

VIA ELECTRONIC MAIL

December 29, 2015

U.S. Army Corps of Engineers Sacramento
District Public Affairs Office Contact:
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RE: Final Supplemental Environmental Assessment Isabella Lake Dam Safety Modification Project Phase II Real Estate Acquisition and Relocation Kern County, California June 2015

Dear Mr. Stalker:

The Kern-Kaweah Chapter of the Sierra Club, Sequoia ForestKeeper®, and the Center for Biological Diversity (“Center”) (collectively “conservation groups”) thank you for this opportunity to submit comments on the Final Supplemental Environmental Assessment (SEA) Isabella Lake Dam Safety Modification Project Phase II Real Estate Acquisition and Relocation associated with the Isabella Lake Dam Safety Modification Project. Our groups have participated in the public review process and attended meetings for the U.S. Army Corps of Engineers (“Corps” or “ACOE”) Isabella Lake Dam Safety Modification Project and submitted comments on the DEIS on May 21, 2012 and supplemental comments on the DEIS providing new information to the Corps on January 7, 2015, which included our comment letter of December 1, 2014 to the U.S. Fish and Wildlife Service on the listing of the Yellow-billed Cuckoo (western DPS) (*Coccyzus americanus*). Those comments are incorporated by reference herein as though fully set forth.

The SEA relates primarily to project refinement, including the location of new Forest Service facilities including an office building, maintenance building, fire station, and visitor center, but fails to adequately address and consider several issues, including the availability and use of the South Fork Union School District Elementary School building

as a visitor center on Highway 178 in Weldon, CA and impacts from the proposal to build a new visitor center on habitat for the Alkali Mariposa Lily at the Bob Powers Gateway Preserve in Lake Isabella, CA. An additional concern we now raise is regarding disturbance of the nesting colony of the Tricolored Blackbird (*Agelaius tricolor*), a candidate species protected under the California Endangered Species Act,¹ at the Bob Powers Gateway Preserve by increased traffic and construction as well as loss of nesting habitat by construction along Barlow Road. In addition to ongoing questions raised in our earlier comments regarding the adequacy and implementation of mitigation measures for Southwestern Willow Flycatcher (*Empidonax traillii extimus*) and the need for additional mitigation for the Yellow-Billed Cuckoo (western DPS) as set forth in our previous comment letters (attached), the conservation groups are concerned that the Corps has not adequately addressed the following issues related to impact avoidance, minimization, and mitigation measures for the project:

- Impacts to Alkali Mariposa Lily from the proposed siting of a new visitor center in the Bob Powers Gateway Preserve;
- The need for effective measures to prevent the spread of invasive weeds particularly during the drawdown and for specific measures to be adopted to reduce and eliminate invasive tamarisk (*Tamarix ssp.*); and
- Direct and cumulative impacts to aquatic and riparian habitats (including mitigation areas) and the species that depend on those habitats from other past, present and foreseeable activities in the area affecting surface water and groundwater availability.

Alkali Mariposa Lily

The Alkali Mariposa Lily (*Calochortus striatus*) is a species of concern, which grows at the edges of alkali marshland. It grows in mineralized soil in four distinct locations in the Kern River Valley and was one of the reasons the Bob Powers Gateway Preserve was set aside as a natural area. It was last reviewed for listing as endangered in 1993 [9-30-1993 58 FR 51144 51190]. It is included in the CNPS Inventory of Rare and Endangered Plants on list 1B.2 (rare, threatened, or endangered in CA and elsewhere).

For several years, Alison Sheehy and other botanists conducted surveys of the fecundity of the Alkali Mariposa Lily on the Bob Powers Gateway Preserve and the Audubon Kern River Preserve during the flowering season which occurs approximately between May 1 and June 4. The best date for survey is typically the third week of May under average precipitation and temperature patterns.

