

From: [Garrison, Kristin@Wildlife](mailto:Garrison,Kristin@Wildlife)
To: [Claudia Garcia](#)
Cc: [Salisbury, Robert](#); [Sandhir, Manira](#); [Eastwood, Rob](#); [Pat Angell](#)
Subject: RE: Please provide comment - Lehigh Revised Materials for Permanente Creek Restoration Project
Date: Tuesday, December 10, 2019 4:44:30 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Hello Claudia,

CDFW did not have time for a through review (basically 11 business days surrounding the Thanksgiving holidays is a little short). However, we did the best we could with the time we had available.

CDFW recommended incomplete items are below. It is recommended that these items be addressed prior to CEQA, as notable changes in the project description could occur, depending on Lehigh Hanson response.

Comment #24 – Among other items, the response to this comment addresses construction of a channel in the Rock Pile area and issues related to removing a considerable amount of mining waste to re-establish the channel along its historic path. Golder's (October 31, 2019 memorandum) analysis shows that the historical channel of Permanente Creek once extended well beneath mining waste comprising the Rock Pile and adjacent areas (i.e., see Golder's Figure 9). Golder's cross section in their Figure 11 further illustrates this, and shows that the restored channel will be placed in a location of higher bedrock compared to the historical path of the stream. The cross section appears to show the restored channel will be cut into bedrock. However, this is inconsistent with the approach being proposed, which is to field engineer the channel no deeper than controlling bedrock conditions and not to excavate into bedrock. The proposed constructed channel will be shorter than the pre-mining-disturbance channel, and the new channel will cross uncertain bedrock conditions. Both of these have the likely effect of imposing the steep longitudinal gradient that threatens the stability of the restored channel through this reach. Reasons given to not locate the channel along its historical path include: (1) a large amount of grading and removal of mining waste will be needed to access the historical pathway; and (2) there may be possible effects on mining infrastructure (i.e., the road at the top of the slope) because the slope will have to be flattened. Golder's recommended approach appears inconsistent with the amended consent decree, which states "*Remove mining-related fill and sediments in the bed, banks **and adjacent slopes***" (emphasis added). Also, Golder does not provide an analysis of the slope to demonstrate that there would be any effect on the mining infrastructure, because the Rock Pile does not appear to extend beneath the road. The Amended Consent Decree, page 12, states "Defendants shall also remove the existing aggregate rock pile and associated rock pile infrastructure, all culverts, riprap, and the road on top of the creek (concrete ramp), and set back the road to provide more room for a natural streambed and banks." Removal of the entire rock pile should be further analyzed.

Comment #24 – One of the points made in the original comment is that site-specific geotechnical and engineering geologic studies should be completed to support final design concepts, and it cautions against an overreliance on a field engineering approach. As Golder's (October 31, 2019) response indicates, field engineering is an important part of a

construction project. However, the response further indicates that this is just a restoration project and that field engineering is all that is warranted. CDFW fully disagrees with this statement. This field engineering approach may threaten the success of critical parts of the restoration effort, such as the creek reach within the rock pile and material removal area. For example, the current plans anticipate removal of a portion of the rock pile, specifically removal of a portion of the toe slope. CDFW strongly advises that a thorough stability analysis be completed for the rock pile area given that it was dumped at the angle of repose and that the current restoration plan calls for partial removal of the pile's toe slope. CDFW does not recommend excavation into and removal of the toe of such a large, dumped slope without completing a study with stability analysis. A more thorough slope stability study should be conducted in critical areas, such as the rock pile.

With the exception of the two items above that CDFW does not consider to be complete, all other comments can be considered complete for purposes of moving forward with CEQA. However, CDFW does have further comments that were not fully addressed and we would like to see these comments addressed through other means (such as information gathering during the CEQA process, getting clarification prior to issuing the final grading permit, or be required in the Conditions of Approval for the grading permit). CDFW will put together a list of remaining comments and we request that the County review this list and consider the means by which CDFW comments can be addressed.

Thank you for you're your continued coordination on this project. We appreciate it!

Sincerely,

Kristin Garrison

Environmental Scientist
California Department of Fish and Wildlife
Bay Delta Region
Habitat Conservation Program
(707)944-5534 office
Mailing Address:
2825 Cordelia Road, Suite 100, Fairfield, CA 94534
<http://www.wildlife.ca.gov/Conservation/Environmental-Review>

From: Claudia Garcia <Claudia.Garcia@ascentenvironmental.com>
Sent: Thursday, November 21, 2019 3:18 PM
To: Garrison, Kristin@Wildlife <Kristin.Garrison@wildlife.ca.gov>
Cc: Salisbury, Robert <Robert.Salisbury@PLN.SCCGOV.ORG>; Sandhir, Manira <Manira.Sandhir@pln.sccgov.org>; Eastwood, Rob <Rob.Eastwood@PLN.SCCGOV.ORG>; Pat Angell <pat.angell@ascentenvironmental.com>
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Hi Kristin,

Lehigh formally submitted the updated 90% Drawings and Design Memorandum for the Permanente Creek Restoration Project to the County today. The submittal includes additional information as a follow-up to the Lehigh August 7, 2019 Response Letter.

Please review the revised materials and determine if the information addresses CDFW comments by **December 5, 2019**.

The revised 90% Drawings and Design Memorandum materials can be accessed via the following link:

<https://ascentenv.sharefile.com/f/focd188b-ce59-4a09-b1ea-148d2f64a38e>

Let me know if you have trouble accessing the files or would like to discuss.

Best,

Claudia Garcia

Environmental Planner

C 510.603.0298

E Claudia.Garcia@AscentEnvironmental.com



Ascent Environmental, Inc.

1111 Broadway, Suite 3-163

Oakland, CA 94607

O 916.444.7301

