Appendix 36
Consultation and Coordination

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Appendix 36: Consultation and Coordination
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Appendix 36A
Scoping Report

Integrated Storage Investigations

North-of-the-Delta Offstream Storage Investigation

Scoping Report

October 2002

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North-of-the-Delta
Offstream Storage Investigation

Scoping Report

October 2002

Gray Davis
Governor
State of California

Mary D. Nichols
Secretary for Resources
The Resources Agency

Thomas M. Hannigan
Director
Department of Water Resources

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North-of-the-Delta
Offstream Storage Investigation

Scoping Report

1.0 Summary of Scoping Process

The scoping process is used to identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in the environmental documentation and to eliminate from detailed study issues found not to be important.

This report is an overview of the written and verbal comments received on the North-of-the-Delta Offstream Storage Investigation. The purpose of this report is to: summarize the public concerns; evaluate the magnitude of concerns; and help decisionmakers decide on the range of alternatives for North-of-the-Delta Offstream Storage to be considered in the 404(b)(1) analysis and the Environmental Impact Statement/Environmental Impact Report.

2.0 North-of-the-Delta Offstream Storage Investigation Background

The North-of-the-Delta Offstream Storage Investigation was identified in the CALFED Record of Decision as one of five potential surface storage programs that could be implemented as part of a comprehensive plan to restore ecological health and improve water management for beneficial uses in the Bay-Delta system. The ROD specifically mentions Sites Reservoir as one of the surface projects requiring further consideration. The consideration of Sites Reservoir requires further technical work and environmental review including compliance with all requirements of the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA). Therefore, the U.S. Bureau of Reclamation (Reclamation) as the lead agency under NEPA and the Department of Water Resources (DWR) as the lead agency under CEQA are undertaking the process of developing alternatives to Sites Reservoir as part of the NODOS. These alternatives will be formulated and then evaluated in the Clean Water Act 404(b)(1) process and the Environmental Impact Statement/Environmental Impact Report process.

2.1 Draft EIS/EIR Outline

A copy of the draft outline of the EIS/EIR has been included in Appendix J to help in understanding how the documents will be organized.

3.0 Notification Process

To achieve the objectives stated in section 1.0, the public is notified of the proposed action and input is solicited during a comment period at which time the public may comment, in writing or in oral testimony, on the proposed action. Public meetings are held during this time to facilitate public input.

On November 9, 2001, the Federal Notice of Intent (Appendix A) was published in the Federal Register and on November 5, 2001, the State Clearinghouse mailed the Notice of Preparation (Appendix B). The NOI and NOP notified the public of the proposal, announced the dates and locations of public meetings, and solicited public comments. Public notification was also made through direct mailings (Appendix C) to local landowners and by advertisements in four different newspapers prior to the public meetings (Appendix D). In addition, a news release was placed on the DWR website homepage. The formal scoping

process for the North-of-the-Delta Offstream Storage Investigation began with the publication of the NOI and NOP and concluded on February 8, 2002. During the scoping period, three public, and one tribal, scoping meetings were held, as described below.

Public involvement will continue beyond the scoping process. Reclamation and DWR are committed to working with the public and interest groups in public informational meetings to continue to develop and refine the investigation's objectives. Once the draft environmental documents have been prepared, they will be made available to all interested parties for review. The availability of the environmental documents will be announced and a public comment period will follow to allow the public opportunity to comment on the findings of the documents. At the conclusion of this public comment period, Reclamation and DWR will address the comments and make final the environmental documents.

3.1 Scoping Meetings

Interested parties were encouraged to attend scoping meetings to provide verbal comments. Due to the nature of the project, scoping meetings were held in three locations to generate local interest and input. A fourth meeting was held with the potentially impacted Indian Tribes in the investigation area. The locations, dates and times, and number of attendees at each meeting are shown in Table 1.

Table 1 Summary of Scoping Meetings

Meeting Location	Date and Time	Attendees[a]
Sacramento	January 8, 2002 1:00 p.m. to 4:00 p.m.	35
Maxwell	January 9, 2002 6:00 p.m. to 9:00 p.m.	115
Fresno	January 15, 2002 6:00 p.m. to 9:00 p.m.	8
Cortina Indian Rancheria Office – Williams, CA	January 23, 2002 6:00 p.m. to 9:00 p.m.	9

[a] "Attendees" is a count of those parties that signed the guest register at the meeting; not everyone in attendance at the scoping meetings signed the guest register

Reclamation and DWR staff greeted attendees as they arrived and offered them comment cards. Attendees were encouraged to sign in on the guest register as part of an effort to create a master mailing list of those interested in the investigation. After introductions at the beginning of each meeting, Sean Sou, DWR's Project Manager, made a presentation concerning NODOS. Following the presentation the meeting was opened up for comments. All comments were recorded and transcribed.

4.0 Summary of Comments and Responses

Numerous individual verbal and written comments were received during the scoping process. Thirty-three people gave verbal comments during the public scoping meetings – 4 people provided comments in Sacramento, 23 people provided comments in Maxwell, no one provided comments in Fresno, and 6 people provided comments during the Tribal Scoping Meeting in Williams. Also, 34 letters were received during scoping, containing numerous individual comments. The letters were received from:

- Jeff Borland
- Sasha Borland
- Butte County, Board of Supervisors (Mary Anne Houx)

- California, Department of Food and Agriculture
- California, Secretary of State (Bill Jones)
- California Waterfowl Association
- Colusa County, Administrative Office (David J. Shoemaker)
- John and Nita Connelly
- Walter Cook
- Delta Keeper (Bill Jennings)
- Economic Development Corporation (William R. Waite)
- Friends of the River (Steve Evans)
- John Hancock/Brenda Brandon for Haskell Environmental Research Studies Center and Pomo Upperlake Reservation
- John and Janice Garino
- Kenneth Gilmore
- John S. Mills for Regional Council of Rural Counties (RCRC)
- John L. Morton
- Kern County Water Agency
- Metropolitan Water District
- Northern California Power Agency (Alan Zepp)
- Edward Owens
- Redding Electric Utility (James C. Feider)
- Richard Riolo
- Sacramento Municipal Utilities District (Paul Olmstead)
- Sacramento River Preservation Trust (John Merz)
- Senate Select Committee on CALFED (K. Maurice Johannessen)
- Brent Shanahan
- Shasta County Board of Supervisors, Patricia A. "Trish" Clark
- State Water Contractors
- The Bay Institute of San Francisco (Gary Bobker)
- United States Department of Interior, Bureau of Indian Affairs
- United States Environmental Protection Agency
- Tyrone Wolatt
- Yolo County Board of Supervisors

4.1 Comment Categories

In order to facilitate review, the comments have been grouped into the following categories:

Category 1: Identify Beneficial Users and Share Costs

Category 2: Purpose and Needs

Category 3: Project Alternatives

Category 4: Economic and Land Use Impacts

Category 5: Cumulative Impacts

Category 6: NEPA/CEQA Compliance

Category 7: Fisheries Impact

Category 8: Water Quality

Category 9: Air Quality

Category 10: Ground Water Levels

Category 11: Water Supply

Category 12: Flow Regimes

Category 13: Project Yield

Category 14: Geology and Seismicity

Category 15: Recreational Opportunities

Category 16: Power Use and Costs

Category 17: CALFED Linkage

Category 18: Relationship to other Water Projects

Category 19: Flood/Emergency Reservoir Release Impacts

Category 20: Sites Reservoir Alternative

Category 21: Request to be a Cooperating Agency

Category 22: Indian Trust Assets

Category 23: Cultural Resources

Category 24: Newville Reservoir Alternative

Category 25: Issues not addressed in Environmental Documentation

4.2 Category Summaries and Responses

The following sections give a synopsis of the comments received in each category, and a response as to how that category of comment will be addressed in the environmental documentation.

Category 1: Identify Beneficial Users and Share Costs

Summary: Forty-five comments concerning identification of beneficial users and cost allocation were received. These comments ranged from stating that the direct beneficial users of water from this investigation need to be identified, to comments questioning who the possible secondary beneficiaries might be if additional flexibility is created in the statewide water system by the operation of this program. Of the forty-five comments, eighteen dealt specifically with the costs of the program and the need to have the beneficial users pay for the water.

Response: Reclamation and DWR are partners with local water interests and other State and federal agencies. They will continue to work on identifying beneficiaries while drafts of the Engineering Feasibility report and EIS/EIR are written. If beneficial users are not identified by the time the EIS/EIR is final, a supplemental environmental report may need to be prepared. The cost of the project will be determined from the DWR feasibility study that is concurrently being developed.

Category 2: Purpose and Needs

Summary: There were twenty comments concerning the investigation's purpose and need. Six of the comments offered possible purposes and needs, and reasons of justification. The remaining comments in this section stated that a purpose and need statement must be developed in order to screen project alternatives. Other comments requested that the needs for new surface storage be addressed in the environmental documents.

Response: Reclamation, DWR, and the Planning Partnership are jointly developing a purpose and need statement for North-of-the-Delta Offstream Storage. The purpose and need statement is being developed with input from stakeholders, environmental interests, and regulatory agencies. The purpose and need statement will be used to screen alternatives in the 404(b)(1) analysis and the EIS/EIR. Future water need in California will be discussed in the environmental documents.

Category 3: Project Alternatives

Summary: Fifty-seven comments were directed towards investigation alternatives. Some comments were specific in the additional types or range of alternatives – such as water use efficiency, conjunctive use, land fallowing, wastewater reclamation and recycling, and Lake Shasta enlargement – that should be considered in the environmental documents. Others discussed more generally what alternatives should or should not be looked at, or what some of the possible benefits or impacts of certain alternatives might be.

Response: North-of-the-Delta Offstream Storage will evaluate Sites Reservoir and a reasonable range of alternatives as part of the Clean Water Act, Section 404 (b)(1) analysis. The alternatives will be screened and evaluated based on the ability to meet the purpose, objectives and screening criteria for North-of-the-Delta Offstream Storage. Alternatives that do not meet any of the purpose and objectives will not be carried forward for analysis in the EIS/EIR. Alternatives evaluated in the EIS/EIR will be evaluated at comparable levels of detail.

Category 4: Economic and Land Use Impacts

Summary: Economics were addressed in twenty-three separate comments. These comments ranged from discussing the local economic impacts of changes in land use and the removal of those properties from the county tax base to determining the cost to benefit ratios for the various alternatives that will be developed. Other comments express concerns about impacts to landowners who will be relocated and access routes for the public. Further, several comments were directed at the impact of integrating this investigation with the Central Valley Project.

Response: As the investigation alternatives are developed and evaluated, economic analysis will be done so that these impacts can be addressed. Reclamation and DWR will continue to seek input from the public and other agencies to quantify the actual fiscal impacts of implementation of this investigation.

Category 5: Cumulative Impacts

Summary: Five comments were made about cumulative impacts. These comments addressed the need to fully analyze and disclose cumulative impacts and questioned how new storage could change land use and water use throughout the state.

Response: Under NEPA and CEQA cumulative impacts must be addressed. NODOS is working with other CALFED programs to determine cumulative impacts and to develop a standard method of determining and reporting cumulative impacts across all programs. These impacts will be discussed in the EIS/EIR Cumulative Impacts chapter.

Category 6: NEPA/CEQA Compliance

Summary: Thirty comments were identified as addressing NEPA/CEQA compliance issues. Those comments ranged from discussions of general environmental impacts, fish and wildlife impacts, and environmental justice issues to area of origin concerns.

Response: Reclamation and DWR staff will be working with regulatory agencies at the federal and State levels to ensure compliance with NEPA and CEQA. The scoping period and this scoping report are the first steps in this process.

The EIS/EIR will identify environmental impacts for each of the alternatives. Environmental impacts will be evaluated by resource categories. The various resource categories to be evaluated are shown in the draft outline of EIS/EIR chapters included in this scoping report.

Category 7: Fisheries Impact

Summary: Four comments on fisheries impacts were submitted. Of greatest concern are the impacts of changed diversion timing and location on anadromous fish. One comment suggested the need to discuss various benefits to fish because of changed releases out of other reservoirs.

Response: Impacts to fisheries and their habitat resulting from the diversion of water from the Sacramento River to fill an offstream storage facility will be evaluated in the EIS/EIR. A flow-regime technical advisory group has been formed to assist in the evaluation of potential impacts, mitigation, and benefits associated with North-of-the-Delta Offstream Storage related to meander and ecosystem development. One of the tasks for the flow-regime technical advisory group is to characterize diversion limits (pattern/timing, volume) to avoid or minimize adverse impacts to environmental values, including fish migration.

Category 8: Water Quality

Summary: There were five comments on water quality. Concern was expressed over pollutants in one of the proposed storage locations. Questions were raised concerning changes in both surface and groundwater quality, and changes in water quality in the Bay-Delta area, and mitigation measures for impacts to Delta water quality caused by implementation of CALFED Stage 1 facilities and operations.

Response: Water quality will be evaluated in the EIS/EIR. The evaluation will consider temperature and physical and organic constituents. The evaluation will consider incremental changes that could occur due to the diversion, conveyance, storage, and discharge of the water and at each of the sites where these activities could occur. The water quality changes and values will be compared to beneficial uses of the streams, irrigation water, and groundwater both at the diversion, conveyance, storage, and discharge site and incremental changes that could occur downstream of these locations.

Category 9: Air Quality

Summary: Three comments were received about air quality. The comments pointed out the need to discuss air quality standards, ambient conditions, and potential air quality impacts for the region. In addition, the Clean Air Act requirements need to be conformed with and that environmental documents should evaluate the extent that the proposed project may release a significant amount of these pollutants and include a description of the new ozone and PM2.5 standards.

Response: The impacts to air quality of each alternative will be analyzed in the Air Quality chapter of the EIS/EIR. The impacts to air quality due to construction, road relocations and increased driving times for local residents and possible increased traffic due to recreational opportunities will be examined.

Category 10: Groundwater Levels

Summary: Three comments were received concerning groundwater levels. The comments requested that geological and engineering studies to evaluate the effects of groundwater levels on lands in the vicinity or downstream of the reservoir locations be conducted.

Response: DWR, through its feasibility studies, has studied groundwater and the seepage potential at various storage locations. Seepage potential will be summarized in the feasibility report. Direct and indirect impacts on groundwater levels will be evaluated in the Groundwater Resources and Groundwater Quality chapter of the EIS/EIR.

Category 11: Water Supply

Summary: Thirteen comments were submitted discussing water supply issues. Several comments were directed toward the inadequacy of the existing supply infrastructure and the increasing pressure placed on it by continued population growth throughout the state. Concern was expressed about changes in other area water supplies if this program were implemented, as well as the possible adverse impacts on water supplies due to global warming.

Response: This investigation was formulated as a component of CALFED's comprehensive plan to address water supply issues. The impacts of the alternatives for offstream storage to local and regional water supplies will be examined in the Water Supply chapter of the EIS/EIR.

Category 12: Flow Regimes

Summary: Thirteen comments concerning flow regime were submitted. The major concerns are the potential impacts of new or changed diversions on river geomorphology, riparian and aquatic habitats, river meander and flows.

Response: Potential effects on the Sacramento River flow regime will be evaluated and addressed in the EIS/EIR. A flow-regime technical advisory group has been formed to assist in the evaluation of potential impacts, mitigation, and benefits associated with North-of-the-Delta Offstream Storage related to meander and ecosystem development. The flow regime TAG will also evaluate geomorphology, meander migration, and ecosystem development associated with the operation of an offstream storage project in the Sacramento River.

Category 13: Project Yield

Summary: Five comments directly addressed project yield. The main issues raised were the yield of the project, the quantity of "new" water available, and how often do the users receive this water.

Response: Ongoing evaluations of potential project operations will help determine project yield as well as how many users the investigation can support and at what level of water use. This in turn will help in determining the cost of water to the users. As the operational flexibility of the various alternatives is developed, the values for project yield will be determined. This will be fully discussed in the EIS/EIR.

Category 14: Geology and Seismicity

Summary: There were four comments about geology and seismicity in the study area. Comments focused on the need to study the impacts of reservoir-induced seismicity and the

results of an earthquake on the local area. In addition, one comment suggested that the costs of engineering a dam and facilities to withstand the probable maximum earthquake should be fully evaluated.

Response: Reclamation and DWR will examine the potential for reservoir induced earthquakes and address this issue in the Geology and Soils chapter of the EIS/EIR. In addition, the probable maximum earthquake will be analyzed and any structures related to the storage investigation would be designed to withstand that event.

Category 15: Recreational Opportunities

Summary: Four comments addressed issues about recreational opportunities. From a local perspective, recreational opportunities at a reservoir are desirable. The local people would like to be involved with the development of the recreational facilities. In addition to the fishing and boating activities that might normally occur on a reservoir, comments were made in support of hunting in general and waterfowl hunting in particular.

Response: Issues regarding the development of various recreational activities will be addressed in the Recreation chapter of the EIS/EIR.

Category 16: Power Use and Cost

Summary: Nineteen comments addressed issues related to power use and cost. The majority of these comments were concerned with the impacts to power costs and availability if water was pumped into a new reservoir. CVP preference customers expressed concern about the economic effects of integrating a new reservoir into the CVP infrastructure.

Response: Issues related to power use, beneficial uses and impacts, power sources, project costs, and cost-sharing will be addressed in the EIS/EIR.

Category 17: CALFED Linkage

Summary: Twenty-one comments addressed linkages to CALFED. These comments mentioned the need to describe fully the linkage to the CALFED PEIS/EIR and the relationship of this investigation to other CALFED programs such as Environmental Water Account, Ecosystem Restoration Program, Conjunctive Use and Water Use Efficiency. Also mentioned is the need to consider potential problems related to tiering from the CALFED PEIS/EIR because of on-going litigation.

Response: Reclamation and DWR's work on the North-of-the-Delta Offstream Storage Investigation is proceeding as a component of the CALFED Bay-Delta Program. As committed to in the CALFED ROD, the NODOS EIS/EIR will use information from the CALFED PEIS/EIR to develop the NODOS EIS/EIR and to avoid duplicating efforts. Should litigation result in significant changes to the CALFED PEIS/EIR and ROD, additional work may be required on the NODOS EIS/EIR.

Category 18: Relationship to Other Water Projects

Summary: Fifteen comments were received addressing the relationship of this investigation to other existing and proposed water programs and projects in the State. Concern was expressed over the change in operation of the Trinity River, specifically that water from Trinity not be counted for use in the investigation. Another concern was expressed over water availability for this program versus an Auburn Dam or CVPIA or Phase 8.

Response: The EIS/EIR and supporting documents will clearly explain the need for the project, justification for the project, and the relationship of the project to other activities and programs in the State. These relationships will be evaluated in operational studies, in cumulative impact analyses, and in program alternatives.

Category 19: Flood/Emergency Reservoir Release Impacts

Summary: Two comments addressed flood control and emergency releases from a reservoir. The comments requested that the EIS/EIR quantify the impacts of the establishment of downstream flood flow capacity on downstream land use and development and the increase in the cost of the project associated with the relocation of structures and roads and levee construction.

Response: Reclamation and DWR are examining the impacts of flow releases on the downstream areas. Descriptions of emergency release channels meeting Division of Safety of Dams requirements will be included in the descriptions of dam alternatives in the EIS/EIR.

Category 20: Sites Reservoir Alternative

Summary: Sixteen comments were submitted that dealt with Sites Reservoir alternative specifically. Many of the comments expressed either general or specific support of Sites Reservoir. Several comments were submitted concerning road locations if Sites Reservoir were constructed and the effects of such relocations on access to remaining landowners and the local economy.

Response: Reclamation and DWR appreciate hearing from the various communities in Northern California and particularly the individuals who will be most affected by portions of some alternatives. Reclamation and DWR will make every effort to continue to keep you informed and involved in this process. Input on the locations of infrastructure to support a project remains important and will be sought as Reclamation and DWR develop the EIS/EIR.

Category 21: Request to be a Cooperating Agency

Summary: The Bureau of Indian Affairs (BIA) requested inclusion as a cooperating agency.

Response: Reclamation is working with BIA to include them as a cooperating agency.

Category 22: Indian Trust Assets

Summary: Tribes provided commentary concerning Indian Trust Assets at the January 23, 2002, Tribal Scoping Meeting pertaining to CALFED Surface Storage Projects. The tribes requested a government-to-government relationship evolve as indicated in the CALFED Record of Decision and as recognized by Department of Interior policies.

Tribes indicated concern about their water rights, current water supply and future availability/access to water. Tribes were concerned about the quantification of tribal water rights and the potential degradation of water quality and the depletion of tribal groundwater potentially related to the CALFED Surface Storage Projects.

Tribes wanted additional information about how and where CALFED Surface Storage Projects would operate, such as location of conveyance systems used, and how the projects would operate during dry years.

Tribes are very concerned about the kinds and types of mitigation that may be implemented if impacts to Indian Trust Assets (such as water) or Cultural Resources are discovered in the planning process. Tribes want to participate and contribute to discussions pertaining to alternatives and impacts regarding CALFED Surface Storage Projects.

Response: Reclamation and DWR are coordinating guidelines that would be adhered to when working with tribes on CALFED Surface Storage Projects. The U.S. must consult with tribes when a federal project potentially impacts the trust assets of tribe(s). The CALFED ROD also indicates that CALFED agencies, both state and federal, will consult with federally recognized tribes on a government-to-government basis.

Category 23: Cultural Resources

Summary: Tribes expressed concern about the impacts CALFED Surface Storage Projects (such as Sites and Shasta) would have on cultural resources, sacred sites, traditional properties and gathering areas, including the use and access to such sites where traditional cultural practices occur. Tribes are also concerned on how confidentiality will be maintained regarding information they provide to the United States regarding such cultural resources.

Response: In compliance with Section 106 of the National Historic Preservation Act Reclamation will consult with tribes to determine if properties which may be of religious and cultural significance to them and may be eligible to the National Register of Historic Places are present within the area of potential effect. Federal laws allow for confidentiality of information concerning an undertaking and its effects on historic properties and can be used to protect the privacy of non-governmental participants (36 CFR 800.11(c)).

Category 24: Newville Reservoir Alternative

Summary: Twenty-four comments were submitted that were specific to the Newville Reservoir alternative. In general these comments were in opposition to the current Newville Reservoir formulation. Many local residents are concerned that the reservoir will have devastating impacts on the environment and wildlife and fish habitat and the proposed access roads will disrupt the diverse wildlife habitat and cattle. In addition, local residents are concerned that the reservoir will destroy the area's cultural and historical landmarks and resources.

Response: Reclamation and DWR will consider these comments during the alternatives screening process. The results of the screening process will be discussed at future public meetings.

Category 25: Issues Not Addressed in this Environmental Document

Summary: Two comments were identified as issues that will not be addressed in the EIS/EIR. The first comment dealt with costs associated with increased staff time to review environmental documents at a county level. The second comment mentioned the possibility of incentives to encourage local farmers to exchange their gas or diesel powered water pumps for electrical powered pumps in an effort to help reduce air pollution.

Response: It is understood that local governments will utilize resources in their review of environmental documents. This type of activity is part of the normal duty that county or city staff members perform and the costs associated with review of this type of investigation are not reimbursable by lead agencies under NEPA or CEQA.

This investigation deals with water supplies and water use. Incentives for changing the types of pumps used to move water are outside the scope of this investigation and will not be examined under NODOS. There are other programs being implemented by Air Quality Management Districts and Environmental Protection Agency to compare different types of mechanical equipment in order to improve air quality.

Appendix A: Notice of Intent

The following text was copied from the Federal Register Website, where the Notice of Intent was published.

Website:

http://www.epa.gov/fedrgstr/EPA-IMPACT/2001/November/Day-09/i28138.htm

North of the Delta Offstream Storage, California

[Federal Register: November 9, 2001 (Volume 66, Number 218)]

[Notices]

[Page 56708-56709]

From the Federal Register Online via GPO Access [wais.access.gpo.gov]

[DOCID:fr09no01-101]

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

North of the Delta Offstream Storage, California

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of intent to prepare an environmental impact report/environmental impact statement (EIR/EIS).

SUMMARY: The Bureau of Reclamation (Reclamation) intends to participate with the California Department of Water Resources (DWR) in the North of the Delta Offstream Storage (NDOS). Pursuant to the National Environmental Policy Act (NEPA) of 1969 (as amended), and the California Environmental Quality Act (CEQA), Reclamation and DWR propose to prepare a joint (EIR/EIS) for the NDOS. NDOS will evaluate potential surface storage north of the Delta in the Sacramento Valley watershed. The CALFED Programmatic Environmental Impact Statement/Report (PEIS/PEIR) and Record of Decision (ROD) identified the NDOS. Reclamation will use the results of this environmental analysis and other studies to seek Congressional authority as necessary for implementation of the preferred alternative.

DATES: Reclamation and DWR will hold three scoping meetings to seek public input on alternatives, concerns, and issues to be addressed in the EIR/EIS. The dates are:

January 8, 2002, 1 to 4 p.m, Sacramento, California

January 9, 2002, 6 to 9 p.m., Maxwell, California

January 15, 2002, 6 to 9 p.m., Fresno, California

Written comments on the scope of alternatives and impacts to be considered should be sent to DWR at the address below by Friday, January 25, 2002.

ADDRESSES: Meeting locations are:

Sacramento at the Bonderson Building Hearing Room, 901 P Street

Maxwell at the Maxwell Inn, 81 Oak Street

Fresno at the Piccadilly Inn--University, 4961 N. Cedar

Written comments on the scope of the EIR/EIS should be sent to Scott D. Woodland, P.E., Department of Water Resources, Division of Planning and Local Assistance, PO Box 942836, Sacramento, CA 94236, or faxed to (916) 651-9289.

FOR FURTHER INFORMATION CONTACT: Scott Woodland at (916) 651-9278, or email at woodland@water.ca.gov; or Donna Garcia, Bureau of Reclamation, Division of Planning, 2800 Cottage Way, Sacramento, CA, telephone: (916) 978-5009.

SUPPLEMENTARY INFORMATION:

Sacramento Valley Resources

Roughly three-quarters of California's runoff occurs north of Sacramento, while about three-quarters of California's water is used south of Sacramento. This imbalance in the location of water supply and demand has continually placed pressure on the Sacramento Valley watersheds. In recent years, demand for water supply has grown, not only due to increased population but also due to efforts to protect California's water quality and its ecological resources. To better manage Sacramento Valley water resources, the water supply system requires new infrastructure, regulatory stability, and increased system flexibility.

CALFED

The CALFED Bay-Delta Program (CALFED) is a cooperative, interagency effort of 23 State and Federal agencies established to develop and implement a long-term comprehensive plan that will restore ecological health and improve water management for beneficial uses of the Bay-Delta system and its tributary watersheds. These watersheds include the Sacramento Valley and watersheds located south of the Delta that use water from the Sacramento Valley in addition to local water supplies.

The CALFED agencies completed the PEIS/PEIR process in July 2000 and filed the ROD in August 2000. The PEIS/PEIR concluded a process of broad environmental analysis that evaluated a wide range of concepts. The ROD sets forth the Preferred Program Alternative and the strategy for implementation of that alternative. The descriptions of the alternatives are programmatic in nature, defining broad approaches to meet Program purposes. The Preferred Program Alternative includes eight program elements: Levee System Integrity, Water Quality, Ecosystem Restoration, Water Use Efficiency, Water Transfer, Watershed, Conveyance, and Storage. The ROD states: “Expanding water storage capacity is critical to the successful implementation of all aspects of the CALFED Program. Not only is additional storage needed to meet the needs of a growing population but, if strategically located, it will provide much needed flexibility in the system to improve water quality and support fish and wildlife restoration efforts. Water supply reliability depends upon capturing water during peak flows and during wet years, as well as more efficient water use through conservation and recycling.”(ROD, page 42).

Associated Programs

In addition to the CALFED Stage 1 actions to expand surface and groundwater storage, there are several Northern Sacramento Valley programs under way that are expected to contribute to water supply reliability or habitat restoration. Development and evaluation of alternatives for augmenting storage and system flexibility in the northern Sacramento Valley will consider the potential outcomes and information from the CALFED Integrated Storage Investigations' Groundwater/Conjunctive Use program and Onstream Storage Enlargement (Enlarged Shasta) investigation and from other Sacramento Valley water management programs. Some of the larger programs include:

Sacramento Valley Agreement (Phase 8 Bay-Delta Settlement Agreement)

Sacramento Valley Basinwide Management Plan

CALFED Ecosystem Restoration Program Sacramento River Conservation Area (SB 1086)

Sacramento/San Joaquin River Comprehensive Study

North of the Delta Offstream Storage

The CALFED ROD specified two actions to be completed before deciding whether to proceed with offstream storage north of the Bay-Delta. The first was to create a partnership with local water interests and the second was to complete environmental review and planning documentation for a reservoir with a capacity of up to 1.9 MAF by August 2004. DWR and Reclamation have completed the first of these directives and are working on the second. In order to comply with all environmental laws, DWR and Reclamation will examine a broad range of alternatives in an open and inclusive process. The investigation will analyze alternatives in terms of how well they meet the objectives described below and their beneficial and adverse impacts.

Objectives

The ROD gives direction on objectives for north of the Delta offstream storage:

Enhance water management flexibility in the Sacramento Valley.

Reduce water diversion on the Sacramento River during critical fish migration periods.

Increase reliability of supplies for a portion of the Sacramento Valley.

Provide storage and operational benefits for other CALFED programs including Delta water quality and the EWA.

Possible Alternatives

Since this EIR/EIS will be a tiered document from the CALFED PEIS/PEIR, the scope of alternatives will be limited to issues directly associated with water storage located north of the Delta. The following possible alternatives for the NDOS have been identified, and will be included in the alternative analysis along with other alternatives developed during the scoping process. The alternatives evaluated in the EIR/EIS will include consideration of CALFED Stage 1 actions as defined in the ROD:

1. No Project (Present Condition)

This alternative would be defined as present conditions when the Notice of Preparation and Notice of Intent are filed, and without a north of the Delta offstream storage project. Neither the potential environmental benefits nor adverse effects would occur.

2. No Action (Future Condition)

The No Action Alternative is a description of the anticipated physical, project operation, and regulatory features that would be in place in 2020 without a north of the Delta offstream storage project. The No Action Alternative is used as a basis for comparison of the project alternatives in 2020.

3. Sites Reservoir Alternative

This alternative would consist of an offstream reservoir with a capacity of up to 1.9 million acre-feet in size and would be located approximately 10 miles west of Maxwell. The reservoir would inundate the community of Sites and most of Antelope Valley. The main dams would be constructed on Funks Creek and on Stone Corral Creek. Up to nine saddle dams would be needed. This alternative will be evaluated with different levels of conjunctive use.

Source and conveyance options for this reservoir include:

a. The use of the Glenn-Colusa Irrigation District Diversion and Canal, either in its current capacity or in an enlarged capacity.

b. The use of the Tehama-Colusa diversion and canal in its current capacity or in an enlarged capacity.

c. A new diversion and conveyance facility from the Sacramento River near Moulton Weir.

d. A new conveyance facility from the Colusa Basin Drain.

Diversions and conveyance tunnels from East Park Reservoir and/or Stony Gorge Reservoir.

e. A combination of these options.

New or existing delivery facilities from the reservoir would be required, depending on the beneficial uses served.

4. Newville Reservoir Alternative

This alternative would consist of an offstream reservoir with a capacity between 1.9 million and 3.0 million acre-feet in size and would be located approximately 18 miles west of the City of Orland. A single earth embankment dam on North Fork Stony Creek along with various saddle dams would create the impoundment area. Since North Fork Stony Creek is a very small drainage area, diversion and conveyance facilities would be needed. This alternative will be evaluated with different levels of conjunctive use. The following options are being considered.

a. Stony Creek Diversion which would move water from Black Butte Lake to the Reservoir by canal via a new, smaller reservoir, Tehenn Reservoir. Tehenn Reservoir would serve as a forebay/afterbay to the Newville Reservoir.

b. A direct canal from Black Butte Reservoir to Newville to avoid an historical cemetery.

c. A diversion from nearby Thomes Creek which has an annual runoff of approximately 200,000 acre-feet. This diversion would require a small dam and a pipeline over a ridge that separates the creek from Newville Reservoir.

d. Diversion and conveyance facility from the Sacramento River.

e. A combination of the above options.

New or existing delivery facilities from the reservoir would be required, depending on the beneficial uses served.

5. Other Possible Alternatives

As stated earlier, storage projects are not to be developed in isolation but rather as part of an overall water management strategy. Thus, this EIR/EIS will evaluate whether other possible alternatives meet the NDOS objectives. Two possible alternatives include the conjunctive use and enlarged Shasta programs mentioned in the above Associated Programs section. These could be evaluated as stand-alone alternatives or as sub-alternatives operated in conjunction with north of the Delta offstream storage to optimize system flexibility and efficiency.

These and other possible alternatives will be considered and developed through comments received during the scoping process. During scoping, DWR and Reclamation will be seeking input about possible methods for evaluating conjunctive water management that will meet CALFED criteria for local management of conjunctive use projects.

Our practice is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their home address from public disclosure, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold a respondent's identity from public

disclosure, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public disclosure in their entirety.

Dated: October 26, 2001.

Frank Michny,

Regional Environmental Officer.

[FR Doc. 01-28138 Filed 11-8-01; 8:45 am]

BILLING CODE 4310-MN-P

[EPA Home | FR Home | Comments | FR Search]

Last Updated: 11/09/2001 08:45:24

URL: http://www.epa.gov/fedrgstr/EPA-IMPACT/2001/November/Day-09/i28138.htm

Appendix B: Notice of Preparation

Notice of Preparation of Environmental Impact Report/Statement

Department of Water Resources
North-of-the-Delta Offstream Storage Investigation

Introduction

The Department of Water Resources (DWR), as the State lead agency under the California Environmental Quality Act (CEQA), and the Bureau of Reclamation (Reclamation) as the federal lead agency under the National Environmental Policy Act (NEPA) will prepare an Environmental Impact Report/Statement (EIR/S) for the development of offstream water storage north of the Sacramento/San Joaquin Delta.

The purpose of this notice is to notify the public and agencies that may be involved in approvals or review of the project of the intent to prepare the environmental documentation. DWR and Reclamation are seeking comments on:

- The definition of future conditions without Offstream Storage (No Project/Action Alternative)
- Alternatives to be considered
- Focus of Impact Assessment with respect to potential benefits or impacts
- Issues to be considered in the Cumulative Impact Assessment

The scoping and comment period will conclude on Friday, January 25, 2002. Written comments should be directed to:

Scott D. Woodland P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001
Fax: (916) 651-9289

Questions regarding this Notice of Preparation should be directed to Scott Woodland at (916) 651-9278 or emailed to woodland@water.ca.gov.

DWR will also accept written and oral comments on the scope and content of the EIR/S at scoping meetings that will be held as follows:

Tuesday, January 8, 2002 1:00 p.m. to 4:00 p.m. Bonderson Building Hearing Room 901 P Street Sacramento, California	Wednesday, January 9, 2002 6:00 p.m. to 9:00 p.m. Maxwell Inn 81 Oak Street Maxwell, California	Tuesday, January 15, 2002 6:00 p.m. to 9:00 p.m. Piccadilly Inn – University 4961 N. Cedar Fresno, California

At the conclusion of the scoping process, a report will be prepared that will summarize the comments and alternatives to be carried forward. DWR and Reclamation will then begin

the work of preparing the Clean Water Act Section 404(b)(1) alternatives analysis as well as the EIR/S.

Background

Sacramento Valley Resources

Roughly three-quarters of California's runoff occurs north of Sacramento, while about the same proportion of urban and agricultural water demand is south of Sacramento. This statewide imbalance in water supply and demand has continually placed pressure on the Sacramento Valley watershed. In addition to providing water for uses south of the region, the Sacramento River and its tributaries also provide water supply within the region for about 2.5 million people and associated industries; irrigation of over 2 million acres of farmland producing rice, grain, fruits, nuts and vegetables; flooding of almost 200,000 acres of permanent and seasonal marsh and agricultural land that serves as waterfowl habitat; and flows to support riverine habitat. The water uses within the region are expected to increase, driven primarily by a projected 2020 population of almost 4 million. Demand for water south of the region will increase similarly due to population growth.

The Sacramento River supports a diverse, complex ecosystem, the largest and most important riverine ecosystem in California. The river is the largest element of the Sacramento-San Joaquin River Delta watershed, providing about 80 percent of the inflow to the Delta. Several water development and flood control projects have altered the river's natural flow regime, sediment transport capabilities, and riparian and riverine habitats. A number of species that depend on the riverine ecosystem have been designated as threatened or endangered, including chinook salmon and splittail. Ecosystem and water management priorities associated with the Sacramento River present formidable challenges.

In addition to these challenges, the threat of drought is an ever-present factor in California water management and planning, and the duration of a drought can be difficult to forecast. Droughts in California have run as short as the record-setting dry period from February through June 1997 and as long as the 1987-92 drought. Added to this uncertainty are regulatory decisions to protect water quality and fisheries. Decisions such as the State Water Resources Control Board Order 95-6 adopting an interim water quality control plan for the Bay-Delta, and actions to implement the Central Valley Project Improvement Act have changed water allocations significantly. An improved level of water management is necessary to meet and balance the many competing water needs.

Currently, management of the Sacramento River system between Keswick and the Delta is determined by a combination of hydrology, water use, water resources infrastructure, and local, State, and Federal regulatory and resource agency operational decisions. North-of-the-Delta offstream storage would provide the additional system flexibility needed for balancing ecosystem, environmental, agricultural and municipal and industrial water uses.

CALFED

The CALFED Bay-Delta Program is a cooperative, interagency effort of more than 20 State and Federal agencies established to develop and implement a long-term comprehensive plan that will restore ecological health and improve water management for beneficial uses of the San Francisco Bay/Sacramento-San Joaquin River Delta system and its tributary watersheds. To practicably achieve its program purpose, CALFED agencies will concurrently and comprehensively address problems of the Bay-Delta system within each of four resource categories: ecosystem quality, water quality, water supply reliability, and Delta levee system integrity. Important physical, ecological, and socioeconomic linkages exist between the problems and possible solutions in each of these categories.

The Bay-Delta Program objectives are to provide good water quality for all beneficial uses; improve habitat and ecological function; reduce the mismatch between water supplies and

projected beneficial uses of Bay-Delta water supplies; and reduce risk to land use and economic activities, water supply, infrastructure, and the ecosystem from catastrophic breaching of Delta levees. In July 2000, CALFED agencies completed the Programmatic EIS/R process and filed a Record of Decision (ROD) in August 2000. The Programmatic EIS/R process evaluated a wide range of alternatives. The ROD set forth the Preferred Program Alternative and the strategy for implementing that alternative. The Preferred Program Alternative includes eight program elements: Levee System Integrity, Water Quality, Ecosystem Restoration, Water Use Efficiency, Water Transfer, Watershed, Conveyance, and Storage. Site-specific projects dealing with these elements will be implemented in an integrated and balanced manner.

The storage element of the preferred alternative includes a finding that not only is additional storage needed to meet the needs of a growing population but also, if strategically located, it will provide much-needed flexibility in the system to improve water quality and support fish restoration efforts. Water supply reliability depends on capturing water during peak flows and during wet years, as well as more efficient water use through conservation and recycling. Additionally, groundwater and surface water storage can be used to improve water supply reliability, provide water for the environment at times when it is needed most, provide flows timed to maintain water quality, and protect Delta levees through coordinated operation with existing flood control reservoirs.

The Bay-Delta Program identified actions that will be pursued in Stage 1 to expand storage capacity at existing reservoirs and strategically located offstream sites and to implement a major expansion of more environmentally sensitive groundwater storage. CALFED agencies are committed to increasing storage through the development of acceptable projects. In an October 9, 2001 letter to the Legislature, Governor Davis renewed his commitment to develop reliable and affordable water for California through pursuit of infrastructure projects, including North-of-the-Delta offstream storage. Storage projects are not developed in isolation but rather as part of an overall water management strategy. As such, storage combined with other program actions such as conservation, transfers and habitat restoration will contribute to and be compatible with the water supply reliability, water quality and ecosystem restoration program objectives.

Associated Programs

In addition to the CALFED Stage 1 actions to expand surface and groundwater storage, there are several Northern Sacramento Valley programs under way that are expected to contribute to water supply reliability or habitat restoration. Development and evaluation of alternatives for augmenting storage and system flexibility in the northern Sacramento Valley will consider the potential outcomes and information from the CALFED Integrated Storage Investigations' Groundwater/Conjunctive Use program and Onstream Storage Enlargement (Enlarged Shasta) investigation and from other Sacramento Valley water management programs. Some of the larger programs include:

- Sacramento Valley Water Management Agreement (Phase 8 Bay-Delta Settlement Agreement)
- Sacramento Valley Basinwide Management Plan
- CALFED Ecosystem Restoration Program
- Sacramento River Conservation Area (SB 1086)
- Sacramento / San Joaquin River Comprehensive Study

North-of-the-Delta Offstream Storage

The CALFED ROD specified two actions to be completed before deciding whether to proceed with an offstream storage project north of the Bay-Delta. The first was to create a

partnership with local water interests and the second was to complete environmental review and planning documentation for a reservoir with a capacity of up to 1.9 MAF by August 2004. DWR and Reclamation have completed the first of these directives and are working on the second. In order to comply with all environmental laws (CEQA, NEPA, the Clean Water Act, etc.), DWR and Reclamation will examine a broad range of alternatives in an open, transparent and inclusive process. The investigation will analyze alternatives in terms of how well they meet the objectives described below and their beneficial and adverse impacts.

Memorandum of Understanding

The directive to create a partnership with local water interests was completed at the end of 2000. The partnership Memorandum of Understanding remains an open document and has been signed by the following entities:

Federal Partners

- United States Bureau of Reclamation, Mid-Pacific Region
- United States Fish and Wildlife Service
- Western Area Power Administration

State Partners

- California Department of Fish and Game
- California Department of Water Resources

Local Partners

- Glenn-Colusa Irrigation District
- Tehama-Colusa Canal Authority
- Orland Unit Water User's Association
- County of Colusa
- Sutter Mutual Water Company
- Reclamation District No. 108
- Princeton-Codora-Glenn Irrigation District
- Provident Irrigation District
- Natomas Mutual Water Company
- Maxwell Irrigation District
- Yolo County Flood Control and Water Conservation District

Project Objectives

The ROD gives direction on objectives for North-of-the-Delta Offstream Storage:

- Enhance water management flexibility in the Sacramento Valley.
- Reduce water diversion on the Sacramento River during critical fish migration periods.

- Increase reliability of supplies for a significant portion of the Sacramento Valley.
- Provide storage and operational benefits for other CALFED programs including Delta water quality and the Environmental Water Account.

Pursuant to the requirements of CEQA, the EIR/S for North-of-the-Delta Offstream Storage Investigation will consider a reasonable range of potentially feasible alternatives that will support these objectives and foster informed decision making and public participation.

Preparing a Tiered EIR/S based on the CALFED Final Programmatic EIS/EIR

The process that produced the CALFED Final Programmatic EIS/EIR looked at a broad range of solutions to issues facing the Delta and identified a Preferred Program Alternative. The description is programmatic in nature, intended to help agencies and the public make decisions on the broad methods to meet program purposes. Actions described in the Preferred Program Alternative are intended to take place in an integrated framework and not independently of one another. All aspects of the CALFED Program are interrelated and interdependent. Ecosystem restoration depends on water supply; water supply depends on water use efficiency and consistency in regulation; water quality depends on improved conveyance, Delta levee stability and healthy watersheds; the success of all these elements depends on expanded and more strategically managed storage.

The Preferred Program Alternative is not intended to define the site-specific actions that will ultimately be implemented. For actions contained within the Preferred Program Alternative that are undertaken by a CALFED Agency or funded with money designated for meeting CALFED purposes, environmental review will tier from the PEIS/PEIR. The tiering presumes the balanced implementation of all elements of the Preferred Program Alternative.

Whenever a broad environmental impact analysis has been prepared and a subsequent narrower analysis is then prepared on an action included within the entire program or policy, the subsequent analysis need only summarize the issues discussed in the broader analysis and incorporate discussions from the broader analysis by reference; this is known as tiering. Tiered documents focus on issues specific to the subsequent action and rely on the analysis of issues already decided in the broader programmatic review. Absent new information or substantially changed circumstances, documents tiering from the CALFED PEIS/PEIR will not revisit the alternatives that were considered alongside CALFED's Preferred Program Alternative nor will they revisit alternatives that were rejected during CALFED's alternative development process.

Since this EIR/S will be tiered from the CALFED Programmatic EIS/EIR, the scope of alternatives will be limited to issues directly associated with water storage located north of the Delta.

Project Location

DWR proposes to evaluate offstream storage in the northern Sacramento Valley.

Possible Project Alternatives

The following possible alternatives for this program have been identified and will be included in the alternative analysis along with other alternatives developed during the scoping process. The alternatives evaluated in the EIR/S will include consideration of CALFED Stage 1 actions as defined in the ROD.

- *No Project (Present Condition)*

  This alternative would be defined as present conditions when the Notice of Preparation/Notice of Intent is filed, without North-of-the-Delta Offstream Storage.

- *No Action (Future Condition)*

  The No Action Alternative is a description of the anticipated physical, project operation, and regulatory features that would be in place in 2020 without North-of-the-Delta Offstream Storage

- *Sites Reservoir Alternative*

  This alternative would develop an offstream reservoir with a capacity of up to 1.9 million acre-feet in size approximately 10 miles west of Maxwell. The reservoir would inundate the community of Sites and most of Antelope Valley. The main dams would be constructed on Funks Creek and on Stone Corral Creek. Up to nine saddle dams would be needed. A sub-alternative will be considered that integrates and expands conjunctive use with operation of a Sites Reservoir. This sub-alternative would operate the offstream storage reservoir to optimize conjunctive use operations in the Sacramento Valley.

