Chapter 8

Individuals' Comments on the 1997 Draft EIR/EIS

Ind 1

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Name: Kamel Alexander Date: 12/9/97
Address: 3209 Iberian Dr
City/State/Zip Sacramento CA 95833 Phone/Fax (916) 920-2717
Organization (if applicable)
Comments:
I support Alt # 2. It will be short cut and avoid residential area, problems from Resident
I believe Sacramento County can't afford its share to be involved in Alt. # 3
There is more troubles, comments from Resident area
Alt # 2 has little problems.

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 5, 1998. Thank you for your input.

Response to Comment of Kamel Alexander

Ind1-1, Kamel Alexander
Comment noted regarding preference for Alternative 2.

Ind 2

Kamel Alexander
3209 Iberion Dr
Sacramento, CA 95833
(916) 920-2717

Dear Mr. Kurt Ladensack

This letter regarding to EB MUD / USBR, Water Supply at American River. I have some Comments. Your agency did good work and reports. I wish you proceed with the alternative meet the agency and the public need and within an acceptable environmental impacts. The following are the comments.

1. Do you can use the south-East Rivers close to Mokelumne River than go to the north and use your entitlement or Contract allowance. It would be easy, less costly Ind2-1
2. CALFED projects intend to improve water Quality in the Delta using Public funds (Fed, State, Bonds). In that case you can use that water to your benefit and less treatment and subject to expand your treatment plants and construct a supplemental reservoirs Ind2-2
3. I am not sure that treatment the water from Sacramento River, which is less quality than American River, cost a lot in comparing with Alternative # 2, 3 Ind2-3
4. Do you can use the intake for Alt. #3 at Fairbain WTP, and expand it to your use, city & County, than go downstream at I-5 and through dense residental area, less costly and construction Ind2-4
5. EB MUD is the major beneficiary to the project and you estimated the to the City of Sacramento of $127 Million, which is high (≃ 1/3 of cost) it should be more lower and can afford it. Check? Ind2-5
6. The Consultants Jones & Stokes provided an extensive information and supplementals which are great. Do we really need all those viable information, since you have a commitment contract to be used and you are entitled to it within Hodge Provision and Restriction. Ind2-6

Again Thanks for the good work

Sincerely
Kamel Alexander

Response to Comments of Kamel Alexander

Ind2-1, Kamel Alexander
Project alternatives were evaluated and screened prior to preparing the 1997 Draft EIR/EIS. The screening analysis for alternatives is described in detail in Appendix B of the 1997 Draft EIR/EIS. EBMUD holds a water service contract for American River water only.

Ind2-2, Kamel Alexander
See the responses to "Alternatives Considered" and "Relationship to CALFED" major issues in Chapter 3 of this document.

Ind2-3, Kamel Alexander
See response to "Delta and Sacramento River Alternatives" major issue in Chapter 3 of this document.

Ind2-4, Kamel Alexander
Page 2-18 of the 1997 Draft EIR/EIS describes when water would be diverted through the Fairbairn Water Treatment Plant (WTP) for use by EBMUD under Alternative 3. The 1997 Draft EIR/EIS assumed that water would only be delivered to EBMUD through the Fairbairn WTP during a planned outage.

Ind2-5, Kamel Alexander
The project costs and cost sharing in Table 2-6 of the 1997 Draft EIR/EIS are estimates. The final cost sharing between EBMUD, the City, and the County would be determined under Alternative 3. However, the cost-sharing proportions indicated in Table 2-6 would be similar.

Ind2-6, Kamel Alexander
EBMUD could take delivery of water at the contract turn-out on the Folsom South Canal without modifying the water service contract with Reclamation. The construction of a pipeline between the turn-out and the Mokelumne Aqueducts would require environmental review.

Ind 3

Mary Armstrong
24356 N. Kennefick Rd.
Galt, CA 95632
(209) 369-6723

Kurt Ladensack
EBMUD, MS#305
PO Box 24055
Oakland, CA 94623-1055

re: DEIR/EIS for the EBMUD/USBR Supplemental Water Supply Project

Dear Sir,

This is to inform your committee that the Folsom South Canal Connection Project that will require the abandonment of the railroad will also take my home and business.

The house is a custom home of approximately 6,000 square feet with four full baths (including a master bath and master bath suite), three fireplaces, inside spa room, cathedral ceiling with two and a half stories of glass to overlook my property, etc. My business is breeding exotic birds (parrots) and selling their hand fed babies. I have approximately 150 breeders and much of the home is used in the business.

If the canal does come this way, I will demand full replacement value of the real property, the business, loss of income and potential income, and enough time to rebuild. Ind 3-1

In addition, my 53 acres have been graded to prevent any flooding or even standing water anywhere on the property. EBMUD will be held responsible for maintaining the integrity of the water runoff. I question that this can be done since the canal would block the exit of the water. Ind 3-2

If these demands are not met without the necessity of lawsuits, you will have to kill me to get my property. I would have nothing else to loose. My husband died, and I have lost my mobility and my vocation. The only thing I have left is my home, business and the birds. Therefore, this is not an idle threat. It is a promise. I will also see to it that non-violent protests occur due to the threat imposed to endangered species.

Sincerely,

Mary Armstrong

Mary Armstrong

Response to Comments of Mary Armstrong

Ind3-1, Mary Armstrong
EBMUD would fairly compensate landowners directly affected by the project.

Ind3-2, Mary Armstrong
The adversely impacted areas of graded land would be returned to their original condition as part of the construction plan. In addition, EBMUD is proposing to construct a buried pipeline and not an open canal. See the response to the "Construction-Related Environmental Commitments and Mitigation" major issue in Chapter 3 of this document.

Response to Comment of Tom Avenall

Ind4-1, Tom Avenall
Thank you for your input and drawing. The construction design for the pipeline is indeed planned for beneath the center of the roadway in some locations, but not within the levee. Figure 2-11 of the 1997 Draft EIR/EIS shows a typical pipeline construction design.

ARMOUR STEEL COMPANY
INCORPORATED

Ind 5

Kurt Ladensack
EBMUD, MS #305
PO Box 24055
Oakland, CA 94623-1055

March 3, 1998

Reference: EBMUD/USBR Supplemental Water Supply Project

Subject: Public Comments

Gentlemen,

I'm writing this letter to advise you of my concerns with regard to the proposed construction of the EBMUD/USBR Supplemental Supply Project. Currently, your proposed locations for the Intake/Pipe Line is within the Richards Blvd. Redevelopment Area. During the construction phase of this project, the Richards Blvd. Redevelopment Area, our property and our business will be negatively affected as a result of the intended construction. Ingress and egress of the traffic which many of the businesses depend upon will be impaired. As a result, business and property owners will loose revenue. Ind5-1

If you choose to put the Richards Blvd. Redevelopment Area, there will need to be some mitigation to off set said impacts. Please contact me at your earliest convenience so that we may discuss same.

Sincerely,

Steven Ayes

Steven Ayes
Chief Executive Officer

Response to Comment of Steven Ayes, Armour Steel

Ind5-1, Steven Ayes, Armour Steel
Chapter 10 of the 1997 Draft EIR/EIS outlines relevant local plans and policies applicable to this project. See the response to the "Construction-Related Environmental Commitments and Mitigation" major issue in Chapter 3 of this document.

