APPENDIX C
COMMENTS TO THE DRAFT PEIS FOR THE THE TIJUANA RIVER FLOOD CONTROL PROJECT

AG-1: UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

AG-1a:
The USIBWC appreciates your review of the Draft PEIS. A number of the general Draft PEIS comments provided by the USEPA also reflect concerns and recommendations stated by other agencies and individuals during the public review period. In general, it was concluded that Draft PEIS required improvement in the following three areas:

- More specific information on the extent of currently conducted operation and maintenance practices.
- Identification of location and extent of potential improvements associated with the MPM Alternative, presented in the Draft PEIS only in general terms.
- No clear differentiation between the No Action Alternative and EOM Alternative (Built Alternative), and anticipated engineering changes associated with the alternative.

To address these concerns and recommendations, on November 15, 2007 the USIBWC held a technical work session to get input on the potential for multipurpose use of the Tijuana River. The work session was attended by representatives of the USFWS, the State of California, and the County of San Diego, agencies that operate natural resources management areas downstream from the USIBWC Tijuana River FCP. A site visit was also conducted to further evaluate potential for modification of current O&M practices. Findings of the work session and site visit were summarized in the February 2008 document *Framework Document for the Multipurpose Use of the Tijuana River Flood Control Project*. The Final PEIS incorporates recommendations provided during the Draft PEIS review period and work session.

As to the EOM Alternative, the need for specific engineering improvements has not been identified for the Tijuana River FCP, and no new projects are under consideration. Consequently, in the Draft PEIS potential measures could only be presented in very general terms, not suitable for evaluation of specific environmental impacts. The EOM alternative was developed prior to the Draft PEIS preparation, when the PEIS encompassed not only the Tijuana River FCP but also three Rio Grande flood control projects that are operated by the USIBWC along the Texas-Mexico border.

Unlike the Tijuana River FCP, the need for engineering improvements has been identified for the Rio Grande FCPs, and specific projects have been developed for implementation. The evaluation of the Tijuana River FCP was subsequently separated from the Rio Grande FCPs, not only due to geographic location, but also differences in

relevant issues and potentially affected resources. Because the EOM Alternative is no longer considered relevant to the Tijuana River FCP analysis, it has been excluded from the Final PEIS (The evaluation of the USIBWC Rio Grande projects is presented in the January 2008 document *Final Programmatic Environmental Impact Statement for Improvements to the USIBWC Rio Grande Flood Control projects along the Texas-Mexico Border*).

Responses to specific comments to the Draft PEIS, provided by the USEPA as an attachment to the September 21, 2007 letter, are provided below.

AG-1b:
Concur. The actions for the EOM Alternative were not clearly differentiated from the actions of the No Action Alternative. The EOM Alternative was eliminated from consideration in the Final Tijuana River PEIS, as indicated in the previous response, because actions such as raising the levee to improve flood control do not apply to the Tijuana River FCP.

AG-1c:
Based on conclusions of the November 15, 2007 work session, the potential recreational use of the FCP is likely to conflict with flood control maintenance activities, management of natural areas, and USBP operations. This measure is no longer considered a potential component of the MPM Alternative. Specific measures that apply to this alternative are presented in Section 2.3.

AG-1d:
Without an identified need for structural modifications of the Tijuana River FCP, such as levee raising or relocation, NEPA documentation for structural changes would not be applicable the PEIS evaluation. The discussion of potential structural activities has been excluded from the Final Tijuana River PEIS.

AG-1e:
Because structural changes are not currently under consideration, mitigation actions would not be applicable at a programmatic level of analysis. Such analysis will be developed, as part of an Environmental Assessment, if engineering projects for changes to the FCP are developed in the future. Recommendations provided by the reviewer will be part of future environmental evaluations conducted at a more specific level of definition, as applicable.

AG-1f:
With no construction activities under consideration, environmental improvements associated with the MPM alternative such as controlled vegetation development have a potential to improve water quality, as discussed in the revised subsection 4.1.2 of the Final PEIS. If construction projects were developed in the future, EPA's storm water performance standards will be taken into consideration as part of the project design.

AG-1g:
The discussion of current habitats present at the site has been expanded. Proposed actions under the MPM Alternative, and how these actions may change the habitat, are described in greater detail in Section 4.2.2.

AG-1h:
Construction activities are not under consideration in the PEIS. As indicated in Response AG-1f, future construction projects would incorporate specific construction emission mitigation measures to minimize impacts on air quality, as specified by the EPA.