¹ See http://www.biologicaldiversity.org/news/press_releases/2015/tricolored-blackbird-12-10-2015.html, <https://www.audubon.org/news/tricolored-blackbird-may-be-listed-endangered-california> The Tricolored blackbird is also currently undergoing status review for Federal ESA listing, http://ecos.fws.gov/tess_public/profile/speciesProfile.jsessionid=CD383CCDE94AD3B7FAE3CFF2D8A4F531?spcode=B06P; <http://www.regulations.gov> under Docket No. FWS-R8-ES-2015-0138

The Army Corps of Engineers is considering placing a new visitor center on the Bob Powers Gateway Preserve. Although the visitor center was anticipated in the preserve's strategic plan (see <http://www.co.kern.ca.us/artman2/main/uploads/1/bob-powers-gateway-preserve.pdf>), unfortunately, the designed footprint of the potential new visitor center and footpaths are directly adjacent to the lily occurrences and would destroy lily populations at this location. Because the proposed visitor center location will significantly impact the rare and imperiled Alkali Mariposa lily, we urge the Corps to consider other alternative sites for a new visitor center to avoid impacts to the lily.

Invasive Weeds and Tamarisk Control

The drawdown of the reservoir for the “repair” has had an unintended consequence by exposing millions of invasive species seeds to open air; specifically salt cedar (*Tamarix* sp.). Five species of *Tamarix* have been identified in California: *T. ramosissima*, *T. chinensis*, *T. gallica*, *T. parviflora*, and the less-invasive *T. aphylla*. The four highly invasive species are finely-branched shrubs or trees less than twenty-six feet tall with small scale-like leaves that look similar to conifers in the juniper group. These fast growing invasives crowd out native riparian vegetation and create an overly alkaline condition from leaf drop.

The habitat created is less than optimum for many of the riparian obligate species but in areas with no native habitat available, salt cedar becomes an important albeit poor substitute for native trees and shrubs, so destructive removal is only advantageous when replanted immediately with native vegetation.

As the drawdown of the reservoir is wholly a condition of the Army Corps of Engineers repair of the Isabella dam but has been compounded by the drought, the underfunded effort to remove the millions of *Tamarix* sp. by the U.S. Forest Service (USFS) is understandable but completely inadequate in scope. Thus, the Corp must consider funding this effort to remove *Tamarix* sp. with more emphasis on mechanical removal and less on herbicide application and replant with native species as part of the needed mitigation for the Lake Isabella project.

NEPA Public meeting on December 7, 2015 Isabella Dam Modification SEA

The Corps held a NEPA Public Meeting on December 7, 2015 at the Kern River Valley Senior Center in Lake Isabella on the Isabella Dam Modification SEA on Recreation and USFS Replacement Structures.

The public was told at the meeting by the Corps representative that:

- A “new issue” was introduced, “wind turbines” (six short (38’ height with 30’ tower and 16’ blades), vertical wind turbines) at the proposed location for the USFS Lake Isabella fire station. The Corps said the power from the wind turbines would be used as supplemental power generation – not to be connected to the grid, not sold to Southern California Edison (SCE) - SCE does not want the power, and not to store

excess electricity in batteries. Corps said they wanted to do something rather than do nothing. The Corps did not know the cost benefit ratio between solar and wind.

- 80% of the reservoir water is used for flood risk management and 20% for irrigation.
- Silt is undesirable – in the 1970's it was determined that the material used for the dam was undersized which lead to the internal eroding of the dam – the dam is short – the canal spillway is defective - and the earthquake fault is active. So the decision is to make the Dam thicker to compensate for the fault.
- “The dam should survive an earthquake of 12’ displacement and shaking.”
- The rocks will be placed temporarily at Engineers Point while excavation is taking place to construct the emergency spillway.
- While activities are taking place, they will enlarge the French Gulch launch facility.
- The USFS office will temporarily be placed in Kernville, then a new SEA will decide to where the new USFS facility will be placed. The Corps plans to reach a final action decision by February 2016.
- The Comment Period on the SEA is extended to January 4, 2016.