  Source and conveyance options for this reservoir include:

  1. The use of the Glenn-Colusa Irrigation District Diversion and Canal, either in its current capacity or in an enlarged capacity.
  2. The use of the Tehama-Colusa Diversion and Canal in its current capacity or enlarged.
  3. A new diversion and conveyance facility from the Sacramento River near Moulton Weir.
  4. A new diversion and conveyance facility from the Colusa Basin Drain.
  5. Diversion and conveyance from East Park Reservoir and/or Stony Gorge Reservoir.
  6. A combination of these options.

  New or existing delivery facilities from the reservoir may be used, depending on the beneficial uses served.

- *Newville Reservoir Alternative*

  This alternative would develop an offstream reservoir with capacity between 1.9 and 3.0 million acre-feet approximately 18 miles west of the City of Orland. A single earth embankment dam on North Fork Stony Creek along with various saddle dams would create the impoundment area. A sub-alternative will be considered that integrates and expands conjunctive use with operation of a Newville Reservoir. Since North Fork Stony Creek is a relatively small drainage area, diversion and conveyance facilities would be needed. The following options are being considered.

  1. Stony Creek Diversion which would move water from Black Butte Lake to the Reservoir by canal via a proposed Tehenn Reservoir. Tehenn Reservoir would serve as a forebay/afterbay to the Newville Reservoir.
  2. A direct canal from Black Butte Reservoir to Newville to avoid an historical cemetery.
  3. A diversion from nearby Thomes Creek which has an annual runoff of approximately 200 TAF. This diversion would require a small dam and a pipeline over a ridge that separates the creek from Newville Reservoir.
  4. Diversion and conveyance facility from the Sacramento River.
  5. A combination of the above options.

New or existing delivery facilities from the reservoir may be used, depending on the beneficial uses served.

- *Other Possible Alternatives*

  As stated earlier, storage projects are not to be developed in isolation but rather as part of an overall water management strategy. Thus, this EIR/S will evaluate whether other possible alternatives meet North of Delta Offstream Storage objectives. Two possible alternatives include the conjunctive use and enlarged Shasta programs mentioned above in the *Associated Programs* section. These could be evaluated as stand-alone alternatives or as sub-alternatives operated in conjunction with North-of-the-Delta Offstream Storage to optimize system flexibility and efficiency.

  These and other possible alternatives will be considered and developed through comments received during the Scoping Process. During scoping, DWR and USBR will be seeking input about possible methods for evaluating conjunctive water management that will meet CALFED criteria for local management of conjunctive use projects.

Potential Environmental Effects

DWR began the North-of-the-Delta Offstream Storage Investigation in late 1997 as a two-year reconnaissance-level study authorized by Proposition 204, the Safe, Clean, Reliable Water Supply Act, approved by voters in 1996. In 1999, CALFED consolidated all storage investigations under a comprehensive program called the Integrated Storage Investigations. The North-of-the-Delta Offstream Storage Investigation was incorporated into one of seven ISI program elements and continues engineering, economic, and environmental impact analyses.

Initial evaluation and scoping have identified potential environmental impacts related to facilities associated with the proposed project alternatives. The EIR/S will specifically identify the benefits and impacts and determine the significance of these impacts as well as other potential environmental effects identified during public scoping. Where impacts cannot be avoided by redesign or reformulation the EIR/S will identify potential avoidance measures and mitigation projects designed to reduce significant project related impacts to less than significant levels, wherever possible.

Table of Potential Impacts

	Facilities			
Environmental Effect	**Surface Storage**	**Diversions**	**Conveyance**	**Groundwater Storage**
Land Use Planning	✓	✓	✓	✓
Geology and Soils	✓	✓	✓	✓
Geomorphology	✓	✓	✓	✓
Air Quality	✓	✓	✓	✓
Hydrology and Water Quality	✓	✓	✓	✓
Transportation and Traffic	✓	✓	✓	
Biological Resources	✓	✓	✓	✓
Energy and Mineral Resources	✓	✓	✓	✓
Noise	✓	✓	✓	✓
Utilities and Service Systems	✓	✓	✓	✓
Aesthetics	✓	✓	✓	✓
Cultural Resources	✓	✓	✓	✓
Indian Trust Assets	✓	✓	✓	✓
Recreation	✓	✓	✓	
Hazards and Hazardous Materials	✓	✓	✓	✓
Public Service	✓	✓	✓	✓
Environmental Justice	✓	✓	✓	✓
Mandatory Findings of Significance	✓	✓	✓	✓

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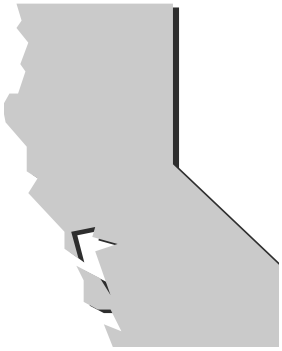
Appendix C: Meeting Announcement Mailed to Landowners

North of Delta Offstream Storage

Scoping Meetings

The California Department of Water Resources (DWR) in cooperation with the United States Bureau of Reclamation (Reclamation) will be holding public scoping meetings at three locations in January 2002.



The purpose of these meetings is to help DWR and Reclamation determine the scope of issues to be addressed and identify the significant issues related to this proposed action. Specific issues DWR and Reclamation are seeking comments on include:

- The definition of future conditions without Offstream Storage (No Project/Action Alternative).
- Alternatives to be considered.
- Focus of Impact Assessment with respect to potential benefits or impacts.
- Issues to be considered in the Cumulative Impact Assessment.
- Other issues identified by agencies and the public at the scoping meetings.

DWR and Reclamation will accept written and oral comments on the scope and content of the Environmental Impact Report/Statement at scoping meetings that will be held as follows:

Tuesday, January 8, 2002
1:00 p.m. to 4:00 p.m.
Bonderson Building Hearing Room
901 P Street
Sacramento, California

Wednesday, January 9, 2002
6:00 p.m. to 9:00 p.m.
Maxwell Inn
81 Oak Street
Maxwell, California

Tuesday, January 15, 2002
6:00 p.m. to 9:00 p.m.
Piccadilly Inn – University
4961 N. Cedar
Fresno, California

Additional information can be obtained from Department of Water Resources:
Scott D. Woodland (916) 651-9278 or
Glen Pearson (530) 528-7406

Written comments will be accepted by DWR until January 25, 2002. Send your comments to
Scott D. Woodland P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Appendix D: Sample of Newspaper Ads for Public Meetings

Ads for public meetings were placed in the following newspapers:

- Chico Enterprise
- Fresno Bee
- Sacramento Bee
- Tri-County Newspapers in Willows

Sample ad:

NO 210 PUBLIC NOTICE

Notice of Public Meetings for North of Delta Offstream Storage (NODOS)

The California Department of Water Resources (DWR) with the United States Bureau of Reclamation (Reclamation), the NODOS State and Federal lead agencies, will be holding public scoping meetings at three locations in January 2002. These meetings are being held to comply with requirements of the National Environmental Policy Act (CEQ NEPA Regulations Sec. 1501.7) and the California Environmental Quality Act (CEQA Guidelines Section 15083).

The purpose of these meetings is to help the lead agencies preparing an Environmental Impact Report/Environmental Impact State ment determine the scope of issues to be addressed and identify the significant issues related to this proposed action. Specific issues DWR and Reclamation are seeking comments on include:

- The definition of future conditions without Offstream Storage (No Project/Action Alternative)
- Alternatives to be considered
- Focus of Impact Assessment with respect to potential benefits or impacts
- Issues to be considered in the Cumulative Impact Assessment
- Other issues identified by agencies and the public at the scoping meetings

DWR will accept written and oral comments on the scope and content of the EIR/S at scoping meetings that will be held as follows:

Tuesday, January 8, 2002
1:00 p.m. to 4:00 p.m.
Bonderson Building Hearing Room
901 P Street
Sacramento, California

Wednesday, January 9, 2002
6:00 p.m. to 9:00 p.m.
Maxwell Inn
81 Oak Street
Maxwell, California

Tuesday, January 15, 2002
6:00 p.m. to 9:00 p.m.
Piccadilly Inn - University
4961 N. Cedar
Fresno, California

Additional information can be obtained from, and additional written comments may be sent to:
Scott D. Woodland P.E.
Senior Engineer W.R.

Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001
Fax: (916) 651-9289
Email: woodland@water.ca.gov

The scoping and comment period will conclude on Friday, January 25, 2002.

5x January 4, 6, 7, 11, 13, 2001

Appendix E: Scoping Meeting Presentation

North of the Delta Offstream Storage

Outline

- Region and River
- CALFED
- North of the Delta Offstream Storage
- Planning Partnership
- Environmental Documentation
- Public Participation

Sacramento River Region Water Resources

- 2.5 million people and associated industries
- Over 2 million acres of farmland
- 200,000 acres of marsh and agricultural land for waterfowl, supporting 60% of the total duck and goose population in the Pacific Flyway
- Flows for riverine habitat

Total water needs projected to increase

Sacramento River Region

Sacramento River

Sacramento River Water Management Challenges

- Water users subject to shortages
- Threatened/endangered species
- Sacramento River provides 80% of the Delta inflow, supporting
  - The Delta ecosystem
  - Delta diversions

Sacramento River Water Management Challenges (cont'd)

- Operation and management of the system becoming increasingly inflexible due to increased
  - Water use within region
  - Delta diversions and exports
  - Recognition of environmental needs

CALFED Program

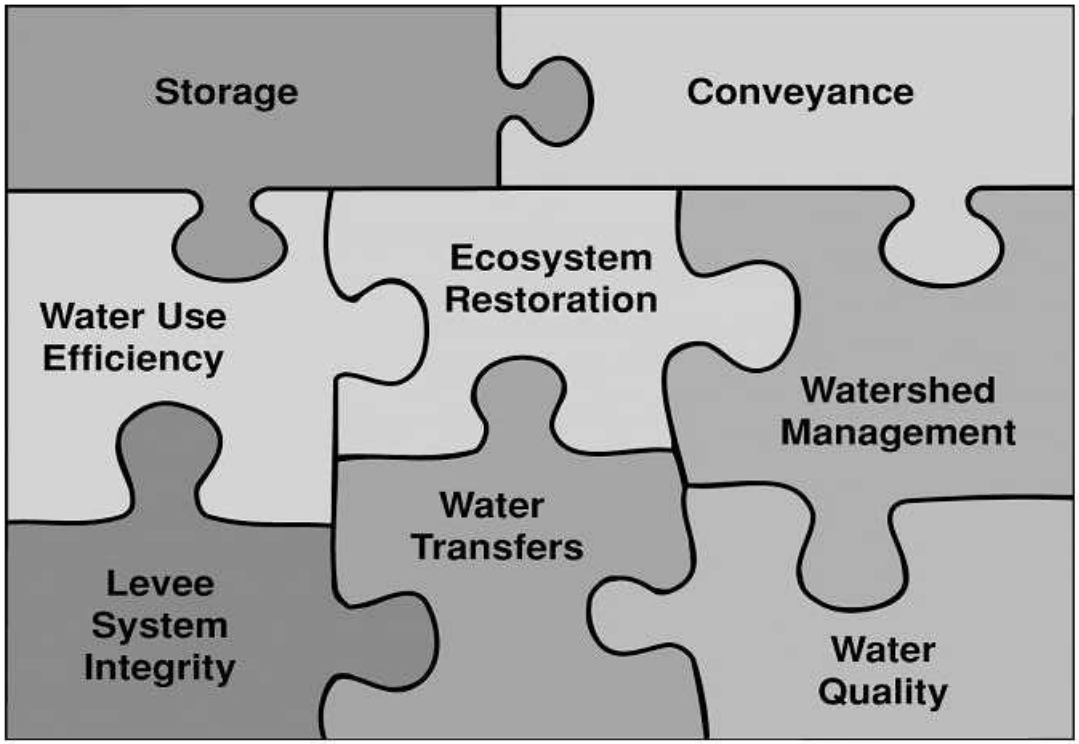
- Cooperative: May 1995, CALFED began to develop a long-term comprehensive plan to restore ecological health and improve water management of the Bay-Delta system
- Collaborative: agricultural, urban, environmental, tribal, and local interests
- Coordination: emphasis on local leadership and regional solutions

CALFED Program (cont'd)

- In Summer 2000, CALFED published a programmatic EIS/EIR and a Record of Decision with an action-specific long-term plan
- CALFED solution area covers six regions, including the Sacramento River Region

CALFED Objectives

CALFED Solution



CALFED Storage Element

Storage can be used to help achieve CALFED objectives

- Storage is critical to successful implementation of all aspects of the CALFED Program
- Storage provides much needed system flexibility

CALFED and Surface Storage

- ROD identified Sites Reservoir as 1 of 5 surface storage projects statewide for continued evaluation
- North of the Delta Offstream Storage will evaluate Sites Reservoir and alternatives

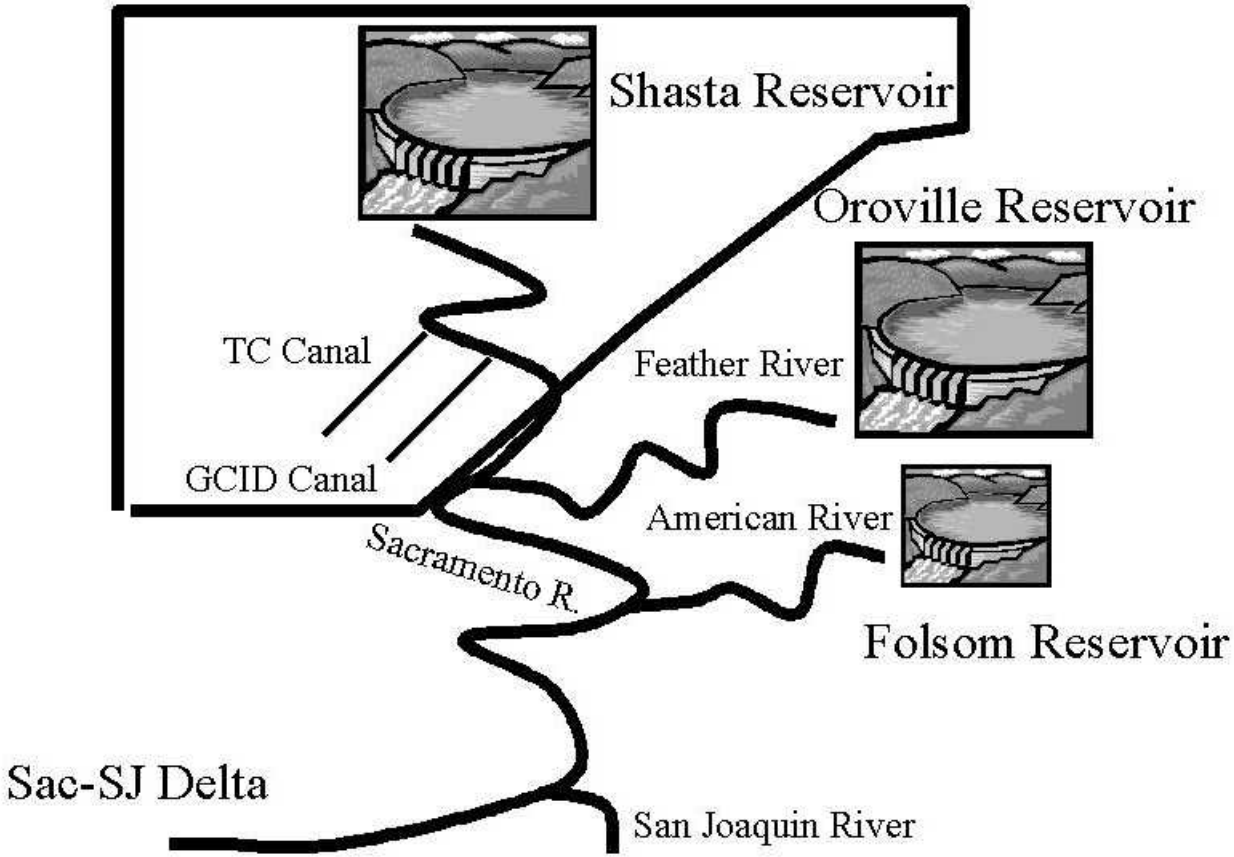
North of the Delta Associated Programs

- Sacramento Valley Water Management Agreement (Phase 8 Bay-Delta Settlement Agreement)
- Sacramento Valley Basinwide Management Plan
- CALFED Ecosystem Restoration Program
- Sacramento River Conservation Area (SB 1086)
- Sacramento/San Joaquin R. Basins Comprehensive Study
- Other CALFED Stage 1 Surface and Groundwater Storage actions

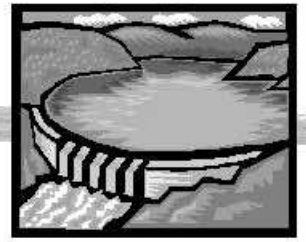
ROD North of the Delta Offstream Storage Objectives

- Enhance water management flexibility in the Sacramento Valley
- Reduce water diversion on the Sacramento River during critical fish migration periods
- Increase reliability of supplies for a significant portion of the Sacramento Valley
- Provide storage and operational benefits for other CALFED programs including Delta water quality and the Environmental Water Account

Existing System North of the Delta



Current operation without offstream storage - Winter



Shasta Reservoir

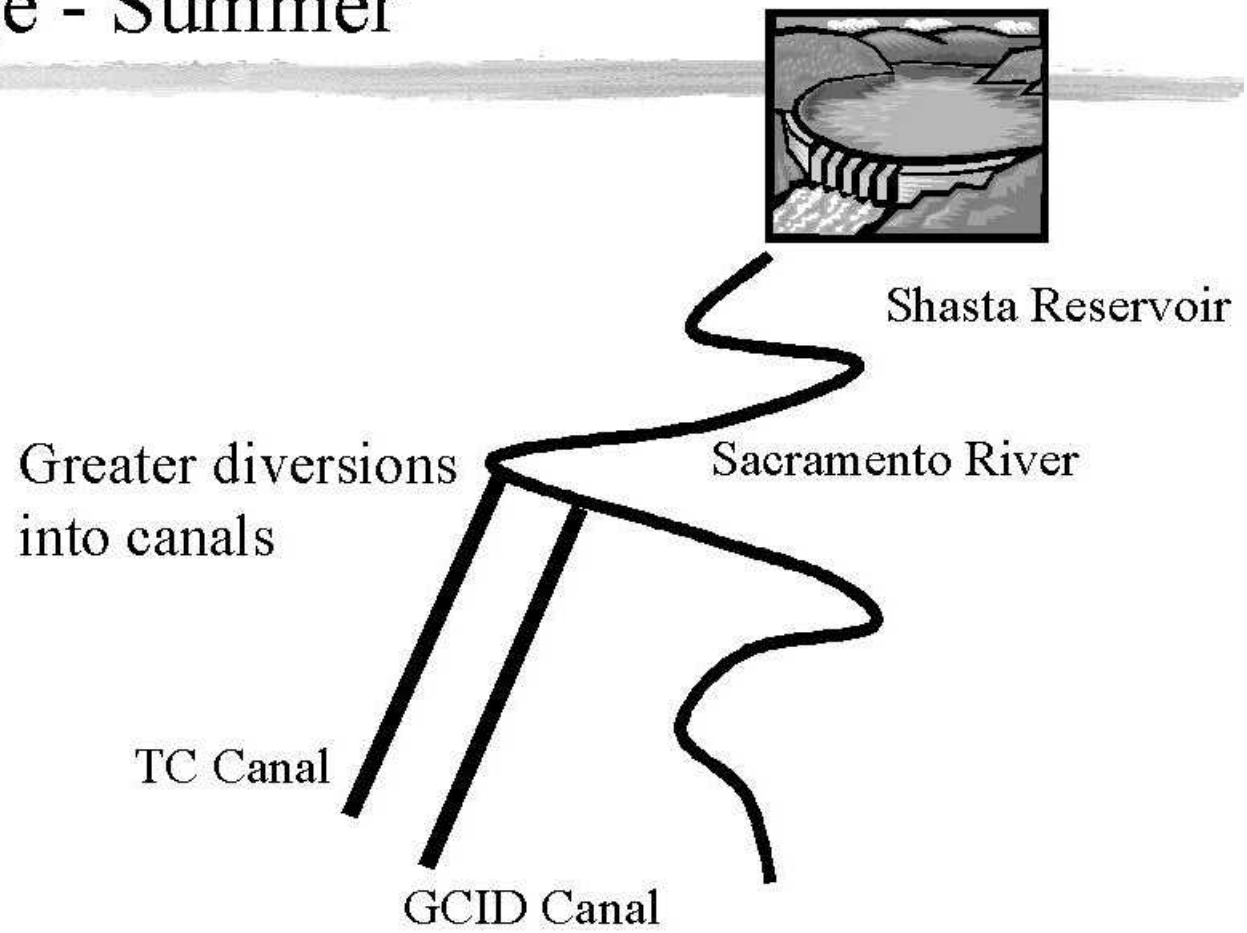
Limited diversions into canals

Sacramento River

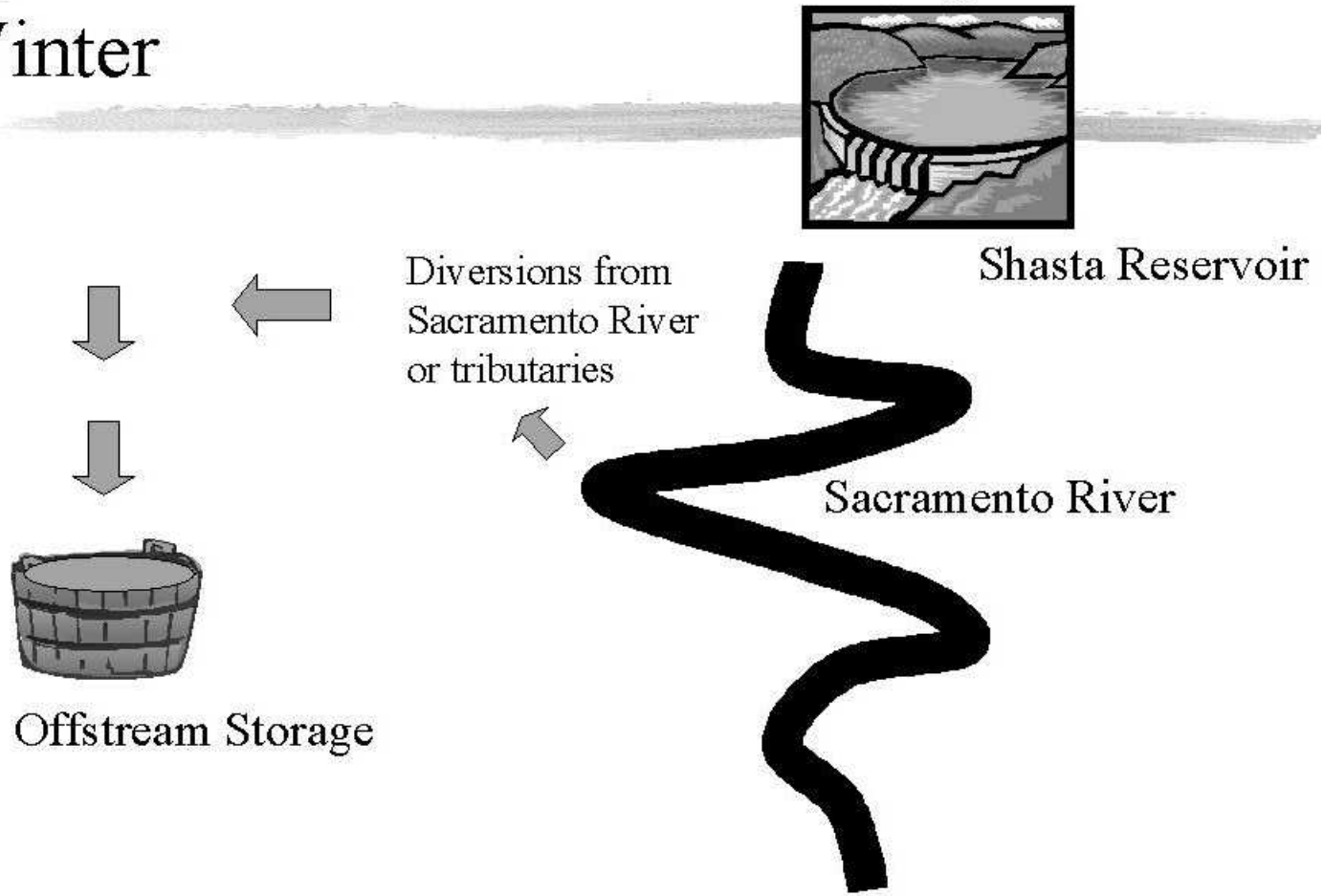
TC Canal

GCID Canal

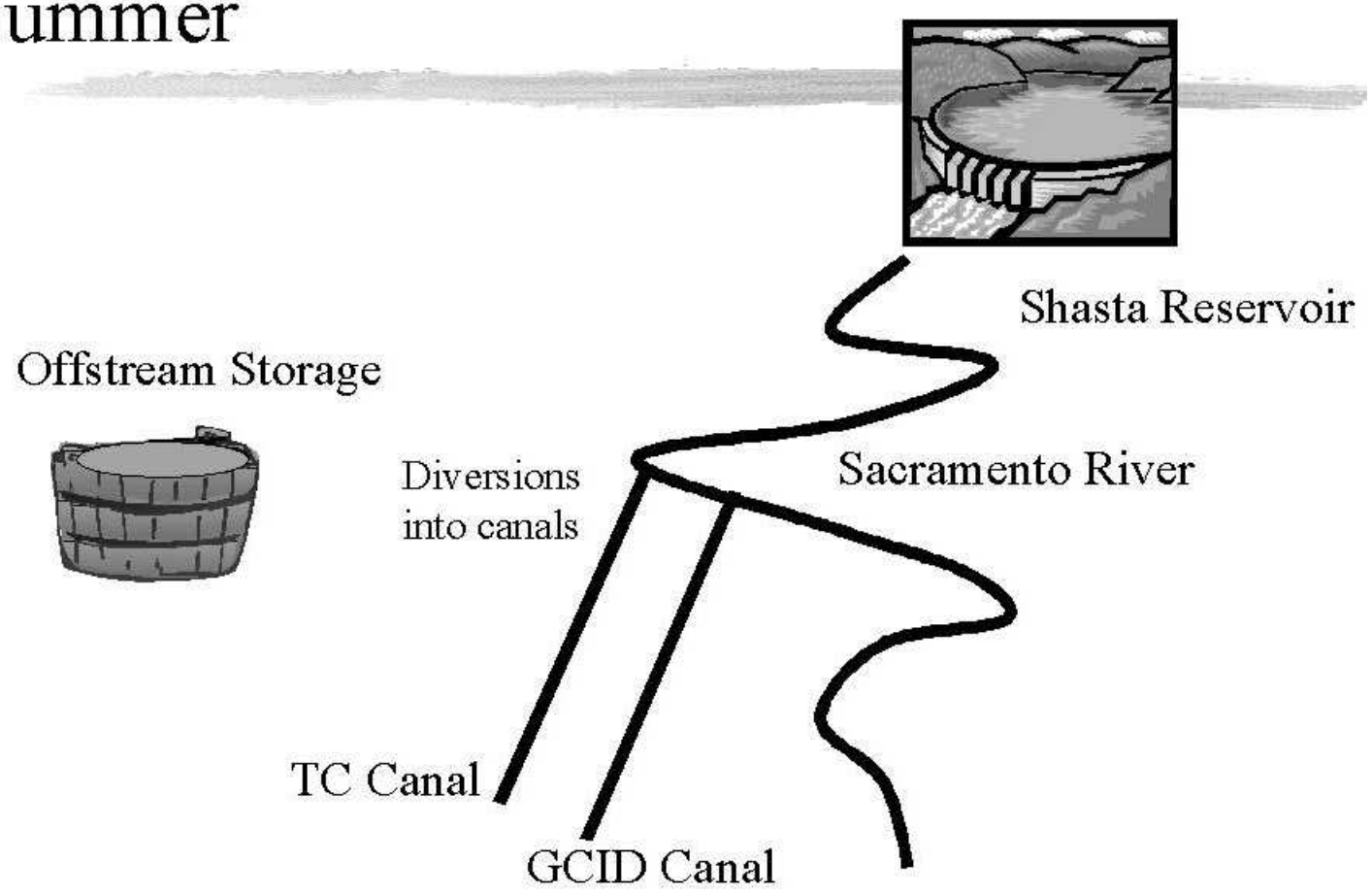
Current operation without offstream storage - Summer



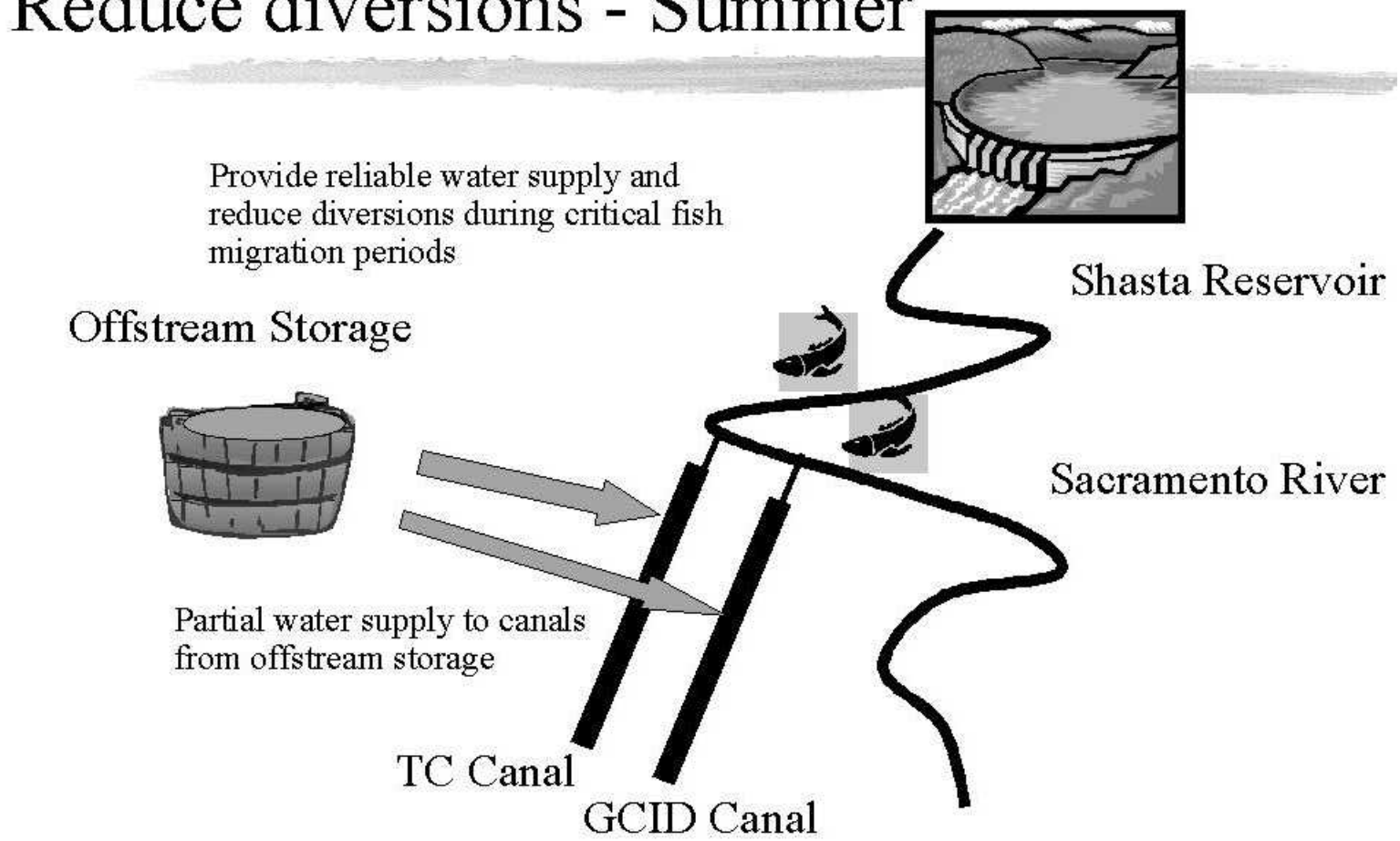
Operation with offstream storage - Winter



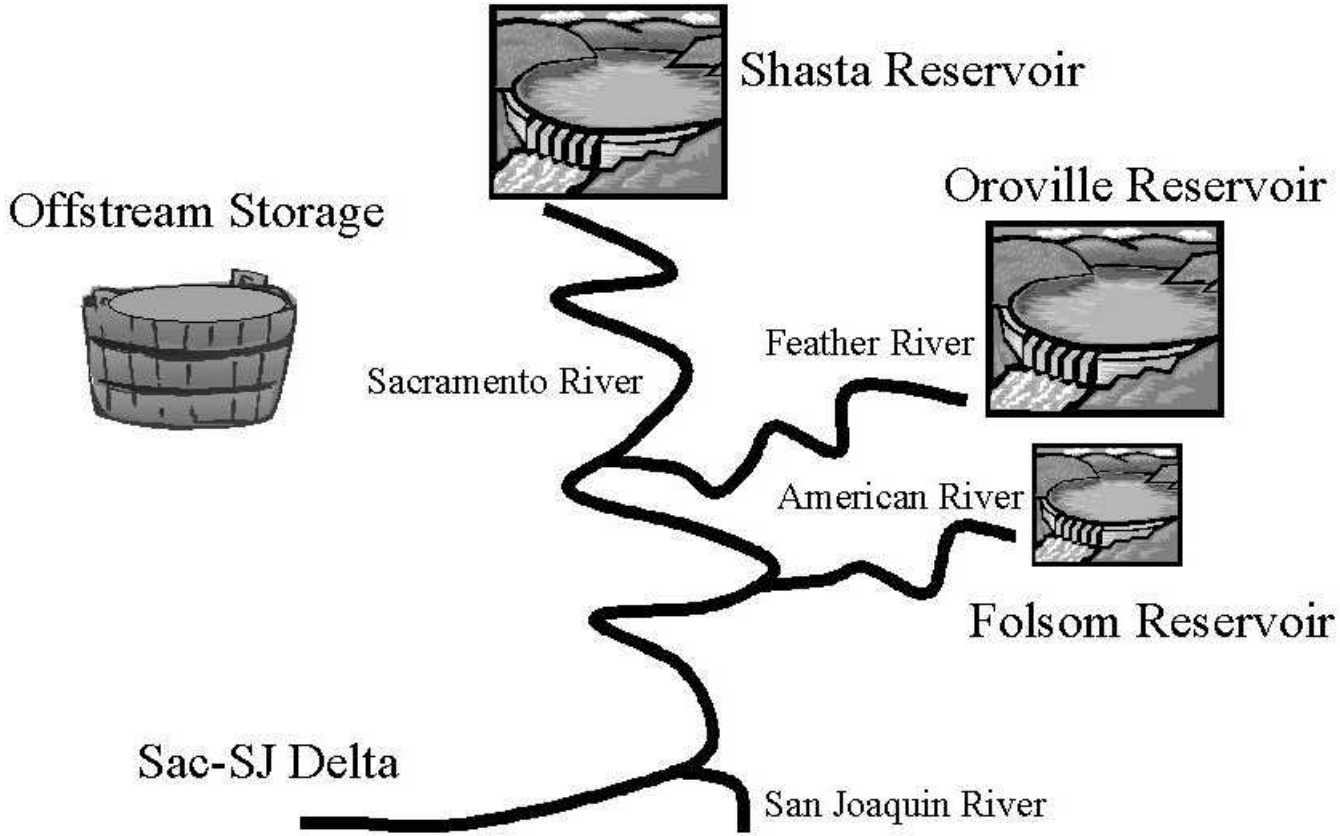
Operation with offstream storage - Summer



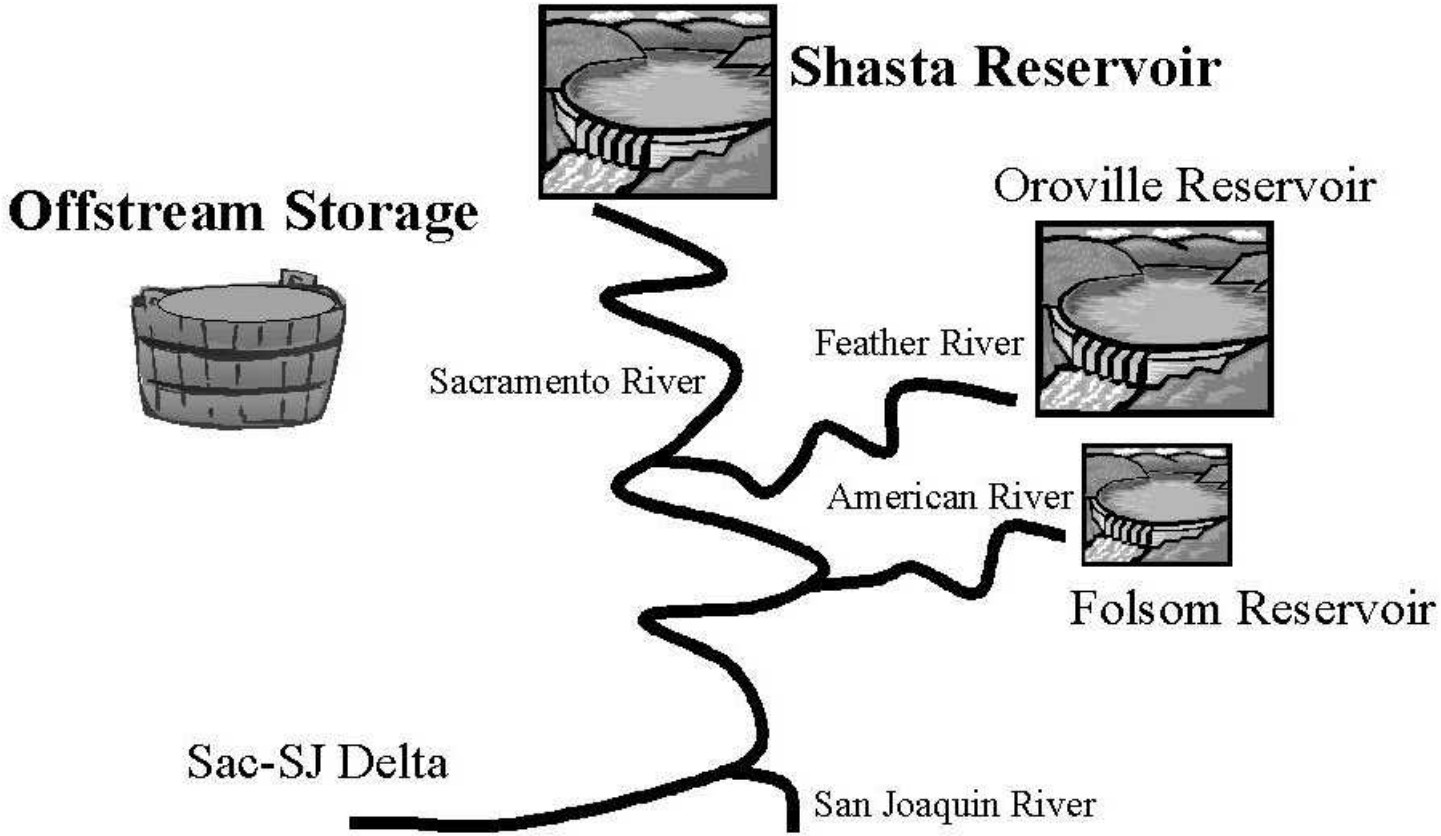
Increase Water Supply Reliability & Reduce diversions - Summer