AG-2 – United States Department of the Interior

AG-2a:
The USIBWC appreciates your review of the Draft PEIS. As recommended by the USDI, the description of the MPM Alternative was expanded based on consultation with representatives of USFWS and other natural resources management areas located downstream from the Tijuana River FCP. This consultation also concluded that, without construction activities such as levee raising under consideration, the EOM Alternative was no longer applicable and was eliminated from the PEIS analysis. This discussion was previously presented in more detail in Response AG-1a.

AG-2b:
The PEIS describes possible impacts to species present (federally listed or state listed) given anticipated actions under the MPM Alternative. As specific projects are developed and tiered from the Final PEIS, consultation under Section 7 of the Endangered Species Act will be sought.

AG-2c:
During the work session where the Framework Document was developed (see Response AG-1a), there was a discussion of how to improve endangered species habitat through increased vegetation development within the floodway; a potential was identified particularly on the western edge of the property on both sides of the Dairy Mart bridge, and perhaps to the south of the sod farm along the river channel. This measure would require coordination with the NRCS (the sod farm is considered prime farmland), and the USBP. The USIBWC and the USBP currently have a Memorandum of Understanding (MOU) in place that allows the USBP to manage the vegetation through mowing and disking. Modifications to the MOU would facilitate native vegetation development in those areas.

AG-2d:
See response to previous comment. The USIBWC concurs that increased riparian vegetation would benefit endangered bird communities within the valley. The restrictions and benefits of increased vegetation to flood control will be further explored by the USIBWC.

AG-2e:
Increasing riparian habitat, as evaluated under the MPM Alternative, has a potential to improve endangered species habitat, as noted above. This discussion is presented in Section 4.2.2 of the Final PEIS. The USIBWC will evaluate proposals for increased riparian habitat as they are presented for review.

AG-2f:
Native vegetation was not removed during construction of the Tijuana River FCP in 1978, as the stream channel was rerouted entirely along agricultural fields. A more detailed account of the FPC construction has been added in Section 1.3 of the Final PEIS, and historical aerial photographs have been included in Appendix A (Figure A.5). The photographs illustrate that the project construction area had been under agricultural production since at least 1953.

A-2g:
The USIBWC concurs. The description of current and possible habitats under the proposed measures of MPM Alternative were expanded and improved, as recommended. An expanded description of how this USIBWC project relate to the MHPA, including current and ongoing management practices, was also added to the Final PEIS.

AG-2h:
Based on discussions held in the development of the Framework Document (see Response AG-1a), increased recreational use of the FCP would be in conflict with USBP operations in the area, and would be of little interest to the general recreational user (e.g., limited spatial scale for hiking or horseback riding, generally open areas with little vegetation, and presence of USBP officers). However, if proposals are submitted to the USIBWC on increased recreational uses of the FCP, they will be reviewed and considered by the USIBWC, and the positive or negative benefits of the proposal will be evaluated, and mitigation included in the proposal when required.

AG-2i:
Better descriptions of vegetation, current management activities and effects of current management activities on downstream communities were included in the Final PEIS. Further, effects on biological resources of measures associated with the MPM Alternative (both within the FCP and downstream of the FCP) were expanded and described in more detail in Section 4.2 of the Final PEIS.

AG-3: United States Department of Commerce, National Oceanic and Atmospheric Administration

AG-3a:
The USIBWC appreciates your review of the Draft PEIS. Based on discussions during the development of the Framework Document (see Response AG-1a), the EOM Alternative addressing potential structural changes to the FCP was removed from consideration, as it does not directly apply to the Tijuana River FCP. Current vegetation

and sediment removal practices, as well as spoil disposal, have been described in more detail in the Final PEIS; anticipated measures under the MPM Alternative are described in terms of how the actions may affect downstream communities. During development of the Framework Document, it was discussed that there may be opportunities to place the sediment spoil in a different location, further reducing the possibility of sediment being transported downstream during high flow events.

AG-3b:
Habitats and current and proposed actions under the MPM Alternative are better described in the Final PEIS. The description includes descriptions of sediment removal practices, and how this sediment removal and spoil placement will potentially benefit downstream communities. No significant adverse effects of sediment removal from the channel on the Tijuana Estuary are expected due to the small-scale of the removal. Removal from the channel is estimated to be to a maximum of 7,000 cubic yards per year; a value several orders of magnitude smaller that the sediment load from upstream sources and tributary canyons along the Tijuana River.

