

**NOTICE OF PREPARATION
PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE
CENTRAL VALLEY FLOOD PROTECTION PLAN
State Clearinghouse Number: 2010102044**

To: Governor's Office of Planning and Research/State Clearinghouse Unit,
Responsible and Trustee Agencies, and Stakeholders and Interested Parties

From: California Department of Water Resources

Date: October 27, 2010

Subject: Announcement of the following:

1. Notice of Preparation of a Program Environmental Impact Report for the Central Valley Flood Protection Plan
2. Public Scoping Meetings to be held:
 - November 15, 2010, from 6 – 8 p.m., Chico Masonic Family Center at 1110 West East Avenue, Chico, CA 95973
 - November 16, 2010, from 3 – 5 p.m., Sacramento Regional County Sanitation District Office Building at 10060 Goethe Road, Sacramento, CA 95827
 - November 18, 2010, from 6 – 8 p.m., at Stanislaus County Agricultural Center, 3800 Cornucopia Way, Harvest Hall D and E, Modesto, CA
3. Public Scoping Comments due by November 26, 2010

INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code (PRC) Section 21000 et seq.) and its implementing regulations, Title 14 California Code of Regulations, Section 15000 et seq. ("CEQA Guidelines"), the California Department of Water Resources (DWR) will prepare a Program Environmental Impact Report (PEIR) for the Central Valley Flood Protection Plan (CVFPP). Pursuant to a Lead Agency Agreement (per CEQA Guidelines Section 15051(d)), DWR is the lead agency, as defined in CEQA and the CEQA Guidelines, and the Central Valley Flood Protection Board (Board) is a responsible agency. The PEIR will evaluate potential impacts on the physical environment associated with adoption of the CVFPP by the Board, and subsequent implementation of the CVFPP.

In 2007, the California Legislature passed five interrelated bills addressing the problems of flood protection and flood damage liability, and directing the use of bond funds: Senate Bills 5 and 17, and Assembly Bills 5, 70, and 156. Primary authorization for the CVFPP originates in Senate Bill 5, also known as the Central Valley Flood Protection Act of 2008, resulting in specific requirements described in California Water Code (CWC) Sections 9600 through 9625. DWR is preparing the CVFPP to reflect a systemwide approach to improve integrated flood management in lands currently protected by existing facilities of the State Plan of Flood Control (SPFC), as described in CWC Section 9110(f) and California Public Resources Code Section 5096.805(e) and (j).

The CVFPP will address flood management in the Central Valley and will be implemented as part of the FloodSAFE Initiative. Launched in 2006, FloodSAFE is a multifaceted initiative to improve public safety and reduce flood damages in the State of California while strengthening DWR's core flood management programs and protecting and enhancing ecosystem function. FloodSAFE is a long-term effort, and its implementation relies on the cooperation and assistance of federal and state agencies, tribal entities, local sponsors, and other stakeholders.

The CVFPP is required to meet multiple objectives, including those described in CWC Sections 9614 and 9616. According to the proposed schedule, DWR will submit the proposed CVFPP to the Board by January 1, 2012. The Board will review the documents and adopt the CVFPP by July 2012. Before adoption of the CVFPP, the Board and DWR will hold joint hearings on the CVFPP and the PEIR. The CVFPP is to be updated every 5 years thereafter.

PURPOSE OF NOTICE OF PREPARATION

In accordance with CEQA Guidelines Section 15082, DWR has prepared this Notice of Preparation (NOP) to notify the Governor's Office of Planning and Research/State Clearinghouse Unit, responsible and trustee agencies, and stakeholders and interested parties that a PEIR will be prepared for the CVFPP. This NOP is soliciting guidance from these entities as to the scope and content of the environmental information to be included in the PEIR.

To assist the agencies in preparing their responses, this NOP provides the following information:

1. Location of the proposed project.
2. Brief description of the proposed project.
3. Statement of the probable environmental effects of the proposed project.

The location, description, and probable environmental effects of the proposed project are presented in the following sections of the NOP. An initial study was not prepared because DWR and the Board have determined that the proposed project may have a significant effect on the physical environment.

This NOP also announces the dates and locations of public scoping meetings to facilitate public input.

PROJECT LOCATION

Consistent with legislative directive (Senate Bill 5, 2007), the CVFPP will focus on improving public safety and reducing flood damages on lands protected by facilities of the SPFC, while also considering lands subject to flooding under current facilities and operation of the Sacramento-San Joaquin River Flood Management System; this area is known as the Systemwide Planning Area (SPA). The project location would also include the watersheds that are tributaries to the Central Valley, and the Sacramento-San Joaquin Delta (including Suisun Marsh). The project area is shown in Exhibit 1.

PROJECT DESCRIPTION

The CVFPP will describe a systemwide approach for implementing possible future flood management improvements in the Central Valley with a focus on lands currently protected by the SPFC. DWR is identifying a reasonable range of potential implementation approaches to accomplish the primary and supporting goals of the CVFPP, as follows.