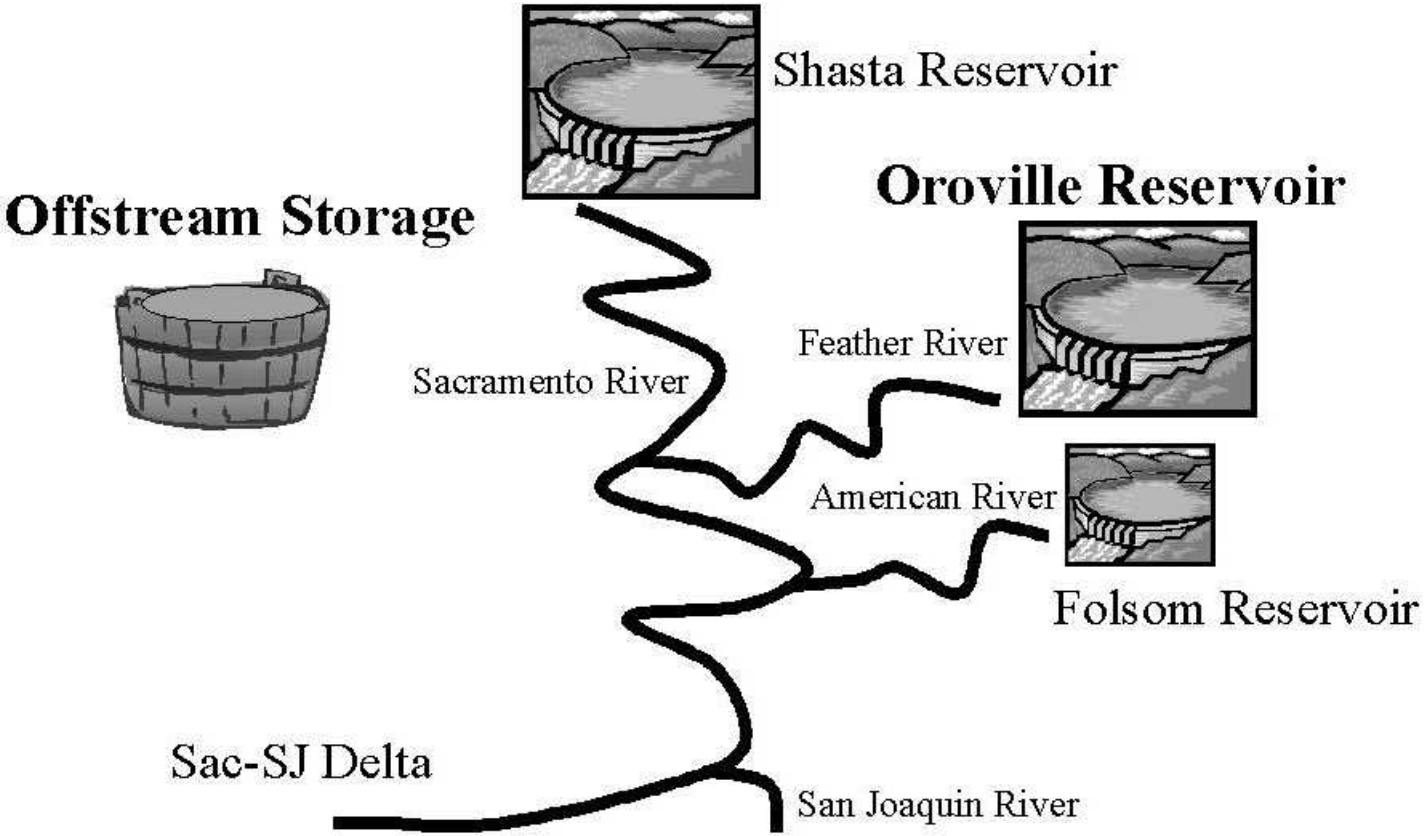
Water Management Flexibility



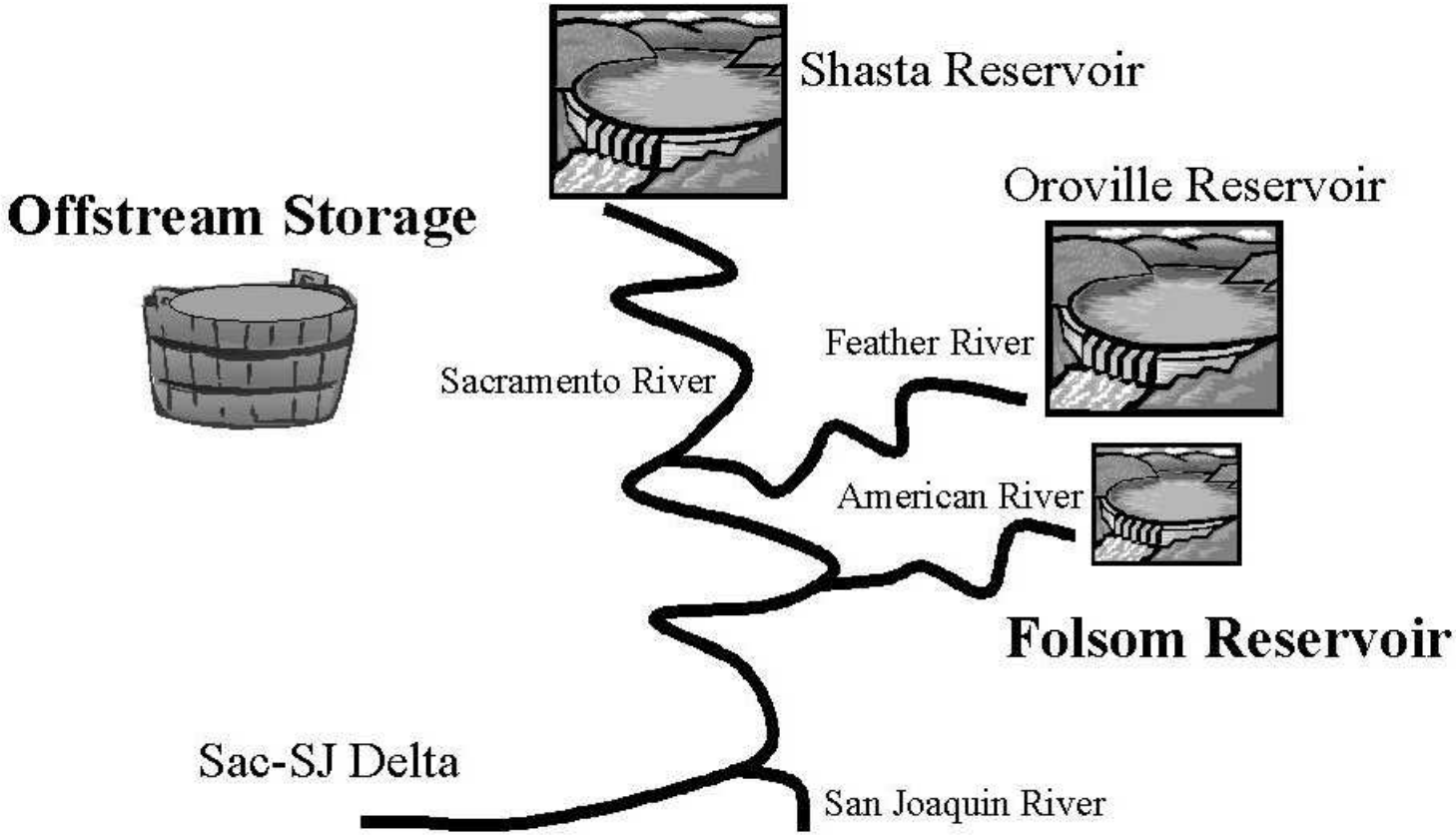
Water Management Flexibility



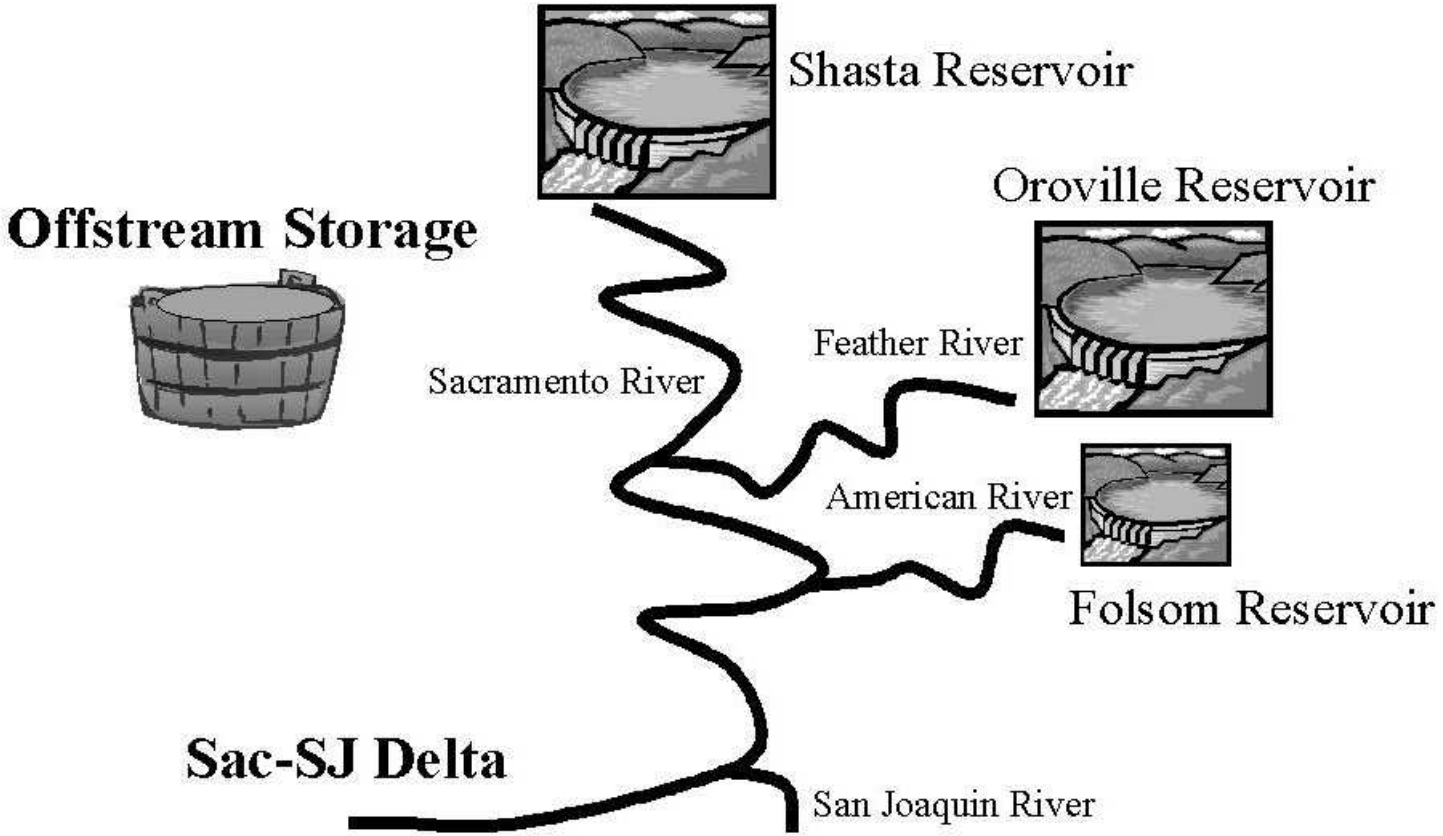
Water Management Flexibility



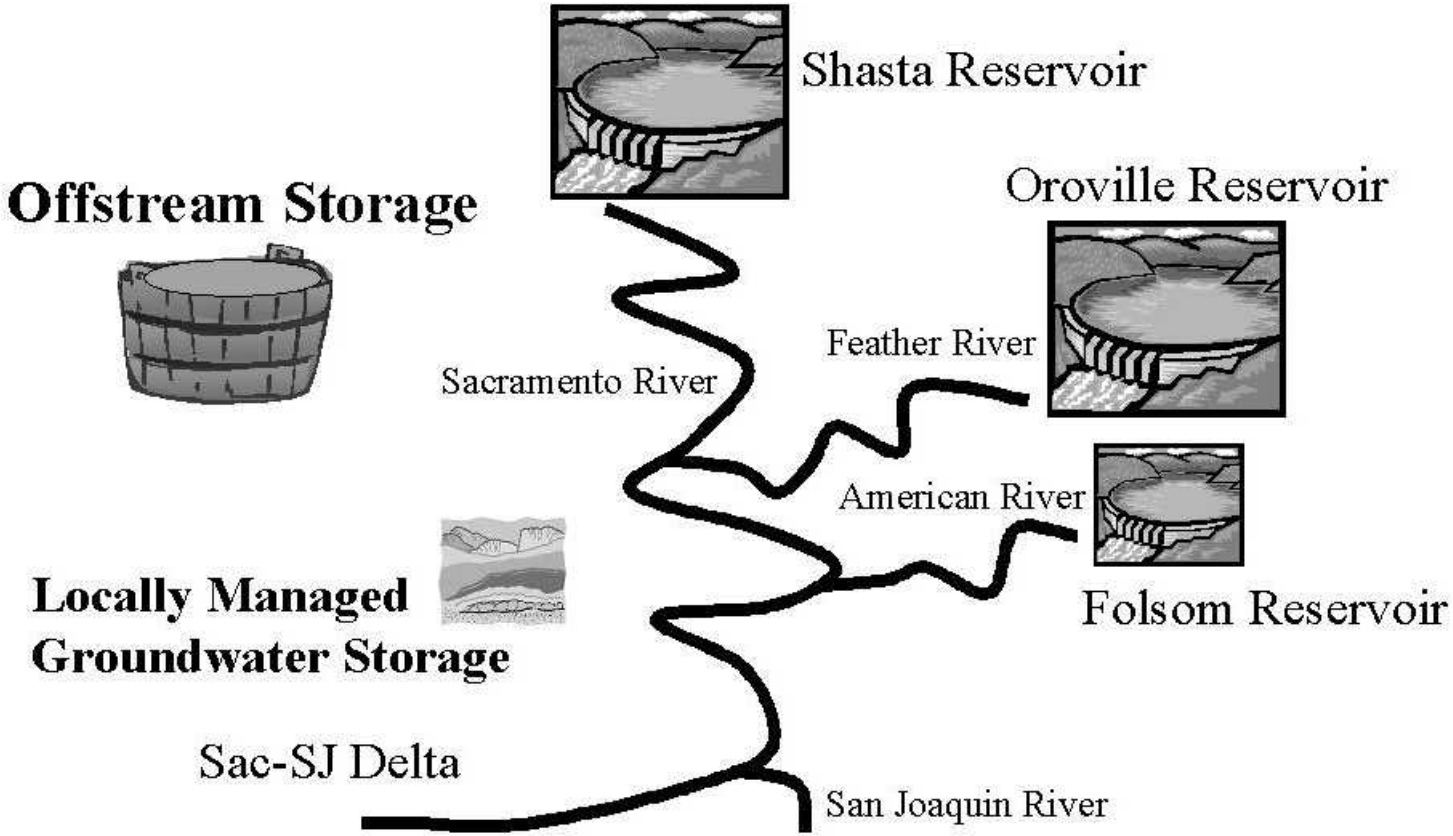
Water Management Flexibility



Benefits for Other CALFED Programs



Water Management Flexibility



A Balanced Solution

North of the Delta Offstream Storage could provide additional system flexibility to balance:

- Ecosystem benefits
- Environmental water use
- Agricultural water use
- Municipal water use
- Industrial water use

North of the Delta Offstream Storage ROD Milestones

- Step 1: Create partnership with local water interests
- Step 2: Complete environmental review and planning documentation by August 2004

Step 1: MOU Partnership - 11/00

- Glenn-Colusa Irrigation District
- Tehama-Colusa Canal Authority
- Orland Unit Water User's Association
- County of Colusa
- Sutter Mutual Water Company
- Reclamation District No. 108
- Princeton-Codora-Glenn Irrigation District
- Provident Irrigation District
- Natomas Mutual Water Company
- Maxwell Irrigation District
- Yolo County Flood Control and Water Conservation District
- United States Bureau of Reclamation, Mid-Pacific Region
- United States Fish and Wildlife Service
- Western Area Power Administration
- California Department of Fish and Game
- California Department of Water Resources

Step 2: Environmental Documentation

- Prepare site-specific EIS/EIR
- Tiered from CALFED Final Programmatic EIS/EIR

Notice of Preparation / Notice of Intent

- Prepared for North of the Delta Offstream Storage
- NOP - filed with State Clearinghouse 11/5/01
- NOI – published in Federal Register 11/9/01

Possible Project Alternatives

- No Project (Present Condition)
- No Action (Future Condition)
- Sites Reservoir Alternative
- Newville Reservoir Alternative
- Other Possible Alternatives
  - Conjunctive Use
  - Enlarging Shasta
  - Other alternatives developed from scoping

Scoping Meetings

Three separate geographical meetings

- Sacramento
- Maxwell
- Fresno

Public Involvement Opportunities

- Attend Scoping meetings
- Submit comments by January 25, 2002
  - Alternatives and possible effects
  - Additional alternatives and possible effects
- Continuing outreach

Input/Feedback

- Your input is essential!
- Point of contact: Scott Woodland
  - Phone: (916) 651-9278
  - Fax: (916) 651-9289
  - Email: woodland@water.ca.gov
  - Mailing address: P.O. Box 942836
    Sacramento, CA 94236

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Appendix F: Transcript of Public Scoping Meeting - Sacramento, California, January 8, 2002

Scoping Meeting

North-of-the-Delta

Offstream Storage

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TUESDAY, JANUARY 8, 2002

1:00 P.M.

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Reported By: Cindy M. Billalon, CSR No. 10618

BE IT REMEMBERED, that on Tuesday, January 8, 2002, commencing at the hour of 1:00, P.M. at Bonderson Building Hearing Room, 901 P Street Sacramento, California, before me, CINDY M. BILLALON, a Certified Shorthand Reporter in and for the county of Sacramento, state of California, the following proceedings were taken down by me:

---oOo---

MS. BUCHHOLZ: We are here for the scoping meeting, the first meeting this year for North-of-the-Delta Offstream Storage. My name is Gwen Buchholz; I'm your facilitator today; my job is crowd control for if you guys get unruly or something. What I'd like to do is just introduce some people here today.

I'd like to introduce up here we have representative Donna Garcia. A representative of the Department of Water Resources, Sean Sou, B.G. Heiland, Steve Roberts and then Scott Woodland, whose name is in our NOP and NOI and we'll talk about all of that a little later in the day. I'd like to introduce Assemblyman Dick Dickerson who is the first to start our program off today.

ASSEMBLYMAN DICKERSON: Let me open by saying I'm extremely pleased to be here. This is a process that I think has been slow to work up to, but we're getting there and this is a very important step in the process and I want to thank you all for coming. And I want to welcome you to this extremely important scoping meeting on offstream storage North-of-the-Delta.

As you know, California with the population nearing 35 million has not had significant infrastructuring changes in its water system for nearly 40 years. At the urging of the Legislature, the Governor and the Secretary of the Bureau, the CALFED Record of Decision included integrated storage investigations to consider ground water and surface alternatives. The Department of Water Resources in cooperation with the U.S. Bureau of Reclamation has for several years been conducting preliminary investigations into the possibility of increasing our surface ground water and surface storage capacity to help solve the water needs for agriculture, the Delta, the ecosystem and domestic water use for our growing population. Today they are asking for your views on the issues, benefits and future impacts with or without storage that they should consider as they proceed with the plan. Formal planning now begins and your feedback today will be a key to future decision.

Well, again, I am pleased to be here. I hope you're pleased to be here and I know the department is looking forward with eager anticipation to your comments and your input as we all work together to solve a very serious problem in the state of California. So thank you ladies and gentlemen for your interest in being here today and keep up your commitment and I think we'll get through this sooner or later. Thank you very much.

MS. BUCHHOLZ: Thank you, Assemblyman Dickerson. We also have with us today Assemblyman Aanestad and I would like to have him make a few comments too.

ASSEMBLYMAN AANESTAD: Well, just very briefly I just want to tell you that the project has the support of our office as a much needed and much delayed resource for Northern California. What was striking to me in looking at the history of all of this was that it was nearly nine years ago when the idea of a Sites Reservoir was first proposed and it's taken nine years to get to the point where we're now in a formal environmental review process. Why it's taken that long I don't know the answer to that, but I do know that it's taken too long because in that period of time this state has grown by almost 10 million people and the demand for water in this state is going to increase with time as we proceed on and on and we cannot go on in the fashion of we're just looking forward, but we're doing nothing about it.

What's heartening about this meeting is it's really a kick off to doing something about the environmental review process that we have in California and I know that the year 2004 is supposed to be the year when the process ends and we actually get down to building the new water storage in the state of California. Sites is probably the one that is most ready to go, but it's not the only one that's needed and I'm hoping that during this process there's going to be some mention of other offstream or even onstream sites for water storage for Northern California.

Assemblyman Dickerson gave you all the reasons why we need more instreams in water storage as far as agricultural, as far as the fisheries, as far as the environment problems and the growing need by the population in the urban and developing areas, but suffice it to say we've waited long enough and that's why I'm happy to see you folks here and beginning this process that is long overdue. Certainly my office stands in support in any way possible that we can help with making this more expedient and trying to solve any problems that might come along. Good luck in this meeting today and please contact my office if you have any questions or suggestions for how we can expedite this process. Thank you.

MS. BUCHHOLZ: Thank you, Assemblyman Aanestad.

We want to go over a little bit about the purpose of this meeting today and the outline of today's agenda. And the purpose of this meeting is to notify all of you and interested parties about the intent as ascribed in the Notice of Intent and the Notice of Preparation; that was public and we actually have copies of these here for anybody who is interested and did not get those when they were in the publications.

This is for North-of-the-Delta – of North-of-the-Delta Offstream Storage; it is a joint project between the Department of Water Resources and the U.S. Bureau of Reclamation. One of the purposes of this meeting is to develop and identify ideas for alternatives so as we proceed into the environmental impact report, environmental impact statement that the ranges of alternatives that are identified at this time can be incorporated into the considerations as those documentations [documents] are prepared.

Another purpose of this meeting is to identify issues that need to be evaluated and questions that need to be answered through the environmental documentation for the purpose of the project. And finally, the purpose of the meeting is to obtain information. We hope that all of you have signed in on the mailing list so we can continue to keep you informed as this process continues. We also -- I want to point out that we have comment cards here and that if you have comments and written comments today you can submit them on these cards or you can submit them in writing at the end of the comment period, which is January 25th.

What we're going to do is Sean Sou is going to present a very short summary of some of the things that are being covered, specifically NOP, Notice of preparation and NOI, Notice of Intent. And then we would like to hold questions so we can capture your comments and questions as part of our scoping process, all of the comments and questions. We have three scoping meetings, today here in Sacramento, tomorrow in Maxwell and the next one in Fresno. We will be taking all of those comments plus the written comments we receive and putting them together in a scoping report; the scoping report will discuss those comments and it will also include copies of the transcript that we are transcribing today.

So, again, if you could hold your comments so we can capture them appropriately and they can be utilized in our documentation, that would be the most appropriate thing. So at this time, Sean, would you proceed with the presentation?

MR. SOU: Thank you. Thank you, Gwen. And good afternoon everyone.

Okay. I'd like to introduce North-of-the-Delta Offstream Storage. In order to introduce the North-of-the-Delta Offstream Storage, I'm going to describe the North-of-the-Delta offstream storage, the Sacramento region and Sacramento River, the CALFED program, the proposed North-of-the-Delta offstream storage and the flexibility provided by such a storage, the Planning Partnership for North-of-the-Delta offstream storage and the environmental

documentation processes. And finally opportunities for you the public and agencies' participation.

The water resources of the Sacramento River region support 2.2 million people and associated industries, over two million acres of farmland, 200,000 acres of marsh and agricultural land for water 60 percent of the total duck and goose population in the pacific flyway and flows for riverine habitat and the total water needs are projected to increase in the future, that's the bottom line. The Sacramento River region as shown in this picture here covers an area basically of the entire Sacramento River drainage area. It extends 300 miles from the Oregon border in the north to the south of the Delta area. At the same time the Sacramento River and its tributaries make up the largest and most important riverine ecosystem in California; these factors combined have brought us a number of challenges facing the region, particularly the Sacramento River region. And these factors include water users are subject to shortages in both average and drought years. A number of species depending on the riverine ecosystem are being designated as threatened and/or endangered species.

The Sacramento River provides 80 percent of the Delta inflow and the inflow is supporting the Delta ecosystem as well as Delta diversions. These often competing demands on this limited water resource has brought us to the point where operation and management of the system are becoming increasingly inflexible due to several reasons: Due to increase of water use within the region, due to Delta diversions and exports and increase of recognition of environmental needs. Meanwhile, in May 1995 CALFED began to develop a long-term comprehensive plan to restore ecological health and improve water management of the Bay Delta system. The CALFED program effort included representatives of agricultural, urban, environmental, business interests and tribal interests and other local interests. And the CALFED program effort is coordinated with emphasis on regional solutions. In the summer of 2000 CALFED published a programmatic EIS and EIR and a Record of Decision with an action specific long-term plan. The CALFED solution area covers six regions including the Sacramento River region, our area of interest. CALFED also developed four program objectives and the objectives are: To improve water supply reliability; to improve ecosystem quality; to improve water quality for beneficial uses and to reduce risks associated with catastrophic breaching of Delta levees.

To achieve these objectives, CALFED included eight problem elements as shown here (indicating). Our focus is the storage component, although many of the other elements will be effected by North-of-the-Delta offstream storage. In the CALFED Report of Decision CALFED concluded that storage can help to achieve CALFED objectives, more specifically that storage is critical to the successful implementation of all aspects of the CALFED program and that storage provides much needed system flexibility. The Record of Decision identifies Sites Reservoir in North-of-the-Delta as one of five surface storage projects statewide for continued evaluation. And in compliance with the National Environmental Policy Act, the California Environmental Water Quality, and Section 404 of the Clean Water Act the North-of-the-Delta Offstream Storage will evaluate Sites Reservoir and a reasonable range of alternatives.

Concurrent with the North-of-the-Delta Offstream Storage, these are some of the ongoing projects in the Sacramento Valley, including Sacramento Valley Water Management Agreement (Phase 8 Settlement Agreement.) Sacramento Valley Basinwide Management Plan, CALFED Ecosystem Restoration Program, Sacramento River Conservation Area (SB1086), Sacramento/San Joaquin River Basin Comprehensive Study and other CALFED stage one surface and ground water actions.

Included in the Record of Decision are specific objectives for a North-of-the-Delta offstream storage; those objectives include enhance water management flexibility in the Sacramento Valley, reduce water diversions from the Sacramento River during critical fish migration periods, increase reliability of supply for a major portion of Sacramento Valley, and to provide storage and operational benefits for other CALFED programs including Delta Water Quality and the Environmental Water Account.

In order to better understand how North-of-the-Delta Offstream Storage would effect the current system and how North-of-the-Delta Offstream Storage objectives will be accomplished, it is helpful to do a comparison of the existing system with and without North-of-the-Delta Offstream Storage. This here is a simplified graphic showing the existing system with a number of important water resource facilities, including Shasta Reservoir, Oroville Reservoir and Folsom Reservoir plus the Sacramento/San Joaquin Delta area. In the next slides we will focus in on this Northern Sacramento Valley area.

This is a slide showing the current situation without an offstream storage project in the wintertime and focusing on the two major Sacramento River users. The Tehama-Colusa and Glenn-Colusa irrigation District canal. In the wintertime when flows in the river are relatively high as depicted by this thicker line representing the river, (indicating). Diversions into the canals are relatively low as indicated by the thinner lines representing the canals. Again, the operation without an offstream storage in the summertime now there's a large agricultural demand in these two water service areas and so diversion into canals are relatively high while the flow in the river is relatively low.

Now with an offstream storage during the wintertime, when the flows in the river are relatively high, we can divert water into an offstream storage from either the Sacramento River and/or its tributaries. This bucket here represents any type of storage (indicating). Now the operation with an offstream storage during the summertime when the demands are high in the service area with water storage in an offstream storage, we have an alternative source of water for these users. With water stored in an offstream storage, we can provide water to these two canals from an offstream storage. Also with an offstream storage we can improve the water supply reliability for these water users and at the same time reduce diversions from the Sacramento River during critical fish migration periods.

Now let's look back at the larger system with an offstream storage. Preliminary operation studies indicate that with an offstream storage the current operation with an offstream storage can provide much needed system flexibility. And in fact with an offstream storage if water can be provided from offstream, we can improve the storage in Shasta Reservoir, Oroville Reservoir, as well as Folsom Reservoir. Also with water stored in offstream storage during the winter, the North-of-the-Delta Offstream Storage Program will improve locally managed ground water storage as well. And also with an offstream storage we can improve benefits for other CALFED programs, including Delta Water Quality and the Environmental Water Account.

In summary, the North-of-the-Delta Offstream Storage Program will provide an opportunity for a balance solution with ecosystem benefits, environmental water use, agricultural water use, municipal water use and industrial water use.

The Record of Decision identified major steps or milestones associated with the North of Delta Offstream Storage. Step one is create local Planning Partnership with water entities. And step two is to complete the environmental review and planning documentation by August 2004.

For the first step we have a Memorandum of Understanding with local partnerships initially signed in November of 2000 and subsequently other local water entities have signed to this Memorandum of Understanding. Currently we have 11 local water signatories to MOU and five CALFED agencies, including three federal agencies and two state agencies. The two federal agencies include the Bureau of Reclamation, which is a federal lead agency for complying with the National Environmental Policy Act and the state agencies include the Department of Water Resources, which is a state lead agency for complying with the California Environmental Quality Act.

For step two the Department of Water Resources and the Bureau of Reclamation and Planning Partnership plan to prepare a site specific EIS which will be based on the CALFED final programmatic EIS/EIR. One other major planning effort being concurrently developed is the engineering feasibility studies. The Notice of Preparation, Notice of Intent are the first

formal processes in this environmental documentation process for the North of Delta Offstream Storage Program. A NOP was filed with the State Clearinghouse November of 2001 and Notice of Intent was published in the Federal Register in November of 2001 as well. Included in the Notice of Preparation and Notice of Intent are a list of possible project alternatives included in the project's present condition: No action, future condition, a Sites Reservoir alternative, the Newville Reservoir alternative, other possible alternatives at this time include enlarging Shasta and other alternatives developed from the scoping process.

As part of the scoping process this is where your comments can be most helpful to us. Specifically we're asking are there other additional North-of-the-Delta alternatives that we should be considering in our evaluation? Are there other possible effects associated with the alternatives that we should be considering in our evaluation? So we'll be asking for those comments later on.

The next phase of this formal environmental process is the scoping meetings. The purpose of scoping meetings is to allow or provide the public and agencies an opportunity to provide comments on the possible alternatives and their effects on the project. The three geographic scopes we have scheduled including the one here today in Sacramento and the other two are in Maxwell and Fresno. After the scoping meeting and the scoping period ends we will be preparing a written report to summarize the comments and alternatives to be carried forward; at that time the Department and the Planning Partnership will begin writing the EIR and EIS. So please send your comments to us by January 25th and comment on the alternatives that we have outlined earlier plus any additional alternatives you might want us to consider. There will be opportunities for public involvement, regular opportunities at meetings during the documentation process for the North of Delta Offstream Storage project.

Finally, by attending the scoping meeting you can send your comments either at the scoping meetings or to our staff. Scott Woodland, who is in the back of the room here, will be the person to receive your comments; his business cards are in the back of the room if you want to pick one up. We ask you to send comments through either fax or mail, through the mail, regular mail. Okay. Thank you.

I'll hand it back to Gwen.

MS. BUCHHOLZ: Thank you, Sean.

That concludes the presentation part of our meeting today and today we'd like to open it up for comments; however, we are asking that for all of the people who want to speak that you fill out a speaker's card and Jim Wieking will be picking those up; you guys can put them up in the air. I'm hoping there's some comments here. We are also asking that you come up to the podium so that we can help record it better. We also are recording it through a stenographer today so we're asking you to please present your name and your affiliation, speak clearly and slowly so she can pick it up, although I'm sure she's very good. We will be putting them up on the board and recording them electronically too through a process and we will try to capture what you're presenting and your comments.

And as I said, again, all of the comments that we receive we will be including in our final scoping report. So at this time I have one speaker's card. Are there any other speaker's cards? Okay. If we can start with this, if we can go to -- I'm putting them here in the order I've got them. Charles Casey from Friends of the River.

MR. CASEY: Thank you very much.

I'll make my comments fairly brief because we'll be submitting by the due date some written comments which are obviously a little easier to work with.

But the main thing Friends of the River, which is a statewide river conservation group, is concerned about is the impacts related to the diversions necessary to fill this offstream storage. We are certainly happy that the Department of Water Conservation and Bureau of

Reclamation are considering sites that will not impact directly a beautiful river canyon -- which is historically one of the traditions of damming projects -- but nonetheless, offstream storage still poses some potentially great impacts that has to do mainly with the diversions from the Sacramento River. It has been estimated that 5,000 cubic feet per second would be needed to divert to the Site storage project at the Sacramento River system. We don't need to remind folks that the ecosystem remains relatively healthy here as opposed to the San Joaquin where up to 80 percent of the river is already diverted. The Sacramento River, according to CALFED diagnoses, diversions have reduced history flows by approximately 35 percent. We're concerned that the additional diversions for Sites could certainly exacerbate that type -- those type of impacts. And don't forget the consequence of this certainly is the Sacramento River still sustains all five native runs of salmon and steelhead, although several of these runs are in decline and threatened; it also supports a habitat utilized by sensitive threatened terrestrial species. So, again, diversion and impacts to the Sacramento River could create some real problems and those type of impacts need to be addressed and accounted for both as a cumulative result of diversions and also in terms of just diversions themselves. We were concerned where the water is going and what it would be used for, who needs it and I think the alternatives that certainly need to be considered are the amount of money to be spent for Sites Reservoir versus how that money might well be spent for conservation and efficiency and perhaps offset the yields expected from the site. So certainly the yields expected from Sites are very critical, but how can you also utilize those water yields in other ways, the amount of money expenditures necessary for construction of this company perhaps would be directed something more water friendly and something that is reasonable for water yield. So that's my brief comments. We certainly have very serious concerns about the diversions and about the lack of good alternatives and we would like to see that detailed further; as you go forward we'll be making much more detailed comments by your due date. Thank you very much.

MS. BUCHHOLZ: Mr. John Mills, the Regional Counsel of Rural Counties.

MR. MILLS: Thank you. I want to thank Assemblyman Dickerson for hosting this meeting. I appreciate the opportunity to give you some input on scoping on this documentation. My clients which are 29 of the 50 state counties located in the north part of the state is easily described as the counties with the water and without the people; I would like to keep it that way. Generally speaking, I would like to address my comments about impacts in the context of both local and regional. And by that I mean that we not just talk about Sites, but specifically regional impacts.

By regional I would argue that they include both Sacramento watershed and the Delta and if we step back and look at some of the holes in the CALFED programs, which are currently the subject of litigation by my clients, I think you may want to patch those holes before you sail ahead in such a leaky vessel. First I would ask specifically how would the reservoir be owned and managed, specifically by what parties and through what specific mechanisms? This needs to be made clear in the beginning and not an amorphous group who may or may not come in and out of membership. Second what about the size, location and operational characterization, if any, of diversion facilities? These need to be very specific and not general and I agree with the notion of scaling the backside of the hydrograph in the Sacramento River in wet years and parking for use in dry years. And generally speaking our organization supports new we have seen far too many proposals for facilities that weren't well thought out and the management assurances were not well defined and what ended up being located in our counties were very wet deserts and by that I mean large bodies of water in which people who live in the area have no access to unless they want to go fishing; God help them if they take a bucket of water home to use it.

Next I would ask that we identify early in this process through the environmental document if there are local -- by that I mean within the county or counties which the project is located – specific benefits derived through affordable, reliable water supplies. Specific answers to each are necessary, not generalities. I also want to point out that most of these areas are agricultural in nature and water which becomes too expensive precludes local idealizations.

I would like to have the document clearly identify what linkage there is directly or indirectly to water exports in the bay Delta and/or the CALFED water acquisition programs which EWA is interested. And the idea that Sites would be helpful to EWA I find inconsistent with CALFED'S own document Environmental Water Account program which was set in four years from its implementation, Sites wouldn't even be built by then. I think we need to identify which is going to subsidized the EWA or not. We also need to make it clear what the EWA is, it's a backfilling of water supplies or environment which is not functional in the Environmental Water Account. I would like to understand very clearly on behalf of my client's what entity would own the land necessary for the facility; I don't mean what's under water and those surrounding lands, what specific mechanism would take more local physical impacts.

One of the partnerships on your screen is Colusa County and I want to point out at one point the federal government was in the rears in failing to pay their in use tax fees of over $800,000. So one of the things that Congress is not for is appropriating land to acquire things and then failing to appropriate the money to pay the fees. If we're going to obtain any other land in the Sacramento area it would be nice if state and federal governments would be current on their taxes as we ask all of our other citizens to be. What relationship, if any, is going to exist between the water resources which are necessary for this facility and those which are needed desperately now for the Trinity River Restoration Program Division? We cannot use the same water in different watersheds twice and there's water right now in the Sacramento River which rightfully belongs in the Trinity Basin and it's not being delivered there and we're going to count on additional water coming out of this stream; we want to make sure it's not the same water at some point we're going to need back in the Trinity Basin.

We also need to make sure of the relationship, if any, between the water resources necessary for this facility and those water resources that are needed for previously authorized federal surface storage projects; absent funding those projects are in some cases nearly ready to go. I would ask that we make clear on the document what the applicability is in this facility in this operation to California existing statutes, watershed origin, area of origin and protected areas. These are questions which would in any event have to be answered for the State Water Resources Control Board; we need to make it very clear. I will be submitting all this in writing as well for the record.

What the new flexibility generated by this new offstream storage would be to other reservoirs and in that benefit the flexibilities because I agree that the California water system desperately needs increased flexibility; my concern is what parties would specifically accrue the benefits achieved by that new flexibility. Many of these facilities, in fact all of these facilities you mentioned, located within my client's membership area and we would be interested to know if the water in the new facility was going to be used there or in the LA Basin. We would like to know specifically what the potential Bay Delta Water Quality impacts will be as a result of these diversions or will there be benefits? If there are benefits -- and I believe there could be under the right circumstances -- for a new facility that would be wonderful, but we need to classify that, but we need to do benefits in the context of what CALFED says they're going to do in stage one, which is ratchet exports out of the Delta by increased pumping. Are we going to have better quality water in stage one in CALFED with this new facility or will we be where we are now or less?

So, see, what I'm saying is we need to balance the equation on both sides. If in fact there are going to be impacts then we need to identify clearly now the water impacts in the Delta that have resulted in increased exports in anything, new storage facilities that would be mitigated and specifically which parties would be liable for those impacts. I realize the state board is still wrestling with this in phase eight, believe me, this is ground zero for phase eight. This is the Sacramento Valley so we can't put this off. Again, I am submitting this in writing; I want to thank you again for the opportunity scoping. We look forward to seeing this in the draft document. Thank you.

MS. BUCHHOLZ: Paul Olmstead from Sacramento Municipal Utilities District.

MR. OLMSTEAD: Thank you. I want to state first of all that this process is finally going forward to support the process as its coming forward. I'd also like to support Mr. Mills' previous comments; I'm going to focus my comments away from what he has previously stated. SMUD is here representing not only the CVP power customers, in other words, people who are beneficial of industrial power and also pays pump. The one thing that wasn't mentioned today in today's comments is the purpose and need for this project; the purpose and need is not well defined. We have yet to see a defined purpose and need specifically for the Sites project and the larger context of the North Sacramento offstream storage facilities. We would like to see some agreement on where we're proceeding with this stuff. This documentation goes so far down the row we can't compute. Stakeholders get a chance to view the purpose and need before this documentation goes out on the street. We support the need for new storage -- there is a need for storage, no question about it -- we'd particularly like to support the Shasta enlargement, from our standpoint that's best. We would also support the Sites Reservoir with one exception, that as well as the people who will benefit from the project bring power to the table so the pumping needs, that is the power they use to pump the water out of the river into the reservoir, is brought on the table and paid for by the beneficiaries. We don't think CVP power users should pick up the tab for that part of the project. I'd like to make that point very clear.

We are also concerned if Sites will okay integrated features. Integrated features of the Central Valley project, that so far is undefined. We would like to assure that that is discussed in detail with any cost benefit ratios associated with that so we can compare it with the other features of the Central Valley program. Specifically in regard to cost benefit ratio we would like to see something that shows the costs and benefits of Sites in relation to the other alternatives such as Shasta enlargement and independently compare it one-on-one so we can look at each one independently and make some separate evaluations for capacity benefit perspective and the decision making process by which this is going to go through is kind of somewhat undefined.

In looking back at the Record of Decision, I believe it stated something like there's going to be environmental evaluation on both the sides at issue to other facilities, other alternatives before it went through the official CALFED budget process. Sites is so far ahead of the game than everyone else we want to make sure this process is well defined so people understand that everything is prepared equally before the final decision is made. I'm going to focus my decisions at that point. We agree there's a need for operational flexibility in this system. We've got to make sure whatever decision is made both water using, power using, agricultural and municipal parties are kept whole from the entire power. And ending with in keeping with the comment of Mr. Mills when he spoke of the future, address the linkage as far as this effects every other party, potential effecting party stakeholder in the Central Valley. The most important part to the state here is we believe there should be no redirected impacts in CALFED'S philosophy, from this point on that the impacts are to be borne by these people who are beneficiaries of that project.

We would like to end with that. I will be sending some detailed comments by the 25th. Thank you.

MS. BUCHHOLZ: Mr. Jeff Phipps. State your affiliation, please.

MR. PHIPPS: Good afternoon. I'm an independent consultant working generally on behalf of CVP Power Community. Three or four comments more generic to the process. I think some of the comments that Paul and John made specifically apply as well, but more generic is the EIS process. The presentation today was rather vague on when our opportunities for comments would be solicited; when we would have a chance to provide those comments. We need more specifics. At this point I don't know if I'm going to be able to comment before we have a final draft document or at what detail. We would very much like to have impact on the purpose need statement, the Notice Action, what's included in the Notice Action, the alternative evaluation, the level of detail, et cetera. So we need a more specific outline of the opportunities for comment on the process. Second thing is the no action, very critical baseline by which we compare. John brought up Trinity. There's the

south of the Delta storage, there's the in Delta storage facilities. How is the system? How valuable is this project? Is it dependant on the baseline that you compare against? So we need to have a significant discussion of what's included and what's not included in the No Action. The third thing has to do with CALFED solution principles. It wasn't mentioned, but it's a very important concept that has been promoted and included in the Order of Decision so each alternative in its evaluation should be compared specifically on how it's going to respond and achieve the CALFED solution principles. Specifically the ones that my community is most interested in is no reflected impacts as Paul mentioned, also beneficiary pay, concepts of solutions. Beneficiaries of this project will be able to respond appropriately to fund this type of project. I look forward to the discussion. Thank you.

MS. BUCHHOLZ: Are there any more speakers that would like to speak today with comments? We have no more cards at this time. With that we thank you for attending. We will, again, encourage you if you didn't get the chance when you came to sign up because that will become part of our mailing list and we will be putting the scoping report together; that will be available for those who signed up. Thank you.

(Proceedings were concluded at 1:48 p.m.)

REPORTER'S CERTIFICATE

STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

I, CINDY M. BILLALON, a Certified Shorthand Reporter, licensed by the state of California and empowered to administer oaths and affirmations pursuant to Section 2093 (b) of the Code of Civil Procedure, do hereby certify:

That the said proceedings were recorded stenographically be me and were thereafter transcribed under my direction via computer-assisted transcription; That the foregoing transcript is a true record of the proceedings which then and there took place; That I am a disinterested person to said action.

IN WITNESS WHEREOF, I have subscribed my name on February 4, 2002.

_____

CINDY M. BILLALON

Appendix G: Transcript of Public Scoping Meeting - Maxwell, California, January 9, 2002

STATE OF CALIFORNIA

DEPARTMENT OF WATER RESOURCES

PUBLIC SCOPING MEETING

ENVIRONMENTAL IMPACT REPORT/STATEMENT

NORTH-OF-THE-DELTA OFFSTREAM STORAGE

MAXWELL INN

81 OAK STREET MAXWELL, CALIFORNIA

WEDNESDAY, JANUARY 9, 2002

6:00 P.M.

PROCEEDINGS

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FACILITATOR BUCHHOLZ: We're going to be starting now, and I hope that everybody has had an opportunity to sign in on the sheets back there, and if you haven't, please take the opportunity throughout this process, or at the end of the process, because that becomes our mailing list for getting your responses to this meeting, and also for the future mailings for any other meetings we have as the project goes on.

My name is Gwen Buchholz, and I'm your Facilitator tonight. My job is to basically keep us in an orderly fashion so that we can obtain comments and work through this.

This meeting tonight is for the North-of-the-Delta Offstream Storage program. We're starting the environmental documentation process for this project right now, in which to prepare -- and is to notify you of our intent to prepare the Department of Water Resources and the Bureau of Reclamation, to prepare the Environmental Impact Report, and an Environmental Impact Statement.

The purpose of tonight's meeting is to obtain comments on the alternatives that we want -- that you all want us to look at in this process, and issues that need to be looked at in detail to do an appropriate evaluation of those alternatives in this process. What we're going to be doing tonight is that we will have some opening remarks, and then we'll be having a short presentation about the information that was put together, and we'll talk about that before we get there. And then -- and that will take a very little time – and then the main reason that we're here tonight is to listen to you and to obtain comments from all of you so that we can put these in the record, and they can become part of our process, because we want to take direction as we get it from the stakeholders and the interested public as we go through this.

I'd like to introduce a few people at the beginning of this process. On the -- up here tonight, we have Van Tenney, from Glenn-Colusa Irrigation District; Art Bullock, from the Tehama-Colusa Canal Authority. We have Sean Sou, from Department of Water Resources; Donna Garcia, from the U.S. Bureau of Reclamation; and B.G. Heiland, from the Department of Water Resources. We also have Steve Roberts, from Department of Water Resources; Naser Bateni, from Department of Water

Resources; and Scott Woodland, who you will see names on, to get all of the comments. He will be collecting the comments for the environmental documentation.

At this time, though, I'd like to have Assemblyman Dickerson give us a welcome, and to introduce our -- well, today.

ASSEMBLYMAN DICKERSON: Thank you.

Good evening. I want to welcome all of you to this very important scoping meeting on Offstream Storage North-of-the-Delta.

California, with a population that's nearing 35 million, has had no significant infrastructure changes in its water system for nearly 40 years. At the urging of the Legislature, the Governor, and the Secretary of the Interior, the CALFED record of decision included integrated storage investigations to consider groundwater and surface water alternatives. The Department of Water Resources, in cooperation with the U.S. Bureau of Reclamation, has for several years been conducting preliminary investigations into the possibility of increasing our state groundwater and surface storage capacity to help solve water needs for agriculture, the Delta ecosystem, and the domestic water for our growing population.

Today, they are asking for your views on the issues, benefits, and the future impacts with or without offstream storage. This is information that we would hope they would consider as they proceed with the planning. Formal planning now begins, and your feedback tonight

will be key to those future decisions. I compliment all of you on showing your interest by being here tonight, and urge that the agencies repeat this local input process every step of the way. This should not be, and I know it will not be, the only scoping meeting that they hold, but they need to hold as many as possible to truly get good public input.

Let me introduce a few elected officials who are joining us here tonight. They show their interest and their concern over water, I think, by their presence here tonight.

Forrest Sprague. I think most of you know Forrest, he's currently a Supervisor in Glenn County.

Trish Clarke, Supervisor from Shasta County.

Bill Waite, Supervisor from Colusa County.

Bill Borrer, Supervisor from Tehama County.

Keith Hansell, Glenn County.

Pat Kight, the Mayor of Redding.

Kim Davis is here, representing Senator Johannessen. I know I saw you someplace, there's Kim back there.

Chuck Harris is a former Supervisor of Glenn County. Still here, still interested in this issue. Sheriff Shadinger, from Colusa County, is somewhere, someplace.

FROM THE AUDIENCE: He's hiding out.

(Laughter.)

ASSEMBLYMAN DICKERSON: Hiding out. I think I saw newly -- well, not all that newly -- elected Councilman from Williams, Peter J., over there in the corner.

And, oh, yes, I didn't have you -- how do I always miss you, Doug? I always do that.

Okay. With that, we'll get started with the program. And once again, I want to thank you all for being here. It's extremely important. As always, the turn-out in this room for a Sites Reservoir issue is impressive. It's because you folks care enough to be here, and I, for one, really appreciate that.

So we'll get the business started now. Thank you.

FACILITATOR BUCHHOLZ: Thank you, Assemblyman Dickerson.

We also have one other person participating in our welcome presentations, and David Guy, who represents the northern California interests, if you could –

MR. GUY: Thank you, Gwen. And, like Assemblyman Dickerson, I'd like to thank everybody for coming out here on this evening to participate in this process, this very important process. I want to, before we get started, thank Assemblyman Dickerson for his leadership on water and other issues for the Sacramento Valley, and the other elected officials that are participating in this process. We're very fortunate to have such good representation.

This is a once in a generation opportunity to be evaluating and considering a project like this. I don't think there's any question about it, these things don't come along very often. And this is a particularly unique opportunity, because we have a project here where we're going to have local partners and local participation in a project, and that is different than a lot of the projects around the country that have been done in the past. And this local partnership is going to be incumbent a lot upon your participation, and it's going to be really, I think, what will ultimately decide whether this kind of a project succeeds or fails will

be whether we are successful in empowering the local people to do what they can do best. And there's -- I just can't say enough how exciting, in my view, this local participation is. Obviously, we have several of the local partners here tonight. Hopefully they will be speaking later. Mentioned Van, with Glenn-Colusa Irrigation District, Art with Tehama-Colusa Canal, being the most immediate because, at least the proposal is to at least use their facilities, the Tehama-Colusa Canal Authority and the GCID Main Canal, in part, to wheel the water to a Sites Reservoir. And so they have a very important role in this process. There are other local partners throughout the valley, water suppliers, counties, and many others that are going to be critical to advancing this kind of a project.

As Assemblyman Dickerson mentioned, this is really the beginning. We were here about a year ago, as I recall, in kicking off the MOU that started the ball rolling for this process. There's going to be several more steps. It's a process by which you have to be patient. I know I'm not a very patient person, so I'm not real crazy about it, but that's the process in the world that we live in, and we need to be patient and we need to be diligent in making sure that we have participation like we have tonight every step of the way, as Assemblyman Dickerson mentioned.

Again, a once in a generation opportunity. I couldn't be more excited to be here tonight and see such

great participation from the Sacramento Valley. It's a real honor to be here. Thank you.

FACILITATOR BUCHHOLZ: Thank you, David.

Now we'd like to go into a presentation. And again, I want to remind you that the main reason that we're here today is to obtain your comments, but before we start that process, what we'd like to do is to give a very brief summary presentation that summarizes the information that was put in what's called the Notice of Intent and a Notice of Preparation. And those were published back in November, and they're federal and state documents that are put into the specific registers to allow the public to know that there is an intent to develop an environmental documentation. We have copies of those for anybody that needs them. If we've run out, which may have happened tonight, we will get them to you if you fill out on the comment cards that you would like a copy of those. What I would like to ask your indulgence for is that tonight, if we could just run through the brief presentation first, and hold the comments until afterwards so that we can make sure that we record those comments. And we're going to use the speaker cards, so as you're listening to the presentation, if you would like to make a comment, we need you to fill out the blue speaker cards, and we'll be passing those out. We'll walk through the aisles, and we'll also be collecting those. I think some of them are white, too. And so, but during the presentation, if you could just hold those comments. If you want to just write them down and turn them in later, not make a presentation, that's fine, too.

So, with that, I'd like to have Sean Sou make the presentation.

MR. SOU: Thank you, Gwen, and good evening, everyone. Can everyone hear in the back?

