed prior to removal of the SCD.

PD-5

- The Second SEIR states that "a large volume of material" would be removed from the site (page 3-4). The description should explain what constitutes a "large volume" and provide quantified estimates, as feasible. The description should further describe where this material will be stored and/or hauled (if removed from the site).

PD-6

- Page 3-4 of the Second SEIR states that "Metal, asphalt and other miscellaneous bridge materials would be disposed of at an approved offsite facility." Please specify the estimated amount of material that would be removed from the site and the anticipated location of disposal. The capacity of the receiver site and transportation-related impacts of relocation (including air pollutant emissions) should be analyzed in the appropriate SEIR Chapters.

PD-7

- After the removal of the dam, remaining alluvial materials would be graded to provide fish passage. Please indicate the anticipated amount of grading that would be required, and how it would be designed to allow fish passage.

PD-8

- To help the reader understand the scale of the proposed project and to support the subsequent analysis, a diagram depicting the two phases of dam removal and the stream channel characteristics (i.e. showing the "dry section" of the streambed) should be provided.

PD-9

- Page 3-4 of the Second SEIR states that "It is not expected that engineered diversion facilities (e.g., sheet piles, coffer dams, etc.) would be necessary to contain the river flow in its current low flow channel (around the initial demolition work area); however, they may be used if needed." This description is too vague to allow meaningful analysis. The project description should clarify why such diversion facilities are considered unnecessary, and what conditions would warrant their use "if needed." If used, such facilities must be described and analyzed within the Second SEIR.

PD-10

- Additional detail regarding fish rescue and relocation should be provided. Specifically, the responsibility, timing, methods to be used, and relocation site should be identified.

PD-11

- On the bottom of page 3-5, the Second SEIR states that "the concrete block retaining wall at the right abutment that supports the outer portion of the existing access road would no longer be needed and would be removed." The timing and method of removal should be identified. In addition, the stability of the hillside in this location must be analyzed from a geotechnical perspective.

PD-12

- Please clarify whether OCRD removal would require additional construction personnel. It should be noted that, if additional personnel are required, the potential for this to result in additional construction worker vehicle trips must be analyzed.

PD-13

- Please clarify the length of construction activities. Later in the Second SEIR it is stated that removal of the OCRD is expected to take up to six weeks. This should be discussed in Chapter 3.0, Description of the Proposed Project Refinement.

PD-14

- Please clarify whether dewatering would be necessary, and if so, the process and timing of dewatering activities.

PD-15

- Please clarify whether nighttime construction work would be required for removal of the OCRD.

PD-16

- Please quantify the disturbance area for OCRD removal. A map depicting the disturbance area is also recommended.

PD-17

- If restoration work is included in the project, details regarding this restoration (including extent, timing, and responsibility) should be described.

PD-18

- Please specify when removal of the OCRD would commence, including its relationship to removal of the SCD.

Chapter 4.1, Environmental Setting

WI-1

- Page 4-2 of the Second SEIR states that, "Within the project footprint, no suitable aestivation habitat for California tiger salamander (CTS) occurs, and the only suitable aestivation and breeding habitat is located far from OCRD along the ridge top immediately to the west of Cachagua Road." Please explain how this determination was made, and specify the distance and direction from the OCRD to suitable habitat. A map would further provide the needed clarification.

GEN-5

- Page 4-2 of the Second SEIR states that "CEQA significance criteria have also not changed since release of the 2008 Final EIR/EIS and the April 2012 SEIR, and are not repeated here." Although the CEQA Guidelines have not been revised since April 2012, changes were made since release of the 2008 Final EIR/EIS. These include: the removal of parking as a traffic-related impact; the addition of forestry resources; and the requirement that CEQA documents analyzes GHG emissions. This statement should be revised.

Chapter 4.2.1, Hydrology and Water Resources

WR-1

- Page 4-3 of the Second SEIR states that the "OCRD has little to no storage capacity, and therefore, no flood peak attenuation is currently associated with the structure." The estimated storage amount should be quantified. Further, additional evidence to support the statement that the OCDR does not provide peak flood attenuation should be provided. A flood study, similar to what was conducted for removal of the San Clemente Dam (SCD) in April 2012, may be warranted.

WR-2

- The analysis of downstream flooding impacts references modeling that was completed for both the SCD and OCRD. These models should be referenced in this section. In addition, specific detail should be cited indicating that this analysis adequately describes removal of the OCRD independent of the SCD, since the Second SEIR does not address removal of the SCD. Methodologies uses in this modeling should also be described.

WR-3

- The analysis indicates that removal of the OCRD would result in bed level and flooding increases downstream, but states that "There are no residences or facilities within this area" (page 4-4). However, a spatial area was not specified in the preceding discussion. Please identify the area on a map that would be affected by flood increases downstream and indicate the nearest structures to this area.

WR-4

- The Second SEIR states that "Removal of OCRD restores the ability of the river to move this sediment downstream from OCRD, thereby providing a beneficial effect." The phrase "long term" should be added before "beneficial effect." In addition, please clarify how this would be beneficial from a hydrology and water resources perspective.

