



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE



Stone Lakes National Wildlife Refuge  
1624 Hood-Franklin Road  
Elk Grove, California 95757  
(916) 775-4421

*May 13, 2009*

Ms. Delores Brown  
Chief, Office of Environmental Compliance  
Department of Water Resources  
P.O. Box 942836  
Sacramento, California 94236

Re: Comments Regarding Environmental Impact Report and Environmental Impact Statement (EIR/S) Project Scoping for Bay Delta Conservation Plan.

Ms. Brown,

I am writing regarding the scope of the Environmental Impact Report and Environmental Impact Statement of the Bay Delta Conservation Plan. The eastern alignment of the proposed conveyance channel runs adjacent to the Stone Lakes National Wildlife Refuge (Refuge) and then crosses the lower third of the Stone Lakes National Wildlife Refuge Project Boundary. The Refuge Project Boundary encompasses the Bufferlands area around the Sacramento Regional Wastewater Treatment Plant and extends south from Freeport between the former Southern Pacific Railroad and along I-5 south to Twin Cities Road (see attached map).

I believe there are a number of issues that have not been adequately addressed in the scoping process including impacts to terrestrial biological resources, potential changes in local hydrology and water quality, and impacts to local agricultural operations. Our primary concern regarding the potential environmental impacts is the loss of habitats for a variety of species that would result from this project, particularly the eastern alignment, including some state and federal special status species and the loss of agricultural lands in the region.

The Refuge, administered by the U.S. Fish & Wildlife Service (Service), was established to protect 18,000 acres of Central Valley agricultural lands and natural habitats to support a wide variety of migratory birds and special status species. The Service completed an EIS in 1994 that established Stone Lakes as the 505<sup>th</sup> National Wildlife Refuge and approved the legal Project Boundary within Sacramento County. Over 8 million dollars of private and public funds have now been invested in protecting about 6,000 acres of wetlands, grasslands, riparian habitats and



agricultural lands within the Project Boundary with an eventual goal of linking with the Cosumnes River Preserve to the south. In 2007 the Service completed a Comprehensive Conservation Plan (CCP) for the Refuge that included public review on management activities for the next fifteen years. This Refuge is part of a national network of lands and waters in the National Wildlife Refuge System for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of the present and future generations of Americans.

The scoping process needs to address the potential impacts the eastern alignment of the project could have on over 75 bird species that are currently found on the Refuge, including the following state and federal listed or species of concern: greater sandhill crane, Swainson's hawk, white faced ibis, long billed curlew and western meadowlark. The project could also potentially affect vernal pool species located in the proposed alignments including the federally listed vernal pool fairy shrimp and vernal pool tadpole shrimp, the giant garter snake and the valley elderberry long horned beetle. Furthermore, over one million birds winter in the Central Valley, and the loss of agricultural lands and open space and associated activities with the construction and operation of the canal would likely impact populations and migratory patterns of waterfowl and waterbirds in southern Sacramento County.

The Service has been actively managing wetland and grassland habitats since 1997 and have monitored local movements of migratory waterfowl and waterbirds, particularly white-fronted geese, black-bellied plovers, greater sandhill cranes, long-billed curlews, and white-faced ibis; the last three species being candidates for federal listing. Our observations indicate these species regularly feed and roost both on the Refuge and in winter wheat, corn, clover, and pasture on private lands outside currently managed lands and the Project Boundary. In the case of waterfowl, the birds that roost at the Refuge may be found feeding at the Yolo Wildlife Area in the morning and at Cosumnes River Preserve or private land in the afternoon. We have documented daily movements of greater sandhill cranes between the refuge and privately-owned agricultural fields to the west within Reclamation District 744 (Scribner's Bend). We have also observed movement by white-fronted geese and black-bellied plovers between the refuge and wheat and clover fields within RD 813 to the southwest.

Specifically in the case of the sandhill crane, the refuge and surrounding agricultural fields are critically important. Greater sandhill cranes have a wintering range of as little as one to three square miles, do not tolerate disturbance and require shallow wetlands for night roosting and loafing sites and a mix of agricultural fields such as alfalfa, corn and irrigated and dry pastures and wetlands for foraging. Already, sandhill cranes have been displaced from traditional feeding grounds because of urbanization. The agricultural lands surrounding the Refuge are vital to maintaining a healthy population of these magnificent birds, because the Refuge cannot provide all the habitat requirements needed by these birds. I am concerned the construction and maintenance activities of the canal could cause major changes in the migratory patterns of these birds pushing them into less suitable habitat, and believe the scoping process has not adequately addressed potential impacts the eastern alignment would have on this species.

The scoping process does not adequately address potential increases in flooding caused by the construction of a large canal and levee system. An increase in flooding could affect the



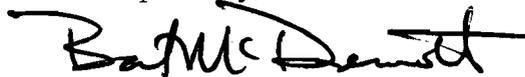
Refuge's infrastructure and its' ability to meet goals and objectives, including the restoration and management of wildlife habitat, public uses including hunting, fishing, environmental education, interpretation, photography and wildlife observation, and maintaining agricultural activities. Increases in stormwater run-off are already projected to double in the Beach-Stone Lakes area with the continued development south of Elk Grove between Interstate 5 and Highway 99. The construction of a 30' high levee would likely alter the flooding pattern, frequency and duration in the Stone Lakes Basin.

The scoping process also did not adequately cover potential mitigation areas and impacts. Mitigation efforts should remain in the general area of impact. For example, mitigation and conservation efforts to protect greater sandhill crane habitat should remain within the current footprint of sandhill crane habitat and not be placed elsewhere in the Delta. This area would include the Stone Lakes Project Boundary as well as Cosumnes River Preserve, Woodbridge Crane Reserve and the privately owned properties between the two conservation areas.

I am also concerned that the impacts of enhancing and developing tidal marsh habitats on species that currently depend on the Delta have not adequately been addressed. Establishing a canal and tidal marsh conservation measures could displace several migratory bird species that relay on conservation and agricultural lands in the Central Valley. Several of the sites being considered as Restoration Opportunity Areas include conservation areas in addition to the Refuge such as the Yolo Bypass Wildlife Area, Cosumnes River Preserve and Woodbridge/Iseberg Sandhill Crane Preserve which provide habitat for waterfowl, shorebirds, raptors and other grassland and shallow wetland dependent birds. The BDCP must incorporate existing plans and goals and obligations these various conservation areas have already developed in the planning process. Lastly, the impact of upstream diversions coupled with continued salt water intrusion and less run-off as a result of climate change will change the current Delta hydrology and salinity thereby affecting farming and the available waste crop in Delta used by cranes and other migratory birds.

In closing, I believe the Bay Delta Conservation Plan needs to address a variety of issues before choosing any alignment and moving forward with this project. Thank you for the opportunity to comment on this document. We look forward to continued communication with you and other concerned interests on this and other projects related to biological resources in the Stone Lakes Basin.

Respectfully,



Bart McDermott  
Project Leader

Attachments:

Stone Lakes NWR Project Map (CCP figure 2)



Figure 2. Land Status

# Stone Lakes

National Wildlife Refuge

-  Cooperative Agreement
-  Conservation Easement
-  County or State Land
-  Private Ownership
-  Owned in Fee Title
-  Approved Refuge Boundary
-  Refuge Headquarters