Concerns:

The Corps fails to disclose that some of the water from the dam is used for water banking. Not counting evaporation and up-take by vegetation, 100% of the water that flows downstream from the dam is used for mostly private water banking and irrigation. We are concerned that the maximum pool level has a negative economic factor due to the flooding of the camping infrastructure. Excess water can and should be stored in the natural flood zones of Buena Vista, Goose, and Tulare Lakes to rebuild the southern San Joaquin public aquifer that is seriously overdrafted by water removal and water banked by commercial water operators without any significant natural recharge.

The Corps fails to disclose that an earthquake that would vibrate for long periods could cause the dam to rattle apart because it is just pieces and parts stacked upon one another. The seismic history of this region seems far more complex than the Corps is admitting and we believe that further analysis of the seismic threat is warranted. The 1872 Lone Pine (http://earthquake.usgs.gov/earthquakes/states/events/1872_03_26.php) Earthquake had a horizontal displacement of 21 feet and a vertical displacement of 3 feet and the 1952 Kern County Earthquake (<http://scedc.caltech.edu/significant/kern1952.html>) had a horizontal displacement of 5 feet and a vertical displacement of 3 feet. Isabella Dam and reservoir is sandwiched between these two major fault regions. Since the 1952 earthquake affected the dam under construction, the 12’ maximum displacement ratio seems woefully inadequate in the event of an event matching Lone Pine or the 1857 Fort Tejon Earthquake which had an amazing horizontal displacement of 30 feet. The 6.0 magnitude Walker Pass earthquake on March 15, 1946 never identified the fault that caused that temblor. And the Kern Canyon Fault (KCF)² slicing through the two dam structures elicits zero confidence that any

² Recent Motion on the Kern Canyon Fault, Southern Sierra Nevada, California
Authors: Nadin, E. S.; Saleeby, J. B. Affiliation: AA(California Institute of Technology, 1200 E. California Blvd., Pasadena, CA 91125 United States enadin@gps.caltech.edu), AB(California

structure could withstand a direct moderate shallow event or an indirect large event on this fault. The 1983-84 Durrwood Meadows earthquake swarm demonstrates the KCF is a significant threat to the survival of the dam.

http://thesis.library.caltech.edu/1838/1/10_Nadin_Ch6.pdf

Because rocks from the construction of the emergency spillway would be temporarily stored at Engineers point, the EIS must analyze and disclose the impacts to public health, the air, and water from the pollution and particulates that would be discharged during the process of creating the emergency spillway and hauling and dealing with the remnants from the construction of the *Phase II Dams and Spillways* and the *Phase III Borel Canal*. The Kern River Valley area is within the Eastern Kern Air Pollution Control District, but is not monitored for PM <2.5 µm, NO_x, or O₃. Due to the continuous encroachment of polluted San Joaquin basin air via the Kern River Canyon and the lack of monitors placed by the Eastern Kern APCD, we request that multiple, temporary monitoring facilities be placed at all construction sites and that permanent monitors be placed on the completed dam.

No effort has been made to remove built up sediment while the floor of the reservoir has been exposed by the drought and dam leakage drawdown. There are multiple large banks of sand in the south fork river, auxiliary dam, and main dam areas that should be removed as part of the process of sediment mitigation. This material could potentially be utilized by one of many sand and gravel operators in the valley. Any removal would require archeological monitors to make sure artifacts were retrieved and reburied after the removal of built up material. Additional dust mitigation would be required during excavation, but removal would eliminate this dust source during wind events and remove the liability of excess sedimentation behind the dam.

Wind Turbines versus Solar Power

The Corps confirmed that this is the first time that the concept of wind turbines has been mentioned or introduced. This new concept of building a wind farm triggers the need for a new NEPA process, since this is a completely new information and was never before part of the dam modification project. Because the “wind turbines” are a newly introduced concept to the dam modification project, an EIS must analyze an alternate proposal that would use roof-top solar and over-parking solar panels rather than unsightly wind turbines that can cause significant bird and bat fatalities.

The Corps said because the tip speed of the blades on these wind turbines is slow, the wind turbines noise output is low level about like a quiet normal conversation. We note that having six simultaneous conversations going on continuously in the normally quiet neighborhood of this wind farm would be a distraction for the neighbors, while solar panels would be silent.