WR-5

- The analysis under Issue WR-6a describes effects on upstream flooding and downstream flooding within approximately 100 feet of the OCRD. Please indicate the anticipated impact further downstream, including through the community of Carmel Valley.

WR-6

- Please clarify the impact level associated with Issue WR-6a. It is currently unclear if the impact is considered less than significant, or beneficial.

WR-7

- Figure 4-1 is referenced in the analysis of Issue WR-6a, but not described. As the general public is likely unfamiliar with water surface profiles, please explain how this figure shows that flooding impacts would be less than significant and/or beneficial.

WR-8

- The 2008 Final EIR/EIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would have substantially greater impacts than notching, particularly for impacts generated by construction and long-term changes to the Carmel River channel and stream flow. With this in mind, we believe the following issue areas were improperly excluded from the Second SEIR analysis:[1]

    - *Changes in Stream Flow during Construction (Issue WR-1)*
    - *Changes in Sediment Flow Passing OCRD Immediately after Construction (Issue WR-2a).*
    - *Changes in Sediment Storage and Composition in the Lower River during Construction (Issue WR-2b)*
    - *Increased Sediment Deposition in the Lower River (Issue WR-4a)*
    - *Increase in Frequency of High Suspended Sediment Concentrations (Issue WR-4b)*
    - *Changes to the 100-year Flood Elevation (Issue WR-6)*
    - *Impact to the Location or Timing of Water Supply Diversions (Issue WR-7)*

  Although some of the above impacts may be considered negligible or less than significant, or mitigated by measures described in the EIR/EIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Chapter 4.2.2, Water Quality

PD-19

- The statement is made on page 4-5 of the Second SEIR that construction activities, including within the streambed or vicinity of the stream, would be similar to notching the dam, as was analyzed previously (page 4-5). It should be noted that notching would remove a small portion (9 feet deep and 19 feet wide) of the dam, while the current

[1] The impact numbering throughout this comment letter follows the numbering used in the 2008 Final EIR/EIS and April 2012 SEIR.

proposal includes complete removal of the dam (which is 160 feet long, 32 feet tall, and 4 feet wide). Given the substantially increased scale of material removal, we believe this statement is inaccurate and misleading.

PD-20

- The 2008 Final EIR/EIS stated that "notching the OCRD would require cutting and removal of concrete within the streambed and stream margins" (page 4.3-40). However, the Second SEIR states that "All demolition work would be done outside the active stream channel" (page 4-5). Please clarify how removal of the OCRD would be executed completely outside the stream channel, while considerably less intensive dam notching was found to require activities within the streambed.

WQ-1

- On the bottom of page 4-5 of the Second SEIR it is stated that "Diverting the stream could result in a temporary increase in turbidity that would likely extend less than one mile downstream and persist for less than one day." Please indicate how the distance and duration of turbidity was determined.

WQ-2

- The mitigation section for Issue WQ-12a refers the reader to the mitigation for Issue WQ-12 in 2008 Final EIR/EIS. The mitigation section for Issue WQ-12 in the 2008 Final EIR/EIS refers the reader to Best Management Practices (BMPs) in the EIR appendix and mitigation for other issue areas (including WQ-2, WQ-3, and WQ-7). For ease of review, it is recommended that the specific mitigation measures intended to reduce this impact be included (in full) in the Second SEIR. Please refer also to the comment regarding adequacy of mitigation measures in General Comments, above.

WQ-3

- The 2008 Final EIR/EIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would have substantially greater impacts than notching, particularly for impacts generated by construction in and near the stream channel. With this in mind, we believe the following issue areas were improperly excluded from the Second SEIR analysis:

    - Instream, Streambank and/or Stream Margin Construction Activities (Issue WQ-2)
    - Accidental Leaks and Spills of Toxic Substances (Issue WQ-3).
    - Stream Diversions Sheetpile Cutoff Walls and Cofferdams (Increased Suspended Sediment and Turbidity) (Issue WQ-4)
    - Stream Diversions Ponded Areas (Increased Turbidity and Temperature, Decreased Dissolved Oxygen) (Issue WQ-5)
    - Stream Diversions Return of Bypassed Flows (Localized Scour, Sedimentation and Turbidity) (Issue WQ-6)
    - Rewatering after Stream Diversions (Fine Sediment and Toxics in Return Flow) (Issue WQ-7)
    - Discharge From Settling Basins (Increased Temperature and Turbidity, Decreased Dissolved Oxygen) (WQ-8)
    - Dam-Related Construction or Demolition (Increased Turbidity, Release of Toxic Substances) (WQ-14)
    - Operations/Post-Project Conditions (WQ-15)
    - Sediment Disposal (WQ-16)

Although some of the above impacts may be considered negligible or less than significant, or mitigated by measures described in the EIR/EIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Chapter 4.2.3, Fisheries