AG-3c:
As future projects are tiered off the Final PEIS, an Enhanced Fish Habitat Assessment would be prepared according to the described guidelines if construction activities were proposed.

AG-3d:
For the PEIS, there are no anticipated activities that will disturb or destroy geodetic control monuments. The need for modification of a geodesic monument, if identified in the future, would be done in consultation with the NGS and within the required timeframe for notification.

AG-4: U.S. Fish and Wildlife Service

AG-4a:
The USIBWC appreciates your review of the Draft PEIS. Native vegetation was not removed during construction of the Tijuana River FCP in 1978, as the stream channel was rerouted entirely along agricultural fields. A more detailed account of the FPC construction has been added in Section 1.3, and historical aerial photographs have been included in Appendix A (Figure A.5). The photographs illustrate that the project construction area had been under agricultural production since at least 1953.

AG-5: California Coastal Commission

AG-5a:
The USIBWC appreciates your review of the Draft PEIS. As projects are tiered off the PEIS, those that may affect the coastal zone will be evaluated for specific environmental

impacts. Proposed actions will comply with CCC guidelines for consistency determination.

AG-6: California Regional Water Quality Control Board

AG-6a:
The USIBWC appreciates your review of the Draft PEIS.

AG-6b:
Timing of vegetation clearing and extent are described in more detail in the Final PEIS; possible changes to the vegetation clearing are described under the MPM Alternative in Section 2.3 of the Final PEIS.

AG-6c:
Sediment disposal is currently practiced under a nationwide permit. The extent, location, and timing of sediment removal and sediment spoil disposal is described in more detail in Section 2.2 of the Final PEIS.

AG-6d:
Due to the scale of flood event, and their unpredictable size and occurrence, there are no practical methods for treatment beyond retention of trash. Trash removal has been incorporated as a potential measure in the MPM Alternative.

AG-6e:
The EOM Alternative was eliminated from consideration in the Final PEIS, as indicated in Response AG-1a, because actions such as raising the levee to improve flood control are not anticipated for the Tijuana River FCP within the PEIS evaluation timeframe.

AG-6f:
The jurisdictional statement was meant to apply to wetlands, not the ephemeral stream. Table 2.3 was removed from the Final PEIS because it placed unnecessary restrictions on the potential for environmental improvements.

AG-6g:
As indicated above, Table 2.3 was removed from the Final PEIS. A more detailed description of the Tijuana River FCP provided in Section 1.3 of the Final PEIS indicates that sediment removal from the channel is limited to a maximum of 7,000 cubic yards per year; this value is several orders of magnitude smaller that the sediment load from upstream sources and tributary canyons along the Tijuana River. Sediment currently removed from the channel is placed in an elevated terrain that would be reached only during very high flood events.

AG-6h:
See Response AG-6f, above.

AG-6i:
See Response AG-6d, above.

AG-6j:
Potential benefits of modified vegetation management, as pointed out by the reviewer, are now emphasized in the MPM Alternative analysis in Section 4.2.2.

AG-6k:
See Response AG-6j, above.

AG-6l:
See Response AG-6g above.

AG-6m:
The EOM Alternative was eliminated from consideration in the Final PEIS, as indicated in Response AG-1a, because actions such as raising the levee to improve flood control are not anticipated for the Tijuana River FCP within the PEIS evaluation timeframe.

AG-6n:
Potential benefits of modified vegetation management are now emphasized in the MPM Alternative analysis in Section 4.2.2. The disposal of sediment from the concrete channel is minimal, as indicated in Response AG-6g.

AG-6o:
See Response AG-6n.

AG-7: Native American Heritage Commission

AG-7a: The USIBWC appreciates your review of the document. Construction activities are not under consideration as part of the PEIS alternatives (see additional information in Response AG-1a). If future projects include construction activities, an Environmental Assessment tiered off from the PEIS will be prepared to assess potential impacts. The evaluation of cultural resources would include, as applicable, contacting the California Historic Resources Information Center, assessing the need for archaeological surveys, and provisions for accidental discovery of archaeological resources per NAHC guidelines.

AG-8: State of California, State Clearinghouse and planning unit.

AG-8a:
The USIBWC appreciates forwarding the Draft PEIS for review by relevant State of California agencies.

