

## 6.0 PUBLIC INVOLVEMENT

In compliance with the National Environmental Policy Act (NEPA), a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) was published in the *Federal Register* on April 20, 2001 (**Appendix A**). A Notice of Preparation (NOP) for an Environmental Impact Report (EIR) was issued on April 9, 2001 (**Appendix B**). In accordance with the California Environmental Quality Act (CEQA), the NOP was forwarded with the Initial Study (**Appendix C**) to the State Clearinghouse, noticed in regional newspapers, and provided to various agencies, organizations, and interested citizens.

These were the first steps in the environmental scoping process that took place to elicit public input regarding the range of the issues to be addressed in the EIS/R. A formal scoping hearing, designed to solicit public comment on the proposed scope and content of the EIS/R, was held on April 24, 2001 at 7:00 p.m., in the Association of Bay Area Governments' auditorium in Oakland, California.

Future public involvement will include public review of the Draft EIS/R, several public meetings or hearings on the draft document, distribution of the Final EIS/R, and certification hearings before the California State Coastal Conservancy, and possible future hearings or meetings with the approving-bodies of the responsible and trustee agencies with permit authority. Project-specific CEQA review for site-specific invasive cordgrass treatment projects also will afford opportunities for public input and participation via the CEQA process.

## 6.1 PUBLIC CONCERNS

Several written comments were received in response to the NOP, NOI, and at the EIS/R public scoping meeting. Copies of comment letters are provided in **Appendix D**, and the issues raised in these letters are addressed in the EIS/R. A summary of the verbal and written comments (*in italics*) is provided below, followed by a brief statement of the manner in which these issues are addressed in this document.

### 6.1.1 Comments Received at the Scoping Hearing

#### **CEQA/NEPA Process**

*Describe this environmental review process in the context of the previously prepared and certified Program EIS for invasive cordgrass control efforts in Washington State.*

The Washington State efforts were carefully reviewed in the development of alternatives and impacts analysis in this document. Environmental analyses prepared for those efforts were reviewed and are referenced in this EIS/R where appropriate.

#### **Wetland Restoration Goals**

*Discuss the relationship between restoration of diked areas in which mosquito control activities take place and the potential for spread of non-native cordgrasses.*

The proposed project would remove non-native cordgrass from wetlands and mudflats in San Francisco Bay. Within creek channels, infestations of non-native cordgrass result in sediment

1 accretion and channel blockage. Ponding of water and stilling of water in existing ponds also  
2 would exacerbate these infestations during seasonal low flow periods. Blocked channels and  
3 ponded water may enhance conditions for mosquito breeding, which may result in the need for  
4 increased mosquito control activities. Restoration of tidal action to diked lands (not a project  
5 component) may, over the long-term, reduce the frequency of mosquito abatement activities in  
6 some areas since water would not remain ponded following breaching of dikes, and these areas  
7 would likely support populations of breeding mosquitoes.

### 8 **Alternatives**

9 *Describe the difference between the Alternatives and the treatment methods or “tools” that will be used to treat*  
10 *populations of non-native cordgrasses.*

11 Alternatives (including treatment methods included and rejected) are described in Chapter 2,  
12 *Program Alternatives*, of this EIS/R.

### 13 **Public Utilities and Facilities**

14 *Reducing infestations of non-native cordgrasses is expected to reduce the potential for flooding and flood hazards since*  
15 *infestations of non-native cordgrasses generally results in sediment accumulation and blockage of flood control*  
16 *channels.*

17 This is discussed in Section 3.1, *Hydrology and Geomorphology*, of this EIS/R.

## 18 **6.1.2 Written Comments Received in Response to the NOP/NOI**

### 19 **U.S. Environmental Protection Agency (EPA), Region IX (letter dated June 4, 2001)**

20 The EPA indicates that it strongly supports the effort to control invasive cordgrass, which it  
21 considers to be a threat to the San Francisco Bay Estuary, and that the proposed project appears to  
22 be consistent with the goals of the Invasive Species Management Plan (dated January 18, 2001) by  
23 the National Invasive Species Council. The EPA also had several specific comments. These are  
24 summarized below followed by a brief statement indicating the section of the EIS/R that addresses  
25 the comment.