Okay. In order to introduce the North-of-the-Delta Offstream Storage program I'm going to describe the North-of-the-Delta or the Sacramento River region and the Sacramento River -- is that better?

(Inaudible asides.)

MR. SOU: Okay. Is that better? Can everyone hear in the back? Okay. Well, I'll try to speak a little louder. In order to introduce the North-of-the-Delta Offstream Storage program, I'm going to describe the North-of-the-Delta region or the Sacramento River region and the Sacramento River.

FACILITATOR BUCHHOLZ: Maybe we could try this one.

(Inaudible asides.)

MR. SOU: Okay. Is this better? Okay, speaking maybe without a speaker, real loud.

FACILITATOR BUCHHOLZ: I think we've actually --yeah, some people have asked to slow down a little bit, too, since we –

MR. SOU: Okay. All right. In order to introduce North-of-the-Delta Offstream Storage program, I'm going to describe the North-of-the-Delta, or the Sacramento River region, the Sacramento River, the CALFED program, the proposed North-of-the-Delta Offstream Storage program, and the flexibility provided by such an Offstream Storage program, the North-of-the-Delta Offstream Storage Planning Partnership, the environmental documentation, and opportunities for public participation.

The water resources of the Sacramento River region support 2.5 million people and associated industries, over two million acres of farmland, 200,000 acres of marsh and agricultural farmland for waterfowl that's supporting over 60 percent of the total duck and goose population in the Pacific flyway. And, of course, flows for riverine habitat. These regional water needs are projected to increase in the future.

This is a map showing the Sacramento River region. Basically it covers an area from the north, from the Oregon border, to the south in Collinsville, which is about 300 miles, roughly. At the same time, the Sacramento River and its tributaries make up the largest and most important riverine ecosystem in California. These factors combined have brought us a number of challenges facing the region. Those challenges include that water users are subjected to shortages in both average and drought years. A number of species depending on the riverine ecosystem are listed as endangered or threatened species.

The Sacramento River provides roughly about 80 percent of the Delta inflow, which supports the Delta ecosystem and Delta diversions. These often competing demands on this limited resource has brought us to the point where operation and management of the system are becoming increasingly inflexible, due to several things. Due to increase in water use within the region, due to increase in Delta diversions and exports, and due to increase in recognition of environmental water needs.

Meanwhile, in May of 1995, CALFED began to develop a comprehensive, a long-term comprehensive plan to restore ecological health and improve water management of the Bay-Delta system. The CALFED program is a collaborative effort including representatives of the agricultural, urban, environmental, business interests, tribal interests, and other local interests. The CALFED program or effort is coordinated with local leadership and focus on regional solutions.

In the summer of 2000, CALFED published a Programmatic Environmental Impact Statement, an Environmental Impact Report, and a Record of Decision with an action specific long-term plan. The CALFED solution covers six region areas, regions, including the Sacramento River region, our area of interest. In the Record of Decision, the CALFED agencies concluded that storage can be used to help achieve the CALFED objectives, and more specifically that storage is essential to the success – is critical to the successful implementation of all aspects of the CALFED program. And that storage can help achieve the program, and that storage can help provide system much needed flexibility.

Also in the Record of Decision. CALFED identified Sites Reservoir, which is one of our North-of-the-Delta Offstream Storage projects, as one of five surface storage projects statewide for continued evaluation. So for North-of-the-Delta Offstream storage, in order to comply with the National Environmental Policy Act, the California Environmental Quality Act, and Section 404 of the Clean Water Act, we will look at Sites Reservoir, as well as a reasonable range of alternatives.

Concurrent with the North-of-the-Delta Offstream Storage program, these are some of the other major programs that are ongoing in the Sacramento Valley, and they are including

Sacramento Valley Water Management Agreement, also known as Phase 8 Settlement Agreement; the Sacramento Valley Basinwide Management Plan; the CALFED Ecosystem Restoration Program; Sacramento River Conservation Area, also known as SB 1086; and the Sacramento/San Joaquin River Basins Comprehensive Study, and other CALFED Stage 1 surface and groundwater storage actions.

The Record of Decision also identified specific objectives for a North-of-the-Delta Offstream Storage. Those objectives include enhance water management flexibility in the Sacramento Valley; reduce diversions on the Sacramento River during critical fish migration periods; increase reliability of supplies for a major portion of the Sacramento Valley; and, finally, provide storage and operational benefits for other CALFED programs, such as the Delta Water Quality and the Environmental Water Account.

In order to help us understand how a North-of-the-Delta Offstream Storage would affect the current system, and how North-of-the-Delta Offstream Storage objectives will be accomplished, it is helpful to do a comparison of the system with and without a North-of-the-Delta Offstream Storage. This is a simplified graphic showing the existing system with a number of important water resources facilities, including Shasta Reservoir, Oroville Reservoir, Folsom Reservoir, the Sacramento-San Joaquin Delta area.

In the following slides we will focus on in this area, north of Sacramento Valley, that's highlighted here. This slide indicates the current operation system without an offstream storage, and focused on the two major Sacramento River water users, the Tehama-Colusa Canal, the Glenn Irrigation District Canal. During the wintertime, when the flow in the river is relatively high, as depicted by the thicker line that represent the river, diversions through the canals are relatively low, as depicted by the thin canal lines, representing canal.

Again, the current operation, without offstream storage in the summertime, now there's a large agricultural demand in these service areas, so diversions through these canals are relatively high, while flow in the river is relatively low.

Now, with an offstream storage, during the wintertime when flow in the river is relatively high, we can divert some of the water and put it into an offstream storage. That water can either come from the Sacramento River and/or its tributaries. This bucket depicted here represents any type of a storage.

Now, an operation with an offstream storage in the summertime, during high demand times when these canals water users' demands are high, with water storage, the offstream storage, we have an alternative source of water to meet these water users' demands. Again, with an offstream storage, offstream storage can provide partial water deliveries from an offstream storage to these canals and, so with an offstream can improve the water supply reliability to these water users and at the same time reduce diversions from the Sacramento River during critical fish migration periods.

Now, let's look back at the larger system. Look at the water management flexibility for water – an offstream storage. Preliminary operation studies show that with an offstream storage, we can take water from an offstream storage, we can improve storage in Shasta Reservoir, Oroville Reservoir, and Folsom Reservoir, as well. In fact, with an offstream storage, we can even improve locally managed groundwater storage. Consistent with CALFED's vision for a North-of-the-Delta Offstream

Storage, an offstream storage can provide benefits for other CALFED programs, as I mentioned earlier, including Delta water quality and the amount of water count.

In summary, the North-of-the-Delta Offstream Storage can provide an opportunity for balanced solutions with ecosystem benefits and groundwater use, agricultural water use, municipal water use, and industrial water use.

In the CALFED Record of Decision there are two major milestones or steps. Step one was to create a partnership with local water interests. And step two is to complete environmental review and planning documentation by August 2004.

For the first step, create partnership with local water interests, a Memorandum of Understanding was signed initially in November 2000, with several local water interests. Subsequently, other local water interests have joined and signed the MOU, and today we have 11 local water interests who signed a Memorandum of Understanding. The Memorandum of Understanding remains an open document, which means any local water interests who wish to join the planning process can still sign the Memorandum of Understanding.

With the 11 local water interests, we have five CALFED agencies, including three federal agencies and two state agencies. The three federal agencies included in there is the U.S. Bureau of Reclamation, which is the lead agency for complying with the National Environmental Policy Act. And then the state agencies includes the Department of Water Resources, which is the state lead agency for complying with the California Environmental Quality Act.

Step two of the Record of Decision is to complete environmental review and planning documentation by August 2004. We have, Department of Water Resources and the local planning partnership, planned to prepare a site specific Environmental Impact Statement and Report, and the Environmental Impact Statement and Report will be based on the final program, final CALFED Programmatic Environmental Impact Statement and Report, where appropriate.

The Notice of Preparation and Notice of intent are the first steps for the planning environmental documenting processes. And for the North-of-the-Delta Offstream Storage project, the Notice of Preparation was filed with the State Clearinghouse in November 2001, and the Notice of Intent was also filed with the state -- the Federal Register in November of 2001.

Included in the Notice of Preparation are some of the possible project alternatives. They include a No Project, Present Condition; No Action, Future Condition; a Sites Reservoir Alternative; a Newville Reservoir Alternative; and Other Possible Alternatives, including conjunctive use, enlarging Shasta, and other alternatives that may be developed during the Scoping Process. Now that the scoping is really next phases of the formal process of the environmental documentation process. And now that it is -- that your comments are most helpful in this process, that we are asking you specifically, are there any additional alternatives that we should be looking at in our evaluation, and are there other possible effects of these alternatives that we should be looking at? As far as the scoping meetings, scoping really provides an opportunity for the public and agencies to provide comments to us on the alternatives that we discuss, and any other possible alternatives that you may think of., and so we scheduled three scoping meetings in three geographical areas. We had a scoping meeting yesterday in Sacramento, tonight's is Maxwell, and then we'll have another one next week in Fresno. After the scoping meetings and the end of the comments period, we will be preparing a report to summarize the comments we receive and the alternatives, and determining on the alternatives to carry forward in our processes. We will then begin to write the environmental documentation.

So the opportunity for the public to involve is to attend the scoping meetings, and we ask that you submit your comments by January the 25th, this month, and again, on the alternatives that we presented and the possible effects, and then the alternatives that you come up with and their possible effects, please submit it to us. We ask that you submit your comments either at the scoping meetings, such as tonight, or submit it to us in writing or through the mail or fax. There will be opportunities, regular opportunities for the public to participate in continued outreach meetings that we're going to have during the environmental documentation process later on.

So we ask that you contact Scott Woodland who is our contact back there for receiving comments. His business cards are in the back of the table if you wish to obtain one so you can send him your comments later, and/or fax. All this information is on his business card.

So I want to thank you, and turn it back to Gwen.

FACILITATOR BUCHHOLZ: Thank you. And thank you for listening to Sean at this point. Now it's the main part of the meeting, is to obtain comments. Once again, I'm asking that -- we're going --

because what we're doing on all of these projects, or in all these scoping meetings, is we're recording the comments that we're getting. And tonight's meeting, we're recording them through the tape recorder here, so we're asking for people to come up here and use the microphone, which is why I need a speaker's card so that I can sort of control the flow of all the commentators.

The other part about this is that in that Scoping Report, which is the document that Sean mentioned about summarizing, there will be copies of all of the written comments. There will be copies of the transcripts that are made from the scoping meetings, as well as the responses, and they'll be organized in the Scoping Report. We'll also include in the Scoping Report copies of the presentation that was just done, and copies of the notice of publication, of the Notice of Intent and Notice of Preparation type things.

So, I have some comment cards. We're about ready to start comments. I want to know if anybody would also like to add to my pile of comment cards and didn't get an opportunity. Scott, could you -- or Jim has them here. And if you can just fill those out we'll collect them, and while you guys are doing this, if anybody else hasn't, the requirement is raise your hand and Jim will both give the cards and collect them.

And at this time I'd like to have our first commentator, that's Assemblyman Dickerson.

ASSEMBLYMAN DICKERSON: Talking to you guys, right? With your permission, before I do that, I'd like to recognize that Senator Johannessen, Maurice Johannessen, has joined us. I also, with your permission, if he would like to make some comments at this time, come on up. Maurice has been a valiant fighter for the water situation in the State of California for a number of years, and I know he probably has some interesting things to share with you here tonight. Maurice.

SENATOR JOHANNSSEN: Thank you. Well, I don't know how interesting they are, but there's some questions that I need to ask those here from CALFED, whether or not they had the opportunity to read the report that my committee put out after about four or five years' worth of hearings. Has anybody read it?

That answers my question. That is one of the problems that we're dealing with, because it seems to me that over this period of time, including the EIR and Scoping and the ROD, no one really had an opportunity to see or find out what was happening before it was passed. And, in fact, I was with the Governor at the time, and I asked him about this, and he says no problem. And they had me on the front steps there on the Capitol, smiling with him, and they passed a ROD, and I said what did we pass. So that's another question.

But I -- the interesting thing on this, which I think we need to make sure we understand, that is in the original -- well, I guess now you have 20 members in CALFED, the program itself? I don't know how you herd that many cats. But there used to be 13, then it was 14, and now it is 20. I don't know who's on first. And for those of you that may remember that the original -- the original commitments, those two original commitments that was made, one was that there would be no redirected impacts.

Now, what do we mean by redirected impact. Do you think by buying land in northern California, buy farming land in northern California, by buying water rights, even you disguise it as development rights, development easement, environmental easement, et cetera,

region that also serves as a seasonal wetlands for migrating waterfowls, shorebirds, and other wildlife.

California is now growing by nearly 600,000 people a year. Additionally, over the past several decades our state has dedicated millions of acre-feet of water to environmental purposes. Despite these increasing demands for water, we haven not developed the infrastructure that will be necessary to meet the needs of the numerous demands for water in California. We cannot wait until there is a crisis like we saw in the Klamath Basin this past year, where farmers, birds, and communities suffered. We must begin the efforts that are necessary to build new infrastructure in California, and we must do it now.

Surface storage in California, and particularly Sites Reservoir, provides the best opportunity to provide water security for all Californians. This is an opportunity to locally manage and operate a surface storage project in our region. This project will provide water management flexibility to make sure that we meet the needs of cities, farms, and the environment in northern California.

Specifically, it will give us the flexibility to provide additional cold water for salmon and steelhead from other sources serving the Sacramento River watershed, while at the same time helping to meet the needs of food and domestic water of a growing California population.

Finally, it has the potential to provide additional wetland habitat and water oriented recreation. As the elected representative from this area, I stand ready today to assist the efforts that are necessary to advance Sites Reservoir and provide water security for this region and for the entire state. I am deeply committed, even in these difficult budget times, to work with my colleagues to fully fund necessary infrastructure improvements in California, including surface storage like Sites Reservoir.

Foremost in your planning and design should be to ensure that sufficient water from Sites is available and affordable for local agricultural, community, and environmental use needs, as considerations are given to the other part of the state.

I think it's -- we're approaching the time, ladies and gentlemen, when we need to start -- stop talking, and start building. I want to know who brought the rebar tonight. Anybody bring rebar?

Let me now read a letter that was prepared by Secretary of State Bill Jones. It reads as follows.

"I strongly support the joint efforts of the Department of Water Resources and the CALFED Bay Delta program to move ahead with all aspects of the Sites Reservoir projects. During the initial discussion of establishment of the CALFED, Senator Costa and I insisted that water storage facilities be an integral feature of the Delta plan.

"I strongly urged that a Sites Reservoir be the first of a series of water storage projects that need to be built to show the CALFED partnership that northern California water interests would be protected. Collaborative efforts such as these are necessary to live up to the promise of CALFED; namely, that we all get well together. I am deeply concerned that the CALFED process has become vulcanized. It is through efforts like the one you are considering now that we can reestablish the statewide leadership that is necessary to get us back on track, notwithstanding a Record of Decision that so many have found inadequate for that purpose.

I believe this project, if ultimately constructed, will be a first step towards providing the kind of water supply reliability that is so desperately needed for California to live up to its responsibility to be a steward of our environmental resources.

"Again, this project would be tangible evidence that the state will take a leadership role in this issue. While our infrastructure is crumbling and failing to meet the needs of our growing state, state sponsorship of a water project has been virtually non-existent. Local

et cetera, do you think that has an impact on the local communities? Of course it does. Is this being taken into consideration? I haven't seen any reports on that yet.

The other thing which I am somewhat concerned about is the beneficiary pays. Who is the beneficiary? Certainly not we; we got the water. The beneficiary, it's got to be MWD and some of these other people south of us. With all the things that we now do, are we now going to be have to pay, on top of the fact that we do have the water? So that's some of the things that we need to take a look at.

Now, one of the things I noticed in the information that was sent out, that there's very little deviation that can be made from the ROD, the Record of Decision that was made, and then all this has to do with is how do we implement, or how do we decide what to do with the things that are being done, which is basically surface storage or storage and transportation. So none of the information that was available before no longer can be used in this area, so we'll be limited now basically to talk about only the storage part of it.

The other thing which is sort of an interesting thing, in here they state that the water use within the region are expected to increase driven primarily by a projected 2020 population of almost four million people. I guess that must be only in northern California they're talking about. Is that what is being talked about? Well, it is interesting, because after five -- four years, or five years of hearings of my committee which I chair, we have pretty well determined that California is going to have somewhere in the area of 50 million people in 2025-2030. So I don't know where the four million people coming from.

And for those who may be interested, we are talking about perhaps 1.9 million acre-feet, and the yield is substantially less than that. The other thing that you have to bear in mind when we deal with storage is that we are already somewhere between one and two million acre-feet short of deliveries. We estimate that it's going to take somewhere between six to nine million acre-feet of additional water in order to serve the needs that's going to be brought forth in the next 25 to 30 years. I obviously won't be here, but I hope the grandkids will.

So when you deal with this issue, the amount of water that is being talked about stored, for example, in Shasta Dam, which is somewhere around -- I can't even remember now exactly whether we're talking about the amount, but it was about a third of that is actually the yield. So when you're talking about storing capacity, we better start talking about what is the yield. What does it take to have the yield. And what will the cost for the -- of that yield be, and who's going to pay for it.

So keep track of these things, because I – and I'd be the first one to tell you, it is just amazing, after all these years as chairing that committee, that I find that these reports -- which, incidentally, has gone to the federal government, going to all our representatives, I mean, it is widely distributed, I think we got something like five or six thousand copies out, and they're widely used -- and I have yet, I have yet to find a member of the CALFED group that can tell me they have read it. These are expert's opinions that have been delivered over a period of four or five years. What the hell's going on?

Anyway, you got it. Thank you.

(Applause.)

ASSEMBLYMAN DICKERSON: Okay. With that, I will present my comments. I've also been asked by Secretary of State Bill Jones to read his comments, which have been submitted to you in writing also. So with your permission, I'll do so.

I have long been a champion for new surface storage in California, and particularly Sites Reservoir here on the west side of the Sacramento Valley. Tonight is a historic night when we begin the process that will hopefully lead to building of this important offstream reservoir. The Second Assembly District I currently represent is a significant portion of the Sacramento Valley, including the area in which Sites Reservoir is located. Nearly two-thirds of the state's water supplies come from these watersheds. This is a very important agricultural

districts have been doing what they can to meet their needs, but this is a statewide issue that requires statewide leadership.

"I had the opportunity to join with you, Mr. Director" -- these comments are directed to Director Hannigan -- "and our colleagues, to unanimously support AB 2315 in 1993 that led to this joint endeavor. I have been involved from the earliest stages as a supporter of CALFED efforts, and I was the joint author of Proposition 204, the largest environmental water bond of its kind, when it was proposed in 1996. That served as a down payment on this unique state/federal partnership.

"I'm also uniquely qualified to comment on this process because I am personally familiar with water issues and how CALFED actions affect California's future. I come from a farm next to Mendota, in western Fresno County. My parents, my brother, and one of my daughters and her husband still farm that ground, and I still hold an interest in a portion of the farm. Our farm relies upon water delivered by the Firebaugh Canal Company and Westlands Water District.

"My father served on the State Water Commission during the 1960's, when the state saw a renaissance in state infrastructure building, including water development projects. My father also served on the boards of the Firebaugh Canal Company and the San Luis and Delta-Mendota Water Authority for many years. In those roles, he has been a leader in the efforts to secure a reliable long-term water supply for California vital to agricultural industry.

"But apart from those personal interests, I am involved and interested as a citizen and as a policy-maker who has a long held interest and a deep appreciation for the importance of water issues, and an understanding of their many complexities. It is in that spirit and with that understanding that I urge you to move ahead with the planning for and construction of this Offstream Storage project. As those familiar with the water issues are well aware, the DWR assessment of California water needs shows California's supply infrastructure fall short of meeting our needs even in the years of average rainfall. At any time we are literally one drought away from a water crisis.

"It is difficult for policy-makers to explain to the public the year after they see the Yolo Causeway area flooded and the Sacramento River teeming from bank to bank why they must conserve water so the state can meet its most basic needs. Sites Reservoir, filled primarily with diversion from the Sacramento River during times of peak flow, will reduce the impact of pumping from valley conveyance systems during the summer months, and will allow for additional flows of salmon and steelhead during the critical times.

"This kind of a project is what California needs to begin managing its resources to meet urban and agricultural needs, instead of trying to manage the short-term crisis that" -- "the inevitable chronic crisis that will come with the state's projected growth.

"Thank you for considering these remarks, and I urge you to do all that you can to ensure that your decision is one more step forward towards the completion of this critical project.

"Bill Jones, California Secretary of State."

Thank you very much.

(Applause.)

FACILITATOR BUCHHOLZ: Thank you, Assemblyman Dickerson. I'd like to -- I'm going through the comment cards here for speaker cards, and I'd like to have Mr. Reuben Williams, who's representing Assemblyman Aanestad.

MR. WILLIAMS: Well, good evening, everyone. I'm honored to be here on behalf of Assemblyman Sam Aanestad to share with you that Sam does support the Sites Reservoir project. He is an endorser of that. And he would be very pleased to see the turnout here this evening. The fact that you all get civically engaged and come out to voice your opinion, and

to learn from Sean Sou and his informative presentation further about this project, shows a lot about your interest.

And the need somewhat that Senator Johannessen brought up that locals need to be listened to, and that you, since this is -- it's in your back yard, a lot of you are farmers. I spoke with Lorraine Corbin and her son, a lot of you know her, they grow rice and alfalfa locally, that the needs of agriculture, the needs of a growing population, and the importance of waterfowl all need to be addressed, and these are things that your state government needs to look at and to get behind. And Assemblyman Aanestad supports the Sites Reservoir.

So I just wanted to say thank you for coming out, and please be heard, and get your cards in. So have a good evening.

FACILITATOR BUCHHOLZ: Before the next speaker I just wanted to let everybody know there's about 10 or 12 seats sporadically placed around in the first few rows. If anybody would like to have a seat feel free to move on up. Right now we'd like to have Mr. Bill Borrer, from Tehama County Board of Supervisors.

MR. BORRER: Thank you.

I would like to go back a few years. It was 1995 that I was -- volunteered to be a Supervisor, and the first thing that came across my desk I think was something about CALFED. And there was a figure in there, I think it was a million acre-feet of groundwater was going to come out of the Sacramento Valley for the CALFED needs. That got me and our board excited, and we formed a committee. And we had a great leader in our groundwater engineer at that point in time, Dan Keppen, who most of you know. Formed an advisory committee to get some input into CALFED. After a few meetings we decided we needed to expand that.

Over a couple of years we got seven counties involved, and I think you all know who those are. Came up with some definite policy statements about water storage, environmental needs, and groundwater. And it was the unanimous consent of all those counties, they all took action on it, to support all of those policy statements, and the one on storage definitely supported a offstream storage project, which at that point had not been identified. But since then, at least our county has been a strong supporter of the Sites Reservoir project, and hope that it goes forward.

I think when you get into these scoping sessions there will probably be some environmental concerns, but it's our opinion that some of all the environmental impacts will be positive for fish and wildlife and their habitat, and will definitely be positive to the environment of the population of the valley, as well as to the Bay Delta, which is what CALFED is supposed to be all about.

I'd like to look at the long term. I'm – but years are going by and I'm not probably going to benefit too much from Sites Reservoir, but I just don't understand the thinking of some people when they don't get behind a storage in this state. Shasta Dam was certainly somebody's wild dream back in the 1930's, and look what it's done for the state, and where would we be without it. If we look 40 years down the road and the water needs of the state are certainly going to be probably beyond our comprehension even at this point in time, and this little project is just a start. But at least it'll be a start. There hasn't been any storage built in the state, I think, since Oroville Dam, and we need to get started.

The gentleman that started asked for comments about alternatives. And I live on the bank of the Sacramento River in Tehama, and we all know that that floods every time the water comes up. At least from the flood management department they say it floods. It even flooded last week, but I didn't see it. So when they get Sites built, I want them to think about going back to Cottonwood where the water is, and maybe we can get an offstream storage built and we can go back and do one that really has some impact.

If I could turn the mic off and say something, I think that we need to get started on this and get it done, because Senator Dickerson's going -- might be out of office before we get it dedicated.

Thank you.

(Applause.)

FACILITATOR BUCHHOLZ: Thank you. The next person is Mr. Keith Hansell, from the Glenn County Board of Supervisors.

MR. HANSELL: Yeah. I would like to say that Glenn County thoroughly supports Sites Reservoir. It has so many attributes that we just -- we have to have it. As I've stated before, we haven't developed any water, but this will do a lot for the flood control, too, in the district. I understand water will be taken out of Colusa Trough, which will really add to the protection of flood downstream in the trough. It will help the groundwater, it will help the environment, the wildlife. I just can't see any negatives in this whole program.

It's really nice to see the concept of the local input from the local districts. They're the ones that can manage the local efforts and the needs, and meet the needs of the local people. It's a good concept. We just, I think we need to get this one built and get on to something else. The only negative I can see in this whole project is the time it takes to get it built.

Thank you.

(Applause.)

FACILITATOR BUCHHOLZ: Thank you. The next card is from Mr. Forrest Sprague, from the Glenn County Board of Supervisors.

MR. SPRAGUE: Well, good evening. I likewise appreciate everybody turning out. This is your government in action, if it will, or maybe some might consider it inaction. But you want to take the opportunity to express your opinions of this, pro or con, on this particular project here tonight.

I, like Bill Borrer, I go back to originally seeing CALFED, when CALFED came out people thought CALFED was a bank and Metropolitan was a life insurance company. We all know a little better than that now. And one of the things that when it was first was crafted, if I recall it was about 6500 pages long, and at that time addressed only five elements. I think it was water quality, water reliability, ecosystem restoration, flood control, and levee integrity, if I recall. Only five elements. We've got now seven, I think, that includes storage.

But when it did first come out, at that time I was Chief of Staff for Senator Johannessen, and he put it upon my shoulders to start studying that document, 6500 pages. And what I soon discovered, as many of us did, that all the objectives identified in the CALFED Bay-Delta program, in that original EIR all things got better with storage. Ecosystem restoration, water quality, water reliability, flood control, all things got better with storage.

I'm very pleased to see the demonstration that we saw tonight, showing that continual nexus between storage and all of those elements of CALFED, because all things will get better with storage in the CALFED Bay-Delta program.

So I guess my comments would be addressed to those that still remain opposed to seeing Sites Reservoir. Most of those people embrace and support all the objectives found in the CALFED Bay-Delta program. However, some of them still remain opposed to storage. I would recommend to those people that they start looking at this realistically. If they are, in fact, concerned about the environment, water quality, water reliability, then they've got to support the storage element, as well. Anything less than that, in my opinion, is hypocritical.

Thank you.

(Applause.)

FACILITATOR BUCHHOLZ: Thank you. Our next speaker is Doug LaMalfa.

Mr. LaMALFA: Thank you. I'm a rice farmer from Butte County. I'm not a politician. I am, since parking the harvesters in October, I have started the run for the State Assembly.

As many of you also are rice farmers, we have a pretty common understanding of the value and the need of a constant water supply. Sites Reservoir will be one important component of that water supply. We need to get going on it, speed up the glacial pace that we get things done in this state with adding to the water supply.

With that, I won't be repetitive here, but I will go on record as being absolutely for the largest capacity Sites Reservoir we can have.

Thank you.

(Applause.)

FACILITATOR BUCHHOLZ: Mr. David Guy, from --okay. Ms. Mary Wells.

MS. WELLS: Thank you. This year marks the beginning of my 25th year as being very involved with water issues locally, and actually statewide. I have served as a staff member at Westside Water District for many years, and have moved on to directorships at Westside, Maxwell Irrigation, and I have served on the TC Authority for many years, as well as one of the founding directors at NCWA.

Water, of course, has consumed a major part of my life.

As current chairman of NCWA, I just recently participated in the historic Phase 8 of Statement of Principles Agreement. And if that is going to succeed, and there is out of that going to become a long-term solution to not only the north state, but the rest of the state, Sites or an offstream storage facility is going to be critical to that resolution.

In terms of my participation in the TC Authority, we need to better utilize not only our water resource up here, but we mustn't forget the facility resource that we have all invested in, and that is the Tehama-Colusa Canal and the GCID Canal. My family also owns land and participated in GCID, as well. So I think these are things that need to be considered. Existing facilities are critical to make this project work.

One of the main things that I've experienced in the last 25 years is the ever looming threat of water shortages. As a manager, it was critical every year, and I was -- particularly experienced through the nineties, when we would come out with preliminary predictions from the bureau of 10 percent, 15 percent, most of you are farmers here, you know that you cannot plan your cropping year with 10 percent and 15 percent. It would sometimes go up as high as 25 percent. We were all over the board, 15, 25 percent, 35 percent supply year, up to 100, back down to a 60. We have got to resolve this.

And it is only going to get worse. From '95 to the year 2000, we had relatively wet years and up along the TC, the Bureau of Reclamation, we were only able to receive 60 percent of our supply. And it isn't going to get better. We need offstream storage.

One of the reasons that I was particularly interested in the Memorandum of Understanding, the concept of meeting local needs first, is that the local people and their input was to be very, very important in this process. Unlike when the TC was built, and other earlier facilities, the bureau came along and told us how it was going to be, and we tried to comply. And, frankly, I've been trying to comply for 25 years. I would really like to have something to say about how this can be resolved. Very critical.

One of the things that has come out since the Memorandum of Understanding is that as a landowner, of all places, in Sites, I happen to have my home there, a couple of rangeland

operations, it's a wonderful place to live. I do not relish the thought of having to leave there. But I will tell you that if my family is to continue in their farming operations in GCID, along the TC, and the Maxwell Irrigation District, we have got to see additional reliable water supply. It's critical.

So with that in mind, I was instrumental, with some of the other landowners, to get the group together, and we will test this. Will landowners have input? So far, they have. We've had a couple of landowner meetings, and out of one of -- or, I should say, the first landowner meeting, we asked that this meeting be held here in this town, because this is where a lot of people are going to be impacted. And I thank DWR for listening to us, and having this meeting here. I do appreciate that.

But we will be testing you on a lot of other issues, such as when you get into the scoping considerations, you have told us that this is going to be open and inclusive. And I hope it will be, because, please remember, when you consider the Sites Reservoir alternative in your scoping, please consider that, of course, there will be landowners that are -- that will need to be relocated, that are definitely in the footprint. And I happen to be one of those species, if you will.

But there are also some other considerations. There are landowners who will have remaining land around the reservoir. When you are doing scoping and you are looking into the impacts of this, please consider the input of those landowners who have remaining land. They need to plan as to whether they need to relocate where they live, or what kind of utilization and how are they going to get to that property, which brings to mind, of course, access. Please consider those issues. And who better to call upon but the people who live there and know the land. So it's very important that those things be taken into consideration.

The other one is, of course, recreation will probably be a part of this. When you do get into the scoping of this alternative, please call upon and ask for the input of people who know best how that might work. It all ties in sort of a circle, if it is and will work, as to what the remaining land uses can be, the environmental impacts of the deer and the animals that are there, and those few species who may want to relocate. So I'm asking you, relative to scoping, please consider those things.

I'd like to close by saying that I do appreciate the structure, the direct line to the project management team that landowners have been afforded. And I ask each and every one of you that may potentially be impacted to speak up, call us. We will have continued landowner meetings.

Again, I'm going to say along with the water and the facilities that I've talked about is the people here who are probably equally an important resources to make this project work.

Thank you.

(Applause.)

FACILITATOR BUCHHOLZ: Pat Minturn, from Shasta County.

MR. MINTURN: Good evening. I'm Pat Minturn, the Shasta County Public Works Director.

Shasta County thinks storage is good, the benefits are needed, and Sites is probably superior to all the alternatives here in the north state. But I'd like to talk for a moment about the no action, no project alternative. It has profound impacts, and the impacts of the no action alternative always seem to be underestimated in these environmental documents. Oh, it'll work out. No. The impacts of not building, of not going forward, of the no action alternative, will hurt. They'll be real. For M&I, ag, environmental, flood control, power, recreation, and export, somebody is going to get hurt if this thing doesn't get built.

If we build it, there will still be pain, but we'll have some options. We can manage it somewhat. Overall, if you're not in a position to manage the impacts, if you don't have any options, the overall community impact for all of California, especially for here, the impact is greater. So these environmental documents, it's been my experience, are very good at finding all the problems with a proposed project. I'd like to see that same level of detail applied to the no action, no project alternative. No vague escapes. Explain what the future will look like without this project. How will that all work, how will all those needs be met. Own up to the damages in the no action alternative. And then, build it.

Thank you.

(Applause.)

FACILITATOR BUCHHOLZ: Mr. John Byrne.

MR. BYRNE: I'm John Byrne, and I'm running for the State Assembly. And why we're all here tonight is one of the reasons that I am running. We haven't developed any water storage for a long, long time. It's absolutely necessary, and it's imperative that we move forward with this project as quickly as we can.

It maybe isn't as big of a project as many of us would like. We'd like to see a lot more storage developed around northern California. But it is a project that we have and we can get moving on right away. So one thing that I would just like to ask with all of us here tonight, to the CALFED people, what can we do to make sure that we move this project forward as a group as quickly as we can. So if you can tell us also how to help you, we would be there for you.

So, thanks very much.

(Applause.)

FACILITATOR BUCHHOLZ: Pat Knight.

MAYOR KIGHT: Okay. Can I -- show of hands, anybody who's not running for office?

(Laughter.)

MAYOR KIGHT: Good evening, ladies and gentlemen. My name is Pat Kight.

FACILITATOR BUCHHOLZ: Sorry.

MAYOR KIGHT: That's okay. So am I, sometimes. I'm the Mayor of the City of Redding, and I also am a candidate for the Second District that Dickerson now holds. We're all getting to be very good friends here.

(Laughter.)

MAYOR KIGHT: As a resident of the Sacramento Valley for the past 31 years, I've long valued the water resources in northern California, and I'm deeply committed to the efforts that are necessary to protect our water rights and to be able to fully utilize our waters for the farms, for the cities, local communities, and for fish and wildlife in our region.

It's no secret that California is now adding nearly 600,000 people per year to this great state. Additionally, our state has dedicated millions of acre-feet of water to meet environmental needs, and yet while these demands have grown, the state has not developed the infrastructure that'll be necessary to meet the numerous demands for water in California. We simply cannot wait for a crisis like we saw this past year in the Klamath Basin. We must focus our energies to build new infrastructure to not only keep pace with the demands, but to stay ahead of it.

Although I'm primarily here tonight to listen, I want the people to know that I'm deeply committed to new surface storage in California, and particularly the Sites Reservoir. I'm also committed to local control and management of our water resources, and as your Assemblyman I will immediately forge alliances with other elected officials around the state to fund the important infrastructure that's critical to meet these demands in the state, including Sites Reservoir.

So I join you tonight in expressing my belief that tonight is historic. As we embark on the process that should lead to building a new important offstream reservoir.

Thank you.

(Applause.)

FACILITATOR BUCHHOLZ: Steve Evans, Friends of the River.

MR. EVANS: Good evening. I appreciate being here tonight and hearing all the great comments.

Just a little background. I'm Conservation Director of Friends of the River. We're the state's largest

river conservation group, with 6,000 members. I, in the last couple of years, have been serving on the Department of Water Resources Technical Advisory Group for the North of Delta Offstream Storage studies, so I'm fairly familiar with these projects. And I've been a long-time resident of northern California, including a 20-year resident of Chico, before I moved to Sacramento.

When we look at North-of-the-Delta Offstream Storage, there's several major questions that have to be asked, and these are the questions I think need to be posed in the CEQA and NEPA document, and answered in those documents. Probably one of the foremost questions is how much water will the Sites or Newville projects reliably produce, particularly when you consider the realistic environmental constraints. Estimates have been made, but they vary widely. And it's reliable production of water that we're looking for out of these projects, not estimates.

Another major question is how will that water be used. Will it go to agriculture, will it go to urban water users, will it be used for the environment. There's needs in all those sectors, certainly. But it depends, those sectors are defined differently, depending on who you talk to. I've heard urban users in the Sacramento Valley define environmental water as water use that would replace the water used for endangered species currently, or required by the Central Valley Project Improvement Act for the environment as a replacement. And that's a zero sum game. I've heard urban water users south of the Delta define environmental water as water that goes to the Delta that allows them to pump more water out of the Delta. So let's define what environmental water is before we say hey, let's build this project to benefit the environment.

How much will the project actually cost? In the initial studies the cost is varying widely from a half billion dollars to well over a billion, depending on how big it is, how -- what new facilities are constructed to divert the water and transport the water. And then, finally, who will pay for the water. One estimate places the cost of this water at $450 an acre-foot, which no agricultural user in California can afford to pay. Are we going to build this project so that southern California urban users can use all the water, is the question, since they are actually the only entity in the state now who can afford to buy water at $450 an acre-foot.

Other important questions need to be answered. Can substantial amounts of water be diverted from the Sacramento River without harming its dynamic meandering ecosystem, which the restoration of is a major CALFED goal, as well as the river's threatened and endangered fish and wildlife. This is a very important question. High flows in the Sacramento River, the very flows targeted for diversion to fill these offstream reservoirs, are

the flows that cause the river to meander back and forth to erode and deposit, to recreate riparian habitat. That dynamic process that you see occurring today is what makes the Sacramento River one of the most healthiest rivers in the Central Valley.

In comparison, the San Joaquin River, which has most of its water diverted out of the river, something like over 90 percent, is virtually a dead river that sustains no runs of salmon and steelhead. So how much water we divert from the Sacramento River and when we divert it will be a very key, crucial issue to determine. And the problem is we don't know at this point, and it may take several years to conduct studies to even come up with a ballpark answer. I urge the Department of Water Resources and other supporters of this project to slow down and really seriously look at that issue before charging forward.

What are the direct impacts of building offstream storage reservoirs in the Sites and Newville Valleys? We have some basic numbers, something like 14,000 acres would be inundated in the Sites Valley. Don't have the acreage for Newville. But there are some other impacts for those projects. The Newville project, for example, would require a diversion from Thomes Creek, which has a marginal steelhead run. But both the state and federal agencies have a legislative mandate to double salmon and steelhead runs in the state. Can we afford to create more impediments on even marginal tributaries like Thomes Creek that would keep us from achieving those goals.

Perhaps a more esoteric question, what is the potential for reservoir induced seismicity from the Sites Reservoir, in particular. The Sites Reservoir sits on a vast fault system that has produced catastrophic faults in the past, as the communities of Winters and Coalinga can attest. We can build dams to withstand the likely earthquakes in that fault system, but the question is can buildings here in Maxwell, for example, unreinforced masonry historic buildings, withstand earthquakes that could be induced by the sheer weight of a million acre-feet or more of water. Reservoir induced seismicity is a real issue. It -- Oroville Reservoir caused an earthquake in Oroville on a fault that wasn't even known of, and it's been proven over throughout the world in various sites. So it's one that really has to be taken a look at, particularly when we're on such an active fault as here on the west side of the Sacramento Valley.

Then, finally, what are the alternatives to building new surface storage. Groundwater storage, a conjunctive use, water use efficiency, and mandatory water conservation. I'm going to say something here tonight that's not going to be very popular, but that's because last week I said something in Sacramento that wasn't very popular. I informed the good citizens of Sacramento that they can no longer -- they were getting to the point where they can no longer use water at a flat rate, that every person using water in California has to have their water metered, and purchase water by volume. And the same is true for agricultural users in the Sacramento Valley.

There are many programs that need to be implemented that allow us to more efficiently use our existing water supplies and conserve water, and extend those water supplies. Some areas, including areas that have been -- particularly in northern California, don't have much of a good reputation. The Los Angeles area, for example, grew by over a million people in the last 15 years, and still using the same amount of water that they did 15 years ago. They did that through aggressive and mandatory water efficiency and conservation programs. That needs to be used statewide. We always need to conserve water. At no time can we allow ourselves to waste water.

I'll be submitting more detailed comments, but I just need to close. There have been various comments tonight about how long it's been since we built new water storage in the state, and I just have to mention that, in fact, we've built a lot of new water storage in the last several years. The Diamond Valley Dam, the state's largest offstream storage reservoir, built in southern California by the Metropolitan Water District, paid for by the Metropolitan Water District, who are the beneficiaries of that project. The Los Vaqueros Offstream Storage Reservoir near the Delta, built and paid for by the Contra Costa Water District and its users.

Projects are being built by the people who need them, and they're being paid for by the people who need them, and that's an important concept to keep in mind.

Thank you.

(Applause.)

FACILITATOR BUCHHOLZ: The next person I'd like to call is Marian Mathis. Did I get your name right?

MS. MATHIS: You sure did.

FACILITATOR BUCHHOLZ: Oh, good.

MS. MATHIS: I'd just like to start by saying that I'm not a candidate.

(Laughter.)

MS. MATHIS: I'm not an officeholder. My largest claim to fame is that I'm a landowner who will be impacted by the construction of the Sites Reservoir. And so one of the things that I want you to consider in the scoping process for that particular alternative is the access routes.

Now, we had a -- my husband and I had a meeting with a representative from the Department of Water Resources and a project engineer, and we suggested an alternate route that would not impact housing or prime ag ground, as the route now considered does. And so we want to make sure that that is included in the scoping process and is not shuffled off to the side, and that we have the same studies going on for that alternative route as we do for the footprint that we see right now. So that's our main concern at this particular time regarding the Sites Reservoir project.

However, I will say that if people need to pay for what they use, then it would be a really good idea for environmentalists to pay for their own projects.

(Applause.)

FACILITATOR BUCHHOLZ: Aileen Roder.

MS. RODER: Good evening. My name is Aileen Roder. I am a water policy analyst for Taxpayers for Common Sense, a non-profit national budget watchdog group.

As many long years of CALFED negotiations have shown us, in order for California's water future to be solved, the problems, we're going to have to all compromise. The CALFED Record of Decision issued in 2000 looked at several water projects as future potential projects that might be built and studied as to whether or not they will meet California's water needs. One of the main promises made to the federal taxpayer in the CALFED Record of Decision was that the beneficiary of projects would pay their fair share of building and maintaining those projects.

As California faces the future with a growing population, the state must thoroughly review projects to ensure that any proposed water projects are cost effective, fully cost justified, and that those benefiting from them are willing and able to pay their fair share of those projects.

In some instances, proposed projects have been studied multiple times and have never been built because they were unable to meet these important requirements. Taxpayers for Common Sense believes federal taxpayers should assist California in finding water solutions, but California and the primary beneficiaries of projects must take the lead in implementing and funding these solutions. Taxpayers cannot afford another Central Valley Project, where 60 years down the line the federal taxpayer has been stuck with over 85 percent of the bill. Californians must be willing to look at innovative solutions to help meet future water needs and pay their fair share.

The deal was if federal funds were going to be spent on these projects, then the beneficiaries and the state are going to have to come up with the funds, as well.

Thank you very much.

FACILITATOR BUCHHOLZ: Thank you. Ken Wells.

MR. WELLS: Hi, I'm Ken Wells, and I farm west of Maxwell, two miles from the Sites project. And on your scoping process, I'm a little concerned about what this dam will do to the groundwater level.

On my ranch alone, the groundwater is 12 to 15 feet in the summertime. In the wintertime it's about eight feet. And right south of my ranch, a neighbor of ours has an artesian in the middle of his ranch in the summertime.

Now, I'm just concerned what -- and don't get me wrong, I'm not against this -- I just want this to go through the scoping process that what a million acre-feet up behind us will do to this water level. And that's just something I hope we can check out.

Thank you.

(Applause.)

FACILITATOR BUCHHOLZ: Okay. I'm going to try, and I apologize if I mess this name up. Lynne Spivak.

MS. SPIVAK: That's very –

FACILITATOR BUCHHOLZ: It's close.

MS. SPIVAK: Hi, there. I'm Lynne Spivak, and I am a candidate for Colusa County Treasurer and Tax Collector, as long as this is candidates' night.

My concern, and I would like to preface I am in favor of the project, but my concern is the removal of those properties from our tax base in Colusa, and the tax dollars that will be removed. And in looking at the surrounding properties and the land uses, look at how we might be able to make up those tax dollars so that Colusa County doesn't lose on that front.

And so in thinking about that mitigation, if you will keep in touch with our Board of Supervisors and let the county have input on how we're going to resolve that issue,

I would really appreciate it.

Thank you.

(Applause.)

FACILITATOR BUCHHOLZ: Ann Randless.

MS. RANDLESS: Good evening. My name is Ann Randless, and I represent this evening the Maxwell Unified School District and Superintendent Ron Turner. This is a very localized issue for us.

We're also concerned about access routes. In December of 1941, we had made an agreement with Stony Creek that if we ever unified we would always continue to take their students down to Maxwell, should they choose to do so. In September of 1963, we did unify. So, we are traveling their students down. And we did a very short survey today, or I did, to see what our losses would be to the school.

We have a $3.875 million budget total. We have three schools, an elementary school, a high school, and a continuation school. We would lose -- right now these are only students in the Stonyford area. This does not include from Sites to Lodoga. We would lose 17 students at

the high school, and the total of the ADA there, the loss would be $166,000. A 15 student loss at the elementary school would be a total of $73,977. This runs to about $240,000. This does not include, with your routing access, the direct impact on our buses if we would have to use what no one in this area fondly calls the Leadsville Grade. We would be running through probably a bus a year if we had to use that.

So I would consider -- ask you to consider your direct access routes for us, like Ms. Mathis. And we will definitely be at all your meetings.

Thank you.

(Applause.)

FACILITATOR BUCHHOLZ: Kim Vann, from Congressman Ose's office.

MS. VANN: Well, Congressman Ose is running for reelection, but unfortunately, not in this district, as most of you know. But we will be here until 2003.

So I am pleased to be here this evening, and the Congressman would like to thank NCWA for putting together this forum -- excuse me -- and he would like me to reaffirm his commitment to offstream storage.

The Congressman feels that the North-of-the-Delta Offstream Storage serves multiple needs. First and foremost, security to our farmers, so that they have the water when they need the water. Second, flood control for downstream communities. Third, reserve storage for general community use. And, fourth, storage -- future and current environmental demands.

