

Singarella, Paul (OC)

From: Catherine Hagan (George) [CHagan@waterboards.ca.gov]
Sent: Tuesday, April 07, 2009 2:53 PM
To: Halter, Amanda (OC); Singarella, Paul (OC)
Subject: responses to comments

Paul and Amanda,

Following on to our discussion this morning, below is a previously prepared response (last April, I believe) on the ecosystems issue. No luck on the other issues to date.

An ecosystem approach is not entirely applicable to this case because the affected ecosystem is not wholly removed (as is generally done when evaluating compensatory mitigation for impacts of fill in a CWA Section 401 certification). Rather, specific components of that ecosystem are being altered due to impingement and entrainment. Therefore, a good mitigation project would seek to offset the specific alterations from the proposed impacts. That been said, Chapter 5 of the Minimization Plan does give consideration to the ecosystems affected (Table 5.7) and Chapter 6 does attempt to provide compensatory mitigation in terms of the ecosystems affected (i.e. mudflat/tidal channel, and open water).

Regarding the court reporter, apparently it has happened in the past that the reporter has been asked to read back a portion of the testimony. If the request to read back a portion goes back in time to much earlier testimony, it may be less feasible. I would recommend you consider bringing a tape recorder to ensure you have the ability to re-hear earlier testimony in case that is necessary.

Catherine

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