FI-1

- The analysis for Issue FI-14a concludes that impacts to fish would be "minimal" due to "minimal disruption of the river channel accomplished by isolating the creek flow from the work, the short duration of turbidity events during dewatering, and because juvenile steelhead migrating downstream would be moved to river sites well below OCRD for the summer period preceding dam removal." Additional evidence should be provided to substantiate this conclusion. Specifically, the following details should be discussed in the analysis and/or within Chapter 3.0, Description of the Proposed Project Refinement:

    - *Please define "minimal" disruption and clarify how this claim is consistent with the statement in Chapter 4.2.2, Water Quality, that removal of the OCRD would be executed completely outside the stream channel.*
    - *Please provide evidence (e.g., bioacoustic evaluation) to demonstrate potential impacts to steelhead from demolition activities (i.e., identify the acoustic impact area).*
    - *Please explain, in sufficient detail, how the creek flow would be isolated. The impacts of this diversion should be analyzed throughout the Second SEIR.*
    - *Please define "short duration" of turbidity events.*
    - *Please explain the dewatering process for removal of the OCRD. This is not explained in the project description.*
    - *Additional detail regarding fish rescue and relocation should be provided. Specifically, the fish rescue area (e.g., project footprint, acoustic impact area, and/or buffer determined and subsequently approved by NMFS), responsibility, timing, methods to be used (e.g., block nets to be installed upstream and downstream of fish rescue area, etc.), and relocation site should be identified.*

FI-2

- Mitigation for Issue FI-14a refers to preparation of a fish rescue and relocation plan, to be approved by the "appropriate resources agency." Please identify the resources agency responsible for approving this plan.

FI-3

- Chapter 3.0, Description of the Proposed Project Refinement, states that "As the active channel is re-routed, fish rescue and relocation would occur in areas of isolated standing water in the original channel." This description suggests that fish rescue and relocation is part of the project description. However, mitigation for Issue FI-14a requires preparation of a fish rescue and relocation plan. Please rectify this discrepancy. It should also be noted that, regardless of whether fish relocation is part of the project description or required as mitigation, additional detail regarding the methods, timing, and responsibility of fish relocation should be provided (please refer to the comment regarding adequacy of mitigation measures in General Comments, above).

FI-4

- Mitigation for Issue FI-14a states that "Once OCRD is removed, the river channel at the dam site and the surrounding area will be restored." Please describe the restoration efforts required. Refer also to the comment regarding adequacy of mitigation measures in General Comments, above.

FI-5

- Mitigation for Issue FI-14a also states that "The removal of this fish passage barrier along with the channel improvements to provide increased spawning and migration habitat will serve as long-term benefit to steelhead and other fish species." While the concept of long-term, beneficial impact of this project to fishes is understood; please provide the method(s) for demonstrating the benefits of this project to steelhead and other fish species.

FI-6

- The 2008 Final EIR/EIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would have substantially greater impacts than notching, particularly for impacts related to water quality, fish passage, and sediment. With this in mind, we believe the following issue areas were improperly excluded from the Second SEIR analysis:

    - *Water Quality Effects on Fish (short-term loss of aquatic habitat) (Issue FI-6)*
    - *Fish Ladder Closure (short-term limiting fish movement past the OCRD) (Issue FI-7)*
    - *Upstream Fish Passage (long-term impact to fish migrating to upstream spawning and rearing habitat) (Issue FI-8)*
    - *Sediment Impacts to Downstream Channels from Sluicing, Dredging or Sediment Transport Downstream (long-term alteration of aquatic habitat) (Issue FI-9a)*
    - *Stream Sediment Removal, Storage, and Associated Restoration (long-term reduction of aquatic habitat, short-term alteration of aquatic habitat) (Issue FI-13)*
    - *Sleepy Hollow Steelhead Rearing Facility (loss or degradation of water supply) (Issue FI-15)*

  Although some of the above impacts may be considered negligible or less than significant, or mitigated by measures described in the EIR/EIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Chapter 4.2.4, Vegetation and Wildlife

VE-1

- Page 4-9 the Second SEIR notes that approximately 0.6 acres of the Central Coast Cottonwood-Sycamore Riparian Forest would be disturbed around the OCRD as a result of activities for removal of the dam. It should be noted that disturbance area details were excluded from Chapter 3.0, Description of the Proposed Project Refinement. The analysis should clarify how this disturbance area was calculated, and show the area on a habitat map. As no other habitats or vegetation types are mentioned in the Second SEIR, a habitat map is also recommended as evidence that only one habitat type would be impacted by the project.

VE-2

- The mitigation section for Issue VE-3a refers the reader to the mitigation for Issue VE-3 in the 2008 Final EIR/EIS. The mitigation discussion for Alternative 3 refers the reader to mitigation for the Proponent's Proposed Project. For ease of review, it is recommended that the specific mitigation measures intended to reduce this impact be included (in full) in the Second SEIR. Please refer also to the comment regarding adequacy of mitigation measures in General Comments, above.