Congressman Ose is pleased to report that we have secured $1.5 million in our 2002 appropriations for Sites Reservoir. We secured an earmark of $750,000 under our energy and water appropriations for Sites Reservoir. Specifically, these funds will go to a Sites specific environmental assessment and permitting work, including the evaluation of both the GCID main canal and the Tehama-Colusa Canal as a means to convey water to the proposed reservoirs. We also secured $750,000 within CALFED for planning of Sites Reservoir.

We know that there are many issues that will arise with the proposed Sites Reservoir, but we are committed to this project to see a reliable source of offstream storage for northern California.

Thank you.

(Applause.)

FACILITATOR BUCHHOLZ: Supervisor William Waite, from Colusa County.

MR. WAITE: I appreciate everyone coming tonight. It shows the importance of what this project. I hadn't initially intended to talk, but after the last few speakers I think I have to say a few words.

Actually, the last new reservoir north of Tehachapi is the New Melones. I know some of these people work for the State Department of Water Resources said their whole career they've never developed a dam project, and some of them have been there almost 30 years.

We need water. We're gaining probably 600,000 people a year, and close to 2,000 people a day. If we started that reservoir tomorrow, it'd probably be ten years before you'd be utilizing the water. They talk about utilizing the flood water. Well, ask the people 47 years ago in Yuba City what flood water does. There's an excess of flood water. How much -- if we started pumping out of that river during the flood, how much are we going to take off? That much? It might end up difference of going over the levees. That water that goes over the levees ain't helping anyone.

We need water. But basically, the water out of the Sites Reservoir won't be going to southern California, it's going to stay here, going to basically in the Tehama- Colusa Canal and the Glenn-Colusa Irrigation system. Water that isn't pumped from the Glenn-Colusa and Tehama-Colusa Canal will be going down the river for whatever uses they have, including the fish, environmental, southern California. But also, you better -- who is -- who's going to build it, who's going to pay for it in southern California? So we've got to be realistic. We got surplus water, send to them, get our project built.

We need more water projects in northern California. You don't realize, it'll be 2004 before the environmental report's even done. And then I don't know how many, a few years of litigation, and other things, four or five years of construction, and maybe two or three years of filling the dam up. Optimistically, probably 20 years before we'll ever use the dam, if we start now.

So you just got to -- we've got to have something. California has. I've been on the Board of Supervisors for 17 years. I've fought for water the whole time. And we need this project.

Thanks.

(Applause.)

FACILITATOR BUCHHOLZ: Bob Barkhouse. You did want to speak, didn't you? I didn't realize this. Bob Barkhouse, from the City of Yuba City.

MR. BARKHOUSE: Currently, the Vice-Mayor of Yuba City. And you probably are thinking what in the hell is he doing clear over here. But what's happening here has a direct impact on what we're doing over on the other side of the valley.

The City of Yuba City currently is 45,000 people, and the crystal balls that people use to tell us what the population's going to be says that Yuba City will be over 100,000 people by year 2020. So that's only 20 years. Our problem is that we get our water out of the river, and the Feather River has similar problems as the Sacramento River. It has a lot of water going down it in the wintertime, and little or nothing going down in the summertime. And so our problem is that in year 2010, a lot of our water contracts that we currently have are going to have to be renegotiated, and whether we can swing the same original people that we had contracts with or not is going to be questionable.

So we're faced with a doubling of the population, not only in the City of Yuba City do we have 40,000, but around the outside of the city we have an urban moat of another 30,000. So if you double that, and we have, by year 2010, we're going to be faced with a serious situation, where are we going to get the water.

Now, I am also a farmer, so I know the farm side of this issue, also. But I think the reason I'm up here, and I want it to be on tape, that I think that you should, as the process proceeds, use the information you have as a model to look at other offstream storage units, so that we don't have to take each one of these and make a 20-year fight or a 30-year fight to move on to the next one. So if we can learn from this one, and proceed to the next ones, because I have no doubt in my mind we're going to have to conserve the water by storing it somewhere either onstream or offstream.

(Applause.)

FACILITATOR BUCHHOLZ: At this time I do not have anymore speaker cards. Is there anybody else in the audience that would like to speak? We need to -- let us get a card and we'll start there. Anybody else, while we take a couple of seconds here to work this out?

While that's being filled out, let me also remind you, please, if you have not signed on the mailing list, there will be subsequent workshop meetings all through the process. We'd like to notify you personally, and we can only do that through the process on the mailing list.

John Garner.

MR. GARNER: I, again, am not running for office. In fact, it's interesting to me how many people in the audience are just farming landowners. I hope they're here, because I'm speaking to you, not all the politicians and everybody else.

The reason Sites Reservoir, and I've been pushing just like Marian for 25 years -- oh, and also, one thing. You heard a earlier statement that CVPIA allotted 800,000 acre-feet to the environment. In that same contract or agreement, it said that the federal government would replace that water with storage, that they would find a means. So that's not a no sum gain, as it was alluded to. That was water that was supposed to be given back to us over time.

But anyway, as it affects us locally, and I talk about Glenn County, Colusa County, and Yolo County, as we well saw in the last couple of weeks, we've closed Highway 162, Maxwell Road, Highway 20, and the Hahn Road, of course, and then Lonestar for two or three days at a shot, and then they come back and forth. But we didn't really get that much rain. And if you -- if nothing else, the flood control aspect of this Sites Reservoir, and some of the other reservoirs that've been proposed along the west side, every time we get a road flooded in this county not only is it inconvenient, it does damage to farm ground, it does damages to the road. And all that relates right back to our – we have to fix those roads. So we have to pay that in money.

So you've heard tonight that that reservoir will probably be built by southern California, and that, in essence, we couldn't afford the $600 fee per acre-foot. But, remember that for the people who aren't involved in the water process, they call it an exchange. We use that water, they use our water, and so it's a net gain because they're using river water and we're using Sites water, so everybody's, you know, and they pay for the river water at the $600 rate and we pay the -- our river water rate for that water, so it works out.

There's one thing that I would like to address the group here tonight. When it comes to the operation of filling the Sites Reservoir, one thing comes to mind, and as a farmer, I'm always thinking of what could go wrong. And I was just sitting there thinking, you know, what if we start a whole bunch of water down to Maxwell here, and then we're going to pump it up into Sites, and the electricity went off. If you think about that, you could really have a big problem down at the end of the Tehama-Colusa Canal.

And so as a proposal, I'd like you to consider possibly moving, or continuing the canal, the Tehama-Colusa Canal on down as it was originally proposed, at least into Yolo County, because there are some areas down there that have some offstream canyon storage that would be great groundwater recharge. And as you well know, Yolo County has subsidence on the west side down there, and they could really utilize. But it would be a buffer, so that if my scenario ever came true, that it had somewhere to go.

And so consider that, and as I'm sitting here I'm thinking of a lot of things that could go wrong, so I'll write some more comments down. But it's possible that even Contra Costa County -- and I'm reaching out of the scope here a little bit, but when I think of the amount of water that northern California has to use to push the salt back in the Delta so that Contra Costa County can take water that's fresh, fresher than saltwater, maybe it'd be more efficient to bring water down the west side to Contra Costa County, and then allow the Delta maybe to come -- become a little more saltier a little further north, as it was back in the fifties and the forties.

And again, I'm just throwing things around here. But we ought to evaluate the efficiency of the whole system. And I know there's a lot of negative feelings about letting the saltwater intrude further into the Delta, but, you know, you only got X amount of water. And so if we're using water right now to push the salt back down into the Bay, maybe it'd be wiser to consider doing something else.

And so, at any rate -- and I encourage all the landowners here who aren't paid professionals or running for office to think about some of those farmer scenarios, problems and what-not, and get specific about them. You know, about this -- like if the electricity goes off, or whatever, and write those things down. Don't just assume, because we hear a lot of talk here

about the integrated planning and management and all this, but nobody's ever talked specifically about some of the things that can happen.

And so write that stuff down, and send it in. We do have an opportunity to go ahead and address the folks who are in charge of this, and -- but a lot of times we have concerns, but they can't relate to those concerns because they don't -- they're not thinking of the same specifics that we're thinking of, when I think of electricity going off.

So with that, I'll sit down.

(Applause.)

FACILITATOR BUCHHOLZ: Mr. Tom Griffin.

MR. GRIFFITH: I'm Tom Griffith. I farm in the west side, south of the project. I didn't intend to speak when I came here, I really didn't have anything to say. But I don't know how many people know the location or where the -- some of the people that spoke earlier actually live. And I just -- I'm very touched by their willingness to sacrifice their homes and their ranches, Mary Wells, the Mathis family, Dick and Marian Mathis and Ken Wells, also, to improve the condition of the State of California. They're very, I think very unselfish in what they're offering to do. And I just hope that the people involved in the project take that into consideration, that these people are giving up properties that have been in their families for generations, and are willing to relocate elsewhere for the benefit of the State of California.

And another aspect that really hasn't been touched upon. Somewhat, the access roads were discussed, but the ranches that are out there are going to be greatly impacted as far as the managing of the livestock and how the -- I do have a ranch out there that I lease, I don't own it, so it's not going to impact me as much as it's going to impact them. But the facilities that we need to handle and process all the livestock and large areas around that valley are going to be impacted, as well. And I hope people consider that. It is -- it's going to take a lot of thought and a lot of changes to make that workable, as far as our ability to get those cattle in and out of that entire area. And people, as well.

So it's going to have a lot of impact, and I really appreciate what these people are willing to do. It's not near as much of a sacrifice for myself as it is for them, but they have a lot of foresight and are very generous in their acceptance of this project.

Thank you.

(Applause.)

FACILITATOR BUCHHOLZ: Okay. At this time we do not have anymore speaker cards. Oh, we do have one more speaker card. Frank Sieferman.

MR. SIEFERMAN: That's good enough.

FACILITATOR BUCHHOLZ: Okay.

(Laughter.)

MR. SIEFERMAN: Some people have trouble pronouncing names. I don't have any problem with it. Sieferman is how I pronounce it.

FACILITATOR BUCHHOLZ: I apologize.

MR. SIEFERMAN: No problem. I didn't come prepared to say anything, but I thought I would. My county's not represented here tonight. I'm a little disappointed. I spent time on the Yolo County Board of Supervisors a little less than ten years ago. I was at Mary Wells' ranch one time. I and my neighbor worked very hard a few years ago with the Department of Water Resources, trying

to show them that what they were doing with the CALFED program was not far enough. They needed to look at all the storage on the west side of this valley.

I still farm in Yolo County. I own land on the west side of the freeway. Originally, the Tehama-Colusa Canal was supposed to go through part of my property. The comment by John Garner about extending that canal is still viable. That's another option. Maybe somebody'll look at it at some time.

The comments about how long it takes to build a dam, I didn't hear anybody really pin it down, but you'll never build one within 25 to 30 years if you start today. I'm 75, and unlike some of the rest of the speakers I won't be here long enough to see it. But that's all right. The generations coming beyond are going to need this water. It's high time that we find a place to store it.

It was talked about the Cottonwood Reservoir. No question that reservoir should be looked at. There's an ample supply of water there. Certainly it will have some effect that would be negative to the Sacramento River, but there's still plenty of water in that river. We just have to manage how we send it down to the Delta.

I had previously owned land in the Colusa Basin. My neighbors, one of them's right here, Tom Hermle. Stand up, Tom. His house was built a long time ago. His neighbor's house was built 100 years ago. Never had water in it until '95, and it was four feet off the ground and was still in the house. So we need to have these reservoirs, as Keith Hansell said, to take the floodwaters off of this basin.

Thank you.

(Applause.)

FACILITATOR BUCHHOLZ: Do we have anymore speakers? Okay.

I want to thank you for your participation. I think your turn-out was very impressive, and it shows the willingness to participate in this part of the process. We do have -- do we have another speaker's card? The -- I just want to make sure everybody has an opportunity.

I do want to remind you that we are taking written comments. They can be mailed or faxed in to Scott Woodland. And Scott has his business cards there in the back, and you can pick them up as you leave so that you have the notification address.

Thank you again for attending and participating tonight.

(Thereupon the Scoping Meeting was concluded at 8:00 p.m.)

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CERTIFICATE OF REPORTER

I, PETER PETTY, an Electronic Reporter, do hereby certify: That I am a disinterested person herein; that the foregoing Department of Water Resources Public Scoping Meeting was reported by me and thereafter transcribed into typewriting. I further certify that I am not of counsel or attorney

for any of the parties in this matter, nor in any way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this

28th day of January, 2002.

Peter Petty

Official Reporter

This page has been inserted to facilitate
double-sided printing.
No text is missing from the report.

Appendix H: Transcript of Public Scoping Meeting - Fresno, California, January 15, 2002

STATE OF CALIFORNIA

DEPARTMENT OF WATER RESOURCES

PUBLIC SCOPING MEETING

NORTH-OF-THE-DELTA OFFSTREAM STORAGE

PICADILLY INN - UNIVERSITY4961 N. CEDAR

FRESNO, CALIFORNIA

TUESDAY, JANUARY 15, 2002

6:00 P.M.

PROCEEDINGS

-oOo-

FACILITATOR BUCHHOLZ: Good evening. My name is Gwen Buchholz, and I'm your Facilitator tonight.

The purpose of being here today is that we're here for the Scoping Report. We're starting the scoping process with the development of the environmental documentation for North-of-the-Delta Offstream Storage.

We are here for several reasons, as part of the scoping process. It's a process under CEQA and NEPA to develop an Environmental Impact Report under the Department of Water Resources, an Environmental Impact Statement under Bureau of Reclamation, and also documents off of the Programmatic EIR/EIS.

Our purpose tonight is to notify you of the intent of developing this environmental document, and to get your ideas on alternatives that should be considered in this document, and issues that need to be evaluated in detail. We also are here to develop a mailing list, and so, again, I

think all of you have signed up on the mailing list, the sign-in sheet, but if you haven't, please do so, because that's our basis of developing a mailing list for future meetings.

Today with us, we have several people with us. We have Sean Sou, who's the Project Manager for the Department of Water Resources; Donna Garcia, manager for the Bureau of Reclamation on this project. We have B.G. Heiland from the Department of Water Resources; Scott Woodland, and Jim Wieking, from the Department of Water Resources.

We will be recording this, all of our comments today. We would like to do a small presentation, short presentation to discuss the basis of the project, which is really a summary of what the information was in the Notice of Preparation and Notice of Intent, that was published in November of 2001. We'd like to have you hold your questions and comments until we're finished with the presentation. But that way, then we will be preparing our -- getting the comments directly onto the recordings, so we can make sure that they're included in their entirety in the Scoping Report, which will be prepared following the close of the scoping period.

We also ask -- we'll get the comment cards, and we'll be using those so we can record your name and – for the comment period after the presentation.

So at this point in time I'd like to have Sean present the short presentation and discussion of the project.

MR. SOU: Thank you, Gwen, and good evening, everyone. Thank you for coming to our Scoping Meeting. Just a reminder that this is North-of-the-Delta, Sacramento Valley Storage Project, and not the San Joaquin River Project.

In order to introduce North-of-the-Delta Offstream Storage, I will described North-of-the-Delta or the Sacramento River region and the Sacramento River, the CALFED program, the North-of-the-Delta Offstream Storage program, the North-of-the-Delta Offstream Storage Planning Partnership, the environmental documentation processes, and public participation in this process.

The water resources of the Sacramento River region support over 2.5 million people and associated industries, over two million acres of farmland, and also supports 200,000 acres of marsh and agricultural farmland for waterfowl, which supports about 60 percent of the total duck and goose population in the Pacific Flyway. And, of course, supporting flows for riverine habitat. The total regional needs are projected to increase in the future.

The Sacramento River region, as shown on this map here, covers the drainage area of the Sacramento River and its tributaries. It covers roughly from the Oregon border in the north, to about Collinsville in the Delta, roughly 300 miles. At the same time, the Sacramento River and its tributaries make up the largest and most important riverine ecosystem in California.

These factors combined have brought us a number of challenges facing the region. Those challenges include users are subjected to shortages in both average and drought years, and that a number of species dependent on the riverine ecosystem are being designated as threatened or endangered. And the Sacramento River provides 80 percent of the inflow to the Delta, supporting both Delta ecosystem and Delta diversions.

These often competing demands on this limited resource has brought us to the point where operation and management of the system are becoming increasingly inflexible due to increase in water use within the region, Delta diversions and exports, and increase in recognition of environmental water needs.

Meanwhile, in May of 1995, CALFED began to develop a long-term comprehensive plan to restore ecological health and improve water management of the Bay-Delta system. The CALFED program is a collaborative effort involving, or including representatives of the agricultural, urban, environmental, business, fishery, tribal and local interests. And the CALFED programs are coordinated with local leadership, with an emphasis on regional solutions.

In the summer of 2000, CALFED published a Programmatic Environmental Impact Statement and Report, and a Record of Decision with an action specific long-term plan. The CALFED solution area covers six regions, including all the region of interest of Sacramento River region.

CALFED has four program objective, basically. The four objectives are improved water supply reliability; improved ecosystem quality; provide or improve water quality; and improve levee and channel integrity to reduce risks associated with catastrophic failure of the Delta levees.

And in order to achieve those program objectives, CALFED has eight program elements, including storage component, which is our focus for the North-of-the-Delta Offstream Storage program, although all of the other components or elements will be affected somewhat by a North-of-the-Delta Offstream Storage.

In the Record of Decision, CALFED agencies concluded that storage can be used to help achieve the CALFED objectives, and more specifically that storage is critical to the successful implementation of all aspects of the CALFED program, and that storage provides much needed system flexibility.

Also the Record of Decision identifies Sites Reservoir, which is a North-of-the-Delta Offstream Storage alternative, as one of five surface storage projects statewide for continued evaluation. The other four of the surface storage projects that are needing investigation are Shasta enlargement, the Los Vaqueros expansion, in Delta storage, and the San Joaquin storage.

Consistent with the National Environmental Policy Act, the California Environmental Quality Act, and Section 404 of the Clean Water Act, the Department and its partners will evaluate Sites Reservoir and a reasonable range of alternatives.

Concurrent with the North-of-the-Delta Offstream Storage program, these are some of the other programs in the Sacramento Valley that are ongoing. Those programs include Sacramento Valley Water Management Agreement (Phase 8 Settlement Agreement); the Sacramento Valley Basinwide Management Plan; the CALFED Ecosystem Restoration Program; the Sacramento River Conservation Area, also known as Senate Bill 1086;

Sacramento/San Joaquin River Basins Comprehensive Study; and other CALFED Stage 1 surface and groundwater storage programs.

In the Record of Decision also identifies specific objectives for North-of-the-Delta Offstream Storage project. And those objectives include to enhance water management flexibility in the Sacramento Valley; reduce diversions, water diversions on the Sacramento River during critical fish migration periods; increase reliability of supplies for a significant portion of the Sacramento Valley; and, of course, provide storage and operational benefits for other CALFED programs such as water quality and the Environmental Water Account.

In order to understand how North-of-the-Delta Offstream Storage affects the current system, as well as how those objectives for North-of-the-Delta Offstream Storage will be accomplished, it is helpful to do a comparison of the system with and without an offstream storage. This is a simplified graphic representing the current system, with a number of important Water Resources facilities including Shasta Reservoir; Oroville Reservoir; Folsom Reservoir; the Sacramento River, Feather, and the American Rivers; and the Sacramento/San Joaquin Delta.

In the following slides we'll focus in on this area that's outlined here on the northern Sacramento Valley there. This graphic indicates the current operation without an offstream storage, focusing in on the two major water users of the Sacramento River, the Tehama-Colusa Canal and the Glenn-Colusa Irrigation District Canal. During the wintertime, when flows in the river are relatively high, as indicated by this thicker line representing the Sacramento River, diversions to these canals are relatively low, as indicated by the thinner canal lines.

Again, on current operation without an offstream storage in the summertime, now there's a greater, much greater demand, agricultural demand in these two service areas in the summertime. So diversions to these canals are relatively high, while flow in the river is relatively low during the summer.

Now, operation with an offstream storage. During the wintertime, when flow in the river is relatively high, we can divert water into an offstream storage either from the Sacramento River or its tributaries. Our depiction of this bucket here, it's really -- this bucket here depicts any type of a storage. Now, the current operation with an offstream storage in the summertime, now there's a greater demand in these service areas. With an offstream storage, with water stored in an offstream storage in the wintertime, we now have an alternative source of water to meet these demands.

With an offstream storage, we can provide partial delivery to these canals, these water users in these two canals. And at the same time, with an offstream storage, we can improve the water supply reliability of these canals, these water users in these areas, as well as reduce water diversions from the river during critical fish migration periods.

Now, let's look back at the bigger system, the larger system. With an offstream storage, as a matter of fact, with an offstream storage operation, preliminary operation studies indicate that with an offstream storage operation for the current system, we can provide a significant water management flexibility to the system. And more specifically, if we can get water from an offstream storage we can improve storage in Shasta Reservoir, in Oroville Reservoir, and Folsom Reservoir, as well. And with water storage, an offstream storage, we can even improve locally managed groundwater storage.

In summary, North-of-the-Delta Offstream Storage can provide opportunities for other benefits for other CALFED programs, including Delta water quality and the environmental water account. North-of-the-Delta Offstream Storage provides an opportunity for balanced solutions with ecosystem benefits, environmental water use, agricultural water use, municipal water use, and industrial water use.

In the CALFED Record of Decision, two milestones or steps were identified. The first milestone was established to create a partnership local water interests, and the second step or

milestone was to complete the environmental review and planing documentation by August 2004.

For the first milestone, a Memorandum of Understanding was created with local partnership, local water interests, and to date there are 11 local water interests who have signed the Memorandum of Understanding for joint planning. And there are five CALFED agencies, including three federal and two state.

The federal agencies, including Bureau of Reclamation, which is represented by Donna Garcia here, they are the CALFED's lead agency for compliance with the National Environmental Quality -- Policy Act, excuse me. And then Department of Water Resources is the state agency represented, which is the lead agency for compliance with the California Environmental Quality Act.

The second milestone in the Record of Decision identifies that -- specifies that the Department of Water Resources and Bureau of Reclamation and the partnership will prepare a site specific Environmental Impact Report and Statement. It will be based on the final, CALFED final programmatic Environmental Impact Statement and Report, where appropriate. And one other major planning effort that's concurrently going on right now is the engineering feasibility studies.

The Notice of Preparation and Notice of Intent are really the first formal steps for the environmental planning processes. For the North-of-the-Delta Offstream Storage program, the Notice of Preparation was filed with the State Clearinghouse on November 5th, 2001, and the Notice of Intent was also filed with the Federal Register on November of 2001.

Listed in the Notice of Preparation are a list of possible project alternatives. Those include no project, present condition; no action, future condition; Sites Reservoir alternative; and Newville Reservoir alternative, and other possible alternatives that may come out of the scoping process. But other possible alternatives include a conjunctive use and Shasta enlargement.

Now, this is where your comments are most helpful to us. Specifically, what we're asking from scoping meetings is are there other alternatives associated with North-of-the-Delta Offstream Storage that we should investigate, that we should consider in our evaluation. And also, are there specific effects that we should -- associated with the alternatives, that we should evaluate in our evaluation.

So as far as scoping meetings, we have three scoping meetings scheduled. We had one in Sacramento, one in Maxwell, and then tonight we're at the one in Fresno. So after the scoping, we will prepare a Scoping Report to summarize the comments we received, and then carry on the alternatives we carry forward in the environmental documentation. We will then begin writing the Environmental Impact Statement and Report and the Clean Water Act analysis.

So the way that the people and public agencies can comment on is to attend scoping meetings and submit your comments either at the scoping meetings, such as tonight, or send it to our contact. I'll introduce Scott later on. After -- we ask that you submit your comments by the 25th of this month, and we ask, again, the comments we're seeking are there other alternatives that we should be looking at, and the alternatives that we have outlined earlier in the Notice of Preparation, are there possible effects that -- to those alternatives that we should be considering, and are there alternatives that you want us to look at and the effects associated with those alternatives.

And, as part of the continuing outreach, we would -- there will be regular opportunities for the public to participate in the process. There will be regular outreach public meetings where the public can participate in the process.

So, finally, send your comments to Scott Woodland through either fax or regular mail. And Scott Woodland is in back of the room. He will be glad to take your comments. He has

business cards in the back of the room, and his name is also in the Notice of Preparation and all flyers, so feel free to send in your comments if you don't submit them tonight.

Thank you.

FACILITATOR BUCHHOLZ: Thank you. That concludes our formal part of the presentation. Again, as I said, we're going to be taking your comments, and they're being recorded. Transcripts of the recording, of the recording and comments received in all of the scoping meetings will be included in the final Scoping Report, as well as all of the letters from members of the public and other comments we receive during the -- that we receive during the scoping process.

And so at this point in time, I would ask that if you -- since we're doing the recording, if anybody wants to make a comment tonight, to please go up -- fill out the blue card that Jim and Scott will be passing out, and then we ask you to come up here to make your comments for the recording.

Does anybody have any comments to make tonight?

FROM THE AUDIENCE: Can we ask a question?

FACILITATOR BUCHHOLZ: If you'll --

MR. ROBERTS: It's not really a comment. Can we get a copy of what you put on the wall?

FACILITATOR BUCHHOLZ: Oh, I'm sorry. The copies of the –

MR. ROBERTS: The presentation –

FACILITATOR BUCHHOLZ: -- that will also be in the Scoping Report we prepare.

MR. ROBERTS: And can we get it in advance of –

FACILITATOR BUCHHOLZ: We're not making that available in advance right now, I'm sorry. And that information, though, let me just say this, is specifically -- was prepared based upon all of the information presented in the Notice of Intent and Notice of Preparation, and we do have copies of those here tonight.

MR. IGAWA: Can I ask another question? I don't have a comment, I have a question. In the presentation there was no indication of South of the Delta benefits. Is there a reason for that, or is that not –

FACILITATOR BUCHHOLZ: Well, I think that would be -- we might put that in part of our comments, recorded comments, if you don't mind, in the scoping meetings. One of the comments that -- I'll report that that's -- I think that's in the record, that we received a comment that the benefits that would be received South of the Delta be included in the analysis. Is that a correct interpretation?

Okay. Any other comments that should be included in our consideration? Any other questions off the record? You probably don't have any –

MR. IGAWA: I have another question. I was curious, if the balance is –

FACILITATOR BUCHHOLZ: I can't answer that, we're just starting, and then bringing together information. That's why we're asking for comments tonight. I mean, how -- one of the questions we're asking is how detailed should the analysis be, as far as the questions -- and I should also say there was a comment that the -- what the price of water would be for those -- the cost of water.

MR. IGAWA: It seems like you could do that part of that documentation at some point and later figure out the cost of water and other –

FACILITATOR BUCHHOLZ: Well, at this time, as we said in the presentation, we will be studying the environmental documentation all at the –

MR. ROBERTS: If you have offstream storage –

FACILITATOR BUCHHOLZ: That's what's out there in the comments. Right now we're trying to take those comments. If that's one of the comments it should be recorded. One of the comments –

MR. ROBERTS: Can I have anymore comments or questions, before I go –

FACILITATOR BUCHHOLZ: I think that's the real question. Maybe we can do that so we can get them recorded.

MR. ROBERTS: I'm Don Roberts, Madera Irrigation District. I'd like to know -- the question I guess is who's funding the study, the EIS.

FACILITATOR BUCHHOLZ: We're generally not responding to comments -- or questions, but I think that might be one, Sean, that we might want to respond to tonight, on who's funding the preparation of the environmental documentation.

MR. SOU: Well, I think this is a joint project with the Bureau and the State Department of Water Resources. So our funds at the Department of Water Resources comes from mostly General State funding.

MR. ROBERTS: Well, you mentioned there were 11 people in the MOU. Are they all part of the funding, or are they just –

MR. SOU: No, they're just a planning partnership right now. They don't provide the funding.

FACILITATOR BUCHHOLZ: We're generally not responding to questions, but I think that was an appropriate one.

Any other comments for the record? If there are no more comments, we're going to close the formal comment period. We will be accepting comments through January 25th. Please mail or fax them to Scott Woodland, and as Sean said, his cards are in the back of the room.

Thank you for your attendance, and make sure you sign up on the mailing list so we can notify you of future outreach meetings.

(Thereupon the Scoping Meeting was concluded at 6:29 p.m.)

-oOo-

CERTIFICATE OF REPORTER

I, PETER PETTY, an Electronic Reporter, do hereby certify: That I am a disinterested person herein; that the foregoing Department of Water Resources Public Scoping Meeting was reported by me and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties in this matter, nor in any way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this

28th day of January, 2002.

Peter Petty

Official Reporter

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double-sided printing.
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Appendix I: Transcript of Tribal Scoping Meeting - Williams, California, January 23, 2002

Tribal Scoping for North-of-the Delta Offstream Storage Investigation

Summary of January 23, 2002 meeting

Cortina Indian Rancheria Office

Williams, CA

Participants

Department of Water Resources:

B.G. Heiland
Michiyo Sakamoto
Sean Sou
Jim Wieking
Scott Woodland

U.S. Bureau of Reclamation:

Donna Garcia
Frank Perniciaro
Patricia Rivera
Pat Welch
Jim West

Bureau of Indian Affairs:

Frank Fryman
Douglas Garcia

Bureau of Land Management:

Julie Burcell

Regional Solicitor's Office:

Kaylee Allen

Facilitator:

Gwen Buchholz, CH2M Hill

Attendees:

Karen E. Flores
Kesner Flores
Everett Freeman
John Hancock
Leslie Lohse
Joe G. Pina
Ken Swearingen
Howard Whipple, Jr.

Introduction: Kesner Flores, Director of the Wintun Environmental Protection Agency (WEPA) opened the meeting and indicated that this is the first time in his memory that a tribal scoping has been held.

Everett Freeman from the Paskenta Tribe led the group in an opening prayer. Flores mentioned that the presentation would be informational at first and we would then move into a formal presentation, that blue comment cards were available, and at the end of the formal comment period, questions would be entertained from the audience.

Gwen Buchholz of CH2M Hill opened the scoping meeting by stating that the North of the Delta Offstream Storage Project is a joint project under CALFED, DWR, and the U. S. Bureau of Reclamation. Following introductions, Buchholz stated that there was a short presentation and requested that comments be held until its completion. She stated that one of the main purposes of the meeting is to obtain comments on the types of alternatives and the issues we need to look at in the environmental documentation. Comments made at this meeting will be included in the scoping report that will be made available to everyone participating in the scoping process. For this reason, attendees were asked to ensure their names are on the mailing list.

Sean Sou (DWR) made a PowerPoint presentation on North of the Delta Offstream Storage. After the presentation, the meeting was opened for comments. The comment period will conclude on Friday, January 25, 2002.

Comments were recorded on an audio device and on flipcharts. Buchholz emphasized the importance of the comments and that they will help determine the issues we'll be addressing in the evaluation. The evaluation will include the specific needs, requests and concerns of residents in this geographical area.

Kesner Flores of Cortina Indian Rancheria introduced himself as a tribal member and environmental director of the Wintun Environmental Protection Agency. He stated that beyond the presentation, there are several things that need to be considered when working with tribes, and of utmost importance is that there must definitely be a working relationship between the government and the tribes.

Flores continued: Under the federal statutes concerning tribes and directives, and even the State of California, in regards to the resolution passed by Governor Davis, tribes need to be consulted with on a government-to-government relationship even more so now that federal dollars are actually in the system, because since we started this NEPA process under [Section] 106, they need to have the consultation. It is good for meetings like this to happen for tribes to share openly with each other, so we know what's being said across the table. Also, there're going to be times when each individual tribe needs to have consultation. The northern tribes, Shasta, even the northern band of Wintun, with the Winimum, their spiritual grounds are on Lake Shasta. Some of those lands were actually encumbered in that initial [?]. By raising it [the reservoir], they're going to lose some of their ceremonial areas. As a recognized tribe, we still go north to participate in those ceremonies, and there are people to contact, and we know their names. In the Oroville area, the tribes up there are very concerned. They're going through the appropriate licensing process with Oroville now, but they have concerns that need to be addressed, and they want that expressed.

In regards to Sites Reservoir, we have concerns. California tribes have never settled water rights, treaty rights, there've been no treaties ratified. Tribes have not given up their subsistence areas and still practice subsistence gathering and cultural practices that deal with the water, and we know because of court cases that this needs to be looked at. Traditional historical practices, especially when we get into quantification and quality of water. With that, Grindstone has some concerns in regards to some of the alternatives in regards to the Sites Reservoir. Sites Reservoir for our cultural area—we're concerned with quantification and quality as well as understanding that there might be a question of compensation to tribes for the water. Although the State might believe that it is State water, those things have never been settled, so we need to look at those issues. And we know the Department of Interior knows it's too costly to quantify water rights for tribes; we've asked and petitioned that. In regards to an alternative, working with Sites from Cortina, we're looking at some subsistence things that were lost. When the rivers here had water quality issues, we lost freshwater mussels that were historically consumed, that were part of our historical food. Also our fishing rights—we have lost access to a lot of those waterways because of private land, so those things need to be looked at. I believe that's mostly what I remember.

Buchholz [writing on flipchart] asked if there was something else they would like recorded specifically.

Flores: I think in regards to the loss, we were looking at sites of using the stowaways to create artificial habitat for some of the freshwater mussels. Plus, the only place they are found are in the Lost River; I believe that one other place, so that we can actually transplant, so that would help with endangered species, since they are only in one area and they used to be plentiful here. That would help in offsetting some of the environmental impacts. Also, we have a lot of cultural sites within the footprint of the Sites Reservoir, and some of our oldest sites in terms of our history, and we need to look at the mitigation of those, and that's going to take a concerted effort with Taskana, Colusa, Rumsey, and Cortina, in regards to Sites Reservoir.

Buchholz: So with all five of the tribes.

Flores: Yes, and Round Valley possibly has some ties, but we have not heard at this time, but they are notified.

Buchholz: I also wanted to capture the concept of raising Shasta associated with those issues up there, the issues of the sites. Am I capturing the theme of spiritual sites?

Flores: They're cultural sites where traditional practices still occur.

Leslie Lohse from the Paskenta Band of Nomlaki Indians: A couple of things we've talked about is, there is offered in the CALFED draft when they had their programmatic EIS/EIR; they talked about mitigating strategies. One of the things we have a concern for is: Are you going to be looking at, as you're identifying things, mitigating strategies for tribes for the consideration of them when you're talking about water supply, how that's going to impact them when you increase water supply? By having this storage facility, how are you going to come back and mitigate that with tribes and the impact it's going to have on them? And as water users increase, because there's always going to be increase, how are tribes going to be addressed with that issue? In regard to water conservation, as you ask us to conserve, can we participate possibly in the water user efficiency parts of this? How then are we going to be compensated, how is that going to be mitigated with the tribes, in order to…we conserve, we give something up, then what do we get? Include that type of consideration in the tribes, and those are some of the concerns we have, that that kind of language and approach as you're looking at all these things, what is left for the tribes to come back and mitigate those things? Because first of all, on one hand, as Kesner said, we don't have quantified water rights, but we do know that we have the agreements in regard to preserving and protecting our water rights. We have that language in place, but now we need this to match and coincide, so that we can go on. I have a couple of questions, though, possibly in regard to, as I look at the structure, you have Shasta Dam, you have the Tehama County Irrigation District, the Glenn County Irrigation District and how the storage is going to facilitate that and is it going to catch possibly storm water. So I guess the mitigating thing is, what happens to the water quality; we need to look at water quality impact. As we raise this area and put this water in storage, what happens in those drought years when we don't have any runoff, where are we going to get water to replenish that so we maintain the water quality, and what impact will that have upon us, because when you're not pulling it out of an offstream site, you're probably going to pump it out of the ground, possibly, up the hill.

Buchholz: So let me capture your comment. So if the storage is down and we don't have any water in the reservoir because it's a dry year, and if the users rely on groundwater, what happens?

Lohse: Yes, and how do we fit into that into protecting our groundwater? Also, and this is from Paskentas, the Bureau of Reclamation, their canals, the Tehama County Colusa Canal comes into our property, they overflow part of it, and we have a resolution MOU with them in regard to when they can dump it. Corning Water District will participate in that. That is included, if I understand it correctly, water will be diverted out of that canal up this way, perhaps? It's used as possible, or is it going to be taken out? Where is the line going to go basically?

Buchholz: That's part of the process right now, we don't know that answer, because we're just starting this part of the study, and so right now we haven't even developed the whole range of alternatives, which is one of the reasons why we're here tonight, to understand from you things that we should put in the alternatives, and if we may have alternatives you like or not like, what we need to look at so that we know the effects are, to identify the effects on you. So the answer is we don't know, and the question, as I'm trying to capture it was the concern for water quality or also for surface waters.

Lohse: For both, because there are surface waters that we have that will be impacted because they are being diverted elsewhere. Those are some of my concerns; I'll try and think of something later. Thank you.

Flores: Leslie brought up a good point. With the water lever dropping in drought years, those cultural sites will then be exposed. With our history of Lake Shasta, every time the water level drops, we have people digging in areas and taking out artifacts and so forth. We would have to look at that, the mitigation for drought years and talk about what the alternatives might be for those would uncover our people, and what are the estimated levels for each year, where that would be, and what would be exposed, and think of the alternative. Reservoirs have flow and turbulence and they cause degradation in the lower levels, and those things haven't been addressed in the past episodes of building storage areas.

Buchholz: Effects of erosion on exposure to cultural sites due to turbulence and changing water levels and exposure to cultural sites.

Kesner: The other thing with tribes, quantity and water rights issues--our tribes should be able to tap into those canals to access water as part of the mitigation, because the tribal lands, with changes in conveyances of water rights along river bodies now with CALFED, are losing access to flow which is going to change their water uses and there needs to be some compensation that can be worked out with each tribe.

John Hancock: I represent the Upper Lake Pomo Reservation and I'd like to read something that was prepared by HERS (Haskell Environmental Research Studies Center). I won't read the whole thing, but I'll provide you a copy.

Buchholz: Specific things are: Establish government-to-government relations, importance of considering tribal water rights and protection of cultural resources.

Ken Swearingen (Cortina Indian Rancheria): Our reservation lies on Stony Creek, which runs into Black Butte Lake and then into Sacramento. What would happen to the waters there upstream of Black Butte? We have many cultural uses by Stony Ford. Cultural practices with a round house that ties to the river, shared by numerous tribes who, during cultural times, come from other round houses throughout the valley. We have the oldest round house in California.

Leslie Lohse: I would ask also that consideration. There are certain expectations by stakeholders that get into an assessment-type forum. I would ask that you take into consideration that tribes are not going to be assessed. I am a part of the Bay-Delta Public Advisory Committee, on the environmental justice side, so some of the message I'm trying to make clear about the relationship between the tribes and the federal government. I don't know that everyone is clear, because I've run into several agency people who aren't clear about it, and those are some of the things, I don't know how you can build that into it, or address it, but as we are listed as the beneficiary, our relationship started with the federal government prior to there being a federal government. It takes it out of the realm of the public actually, in that sense, because there is a special relationship. I think that needs to be considered as you're looking at the mitigating thing, and building in those areas for us to have that opening to work on a government to government basis, be working in. Before there was a U. S. government, there was our government, and I believe the substantiation is that you don't strike treaties with special interest groups and a low income group; you strike it with another nation, another government. And hopefully you will build some language into that that will preserve that and make that clear, so hopefully we aren't looked at as an adversary to any other water user, but as a special water interest and work within the bounds of CALFED. But there is a different level that we're at in our relationship.

John Hancock: For the last 5-6 years in dealing with CALFED and other agencies, I've found out that other states have this government-to-government sovereign relationship with the federal government. Maybe this gets them the deals; California Indians have been left out for some reason. And that's probably the biggest bone of contention you have, that you don't recognize them at the level like Kesner said, not as local governments.

Lohse: I have a question of the USBR Representative. Apparently there was a feasibility study done in 1991. It wasn't completely put through, but is there any way of locating those findings so we can look at them?

Donna Garcia: We actually have a copy of the report and we can get you one. [Kesner Flores requested a copy, also.]

Buchholz: There's been a lot of studies in this area, and we're starting over looking at the scoping, looking at the alternatives considering stakeholders uses, not forgetting what's been done in the past.

Lohse: I thought it might be valuable for us to see what has occurred. In regard to the CALFED, I'm not clear on the state code in regard to dealing with the tribes.

Buchholz: I think we've captured the concept that we need to get something established and I'm not sure we have the answer tonight. We're looking at the environmental document as a joint document between the federal and state governments. In general that means that both sets of codes will have to be dealt with, and yes, you're right, this is an overlapping situation.

Flores: The relationship with the federal government needs to be defined, because that reflects mitigation measures and environmental questions that need to be answered. The tribes know the answer; we're waiting for the realization and the enforcement because the gorilla in the closet for tribes is the federal government. This project cannot be done without congressional approval.

John Hancock: Before the signing of the CALFED ROD, some of us were told by certain people, and I don't want to mention names, that there are people here who know how to deal with Native Americans because they brought them in from Arizona and Colorado. We know that those tribes got dealt with in what I call a fair way. Wherever those guys went to, I'd like to know, because they were supposed to come out to the tribes and talk to us and seeing what our issues were based upon their experience in Arizona and Colorado. We haven't seen them. This was a combination of federal departments.

Buchholz: So there's basically a continued need for federal representatives to work with the tribes, at the tribes.

Flores: There's proprietary issues in regards to cultural practices and subsistence areas that might not be shared even amongst tribes because the different practices and areas sometimes are held sacred to those individuals carrying out those cultural practices, whether it be basket weaving or gathering for round houses, so with that there needs to be a provision for things that cannot be FOIAed (as in Freedom of Information Act), or confidential to the tribe for those people who practice those practices. Because of the recent court decisions, it might hinder the conclusion of this EIS, because those things need to be in place before information can be shared. We want to continue having outreach and tribal workshops. As we've said before, tribes do not speak in public forums because that's truly not the relationship.

Buchholz: Any other formal comments we'd like to make part of the record? At this time we'd like to close this part of the scoping meeting. We will be preparing, when we receive all the comments after February 8, we will be looking through those and organizing them so that we can use those to make sure we're addressing those issues in the environmental document.

We will be preparing a scoping report, with all the scoping comments; we'll be including things such as the letters in that scoping document. And we'll also be looking at that and that will also be used as a roadmap and as a guide for completing the environmental documentation, so that when we get to the end, we want to go back and make sure that those things were addressed the way we talked about them in the scoping report. With this, we'd like to close the formal part of the scoping meeting. If you have any other comments, we're not necessarily going to record for the scoping process, and we don't have a lot of answers; we're just starting.

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Appendix J: Outline of Draft EIS/EIR

CHAPTER 1 PROJECT OBJECTIVES/PURPOSE AND NEED FOR ACTION

1.1 Introduction
1.2 Purpose and Need for the Action
1.3 Relationship to the CALFED Program
1.4 Study Area
1.5 Study Period
1.6 Public Involvement Process
1.7 Related Activities

CHAPTER 2 DESCRIPTION OF ALTERNATIVES

2.1 Introduction
2.2 North-of-the-Delta Offstream Storage Process
2.3 Issues Considered as Part of North-of-the-Delta Offstream Storage Process
2.4 Development of Alternatives
- Existing Conditions
- No Action Alternative
- Alternative 1
- Alternative 2
- Alternative 3
- Alternative 4

2.5 Proposed Action/Preferred Alternative
2.6 Cumulative Impact Analysis
2.7 Alternatives Considered but Eliminated
2.8 Summary of Impact Assessment

CHAPTER 3 SUMMARY OF PREVIOUS ENVIRONMENTAL DOCUMENTATION

3.1 Introduction
3.2 CALFED Programmatic Environmental Impact Report/Statement
- Localized Impacts of Proposed Action of CALFED Programmatic Environmental Impact Report/Statement

3.3 Environmental Impact Report for Tehama County General Plan
3.4 Environmental Impact Report for Glenn County General Plan
3.5 Environmental Impact Report for Colusa County General Plan
3.6 Environmental Impact Report for City of XXXX General Plans
3.7 Environmental Impact Report for XXXXX

CHAPTER 4 WATER SUPPLY

4.1 Introduction
4.2 Water Supply
- State Water Project
- Central Valley Project
- Local Water Projects
- Affected Environment
- Environmental Consequences
- No Action Alternative (as compared to Existing Conditions)
- Alternative 1 (as compared to Existing Conditions and No Action Alt)
- Alternative 2 (as compared to Existing Conditions and No Action Alt)
- Alternative 3 (as compared to Existing Conditions and No Action Alt)
- Alternative 4 (as compared to Existing Conditions and No Action Alt)

CHAPTER 5 SURFACE WATER RESOURCES AND QUALITY

5.1 Introduction
5.2 Local Surface Water Resources and Quality
- Affected Environment
- Environmental Consequences

5.3 Regional Surface Water Resources and Quality

Affected Environment
Environmental Consequences

CHAPTER 6 GROUNDWATER RESOURCES AND GROUNDWATER QUALITY
6.1 Introduction
6.2 Local Groundwater Resources and Groundwater Quality
Affected Environment
Environmental Consequences
6.3 Regional Groundwater Resources and Groundwater Quality
Affected Environment
Environmental Consequences

CHAPTER 7 LAND USE AND DEMOGRAPHICS
7.1 Introduction
7.2 Local Land Use and Demographics
Affected Environment
Environmental Consequences
7.3 Regional Land Use and Demographics
Affected Environment
Environmental Consequences

CHAPTER 8 AQUATIC RESOURCES
8.1 Introduction
8.2 Local Aquatic Resources
Affected Environment
Environmental Consequences
8.3 Regional Aquatic Resources
Affected Environment
Environmental Consequences

CHAPTER 9 TERRESTRIAL BIOLOGICAL RESOURCES
9.1 Introduction
9.2 Local Terrestrial Biological Resources
Affected Environment
Environmental Consequences
9.3 Regional Terrestrial Biological Resources
Affected Environment
Environmental Consequences

CHAPTER 10 VEGETATION
10.1 Introduction
10.2 Vegetation
Affected Environment
Environmental Consequences

CHAPTER 11 SACRAMENTO RIVER GEOMORPHOLOGY
11.1 Introduction
11.2 Local Sacramento River Geomorphology
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Appendix K: Comment Letters Received During Scoping Process

People and organizations that sent comment letters:

- The Bay Institute of San Francisco, Gary Bobker
- Jeff Borland
- Sasha Borland
- CA Department of Food and Agriculture, Steve Shaffer
- California Waterfowl, Mark Hennelly
- Colusa County Economic Development Corporation, William R. Waite
- Colusa County, County Administrative Office, David J. Shoemaker
- John and Nita Connelly
- Walter Cook
- DeltaKeeper, Bill Jennings
- Friends of the River, Steven L. Evans
- John Garino and Janice Garino
- Kenneth Gilmore
- Haskell Environmental Research Studies Center, Brenda Brandon
- Mary Anne Houx, Supervisor Third District
- K. Maurice Johannessen
- Bill Jones, Secretary of State
- Kern County Water Agency, Thomas N. Clark
- Metropolitan Water District of Southern California, Timothy H. Quinn
- John S. Mills
- John L. Morton
- Northern California Power Agency, Jane Cirrincione
- Edward Owens
- Redding Electric Utility, James C. Feider
- Richard Riolo
- Sacramento Municipal Utility District, Paul Olmstead
- Sacramento River Preservation Trust, John Merz
- Brent Shanahan
- Shasta County Board of Supervisors, Patricia A. "Trish" Clarke
- State Water Contractors, John C. Coburn
- U.S. Department of Interior, Bureau of Indian Affairs, Amy L. Clutschke (sp?)
- U.S. Environmental Protection Agency, Laura Fujii
- Tyrone Wolatt

The Bay Institute
of San Francisco

Celebrating 20 years of protecting and restoring the
Bay-Delta-Rivers ecosystem, from the Sierra to the sea.

by fax and by mail

January 25, 2002

Scott Woodland
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

RE: NORTH OF THE DELTA OFFSTREAM STORAGE

Dear Mr. Woodland,

This letter represents the comments of the Bay Institute regarding the Notice of Preparation (NOP) of an Environmental Impact Report/Statement (EIR/S) for the development of offstream water storage north of the Sacramento/San Joaquin Delta.