Response to Comment of Charles L. Bennett

Ind6-1, Charles L. Bennett
Projected air emissions associated with the construction phase of the project are presented in Table 13-4 of the 1997 Draft EIR/EIS. Appendix G in Volume II of the 1997 Draft EIR/EIS provides the assumptions and calculations used to create Table 13-4. Both Alternatives 2 and 3 are anticipated to create unavoidable short-term significant impacts on air quality from dust and vehicle emissions based on these calculations. As stated in Chapter 13 of the 1997 Draft EIR/EIS, the emissions calculations are based on worst-case analysis for each county. No mitigation is available to reduce the short-term significant impact in Sacramento County to less-than-significant levels for ROG, NOx, and PM_{10}. Alternatives 2 and 3 would be subject to Sacramento Air Quality Management District's Rules concerning fugitive dust. A Dust Suppression Plan would be implemented during construction to assist in reducing PM_{10} levels. Mitigation Measure 13-1 would be implemented during construction to reduce NOx and ROG emissions. No long-term impacts on air quality are anticipated from the project following the construction phase.

Ind 7

Charles L. Bennett
3437 Birchtree Way
Sacramento, CA 95862
(916) 363-9559

December 21, 1997

Kurt G. Landensack
Manager of Water Supply Improvements
East Bay Municipal Utility District
MS#305, P.O. Box 24055
Oakland, CA 94623-1055

Dear Mr. Landensack

At your recent public hearing in Rosemont, concerning the Draft EIR on your proposed Supplemental Water Supply Project, I spoke of fourteen industrial sites in Sacramento that emit more than 5 tons per year of PM10. These sites are listed in Table 1 below.

Table 1

Sacramento County Industrial Facilities Emitting More Than 5 Tons/Year of PM10[1]

Ind7-1

Name	Address	City	Zip	PM10 Emissions (Tons/Year)
A. Teichert & Son	8760 Kiefer Blvd	Sacramento	95826	91.7
Aerojet	Aerojet Road & Hwy 5	Rancho Cordova	95852	71.7
Procter & Gamble	8201 Fruitridge Road	Sacramento	95826	64.4
Granite Construction Company	4291 Bradshaw Road	Sacramento	95827	34.3
Blue Diamond Growers	1802 C Street	Sacramento	95814	24.0
RMC Lonestar	11148 White Rock Road	Rancho Cordova	95670	23.5
US Government	McClellan Air Force Base	North Highlands	95652	20.1
H C Muddox Company	4875 Bradshaw Road	Sacramento	95826	17.0
Dorris Lumber & Moulding	2601 Redding Avenue	Sacramento	95820	16.7
Setzer Forest Products	2570 3rd Street	Sacramento	95818	11.2
Thunderbird Moulding CO	6001 Power Inn Road	Sacramento	95824	9.8
Sacramento Aggregates	5411 Mayhew Road	Sacramento	95826	9.8
Campbell Soup Company	6200 Franklin Blvd	Sacramento	95824	8.9
California Cascade Industries	7701 17th Ave	Sacramento	95820	7.6

[1] "California Emission Inventory Development and Reporting System, Facility Summary". Database - 1993. page 117 - 119. California Air Resources Board. Technical Support Division. 2020 "L" Street. Sacramento CA 95812.

This Information may also be of use if you need to locate PM10 emission credits for mitigation purposes.

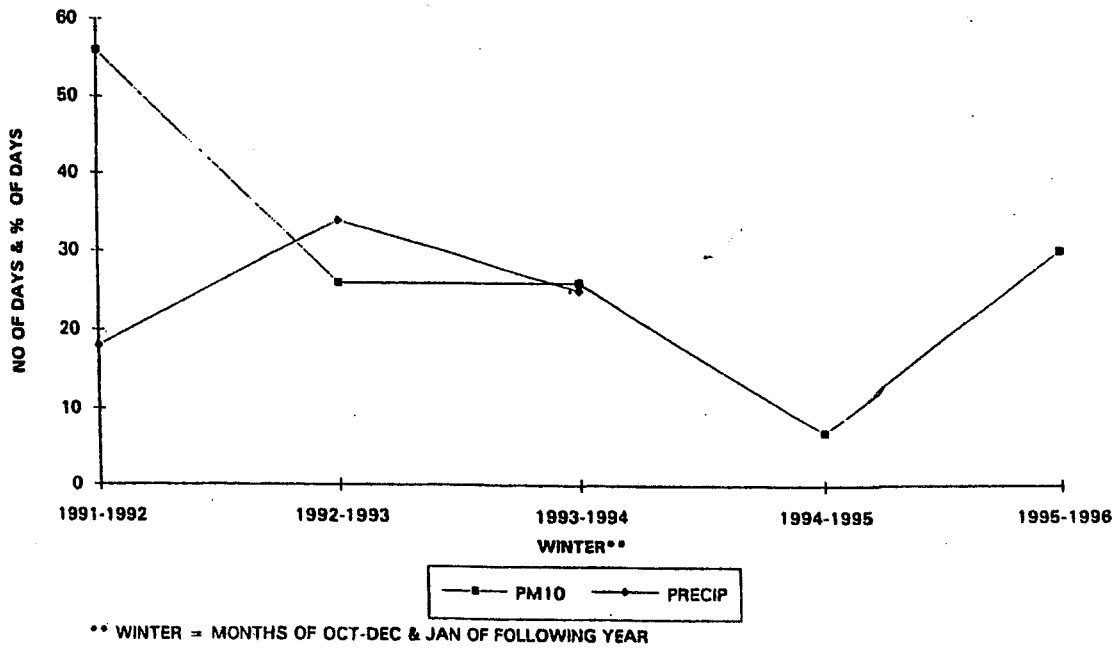
Sincerely,

Charles L. Bennett
Charles L. Bennett
Rosemont Resident

PM10TRND.XLS Chart 1

FIGURE 1
NO OF DAYS AT SAC * WHEN PRECIPITATION >.01 in & PERCENT OF PM10 SAMPLING DAYS AT 13&T AIR QUALITY MONITORING SITE > 50 ug/m3

*SAC = Sacramento Executive Airport



** WINTER = MONTHS OF OCT-DEC & JAN OF FOLLOWING YEAR

Response to Comment of Charles L. Bennett

Ind7-1, Charles L. Bennett
Comment noted. The information received supplements oral comments of December 9, 1997 (Comment PHR 1-1). See response to comment Ind6-1.

Ind 8

Charles L. Bennett
3437 Birchtree Way
Sacramento, CA 95826

January 5, 1998

Kurt Landensack
Water Supply Improvements Division
EBUMD
Mail Stop #305, PO Box 24055
Oakland, CA 95630

Dear Mr. Landensack:

The extension of the deadline for comments on the Draft EIR/EIS, for your proposed Supplemental Water Supply Project, permits to respond to a comment by one of my neighbors, at the Public Hearing in Rosemont on December 9, 1997. During his public comments he wondered out loud how frequently the California twenty-four hour average Pm10 standard was violated in our area. This standard is 50 micrograms per cubic meter (ug/m3). For the purposes of this discussion, a day with a concentration higher than this is referred to as an episode day. Ind8-1

I have used historical Pm10 and precipitation data in an analysis that shows that there are 56 episode days during a drought winter and 7 episode days during a wet winter. (For the purpose of this discussion a winter is defined as the months of October, November December, and January of the following year). Few episode days occur during other months of the year. The results of my analysis can be pictured in the computer plot, attached to this letter.

This plot show a 89 % increase in the number of days with rain and a 30 % decrease in the number of episode days during the 1992-1993 winter. I am not aware of any "verifiable and enforceable" Pm10 emission control measure, implemented by the responsible control agencies, that could have contributed to this one year improvement in air quality. (The California Air Resources Board is responsible for controlling motor vehicle emission, and the Sacramento Metropolitan Air Quality Management Districts is responsible for controlling all other emissions). Changes in meteorology was the dominate factor in this improvement. If there had been a permanent decrease in Pm10 emissions and meteorology did not influence the trend, the 1995-1996 winter would not have shown a 23 % increase in episode days, as it did.