### 26 ***Chemical Control***

27 *All pesticides used must be registered with the U.S. EPA.*

28 The project proposes only to use registered chemical products.

29 *Impacts of glyphosate and surfactants must be included in the document.*

30 These impacts are addressed in several sections based on the subject. Section 3.2, *Water Quality*,  
31 addresses the impact of these chemicals on water quality, Section 3.3, *Biological Resources*, addresses  
32 the toxicity of these chemicals on wildlife and plant species, and Section 3.6, *Human Health and*  
33 *Safety*, addresses the toxicity of these chemicals on humans.

34 *Due to National Marine Fisheries Service (NMFS) concerns over glyphosate use in Washington State, the EPA*  
35 *recommends coordination with NMFS to ensure their concurrence.*

36 NMFS is being consulted and will evaluate the EIS/R during consultation with the US Fish and  
37 Wildlife Service (USFWS).

1 *Due to recent court decisions regarding use of pesticides to control aquatic pest species, the EPA recommends that a*  
2 *National Pollutant Discharge Elimination System (NPDES) permit be obtained from the San Francisco Regional*  
3 *Water Quality Control Board.*

4 A NPDES permit will be obtained for the proposed project. Beneficial uses and waste discharge  
5 requirements are discussed in Section 3.2, *Water Quality*.

6 *The EIS/R should include a discussion of impacts on non-target species.*

7 These issues are addressed in Section 3.3, *Biological Resources*.

8 *The Conservancy and the USFWS should implement a public outreach program as soon as possible to address*  
9 *public concerns with herbicide use.*

10 This issue is not addressed specifically in the EIS/R, however, the Conservancy has had, and  
11 continues to have, an active public education program that includes presentations to local  
12 jurisdictions, flood control departments, and others.

13 *Experimental use of non-registered herbicides must be permitted by the U.S. EPA.*

14 No experimentation with non-registered herbicides is proposed as part of the *Spartina* Control  
15 Program.

16 *The impact of herbicides on phytoplankton should be discussed in the EIS/R.*

17 This issue is addressed in Section 3.3, *Biological Resources*.

### 18 **General Comments**

19 *The Conservancy and the USFWS should review the Invasive Species Management Plan to ensure the proposed*  
20 *project is consistent with this plan.*

21 Plan consistency is addressed in Chapter 5, *Environmental Compliance*, as well as the various sections  
22 of Chapter 3.

23 *Discuss invasive cordgrass control projects from Washington State.*

24 The Washington State efforts were carefully reviewed in the development of alternatives and  
25 impacts analysis in this document. Environmental analyses prepared for those efforts were  
26 reviewed and are referenced in this EIS/R where appropriate.

27 *Include EPA as an approval agency*

28 The EPA's role is described in Chapter 5, *Environmental Compliance*. While EPA does not have  
29 specific permit responsibility for the proposed project activities, it has responsibility for  
30 determining NEPA adequacy, the projects' compliance with the Clean Water Act Section 404(b)(1)  
31 Guidelines, and Section 309 of the Clean Air Act.

32 *Describe the timeframe for the proposed project.*

33 The timeframe of the proposed project, as described in this document is 10 to 50 years, as  
34 described in Chapter 2, *Program Alternatives*, and Section 3.3, *Biological Resources*.

### 35 **Water Resources**

36 *Discuss compliance with water quality management plans and water quality standards.*

37 These issues are addressed in Section 3.2, *Water Quality*.

1 *Discuss beneficial and adverse impacts to water quality, wetlands, and the aquatic ecosystem including impacts on*  
2 *fisheries, and threatened and endangered species.*

3 These issues are addressed in Section 3.2, *Water Quality*, and Section 3.3, *Biological Resources*.

4 *Discuss monitoring programs to be implemented before and after treatment activities to determine impacts on water*  
5 *quality and beneficial uses.*

6 Mitigation measures to protect water quality are discussed in Section 3.2, *Water Quality*.

7 *Discuss impacts to wetlands in the context of Section 404 of the Clean Water Act.*

8 Impacts to wetland biological resources are discussed in Section 3.3 *Biological Resources*. Impacts to  
9 wetland hydrology and geomorphology are addressed in Section 3.1, *Hydrology and Geomorphology*.  
10 Impacts to wetland water quality are addressed in Section 3.2, *Water Quality*.