AG-9 County of San Diego, Department of Planning and Land Use

AG-9a:
The USIBWC appreciates your review of the Draft PEIS, and ongoing input in the identification of the potential for multipurpose use of the Tijuana River FCP. The MPM Alternative has been, in fact, selected as the preferred alternative for potential improvements to the Tijuana River FCP. The County DPR will be included in subsequent discussions of future actions and regional initiatives. In addition, the USIBWC welcomes proposals from the County DPR regarding development of trailheads within USIBWC property, and will review future proposals for coordination and management of resources.

AG-9b:
The Final PEIS includes a more detailed description of current sediment spoil disposal practices under the No Action Alternative. Under the MPM Alternative, sediment spoil disposal may occur in another portion of USIBWC-owned property.

AG-9c:
The EOM Alternative was eliminated from consideration in the Final PEIS, as indicated in Response AG-1a, because actions such as raising the levee to improve flood control are not anticipated for the Tijuana River FCP within the PEIS evaluation timeframe.

AG-9d:
In the Final PEIS, the location, timing and extent of sediment removal and sediment spoil disposal are described in more detail for both, the No Action Alternative (Section 2.2) and the MPM Alternative (Section 2.3).

AG-9e:
Potential changes in vegetation management included in the MPM Alternative were analyzed in the February 2008 document *Framework Document for the Multipurpose Use of the Tijuana River Flood Control Project*, prepared with input from the County of San Diego DPR, USFWS and the State of California that operate natural resources management areas downstream from the Tijuana River FCP. Potential changes in vegetation management are described in Section 2.3 of the Final PEIS.

AG-9f:
The Holland 1986 reference was used in the Final PEIS for description of vegetation types, as recommended.

AG-9g:
The need for a removal program for invasive plant species, if riparian areas are restored, is now specifically indicated in the description of potential changes in vegetation management under the MPM Alternative (Section 2.3 of the Final PEIS).

AG-9h:

In the Final PEIS, current vegetation at the site has been described in more detail, including the potential uses by fauna of various vegetation types (Section 3.2.2). Possible benefits or negative impacts to native habitats and regional fauna that may utilize the habitats present at the site, as part of the MPM Alternative, are discussed in Section 4.2.2 of the Final PEIS.

AG-9i:
The description of current sediment disposal practices has been expanded in Section 2.2 of the Final PEIS. A more detailed description of potential impacts or benefits of changes associated with the MPM Alternative on biological resources is provided in Section 4.2.

AG-10: County of San Diego, Department of Public Works

AG-10a:
The USIBWC appreciates your review of the Draft PEIS. The reviewer correctly points out a discrepancy in quoted design flood values. The Tijuana River FCP was constructed in both sides of the border under a commonly-agreed design value of 135,000 cfs, the estimated 500-year flood value. This value was incorrectly quoted in the text as "15,000 cfs." This correction has been made in subsection 3.1.1 of the Final PEIS, and a more detailed engineering description of the Tijuana River FCP development and specifications is now provided in Section 1.3.

AG-11: The City of Imperial Beach.

AG-11a:
The USIBWC appreciates your review of the Draft PEIS, and providing a facility to hold the August 30, 2007 Public Hearing. The MPM Alternative, recommended by the City, has been selected as the preferred alternative for improvements to the Tijuana River FCP.

AG-11b:
The City of Imperial Beach will be included in the review process as future projects for improvement of the Tijuana River FCP as they are developed and implemented.

IND-1: Bill Forbes

IND-1a:
The USIBWC appreciates your review of the Draft PEIS. The MPM Alternative, selected as the preferred option for improvements to the Tijuana River FCP, includes a number of measures for habitat improvement. Increased recreational use of the FCP, however, would be in conflict with USBP operations in the area, and would be of little interest to the general recreational user (e.g., limited spatial scale for hiking or horseback

riding, generally open areas with little vegetation, and presence of USBP officers). Recreational use was discussed in the work session for development of the Framework Document (see Response AG-1a).

IND-2: Teresa "Terry" Thomas

IND-2a:
The USIBWC appreciates your review of the Draft PEIS, and taking the time to attend the August 30, 2007 Public Hearing. The MPM Alternative has been, in fact, selected as the preferred alternative for improvements to the Tijuana River FCP. The EOM Alternative is no longer in consideration, as previously discussed in Response AG-1a.

IND-2b:
Flood control improvements to the Tijuana River FCP, including Early Flood Warning capability, is an ongoing task conducted by the Engineering Division of the USIBWC.

IND-2c:
Improvement in water quality, including monitoring activities, is a potential measure under consideration as part of the Multipurpose Project Management Alternative.