WI-2

- The analysis for Issue WI-4a notes that "Instream work during removal of the OCRD could temporarily disturb CRLF summer habitat, and could possibly affect steelhead spawning habitat downstream of the dam" (page 4-9). It should be noted that Chapter 4.2.2, Water Quality, states that removal of the OCRD would be executed completely outside the stream channel. Please rectify this discrepancy. Please also explain how removal of the dam would disturb spawning habitat downstream.

WI-3

- Please provide evidence supporting the claim that foothill yellow-legged frog and California tiger salamander would not be impacted by removal of the OCRD (e.g., description of suitable habitat[s] for each of these species in relation to the habitat[s] occurring within and adjacent to the project site, distance from project site to known occurrences of these species, etc.).

WI-4

- The analysis for Issue WI-4a states that impacts related to sedimentation, elevated turbidity, and habitat disturbance would be similar to those for notching the OCRD, but would occur over a longer period of time. It should be noted that notching would remove a small portion (9 feet deep and 19 feet wide) of the dam, while the current proposal includes complete removal of the dam (which is 160 feet long, 32 feet tall, and 4 feet wide). Given the substantially increased scale of material removal, it seems logical that additional disturbance area would be required. Please clarify how the same area would be disturbed for both notching and removal.

WI-5

- The mitigation section for Issue WI-4a refers the reader to the mitigation for Issue WI-4 in the 2008 Final EIR/EIS. Issue WI-4 is not discussed in the Alternative 3 analysis in the 2008 Final EIR/EIS; instead, page 4.5-59 of the 2008 Final EIR/EIS states that impacts and mitigation for this issue "would be the same as the Proponent's Proposed Project." For ease of review, it is recommended that the specific mitigation measures intended to reduce this impact be included (in full) in the Second SEIR. It should also be noted that mitigation for this issue described for the Proponent's Proposed Project in the 2008 Final EIR/EIS defers mitigation by requiring protocol surveys. Timing of the surveys is not specified, and no mitigation is outlined in the event that surveys determine presence of sensitive species. Please refer also to the comment regarding adequacy of mitigation measures in General Comments, above.

WI-6

- The 2008 Final EIR/EIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would have substantially greater impacts than notching, particularly for impacts related to vegetation removal, sediment, and nighttime construction lighting (if required). With this in mind, we believe the following issue areas were improperly excluded from the Second SEIR analysis:

- *Special-Status Plant Species (Issue VE-1)*
- *Loss of Protected Oak Woodland (Issue VE-2)*
- *Indirect Effects on Native Vegetation (effects caused by increased erosion and sedimentation) (Issue VE-4)*
- *Vegetation Removal (effects on special-status bird species and others protected by the Migratory Bird Treaty Act or raptor protections) (Issue WI-8)*
- *Sediment Removal (destruction of spawning habitat) (Issue WI-11)*
- *Increased Traffic on Cachagua/Jeep Trail (effects to special-status species) (Issue WI-14)*
- *Nighttime Work and Associated Lighting (effects to special-status species) (Issue WI-15)*

Although some of the above impacts may be considered negligible or less than significant, or mitigated by measures described in the EIR/EIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Chapter 4.2.5, Wetlands

WET-1

- The analysis for Issue WET-1a states that "Removal of the OCRD would not impact wetlands as no wetland habitat is present at this site" (page 4-10). Please provide evidence to substantiate this claim. A description of the methods used to determine the presence of wetlands and a map indicating wetlands in the vicinity, as well as the disturbance area of the proposed project, would be particularly helpful.

WET-2

- The Second SEIR states that "Removal of OCRD would result in permanent increase of approximately 0.05 acre of Other Waters of the U.S. in the Carmel River through the removal of fill created by the dam structure and recontouring the Carmel River" (page 4-10). Please explain what this means and provide evidence supporting this statement. It should also be noted that the term "recontouring" has not been used in the Second SEIR until this description on page 4-10. If recontouring is proposed as part of the project, it should be described in Chapter 3.0 and analyzed throughout the Second SEIR.

WET-3

- The analysis for Issue WET-2a states "There are no wetland resources near OCRD. Potential impacts to Other Waters of the U.S. from the removal of OCRD include temporary diversion of Carmel River and temporary disturbance of other waters during removal of OCRD. Removal of OCRD would temporarily impact 0.4 acre of Other Waters of the U.S." (page 4-10). Please provide evidence to support this analysis (e.g., map depicting OHWM of river and area[s] of temporary fill).

WET-4

- The mitigation discussion for Issue WET-2a states that "Restoration proposed as part of Alternative 3" is "summarized" in Issue WET-1a (page 4-10). No such summary is provided. A description of what restoration would occur and the timing and responsibility of such restoration should be included in the project description.