Tiering of environmental documentation

The NOP states that since this EIR/S will be tiered from the CALFED Programmatic EIS/R, the scope of alternatives will be limited to issues directly associated with water storage located north of the Delta. We are concerned that the EIR/S may rely on estimated benefits of water use efficiency, water transfers and groundwater storage contained in the CALFED Programmatic EIR/S (PEIR/S).

The Bay Institute was deeply involved in the development of the CALFED Water Use Efficiency Program; we know from our experience that CALFEDs success in this area was based on using a flexible and adaptive outcome-based approach rather than resolving disagreements over the potential yield of implementing new water use efficiency management measures. In short, CALFEDs estimates of potential water use efficiency yield are neither reliable nor in and of themselves significant to the design and success of the Water Use Efficiency Program.

The CALFED Record of Decision acknowledges this when it states (p. 64) that given the uncertainties of implementing [the Water Use Efficiency Program]it will be appropriate to carefully evaluate the ongoing progress of the Program

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(415) **506-0150** • bayinfo@bay.org • www.bay.org • (415) 506-0155 fax

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as it gets off the ground. Further, at the end of the first four years of Stage 1, CALFED Agenciesmay increase or reduce the targeted conservation goals to reflect actual implementation experience, redirect investmentsand/or introduce new programs as necessary and appropriate.

These caveats apply equally to the potential yield and availability of water from water transfers and groundwater storage. Estimated benefits of these three alternative water management options contained in the CALFED PEIR/S should not be used as the sole basis for designing alternatives to north of Delta offstream storage. Additional analysis is required, and new information incorporated as it becomes available.

With regard to groundwater storage, it is unclear whether the CALFED Integrated Storage Investigations groundwater/conjunctive use program will generate sufficient information in and of itself to meet the needs of the proposed EIR/S. DWR should consider whether the scope and resources of the ISI program need to be augmented in order to provide additional data to the EIR/S preparers for developing and evaluating potential groundwater storage and conjunctive use alternatives.

Potential environmental effects

Offstream water storage north of the Delta is likely to cause significant adverse impacts on the abundance and distribution of endangered species and habitats at the storage site. Diversion of a significant percentage of the flow of the Sacramento River, especially during critical winter and springtime periods, is also likely to cause significant adverse impacts to fluvial geomorphic processes, river flows, floodplain inundation and estuarine habitat conditions on the mainstem Sacramento River, the Delta and San Francisco Bay. The EIS/R should fully evaluate how the alternatives considered will affect the attainment of all relevant ecosystem protection and restoration objectives, including but not limited to those contained in the following documents:

- The narrative salmon protection objective contained in the 1995 Bay-Delta Water Quality Plan.

- The recovery targets and recommended actions contained in the Delta Native Fishes Recovery Plan.

- The ecosystem restoration objectives, targets and actions for all ecological zones of the Sacramento Valley, the Delta, Suisun Bay, and San Francisco Bay, contained in the CALFED Ecosystem Restoration Program Plan (CALFED Final Programmatic EIS/R, July 2000).

- The Sacramento River and Delta habitat protection objectives contained in the Anadromous Fish Restoration Plan and related documents pursuant to the Central Valley Project Improvement Act.

DWR should defer to the CALFED Science Program and the CALFED Ecosystem Restoration Program for guidance on determining potential environmental effects, defining thresholds for significant effects, and evaluating avoidance and mitigation strategies.

Thank you for considering our comments. If you have any questions, please call me at (415) 506-0150.

Sincerely,

Gary Bobker
Program Director

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double-sided printing.
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Jeff Borland
Orland, Ca. 95963

Scott Woodland
Senior Engineer
(916) 651-9289

Dear Mr. Woodland:

I live and work on a ranch in the area of the proposed Thomes-Newville dam. I work on the land every day. The land is beautiful, but brittle. It is easily affected by any changes in the natural environment. Construction of the dam would have a devastating impact on the environment and animal/fish habitat, which could not be fully cured.

I oppose the building of the Thomes-Newville dam.

Yours truly,

Jeff Borland

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double-sided printing.
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Sasha Borland
Orland, Ca. 95963

Scott Woodland
Senior Engineer
(916) 651-9289

Dear Mr. Woodland:

I am a mother and housewife. I am raising my two small children just under the base of the proposed Thomes-Newville dam. My ancestors are buried in the Newville cemetery which will be flooded out by the dam. The cemetery is historic, containing the remains of James Kendrick, among many others. The only road will be underwater, requiring a new road cutting our historic ranch in half. That ranch has had only 3 owners since 1852, including James Kendrick. The Tehama County Recorder's Office only began keeping records in 1854! The house in which I live is the original James Kendrick house built in 1854. It has two-foot stone walls and hand-blown glass windows, the originals! This house would be torn down as part of a new, replacement road.

I strongly oppose the building of Thomes-Newville dam.

Sincerely,

Sasha Borland

Sasha Borland

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double-sided printing.
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STATE OF CALIFORNIA
GRAY DAVIS, Governor
DEPARTMENT OF FOOD AND AGRICULTURE
WILLIAM (BILL) J. LYONS, JR., Secretary
1220 N Street, Room 452
Sacramento, CA 95814
(916) 653-5658
Fax: (916) 657-5017

December 6, 2001

Mr. Scott Woodland
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94296-0001

Subject: Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the North of Delta Offstream Storage (CALFED) – **SCH #2001112009**

Dear Mr. Woodland:

The California Department of Food and Agriculture (Department) has reviewed the NOP for the referenced CALFED project. The Department is responsible for the protection and promotion of California agriculture. We offer the following recommendations for the DEIR with respect to potential project impacts on agricultural resources.

Project Setting

The DEIR should describe the project and project setting in enough detail to allow an assessment of project impacts on agricultural land and water, including:

1. A description of alternative water conveyance systems and routes of each alternative reservoir site;
2. A description of the agricultural land quality of the alternative project sites and conveyance routes, based on the California Department of Conservation's Important Farmland Map definitions, Williamson Act definitions, or the U.S. Department of Agriculture's Land Capability Classifications;
3. A characterization of agricultural crop production and land uses in the area of each of the project alternative sites and conveyance configurations, including crop type, yield and sales values;
4. Sources of water supplies serving agricultural uses in the project's alternative areas; and,
5. Sources of water to be used to fill the proposed alternative off-stream storage facilities; i.e., will water be diverted from the Sacramento River during high flows when there will be little impact on agricultural water users, during high water use months, or both?

Project Impacts

The DEIR should assess the comparative significance of impacts on agricultural land of each project alternative using the California Land Evaluation and Site Assessment (LESA) model suggested in CEQA and its guidelines. In addition, the DEIR should address the following potential impacts for each project alternative:

1 Loss of agricultural land by agricultural land category (e.g., Prime Farmland, grazing land, etc.) due to the reservoirs as well as alternative conveyance system routes;
2. Impacts of water diversion for reservoirs on current agricultural water supplies; and,
3. Impacts of project on future agricultural water supplies in terms of quantity, quality and reliability.

Cumulative Impacts

1. Cumulative impacts of project on water supplies; and,
2. Cumulative impacts of project on agricultural land conversion in agricultural region of the project; i.e., how does the project contribute to past, current and foreseeable conversions of cultivated farmland or high quality grazing lands on the west side of the Sacramento Valley?

Mitigation Measures

Mitigation measures that would avoid, lessen or offset the impacts of the project on agricultural land and water resources and uses should be considered in the DEIR.

Thank you for the opportunity to comment on the project's NOP. If we can be of assistance in addressing any of the issues raised in this letter, please call me at (916) 653-5658.

Sincerely,

Steve Shaffer
Director, Office of Agriculture and Environmental Policy

California WATERFOWL

Conserving California's waterfowl, wetlands, and waterfowling heritage.

February 6, 2002

Scott Woodland
Department of Water Resources' Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

RE: Scoping Comments on the North of the Delta Offstream Storage Program

Dear Mr. Woodland:

Thank you for the opportunity to comment on the North of Delta Offstream Storage Program.

The California Waterfowl Association (CWA) supports the development of new, off-stream water storage facilities in northern California, including the proposed Sites Reservoir. Such facilities will not only help to prevent devastating flooding to agricultural communities in the Sacramento Valley, which occurred all too frequently in the 1990s, but also increase the State's overall supply of water. This is critical considering projected long-term demand for water resources in California, including supplies necessary to fulfill *offstream* environmental water needs. In particular, additional developed water supplies will be needed for California's ongoing wetland restoration and enhancement efforts.

California has lost over 90% of its historic, naturally occurring wetlands. Due to permanent changes to the State's hydrology, we must today artificially irrigate much of our remaining wetland habitat base. Essentially, wetland conservationists depend on developed water supplies to annually fulfill the habitat needs of nesting and wintering waterfowl, as well as numerous other wetland-dependent species—many of which are also threatened and endangered. In fact, over half of all listed species are, in some way, wetland dependent. New reservoir storage will not only serve the growing water needs of private wetlands in the Central Valley (which constitute a significant portion of our overall habitat base), but also help ensure that wetland water supply requirements called for in the federal Central Valley Project Improvement Act for public refuges and other lands are fulfilled.

CWA also strongly urges the Department of Water Resources, U.S. Bureau of Reclamation, and other public agencies to maximize hunting opportunities, particularly for waterfowl, on their reservoirs within California. Unfortunately, hunting opportunities continue to be lost throughout the State. In particular, fees for hunting on private land are high, while costs for joining a high-quality, private club can be prohibitive for most sportsmen. Other key factors, such as the continued loss of habitat and farmland, as well as the steady rise in political clout of urban areas, have recently combined to further restrict hunting activities here.

California Waterfowl Association

4630 Northgate Blvd.
Suite 150
Sacramento, CA 95834

TEL: (916) 648-1406
FAX: (916) 648-1665

Nevertheless, it is important to note the substantial contribution that hunters continue to make to wildlife conservation through self-imposed taxes, per the federal Pittman-Roberston Act, and stamp and license fees. Concerned hunters and other sportsmen also conduct countless fundraising events each year specifically to protect habitat and restore wildlife populations. In addition, revenues generated by hunting benefit the U.S. economy. A recent report by the U.S. Fish and Wildlife Service (USFWS) entitled *Banking on Nature: The Economic Benefits to Local Communities of National Wildlife Refuge (NWR) Visitation* found that NWR visitor spending—much of which is driven by hunters—generated $401.1 million in sales at the local level. Furthermore, a separate 1996 USFWS study found that hunting generates 704,600 jobs in the U.S., representing almost 1% of the entire civilian labor force and contributing $22.1 billion annually to the national economy. By providing new venues for hunting on public reservoirs, state and federal agencies will help to ensure that these critical monies continue to flow.

CWA looks forward to working with you to help fulfill critical environmental water needs for wetlands and waterfowl habitat, as well as to create new, much-needed recreational opportunities for California's hunting community.

Sincerely,

Mark Hennelly

Mark Hennelly, Deputy Director
Government Affairs

Cc: The Hon. Doug Ose, U.S. House of Representatives
The Hon. Dick Dickerson, California State Assembly
The Hon. Keith Hansen, Glenn County Board of Supervisors
The Hon. Forrest Sprague, Glenn County Board of Supervisors
The Hon. Bill Waite, Colusa County Board of Supervisors
David Guy, Northern California Water Association
Van Tenney, Glenn-Colusa Irrigation District

Colusa County

Economic Development Corporation

2880 Niagara Avenue P.O. Box 1077 Colusa, California 95932
(530) 458-3028 (800) 440-3465 FAX (530) 458-5080 www.colusacountyedc.org

January 21, 2002

Mr. Scott D Woodland P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, California 94236-0001

Dear Mr. Woodland:

The Colusa County Economic Development Corporation Board of Directors does hereby endorse the need for offstream storage and the development of the Sites Reservoir Project and/or Colusa Reservoir Project. At their regular scheduled monthly meeting the Board unanimously recommended that we submit comments to the Department of Water Resources on this important project for the Sacramento Valley and the State of California.

Additional comments that arose during the Boards' discussion were as follows:

1. The need for a complete and detailed study of the transportation routes to and from the community of Stonyford and Century Ranch. These communities will grow in coming years at a much faster rate than in the past, therefore we feel that all developing transportation routes should reflect a greater need in the near future than at present. The Board believes that the major access route should be in Colusa County and lead to the City of Maxwell. Other transportation routes to access recreational sites should also be planned to accommodate a large number of visitors due to the close proximity to major population areas in the northern portion of our state.

2. Recreational facilities should be developed to their fullest extent at the reservoir. The growth in population in Upstate California, Sacramento and San Francisco will create additional demand for state recreational areas. The development of these recreation sites should be guaranteed and they should be maintained by the California State Parks system.

3. The effect of rising ground water levels should be carefully studied. Colusa and Glenn Counties are now and always will be agricultural based economies. Rising ground water could effect the land adjacent to the foothills and the crops grown in the western portion of the valley. Any negative effect could damage our county economies.

Again, we would like to express our endorsement for this important offstream storage project. If there are any question please contact me at the above location.

Sincerely,

William R Waite

William R. Waite
Chairmen

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double-sided printing.
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COLUSA COUNTY
COUNTY ADMINISTRATIVE OFFICE

DAVID J. SHOEMAKER
County Administrator
Personnel Director
Purchasing Agent

520 Market Street, Suite 3
Colusa, California 95932
(530)458-0423
(530)458-0425 fax

January 23, 2002

Mr. Scott Woodland
Department of Water Resources
Division of Planning and local Assistance
Post Office Box 942836
Sacramento, California 94236-0001

Dear Mr. Woodland:

Thank you for the public forum which you recently held on the, North of the Delta Offstream Storage Project, in Colusa County. It was very informative and helpful for the members of this county to hear and be heard on a topic which will bring such great changes to our area.

Enclosed, you will find a listing of the issues and concerns of the Colusa County Board of Supervisors, their constituents and the various Departments within the county. It is our hope that this information will be helpful to you and your committee as it moves ahead with this project.

Yours truly,

David J. Shoemaker, CAO

Enclosures: 1

ala

North Delta Off Stream Storage – Issues – 1/22/02

Fiscal -

Loss of Colusa County agricultural land – contact Bob Alvernaz 473-2259
Potential for recreation activities surrounding the proposed Sites Reservoir
Work related income for Colusa County during course of construction of project.
Potential ancillary and auxiliary economic development in Colusa County.
Potential tourism income for Colusa County.
With influx of tourists and new home owners, the branches of the Colusa County library in Stonyford and Maxwell would need to grow. These are the two fastest growing libraries in the county. However, increased sales tax revenue and/or impact fees from construction could be beneficial.
Encourage our local policy makers to insure that recreational aspects are fully considered in the overall plan and that local merchants are able to successfully compete for concessions.
Staff time will be needed to provide environmental analyses and updating the land use documents to provide for the Sites Reservoir. Extensive, drawn out public hearings. Meetings and communications with environmentalists, stakeholders, members of the public and other, must be allotted appropriate time in any time study analysis of costs.

Farming –

Any water diversions from the Sacramento River, at all, would impact farming.
Incentives for our farmers to install electric pumps and eliminate conventional fuel type engines at pumping stations. This would decrease air pollution.

Environmental –

Flooding -

Mitigation of Colusa County main open flood potential and Sacramento River flood potential downstream of Sites Reservoir outlet pumps.

Ground water –

What would be the level in western Colusa County for ag and domestic wells.
Potential source of ag and domestic irrigation water in Colusa County.
As in all off-stream storage facilities, exhaustive geological and engineering studies need to be completed to ensue that private property owners in the vicinity, or down-stream from the reservoir, are not negatively impacted through changes in the depth of the water table or other conditions that might affect their ability to farm.
It would be good to negotiate a portion of the 1.9 million acre feet of water to remain in Colusa County, the county of origin.

Endangered Species –

Potential habitat for endangered species in this part of California. The Sites Reservoir could be home for aquatic or amphibian animals.

Roads –

The quality of roads to be developed around the lake for deliveries to the Stonyford area.

It will be necessary to relocate a portion of the Sites-Lodoga Road. The preferred route of relocation would be to the south side of the lake and tie into the existing County Road in the area of Howard Creek or Leesville-Lodoga Road. This will increase the length by 4 miles which will be added to the County maintained mileage system and will eventually result in increased maintenance costs.

Political –

Potential for political partnerships and liaisons with purchasers and users of Sites Reservoir water.

Consider a Joint Powers Agreement or some type of agreement to assure ourselves of a vote, or at least a say, in who gets excess water and especially its destination.

Some type of an agreement that gives a return to our county's residents on power rates.

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double-sided printing.
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Scott Woodland
Senior Engineer
(916) 651-9289

Dear Mr. Woodland:

Our family owns the Quiet Hills Ranch. The ranch contains some of the oldest structures in Tehama County, if not in fact the very oldest. The required road replacement and relocation would not only separate the main house from the balance of the ranch, but would also result in the destruction of the historic James Kendrick residence built in 1854.

My family ancestors are buried in the Newville cemetery. A stone commemorates my great-grandfather who graduated from the very first law school class of the University of California, served on the Board of Regents, nominated a candidate for President of the United States at the Chicago convention. On the day of his death, the entire court system in San Francisco closed early in his honor.

The equally famous James Kendrick is buried in that cemetery. Mr. Kendrick was a central figure in the establishment of California as a State in 1850.

That historic cemetery would be underwater if the Thomes-Newville dam were built.

The migration route of a significant California deer herd would be destroyed. Irreplaceable cultural resources would be lost. The impact on fish, salamanders and other aquatic species would be devastating.

We strongly oppose construction of the Thomes-Newville dam.

Sincerely,

Nita Connelly

John Connelly

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double-sided printing.
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WALTER COOK
Attorney at Law (Ret.)
42 Northwood Commons
Chico, CA 95973-7214

Tel: 530/345-5474
Fax 530/345-5474
Wcmc95@aol.com

January 24, 2002

Scott Woodland
Department Of water Resources
Division Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Via Fax: 916/651-9289 we

Re: Scoping: Sites Reservoir Study

Dear Scott Woodland:

FOLLOWING ARE MY SCOPING COMMENTS CONCERNING MATTERS THAT SHOULD BE THOROUGHLY STUDIED AS A PREREQUISITE TO ANY DECISION TO CONSTRUCT OR NOT CONSTRUCT THE SITES RESERVOIR:

1 The ultimate users of the water to be stored must be clearly identified, including the water quantities and proportion of the stored water to be supplied to each category of user.
2. The amount of the project financial costs and maintenance to be paid be the users, both as initial capital, and annual water usage, must be clearly identified.
3 The amount of initial and ongoing funding to be supplied by the federal government and by the State and local governments, must also be clearly identified
4. The study should determine the economic and other impacts of the reservoir on the existing residents that will need to be relocated by the reservoir.
5. The study should also determine the economic and other impacts on the loss of land productivity, tax base, business, and improvements, which will result from the reservoir.
6. The study must determine whether substantial and mandatory water conservation requirements on all the prospective users of the stored water need to be required as a condition of use, as well as the extent to which such conservation will negate the need for the reservoir.
7. Eliminating water deliveries for water intensive crops, such as rice, should be considered as an alternative to the reservoir.
8. The environmental and other impacts of modification in the flow regimes of the Sacramento River, must be considered, including the reduction in winter flows,

and the increase in summer flows which will be occasioned by the operation of the reservoir.

9. Any environmental, economic and other impacts on all downstream needs for Sacramento River water at the various times of the year must be considered.
10. The earthquake potential for the area of the reservoir, as well as other areas which might be impacted by the reservoir, must be thoroughly studied.
11. Any adverse impacts of the project on Sacramento River anadromous fish must be thoroughly studied.
12. It must be determined whether prospective water deliveries will be made to Southern California as part of the State Water Plan, and whether stored water at Sites reservoir will free up other water to be used to enhance increased development and sprawl in the California deserts.
13. Will more responsible growth in California, including concentrated development and water conservation obviate the need for additional water to be stored at Sites.
14. Of course, all adverse environmental impacts must be considered, including impacts on fish, wildlife, vegetation, as well as air and water quality.
15. All adverse cumulative project impacts, including those resulting from other existing and proposed reservoirs, water flow and delivery modifications, water needs and uses in the Sacramento and San Joaquin Rivers and their tributaries and watersheds, and also including the Central Valley and the Delta.

Yours truly

Walter Cook

WALTER COOK

Note: This letter as first faxed contained the date 1/24/01, rather than the correct date of 1/24/02. WC. The letter with the correct date was sent be followup fax on 1/24/02, WC. wc

DeltaKeeper

A PROJECT OF SAN FRANCISCO BAYKEEPER

15 February 2002

Scott D. Woodland
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

Re: Scoping comments for the North of Delta Offstream Storage EIS/EIR

Dear Mr. Woodland:

DeltaKeeper, WaterKeepers Northern California and the California Sportfishing Protection Alliance share and incorporate by reference the scoping comments for the North of Delta Offstream Storage EIS/EIR submitted by Friends of the River.

Please include us on any lists receiving information concerning the proposed projects and provide a copy of the draft EIR/EIS when it becomes available. Thank You.

Sincerely,

Bill Jennings
DeltaKeeper
Chairman, California Sportfishing Protection Alliance
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FRIENDS OF THE RIVER

Steven L. Evans
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(916) 442-3155, Ext. 221

January 25, 2002

Mr. Scott D. Woodland
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

Re: **Scoping comments for the North of Delta Offstream Storage EIS/EIR**

Dear Mr. Woodland:

Thank you for soliciting public scoping comments for the North of Delta Storage EIS/EIR. Our comments are arranged in various subsections below.

The Basics

The EIS/EIR should provide some very basic, but as yet unavailable or unreliable information, concerning offstream storage. This basic information includes:

- How much real water will be reliably produced?
- At what cost?
- Who will receive the water?
- Who will pay?

Potential uses of water from offstream storage – environment, agriculture, urban – often conflict with each other. In fact, the potential uses in any specific category may also conflict. Sacramento Valley farmers compete for water with San Joaquin Valley farmers. The list of downstream cities interested in increasing their water supplies is more than the potential yield, raising questions of priority and need. For example, offstream storage during the winter could adversely impact salmon smolt escapement while improving Delta water quality in the summer.

Current yield estimates for offstream storage do not take into consideration likely diversion constraints required to protect the environment. Obviously the less water the project can divert, the more costly the water that is reliably produced. The NRDC already estimates that water from the Sites project could cost as high as $450/acre foot. This estimate is far beyond the price agriculture can afford, and it may be too high for the taxpayers to pay for environmental uses. Although cities may afford water at $450/acre foot, there may be other more competitive alternatives available.

Basic CALFED principles, including "no redirected impacts" and "beneficiaries pay," can be used to help answer these questions. The EIS/EIR should clearly delineate how much water is reliably produced, at what cost, who will receive the water, and who will pay. Project costs and water costs must take into account environmental constraints as well as mitigation costs.

Cost Sharing

Depending on its size, the Sites project could cost taxpayers as much as $450 to $820 million to build. Diversion facilities, pumping plants, as well as new and/or expanded canals could cost taxpayers another $50 to $400 million to build. These estimates do not include interest or the cost of environmental mitigation. Through the year 2002, the California Department of Water Resources will spend nearly $25 million for its on-going studies of the Sites project.

A basic CALFED principal is that those who receive benefits shall pay for the benefits. Local irrigation districts in the Sacramento Valley are the most likely beneficiaries of the Sites project. And yet, no local funding has been provided for Sites studies. There is currently no cost sharing agreement between the State and local water interests to ensure that direct beneficiaries contribute monetarily to either studies or the construction of the project.

As recently as ten years ago, the Glenn-Colusa Irrigation District looked at the Sites project and chose not to pursue the project on due to high costs. But local interest in the project remains high, apparently as long as public funds remain available. Obviously the total cost of the project, and the cost of the water produced, is pertinent to who receives the water. Determination of project feasibility in the EIS/EIR should consider who can and is willing to cost share.

Alternatives

The range of alternatives considered in the NOI/NOP is inadequate. They basically are limited to storage or no storage. The Other Possible Alternatives section is particularly weak, since it apparently includes only increased storage in Shasta reservoir and conjunctive use. NEPA and CEQA, as well as Section 404 of the Clean Water Act, require consideration of real and feasible alternatives. The EIS/EIR should consider aggressive groundwater storage, mandatory efficiency and conservation programs in the project service area, mandatory measurement of water and pricing based on amount used, land fallowing, and transition to less water intensive crops. The potential

high cost of the project may make even expensive alternatives such as desalinization competitive. All these alternatives should be fully considered in the EIS/EIR.

Offstream Storage Diversions

Significant water diversions from the Sacramento River would be required to fill moderate to large offstream storage reservoirs in the western Sacramento Valley. These diversions could result in substantial adverse impacts on the river ecosystem.

The Sacramento River ecosystem remains relatively healthy because it is one of the few major rivers in California that still retains most of its water and some of its natural hydrology. According to CALFED, water diversions have reduced flows in the Sacramento River by 35%, as compared to the 80% reduction in flows experienced by the highly degraded San Joaquin River. As a consequence, the Sacramento River still sustains all five native runs of salmon and steelhead (although several of these runs are in decline), and supports healthy but significantly reduced riparian habitat utilized by many sensitive, threatened, and endangered terrestrial species.

Offstream diversions from the Sacramento River will reduce high flows, which are necessary to sustain the erosion and deposition processes that support and recreate the river's riparian and aquatic habitats. Maintaining this "meandering" river ecosystem is a major goal of CALFED's ecosystem restoration program. One CALFED white paper suggests that maintaining high flows over 55,000 cubic feet per second (cfs) may be needed to sustain river meander. But little is currently known about this important ecological mechanism and additional studies are required to definitively identify the specific flows needed to sustain the ecosystem.

The ecological impacts of diversions at lower flows must also be considered. Current computer modeling is based on the assumption that any flow over a minimum fish flow of 3,000 cfs may be diverted to fill the reservoir. Use of this diversion threshold can significantly reduce moderate to low flows in the river. For example, one diversion scenario would reduce the average monthly flow of the Sacramento River as little as 14% during the month of January, but as much as 67% during the month of April.

March and April is a critical time of the year in the riparian habitat regeneration cycle. During this month, the first line of new riparian vegetation is established along the river's high water mark. As flow declines through this period, new lines of vegetation are established, creating a varied and multi-aged habitat that supports the diverse needs of numerous species and responds with elasticity to the river's dynamic energy. Diversions to offstream storage during spring months could seriously impact this ecological process, with significant impacts on the long term health and maintenance of the river's overall riparian ecosystem.

Although offstream storage diversions have been repeatedly characterized as 5,000 cfs, the source and amount diverted varies significantly in the flow models considered to date. DWR's most recent North of Delta Progress Report (July 2000) displays 35 diversion scenarios, which include the use of existing and new diversions from the Sacramento River; new diversions from Thomes Creek, Stony Creek, and the Colusa

Basin Drain; as well as direct diversions from existing reservoirs on Stony Creek. The total amount of these diversions range from 3,000 to 8,000 cfs.

Each diversion scenario impacts various segments of the Sacramento River and its tributaries in different ways, but the cumulative impact is the removal of a 3,000 to 8,000 cfs of flow from the system at specific times, including ultimately the lower Sacramento River, the Delta, and San Francisco Bay.

Diversion impacts to the Sacramento River's riparian habitat and river meander should be quantified in the EIS/EIR. Diversion impacts on all segments of the Sacramento Rivers, its tributaries, the Sacramento-San Joaquin Delta, and San Francisco Bay must also be quantified. Instream flow studies using accepted methodologies should be conducted for all affected streams, including the Sacramento River, Thomes Creek, and Stony Creek.

Diversion Facilities

Diversions to fill the offstream storage could utilize existing facilities, including the Red Bluff diversion dam and the Glenn-Colusa Irrigation District's diversion facility, and/or new diversion facilities. Millions of dollars of public and private funds have been invested to make these existing diversion facilities more fish friendly. But in general, fish biologists believe that all diversion facilities – even the most fish friendly – have some adverse impact on migrating and resident fish species. The impact of increased diversions at existing facilities on sensitive, threatened, and endangered salmon and steelhead stocks should be quantified in the EIS/EIR.

Various locations for a new diversion facility are under consideration. One way to avoid or reduce flow reduction impacts on river meander is to build a new diversion facility sufficiently downstream to avoid the segment of the river upstream of the flood control levee system. New diversion sites apparently under consideration include one downstream of Chico Landing and another near Moulton weir. However, the impact of a new diversion within the levee segment on migrating and resident fish species remains an important factor because downstream sites increase the number of distinct salmonid populations that are impacted. For example, a new diversion at Moulton Weir could impact all Sacramento system runs except Butte Creek and Feather River stocks. While use of existing facilities at Red Bluff could avoid impacts on all tributary stocks located downstream. The impacts of all potential diversion facilities should be quantified and compared in the EIS/EIR.

Use of existing and/or new diversion facilities require the establishment of so called "hard points" using rock riprap or concrete that prevents river meander and erosion/deposition of suitable spawning gravels. In addition, hard points provide less suitable habitat for young salmonids than naturally eroded banks. The total impact of bank protection associated with diversion sites should be quantified in the EIS/EIR.

Use of existing and/or new diversion facilities would require construction of new canals and possible expansion of existing canals to connect the diversion facilities to the Sites reservoir. The environmental impact of new and expanded canals depends on their location and should be quantified in the EIS/EIR.

Reservoir Impacts

Sites Reservoir –

The Sites reservoir would drown 14,000 acres of grassland, oak woodland, chaparral, riparian vegetation, vernal pools, and wetlands, including 19 acres of rare alkali wetlands. Evidence of the threatened valley elderberry longhorn beetle has been found in riparian vegetation in the Sites area. The vernal pools and wetlands are likely habitat for threatened vernal pool fairy shrimp and the endangered Conservancy fairy shrimp. The wetlands are also considered suitable habitat for other rare but not listed species of fairy shrimp. Until recently, actual surveys for these species were blocked by local landowners.

At least 20 other sensitive or special status wildlife species have been found in or near the reservoir footprint, including hardhead, northwestern pond turtle, Cooper's hawk, sharp-shinned hawk, tri-colored blackbird, golden eagle, short-eared owl, long-eared owl, burrowing owl, ferruginous hawk, lark sparrow, northern harrier, yellow warbler, white-tailed kite, California horned lark, merlin, prairie falcon, pallid bat, western red bat, ringtail, and American badger. Potential habitat exists for 56 other sensitive, threatened, or endangered species. The Sites area also supports four rare plant species.

Field surveys have identified 41 prehistoric sites, 17 of which appear to provisionally met criteria for eligibility to including on the National Register of Historic Places. Little work has been done to identify historic sites, but it is estimated that the Sites area may possess 15 to 20 significant historic sites, including the historic district associated with the town of Sites.

Thomes-Newville Project –

The Newville reservoir would inundate 17,000 acres of grassland, oak woodland, chaparral, riparian, and wetland habitat. Approximately 621 acres of jurisdictional wetlands would be lost and would have to be mitigated. This includes 26 acres of potential habitat for protected invertebrate species (fairy shrimp), riparian habitat actively used by the threatened Valley elderberry longhorn beetle, as well as habitat for nine rare plants. Altogether, 21 special status fish, wildlife, and plant species have been observed in or near the reservoir footprint. Potential habitat exists in or near the reservoir footprint for another 70 special status species.

It should be noted that the Newville project includes a proposed diversion from Thomes Creek, which is considered critical habitat for the threatened spring run chinook salmon and winter steelhead. In addition, the project could impact flows in Stony Creek, which is also considered critical habitat for threatened salmonids. Current surveys for these species are limited. Most of the available fish data is from the 1980s.

A total of 117 prehistoric cultural sites are located in the Newville reservoir site, including approximately 60 sites that meet National Register eligibility criteria. Cultural surveys were conducted in the early 1980s and lack historic sites. The area certainly contains notable historic sites, including the old town site of Newville and its cemetary.

Fish and cultural surveys for the Thomes-Newville site should be updated. The direct reservoir-induced impacts to special status species and cultural values should be quantified in the EIS/EIR.

Water Quality

The offstream storage reservoir sites are located in a region that naturally produces selenium and high amounts of metals and other potential pollutants, including methyl mercury. Reservoirs can act as a vector for these materials, concentrating them and then releasing them downstream. In addition, the reservoirs are relatively shallow, which will result in the warming of water and relatively high temperatures for water released downstream. The water quality impacts of the project should be fully considered in the EIS/EIR.

Seismic Issues

The potential offstream storage sites are located on a large fault system known as the Great Valley fault. This system is created by an active tectonic boundary between the Sierra Nevadan basement and Coast Range. This complex zone is the source of at least two major earthquakes (the 1892 Winters-Vacaville quake rated at magnitude 6-7 and the 1983 Coalinga quake rated at magnitude 6.7) and several small to moderate quakes.

According to the most recent seismic studies, faults underneath and adjacent to the proposed locations of the various Sites dams could produce a maximum credible earthquake of magnitude 7. The maximum potential earthquake for the Thomes-Newville project is estimated at magnitude 6.5-7. The costs of engineering project facilities to withstand such quakes should be considered in the EIS/EIR. In addition, the possibility of reservoir induced seismicity impacts to local communities, particularly those with un-reinforced masonry buildings, should also be considered in the EIS/EIR.

Downstream Floodway

The construction of a large reservoir on any stream requires that a floodway be maintained downstream that is of sufficient size to allow for emergency releases from the upstream facility. Since the offstream reservoirs under consideration would be on relatively small perennial and seasonal streams, the existing floodway capacity of these waterways can be assumed to be limited. In fact, flooding in the Colusa Basin from small seasonal streams is already a chronic problem. Establishment of sufficient downstream flood capacity could significantly impact downstream land use and development, as well as substantially increase the cost of the project associated with the relocation of structures and roads, as well as levee construction. These impacts and costs should be quantified in the EIS/EIR.

Power Production

Studies to date suggest that operating offstream reservoirs for pumped-back energy production could produce net revenues even while using more energy that it produces. This estimate was based on a much more static energy market prior to 2000. In fact,

large pumped back projects were not operating during the recent energy crisis because these projects rely on lower nocturnal rates that simply were not available. The cost feasibility of offstream facilities generating pumped back energy in the current and relatively unpredictable energy market must be factored in the EIS/EIR. In addition, the physical and environmental impact of pumped back storage on reservoir levels and reservoir recreation, as well as downstream flows must also be considered in the EIS/EIR.

Please provide a copy of the draft EIS/EIR when it becomes available.

Thank you.

Sincerely,

Steven L. Evans
Conservation Director

Sources:

North of the Delta Offstream Storage Investigation Progress Report (Final Draft), Integrated Storage Investigations, CALFED Bay-Delta Program, California Department of Water Resources, July 2000.

CALFED Storage and Conveyance Component Facility Description and Cost Estimate Reports, Volume 1, CALFED Storage and Conveyance Refinement Team, October 1997.

An Example of Average Monthly Diversion from the Sacramento River for Off Stream Storage Reservoir, California Department of Water Resources, August 1998.

Reconnaissance Survey of the Sites Offstream Storage Project, California Department of Water Resources, July 1996.

Flow Regime Requirements for Habitat Restoration along the Sacramento River between Colusa and Red Bluff, Integrated Storage Investigation, CALFED Bay-Delta Restoration Program, December 1999.

Ecosystem Restoration Program Plan – Strategic Plan for Ecosystem Restoration, Final Programmatic EIS/EIR Technical Appendix, CALFED Bay-Delta Restoration Program, July 2000.

Woodland, Scott

From: John Garino [jgarino@thegrid.net]

Sent: Thursday, February 07, 2002 4:25 PM

To: Woodland, Scott

Subject: Thomes/Newville Dam

Scott Woodland
Senior Engineer, Department of Water Resources

Dear Mr.. Woodland,

This letter is in regards to the Thomes/Newville Dam proposed project. My husband and I have discussed this project at length and we, like many others in the area strongly oppose the plan. We are concerned about the negative impact it will have in this area, and surrounding areas. It will adversely change our way of life as we know it, as well as that of the wildlife. It will not only change the wildlife population and movement, but more importantly, I am convinced that it will have a devastating affect on the wildlife. Obviously by changing the flow of the creek, it will eliminate many things, one of them being fishing. The list goes on.

It will also have a major, negative impact on the many family ranches, who have, for generations irrigated out of Thomes Creek. Their very livelihood depends on that water, just as the wildlife are dependent on that very same water.

I also have been told that this project would also put the historic Newville Cemetery under water, which, if true, I object to most vigorously. The thought of such a ridiculous, insensate, unintelligent and somewhat demented plan, appalls me. I can only imagine what the families of those buried there must think.

I thank you for your time. Please let me hear from you at your conveinence to discuss this project further.

Sincerely,
John Garino and Janice Garino

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January 2, 2002

Mr. Scott D. Woodland P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
Sacramento, CA 94236-0001

Subject: Scoping Meetings

Ladies and Gentlemen:

I have received your communication noticing of government explorations relevant to North of the Delta Offstream Storage. I am a 4th generation Northern California Farmer and have always been told and observed the critical place water takes in everyone's life. No civilizations need is higher than that for an adequate supply of quality water.

In California it has always been a critical element in efficient agriculture, industry and community growth...and California will have growth regardless of the supply! Accordingly, I am fully behind developing additional water storage, be it by expanding Shasta or other storage facilities or developing new needed sources with such projects as the Auburn Dam (onstream) or by taking advantage of excess river flows with projects such as the Sites Reservoir (offstream). The Sites Reservoir appears to be a particularly bright scheme because of its proximity to the Tehama Colusa Canal and the availability of a suitable geological site that is virtually useless for conventional purposes.

We must not let the "save the environment industry"...and make no mistake, it is an industry with all the profit and selfish desires of any industry, delay necessary and proper exploitation of our natural resources, particularly water. Our needs are obviously pressing even in the best of years and a real drought is eminent. Therefore, if we are to avoid a calamity that will make the energy crunch look like a minor pothole on a country road, we must secure additional water supplies without delay.

Sincerely,

Kenneth Gilmore

Kenneth Gilmore
4377 Emerald Ridge Lane
Suisun, CA 94585

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HERS

Haskell Environmental Research Studies Center

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May 2, 2000

TO: CALFED BAY DELTA PROGRAM

FROM Brenda Brandon, Technical Outreach Services for Native American Communities Coordinator.

SUBJECT: Pomo Cultural Risk Assessment Comments Related to CALFED Bay-Delta Program Draft Programmatic EIS/EIR, including Ecological Risk Assessment.

These comments apply to the lack of inclusion of tribal cultural concerns in the CALFED Bay-Delta Program Programmatic Environmental Impact Statement /Environmental Impact Report (EIS/EIR). The undersigned Pomo Tribes have expressed concerns about general and specific cultural potential impacts that have not been addressed in these EPA documents.

According to the National Environmental Policy Act Regulations Part 1506.6 (Public Involvement): "Agencies shall: Make diligent efforts to involve the public in preparing and implementing their NEPA procedures." The general feeling among the concerned tribal officials is that they were left out and uninformed of the preparation of the CALFED Bay-Delta Program. The delivery of a 4000 page technical document to the tribes with little time to comment was not appropriate, given that most of the impacted tribes do not have the resources or expertise to comprehend the full impact of such a huge undertaking. Many tribes were requesting resources to be brought up to date and to participate effectively in the commenting process. To the disappointment of all concerned, educational and training funds were not appropriated to the tribes. Essentially, they have not been involved to date.

There are two aspects of the NEPA process that the Pomo Tribes have requested to be involved in. First, they would like to address all issues and matters related to their tribal water rights. Secondly, the tribes have concerns about the risks related to potential impact to cultural resources that were not investigated or discussed in the EIS/EIR documents.

Tribal sovereign powers include rights to land, water, and other natural resources. In order to effectively address environmental impact concerns, a government to government relationship between parties involved must be established. Knowing that they must first be given opportunity to exercise their sovereignty rights, the Pomo Tribes are concerned about the future of their water rights. It is certain that many tribes feel threatened by potential impact to water rights brought about by the implementation of the CALFED Program.

There was no inclusion of tribes or mention of tribal reserved water rights in the CALFED Bay-Delta EIS/EIR document. Questions revolving around equitable participation in and equitable distribution of the water benefits to the tribes has not been addressed. There has been no effective establishment of advocacy that will protect tribal water rights in impacted areas. All of these issues bring about problems in building trust between the tribes and the involved agencies. In part the law mandates tribal involvement in the NEPA process, to avoid future environmental justice action.

Tribal cultural considerations are not only dependent upon the nature and degree of environmental impact to resources, but are also dependent upon tribal-specific impacts. As with any tribe, the Pomo people choose to define their own culture and express it in their own way. Certainly, each Pomo Tribe has specific concerns about the CALFED process that can be defined only by each Pomo Tribe itself. These comments are intended to serve as a guideline, which suggests the types of cultural issues the Pomo Tribes may want to have addressed during assessment of impact to their lands.

HERS has identified four general categories of tribal considerations that are frequently impacted by NEPA process. Below are listed the types of concerns that the Pomo may inquire about in relation to the EPA documents and NEPA process, specifically the CALFED Bay-Delta Programmatic Program EIS/EIR.

Subsistence living issues are not understood or considered.
Traditional cultural practices are not considered.
Impact to culturally significant sites, plants and animals may not be understood.
Long-lasting effects to aesthetic constitution of the environment are not discussed.

The Pomo rely heavily on natural resources in Northern California, not only for reasons dictated by their culture, but because they are located in primarily rural areas. Sustainability issues are primary concern to these tribes. Potential impact to culturally significant plants and animals has not been investigated. Many plants and animals that are utilized by the tribe were not included in the CALFED investigations. Medicinal plants were excluded from the ecological assessment altogether. Neither, was there any mention of addressing impact to culturally significant sites.

There are numerous plants and animals of cultural significance to the Pomo that have not been studied through the conventional approach used in the CALFED impact statements. Basket plants, an integral part of Pomo culture were not investigated in the CALFED documents. Some wetland plants of concern are already in a state of duress and could easily be devastated. The Pomo Tribes should be given opportunity to participate effectively in decision-making processes that revolve around the implementation of the CALFED Program to protect cultural resources.

There a number of complexities associated with the cultural use of biota, especially in relation to riparian and wetland ecology. Trophic level considerations were addressed only in a general sense in the Ecosystem Restoration Program Plan. The long-term impact on culturally significant natural resources by the CALFED Program has not been addressed and should take priority as the tribes struggle to maintain their cultural integrity in a world destined to never ending resource depletion. Pomo cultural preservation issues are real and deserve attention and fair consideration by federal agencies. The tribes should be given opportunity to evaluate the effects of alternatives and consider the impact that each may have on plants, animals and sites of significance.

The CALFED Program has the potential to disrupt the aesthetic constitution of the natural environment. It is the close relationship that Native American Tribes maintain with their environment that motivates them to pursue involvement in environmental processes. Because the psychological impacts of the disrupted environment are difficult to measure, cultural preservation precautions become pertinent. The long term impact to cultural resources is certainly an issue that the Pomo would like to see addressed. Given opportunity, through community involvement, the Pomo Tribes could obtain a sense of control over seemingly overwhelming environmental issues. Education, getting the community up to date on the NEPA process, would be a step taken in the positive direction. The tribes are, at the minimum, likely to request involvement with creating a cultural risk management program to help curtail the potential impact to their natural resources.

An effective tribal risk management model should include the following elements:

- Background research of oral and written history, cultural and ecological resource applicability, archeology, and scientific records.
- Examination of potential impact to culturally significant resources.
- Explicit communication of alternative solutions, which incorporate traditional cultural and ecological knowledge.
- Implementation of cultural risk management plan.
- Continuous monitoring of implementation actions that is in harmony with the tribes' cultural and psychological identity.

