



Impact of Recent Court Ruling

rejected its preliminary engineering design information and was willing to look at CDFW's additional engineering on this issue, but it would not change its view absent clear evidence of no increased flood risk. Further, CDFW knew that the 68,000 cfs standard may require re-visiting a few chapters, raising the levee height, and all the calculations that go with it. AR 19596.

The DEIR makes it appear that the 46,000 cfs standard for the Project had been approved by the Corps: "Based on preliminary direction from Corps staff, analyses of flood performance were based on the design flow rate of 46,000 cfs..." AR 1133 (emphasis added). Petitioners correctly argue that, by repeating an outdated Corps standard instead of disclosing the Corps' actual position, the DEIR is not a good faith effort at disclosure.

A writ shall issue directing CDFW to set aside the FEIR and any Project approvals, prepare and certify a legally adequate EIR for the Project if it chooses to proceed, and suspend any Project activity that could result in an adverse change or alteration to the physical environment until CDFW complies. An injunction shall also issue prohibiting CDFW from taking any action pursuant to the Project until it complies with CEQA.

“The 46,000 number is fact. It was given to us by [the] Corps. The reality is they’ve just given us multiple numbers.”

- Chuck Bonham, CDFW Director

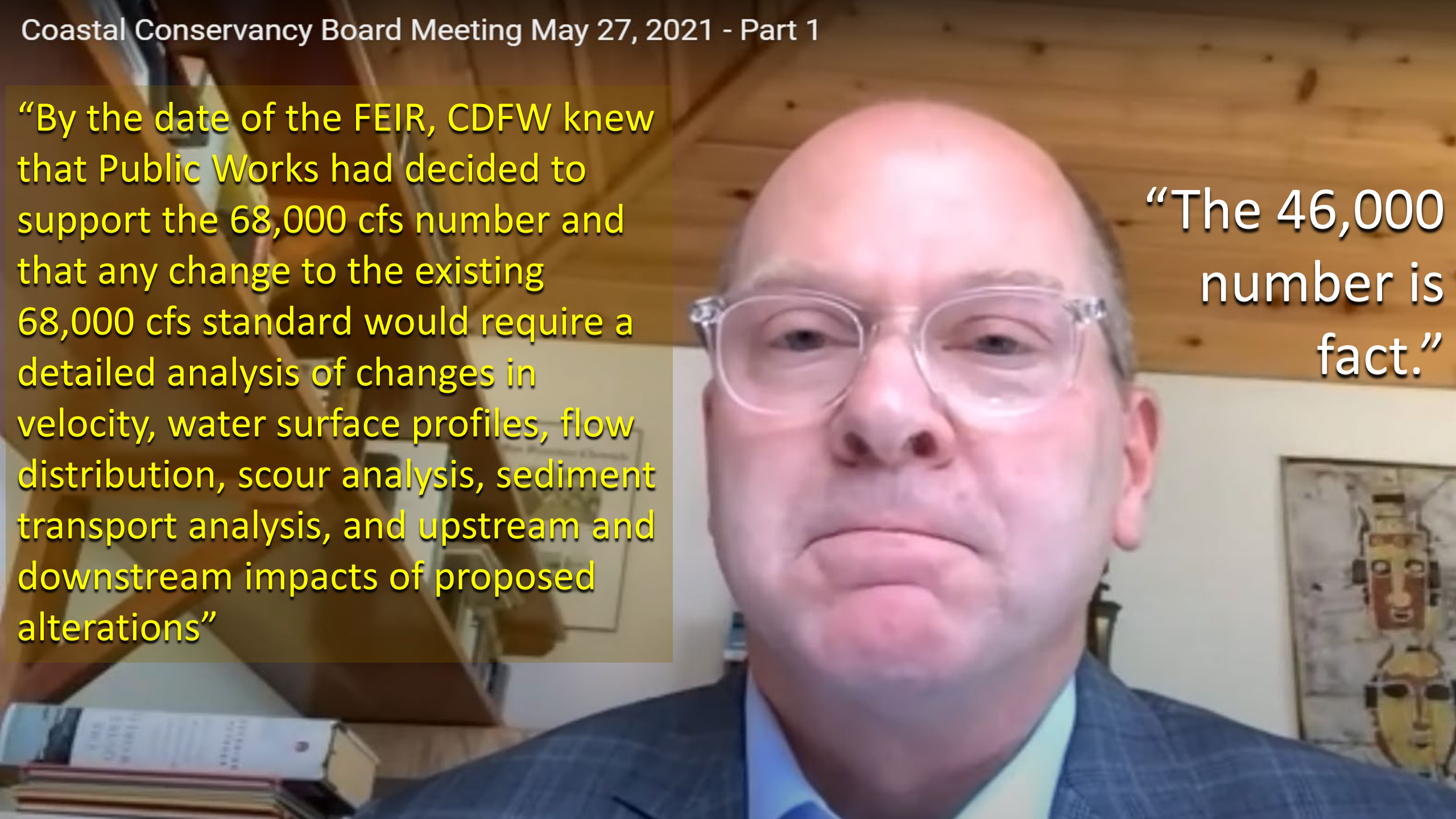
“The DEIR makes it appear that the 46,000 cfs standard for the Project had been approved by the Corps . . . by repeating an outdated Corps standard instead of disclosing the Corps’ actual position, the DEIR is not a good faith effort at disclosure.”