I have requested precipitation statistics for the last two winters so that I can plot the last two precipitation data points on Figure 1. I remember these as wet winters and am confident that the additional data will not alter my conclusions. I am prepared to provide creditable references and additional comments, with computer aids, to support my comments.

Sincerely;

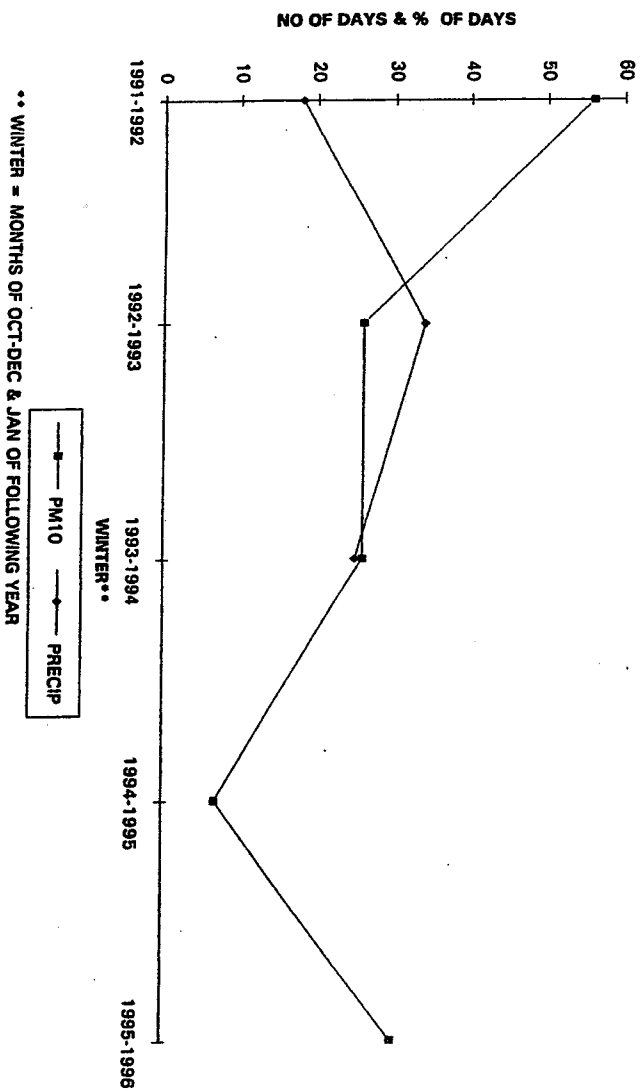
Charles L. Bennett
Rosemont Resident

cc. Rosemont Community Association

attach

PM10TRNL...LS Chart 1

FIGURE 1
NO OF DAYS AT SAC * WHEN PRECIPITATION >.01 in & PERCENT OF PM10 SAMPLING DAYS AT 13&T AIR QUALITY MONITORING SITE > 50 ug/m3
*SAC = Sacramento Executive Airport



** WINTER = MONTHS OF OCT-DEC & JAN OF FOLLOWING YEAR

Response to Comment of Charles L. Bennett

Ind8-1, Charles L. Bennett
Comment noted regarding PM_{10} emissions. See response to comment Ind6-1

.

Ind 9

William L. Berry, Jr.
3420 Brookside Way
Carmichael, California 95608

March 12, 1998

Kurt Ladensack, Manager
Water Supply Improvements
East Bay Municipal Utility District,
Water Supply Division
MS #305 - P.O. Box 24055
Oakland, California 94623-1055

Re: DEIR/EIS for EBMUD/USBR Supplemental Water Supply Project

Dear Mr. Ladensack:

I am submitting these comments on the DEIS/EIS for EBMUD's Supplemental Water Supply Project as a longtime resident of Carmichael, a community bordering the Lower American River. I see and enjoy the river almost every day, in exercise walks along park trails near our home, and have hiked it, fished it, and swum in it for decades. Perhaps more basically, my family drinks from it, as customers of the Carmichael Water District. Needless to say, I have a strong appreciation of the river and its importance to the Sacramento region, and strong concerns about its vulnerability to the cumulative effects of diversions -- especially upstream diversions.

From this perspective, I have followed the Sacramento Water Forum process closely, and the efforts of stakeholders in that process to assure the future integrity of the Lower American in the face of expanding development and water demands. I was relieved when it appeared that EBMUD was willing to take water from the American near its mouth, under the joint project with the County and City of Sacramento described as Alternative 3 in the DEIR/EIS. However, that relief was short-lived. EBMUD clearly has not given up its original plan of diverting water at Nimbus Dam, pursuant to the Folsom South Canal connection project described as Alternative 2. And, in a confounding disregard of facts and logic, it is considering the two projects to be on equal environmental footing, with Alternative 3 having no superiority over Alternative 2.

My principal comments are as follows:

1. **Failure of the DEIR/EIS to Address Delta Diversion Alternative**

First, why doesn't the DEIR/EIS consider EBMUD's obvious alternative of diverting American River water at a downstream location on the Sacramento River or in the Delta? I recognize that EBMUD has long held to the goal of securing higher quality water directly from the American -- a goal that harks back to another era, in which Los Angeles, San Francisco, and EBMUD itself traversed long distances to capture and draw off large quantities of Sierra Nevada water. In the modern era, though, the affected public has a right to have the water quality benefit of another EBMUD long distance capture project evaluated thoroughly and weighed against the resulting environmental losses. Ind 9-1

The Summary for the DEIR/EIS dismisses any consideration of a Delta diversion with a note that connecting to the American is "significantly less expensive and results in greater public health reliability than building new water treatment plants to treat lower quality water that might be obtained from other sources." That conclusion, if correct, should only be reached after full analysis. One has to suspect that proper analysis would not support that finding and that this is the reason the entire subject is omitted from the reports. On its face, the public health rationale is undercut by the fact that other large water purveyors have for many years diverted and treated water from the "other sources." Would EBMUD have us believe that the Contra Costa Water District and the City of Pittsburg, for example, are not providing reliably safe water to their customers?

Also, EBMUD will not escape treatment plant costs by connecting to the American, even at Nimbus. Giardia and cryptosporidium are as large a threat here as they are in the Delta. The Carmichael Water District is currently proceeding with a microfiltration plant project, at a cost of over $20 million, to meet federal and state surface water treatment requirements. Accordingly, it is difficult to understand why connecting to the American, with huge conveyance system costs, plus treatment costs, is "significantly less expensive" for EBMUD than drawing and treating water from a nearby location in the Delta.

To the extent that water supply esthetics are driving the EBMUD supplemental project, they are hardly an adequate tradeoff for degradation of the Lower American River.

2. **Failure of the DEIR/EIS to Assign an Environmental Preference to the Joint Downstream Diversion Project (Alternative 3)**

The DEIR/EIS conclusion that "Neither action alternative is clearly environmentally superior" defies reason. How can Alternative 3, which allows EBMUD's very substantial contract supply to flow down most of the Lower American before it is diverted not be superior to Alternative 2, which would deprive the river of that flow? The potential impacts of Alternative 2 on fish and wildlife, riparian habitat, recreation, and the general health and attractiveness of the parkway are blandly passed off as having little or no significance, apparently on the rationale that those impacts would not violate the Hodge flow criteria. However, as pointed out in Save the American River Association comments, the Hodge flows were never intended to be a baseline for assessing the environmental significance of a planned diversion. They represent, rather, the absolute limits upon diversions in the event of worst-case dry year conditions. They should not be taken by EBMUD or any other diverter as a floor above which river water can be withdrawn without regard to environmental consequences. Ind 9-2

I assume that other commenters will address from a scientific standpoint the impacts of Alternative 2 upon fish flows and other critical components of river and parkway ecology. However, if EBMUD began taking its full contract supply at Nimbus tomorrow, I am sure that I would see those impacts in the weeks and months to come -- and they would be significant.