Institute of Technology, 1200 E. California Blvd., Pasadena, CA 91125 United States
jason@gps.caltech.edu) Publication: American Geophysical Union, Fall Meeting 2005, abstract #T51D-1369 Publication Date: 12/2005

There was public outrage at the Corps' NEPA Public Meeting on December 7, 2015 regarding the concept of wind turbines:

- (1) The view-shed would be damaged/altered by wind turbines in the Kern River Valley where the natural view is so important and is one of the major draws for visitors to the valley.
- (2) Failing to seriously consider solar panels for power in the form of roof tiles on the building and solar over parking lots, which is more aesthetically pleasing and functional.
- (3) Installing wind turbines would open the door to windmills in the Kern River Valley.
- (4) Another major draw to the Kern River Valley is its avian diversity including millions of neo-tropical migrants that are adversely affected by wind turbines; the Kern River Valley hosts a major migration route for over 30,000 Turkey Vultures each fall.

The impacts to the view-shed and birds could be significant and must be analyzed along with alternatives including solar panels.

We also urge the Corps to provide an analysis of the cost benefit ratio (the ratio of the benefits of a project, expressed in monetary terms, relative to its costs, also expressed in monetary terms) between solar and wind and allow public input on this issue prior to any final decision. The lack of cooperation with SCE on connecting the power sources to the grid leaves the impression that alternative energy will be orphaned and not be really effective at reducing CO₂, which is a significant contributor to climate change. As the hydropower capacity of the various dams along the river is likely to be reduced by future droughts, the additional energy from solar must be able to be captured to the grid or in batteries to truly help in this global crisis of climate change.

Location of USFS Visitor Center and Buildings

The SEA without an adequate basis, denies any impact from the dam modification project on biological resources, although the Corps is still considering/discussing placing the USFS visitor center at the Bob Powers Gateway Preserve location. Unfortunately, it is clear that the Corps has ignored our objection to this proposal as well as the significant impacts to the Alkali Mariposa Lily and its habitat.

At the December 7, 2015 meeting, when Al Watson, USFS District Ranger, was asked if the South Fork School is being considered as an alternative location for the USFS visitor center, Watson said it had been considered, but because more people who were surveyed said they come through Bakersfield to visit the lake, he decided the school is inappropriate. The Corps said the new location for the USFS/visitor center facility would be decided in a new EA of EIS if necessary. Al Watson said it will be by a long-term lease. Clearly more analysis must be done on this issue.

Compelling reasons why the Corps/USFS should seriously consider the South Fork School:

- The South Fork School has the infrastructure to host a multiple agency visitor

center.

- Only slight modification to the building would be required instead of using dwindling natural resources necessary to build a new structure.
- Hwy 178 over Walker Pass is a major route with a greater number of tourists than the tourist/commuter traffic traveling the Kern River Canyon.
- Visitors to the South Fork School are destined for Lake Isabella and Kernville, as well as campsites along the Kern River. Kiosks at the South Fork Visitor Center with information about local businesses could send more visitors to Lake Isabella than from the canyon traffic, who may not stop anywhere in Lake Isabella on their way to their destination. (Ingress and egress onto Fay Ranch Road at the South Fork Visitors Center is more direct and far easier than the Lake Isabella site.)
- The South Fork School could have trails from the school onto the Audubon Kern River Preserve property in a public private partnership, interpreting the riparian forest.
- The South Fork School property could host a small natural history museum to introduce visitors to the natural amenities the area has to offer.
- The small visitor center being considered for Lake Isabella would not accommodate multiple agencies, would impact the habitat of the Alkali Mariposa Lily, and would not be that much of a draw for the visiting public due to a very inadequate road to the site and unsightly neighborhood buildings.
- No additional staffing would be necessary at the USFS South Fork School location because USFS visitor information personnel would be available to greet the visiting public – same budget – same staffing. Additional savings could be made by coordinating with other agencies for offices with minimal staff akin to the one USFS staff member at the BLM office on Pegasus Road in Bakersfield.
- Building new administrative and maintenance buildings in Kernville on USFS property and eliminating the need for the lease of Whitney Road USFS office appears to be a wiser use of taxpayer resources, but does not address the need for an entry point visitor center.