- Court ruling



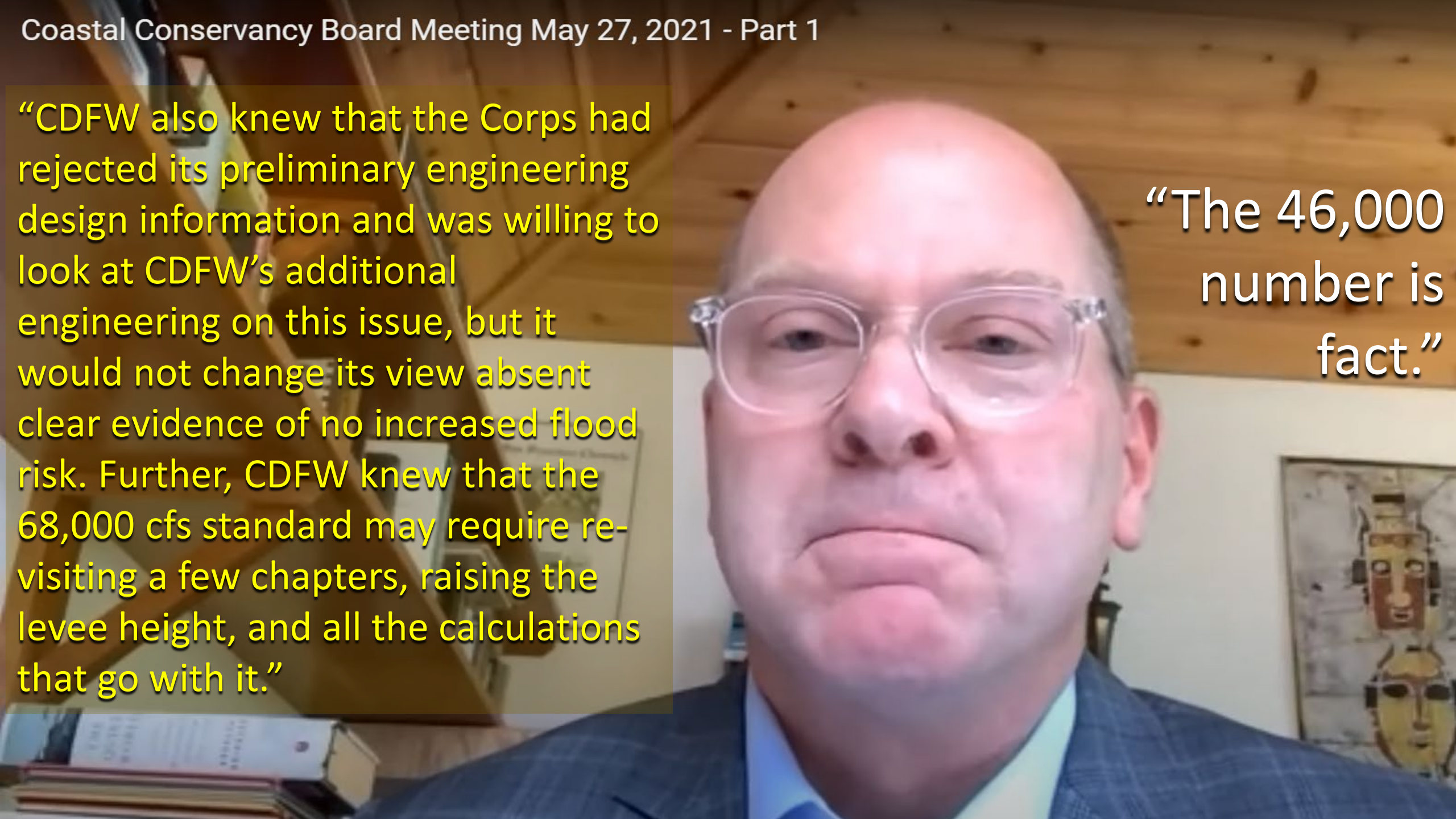
“By the date of the FEIR, CDFW knew that Public Works had decided to support the 68,000 cfs number and that any change to the existing 68,000 cfs standard would require a detailed analysis of changes in velocity, water surface profiles, flow distribution, scour analysis, sediment transport analysis, and upstream and downstream impacts of proposed alterations”

“The 46,000 number is fact.”



“CDFW also knew that the Corps had rejected its preliminary engineering design information and was willing to look at CDFW’s additional engineering on this issue, but it would not change its view absent clear evidence of no increased flood risk. Further, CDFW knew that the 68,000 cfs standard may require revisiting a few chapters, raising the levee height, and all the calculations that go with it.”

“The 46,000 number is fact.”



Infeasible Public Access Plan



Actual/Public Access





Our mission: Protect these wetlands from the Coastal Conservancy