3. **Proposed Conditioning of Downstream Diversion (Alternative 3) on Freedom from Deficiencies and Hodge Flow Restrictions in Dry Years**

EBMUD appears to be saying that the price for giving up diversion of its supply at Nimbus is a guaranteed diversion of 70,000 acre feet at the downstream diversion site, even in driest years. This would amount to conversion of a substantial portion of EBMUD's Ind 9-3

present entitlement to American River water, which is purely contractual, to an absolute, preeminent water right, in derogation of the rights of others drawing water from the river, such as the Carmichael Water District. More basically, it would amount to an evasion by EBMUD of the conditions laid upon it long ago in the Hodge decision.

Thank you for your attention to these comments.

Sincerely,

William L. Berry, Jr.

cc: Cecil Lesley, USBR
Frank Cirill, SARA
Jonas Minton, Water Forum
Board of Directors, Carmichael Water District

Response to Comments of William Berry

Ind9-1, William Berry
See the response to the "Alternatives Considered" major issue in Chapter 3 of this document.

Ind9-2, William Berry
Figures 3-2 and 3-3 of the 1997 Draft EIR/EIS provide a graphic representation of the amount of water that would be delivered under Alternatives 2 and 3 over the 70-year hydrologic modeling period. Detailed information on the amount of water that would be delivered to EBMUD is provided in Appendix C to the 1997 Draft EIR/EIS, "Results of PROSIM and EBMUDSIM modeling." As shown in Table C-5, most of the deliveries to EBMUD under Alternative 2 would occur between November and April and average approximately 29,000 AF annually. Deliveries to EBMUD, the County of Sacramento, and the City of Sacramento under Alternative 3 would occur throughout the year with deliveries to EBMUD averaging approximately 35,000 AF annually.

Evaluation of impacts on riverine resources under Alternatives 2 and 3 indicate that the impacts on these resources would be nearly the same for both alternatives. Impacts associated with construction activities in City and County streets would be greater under Alternative 3 than 2 because of the longer pipeline.

Hodge Decision flow criteria were used as tools to help evaluate changes in fisheries and recreation on the lower American River; however, other flow criteria and methods to evaluate effects on fisheries were also used in the analysis. For the fisheries analysis, AFRP flow criteria were also used as tools to evaluate the effects on fisheries. Additionally, a major component of the fisheries analysis was the evaluation of changes in lower American River water temperatures. For the recreation impact assessment, in addition to an evaluation of the Hodge Decision summer recreation flows, river flow thresholds developed for use in the CVPIA Programmatic EIS and by the SWRCB were also used.

Ind9-3, William Berry
The amount of water delivered to EBMUD under Alternative 2 or 3 during a dry period would be part of the operations agreement between the joint partners (EBMUD, County of Sacramento, and City of Sacramento). EBMUD does not hold a water right on the American River and would remain a CVP contractor.

Ind 10

February 17, 1998

Kurt Ladensack
EBMUD, MS #305
P.O. Box 24055
Oakland, CA 94623-1055

Re: EBMUD/USBR Supplemental Water Supply Project, DEIR/EIS

Dear Mr. Ladensack,

Alternative 2, combined with pipeline alignment 2, is clearly the environmentally superior choice. Ind 10-1

Pumping and water treatment, both of which rely on energy derived primarily from fossil fuel combustion, are minimized. Utilization of gravity, a perpetually clean and renewable source of energy, is maximized.

As for alternative 3, Sacramento's and EBMUD's future water needs are best served by spending the $300 million, the estimated cost of pumping and treating a lower quality water drawn from the American River near Discovery Park, on a multi-purpose Auburn Dam.

Notwithstanding the fact that the Water Forum chooses to "skirt" the Auburn Dam issue, such a facility remains as the only sensible solution to flood control needs, groundwater replenishment needs, consumptive water needs, Folsom Lake and lower American River recreation needs, Folsom Lake and lower American River and Delta fishery needs. And it doesn't hurt that hydro-electric energy generated from such a facility will reduce dependence on fossil fuels and therefore emissions of greenhouse gases---a desirable outcome in keeping with the Kyoto Protocol.

It's time to stop playing endless games of Mother-May-I. Alternative 2 and pipeline alignment 2 are a necessary step in the right direction.

Thank you for the opportunity to comment.

Charles M. Bertolette

Charles M. Bertolette
1849 Jimtown Way
Placerville, CA 9567
(530) 622-2158

cc: Water Forum

Response to Comment of Charles Bertolette

Ind10-1, Charles Bertolette
The preference for Alternative 2, Alignment 2 is noted.

The Updated WSMP evaluated supplemental water supply alternatives. The Auburn Dam project was not one of the alternatives evaluated since the project is under federal authority and has been put on indefinite hold.

Ind 11

April 18, 1998

Mr. Kurt Ladensack
Water Supply Improvements Division
EBMUD
P. O. Box 24055
Oakland, CA. 94623

Subject: Draft EIR/EIS EBMUD Supplemental Water Supply Project

Dear Mr. Ladensack

The following are my comments on the subject report.

1. The report the results of operational analyses to support the proposed diversions. I believe that additional or revised analyses may be required to reflect the results of the Central Valley Project Improvement Act planning process. The CVPIA studies are currently under review and firm decisions regarding CVP water allotment and operational modifications will not be made until late this year. The CVPIA process could result in additional limitations on American River diversions. Ind 11-1

2. The report indicates that the Alternative 3 Joint project has been developed consistent with the Sacramento-area Water Forum. It is my understanding that the Forum studies have indentified apotential shortfall in available water supplies. The EIR/EIS should reflect the final conclusions of the Forum process. Ind 11-2

3. Chapter 18 of the report correctly indicates that the proposed will have signicant cummulative and growth-related effects. Potential impacts such as on air quality, ground and surface water pollution, visual aesthetics, and other project related growth impacts should addressed in greater depth. This would provide for a more informed and supportable decision making process. Ind 11-3

4. On August 2, 1997 I attented a day long workshop to discuss the desugn of the proposed Alternative 3 intake structure and pumping plant. The workshop concluded that the purely functional configuration used for the existing Fairburn plant is aesthetically unacceptable. I was dissapointed to see that Figure 2.7 of the report is based on the Fairburn plant design, and does reflect the concerns and reccomendations expressed at the workshop. Ind 11-4

A less massive and lower profile design could be developed by the use of lowed and/or right drive units and the omission of the permanent ceiling mounted crane.

5. For the record I wish to express that Alternative with the Site 5 intake loacation appears to be the most acceptable of the alternatives presented in the report. However, I believe comments 1,2, and 3 (above) should be addressed before any project alternative is adopted. Ind 11-5

That you for your consideration.

Sincerely.

Rick Bettis

Rick Bettis
1716 P Street, No. 9
Sacramento, CA. 95814

Response to Comments of Rick Bettis

Ind11-1, Rick Bettis
The environmental analysis was conducted using the best available information. The hydrologic modeling was based on this best available information and generally applied the same assumptions used in the CVPIA modeling effort, except for American River demands, which were limited to the smaller of demands, entitlements, and existing facilities consistent with Water Forum efforts.

Ind11-2, Rick Bettis
The hydrologic modeling used in the 1997 Draft EIR/EIS is based on the best available information and is reasonable for impact assessment purposes.