We urge the Corps and USFS to consider these factors in detail regarding the proposed new USFS visitor center, offices, maintenance building, and fire station in a new NEPA document.

The SEA fails to adequately address many issues from our previously submitted comment letters, which are attached. Below are some of our previously stated concerns that have not yet been inadequately considered by the Corps as well as the concerns noted above about impacts to the Tricolored Blackbird.

Direct and Cumulative Impacts To Aquatic and Riparian Habitats and Yellow-billed Cuckoo (western DPS) and Southwestern Willow Flycatcher and Tricolored Blackbird in the Kern River Valley Have Not Been Adequately Addressed

The conservation groups are concerned about impacts to the Yellow-billed Cuckoo (western DPS) habitat in the South Fork Kern River Valley from the Army Corps of

Engineers proposed Isabella Lake Dam Safety Modification Project which were analyzed in the Draft Environmental Impact Statement (DEIS) several years ago. That DEIS fails to properly identify and analyze the significant impacts of the action alternatives on rare, listed, and sensitive species and their habitats, including designated and proposed critical habitat essential to the survival and recovery of the endangered Southwestern Willow Flycatcher and does not adequately account for impacts to the newly listed Yellow-billed Cuckoo (western DPS) nor does it address the state-protected Tricolored Blackbird. In addition, the DEIS fails to include a comprehensive identification and analysis of other projects that will have significant cumulative impacts to these same species including, for example, wind and solar power projects in the vicinity and in the flyway corridor for the birds that utilize the Lake Isabella and the Kern River area as critical stops on their migration routes and projects impacting surface and groundwater availability.

The proposed critical habitat of the Yellow-billed Cuckoo (western DPS) in the inundation zone of Isabella Reservoir has been proposed to receive herbicide treatment by the U.S. Forest Service. U.S. Forest Service Kern River Noxious Weed Control Project EA is listed in the 4th quarter 2015 Schedule of Proposed Actions.³ “This project proposes to treat salt cedar and possibly tree of heaven at multiple locations. Treatment will consist of using herbicides where necessary for control of these invasive non-native species. Decision Expected: 12/2015 – Isabella Lake, Upper and lower Kern River where salt cedar and tree of heaven are found - Project Contact Steve Anderson 760-376-3781 x680, swanderson@fs.fed.us.” This treatment area is essential habitat for the western distinct population segment (DPS) of the Yellow-billed Cuckoo and should be designated as critical habitat—while control of invasive, non-native species may ultimately improve the habitat quality, the impacts from using herbicides in this area have not been adequately addressed and need to be evaluated for impacts to the cuckoo and other non-target species. An analysis of other non-chemical treatments should also be evaluated for effectiveness.

Rosedale-Rio Bravo Water Storage District purchased 3,372 acres of the Onyx Ranch in 2013 that included water rights in the watershed of the South Fork of the Kern River and their water extraction activities now threaten the habitat of Southwestern Willow Flycatcher, Yellow-billed Cuckoo (western DPS), and Tricolored Blackbird downstream of their property along the South Fork Kern River.⁴ For example, Rosedale-Rio Bravo is seriously considering diverting surface water from the South Fork of the Kern River and groundwater from the South Fork Kern River Valley to export to recharge and storage locations in the San Joaquin Valley. Groundwater overdraft is a serious problem in California and riparian forests die quickly in areas where groundwater is depleted. The Corps has failed to identify or analyze the cumulative impacts to species and habitats from these proposed water withdrawals and their effect on the mitigation efforts for the Lake Isabella project.

Essential habitat for the Yellow-billed Cuckoo (western DPS) is found in the riparian forest of the South Fork of the Kern River where the nests have been found in the mid-

³ <http://data.ecosystem-management.org/nepaweb/current-sopa.php?forest=110513>.