WET-5

- The 2008 Final EIR/EIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would have substantially greater impacts than

notching, particularly for impacts related to construction disturbance and vegetation removal. With this in mind, we believe the following issue area was improperly excluded from the Second SEIR analysis:

- *Indirect Impacts to Wetlands and Other Waters of the U.S. (indirect adverse impacts to vegetation, including increased erosion and sedimentation) (Issue WET-3)*

Although the above impact may be considered negligible or less than significant, or mitigated by measures described in the EIR/EIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Chapter 4.2.6, Air Quality

AQ-1
- The figures in Tables 4-1 and 4-2 for "Other construction Activities associated with Alternative 3 (addressed in April 2012 SEIR)" do not appear to match the corresponding figures in Tables 4.7-33 and 4.7-34 in the April 2012 SEIR.

AQ-2
- The title of Table 4-2 should be changed to "Estimated ~~Temporary Daily~~ Annual Construction Emissions" (page 4-12).

AQ-3
- It is unclear why only NO_X is discussed in the text following Tables 4-1 and 4-2, on page 4-12. It is recommended that all pollutants of concern be discussed briefly.

AQ-4
- Mitigated daily and annual construction emissions should be included, as was added to Issue AQ-1 in the April 2012 SEIR.

AQ-5
- Please clarify if the air emissions calculations included increased vehicle trips that may be required to transport additional construction workers to the OCRD site and/or additional haul trips related to material removal. If no additional trips will be required, this should be explained in Chapter 3.0, Description of the Proposed Project Refinement.

AQ-6
- The mitigation section for Issue AQ-1a refers the reader to unspecified mitigation in 2008 Final EIR/EIS and April 2012 SEIR. It is recommended that the specific mitigation measures intended to reduce this impact be included (in full) in the Second SEIR. Please refer also to the comment regarding adequacy of mitigation measures in General Comments, above.

AQ-7
- The 2008 Final EIR/EIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would generate additional construction-related emissions, including those generated by transportation of additional construction workers to the OCRD site. With this in mind, we believe the following issue areas were improperly excluded from the Second SEIR analysis:

  - *Project-Generated Traffic (Short-Term Dust and Other Emissions During Project-Related Travel) (Issue AQ-3)*

Although the above impact may be considered negligible or less than significant, or mitigated by measures described in the EIR/EIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Chapter 4.2.7, Greenhouse Gas Emissions

GHG-1

- The figures in Table 4-3 for "Other construction Activities associated with Alternative 3 (addressed in April 2012 SEIR)" do not appear to match the corresponding figures in Tables 4.7a-5 in the April 2012 SEIR.

GHG-2

- Please clarify if the greenhouse gas (GHG) calculation included increased vehicle trips that may be required to transport additional construction workers to the OCRD site and/or additional haul trips related to material removal. If no such additional trips will be required, this should be explained in Chapter 3.0, Description of the Proposed Project Refinement.

- The Second SEIR relies on the methodology and thresholds used in the April 2012 SEIR GHG analysis. Therefore, previous comments related to this topic in the Monterey County – RMA Planning Department letter on the April 2012 SEIR (dated June 7, 2012) still apply. These comments are summarized below:

GHG-3

  - The SEIR uses the criteria of 25,000 metric tons of CO_2E per year to determine the significance of the project. This is the amount of GHG emissions for stationary source facilities that are required to report their GHG emissions to the U.S. Environmental Protection Agency (USEPA). CEQA explicitly gives lead agencies the authority to choose thresholds of significance, and defers to lead agency discretion when choosing thresholds. However, the 25,000 MT/CO_2E/year mandatory reporting threshold is intended to be applied to stationary sources, such as fossil fuel suppliers, industrial gas suppliers, direct greenhouse gas emitters, and manufacturers of heavy-duty and off-road vehicles and engines. Please clarify how the proposed project fits this characterization as a major stationary source facility.

GHG-4

  - Both the April 2012 SEIR and Second SEIR claim that project emissions would be "well below" the 25,000 MT/CO_2E/year threshold chosen for this analysis. Note that the 8,040 metric tons of CO_2E cited in the Second SEIR is still higher than some of the quantitative emissions thresholds discussed in Section 4.7a of the April 2012 SEIR. It is recommended that the lead agency provide substantial evidence justifying the use of the identified threshold – and not one of the lower thresholds discussed – to determine the significance of project GHG emissions.

GHG-5

  - It is recommended that construction-related GHG emissions be amortized over the project's lifetime in order to compare these emissions to quantitative GHG thresholds, which are generally expressed in terms of metric tons of CO_2E per year. A common default project lifetime is 30 years.

GHG-6

- An inventory which accounts for CH_4 and N_2O emissions, in addition to CO_2, would provide a more complete estimate of total project GHG emissions. It is therefore recommended that the SEIR include emissions of all three GHGs in order to avoid underestimating the project's GHG emissions.

GHG-7

- It is recommended that implementation of the AB 32 GHG reduction measures cited in the April 2012 SEIR be mandatory and enforceable if their implementation is a prerequisite for a determination that GHG impacts would be less than significant.