Ind11-3, Rick Bettis
Chapter 18 of the 1997 Draft EIR/EIS evaluates the growth-related impacts of the project both in the EBMUD service area and in the City and County of Sacramento. The analysis covers many environmental resources, including air quality, traffic, and loss of agricultural land and native habitat. The updated Water Supply Management Program (WSMP) EIR outlines the need for a supplemental water supply to meet the needs of the service area during periods of drought and scheduled maintenance of Pardee Dam. The WSMP EIR analyzes the growth projections for the EBMUD service area in detail. The City of Sacramento General Plan and the Sacramento County General Plan assess the impacts of growth to their jurisdictions.

Ind11-4, Rick Bettis
As noted on page 16-6 in the 1997 Draft EIR/EIS, the intake structure would be subject to Policy 5.7 of the American River Parkway Plan. The final design and architectural treatment of the intake structure would be subject to review and approval by the City and County of Sacramento as stated on page 16-11, and continuing opportunities for input by the public and interested organizations would be provided.

Ind11-5, Rick Bettis
The preference for intake Site 5 is noted.

Ind 12

CAFFESE BROS. FARMS
DIVERSIFIED FARMING

6464 E. LIVE OAK ROAD
LODI, CA. 95240
Tel. (209) 463-1869
Fax (209) 367-9590

March 18, 1998

Kurt Ladensack
P O Box 24055
Oakland, CA 94263

Dear Mr Ladensack:

As a landowner along the Central Traction Railroad I feel it would be more advantagous for a buried pipeline on the eastern end of the county. The land cost would be more econmical and environmental issues would be less severe. I believe a pipeline on the Railroad would negatively affect many more landowners and home owners. As you can see ther are many landowners opposed the the Railroad project as there will be deviations into high valued property and homes. Ind12-1
The property along the eastern county, in the foothills is obviously a better choice due to the current scheme of the land and cheaper land cost where the pipeline would have minimal effect on the countryside. If you have any questions please do not hesitate to call.

Thank You,

Robert Caffese

Robert Caffese

Response to Comment of Robert Caffese

Ind12-1, Robert Caffese
The preference of Alignment 2 or 4 is noted. Neither Alternative 2 nor 3 has been identified as environmentally superior.

Ind 13

Frank Calosso
15751 Prouty Rd.
Galt,CA 95632

March 17, 1998

Kurt Ladensack
EBMUD
MS #305
P. O.Box 24055
Oakland,CA 94623-1055

Re: DEIR/EIS

Dear Mr. Ladensack:

Regarding the Supplemental Water Supply Project, as land owners and ranchers in the proposed area we strongly object to Alternative 3. This proposal would greatly affect our current ranching practices .

We also object to Alternative 2, alignments 2 and 4. Our objection is, again, based on the potential loss of valuable farm land and future income. This loss of crop income would greatly impact the future of our ranch. Ind13-1

Our ranch has already been impacted with the high-tension towers. We feel that the pipeline would further hinder the efficiency and potential farming for the future.

Please explain to us why Alternative 2, alignments 1 and 3 are not viable options as opposed to destroying valuable farm and ranch property.

Regards,

Frank Calosso
Frank Calosso

Paul Calosso
PaulCalosso

Fred Calosso
Fred Calosso

Response to Comment of Frank Calosso

Ind13-1, Frank Calosso

The precise route for the Folsom South Canal Connection pipeline route (Alignments 2 and 4) through agricultural lands in southern Sacramento County and northern San Joaquin County would be established in such a way as to minimize impacts on ongoing agricultural activities along the route and to reduce property acquisition expenses. See the discussion of alignment refinements for Alignments 2 and 4 in Chapter 2 of the 1997 Draft EIR/EIS.

EBMUD has conducted extensive outreach activities to contact land owners and residents along the entire length of the proposed pipeline. Informal community meetings have been held to allow land owners the opportunity to express their concerns over the project as it relates directly to their property. The outreach has been effective in providing solutions to the concerns of property owners and residents.

Since the data were collected for the agricultural analysis in the 1997 Draft EIR/EIS, some areas along the pipeline route that were identified as grazing lands have been converted to vineyards. As a result, EBMUD has had to alter plans for some of the proposed property easements and acquisitions along the pipeline corridor. The pipeline route presented in the 1997 Draft EIR/EIS cuts across vineyard rows with drip irrigation lines and passes over newly drilled water wells. Through informal discussions with individual property owners, these impacts can be avoided with slight alterations in the proposed route.

EBMUD respects the needs and concerns of land owners along the proposed pipeline route and has initiated discussions with several area residents to work out solutions.

Ind 14

Kurt Ladensack
EBMUD
MS #305
PO BOX 24055
Oakland, CA 94623-1055

Karen Carlson
3939 D Street
Sacramento, CA 95819
(916) 456-0514

January 28, 1998

RE: EBMUD/USBR Supplemental Water Project

Dear Mr. Ladensack:

I attended the January 7, 1998 public meeting with the affected Sacramento neighborhood groups. I am a member of the McKinley-Elvas Neighborhood Alliance. The following are my comments about the water project proposals:

1. I am adamantly opposed to the Folsom South Canal Connection Project (FSCC) that excludes participation by the City and County of Sacramento. This proposal will unduly affect the wildlife and recreation of the lower American River by taking all the water allotment at the Nimbus Diversion. I support Alternative 3, the Joint Water Supply. Ind 14-1

2. The Joint Water Supply Project has merit, but I am greatly concerned about neighborhood impacts and future infrastructure problems with running the pipeline down C Street. We have had recent experience in the region of work crews inadvertently puncturing underground pipelines, even though the street surface clearly marked that they should not be drilling there. The potential for disastrous damage to the neighborhood from puncture, leakage, rupture, or whatever could happen to that pipeline, let alone the disruption and property damage during construction, is enough for me to say that option is inadvisable. The pipeline should be run through the C Street bypass on the north side of the railroad, using city property and the landfill, and the CSUS bypass. Ind 14-2

3. The question of where to put the intake structure is problematic, but I favor Intake Alternative 5, approximately 12,000 feet upstream of the I-5 bridge. This would have the least recreational impact, visually and for boaters. In addition, I was told that the affect on the lower American river flow would be negligible at that point in the watershed. Ind 14-3

Please keep me informed on the decisions made regarding this project.

Sincerely,

Karen Carlson

Response to Comments of Karen Carlson

Ind14-1, Karen Carlson
The opposition to Alternative 2 is noted.

Ind14-2, Karen Carlson
See the response to "C Street Pipeline Routing" major issue in Chapter 3 of this document.

Ind14-3, Karen Carlson
Preference for intake Site 5 is noted.

Ind 15

February 8, 1998

Mr. Kurt Ladensack
East Bay Municipal Utility District
Water Supply Improvements Division
P.O. Box 24055, MS #305
Oakland, Ca. 94623-1055

Re: EBMUD Supplemental Water Supply Project
Draft EIR/EIS

Dear Sir:

This letter addresses concerns regarding the above referenced project.

I have reviewed the Draft EIR/EIS and have come to the conclusion that the document is incomplete.