⁴ <http://www.rrbwsd.com/onyx-ranch>

successional forest and the birds have been observed foraging in the primary successional riparian forest downstream of the South Fork Wildlife Area and in the reservoir drawdown area that is managed by Sequoia National Forest; all of this habitat should be protected as critical habitat. The Corps has failed to adequately address the potential impacts to these habitats in the NEPA review to date, and must do so before proceeding with the project.

Multiple colonies of Tricolored Blackbird nest along canals and marshes in both the North and South Forks of the Kern River and downstream of Isabella Dam. Water extraction, and denial of junior water rights where canals provide essential habitat for the Tricolored Blackbird and other species is likely to cause unlawful take by the Rosedale-Rio Bravo Water District. This concerns the Corps as the take is happening on mitigation lands purchased in 2005 to provide replacement protected land for Southwestern Willow Flycatcher, unfortunately, without adequate water and a meandering river upstream no replacement habitat has been created for the Willow Flycatcher. Cumulative impacts to all of the protected species by upstream water projects must all be fully considered by the Corps in addressing the impacts of the Lake Isabella project.

Since the discovery of leaks in the auxiliary dam of Isabella Reservoir during the summer of 2005, drawdowns combined with drought have reduced the reservoir to a low of 30,901-acre feet of water with over 10,000 surface acres of reservoir bottom currently exposed. This is a 95% reduction from the reservoir's maximum surface area of 11,400 acres.⁵ Exposing the reservoir bottom has created a primary seral stage successional willow-cottonwood-salt cedar forest where the cuckoo and other riparian obligate species are thriving. The preferred breeding habitat of the Yellow-billed Cuckoo (western DPS) is mid-successional willow dominated forest.⁶ The drawdown area of the reservoir has re-created the natural succession of riparian vegetation along the once meandering South Fork of the Kern River, this meandering has been missing from the ecosystem for many years due to human control of the water flow and the river system.

Researchers from the Southern Sierra Research Station discovered a pair of cuckoo nesting within the mid-successional vegetation along the South Fork of the Kern River west of the South Fork Wildlife Area in the summer of 2014.⁷ Surveys conducted in 2009 showed that 84% of the cuckoo detections were in the location where the river braids in the wildlife area.⁶ Only 16% of the 69 cuckoos detected during the field season were found upstream of the South Fork Bridge on Sierra Way, where the forest has become decadent along the

⁵ See Rowe, R.C., 2012. Modified chart from Isabella Dam Lake Area/Capacity Table. Kern River Valley Revitalization, Kernville, CA.

http://krvr.org/components/com_joomlaboard/uploaded/files/Isabella_Dam__Lake_Area_Capacity_Table_5_15_2012.pdf

⁶ See Laymon, S. A., P. L. Williams, and M. D. Halterman 1997. Breeding status of the yellow-billed cuckoo in the South Fork Kern River Valley, Kern County, California: Summary report 1985-1996, Prepared for USDA Forest Service, Sequoia National Forest, Cannell Meadow Ranger District, Kernville, CA.

⁷ See personal communication JE Stanek – Southern Sierra Research Station.

http://www.southernsierraresearch.org/Information/ReportsAndPublications/SSRS_Reports/YBCU_Kern/SSRS_Kern_YBCU_2014_Report.pdf

single river channel corralled by three bridges: Sierra Way, Fay Ranch Road, and Doyle Ranch Road. Due to legal restrictions that maintained the reservoir peak at 350,00 acre feet or below for 10 years, the mid-successional forest recorded an almost 80% increase in the number of cuckoos from 14 individuals in the 1985-87 season to 69 individuals in 2009.^{8, 9}

The Corps proposes to allow the refilling of the reservoir after 2020 to its maximum pool level. In the ensuing years, critical successional habitat would disappear creating the conditions that would further threaten the Yellow-billed Cuckoo (western DPS) and other riparian obligate nesters along the South Fork of the Kern River. Under the terms of the 2005 mitigation required of the Corps for the flooding of the South Fork Wildlife Area and destruction of Southwestern Willow Flycatcher habitat, over 3,000 acres of habitat was purchased upstream and was deeded to the California Department of Fish & Wildlife (CDFW) and Audubon California Kern River Preserve (Audubon). The restoration of the meandering river system was not part of the mitigation package, but should have been. The Corps should consider this as an additional mitigation measure at this time as the earlier strategy of retaining the large contiguous willow-cottonwood riparian forest as a climax forest has proven an inadequate strategy for the conservation or recovery of the endangered flycatcher or the threatened cuckoo.