HERS' commitment to the Pomo Tribes is to assist them in communicating cultural concerns to government agencies. Another need that the Pomo foresee, is the development of a cultural risk management plan. Community involvement is key to the development and success of tribal cultural risk management plans. HERS could potentially contribute resources to assist the tribe develop such a plan.

Again, it should be noted that the Pomo Tribes are responsible for bringing forth information about specific cultural concerns with the involved agencies. The tribe however, must be given opportunity to discuss issues, and to become effective contributors to the decision-making processes that revolve around the implementation of the CALFED Bay-Delta Program for the next thirty years.

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MARY ANNE HOUX

SUPERVISOR, THIRD DISTRICT

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January 3, 2002

Scott D. Woodland, P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
Post Office Box 942836
Sacramento, California 94236-0001

Re: Sites Reservoir

Dear Mr. Woodland:

I am writing in strong support of new off stream storage in Northern California. I have studied the issues surrounding the Sites Reservoir and feel that it is probably the best choice from and environmental viewpoint and from a practical viewpoint.

Those of us who live in Northern California feel very strongly about the issue of transferring our water to Southern California. Water is essential to growing the crops which Northern California grows. Agriculture is our largest contributor to the economy. "No water – no crops" is more than just a slogan.

If there is an effort to save the run-off of water, then a transfer becomes less onerous.

Northern California feels it is necessary to have storage before transfer!

I hope that all agencies involved in this important issue give every favorable consideration to advancing the Sites Reservoir.

Sincerely,

Mary Anne Houx

Mary Anne Houx
maoh/

cc. David Guy, Executive Director
Northern California Water Association

MEMBERS:
JIM COSTA (V. CHAIR)
DEDE ALPERT
JIM BATTIN
DON PERATA
TOM TORLAKSON
VACANCY

CALIFORNIA LEGISLATURE

SENATE SELECT COMMITTEE ON CALFED

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***VIA FACSIMILE* (916) 651-9289**

February 8, 2002

Mr. Scott D. Woodland, P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Re: **Comments on North of Delta Offstream Storage EIR/S**

Dear Mr. Woodland:

This letter serves as my formal comments on the scope of issues to be addressed in the above referenced document and its accompanying supporting appendices and reports. Thank you for the opportunity to present to you the issues I feel are important and that need to be addressed at the outset of this project to ensure its future success.

As the leading North State Senator on water and water storage issues and as Chairman of the Senate Select Committee on the CALFED Bay-Delta Program, I am in a unique position to comment on the development of this particular environmental document. Any project approved at the end of this process will be built in my district and hopefully, will provide new water to my constituents.

As you may know, since the inception of the CALFED Program I have been involved in an oversight role as Chairman of the Select Committee and I have played an integral role in the development of the Program. I have held countless hearings on a variety of key

issues and these hearings have helped to shape the overall development of the CALFED Program and its environmental documentation.

Unfortunately, as someone who is intimately aware of the development of the CALFED Program, I cannot recommend that you rely on its environmental documentation. As you are undoubtedly aware, the CALFED Program is currently under litigation by several different organizations. The lawsuits allege significant errors and defects in the CALFED environmental review process and the accompanying documentation.

Given this fact, I would recommend that you obtain an independent legal opinion as to the advisability of tiering the North of Delta Offstream Storage EIR off of the CALFED Program EIR/S and ROD. This would be a prudent course of action in the event that the CALFED EIR/S and ROD is overturned in court at a future point in time. And again, prudence dictates that California taxpayers should be protected from paying twice for defective environmental review.

Moreover, I have a keen interest in seeing new water storage facilities built in this state as soon as possible. Any delay in providing new water storage in this state is unacceptable. It is my hope that any environmental review done for this project can stand alone so that we avoid any foreseeable delays that could be caused by any adverse rulings in the pending litigation. By taking this course of action, we can also avoid known errors and defects that exist in the CALFED EIR/S and ROD.

At this point, I would like to turn your attention to the four areas that you requested comments on, which are as follows:

> ***(1) The definition of future conditions without Offstream Storage (No Project/Action Alternative);***
>
> ***(2) Alternatives to be considered;***
>
> ***(3) Focus of Impact Assessment with respect to potential benefits or impacts; and***
>
> ***(4) Issues to be considered in the Cumulative Impact Assessment.***

I will address my concerns for each of the four areas that you have identified above.

(1) <u>Comments on No Project/Action Alternative.</u>

As I understand it, "[t]he California Environmental Quality Act ("CEQA") requires that the 'no project' alternative discussed in an EIR address 'existing conditions' as well as 'what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services' (*<u>Planning and Conservation League v.</u>*

Department of Water Resources (Sept. 2000) 83 Cal. App. 4th 892, 911; 100 Cal. Rptr. 2d 173)."

One very significant "existing condition" for purposes of your analysis is known water shortages in the state's water system. And as the above court pointed out, "[r]eduction of SWP entitlements to acknowledge permanent shortage (or, more accurately, realistic yield) will allow for more accurate forecasting...and more accurate planning efforts by regulatory authorities...(*Id.* At 915)."

This means that you would have to analyze the existing state water system and its known supply problems, including the projected population increase expected in the next twenty years and what impact this expected growth will have on the existing water availability and infrastructure in the state. In other words, how will the expected growth in the state's population impact the current state water system and its existing capacity?

I believe that this analysis will clearly show the dire straits the state finds itself in right now with respect to water. We simply do not have enough water right now, let alone significantly increased needs for the future. If we are to provide one of the basic necessities of life for the citizens of this state, the status quo is simply unacceptable with respect to water storage in this State.

Alternatives To Be Considered

"The range of alternatives required in an EIR is governed by a 'rule of reason'....[and]...[t]he key issue is whether the selection and discussion of alternatives fosters informed decisionmaking and informed public participation...(CEQA Guidelines, Section 15126(d)(5))."

The handout material that was provided at your scoping meetings listed the following alternatives: (1) Sites Reservoir; and (2) Newville Reservoir. Under the heading of "Other Possible Alternatives," you mention in passing the enlargement of Shasta Dam, and the conjunctive use program.

In my opinion, I believe it would be reasonable to include in this study the enlargement of Shasta Dam. Studying only two alternatives besides the 'no project/action' alternative would unnecessarily limit the potential storage options available to address the water shortages we are currently facing in the state. Both suggested alternatives are similar. Differences provide broader analytical methodology and discussions within the EIR. And this is what CEQA is predicated upon.

I believe it would be valuable to include the enlargement of the Shasta Dam in this Study. Shasta Dam is certainly 'north of the Delta' and its inclusion would provide a useful analytical counterpoint to the other two alternatives being considered, especially because it is an *onstream* as opposed to an *offstream* alternative.

Thus, its inclusion would add significant depth and value to the overall scope and extent of the discussion of possible storage options north of the Delta. The value of the

EIR would be greatly enhanced if the enlargement of Shasta Dam is included in the project alternatives.

Benefits/Impacts Assessment

Obviously, the single most important benefit provided by new storage infrastructure is the addition of "new" water into a system plagued by chronic shortages. This new water will provide much needed operational flexibility within the state water system as well as giving the state the ability to meet new growth demands that are already upon us.

Moreover, by meeting the new demand in growth, the local economy, and ultimately, the state's overall economy will benefit. And when the state's economy benefits, its citizens reap the rewards.

Considering the importance of "new" water, I believe it is imperative that in this EIR/S, you identify and quantify how much "new" water will be available as a result of the various storage options studies in this analysis. Furthermore, please identify exactly who will benefit from the addition of this "new" water.

I would also like to know if anyone will lose water entitlements if any of these storage projects are built. In other words, are we actually adding new water or are we simply shifting or transferring water in the system? If there are any transfers, what are the adverse impacts of such a transfer?

Specifically, will the water be available to local users as opposed to export uses? In other words, who will have ownership rights of the "new" water. And who will "own" the storage project ultimately selected for construction? Will it be the state, the federal government, a combination of state/federal ownership or some other arrangement? The public should be advised of these important decisions at the outset of this process.

Another major consideration will be the cost of the water. How much will it cost to provide "new" water from these particular projects? Will this cost be compared to the cost of water obtained from an expansion of Shasta reservoir so that a comparative analysis of cost is done for the various storage options included in this study?

Obviously, the addition of "new" water that is too expensive for the intended beneficial users in the local area raises serious questions about whether or not the development of the "new" water is feasible. We need to know this information in order to make the best choices about which storage alternative provides the greatest benefit for public use.

I believe a thorough and complete comparative analysis would be truly beneficial as an education tool for the public. The more information that is provided to the public on this issue, the greater the foundation upon which these projects can be based and with this

complete information, the best choices can be made about which storage options are the most beneficial to the state and its citizens.

Cumulative Impact Assessment

"Cumulative impacts" refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (CEQA Guidelines Section 15355). This includes single projects done over a period of time where incremental impacts may not be adequately studied.

There are many important aspects that should be considered and adequately studied as part of this section of the analysis. The transfer of water out of its "area of origin" has serious impacts, both economically and socially. Its impact on the rural community can be devastating over time. These impacts must be studied and assessed before decisions are made about which projects merit construction.

The Klamath Basin problem where water was denied to those farmers in favor of endangered suckerfish had devasting economic and social consequences for the entire region. You should be very mindful of these types of consequences to local communities in preparing these planning documents. Decisions made in isolation without scientific bases to support them have real consequences. I urge you to carefully consider these types of consequences as you prepare this EIR/S.

In closing, I want to thank you for the opportunity to alert you to some areas of interest and importance that I believe should be taken into account and addressed from the very beginning of the EIR/S process. By taking these areas of importance into account from the beginning, we can properly address and study them and arrive at conclusions that make sense for not only the local citizens, but for the state as a whole.

I look forward to reviewing the initial draft when it is available to the public for comments. In the meantime, please be sure to place my name on the mailing list to receive notices of upcoming meetings. Thank you in advance for your attention to this request.

Very truly yours,

SENATOR K. MAURICE JOHANNESSEN
Fourth Senate District

c: file

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BILL JONES
Secretary of State
State of California

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January 9, 2002

Tom Hannigan, Director
Department of Water Resources
1416 Ninth Street
Sacramento, CA 95814

Dear Mr. Hannigan

I strongly support the joint efforts of the Department of Water Resources and the CALFED Bay-Delta Program to move ahead expeditiously with all aspects of the Sites Reservoir project. During the initial discussions on establishment of CALFED, Senator Costa and I insisted that water storage facilities be an integral feature of the Delta plan. I strongly urged that a Sites Reservoir be the first of a series of water storage projects that need to be built to show the CALFED partnership that Northern California water interests would be protected. Collaborative efforts such as these are necessary to live up to the promise of CALFED, namely that "We all get well together."

I am deeply concerned that the CALFED process has become Balkanized. It is through efforts like the one you are considering now that we can re-establish the statewide leadership that is so necessary to get us back on track, notwithstanding a Record of Decision of that so many found inadequate for that purpose.

I believe this project, if ultimately constructed, will be a first step toward providing the kind of water supply reliability that is so desperately needed for California to live up to its responsibility to be a steward of our environmental resources. Again, this project would be tangible evidence that the state will take a leadership role in this issue. While our infrastructure is crumbling and failing to meet the needs of a growing state, state sponsorship of a water project has been virtually nonexistent. Local districts have been doing what they can to meet their needs, but this is a statewide issue that requires statewide leadership.

I had the opportunity to join with you, Mr. Director, and our colleagues to unanimously support AB 2315, in 1993 that led to this joint endeavor. I have been involved from the earliest stages as a supporter of CALFED efforts, and I was a joint author of Proposition 204—the largest environmental water bond of its kind when it was proposed in 1996—that served as a down payment on this unique state-federal partnership.

I am also uniquely qualified to comment on this process because I am personally familiar with water issues and how CALFED actions affect California's future. I come from a farm next to Mendota in western Fresno County. My

parents, my brother and one of my daughters and her husband still farm that ground, and I still own an interest in a portion of the farm. Our farm relies upon water delivered by the Firebaugh Canal Company and Westlands Water District. My father served on the state's water commission during the 1960s when the state saw a renaissance in state infrastructure building, including water development projects. My father also served on the boards of the Firebaugh Canal Company and the San Luis and Delta-Mendota Water Authority for many years. In those roles, he has been a leader in efforts to secure a reliable, long-term water supply for California's vital agricultural industry.

But apart from those personal interests, I am involved and interested as a citizen and as a policy-maker who has a long-held interest and a deep appreciation for the importance of water issues and an understanding of their many complexities.

It is in that spirit and with that understanding that I urge you to move ahead with the planning for and construction of this offstream storage project. As those familiar with water issues are well aware, the DWR assessment of California's water needs shows California's supply infrastructure falls short of meeting our needs even in years of average rainfall. At any time, we are literally one drought away from a water crisis. It is difficult for policy makers to explain to the public, the year after they see the Yolo Causeway area flooded and the Sacramento River teeming from bank to bank, why they must conserve water so the state can meet its most basic needs.

Sites Reservoir, filled primarily with diversions from the Sacramento River during times of peak flow, will reduce the impact of pumping for valley conveyance systems during summer months and will allow for additional flows for salmon and steelhead during critical times. This kind of project is what California needs to begin managing its resources to meet urban and agricultural needs, instead of trying to manage the short-term crises and the inevitable chronic crises that will come with the state's projected growth.

Thank you for considering these remarks and I urge you to do all that you can to ensure that your decision is one more step toward completion of this critical project.

Sincerely,

BILL JONES

cc: Kirk Rodgers, Acting Regional Director, USBR
Honorable Gray Davis, Governor

KERN COUNTY WATER AGENCY

Directors

Fred L. Starrh
Division 1

Terry Rogers
Division 2

Peter Frick
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Lawrence P. Gallagher
Division 6

Gene A. Lundquist
Division 7

Thomas N. Clark
General Manager

John F. Stovall
General Counsel

February 6, 2002

EXPRESS MAIL

Mr. Scott D. Woodland P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Dear Mr. Woodland:

We are writing to provide you with our comments on the scope of issues to be addressed in the Environmental Impact Report (EIR) on the North of Delta Offstream Storage (NODOS) project. As you may be aware, the Kern County Water Agency is the second largest contractor of the State Water Project and its economy largely relies on water from that project. Agriculture drives approximately one-third of the Kern County economy and oil production (which utilizes water in the steam extraction of heavy crude) for another one-third.

The Agency has been working, along with the other state water contractors, with Sacramento Valley interests on a regional water management program that would help meet in-Valley needs as well as help the state and federal projects meet the requirements of the Bay-Delta Water Quality Control Plan (the so-called "Phase 8" negotiations). As part of our Settlement Agreement with the Sacramento Valley interests, we recognized that new off-stream surface storage is an essential element of the program and can increase the reliability of water supplies for export water users as well as upstream interests.

Clear factors demonstrate the need for additional surface storage:

- The state's existing network of reservoirs and aqueducts is outdated, undersized, and inadequate to provide an adequate water supply in a sustained drought.

Mailing Address:
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- Conservation and recycling programs alone cannot meet the growing needs of a population that has more than doubled since the system's major features were built 40 to 60 years ago.
- Additional storage is also needed to address new environmental requirements, which have increased demands on the system and reduced operational flexibility.
- Scientists are predicting a reduced snowpack due to global warming, suggesting that augmented surface storage capacity is necessary in order to offset the reduced natural storage in the snowpack.

Thus, the CALFED Record of Decision properly found the need to expand surface storage capacity in the state's system, and committed to study the Sites Reservoir in the Sacramento Valley as one possible location for new off-stream storage. That commitment should be honored.

Last year, after a string of five very wet years, the Agency received a water supply allocation of 39% of its contracted supply. This low level of supply reliability will begin to have serious adverse economic consequences up and down the state as soon as a multiple year dry period is encountered. The No Action Alternative must analyze the economic consequences of increasingly severe water supply shortages in the absence of new surface storage.

Specific Assessment Needs

New off-stream storage in the Sacramento Valley will provide considerable environmental as well as water supply benefits. The Sites Reservoir could provide the following environmental benefits:

Improved water temperatures for fisheries in the Sacramento River
2. Increased supplies and system flexibility in support of state and federal efforts to improve fisheries of the Sacramento River, including the EWA
3. Reduced exposure of juvenile fish to diversions
4. Greater ability to emulate the natural flow regime of the Sacramento River

The EIR must analyze these environmental benefits as well as the water supply benefits likely to result from Sites Reservoir or any other off-stream storage project.

Please add us to your mailing list to receive future announcements and information pertaining to this project. Thank you for your consideration of the comments we have provided.

Sincerely yours,

Thomas N. Clark
General Manager

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MWD
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Feburary 7, 2002

Mr. Scott D. Woodland P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Response to Scoping: North of Delta Offstream Storage

Dear Mr. Woodland:

This letter provides comments of the Metropolitan Water District of Southern California on the scope of issues to be addressed in the Environmental Impact Report (EIR) on the North of Delta Offstream Storage (NODOS) project.

Metropolitan, in concert with the Department and the USBR, has been working with Sacramento Valley interests on a regional water management program that would help meet in-Valley needs as well as help the state and federal projects meet the requirements of the Bay-Delta Water Quality Control Plan (the so-called "Phase 8" negotiations). As part of our Settlement Agreement with the Sacramento Valley interests, we recognize that new offstream surface storage may be an essential element of the program and can increase the reliability of water supplies upstream users, export water users and provide environmental management benefits.

Metropolitan supports the conclusion in the CALFED Bay-Delta Program Record of Decision (August 28, 2000) that: "Expanding water storage capacity is critical to the successful implementation of all aspects of the CALFED Program." Expanded surface water storage can help meet future consumptive water needs, provide desperately needed system operational flexibility to protect fisheries and water supply, help provide improved drinking water source quality and to enhance flood control opportunities.

Alternatives

Non-reservoir alternatives to the project should be considered only to the extent they meet the broad purpose and need established for surface storage. That is, such alternatives should be able to provide the multiple benefits cited in the CALFED Record of Decision to be considered reasonable alternatives.

121 L Street, ite 900, Sacramento, California 95814 • Telephone: (916) 650-2600 • Fax: (916) 44 508

Impact Assessment

In analyzing system-wide versus localized impacts of the project, the EIR should consider a number of different operating scenarios and focus on a scenario that provides the most broad and balanced operating benefits as the preferred alternative from an operating perspective. Site alternatives and operating alternatives that provide different levels of various benefits should be measured against this preferred alternative.

Benefits and beneficiaries of the preferred alternative should be analyzed. Care should be taken to recognize that any supply benefits derived from this project will likely only lessen existing regulatory burdens on previously authorized and financed water projects. As such, the benefit will be a general public and environmental benefit, compensating water project shareholders for water lost through regulatory actions which was previously paid for through user fees and other sources.

No-project Alternative

The EIR/S should consider the impacts upon water supply, water quality, fisheries and flood control of not achieving the benefits of the preferred alternative. This analysis should also consider changes in the base condition due to hydrologic changes which may result from global warming e.g., smaller snow packs and higher winter stream flows. These analyses should also consider socioeconomic impacts.

Thank you for considering these comments. Please add us to your mailing list to receive future announcements and information pertaining to this project.

Sincerely yours,

Timothy H. Quinn
Vice President, State Water Project Resources

Offices of:
John S. Mills
P.O. Box 911
Jamestown, Ca. 95327
(209) 532-0432 Fax: (209) 532-0480
e-mail address; sixbit@mlode.com

Scott D. Woodland P.E.
Senior Engineer, Water Resources
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, Ca. 94236-0001

January 18, 2002

Subject: North of Delta Surface Storage, Notice of Preparation

Dear Mr. Woodland:

This letter shall constitute the comments on the above referenced document on behalf of my clients, the Regional Council of Rural Counties (RCRC). These comments are provided in a timely manner as per the noticed review period and we hereby request they be entered into the administrative record of this proceeding.

It is my understanding that the following are the facts. The California Department of Water Resources (DWR) is the State lead agency under the California Environmental Quality Act (CEQA), and the Bureau of Reclamation (BOR) is the federal lead agency under the National Environmental Policy Act (NEPA) charged with preparing an Environmental Impact Report/Environmental Impact Statement (EIR/EIS), to comply with the referenced Acts. This document will be for the potential development of offstream water storage north of the Sacramento/San Joaquin Delta.

The DWR and Reclamation are jointly holding scoping meetings, prior to the drafting of the environmental documents in order to better assess the salient issues relevant to this proposal. There are a series of three meetings to take verbal comments and written comments are accepted until Friday January 25, 2002.

Written comments should be directed to the manager of this process and further, you are the manager.

The RCRC has been an active participant in the CALFED Bay-Delta Program since early 1996. New water storage has been one of RCRC's main concerns in this process and has identified, along with numerous other parties, that the state's water supplies are inadequate to meet all unmet needs even in above normal water years.

While RCRC has generally supported new surface storage, it has continually focused on the requirement that the new storage be functional storage. That is, that it not adversely impact its membership area, that it not be in conflict with the CALFED Solution Principal of no redirected impacts resulting from the CALFED Program and further that new storage should provide local water supplies. In addition, RCRC has advocated for affordable, high quality, reliable, water supplies from any new storage be attributed generally to the areas of origin. Further, RCRC has advocated that there be no adverse fiscal or socio economic impacts to the County(ies) or local economies and that local input and advice be sought throughout the process. In addition, RCRC has raised a series of technical questions that have thus far remained unanswered by the CALFED.

Please note that the majority of the existing surface storage in the state as well as most of the snow pack and water supplies (sources) of the state are located in the RCRC membership area. Further, the new off stream facilities were being located in the RCRC Membership area.

It is my understanding that you intend to "tier" this environmental document on the CALFED Programmatic EIR/EIS. Please note that RCRC has challenged that document and it is quite possible that the CALFED Programmatic document and process may be found legally inadequate. Therefore, any analysis carried out in this specific process should include a broad regional (all areas upstream of Delta), watershed wide analysis of potential impacts and alternatives for consideration. Analysis of such a proposal cannot be limited to focused "on site" topics.

I request that the following questions and points to be answered within the environmental document and administrative record:

1. How would the reservoir site, facilities and water be owned and managed? Specifically, what party(ies) would own the facility and what mechanism would be used to achieve that ownership arrangement?

2. What would the size, location and operational characteristics of any diversion facility, directly or incidentally associated with the project be? What would the impacts be at the point of diversion? What would the capacity need be at the points of diversion? What diversions (if any) would be displaced by the new diversions?

3. Please do an analysis of the year 2010, 2020 and 2030 water needs of all water users in the Sacramento watershed. Determine what surplus water, if any, is in the Sacramento Watershed to fill this reservoir for the same time periods. What would the specific water use be from this reservoir and what would the sale price of the water be?

4. What does the water produced by this project cost to the user? How often does the user receive this water? Is the water quality of the water appropriate to the beneficial use to which it will be applied? Will there be adverse impacts from the use of this water as it is applied and if so where? Will there be water supply benefits to the local area resulting from this project? Please specifically answer each question with specific data to support statements of conclusion.

5. Describe and analyze the linkage between this project and water exports from the Bay-Delta and any CALFED water acquisition programs, including the Environmental Water Account and the Environmental Water Program?

6. What entity would own the land necessary for the facilities (this would include those lands acquired for environmental mitigation purposes as part of this action)? Through what specific mechanism(s) would local governments and local communities be protected from adverse fiscal and socioeconomic impacts resulting from this project?

7. What relationship, if any, exists between the water resources necessary for this facility and to those water resources necessary to implement the Trinity River Restoration Flow Decision? The latter is a federal action which is already underway and we should be assured that any proposal

within the Sacramento watershed does not anticipate water resources from the Trinity which may not be present in the future.

8. What relationship, if any, exists between the water resources necessary for this facility and those necessary for previously authorized federal surface storage facilities such as Auburn Dam? Please specifically analyze the potential for this project to displace water resource appropriations necessary for Auburn Dam or any other surface storage project in the Sacramento watershed.

9. Will the current, County of Origin, Watershed of Origin and Protected Areas statutes of the California Water Code apply to this project? If not, specifically explain why not.

10. The applicants claim that this project will enhance the CALFED Environmental Water Account. The CALFED EWA is only a four year program. It will end prior to this project even coming on line. Therefore, is the statement by the applicants in error, or is the EWA extended by this action, or has the EWA already been extended counter to existing authorization? Please provide specific rather than general explanation.

11. The applicants further claim that there will be *"...increased flexibility to the system and to Lakes Shasta, Oroville and Folsom..."* as a result of this project. We wish to know what the specific details of flexibility are. Furthermore, if there are benefits attributable to this project that accrue to the above listed reservoirs who will those benefits be assigned to (in terms of water users)? Again, these answers must be specific and not general. Please define and disclose any new operations to these facilities which will now have increased flexibility, and disclose the impacts to users and beneficiaries of these facilities.

12. Please identify any potential Bay-Delta water quality impacts, or benefits which may be associated with this proposal. Please conduct that analysis with the information provided within the CALFED Bay-Delta Program and its environmental documents regarding water quality in the Delta as well as proposed increases in Delta exports in Stage 1. If there are impacts associated with this project how will they be mitigated and what parties and resources will be used to accomplish that mitigation? If there are benefits associated with this project (to water quality in the Delta) are those benefits being used to offset or mitigate for impacts to Delta water quality caused by implementation of Stage 1 pumping?

13. What additional power use will be associated with this project? What specific parties would bear the burden of providing, or paying for that power? What are the cumulative impacts of increased power use resulting from this project and other CALFED actions such as; Joint Point of Diversion, Environmental Water Account and Stage 1 implementation? What specific parties would bear the burden of providing, or paying for that power?

14. Is this project a Central Valley Project or State Water Project Facility? If it isn't why isn't it?

I look forward to the opportunity to review the draft environmental documents and wish thank you for the opportunity to comment.

Sincerely,

John S. Mills

Regional Council of Rural Counties

J Minton

11 February 2002

From: John L. Morton
Colusa County Historical Researcher
P.O. Box 743
Colusa, Ca. 95932

To: Jonas Minton, Deputy Director
Department of Water Resources
1416 – 9th Street
Sacramento, Ca. 94236

Dear Mr. Minton;

I am writing to you because I am concerned about the Cemetery at Sites. I have listened to the Colusa Board Supervisors, some Senators and Assyblymen and I have read the article in the Colusa County Newspaper about the Town Meeting held in Maxwell. The Subject of the Sites Cemetery was never brought up.

The Town of Sites is named after John Sites. The cemetery has 63 Buriels, with the last one done in 1969. There is also one Civil War Veteran buried there, Joseph John Shearin, a Confederate, born In North Carolina. A brief bio is enclosed. His brother, Mark Shearin, also a Civil War Veteran, is buried in the Maxwell Cemetery. Both brothers, along with the other 176 Civil War Veterans buried in Colusa County, are recorded on the Colusa County Civil War List.

The Cemetery is located on private property, owned by Charles Wells. I am sure the cemetery has been a topic of discussion on The water storage project, but I just want to know how it is going To be handled.

I do have a suggestion for all of you, why don't you make Sites Cemetery a " California Historical Landmark " and a " Colusa County Historical Landmark " and see if that will keep it there Instead of moving it?

A copy of John Sites obituary article from the Colusa Daily Times Newspaper is enclosed. It is a little dark, but it explains a little History on the Town's Founder.

Thank you for your time reading my letter.
Sincerely, John L. Morton, Colusa County Historical Researcher

John L. Morton

CONTROL # 2002-0186

CALL-UP 02/27/02

EN
9

CEMETERY INSCRIPTIONS OF COLUSA COUNTY, CALIFORNIA

Volume 2

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COLUSA COUNTY GENEALOGICAL SOCIETY
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SITES CEMETERY

The Sites Cemetery is located about one half mile west of the town of Sites to the south of the Sites-Lodoga Road. When age at time or death rather than date of birth is given on a stone this information is shown in parantheses in order of years, months and days.

BIELER, Jacob	30 Jul 1872	11 Feb 1873
CLARKE, R A	20 Nov 1815	22 Sep 1879
DURBEY, Hugh (67years)		26 Nov 1889
EGGMAN, Conrad (48years)		7 Nov 1898
HARMON, James H	1868	1948
HUFFMASTER, Clarence	1859	1898
Ed	29 Apr 1826	17 Jun 1890
KENNEDY, Fern Ollean	18 Jan 1904	25 Aug 1935
James R	1855	1934
Willie H, dau H & HW	11 Dec 1861	4 Oct 1876
Mrs H W	22 Jan 1832	7 Apr 1897
Infant, dau Mrs W H		26 Feb 1877
Willie, dau James	18 Mar 1878	10 Feb 1879
KIRKUP, George		1905
Isabella Rigg	1878	1948
James M	30 Mar 1880	7 Nov 1953
Margaret M		1921
William	1876	1969
KRUGER, Willis A (38-3-3)		24 May 1908
MITCHELL, John (67-10-10)		3 Aug 1872
R, wife of John (71-4-25)		10 Jan 1882
PETERSON, Lot - Mellvah, our babies		1880
Lida M	1840	1892
Peter S	1820	1907
PHELPS, Nancy V (21-2-26)		18 Feb 18
PRINE, Riley T (11-6-10)		13 May 1874
Willie H (2-4-7)		6 Nov 1870
PRYOR, Frances B	Nov 1818	Jan 1906
REYNOLDS, Alaska son D & M (1-3-3)		24 Jan 1871
RIGG, Isabella Kirkup	1878	1948
RIDLEY, Arthur A son Hallie Shearin	1911	1945
RYNEARSON, Hannah wife of L	4 Feb 1827	13 Sep 1880
SHADDOCK, Emma dau JC & L	17 Apr 1871	18 Oct 1902
Evert son of JC	16 Jul 1877	9 Feb 1899
Ida dau JC & L	12 Aug 1873	30 Mar 1891
Lydia	12 Nov 1854	16 Mar 1890
SHEARIN, Octavia C	1838	1919
Wm M	1867	1951
J J	1834	1911

CIVIL WAR SOLDIERS
BURIED IN SITES CEMETERY
COLUSA COUNTY

Joseph John Shearin B – 1833 D – 13 January 1911
Company A, 14th Infantry, North Carolina Regiment Commanded By Brigadier General S.D. Ramshur, Colonels F.M. Parker, R.Tyler Bennett & Bryan Grimes and Major Joseph H. Lambeth.
Note: He was born in North Carolina and enlisted in the Confederate Army in 1862 and participated in the Battles of Gettysburg (3 June – 1 August 1862) and Chancellorsville Campaign (27 April – 6 May 1863). He mustered out in 1866 and came across the plains to California and settled in the Sites area doing farm work at his ranch.

References: #6 – Colusa County Cemetery Books, Volumes 1 – 3 Published by the Colusa County Genealogical Society.
#7 – Colusa County Sun Herald Newspapers
#16 – The War of the Rebellion, A Compilation of the Official Records of the Union & Confederate Armies.
#17 – Louis Olker, Sons of the Confederate Veterans, Petaluma, Ca.

SITES

SITES,	Anna O (0-7-9)		4 Sep 1883
	Johnnie Franklin son W &SM	8 May 1880	7 Jan 1891
	Maudie Jane dau WF & SM		25 Dec 1897
	Sarah Maggie wife WF	20 Jun 1864	15 Jan 1904
	William Franklin	9 Sep 1852	13 May 1939
	Mary A	11 Oct 1862	21 Oct 1934
	John	1834	1914
	Laura E wife of John	16 Jun 1851	31 Mar 1884
	Mary Francis dau J & LE		17 Aug 1870
	Twin boys sons J & LE		14 Oct 1868
SMITH,	Frank	26 May 1884	7 Dec 1949
	Mary Ellen	1847	1931
	Nellie wife of Frank P	1883	1936
	Percy Lee	1881	1910
	John B (stone broken)		
	Lillie dau JB & SC (4-4-9)		20 Mar 1870
TATE,	Marion D	1853	1920
	James E	1876	1911
WALKER,	John C		1889
WILSON,	infant son WA & SA (4weeks		15 Nov 1876
WOLFE,	Greta Rose	1902	1923
	Rosie Marie	1923	1924
WRIGHT,	Henry A (33-1-28)		5 Jun 1883

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NCPA
NORTHERN CALIFORNIA POWER AGENCY
A PUBLIC AGENCY
180 Cirby Way • Roseville, CA 95678

(916) 781-4203
(916) 782-2191 FAX

January 25, 2002

Mr. Scott D. Woodland, P.E.
Department of Water Resources
Division of Planning and Local Assistance
PO Box 94836
Sacramento, California 94236

SUBJECT: Comments to the Scope of EIS/R- North of Delta Storage Evaluation

Dear Mr. Woodland:

The Northern California Power Agency[1] (NCPA) appreciates this opportunity to begin dialog on the development of improved storage capability in the Sacramento Valley. NCPA schedules Central Valley Project (CVP) preference power for its members, utilizing CVP hydropower generation resources to meet the customer loads. As such, we are interested in maximizing the effective utilization of the CVP resource and its appropriate integration with other existing or planned water and power resources in the region. We offer the following comments relative to the scope of the Environmental Impact Statement/Report (EIS/R) evaluation.

No schedule or milestones for subsequent EIS/R forums and subsequent decision processes were provided after the initial meeting (or in the letter announcing the EIS/R) and need to be established. Specific items that will require development in the EIS/R include: the purpose and need, project alternatives, the no-action and cumulative effects conditions, and evaluation criteria and methodology. The EIS/R report should provide an economic assessment for each alternative including: cost-benefit ratios; allocation of project capital and O&M costs between project beneficiaries; repayment capability of each of the project beneficiaries; and sources of funds to cover project capital and O&M costs. The report should also address the potential benefits and impacts to both CVP and SWP power resources, as well as the northern California regional energy supply. This includes the level and timing of generation, the gain or loss of power resources provided to CVP and State Water Project (SWP) power customers and the resultant cost/benefit impacts, and any cost impacts to the CVPIA restoration fund and its contributors. The scope of

[1] NCPA is a nonprofit California join powers agency established in 1968 to generate, transmit, and distribute electric power to and on behalf of its fourteen **members:** cities of Alameda, Biggs, Gridley, Healdsburg, Lodi, Lompoc, Palo Alto, Redding, Roseville, Santa Clara, Ukiah, the Port of Oakland, the Truckee Donner Public Utility District, and the Turlock Irrigation District; and seven associate members: cites of Davis, Santa Barbara, ABAG Power, Bay Area Rapid Transit District, Lassen Municipal Utility District, Placer County Water Agency, and the Plumas-Sierra Rural Electric Cooperative serving nearly 700,000 consumers in central and northern California.

the report should also indicate the source of power to be used for project pumping, its costs, and proposed mitigation for any redirected impacts as a result of the project's pumping operations.

The evaluation needs to clearly define the operational scenario (when water is pumped and released), and compare SWP and CVP operations (e.g., daily/monthly release patterns, generation, storage, water delivery by division) with and without implementation of the specific North of Delta alternative. This allows for assessment of potential redirected impacts to CVP and SWP projects.

The no-action alternative is a critical feature of the analysis, and requires much more dialog between interested and affected parties, resource agencies and the EIS/R team. The no-action alternative needs to fully consider other proposed CALFED and Northern California resource projects that could significantly reduce/improve the project benefits and impacts.

It is our view that all alternatives need to be analyzed to provide fair comparisons. Specifically, Shasta enlargement is one alternative that needs more analysis. All alternatives need to specifically address their compliance with the CALFED solution principles, and define *specific necessary mitigation approaches.*

Thank you for the opportunity to comment, and we look forward to an open and collaborative dialog in the successful development of improved North of Delta storage capability. Should you have any questions, please feel free to contact Alan Zepp, NCPA's federal legislative analyst, at (916) 781-4238 for further information.

With Warmest Regards,

JANE CIRRINCIONE
Assistant General Manager
Legislative & Regulatory
Business Unit

AZ/cap

DATE: February 12, 2002

TO: DWR - Scott Woodland (Senior Engineer)

FROM: Edward Owens

The Owens family have been around the Newville area since the 1850's.
We are opposed to the Tomes-Newville reservoir.

FAXED: (916) 651-9289

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January 25, 2002
E-120-070

Mr. Scott D. Woodland, P.E.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236

Dear Mr. Woodland:

The City of Redding (Redding) appreciates the opportunity to provide comments on the preparation of the North of the Delta Offstream Storage environmental impact report/environmental impact statement (EIR/EIS). These comments are prepared from the perspective that Redding is both a Central Valley Project (CVP) water customer and a CVP power customer.

Our comments and concerns are as follows:

Impacts on CVP Operations

The scope of the EIS/EIR needs to include detailed operation scenarios for all storage alternatives being evaluated. These various operating scenarios need to provide substantial information of the impacts on all facilities (proposed and existing). For example, the proposed Sites Project as a stand-alone project could still have measurable impacts on the existing CVP system. The study of impacts needs to delineate as much as practicable the full scope of burdens and benefits of the Sites Project. The EIS/EIR has to provide decision makers with the ability to identify the costs and benefits of all alternatives studied, and provide a means for meaningful comparisons of the alternatives. Examples of specific items to include are as follows:

Changes in CVP hydro operation and storage requirements at existing reservoirs.
Changes to existing CVP pumping requirements.
Impacts to CVP power generation capabilities (both capacity {peaking} and energy).
Power delivery and cost impacts related to the existing CVPIA, EWA, etc.

Alternative Review

As part of the EIS/EIR process, alternatives (including the no-action alternative) to the Sites Project are expected to be evaluated. Redding has two areas of particular concern:

1. The criteria used to evaluate various alternatives needs to be shared with the affected users of the CVP from the beginning of the EIR/EIS process. A pro-active approach by the lead agency(s) addressing this issue will only strengthen the process and reduce the time required for completion of the EIR/EIS.

2. The analysis of all viable alternatives needs to be developed to a high enough level so as to ensure a meaningful and fair comparison between all alternatives. For example, the "Raise Shasta" alternative would potentially introduce additional power generation as an added benefit to the CVP system overall. Whereas the addition of Sites Project off-stream storage would likely not increase power generation but rather require pumping energy and have significantly different impacts on Sacramento river downstream operations than a "Raise Shasta" alternative.

Meeting these two criteria will enhance the compliance with the CALFED solution principles and help define specific and necessary mitigation approaches.

Guiding Principle

As the various alternatives are fully developed and evaluated, the underlying principle that a project should be affordable, equitable to all, and have no redirected impacts must be fully addressed. Costs should be distributed equitably among the beneficiaries in proportion to the benefits received. Therefore, the cost of any energy usage by a proposed project must be factored into the cost/benefit analysis at today's market-driven power costs, including any charges that may be imposed by the state's electricity restructuring process.

Redding looks forward to a cooperative effort and is supportive of the successful completion of the EIS/EIR.

If you have any comments or questions, please contact Lowell Watros at (530) 245-7403.

Sincerely,

James C. Feider
Electric Utility Director

c: Pat Kight, Mayor, City of Redding
Paul Olmstead, Resource Specialist - SMUD
Phillip A. Perry, Assistant City Manager, City of Redding
Michael Warren, City Manager, City of Redding
Alan Zepp, Federal Legislative Analyst - NCPA

February 8, 2002

Attention: Scott Woodland
Senior Engineer

Scott Woodland:

I own and run a 600 cow winter cattle ranch at the end of Long Hollow Road. My property borders John Connley's Quiet Hills Ranch. I oppose proposed Thomes Newille Dam site because the proposed road through my property would disrupt the diverse wildlife habitat we currently manage and maintain. The road would also adversely impact cattle ranching.

I appreciate being able to voice my concerns regarding the proposed dam.

Sincerely,

Richard Riolo

Richard Riolo
(916) 771-0547

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SMUD
SACRAMENTO MUNICIPAL UTILITY DISTRICT
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January 23, 2002

P.O. Box 15830, Sacramento, CA 95852-1830; 1-888-742-SMUD (7683)

ET&C 02-018

Mr. Scott Woodland
Department of Water Resources
Division of Planning and Local Assistance
PO Box 94836
Sacramento, CA 94236-0001

Subject: Scoping Comments North of the Delta Offstream Storage

Dear Mr. Woodland,

The Sacramento Municipal Utility District (SMUD) is the largest Central Valley Project (CVP) Preference Power Customer, providing not only payments into the Restoration Fund but repayment of the CVP plant-in-service and Operations and Maintenance (O&M) costs allocated to power. We have a major financial interest in the prudent management of CVP facilities. SMUD has significant concerns regarding the policies and programs under development through the CALFED planning process to modify the operations, management and physical facilities of the CVP. To this end, SMUD submits the following scoping comments on the North of Delta Offstream Storage Project (NDOS).

The issues that concern SMUD are discussed below.

Purpose and Need

SMUD is unclear as to the timing of proceeding with the NDOS EIS/R when the purpose and need statement required in the *Sites Memorandum of Understanding* has not been agreed upon. SMUD requests a clear statement of the federal role in this project. In the EIS/R address the decision making process for this project include a schedule or milestones for the EIS/R review and decision processes. What are the roles of the respective agencies? What agency is the decision maker for each alternative? Please identify the major federal actions.

Alternative Selection

Selection criteria for evaluation of alternatives are not yet established. The criteria need to be concise and shared with the affected users of the CVP before an informed decision can be made. Impacts to net power production and repayment ability or inability should be part of the criteria.

All alternatives need to be brought to an acceptable level of analysis in order to provide for impartial comparisons. Those alternatives that have more work-to-date should not have an advantage. The Raise Shasta enlargement is an alternative that needs to be included as a viable alternative, and needs more analysis to receive equal consideration as the Sites Alternative.

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SMUD understands that the Raise Shasta Alternative would be an integrated feature of the CVP, and SMUD supports that approach. SMUD is less clear on what the federal role would be in a Sites Reservoir Alternative. As this is not an enlargement of a CVP facility, and it is authorized by CALFED, it is presumed that Sites Project would be a state/local water district project. SMUD requests confirmation of this understanding by the lead agencies.

SMUD, as a CVP power customer, would have serious concerns about Sites Reservoir if it were proposed as an integrated part of the CVP. The cost/benefit ratio and allocation of costs for the project are a concern to SMUD. Repayment and ability to pay cost shifting would be a serious concern. Pumping costs that exceed any power benefits would be a serious concern. SMUD requests all these issues be addressed in consultation with SMUD if Sites is proposed to be an integrated feature of the CVP. Alternatively, SMUD suggests that the lead agencies clarify that Sites Reservoir, if implemented, would not be a financially integrated part of the CVP, and would not qualify for CVP project use energy to meet its pumping requirements. Rather the project should be a state/local water agency project, responsible for its own power supply, and the reclamation role limited to one of operational coordination and design on a third-party services basis.

During the discussion of the no-action, please ensure that all proposed resource projects that could significantly reduce/improve the project benefits and impacts are discussed.

Impacts to CVP Power Resources

In the CALFED Programmatic Environmental Impact Statement / Programmatic Impact Report (PEIS/EIR), SMUD repeatedly stated that the amount of CVP hydroelectric energy available for sale would decrease substantially in nearly all CALFED scenarios. The greatest impacts to CVP operation and power sales involved the scenarios that include water storage facilities and/or the isolated conveyance facility. The primary impacts to power result from increased pumping energy consumed at proposed new water storage and conveyance facilities.

Please ensure that detailed operation scenarios for the NDOS alternatives are analyzed. Include where all facilities are to be located, their potential costs, their primary beneficiaries, and how the cost of such facilities will be recovered. Assure that the document does not lack meaningful appraisal or feasibility analysis of the costs and benefits of such new projects.

The CALFED program has not set specific objectives for hydropower generation. SMUD and the CVP preference customers agree that the NDOS Project should minimize negative effects on resources, such as hydropower generation, during and after implementation. Increases in net CVP hydro generation like that made possible by a Raise Shasta Alternative should be pursued where feasible.

Please assure that information is provided regarding storage and pumping load assumptions. The Final CALFED PEIS/R stated that both that program and project alternatives would be discussed in subsequent environmental documentation and that impacts would be addressed when specific projects were to be developed. In this EIS/R we would like to see an analysis of impacts by the

operation for each of the alternatives under consideration. To understand the impacts to the capacity, generation, pumping energy and energy available for sale that will impact on implementation of the NDOS, a variety of potential project allocations showing some real world options are appropriate and necessary.

New pumping and storage facilities may have adverse impacts to power sales to Preference Power Customers and would, therefore, threaten the repayment capability of the CVP. A large part of the CVP repayment to the U.S. Treasury of the cost of construction of the CVP comes from Preference Power sales. Please address in the Areas of Controversy section any impacts by the project to the CVP and State Water Project. Please ensure that the document adequately addresses the severity of impacts to CVP Preference Power Customers and addresses the long-term financial implications of the wholesale modification of CVP operations and the impact to all CVP customers. Please also explain how compliance the CALFED Record of Decision mandated to avoid redirected impacts would be achieved.

Operational changes to CVP

New storage facilities need to have operational flexibility. Implementation of NDOS may require re-operation of the CVP. Re-operation will affect the timing of energy generation, peak project capabilities, annual energy production, and the distribution of energy on a seasonal, monthly, and daily basis. A major concern is that the water modeling programs may not provide the data needed for an adequate power production analysis. Models based upon monthly averages cannot forecast energy output and power values. Assure that enough information is presented to determine what changes in revenues from power sales and power costs to CVP Power Customers would result from the implementation of the NDOS.