Chapter 4.2.8, Noise

NO-1

- The 2008 Final EIR/EIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would require a longer construction period and additional blasting and rock removal. Such activities would increase noise impacts compared to the previous proposal (dam notching). Therefore, we believe the statement that "Noise impacts during OCRD removal would be similar to those during notching because demolition techniques would be similar" (page4-14) is misleading. Please revise the analysis of Issue NO-1a to acknowledge that short-term noise impacts would increase, or provide additional evidence to support the claim that impacts would be the same as those analyzed in the April 2012 SEIR.

NO-2

- The mitigation section for Issue NO-1a refers the reader to the mitigation for Issues NO-1 and NO-2 in 2008 Final EIR/EIS. The mitigation section for Issue NO-1 in the 2008 Final EIR/EIS vaguely states that "Standard measures such as limiting operations to normal daytime working hours to reduce noise nuisances would be routinely applied." Please refer to the comment regarding adequacy of mitigation measures in General Comments, above. Mitigation for Issue NO-2 in the 2008 Final EIR/EIS focuses on road construction noise; to this point, the Second SEIR is silent regarding whether OCRD removal would result in additional vehicle trips. Therefore, it is unclear why this mitigation is specifically referenced. Please clarify.

NO-3

- Please clarify why mitigation would not reduce Issue NO-1a to a less than significant level.

NO-4

- The 2008 Final EIR/EIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would have substantially greater impacts than notching, including those generated by transportation of additional construction workers to the OCRD site. With this in mind, we believe the following issue area was improperly excluded from the Second SEIR analysis:

    - *Project-Generated Traffic (noise from construction-related travel, including mobilization, materials, and workers) (Issue NO-3)*

Although the above impact may be considered negligible or less than significant, or mitigated by measures described in the EIR/EIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Chapter 4.2.9, Traffic and Circulation

TC-1

- The only impact discussed in Chapter 4.2.9, Traffic and Circulation, is a new issue (Issue TC-9) related to access to a private property located southwest of the SCD. The analysis should clarify whether secondary access to the property in question is required. If secondary access is required, the Fire Department should be consulted and impacts related to fire safety should be addressed.

TC-2

- A map indicating the primary access, current secondary access, and proposed alternative access easements to the property southwest of the SCD should be provided. Depending on the ultimate location of secondary access, grading on slopes exceeding 25% and/or tree removal could be required. These activities would require analysis in the Second SEIR and inclusion in the Use Permit application for removal of the OCRD.

TC-3

- The 2008 Final EIR/EIS and April 2012 SEIR assumed that the OCRD would be notched. The current proposal (full removal) would require additional construction activities, and may generate additional vehicle trips to the site for construction worker access. In addition, page 3-4 of the Second SEIR notes that "a large volume of material" would be removed from the site and that "Metal, asphalt and other miscellaneous bridge materials would be disposed of at an approved offsite facility." As noted under Chapter 3.0, Description of the Proposed Project Refinement above, the estimated amount of material and the location of disposal should be specified. These details would help to determine the number of trips required for material hauling, which we believe would increase over what was analyzed in the April 2012 SEIR. With these considerations in mind, we believe that the following issue areas were improperly excluded from the Second SEIR analysis:

    - *Road Segment Traffic Operations (additional traffic on area road network) (Issue TC-1)*
    - *Intersection Traffic Operations (changes to intersection level of service) (Issue TC-2)*
    - *Traffic Safety Carmel Valley Road (increased accident rates) (Issue TC-3a)*
    - *Traffic Safety San Clemente Drive (increased accident rates) (Issue TC-3b)*
    - *Inadequate Corner Sight Distances (adequate visual sight distance at intersections for stopping safety) (Issue TC-4)*
    - *Neighborhood Quality of Life (effect of increased traffic on residential*
    - *neighborhoods) (Issue TC-6)*
    - *Pavement Loadings (effect of project traffic on pavement) (Issue TC-7)*

  Although the affect of OCDR removal on the above impacts may be considered negligible or less than significant, or mitigated by measures described in the EIR/EIS, evidence for such a conclusion must be provided and properly documented in the Second SEIR analysis.

Chapter 4.2.10, Cultural Resources

CR-1

- The analysis for Issues CR-2a, CR-3a, CR-5a, and CR-6a rely on the assumption that the SCD would be completely removed prior to the OCRD. The analysis continues by

presuming that removal of the SCD and its associated fish ladder would cause the San Clemente Dam Historic District (SCDHD) as a whole to lose its ability to convey significance and, as such, would not retain NRHP eligibility. Therefore, removal of the OCRD would not impact this resource, because it would no longer be considered a resource. Please see the comment under Chapter 3.0, Description of the Proposed Project Refinement regarding the timing of OCRD removal. If the OCRD is removed prior to the SCD, the analysis in Chapter 4.2.10 may be inappropriate. Therefore, confirmation that this could not occur is warranted.

Thank you for considering our comments. Please do not hesitate to contact me if you have questions about this comment letter or need additional information.