Before the 2013 purchase by Rosedale-Rio Bravo Water Storage District of the South Fork Valley portion of Onyx Ranch upstream of the 2005 Corps South Fork Kern River mitigation lands, significant channelizing and well drilling was done by the previous owners of the property, Renewable Resources Group, reducing the flow of the river to downstream users, including to the 2005 Corps mitigation lands now owned in fee by CDFW and Audubon. Rosedale-Rio Bravo's proposal to export water from the South Fork Kern River does not bode well for the habitat on the mitigation lands, the wildlife, or the residents of this ranching valley. The cumulative impacts of the earlier channelization and well drilling and the new water export proposal must all be fully considered by the Corps in addressing the impacts of the Lake Isabella project.

Recommendations to Protect Current and Future Critical Habitat of Yellow-billed Cuckoo (western DPS), Southwestern Willow Flycatcher, and Tricolored Blackbird in the Kern River Valley, Kern County, California

Once the Corps has fully analyzed the Dam Safety Modification Project proposal impacts to Southwestern Willow Flycatcher, Yellow-billed cuckoo, and the Tricolored Blackbird, and the need to protect designated and proposed critical habitat for these species, and the cumulative impacts from other projects, we believe that additional mitigation measures will

⁸ See Henneman, C. 2010. Yellow-billed cuckoos in the South Fork Kern River Valley in 2009. Final report prepared for the U.S. Fish and Wildlife Service, Sacramento Field Office. Sacramento, CA http://www.southernsierraresearch.org/Information/ReportsAndPublications/SSRS_Reports/YBCU_Kern/SSRS_Kern_YBCU_2009_Report.pdf

⁹ See Laymon, S. A., and M. D. Halterman 1989. A proposed habitat management plan for yellow-billed cuckoos in California. USDA Forest Service General Technical Report PSW-110:272-277.

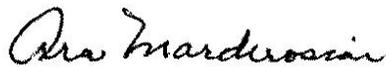
http://www.fs.fed.us/psw/publications/documents/psw_gtr110/psw_gtr110_f_laymon.pdf

be required. The Conservation groups suggest that acquisition of the 3,327-acre portion of the Onyx Ranch by the Army Corps of Engineers and U.S. Forest Service, with significant endowment for the construction of causeways along Fay Ranch Road and Sierra Way, would enable the engineered meander of the river that creates mid-successional habitat that all of these riparian obligate species require to perpetuate their existence. The conservation groups urge the Corps to move quickly to secure these lands as soon as possible to prevent irrecoverable population crashes and avoid the devastating impacts that would occur if the proposed water exports go forward and negate the anticipated benefits of the 2005 mitigation purchase.

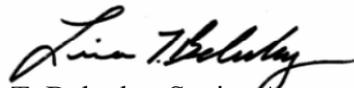
Because the proposed exportation of water from the South Fork Kern River by Rosedale-Rio Bravo Water Storage District would negatively impact businesses, residents, and biological diversity, equally, the purchase of this portion of the Onyx Ranch should be considered as a priority mitigation action for the proposed Dam Safety Modification Project.

Given this information we urge the Corps to reanalyze the impacts of the project on biological resources and revise the SEA to include alternatives and other measures, including but not limited to the use of roof-top and parking lot solar power instead of wind turbines to protect the character of the Kern River Valley as part of the refinement of the Isabella Lake Dam Safety Modification Project.

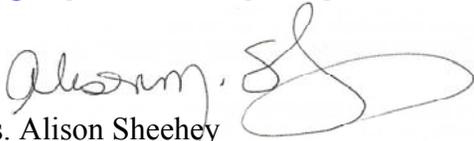
Respectfully submitted,



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