Impacts upon CVP Rates

The NDOS project may have numerous implications to the future of the CVP and Western Area Power Administration (Western) if they are integrated into the CVP. Rate increases may occur due to changed river operations, increased pumping loads, and increased mitigation costs assigned to CVP Preference Power Customers. SMUD has a concern that increased rates could affect power marketed by the Western to the point it will become unmarketable. Increasing rates will decrease the power customers' ability to compete in the restructured utility industry's competitive environment. It is in the best interest of all parties to ensure that Western remains viable and continues to market federally generated power. If Western's rates are pushed above the existing energy market, customers will buy elsewhere, resulting in an inability to repay CVP capital. CALFED policy requires that beneficiaries of any CALFED Program action must pay related costs, not redirect them to others. We concur with the philosophy of this approach and would like to see CALFED adopt this as a policy for any generation losses as a result of the NDOS. CALFED policy requires for reimbursement for lost power or to pay to construct replacement generation. CALFED has not recognized that rate impacts, being economic in nature, require mitigation. The CALFED philosophy states there will be no "redirected impacts" and "the beneficiary pays." For the CVP Preference Power Customers, this will require a

commitment to mitigate directly for rate impacts if a facility is integrated financially into the CVP. The project proponents must commit to this mitigation to the CVP Stakeholder group.

Assure that the NDOS EIS/R provides an analysis of what the project will do to the rates for energy that the CVP Preference Power customers will pay. Include if there will be rate increases on the Preference Power Customers and the severity of this impact.

SMUD will continue to support the NDOS as long as the users and benefactors of the project bring their own power for the pumping that will be required for operation purposes.

Financing / Program Cost Allocations

Please ensure that project funding is addressed. It is not possible to determine the full impact of the alternatives if project funding is not addressed. As a Preference Power Customer of the CVP, SMUD has been paying its equitable share of Central Valley Project Improvement Act (CVPIA) Restoration Fund costs. The CVPIA is a separate program with specific objectives and prearranged payment obligations established by Congress. The Restoration Fund is financed partially by the CVP Preference Power Customers and is intended for the mitigation of CVP and its impacts. Use of the Restoration Fund by other entities for non-CVP purposes is not allowed. The funding for this project should not anticipate that CVPIA money will be redirected to CALFED or that CVP Preference Power Customers are able to pay beyond current Restoration Fund costs. Allocating additional Program costs to CVP Preference Power Customers would exacerbate anticipated rate impacts, and make it more difficult for CVP Preference Customers to repay the Treasury. Inability to pay problems plagues some CVP water customers in the Sacramento Valley. Please provide analysis that a Sites Reservoir will not exacerbate this situation if financially integrated into the CVP.

While the EIS/R is not required to address the full range economic factors, future decisions to receive the authorization to proceed will require economic discussion. SMUD requests a cost-benefit ratio analysis for the Sites Project sites and comparison with Raise Shasta Alternative. Include with the analysis the repayment allocation of project capital and O&M costs between project beneficiaries and the source of the funds to proceed with the project.

The EIS/R should include a detailed cost estimate and a cost-benefit analysis of each alternative. A more important factor should be the ability of the preferred project alternative to meet the program objectives. Costs should be distributed equitably among the beneficiaries in proportion to the benefits received. Improvement to the environment benefits the general public and should be funded by the general public.

Cumulative Impacts

In the Cumulative Impacts Section elaborate upon how the alternatives may affect power production and energy to the CVP or SWP. Also identify the mitigation for these impacts.

Assure that the EIS/R includes discussion and analysis of the future operation of the Trinity River Unit. Include in the document, how the re-operation of the Trinity River Unit will impact the proposed NDOS alternatives.

Mitigation Strategies

Ensure that mitigation measures to reduce adverse impacts to power generation are included in the document. The CALFED PEIS/EIR stated that the CALFED Program has no specific objectives for hydropower generation. However, the Program does seek to minimize impacts on hydropower generation, during and after CALFED implementation. The Program also seeks to minimize redirected impacts and to maintain linkage between the beneficiaries of actions and the costs of those actions. Given this direction, mitigation measures, to reduce adverse impacts to power generation, should be part of the document.

SMUD supports mitigation that will positively influence the ability of Western to continue to sell power at reasonable rates to the CVP Preference Power customers. Increases in CVP energy use costs should be avoided. If incurred they should be covered by revenue from CVP water users, natural resource agencies, and other environmental beneficiaries. Additional pumping costs should be assigned to the beneficiaries of the pumping.

Other Issues

Please identify the linkages of NDOS to the CALFED to the Water acquisition program.

Conclusion

SMUD concurs with the philosophy that CALFED solution principles must reduce conflicts in the system, be equitable to all, be affordable, be long lasting, be implementable, and have no significant redirected impacts. Any new CALFED use of the CVP should be paid for by new generation or by the beneficiaries of the facilities at the current market rates, and not by depleting existing CVP resources.

SMUD desires that these comments are addressed so that the NDOS EIS/R is a legally sufficient document. The concerns of CVP Preference Power Customers need to be adequately addressed. To ensure that this occurs, a future meeting between this customer group and project proponents is requested.

If you have any comments or questions, please contact me at 916/732-5716.

Sincerely,

Paul Olmstead
Water & Power Resources Specialist

cc:

Nannette Engelbrite, WAPA
NCPA
Lowell Waltross, City of Redding

Bc:
Tom Ingwers
Brian Jobson
Ed Roman
Leslie Dunsworth

sacramento river preservation trust

January 24, 2002

Scott D. Woodland P.E.
Senior Engineer W. R.
Department of Water Resources (DWR)
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Dear Mr. Woodland;

The Sacramento River Preservation Trust (Trust) would like to submit the following comments regarding the Notice of Preparation of an Environmental Impact Report/ Statement (EIR/S) for the development of offstream water storage north of the Sacramento/San Joaquin Delta:

- The Trust believes that any development of alternatives must include, in addition to the associated programs listed in your scoping meetings announcement, a review of the Integrated Resources Management Program for Flood Control in the Colusa Basin.
- As part of the development of the Sites Reservoir Alternative, the Trust would like to see included a discussion focused on the potential removal of or modification to Black Butte Dam and Reservoir.

The Trust appreciates having the opportunity to comment and hereby requests that we be kept informed of all future actions concerning this project.

Sincerely,

John Merz
Chair, Board of Directors

Cc: Interested Parties

P.O. Box 5366, Chico, CA 95927
(530) 345-1865

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double-sided printing.
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Brent Shanahan
Orland, Ca. 95963

Scott Woodland
Senior Engineer
(916) 551-9289

Dear Mr. Woodland:

I live, work, and raise my family just under the proposed Thomes-Newville dam. I myself was raised in Elk Creek, not far from the proposed berm of that dam. That berm is located artificially in the middle of the valley due to serious concerns about the capability of the watershed to fill the dam and keep it full.

Construction of the dam would seriously distort every environmental and unique characteristic of this special area. The loss would be irreplaceable.

I strongly oppose the Thomes-Newville dam.

Sincerely,

Brent Shanahan

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SHASTA COUNTY

BOARD OF SUPERVISORS

1815 Yuba Street, Suite 1
Redding, California 96001
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(530) 225-5189-FAX

DAVID A. KEHOE, DISTRICT 1
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MOLLY WILSON, DISTRICT 4
PATRICIA A. "TRISH" CLARKE, DISTRICT 5

January 16, 2002 FPA 040508

Scott Woodland
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Subject: North-of-Delta Offstream Storage
Scoping Comments

Dear Mr. Woodland:

Thank you for hosting a Scoping Meeting for the Offstream Storage Investigation in Maxwell on January 9, 2002. It was well-attended, and the opportunity for community input on the scoping of the environmental documents was much appreciated. I was very pleased to see that we are taking tangible steps to improve the reliability of California's water supplies. In that same spirit of cooperation and progress, I would like to reiterate our key sentiments on this important issue.

Shasta County fully supports the Sites Reservoir Project. The last major improvements to the CVP and SWP were built forty years ago. A few reservoirs have since been built by individual water districts. However, overall resource development has been insufficient to meet California's new needs for water, power, flood protection and recreation. Additional storage will address this imbalance. Offstream storage can solve our water supply problems, with minimal environmental impacts. Clearly, this is a proposal whose time has come.

Decisions will be made and resources expended, based upon the environmental document. Consequently, it is imperative that we maintain an objective and scientific focus. All too often, the analyses of the 'No Action' and 'No Project' alternatives are too rosy. It is implied that somehow all of the people, animals, and ecosystems that would benefit from a proposed project will somehow manage without the project, and without redirecting impacts elsewhere. Conversely, every potential shortcoming that can be associated with a proposed project is overstated in elaborate detail. Such anti-action bias taints many an environmental document. Such documents lack credibility, and are of little use to decisionmakers. This pitfall should be avoided. The Sites Reservoir

Project should be fairly evaluated. The No Action alternative should be fairly evaluated. The two should be objectively compared. And then we should built the Sites Reservoir.

Again, thank you for the opportunity to comment. I look forward to further opportunities to champion this worthwhile project, as it moves forward.

Very truly yours,

Patricia A. Clarke

Patricia A. "Trish" Clarke
Supervisor District 5

PAC/EBW/jmg

State Water Contractors

455 Capitol Mall, Suite 220 • Sacramento, CA 95814-4409
John C. Coburn General Manager (916) 447-7357 • FAX 447-2734

Directors

***David B. Okita**, President*
Solano County Water Agency
***Dan A. Masnada**, Vice President*
Central Coast Water Authority
***Duane L. Georgeson**, Secretary-Treasurer*
Metropolitan Water District
of Southern California
Thomas N. Clark
Kern County Water Agency
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Thomas E. Levy
Coachella Valley Water District
Robert C. Sagehorn
Castaic Lake Water Agency
Wallace G. Spinarski
Antelope Valley-East Kern Water Agency
Stanley M. Williams
Santa Clara Valley Water District

February 8, 2002

Mr. Scott D. Woodland P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Dear Mr. Woodland:

This letter is to provide you with the comments of the State Water Contractors (SWC) on the scope of issues to be addressed in the Environmental Impact Report (EIR) on the North of Delta Offstream Storage (NODOS) project. The SWC represents 27 public agencies, which contract with the State Water Project for their water supplies, with a maximum collective Annual Table A Amounts of nearly 4.2 million acre-feet per year.

The SWC has been working with Sacramento Valley interests on a regional water management program that would help meet in-Valley needs as well as help the state and federal projects meet the requirements of the Bay-Delta Water Quality Control Plan ("Phase 8" negotiations). As part of our Settlement Agreement with the Sacramento Valley interests, we recognized that new offstream surface storage is an essential element of the program and can increase the reliability of water supplies for export water users as well as upstream interests.

In looking at the future water supply and demands of California's ever increasing population, the SWC believe:

- Additional surface storage is needed in the Sacramento Valley to serve both environmental and water supply purposes:

- The State's existing network of reservoirs and aqueducts is outdated, undersized, and inadequate to support the State's basic water needs in a sustained drought.

- Conservation and recycling programs alone cannot by themselves meet the growing needs of a population that has more than doubled since the system's major features were built 40 to 60 years ago.

  Additional storage is also needed to address new environmental protection measures, which have increased demands on the system and reduced operational flexibility.

  Scientists are predicting a reduced snowpack due to global warming, suggesting that augmented surface storage capacity is necessary in order to offset the reduced natural storage in the snowpack.

For all these reasons, the CALFED Record of Decision properly found the need to expand surface storage capacity in the state's system, and committed to study the Sites Reservoir in the Sacramento Valley as one possible location for new offstream storage.

Alternatives to be Considered

The NODOS EIR should accordingly limit its scope and alternatives considered to the Sites location and any other feasible offstream storage sites in the Sacramento Valley.

Definition of Future Conditions Without Offstream Storage

Last year, the first dry year after a string of six wet or above normal years, the State Water Project contractors received a water supply allocation of only 39 percent. If not addressed soon, this low level of supply reliability will begin to have serious adverse economic consequences up and down the State. The No Action Alternative must analyze the economic consequences of continued water supply shortages in the absence of new surface storage.

Focus of Impact Assessment

New offstream storage in the Sacramento Valley will provide considerable environmental benefits. The Sites Reservoir could provide the following environmental benefits:

- Improved water temperatures for fisheries in the Sacramento River below Shasta Lake

- Increased supplies and system flexibility in support of state and federal efforts to improve fisheries of the Sacramento River, including the Environmental Water Account

  Reduced exposure of juvenile fish to diversions

- Greater ability to emulate the natural flow regime of the Sacramento River

The EIR must analyze these environmental benefits as well as the water supply benefits likely to result from Sites Reservoir or any other Sacramento Valley offstream storage project.

Thank you for considering these comments. Please add us to your mailing list to receive future announcements and information pertaining to this project.

Sincerely yours,

John C. Coburn
General Manager

Xc: SWC Member Agencies
Thomas Hannigan, Director, Department of Water Resources

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United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825

Scott D. Woodland P.E.
Senior Engineer W.R.
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

FEB 0 5 2002

Dear Mr. Woodland:

We are responding to your Notice of Preparation (NOP) on the North of the Delta Offstream Storage Project. We have also reviewed the North of Delta Offstream Storage Investigation (NDOSI) Progress Report. We are using this opportunity to participate in the scoping process for this project on three significant issues: (1) significant environmental issues which should be addressed in the document (2) alternatives that should be considered in the document (3) parties who should participate as cooperating agencies in the development of the document.

Indian lands held in trust, whether for tribes or individual Indians, are a trust asset. The United States must protect and manage those resources in a manner consistent with their highest and best use. Such fiduciary responsibilities of the trustee include management of the land in an income producing manner. Under most circumstances, such management would include the delivery of sufficient water to implement those uses. We note that the proposed EIR/EIS tiers from the original CALFED EIS/EIR. During the original CALFED EIS/EIR, we repeatedly voiced concerns over the extent to which proposed actions would significantly impact resources held in trust for Indians by the United States and the extent to which the Bureau of Reclamation was fulfilling its fiduciary responsibilities to American Indians.

Consistent with the President's April 29, 1994, Memorandum, Government-to-Government Relations with Native American Tribal Governments, CALFED Agencies committed to assess the impact of CALFED project-specific plans and activities on tribal trust resources and tribal government rights and concerns. Consistent with the Presidential Memorandum, CALFED Agencies committed to consulting with tribes on a government-to-government basis prior to taking actions that affect such tribal governments. We anticipate following the government-to-government tribal consultation process for the NDOSI EIR/EIS with great interest.

We have the following specific comments:

(1) Review of the CALFED EIS – Indian Trust Assets 7.15.4 Assessment Methods provided the following quotation "Identifying specific Indian trust assets is the first action to determine whether an undertaking will affect trust assets. Project planners will examine

areas of potential effect for possible conflict with Indian land and Indian Trust Assets." Enclosed is a recently prepared map showing project areas and trust lands to aid in this assessment.

We believe that the proposed document should determine Indian water supply needs for trust lands as a more accurate means of determining effects to trust resources. With a determination of Indian needs for the trust lands, decision makers may more easily make a determination as to whether aspects of the project will have an effect, whether beneficial or adverse. Additionally, such a document will be essential to a meaningful tribal consultation process.

(2) Review of NDOSI Progress Report, Appendix H: Water Exchange Element – Short and Long Term Relationships raised the issue of the effects of water contracts on trust resources. The EIR/EIS should address the critical element of whether commitment of water to purveyors would hinder the ability of Tribes to acquire water or participate in contractual arrangements, and therefore diminish the value of the land or potential uses of the land held in trust.

(3) Review of NDOSI Progress Report, Appendix I, Water Supply Operations Studies raised the following issue with regard to potential water supply diversion. Determinations regarding instream flow requirements and diversion schemes should include consideration of tribal trust resources. We question whether regulatory instream flow or irrigation delivery requirements are predicted to change within the next 50 years. These potential changes in instream flow would affect Indian trust riparian and reserved water rights. In particular, future water needs for Indian lands may not be met due to regulatory instream flow requirements. We recommend that the proposed EIR/EIS include development of a water supply investigation for the Indian lands and that this water supply investigation be based on an assessment of agricultural lands and potential beneficial uses.

(4) We are also concerned that actions that alter or decrease flows within riverine systems and their tributaries, may adversely affect trust resources. Further, out-of-basin transfers or diversions may contribute to reduction in groundwater recharge with associated water level drops and supply decreases. We therefore believe it is critical to conduct baseline studies to assess current hydrologic and geohydrologic conditions for all tribal trust lands in the northern Sacramento Valley. Conducting water assessments such as these are positive actions toward responsible protection and preservation of the trust.

Regarding alternatives to be considered, we note that the Sites Reservoir Alternative explicitly includes the possibility of enlarged capacity for the Glenn-Colusa and Tehama-Colusa Canals. We are requesting that the enlarged capacity alternative incorporate irrigation outlets that will enable Indian trust lands to acquire water from these canals.

Finally, we are interested in participating as a cooperating agency in the development of the North of Delta Offstream Storage Environmental Impact Report (EIR)/Environmental Impact Statement (EIS). We also believe that the commitment to a government-to-government consultation process would appear to provide for tribal cooperating agency status, at tribal request.

Questions on our comments can be directed to Mr. William Allan, Regional Environmental Protection Specialist, at (916) 978-6043 or Mr. Dale Morris, Natural Resources Officer, at (916) 978-6051.

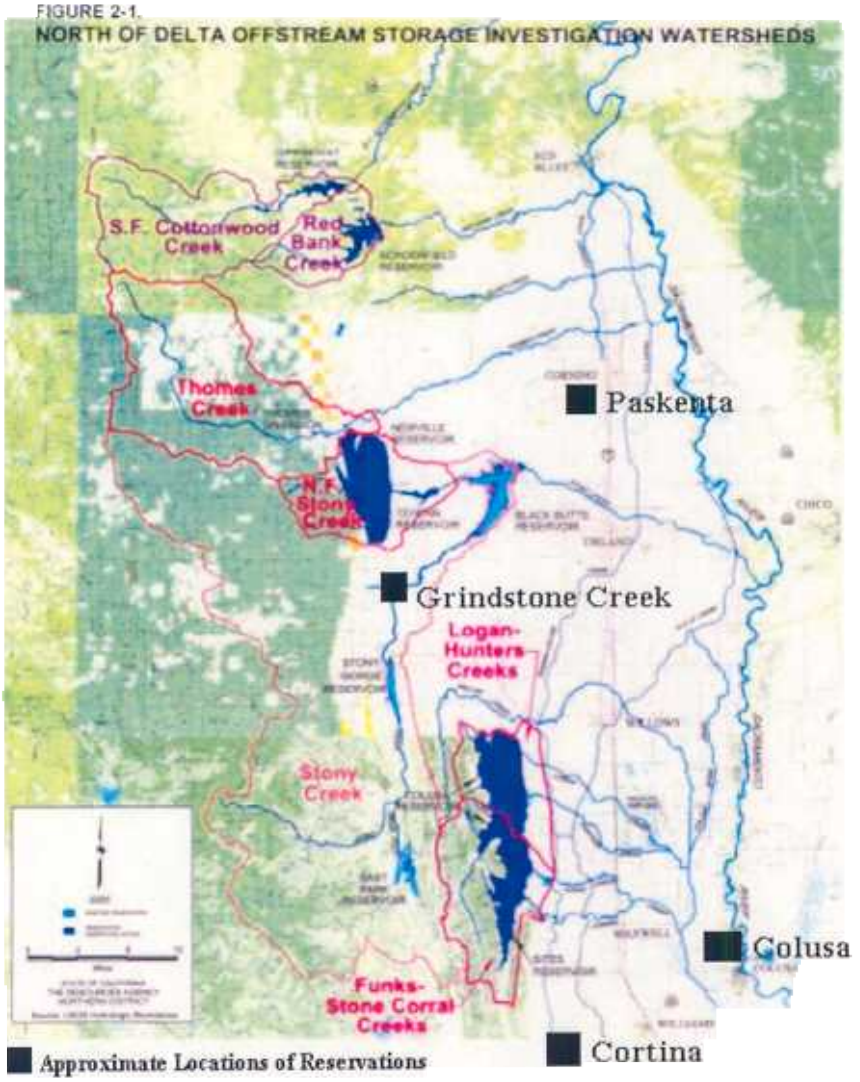
Sincerely,

Acting Regional Director

Enclosure

cc: Superintendent, Central California Agency
Regional Director, Bureau of Reclamation
Director, Office of Trust Responsibilities, BIA
Director. Land and Water Resources. BIA

FIGURE 2-1.
NORTH OF DELTA OFFSTREAM STORAGE INVESTIGATION WATERSHEDS



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

February 15, 2002

Frank Michny
Regional Environmental Officer
Bureau of Reclamation
Mid-Pacific Regional Office
Attn: Donna Garcia
2800 Cottage Way
Sacramento, CA 95825

Dear Mr. Michny:

The Environmental Protection Agency (EPA) has reviewed the Notice of Intent to prepare an environmental impact statement for **North of the Delta Offstream Storage, California.** Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The Bureau of Reclamation (Reclamation) and California Department of Water Resources (DWR) propose to prepare a joint environmental impact statement/environmental impact report (EIS) for the North of the Delta Offstream Storage project (NDOS). The NDOS will evaluate potential surface storage projects north of the Delta in the Sacramento Valley watershed. Possible NDOS alternatives include No Action (present condition), No Action (future condition), Sites Reservoir, Newville Reservoir, conjunctive use, and enlarged Shasta Dam.

Roughly three-quarters of California's runoff occurs north of Sacramento, while about three-quarters of California's water is used south of Sacramento. This imbalance in the location of water supply and demand has placed continual pressure on Sacramento Valley watersheds. The CALFED Bay-Delta Program, a cooperative, interagency effort, included expanding water storage capacity as an aspect of the Preferred Program Alternative. The objectives for north of the Delta offstream storage include enhanced water management flexibility, reduced Sacramento River diversions during critical fish migration periods, increased supply reliability, and storage and operational benefits for other CALFED programs such as Delta water quality and the Environmental Water Account. North of Delta offstream storage (Sites Reservoir, or alternatives) is one of two offstream storage proposals identified in the CALFED Record of Decision (ROD) for further study before a decision can be made to implement the project as part of CALFED. The ROD explains that this determination would hinge on technical studies, environmental review, and developing cost share agreements (ROD, pages 43 and 45). We anticipate that the documentation developed through this EIS will substantially contribute to making a determination on whether the proposed project will be implemented as part of CALFED.

EPA advocates an approach to water supply allocation and project operations which can adjust to changing conditions and help balance available water supplies, ecosystem health (e.g., in-stream beneficial uses), and user requirements. We firmly believe that in the long term, water supply actions should focus on sustainable management of developed supplies to meet these objectives.

Efficient use of existing water supplies should be maximized through conservation, reuse, and pollution prevention as construction of new storage is being considered. To minimize conflict and potential water shortages, we urge Reclamation and DWR to employ all available tools for enhancing water management flexibility, supply reliability, environmental conditions, and water quality. These tools could include not only storage but water transfers and exchanges, pricing, operational flexibility, market-based incentives for efficient water use, water acquisition, conjunctive use, voluntary land fallowing, and wastewater reclamation and recycling. Alternatives considered in the EIS should evaluate an integrated range of these tools, taking into account actions which are, or can be, implemented through other programs. Consistent with CALFED water management principles, we believe that any new storage should enhance the commitment to, and effectiveness of, environmentally beneficial and "efficient" use of existing and new water supplies.

As our detailed scoping comments (enclosed) indicate, the EIS should provide a full evaluation of the potential direct, indirect and cumulative impacts of water storage and conveyance operations, and major diversions from the Sacramento River and affected tributaries. Among other topics, the EIS should include potential impacts to riverine and Bay-Delta beneficial uses, riverine geofluvial processes, drinking water sources and systems (e.g., Contra Costa Water District's use of Delta water), groundwater, water quality, and sensitive resources such as endangered species.

Allocation of any new water supply among users is another critical matter which should be considered in the EIS. We believe the evaluation should discuss who might receive the supply improvements; how, when, and at what cost, using a calculation which discloses and incorporates full mitigation costs. Explain any gains in supply reliability for users. As described in our detailed scoping comments, we recommend that the EIS include an economic analysis showing willingness-to-pay for water priced on a "beneficiaries pay" basis. The EIS should also document potential multiple uses and benefits of water use, such as agricultural water use which supports valuable wildlife habitat.

As stated in the Notice of Intent, there are a number of associated programs underway in the Sacramento Valley. The EIS should clearly describe the history, chronology, and relationship of these various planning efforts and associated programs. In particular, explain relationships to activities such as the Phase 8 Settlement Agreement in which some north of Delta offstream storage partners have key involvement. Also describe relationships to programs with which CALFED is coordinating, such as the Sacramento and San Joaquin River Comprehensive Study.

We appreciate the opportunity to review this NOI. Detailed scoping comments are enclosed for your use. Please send three (3) copies of the Draft EIS to this office at the same time it is officially filed with our HQ Office of Federal Activities. If you have any questions, please call me at 415-972-3852, or Carolyn Yale at 415-972-3482.

Sincerely,

Laura Fujii

Laura Fujii
Federal Activities Office
Region 9 EPA

File: northdeltanoi
Main ID# 003822
Enclosure: Detailed Comments

cc: Scott Woodland, DWR
Steve Thompson and Wayne White, USFWS, Sacramento
US COE, Sacramento
Pat Port, DOI
Jim Bybee, NMFS
Mary Nichols, California Resources Agency
RWQCB, Central Valley Region, Sacramento and Redding Offices
Patrick Wright, CALFED
Jim White, CDFG

Detailed Scoping Comments

Water Management

1. As the Notice of Intent (NOI) acknowledges, the proposed project is being planned in the context of the CALFED Program (Programmatic EIS and Record of Decision (ROD)), which identified potential beneficial functions of north of Delta offstream storage. At the same time, the CALFED Program is premised on balanced implementation of all Program elements; including ecosystem restoration, expanded storage and conveyance, and water use efficiency. Thus, from the perspective of the CALFED Program, additional diversions and storage should be built only in the context of, and consistent with, efficient and environmentally protective use of developed and new supplies.

The EIS for the proposed north of Delta offstream storage should explain in detail the relationships between expanded storage and the objectives cited in the NOI, which were derived from the CALFED Program ROD. Explain, for example, how the alternatives under consideration would improve water supply reliability, management flexibility, and storage and operational benefits for purposes such as water quality and fish protection. Further, provide information on the post-ROD implementation of other CALFED programs addressing these objectives, particularly programs related to water supply management (water use efficiency, the conjunctive use program, water transfers). Document involvement of potential north of Delta storage participants in these related programs.

2. Describe potential operational relationships of the north of Delta offstream storage alternatives to other storage and conveyance facilities in the system. Characterize the objectives of operational changes that might be introduced with additional storage and describe anticipated impacts (beneficial and adverse).

3. Describe potential changes (and associated impacts) in the amount and reliability of Delta exports, relative to clearly defined "without project" conditions in the South Delta. With reference to the NEPA "without project" (no action) scenario for future conditions, clearly state assumptions regarding CALFED implementation, particularly "South Delta Improvements" and related regulatory compliance.

4. It is unclear from the NOI what the potential scope of project participants, or beneficiaries, within the Sacramento Valley, and beyond, may be. Within the Sacramento Valley, determining the geographic extent of participants in the proposed project is important, as water rights, surface and ground water sources, and supply reliability vary substantially. The EIS should describe the potential project participants both north and south of the Delta, and explain the basis for their involvement (for example, existing water rights, groundwater management authority, facilities operation, existing contractual arrangements with the SWP or CVP, market-based participation, and so forth).

Explain if some supplies made available through the proposed project might go to users under pre-project terms (for example, to CVP or SWP contractors under existing contract terms regarding contract quantity, price, and so forth).

5. We recommend the EIS contain a section that clearly describes the water rights law applicable to the proposed project and parties potentially involved in the project. For example, provide background information on existing water rights and allocation within the Sacramento Valley project area, including area of origin issues. Also explain the current State Water Resources Control Board requirements for meeting Bay-Delta water quality standards under D1641 and the issues associated with Condition 20. Clarify how implementation of D1641 affects CVP and SWP water contractors, with particular reference to Condition 20, and the recent Phase 8 Settlement Agreement.

Water Pricing

1. The CALFED Program ROD endorses a general principle that beneficiaries should pay the costs of Program activities such as water supply improvements. This reinforces fairness and recognizes the need to encourage water use efficiency and reflect the true cost of developing new supplies. Thus, project water-- particularly any newly developed supplies-- should not be underpriced. For the north of Delta offstream storage proposal, the EIS should document the full cost (including environmental and other mitigation) of providing water benefits and explain how these costs can be allocated among parties, according to explicit criteria. Explain if any CVP contractors may receive "ability-to-pay" relief for water made available through the project. If applicable, the EIS should also fully evaluate application of the Bureau of Reclamation's ability-to-pay policy and the Reclamation's ability to ensure full project repayment.

It has been demonstrated over the last decade that variable pricing of water can significantly influence water demand and supply. The EIS should include an in-depth discussion of how pricing can be used in allocation of the new water supply and management of user's demands.

2. The EIS should provide comparative information on the costs of producing benefits under the various alternatives, distinguishing discrete features of an alternative (such as surface versus ground water supplies, and conveyance facilities costs) where possible. Identify the total cost and costs allocated to water users under the various alternatives. Also provide comparative information on the costs and benefits of non-storage measures which serve water management objectives, including conservation and water acquired through transfers. With respect to environmental benefits and costs, such as environmental water, document benefits and clearly identify the magnitude and allocation (or incidence) of the costs for all alternatives, including no action.

Water Conservation

1. Provide background on the CALFED Water Use Efficiency Program as it applies to the Sacramento Valley project area and others who may participate in the proposed project, identifying the quantifiable objectives which CALFED has identified for these areas. Also identify the current status of water conservation planning and practices in beneficiary areas, using the CALFED Program ROD commitments and subsequent implementation activities as a frame of reference.

2. Identify current practices in the project area(s) for measuring surface and ground water use. Proposed project alternatives should evaluate one or more methods of measurement that will provide comprehensive and suitably accurate tracking of water use and efficiencies.

Groundwater

1. The EIS should fully document groundwater conditions and describe how, when, and by whom groundwater is used throughout the project area. Include information on groundwater levels and quality, identifying any long-term changes for with-project and without-project conditions. Identify information gaps, such as lack of direct groundwater measurements. Identify any existing conjunctive use of groundwater and surface water. Where applicable, the EIS should document in alternatives the relationship between current surface supplies, the proposed project surface supply, and groundwater. Explain if there is potential for additional managed conjunctive use of groundwater and surface supplies in the area in two contexts: with, and without, additional surface storage.

2. In considering conjunctive use of groundwater and surface water supplies in the project alternatives, the EIS should describe the specific objectives, requirements, and suitable locations for conjunctive use so that potential impacts can be fully evaluated. Analyze any water quality impacts to surface or groundwater associated with a proposed conjunctive use program. Document any changes in basin water balance, including amounts of seepage and return flows, and possible effects on the quantity, timing, and quality of water available. Analyze the potential for third party impacts under a conjunctive use program and, if impacts could occur, evaluate ways of avoiding or mitigating them.

Biological Resources

1. The EIS should evaluate direct, indirect, and cumulative impacts to fish and wildlife at the proposed new storage locations, in association with diversions and conveyance facilities, and in affected rivers and the Delta. This evaluation should "follow the impacts" and examine the impacts that may extend beyond the immediate location of the new storage facilities. Describe the potential timing and magnitude of diversions to offstream storage. What are the effects of diversions on instream flows from the perspective of aquatic life and geo-fluvial processes?

What changes in quantity, timing, and quality of instream flows might occur under the alternatives?

2. The EIS should evaluate environmental requirements which affect flows - notably the Endangered Species Act and Clean Water Act. As implemented through the SWRCB, consider flows, temperature needs, seasonality, and other water quality components and factors of critical importance to threatened and endangered species or other sensitive beneficial uses. Identify any ways in which water managed through the proposed project might be used for environmental compliance.

3. We also recommend the EIS evaluate the ability of the project to restore or enhance fish and wildlife habitat and wetlands which may have been affected by water diversions and by changes in flows, timing, and water quality as a result of earlier water supply development.

4. Describe the potential relationships of the proposed project to CALFED efforts to secure environmental water to enhance instream flows upstream of the Delta and improve conditions in the Delta for fish. Identify any supplies or operational measures stemming from the proposed project that would serve these environmental purposes. Identify the degree of improvement under the various action alternatives relative to the existing and future "without project" conditions. Also document environmental conditions with the proposed storage features, but absent measures to provide environmental water. Estimate the cost of the environmental water increment and discuss which parties might pay this cost.

5. Describe the relationship between the proposed project and other programs supporting restoration of Central Valley and Bay-Delta ecosystems. This includes CVPIA water dedication; environmental water purchases; pro-fisheries operations in the Delta and on affected rivers, notably the Sacramento; implementation of CALFED Ecosystem Restoration Program actions; and activities of nongovernment organizations such as the Central Valley Habitat Joint Venture, which targets protection and restoration of waterfowl habitat.

Water Quality

1. Potential impacts of the proposed alternatives on surface and groundwater quality should be fully evaluated in the EIS. Discuss water quality currently documented for waters within the project area, including agricultural drainage and return flows. Identify conditions which impair beneficial water use, such as pesticides and salinity. Evaluate the alternatives with respect to their impacts (beneficial or adverse) on designated beneficial uses. [Contact the Central Valley Regional Water Quality Control Board or U.S. EPA for additional guidance on these topics.]

2. Identify sensitive aquatic sites such as wetlands which are currently present and disclose potential impacts from the proposed action.

3. Discuss specific monitoring programs that are in place or will be implemented to determine potential impacts on surface, groundwater, and drinking water quality and beneficial uses. Identify responses to remedy detected impacts so that adequate water quality can be guaranteed.

Wetlands: Section 404 of the CWA

The EIS should identify impacts to water, flood plains, and wetlands, including identification of Section 404 Clean Water Act (CWA) requirements, and management and mitigation proposals to ensure compliance with these requirements.

EPA will review proposed new water storage facilities for compliance with the Federal Guidelines for Specification of Disposal Sites for Dredged or Fill Materials (40 CFR 230) [hereafter referred to as the Guidelines], promulgated pursuant to Section 404(b)(1) of the Clean Water Act (CWA). To comply with the Guidelines, the proposed actions must meet all of the following criteria:

- There is no practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem (40 CFR 230.10(a)).

- The proposed action does not violate State water quality standards, toxic effluent standards, or jeopardize the continued existence of federally listed species or their critical habitat (40 CFR 230.10(b)).

- The proposed action will not cause or contribute to significant degradation of waters of the United States, including wetlands (40 CFR 230.10(c)). Significant degradation includes loss of fish and wildlife habitat, including cumulative losses.

- All appropriate and practicable steps are taken to minimize adverse impacts on the aquatic ecosystem (i.e., mitigation) (40 CFR 230.10(d)). This includes incorporation of all appropriate and practicable compensation measures for unavoidable losses to waters of the United States, including wetlands. The EIS should fully address the feasibility of "in-kind" habitat mitigation measures.

Air Quality

1. The EIS should provide a detailed discussion of air quality standards, ambient conditions, and potential air quality impacts, for the region. Include a description of current and proposed activities and their impacts on air quality. Cumulative and indirect impacts should be fully evaluated. For instance, development or modified use of surrounding lands (e.g., conversion to urban, different cropping patterns) could influence sources of PM10.

2. Federal agencies are required by the Clean Air Act to assure that actions conform to an approved air quality implementation plan. If the proposed project area is in a nonattainment area, Reclamation may need to demonstrate compliance with general conformity requirements of the Clean Air Act [Section 176(c)]. General Conformity Regulations can be found in 40 CFR Parts 51 and 93 (58 Federal Register, page 63214, November 30, 1993). These regulations should be examined for applicability to the proposed actions.

3. EPA issued revised standards for ozone and small particulate matter (PM2.5)(smog and soot) in July 1997. Implementation of these standards are pending the designation of nonattainment areas and development of specific regulatory requirements. The adverse health effects of ozone and PM2.5 are well known. Thus, we believe the EIS should evaluate the extent that the proposed project may release significant amounts of these pollutants. We recommend the Air Quality section of the "Affected Environment" chapter, include a description of the new ozone and PM2.5 standards, their health effects, and disclose what, if any, monitoring has been done in the project area for these pollutants. Possible sources that may contribute to high levels of ozone and PM2.5 emissions include construction equipment, mobile sources, and high volumes of diesel truck traffic.

General NEPA Comments

1. We recommend the EIS include a clear description of the basic project purpose and need, project alternatives, potential impacts to the environment, and mitigation for these impacts. Particular attention should focus on an evaluation of the environmental impacts of the proposal and alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options for the decision maker and the public (40 CFR 1502.14). The EIS should clearly describe existing resource conditions in the "affected environment" and the policy and institutional context for the "no action" (without project) and with project alternatives. For example, the EIS should describe current and historical litigation, tentative agreements, and the underlying assumptions, water rights, and legal mandates (if any) of the proposed new water supply and alternatives.

2. Full disclosure of cumulative and indirect impacts is of specific concern. NEPA requires evaluation of indirect impacts which are caused by the action (40 CFR 1508.8(b)). Indirect effects may include "growth-inducing effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems." (40 CFR 1508.9(b)). CEQ regulations also state that the EIS should include the "means to mitigate adverse environmental effects." (40 CFR 1502.16(h)). This provision applies to indirect effects as well as direct effects. Increased rates of growth for residential, commercial and industrial purposes, indirectly caused by the project, constitute indirect effects and should be evaluated in the EIS. Induced residential, commercial, and industrial growth can adversely affect water quality, wetlands, and other natural resources. These types of indirect effects and appropriate mitigation measures should be fully disclosed in the EIS.

3. The EIS should adequately document cumulative impacts; including past, present and reasonably foreseeable actions. Past cumulative effects may have greatly influenced the "existing conditions" which should be documented in the EIS and adverse impacts which may be perpetuated under the no action and action alternatives.

4. NEPA requires evaluation of reasonable alternatives not within the jurisdiction of the lead agency (40 CFR Section 1502.14(c)). Furthermore, there should be a clear discussion of the reasons for the elimination of alternatives which were not evaluated in detail.

5. The selection of the No Action alternative is a critical step in the environmental analysis since it provides the baseline for comparison with other action alternatives. It is EPA's position that "no action" does not equate with "no impact." Continuation of the existing management situation would constitute a discretionary commitment of resources that is, effectively, an action affecting the environment. The alternatives analysis of the EIS should portray the environmental consequences of every alternative...." in comparative form, thus sharply defining the issues and providing a clear basis for choice among options for the decision maker and the public." (40 CFR Part 1502.14).

6. The relationship of the proposed alternatives to previous or parallel environmental review actions (e.g., the CALFED PEIS and supporting technical documents; other proposals from the Bureau of Reclamation or Department of Water Resources, or other entities) should be clearly described.

7. In keeping with Executive Order 12898, **Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (EO 12898), the EIS should describe the measures taken by Reclamation to: 1) fully analyze the environmental effects of the proposed Federal action on minority communities, e.g. low-income populations, and 2) present opportunities for affected communities to provide input into the NEPA process. The intent and requirements of EO 12898 are clearly illustrated in the President's February 11, 1994 Memorandum for the Heads of all Departments and Agencies.

8. If references to previous documents are used, the EIS should provide a summary of critical issues, assumptions, and decisions complete enough to stand alone without depending upon continued referencing of the other documents.

2-8-02
Chrome

did not have enough notification to write al the reasons I oppose the Thomes-Newville dam,

I have faxed you this copy of a short book my mother wrote in 1981. It covers a variety of those reasons I oppose. I realize that the state needs more water storage but feel there must be a better choice than Thomes-Newville.

The very old historic cemetaries, Indian burial grounds, old pioneer one room School houses are important parts of our heritage and past. As is the vanishing way of life of the cowboy.

My children are the seventh generation to live on our family ranch just North of Chrome

Please consider these points as you examine the choices.

Thank You

Lynne Wolatt

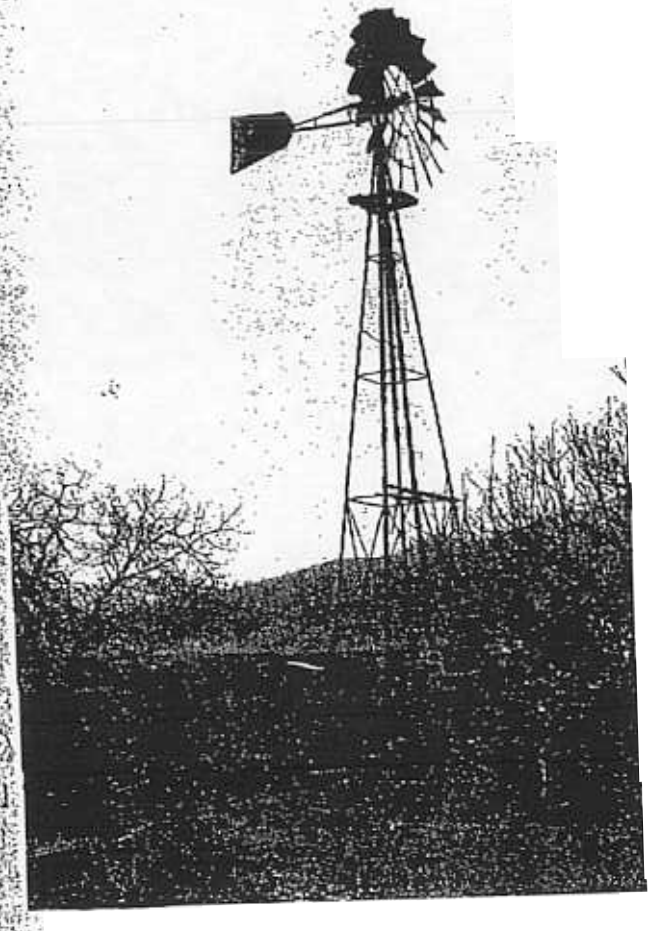
Spring is almost over. The last of the wild flowers, the most treasured of all, the blue Larkspur, and yellow Mariposa Lilies, nod above the now almost dry grass. They are thick above the graves in the cemetery, a natural memorial to our past.

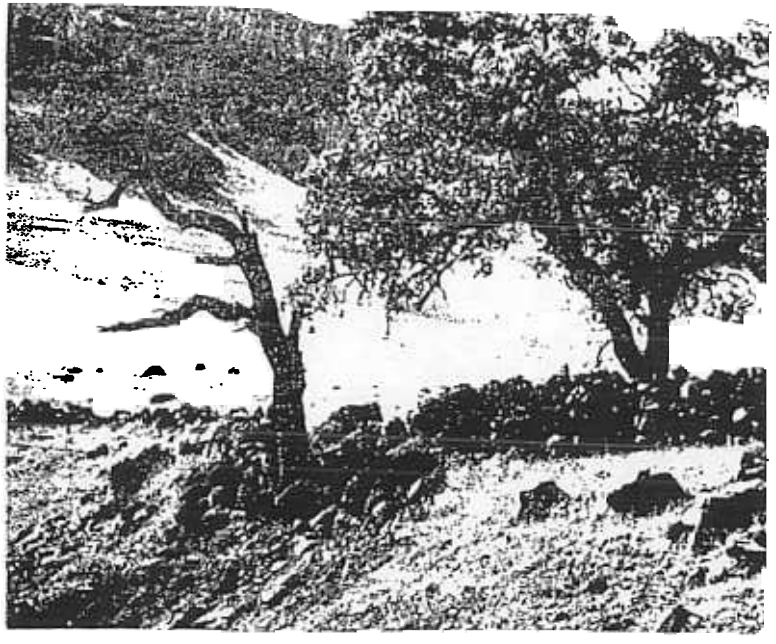
THE SEASONS HAVE PASSED
****

Author

CAROL FAY
April 1981

THE SEASONS OF OUR VALLEY





It's summer in the Chrome region. To the stranger passing through, it might look to be a hot, desolate, unpopulated area. Look again, stranger; look at one of the few clear blue skies left in our state. Watch the lazy hawk as he circles and dips above the banks of "Heifercamp Creek." Maybe this afternoon his dinner will be a fat shiny squirrel, sitting in front of his borough, or perhaps silver minnows swimming in a squadron up the clear waters of this stream. If he is brave, it could be a rattlesnake, stretched in the shade of a lone Buckeye Tree. He is lonely, yes, like we of this community seem to the stranger, but he has freedom, which it seems we are soon to relinquish.

While you are on the banks of "Heifercamp" on this hot, summer afternoon, take a deep breath. There is nothing but clean, clear air, with the mingled scents of the pungant tarweed, a native summer plant, and the moist creek smell of moss, oak leaves, and dry grasses. A gentle breeze carries the sound of the Mourning Dove, which is native to this area. Kildeers, in their black, tan, and white uniforms, march along the banks, and deer are standing in the dense shade of the many oaks surrounding the area.

Quietly travel on up the trail past the picturesque old house nestled beside the stream. This is where one of the great, great uncles lived and raised his family. We try to imagine the pride he must have felt when the home, surrounded by abundant grassland for his livestock, was completed.

Now we move on up to the cool, deep, shadowed canyon where the stream begins. If we are extremely quiet, we might catch a glimpse of a Mountain Lion, or Bob-Cat, and since Bear sign is all around in this area, perhaps even a Bear. Then, soaring high above the canyon walls, the Bald Eagle.

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No text is missing from the report.

Feb. 8, 2002

We respectfully request that you consider the loss in ecological, archeological, and historical treasure that would occur should the Thomes-Newville reservoir be built. Also the aesthetic value of that area. There are too few places untouched in our state.

As your studies have revealed this area is rich in both wildlife such as mountain lion, bear, deer migration, bobcat, coyote, wild turkey, wild pig, and many smaller species. Bird life is abundant including ducks and geese. There are many endangered plants among one of the most beautiful wild flower tours imaginable. In this age of stress I believe there is great value in simple spots of beauty and there are many sight seers traveling through that area particularly in the spring.

My great grandmother told me many stories of the Native Americans that lived in that region when she was a child. There are many "Indian Mounds" as we called them in that area. What would happen to these?

Sentimentally, words cannot describe how devastating it would be to see the land where seven generations of my family have been raised be put under water along with the Millsaps and Newville cemeteries where all of our families are buried.

Thank you,

Carol Lederer

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double-sided printing.
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