First, the public is asked to make a recommendation on the preferred alternative of a pipeline when the agencies involved have not yet identified a preferred alternative (page S-5). Second, I live in the community of the proposed alternatives and to make a recommendation of a proposed alternative without EBMUD having an amended contract with the United States Bureau of Reclamation, means making a recommendation without all the facts. The information of the amended contract should be included in the final EIR. Ind 15 -1

As stated on page S-2 "The purpose of the Supplemental Water Supply Project is to provide EBMUD with a supplemental water supply to reduce existing and future customer deficiencies to manageable levels during **drought conditions**, and to provide an alternative water supply in case of **planned** or unplanned outages at EBMUD's Mokelumne River diversion facilities". The Draft EIR/EIS comes up short giving complete data on "**drought conditions**" and "**planned**" facility outages. What is the criteria for determining "**drought conditions**"? When are the "**planned**" facility outages scheduled? We all know that reduced amounts of snow fall and precipitation contribute to drought conditions. But in this case, policies need to be addressed regarding the impacts mentioned above on the amounts of supplemental water needed by EBMUD. And also the document needs to show when and how often the operational facilities at Pardee Reservoir will be shutdown for maintenance updates. Ind 15 -2

According to the DRAFT EIR/EIS (page S-6) neither Alternatives Two or Three are environmentally superior. Then under "Areas of Controversy" (page S-6, item #3) "disruption in urban areas during construction of the project, particularly under Alternative Three". If Alternative Three is not selected, the Draft EIR/EIS does not address disruption in urban areas if another alternative is selected. Ind 15 -3

Table S-1 (page S-13) under Agriculture Topic, it is stated no mitigation measures are required for Alternatives Two and Three for: 1) Conversion and loss of prime farmland, 2) Loss of agricultural production and, 3) Nonrenewal or termination of Williamson Act contracts. If Alternative Two, Alignments Two and Four is selected, this will have a devastating impact on the area landowners. I have been in attendance of several EBMUD presentations, and was led to believe that EBMUD would pay fair market value for any property affected. Clearly EBMUD has misrepresented their intentions or the Draft EIR/EIS is misstated. If Alternative Two is selected, local landowners property will (in some cases) be split in half. To the agricultural community I live in, this would create a devastating economic impact and aesthetically would lower property values. I would recommend that Alternative Two, Alignments Two and Four be realigned to follow property owner's property lines and roads where ever possible. In regarding the nonrenewal or termination of the Williamson Act contracts, Alternative Three would have the least impacts to my community. If Alternative Two, Alignments Two and Four is selected, the impacts would be much greater. Ind 15 -4

Page 18-4 of the Draft EIR/EIS under the Agriculture paragraph, it is stated, "...the alternatives would result in an extremely small amount of impacts on prime farmland as a result of conversion...". To an individual landowner, this "small" loss may have a significant impact. The cumulative effect on farmland loss could be great added to other projects being proposed in the Southeast portion of Sacramento County.

In summary, I make the following recommendations:

Drought conditions be fully addressed; e.g. Pardee and Camanche Reservoir levels, time of year, etc.

Address the facilities maintenance schedules for Pardee Reservoir and other facilities; e.g. list each facility and dates of maintenance scheduling.

Alternative Three, Joint Water Project, is the preferred proposed alternative.

If Alternative Two, Alignments One, Two, Three or Four are selected, all alignments be located on the landowner's property lines and follow road right-of-ways.

If Alternative Two is selected, Alignment Two is the preferred alignment.

Thank you for considering my comments and recommendations. If you have any questions, please feel free to call me at (916) 354-1805.

Sincerely,

Mindy Cecchettini

Mindy Cecchettini, former Member of CCPAC
14061 Flagstaff Dr.
Sloughhouse, Ca. 95683

Response to Comments of Mindy Cecchettini

Ind15-1, Mindy Cecchettini
The draft amendatory contract with Reclamation has been circulated for public review. The contract allows either Alternative 2 or 3 subject to various conditions. The proposed contract has been included as Appendix A to this document.

Ind15-2, Mindy Cecchettini
Drought conditions are characterized by low annual rainfall and lowering reservoir levels. The need for supplemental water would occur when combined storage projections are less than 500,000 AF, as noted on page 3-14 of the 1997 Draft EIR/EIS. Historic drought periods existed from 1928-1934, 1959-1961, and 1976-1977. Page 3-12 through 3-15 of the 1997 Draft EIR/EIS present possible schedules for dry-year deliveries. Planned outages would be scheduled during wet-year periods, as discussed on page 2-12 of the 1997 Draft EIR/EIS.

Ind15-3, Mindy Cecchettini
The issues included in the Areas of Controversy section of the 1997 Draft EIR/EIS were developed during the scoping meetings held in the spring of 1997. The highlighting of these issues within the Summary Chapter does not reduce the level of analysis for other issues. Chapter 2 of the 1997 Draft EIR/EIS outlines the environmental commitments that apply to either action alternative. These commitments include the traffic control plan designed to reduce construction impacts on urban areas. Impacts on traffic circulation, roadway deterioration, and emergency responder routes are analyzed for both action alternatives in Chapter 12 of the 1997 Draft EIR/EIS. Impacts on resources within communities along the pipeline route alignments for Alternative 2 are analyzed extensively in the 1997 Draft EIR/EIS.

Ind15-4, Mindy Cecchettini
The final alignment for the Folsom South Canal Connection pipeline route through agricultural lands in southern Sacramento County and northern San Joaquin County would be sited so as to minimize impacts on ongoing activities along the route. The final alignment of the pipeline may be altered slightly to avoid severing parcels and to reduce the amount of property acquisitions needed. EBMUD is required to offer fair market value for property when acquisitions are necessary.

March 16, 1998

Mr. Cecil Lesley
USBR
Central California Area Office
7794 Folsom Dam Road
Folsom, CA 956.0

Dear Mr. Lesley:

I read the Summary of the East Bay Municipal Utility District Supplemental Water Supply Project DEIR/EIS. The full Draft EIR/EIS was not at my library. I conclude that the range of alternatives is not sufficient.

The Draft EIR/EIS has a cooperative alternative with Sacramento area agencies. Why isn't there a cooperative alternative with water districts adjacent to EBMUD?

Why can't the Contra Costa County Water District serve the area east of the hills using American River Water? They pump Delta water now. Why can't EBMUD serve areas west of the hills using Mokelumne River water? Would there be enough water for the future if split as questioned above? - or close to it?

What other cooperative efforts are possible to minimize construction costs and water inequities?

Another alternative is needed to discuss a political/administrative division of water service areas to more efficiently serve consumers and to reduce tensions between high-water-use areas east of the hills and cooler areas near the Bay.

Ind16-1

Sincerely yours,

Robert C. Chioino
435 Spruce Street
Berkeley, CA 94708-1222
(phone 525-4979)
510-

cc: Kurt Ladensack
EBMUD
P.O. Box 24055
Oakland, CA 94623-1055

Ind 16

Response to Comment of Robert C. Chioino

Ind16-1, Robert C. Chioino
EBMUD acquired a water service contract from Reclamation for American River water in 1970. The Hodge Decision mandated that the water only be used within the EBMUD service area. Contra Costa Water District holds a contract to supply Delta water within its service area. The two systems are independent. See the responses to the "San Joaquin County Conjunctive Storage" and "Alternatives Considered" major issues in Chapter 3 of this document. See also the responses to Contra Costa Water District (Letter L20) in this document.

Ind 17

Rhonda Coleal
13651 Montfort Ave.
Herald Ca. 95638

2/8/98
Maria Solis or
Kurt Ladensack
EBMUD
P.O. Box 24055 MS 305
Oakland, Ca. 94623-1055

Dear Maria or Kurt:

In reference to the upcoming EIR/EIS , we would like at this time to formally object to the East Bay MUD plans to cross our property with the Folsom South Canal Connection #2. This project would dramatically affect the plans we have for use of this property as well as reducing our property value. We are equally concerned about the tremendous traffic problems this project would create during the construction phase going into and out of our community for groceries, our children's school, work, etc. After having attended many community meetings on the subject it seems to us that using the railroad right of way from the folsom south canal along the north side of Hwy 104 (Twin Cities road) down to the north-south railroad that goes all the way south to intersect with the existing pipeline would be your best and most practical solution with minimal intrusion onto other people's private property. Therefore we repeat, we do NOT want the Folsom South Canal Connection Alignment # 2 crossing our property on Clay Station road in Herald. Ind 17-1

Sincerely,

Jim & Rhonda Coleal-Bergum

13651 MONTFORT AVE HERALD CA 95638

Response to Comment of Jim and Rhonda Coleal-Bergum

Ind17-1, Jim and Rhonda Coleal-Bergum
The opposition to Alignment 2 is noted. Refer to responses to the "Construction-Related Environmental Commitments and Mitigation" major issue in Chapter 3 of this document.