### 11 ***Air Quality***

12 *Discuss air quality standards, ambient conditions, and impacts to air quality from the proposed project if prescribed*  
13 *burns are proposed.*

14 This issue is addressed in Section 3.4, *Air Quality*.

15 *The EIS/R may need to demonstrate that the proposed project complies with the Clean Air Act, Section 176(c).*

16 Federal Clean Air Act air conformity requirements are addressed in Section 3.4, *Air Quality*.

### 17 ***Species Viability***

18 *Evaluate the proposed project in the context of the potential for habitat restoration, habitat fragmentation, habitat*  
19 *connectivity, and cumulative effects on species viability, and include potential impacts on species other than endangered*  
20 *species and species of concern.*

21 Impacts to sensitive and more common species and their habitats, as well as mitigation measures  
22 proposed to protect them, are addressed in detail by species in Section 3.3, *Biological Resources*. The  
23 issue of species viability and whether the project would threaten the continued existence of listed  
24 threatened or endangered species will be determined by the USFWS and NMFS during the Section  
25 7 consultation process.

### 26 ***National Environmental Policy Act***

27 *Include a clear description of the project purpose and need, alternatives, impacts, and mitigation measures.*

28 Project purpose and need are described in Chapter 1, *Introduction*. The project description and  
29 alternatives are described in Chapter 2, *Program Alternatives*. Impacts and mitigations that would  
30 occur under each alternative and with the various treatment methods are discussed in Chapter 3.

31 *Discuss each alternative and the rationale for eliminating alternatives from further consideration.*

32 Alternatives carried forward in the analysis and those eliminated from further review are described  
33 in Chapter 2, *Program Alternatives*.

### 34 ***Funding and Administration***

35 *Summarize the funding, implementation, and monitoring commitments of the proposed project.*

36 This issue is addressed in Chapter 2, *Program Alternatives*.

**Native American Heritage Commission (letter dated April 16, 2001)**

*The Commission recommends three actions for potential impacts that may result from site-specific projects. These are: conduct a records search, prepare and submit a records search report or Phase I field survey report to the applicable Information Center, and contact the Commission if a Sacred Lands File Check or Native American consultant is needed to assist in implementing mitigation measures or monitoring.*

These issues are addressed in Section 3.9, *Cultural Resources*.

**City of Alameda, California (letter dated May 10, 2001)*****Air Quality***

*The City identifies a variety of sensitive receptor populations such as residences, schools, and the like within one-quarter mile from San Francisco Bay and San Leandro Bay, and recommends including a discussion of impacts in the EIS/R.*

A specific analysis of these sensitive receptors is beyond the scope of the program-level EIS/R. However, general impacts to sensitive receptors are addressed in Sections 3.4, *Air Quality* and 3.6, *Human Health and Safety*.

***Biological Resources***

*Discuss impacts on Bay waters, vegetation, nursery habitats, and spawning grounds for aquatic species, including fisheries species. Discuss impacts to endangered least terns, eelgrass beds, the endangered California clapper rail and its habitat. Discuss impacts on common marine fish, crustacean, and bird species.*

These issues are addressed in Section 3.3, *Biological Resources*.

*Discuss impacts to wetlands and lagoons.*

These issues are addressed in Sections 3.1 *Hydrology and Geomorphology*, 3.2 *Water Quality*, and 3.3 *Biological Resources*.

*Include a Biological Assessment of the treatment sites around the City of Alameda.*

A detailed discussion of specific treatment sites is beyond the scope of this program-level EIS/R. However, general impacts on biological resources of various possible treatment methods on various habitat types, including those present in Alameda, are addressed in Section 3.3, *Biological Resources*.

*Evaluate impacts of chemical treatments on the former Alameda Naval Air Station, a designated National Priorities List site.*

A detailed discussion of specific treatment sites is beyond the scope of this program-level EIS/R. However, general impacts of chemical methods are discussed in Sections 3.2, *Water Quality*, 3.3 *Biological Resources*, and 3.6 *Human Health and Safety*.

**Contra Costa Water District (letter dated May 15, 2001)**

*The District requests review of Section 401 and Section 402 permits once issued for the project.*

Any such permits will be a matter of public record, once issued, and the District may obtain copies from the Conservancy or the Regional Water Quality Control Board.

**Save the Bay (letter dated May 10, 2001)**

*Include a discussion of the adverse and beneficial impacts of the proposed project on current wetland restoration projects, fish and wildlife, water quality, and human health.*

1 These issues are addressed in Sections 3.1, *Hydrology and Geomorphology*, Sections 3.2, *Water Quality*,  
2 3.3 *Biological Resources*, and 3.6, *Human Health and Safety* of the EIS/R.

3 **6.2 LIST OF DOCUMENT RECIPIENTS**

4 The recipients of this document are included in Appendix H.

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