Sincerely,

Robert Schubert

Robert Schubert, AICP,
Senior Planner

July 26, 2012

Trish Chapman
California State Coastal Conservancy
1330 Broadway, 13th floor
Oakland, CA 94612-2530

RE: Old Carmel River Dam Removal
SCH # 2005091148

Dear Ms. Chapman,

I am the owner of a home at 19350 Cachagua Rd, in Carmel Valley, California. I am aware of the proposed San Clemente Dam removal project; I granted an access agreement to the project team last spring in order to facilitate archeological research in connection with County Bridge 529, which is adjacent to my front gate.

I do not have an opinion on the merits of the project itself. I am, however, very concerned with the potential impacts of the project on the residents of the Cachagua Valley during construction. I understand that the most current plan for the project, as described in SEIRs 1 and 2, calls for major access to the project site via Cachagua Road, from both the Carmel Valley Rd. and Tassajara Rd. intersections. Apparently the heaviest use will be from the Tassajara end to the east. Large trucks will take this route, as well as other project traffic.

I was not able to attend the meeting held at the Cachagua General Store a few weeks ago, but I know that my neighbors came away with many concerns. No one I have spoken to in Cachagua is happy about the traffic impacts or feels that they were sufficiently notified or informed in advance about them. I wanted to write this comment letter to ensure that specific concerns are addressed through the environmental review process. My comments are as follows:

Procedural Questions:

GEN-6

How were residents notified about this project? I received no notification or updates regarding circulation of the SEIRs. Is it possible that residents closer to the actual site---such as those at Sleepy Hollow---had more formal notification than Cachagua residents, who will bear significant impact? If newspaper notices were placed, I would question the effectiveness of that approach in such a rural area where many people do not have newspaper delivery. Reliance on previous lists of interested parties does not seem sufficient either since the original project and its EIR did not so directly impact Cachagua. I asked the archeological team that came to my property to be sure to let me know when the environmental documentation was available, but I received no notices. This lack of notice does not sit well. It is the responsibility of the sponsor to do all it can to make sure all affected parties are familiar with the project and aware of the public process, especially in light of the fact that this appears to be a tax-payer funded project.

GEN-7 I believe that the informational meeting recently held in Cachagua took place after the close of comment for SEIR 1. Informational meetings are helpful, but in this case should have happened before the close of the comment period and residents should have been formed of the existence of the SEIR and their right to comment.

TC-4 The comment period for SEIR 2 is open till July 29, so please consider this letter a comment letter. Since these comments are traffic related, they also apply to SEIR 1. The two SEIRs and 2 projects are linked; they cannot be piecemealed. After all, Addendum 2 states that bridge materials "would be disposed at an approved offsite facility", suggesting that even more truck traffic will be directed to Cachagua Rd.

TC-5 Cachagua residents do not understand why this long route through their community was selected when shorter routes much closer to the project were rejected. There is concern that the gate-guarded Sleepy Hollow community was able to influence the decision to keep this project out of their backyards and force its impacts on Cachagua. SEIR analysis suggested that alternate routes would have had an adverse impact on flora and fauna. Why were studies not done in regard to the impacts to people in Cachagua? Should there not have been Noise and Air Quality studies? Impacts that stretch for four or more years cannot be dismissed as "short-term" or "temporary". It does not appear that decision makers had all the analysis that should have been made available to them.

Operational Questions:
Cachagua residents are very concerned about the traffic impacts to Cachagua Rd. They rely Cachagua Rd on a daily basis to get to and from work; truck traffic can have a major impact on this commute. There will also be a potentially dangerous impact to emergency access, not only for fire fighters but for individuals who may need prompt medical attention not available in Cachagua Valley.

Also, the added heavy truck traffic on Carmel Valley Road may have unfortunate consequences. This is already a dangerous road, and by extending the route of construction vehicles 8 miles further east than a more sensible access route adjacent to Sleepy Hollow, the County will be creating frustration that may cause drivers to take risks in passing slow trucks. This is not a minor issue.

It appears that the successful contractor will have to produce a "traffic management plan"; will this plan have public review and input? The following questions and comments apply to Community meeting presentation at Cachagua, the SEIR and to the traffic management plan:

-Do the estimated construction trips shown on the "Construction Traffic Estimate" include Construction Equipment Mobilization? What do the footnotes allude to on this chart? There are no notes explaining the footnote numbers.
-The management plan should require the posting trip estimates in advance on a monthly basis.

-The County and Contractor should have a "hot-line" manned by a live body to receive reports of violations of any traffic management requirements. Violations should result in penalties.
-The traffic management plan should set standards for truck and bus brake maintenance; the screech brakes on the Cachagua grade will be fierce.
-Will the County and/or Contractor have the ability to change the proposed "improvements" to Cachagua Rd? If so how will residents be notified?
-Trucks should be required to pull over at designated lay-by zones along both Cachagua and Carmel Valley roads to permit passage of cars stuck behind slow moving vehicles. Truck drivers should be instructed to allow passenger vehicles to pass whenever possible.
-What will be the permitted hours and days of truck operations? The Community Meeting presentation said "material hauling" would be limited to 9 a.m. to 3 p.m. Monday through Friday; what about heavy equipment mobilization?