Primary Goal

Improve Flood Risk Management – Reduce the chance of flooding, and damages once flooding occurs, and improve public safety, preparedness, and emergency response through the following:

- Identifying, recommending, and implementing structural and nonstructural projects and actions that benefit lands currently receiving protection from facilities of the SPFC.
- Formulating standards, criteria, and guidelines to facilitate implementation of structural and nonstructural actions for protecting urban areas and other lands of the Sacramento and San Joaquin river basins and the Delta.

Supporting Goals

Improve Operations and Maintenance – Reduce systemwide maintenance and repair requirements by modifying the flood management systems in ways that are compatible with natural processes, and adjust, coordinate, and streamline regulatory and institutional standards, funding, and practices for operation and maintenance, including significant repairs.

Promote Ecosystem Functions – Incorporate flood management system improvements that integrate the recovery and restoration of key physical processes, self-sustaining ecological functions, native habitats, and species.

Improve Institutional Support – Develop stable institutional structures, coordination protocols, and financial frameworks that enable effective and adaptive integrated flood management (designs, operations and maintenance, permitting, preparedness, response, recovery, land use, and development planning).

Promote Multi-Benefit Projects – Describe flood management projects and actions that also contribute to broader integrated water management objectives identified through other programs.

The NOP begins the PEIR scoping process. The proposed project and a reasonable range of feasible flood management alternatives will be evaluated and discussed at a broad level in the PEIR. The proposed project and alternatives to be described and evaluated in the PEIR will consist of a combination of potential actions that address the project goals. These actions may include, but are not limited to, the following:

- Repairing and improving existing levees (such as constructing levee setbacks, strengthening levees via berms or slurry/cutoff walls, or modifying levee crown elevations or widths)
- Improving existing flood management channels, overflows, and bypasses
- Constructing new levees, bypasses, or flood overflows

- Enhancing efficient use of flood storage and flood releases from reservoirs, or constructing new flood management storage facilities
- Creating new or improving floodplain storage or overflow areas
- Improving flood warning and preparedness (through implementing advance forecasting, flood warning systems, and emergency preparedness planning)
- Improving flood fighting, emergency response, and flood recovery efforts after flooding
- Enhancing efficient operations and maintenance of the flood management system (through implementing changes to financing, inspections, repairs, regulatory approvals, and mitigation)
- Integrating environmental solutions into flood management

Opportunities to integrate multiple benefits, such as environmental restoration or water supply, will be considered for the CVFPP and other reasonable alternatives which will vary depending on the type and extent of modifications to the existing flood management system.

The CVFPP will include a conservation framework that will describe how environmental stewardship would be an integral part of actions to improve the flood management system in the Central Valley.

PROBABLE ENVIRONMENTAL EFFECTS

The PEIR will provide a program-level analysis that considers the broad environmental effects (direct, indirect, and cumulative) of approving the CVFPP. The PEIR will also identify feasible approaches and mitigation measures to reduce significant or potentially significant environmental impacts.

Following Board adoption of the CVFPP, actions may be taken by flood management entities that could lead to significant changes to the overall makeup, configuration, operations, and maintenance of existing flood management facilities in the SPA, as well as include new flood management facilities. Potential actions could occur within or tributary to the SPA and significantly alter the physical conditions of the Central Valley's waterways and floodplains. Effects of actions in the SPA could potentially extend into Suisun Marsh and into watersheds tributary to the Sacramento-San Joaquin Valley (California Government Code Section 65007(g)). These areas described above constitute the preliminary PEIR study area (Exhibit 1). Changes in flood storage and flood releases from reservoirs could also potentially affect water supplies in the State Water Project and Central Valley Project service areas, although any such indirect effects are expected to be negligible. The preliminary PEIR study area will be expanded or contracted as necessary to cover any direct, indirect, or cumulative effects that may be identified during the PEIR impact assessment. The CVFPP would likely have the most substantial effects on the following resource areas.

Biological Resources – Aquatic

Changes to operations and configuration of facilities within the preliminary PEIR study area could have both direct and indirect beneficial and negative effects on fish migrations, movements, distribution, and abundance, as well as on spawning, rearing, and winter refugia habitat of common aquatic species and special-status fish species such as delta smelt,

steelhead, Chinook salmon, and green sturgeon. The PEIR will evaluate these effects and the potential effects of changing hydrodynamic characteristics and constructing new facilities on the extent and quality of aquatic habitats, including shaded riverine aquatic habitat.

Biological Resources – Terrestrial

Effects to terrestrial biological resources could occur from construction of new flood management facilities, and changes to operations and configuration of existing facilities. The PEIR will address potential effects to common and special-status species and habitat that could occur within the preliminary PEIR study area, particularly riparian species and habitats located along waterways within the study area. Species most likely to be evaluated include giant garter snake, valley elderberry longhorn beetle, red-legged frog, California tiger salamander, riparian brush rabbit, and Swainson's hawk and numerous migratory bird species.

Flooding Conditions and Flood Management System

Flood conditions and flood management facilities within the preliminary PEIR study area could be directly and indirectly affected by changes to existing facilities and facility operations, construction of new facilities, and changes to overall flood management within the system. The PEIR will address potential changes to flood protection levels and construction, configuration, operations, and maintenance of flood management facilities.