EBMUD has conducted extensive outreach activities to contact land owners and residents along the entire length of the proposed pipeline. Informal community meetings have been held to allow land owners the opportunity to express their concerns over the project as it relates directly to their property. The outreach has been effective in providing solutions to the concerns of property owners and residents.

EBMUD respects the needs and concerns of land owners along the proposed pipeline route and has initiated discussions with several area residents to work out solutions.

Ind 18

Deborah Condon
2009 G Street
Sacramento, CA 95814

February 8, 1998

EBMUD
PO Box 24055, MS 305
Oakland, CA 94623-1055
Atten. Kurt Ladensack

Re: Jones & Stokes Associates, Inc.
EBMUD-Supplemental Supply Project, Draft EIR/EIS October (JSA 96-157)
Sacramento, CA
Prepared for EBMUD and USBR

Thank you for the opportunity to review the EBMUD Supplemental Water Supply Project (SWSP). I also appreciate the information provided by EBMUD and associates at the joint Boulevard Park-Marshall School and McKinley Elvas Neighborhood forum on the project held on January 7, 1998. I live in the neighborhood immediately south of and impacted by the project. The lower American River is a treasure that provides an immediate experience of the natural world to an adjacent urban population. The lower American River is also a candidate for President Clinton's American Heritage River Initiative because of its aesthetic, recreational; and public trust values.

I agree with comments dated 2/29/96 by the Contra Costa Water District (CCWD) in the scoping report (comment # 12, Richard Denton). CCWD's comments encourage EBMUD to consider re-analyzing its point of diversion in light of significant on-going regulatory changes and new water management programs in the Sacramento-San Joaquin Delta. These programs include the CALFED process, new SWRCB water rights decisions, and endangered species biological opinions. In addition, CCWD point out probable amendments to EBMUD's USBR water contract to meet the provisions of the 1992 CVPIA legislation. EBMUD should be encouraged to address its water needs through these ongoing activities as any water allocation taken from the American River affects the balance of downstream flows in the Sacramento River and Delta. Ind 18 -1

EBMUD's water quality concerns can be met at the Freeport or Hood diversion site under consideration by CALFED process. These locations are far enough upstream to avoid much of the TOC and salinity that increase downstream in the Delta. EBMUD would benefit in joining other water users at a common diversion point collectively addressing water quality issues.

I recognize that a lower American River diversion under the joint water supply alternative (JWSA) may be chosen as the preferred intake alternative. The JWSA has the benefit of providing Sacramento City and County with increased capacity for water treatment. Within the range of JWSA localized intake alternatives, my comments will address the 23rd street water supply site known as Intake Alternative 5. This intake alternative, though it poses significant impacts is preferable to the other JWSA intakes as it avoids running pipes through both commercial and Ind 18 -2

residential areas. The Bypass Options at C Street, Elvas Avenue and Folsom Boulevard are necessary links that avoid much direct construction impact to the C Street neighborhood east of 24th Streets and East Sacramento neighborhoods.

I will address Intake Alternative 5 primarily in relationship to specific land use impacts and mitigation identified in Summary Table S-1, Summary of Significant Impacts and Mitigation Measures for the Supplemental Water Supply Project.

Impact - Conflict with proposes or planned projects in the City or County of Sacramento
- Disruption of recreational opportunities on the lower American River associated with construction and operation of the intake alternatives 1 - 5

Note - This project is also incompatible with EBMUD's Planning Objective Criteria (page 4-7) which calls for the project to "Maintain outdoor recreation opportunities". The project has the potential to "cause changes in water-dependent recreation opportunities in the lower American River" (page 4-7). Land-side recreation opportunities will also be impacted.

Page 10-6 The Richards Boulevard Area Plan - Policy 8.1 in the land use section requires configuration of new development and land uses to enhance public access and recreational use of the American River Parkway (Roma Design Group 1994) Alternative Intake 5 is located on the south bank of the lower American River, upstream from its confluence with the Sacramento River. Both existing and potential recreational activities (fishing, birding, boating, swimming, jogging, bicycling, etc.) will be impacted with the construction and operation of the facility. Though access on top of the levee will remain opened, recreational use and values will be limited by plant operation noise, visual impacts on both sides of the levee, boating obstruction, and lack of access. Ind 18 -3

EBMUD recreation analysis is insufficient in only considering recreational boating. Many nearby residents use the area as a popular walking, jogging and birding area, observing both resident and migratory birds including ducks, geese, raptors, heron, and egrets. The Streambank Protection for the Lower American River (SPLAR) -SCH 95072079, 12/97 notes of the lower American River area -"The left bank experiences a high degree of recreational use, largely because of its proximity to downtown Sacramento and many access points" (page B-8 SPAR)

SPLAR is also a planned project which may conflict with EBMUD project. Streambank Protection for the Lower American River is a massive flood control project planned by the U.S. Army Corps of Engineers. The alternative 5 sight is next to one of the areas of significant erosion near the UPRR bridge that the SPLAR will need to repair. Close coordination will be necessary. The omission of this project points to the inadequacy of the EBMUD document. Ind 18 -4

The SPLAR considers the lower American River to be a federally designated and state-designated Wild and Scenic River (SPLAR, page 4-30). Under the guidelines of the federal Wild and Scenic Rivers Act recreation values would be significantly impacted. The EBMUD project is inconsistent with the State Wild and Scenic Rivers Act which prohibits construction of major diversions and structures. Ind 18 -5

2

Impact - Conflicts with American River parkway uses
Page 10-11 The [American River Parkway] plan (which) states that the "establishment of these facilities [i.e. water treatment plants] should be consistent with the goals and policies of this Plan."

Recreation values are protected by the State's Urban American River Preservation Act for the American River Parkway. The American River Parkway Plan will need to be amended to allow construction of Intake Alternatives 1 through 5, all located within the American River Parkway Plan. (Page 10-5 Land Use). The American River Parkway Plan limits development in river frontage (sites of alternatives 1 - 5) to trails, designating it as a Protection Area according to policy 7.1 of the parkway plan.

Impact - The project will result in permanent incompatibility with existing or proposed land uses. See above for Richards Boulevard Area Plan and American River Parkway Plan. The Richards Boulevard Area Plan also calls for the extension of a bike trail along the south river levee to connect Old Sacramento with the eastern Richards Boulevard area downstream of Alternative 5.
- In 1995, the 1988 County General Plan was amended with the 2010 City -County Bikeway Master Plan. This bikeway plan envisions a continuos bikeway beginning in Old Sacramento and extending eastward along the entire south bank of the American River through Sutter's Landing Park and potentially beyond H Street. This proposed southern route is critical as the existing north-of-the river American River Parkway bicycle path is heavily used. Conflicts already exist between bicyclists and skating advocates for its use. The existing north bank bikeway is more flood-prone than the south side of the river and is inundated and unusable for weeks at a time during high river flow periods. Ind 18 -6

SWSP Table 10-2 - Development Projects, omitted the 20th Street Bikeway Project (PN: TK-96, Negative Declaration, City of Sacramento, 1995). The 20th Street Bikeway is a $500,000 bicycle path improvement funded by a federal ISTEA grant matched with City funds. This a paved bicycle access path essentially replaces the shutdown 14th street access that was a commute link between the American River Parkway and downtown housing and businesses. The 20th Street Bikeway offers a more convenient and safer downtown access than the currently used, dangerous 12th or 16th street passage. The 20th Street Bikeway is consistent with the City's General Plan Circulation Element, the Central City Community Plan and the American River Parkway Plan.