IND-2d:
The USIBWC concurs that this project could provide overall benefit to downstream communities. During the development of the Framework Document, described in Response AG-1a, discussions were held with representatives of natural resources management areas to better identify how regional benefits might be enhanced by the flood control project, and these were identified and described in the Final PEIS. As a component of the MPM Alternative, the USIBWC will review and cooperate with proposals that will enhance downstream communities.

IND-2e:
GIS mapping of infrastructure is not anticipated because no structural changes to the Tijuana River FCP are under consideration in the PEIS.

IND-2f:
During discussions to develop the Framework Document (see Response AG-1a), Dr. Romo provided input about programs and initiatives that may be available to the USIBWC. The USIBWC will consider these initiatives, to further enhance the project and provide benefits to downstream communities.

IND-3: Roger Breham

IND-3a:
The USIBWC appreciates your review of the Draft PEIS, and taking the time to attend the August 30, 2007 Public Hearing. A number of comments on trash accumulation and

water quality degradation have been received during the Draft PEIS review period. The preferred option for improvements to the Tijuana River FCP, the MPM Alternative, takes into consideration measures with a potential to reduce trash accumulation and to improve, to some extent, water quality.

IND-3b:
A more detailed description of the history and development of the Tijuana River FCP has been added to Subsection 1.3.1 of the Final PEIS. This Subsection indicates why the initially proposed design was modified, largely for inconsistencies with land use, and to avoid impacts on natural resources. No large-scale structural changes to the FCP are under consideration in the PEIS.

IND-4 Jim Peugh

IND-4a:
The USIBWC appreciates your review of the Draft PEIS, and taking the time to attend the August 30, 2007 Public Hearing. Your input provided during the November 15, 2007 work session is also greatly appreciated.
The February 2008 document *Framework Document for the Multipurpose Use of the Tijuana River Flood Control Project* incorporated recommendations from the work session and Draft PEIS reviewers. The Framework document emphasizes trash control and water quality improvement as important components of the MPM Alternative, selected by the USIBWC as the preferred alternative for improvements to the flood control project.

IND-4b:
Table 2.1 "Opportunities and Constraints" has been removed from the Final PEIS because, as pointed out by the reviewer, is too restrictive on the number of environmental measures that could be implemented. Table 2.1 was developed when the PEIS evaluated in combination the Tijuana River FCP and three Rio Grande flood control along the Texas-Mexico border. A number of statements in the table reflected relative differences between the two river systems, information that has little value once the two river systems were evaluated separately. In the Final PEIS, conclusions of the February 2008 Framework Document replace the "Opportunities and Constraints" section as the basis for analysis of potential improvements to the Tijuana River FCP.

IND-4c:
The potential of additional vegetation development within the floodway is discussed as a component of the MPM Alternative. During the November 15, 2007 work session, vegetation development was identified as possible but not a key issue to be addressed in the PEIS. Potential interference with flood control and USBP operations remain as significant constraints to the extent that wooded vegetation can be allowed within the floodway.

IND-4d:
As discussed above, the potential for environmental improvements was discussed during the work session, and summarized in the Framework Document. A key conclusion was the need to continue coordination with USFWS, San Diego County and State Parks for USIBWC to support regional initiatives through cooperation agreements.

IND-4e:
The "No Action" Alternative, as it applies to NEPA analysis, refers to current practices, not to a "do-nothing alternative" as it, unfortunately, seems to indicate. Impacts of the No Action Alternative are analyzed in the PEIS, and used as a point of reference to assess impacts of the selected preferred alternative, the MPM Alternative.

IND-5 Terri Thomas
The USIBWC appreciates your review of the Draft PEIS, and taking the time to attend the August 30, 2007 Public Hearing. The following responses reflect those previous provided to your written comments (IND-2). Please refer to those responses for additional information.

IND-5a:
The MPM Alternative has been, in fact, selected as the preferred alternative for improvements to the Tijuana River FCP (see Response IND-2a).

IND-5b:
(see Response IND-2b)

IND-5c:
(see Response IND-2c)

IND-5d:
Improvements to the Tijuana River FCP could provide overall benefit to downstream communities, as discussed with representatives of natural resources management areas on November 15, 2007. Those improvements would be a component of the MPM Alternative (see Response IND-2d).

IND-5e:
(see Response IND-2e)

IND-2f:
During discussions to develop the Framework Document (see Response AG-1a), Dr. Romo provided input about programs and initiatives that may be available to the USIBWC. The USIBWC will consider those initiatives, to further enhance the project, and to benefit downstream natural communities.