Other-2

Please also consider and comment on the economic impact of this construction work. During the multi-year timeframe of this work, many homeowners may wish to market their homes for sale. What will be the impact on potential sales price to the disclosure of this long-term disruption?

VQ-2

Physical Alteration Questions:
It should be noted that Cachagua is a scenic country road. There is no discussion of potential aesthetic impacts to this road, which is utilized and enjoyed by visitors, cyclists and many others. It is not simply a back-woods truck route.

TC-6

The Community meeting presentation indicated 5 specific "improvements" to be made to Cachagua Rd. My comments to these proposals are as follows:
-Regarding Bridge 529, it does not appear that the bridge will be widened, only structurally reinforced: is this correct? Can I request, as a concession to the community, that this bridge also be cleaned up and painted?
-Regarding the improvements to the Cachagua-Tassajara intersection, are these permanent changes? They appear only as useful to construction traffic. Will any existing vegetation be removed? Will this area be restored after construction?
-In general, this road is not always in great shape; the significant truck traffic will no doubt cause additional damage. Will damage be repaired on an ongoing basis?
-Will there be additional tree removal or pruning along Cachagua Rd.?
-What are the "staging areas"?
-Will the community be informed if the contractor wants to make other "improvements" in addition to these five? Will traffic be allowed to use these portions of the road while the improvements are under construction? Will Cachagua Rd. be closed at any time?

Other-3

Finally, I would like to point out that the construction of this project will create burdens for the Cachagua community with no benefit other than the advertised improvement to a remote interior environment. It is customary, when communities are impacted, to provide compensating benefits beyond required mitigations. I

would suggest that the perceived negative effects of this project could in part be offset by some compensatory benefits, such as landscaping, lighting, park improvements, etc. I suspect that the community, if asked, would have ideas.

Again, I am not necessarily opposed to the dam removal project itself, except to the extent that its construction negatively---and seemingly unfairly---affects the residents of Cachagua. I also want to point out that this letter reflects the questions and comments of many in my community who were not made aware of the comment period process and have not written letters. I can assure you that I am not the only concerned resident. I hope that you will take these comments under consideration, provide answers where requested, and work hard to address our very real concerns. Also, I wish to be placed on whatever list you are keeping regarding information about the dam project in general and Cachagua Rd. in particular.

Thank you.

Douglas J. Gardner
19350 Cachagua Rd.
Carmel Valley CA 93924

Cc: County Supervisor Dave Potter
Catherine Bowie, Cal-American Water Company
Joyce Ambrosius, NOAA
Amy Roberts, Monterey County Planning Commission
Jeffrey Szytel, Water Systems Consulting, Inc.

This letter will be distributed both by email and regular mail.

MBUAPCD
Monterey Bay Unified Air Pollution Control District
Serving Monterey, San Benito and Santa Cruz Counties

24580 Silver Cloud Court
Monterey, CA 93940
PHONE: (831) 647-9411 • FAX: (831) 647-8501

July 27, 2012

Trish Chapman
California State Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612-2530

SUBJECT: Draft Supplement No. 2 to the San Clemente Dam Seismic Safety Project Final Environmental Impact Report/Environmental Impact Statement (Removal of Old Carmel River Dam)

Dear Ms. Chapman:

Thank you for providing the Monterey Bay Unified Air Pollution Control District (Air District) the opportunity to comment on the above-referenced document. The Air District has reviewed the document and provides the following comments regarding the air quality impacts presented in Section 4.2.6.

AQ-8

Fugitive Dust from Demolishing and Removing the Old Carmel River Dam (OCRD)

The construction impact analysis fails to identify the potential impact for fugitive dust emissions from demolishing the OCRD. The mitigation measures presented in the 2008 Final EIR/EIS and the April 2012 SEIR address fugitive dust from soil disturbance but do not include mitigation measures specifically addressing dam demolition fugitive dust emissions. Therefore, the Air District recommends including the following additional mitigation measures to address the potential fugitive dust emissions from OCRD demolition and removal.

1. Sufficiently wet the structure prior to removal and continue wetting as necessary to minimize visible emissions during active removal and the debris reduction process.
2. Prohibit removal activities when the peak wind speed exceeds 15 miles per hour.

AQ-9

Air District Rule 424- Asbestos Program

Please be aware that the OCRD project may be subject to Air District Rule 424 National Emissions Standards for Hazardous Air Pollutants. Rule 424 contains the investigation and reporting requirements for asbestos. If you have any questions about District Rule 424, please contact Mike Sheehan, District Compliance Inspector III, at (831)647-9411 x 217.

Best regards,

Amy Clymo
Supervising Air Quality Planner
(831) 647-9418 ext. 227 or aclymo@mbuapcd.org

cc: Mike Sheehan, Compliance Inspector III,
Bob Nunes, Air Quality Planner