Hydrology and Water Quality

The CVFPP could directly affect the hydrodynamic characteristics and circulation of waterways within the preliminary PEIR study area. With changes to hydrodynamic characteristics, these waterways could exhibit changes to sediment and salinity concentrations and other water quality parameters. The PEIR will address potential changes to flows and water quality resulting from enhancing the efficient use of flood storage and flood releases from reservoirs, transitory storage, or bypasses.

Agricultural Resources

The CVFPP could affect agricultural lands within the preliminary PEIR study area, including land designated as Important Farmlands or Williamson Act Lands, through direct changes to flood protection levels for agricultural lands or construction of new facilities, and indirectly through changes in development patterns related to flood protection levels. The PEIR will address these potential effects.

Land Use and Planning

Changes to flood management policies, and to operations and configuration of flood management facilities, could have direct and indirect effects on land use and planning through changes to flood protection levels for existing development and undeveloped lands. Changes in land use and planning could also occur from modifying existing facilities and constructing new flood management facilities. The PEIR will address land use planning within the preliminary PEIR study area related to existing development and potential changes to location and extent of future development.

Recreation

Changes to the operations and configuration of flood management facilities could have direct or indirect potential effects to recreation uses and facilities within the preliminary PEIR study area. The PEIR will address effects on recreation uses and facilities, primarily water-dependent

recreation uses, related to changes in operations and configuration of flood management facilities.

Other Resource Areas

The CVFPP could also affect a variety of other resource areas, both temporarily and in the short term, through construction activities and, in the long term or permanently, through changes to facilities, land uses, and operations and maintenance. Therefore, the PEIR will also address potential direct, indirect, and cumulative effects on the following resource areas:

- Aesthetics
- Air quality
- Climate change/Greenhouse Gases
- Cultural and historic resources
- Energy
- Geology, soils, and seismicity (including mineral and paleontological resources)
- Groundwater resources
- Hazards and hazardous materials
- Noise
- Population, employment, and housing
- Public services
- Transportation and traffic
- Utilities and service systems

In addition, the PEIR will provide a consistency determination with the environmental justice policy of the California Natural Resources Agency, any growth-inducing impacts, and any potential significant irreversible changes to the environment. For all resource areas, the PEIR will identify cumulative impacts and any significant effects that cannot be avoided if the CVFPP is approved.

The PEIR will be used by the Board for the adoption of the CVFPP. DWR will rely on the PEIR for planning and feasibility studies for early CVFPP implementation activities. In addition, cities and counties located within the Sacramento-San Joaquin Valley (as defined in California Government Code Section 65007 (g)) are required by California Government Code Sections 65302.9 and 65860.1 to amend their general plan and zoning ordinance to contain specific information related to the adopted CVFPP. These cities and counties may rely, at least in part, on the PEIR. Other responsible and trustee agencies may use the PEIR in their decision-making processes.

PUBLIC SCOPING MEETINGS

DWR will conduct three public scoping meetings during the 30-day NOP public review period to inform interested parties about the proposed project, and to present responsible and trustee agencies and the public with an opportunity to provide comments on the scope and content of the PEIR.

Meeting attendees will have the opportunity to provide oral and/or written comments. The meeting locations will be accessible to persons with disabilities, and a court reporter and Spanish interpreter will be available. Individuals needing special assistive devices will be accommodated to the extent possible; for more information, please contact Crystal Spurr, Staff Environmental Scientist, at least 48 hours before the meeting (contact information is provided below).

PROVIDING COMMENTS ON THE NOTICE OF PREPARATION

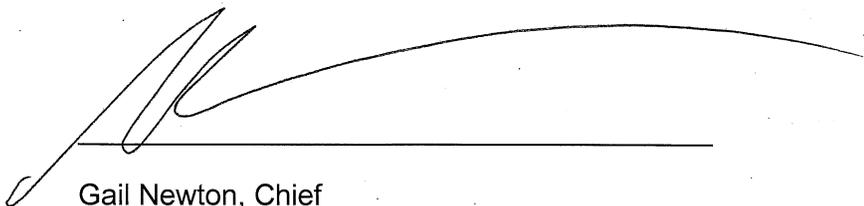
This NOP will be circulated for a 30-day public review period, as mandated under CEQA, beginning on October 27, 2010 and ending on November 26, 2010. Interested parties may provide oral and/or written comments on the proposed scope and content of the PEIR at the public scoping meetings, or may provide written comments directly to DWR. **Written comments on the NOP must be provided to DWR no later than 5 p.m. on November 26, 2010.**

Agencies that will use the PEIR when considering permits, authorizations, or other approvals for the proposed project should provide the name of a contact person. Comments provided by email should include the name and address of the sender and state "CVFPP PEIR NOP Scoping Comments" in the subject line. Please send all written and/or email comments on the NOP to:

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Sacramento, CA 95814
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Attachments

Exhibit 1



Gail Newton, Chief
FloodSAFE Environmental Stewardship and Statewide Resources Office
California Department of Water Resources