Intake Alternative 5 is just east of the 20th Street Bikeway and immediately west of the Sutter's Landing Park. The Intake Alternative 5 project site is critical to the Bikeway Master Plan as it is a link between the downtown and central city via the 20th Street Bikeway to Sutter's Landing Park and potentially East Sacramento. Maintaining a limited bicycle passage through the site of Alternative 5 still falls short of providing the recreational values that the General Plan, Richards Boulevard Plan, American River Parkway Plan and Bikeway Master Plan envision for the river side use. Intrinsic to a scenic parkway is the full enjoyment of the river landscape without intrusion of incompatible uses.

The area on the water side of the American River levee is designated as Open Space in the city's 1988 General Plan. The proposed intake is inconsistent with this use designation.

Impact - Changes in visual resources at the sites of American River Intake Alternatives

SWSP's ranking of the visual resources of Intake Alternative 5 is that of low to moderate quality because "no formal public access is provided to the site and boating is infrequent" (page 16-5), and "viewer exposure along the southern parkway levee is generally low due to limited recreational use...no established entrances provide access to the southern parkway levee" (page 16-9). This analysis and the site's low visibility ranking in Table 16-1 does not consider the construction of the 20th Street bikeway traffic, the future public use of Sutter's Landing Park and the proposals contained in the 2010 Master Bikeway. The 20th Street Bikeway will be the "established entrance." In addition the SPLAR finds "Recreation opportunities would not generally be diminished by the proposed alternatives (Riverbank protection)and would increase in many locations because riverbank access would be improved". Ind 18 -7

This intake site is in or near larger areas undergoing significant land use changes. The largest and closest property use change is the closure and conversion of the city dump to Sutter's Landing River Park immediately upstream of the project. This new 173 acre park will provide an immediate and safe "established entrance" on 28th Street to a new urban recreational area fronted by a natural river ecosystem. Access to the park's picnicking areas will increased boat usage and docking at Sutter's Landing in a manner likely to parallel downstream use at Discovery Park.

Table 10-1 provides a listing of near by development projects. Significant upgrading of the Richards Boulevard Area - (300 Richards Boulevard and Continental Plaza commercial development, improvements to 5th , 7th and Bannon Street, Lightrail extension, and construction of the Intermodal terminal) is coming. These upgrades will increased housing (Rail Yard Project), and work force size. With these changes comes increased visibility, use, and safety of the south bank of the American River. The street changes will provide easy and direct access to the American River from new Rail Yard developments as well as from the increasing development of major State, federal and private downtown office buildings.

The stated mitigation for visual impact borders the nonsensical, stated as "minimize visual obstructiveness (e.g. using colors and architectural materials compatible with the surrounding riverine environment)." It is hard to conceive how a the view of a 70 ft tall structure and bridge on the river and four 6,000 gallon water tanks and a treatment plant on land can be made invisible with paint.

- Potential loss of special -status plant populations or habitat

Though nineteen special-status plant species were identified as having the potential to occur in the entire multiple-county project study area (Table 7-2), only one was found (Legnere). None were found near the Joint Water Supply intake alternatives or alignments. CEQA requires a mandatory finding of significance if impacts to threaten or endangered species are likely to occur. In contrast to the EBMUD study results, the 1995 20th Street Bikeway studies found over 221 Ind18-8

individual Valley elderberry plants only 3 street blocks away from Intake Alternative 5 site. The Valley elderberry is potential habitat for the Valley elderberry longhorn beetle, a Federally Threatened species. Exit holes were found on elderberry shrubs indicative of beetle presence. It is very likely that this habitat continues into the area impacted by the EBMUD project. Destruction of any elderberry shrubs over one inch may constitute a take of Valley Elderberry Beetle habitat under ESA. A more credible survey needs to be undertaken in the area. (Biological Resource Report, 20th Street Bike Trail, City of Sacramento, 1995).

Impacts - Environmental justice effects
Increase in noise levels from operation of the American River intake structure
Potential for contamination at chemical conditions facilities

Census tract 4 (21 St. , B St., Alhambra and H St.) is immediately south of Intake Alternative 5, (at the extension of 23 St.). Table 10-2 indicates that the median household income for census tract 4 is $21,000, well below the City and County median of $28,000 and $32,300, respectively. The Richards Boulevard Area (Census tract 53) is the next community down stream and contains intake alternatives 1-4. Much of its population is located in the Dos Rios low income housing project. This census tract has Table 10-2's lowest median household income at $10,000. Ind18-9

Chemical conditioning facilities and four 6,000 gallon tanks will be located near the proposed new intake structures. The chemicals used are lime and sodium hypochlorite (Section 15-5 and Chapter 2). SWSP identifies a sensitive land use next to the facilities as "C Street between 20th and 35th Street (is) principally residential." (Section 14-2). Environmental Justice effects are defined as a "disproportionate high and adverse human health or environmental effect of (their) actions on minority or low income populations and community. (U.S. Department of Interior, 1995). The communities of census tracts 4 and 53 would be immediately impacted by chemical accidents (chlorine gas spills), construction disturbances, and noise impact both during construction. and operations of the water plant.

All affluent communities further upstream have river side parks (River Park, Campus Commons, Sierra Oaks, Willhagen, Del Dayo Rivera, and Gold River, for example). With the exception of the City of Sacramento's treatment plant (RM 7.3), all upstream river front and levee, and a significant area of land on the levee side is in recreation use. This project will preclude access to or opportunity for low income communities to have an adjacent river side parkway or restored natural area. Instead, census tract 4 and 53 neighborhoods will have four 6,000 to 7,000 gallon water tanks and the inherent dangers of a chemical treatment facility.

Proposed Mitigation Measures

The identified impacts from the SWSP are significant and should be mitigated. Loss of recreational use, destruction of visual amenities, disturbance of natural communities and negative impacts associated with the construction and operation of the pumps and treatment plant should be mitigated directly in or close to the area of impact. The restoration of the abandoned or misused property south of Intake Alternative 5 between the railroad and river levees is the most directly linked mitigation. Ind18-10

5

The area adjacent to the Alternative 5 site is described as "an abandoned landfill, dump sites, and vacant land before aligning with the SPRR (UPRR). (Page 10-5 Land Use). Since 1928 and 1946 when Frederick Law Olmsted (son of F.L. Olmsted, the architect of N.Y.'s Central Park) provided plans for the State Parks Commission to create river parkways along the lower American River, lower Feather River, Sacramento River and Delta Water ways, we have missed opportunities to plan for the best and most beneficial use of lands adjacent to the American River. (Report on Advisability of Establishing Parkways Along Sacramento River and its Tributaries Consistent with Chapter 1422, Statues of 1945, Frederick Law Olmsted). Property between the train track and the American River south bank levee next to Intake Alternative 5 are still mostly vacant. The opportunity still exists to create open space, bike pathways, and water front access for the thousands of city dwellers, and office workers who cannot now easily access their own immediate natural back yard along the south river bank. Conversion to a park by natural restoration is possible through by direct purchase from private owners and through a joint enhancement project with Sacramento Municipal Utility District (SMUD).

Adjacent to the 20th Street Bikeway Project is the site of the Blue Diamond Co-generation plant and SMUD's substation and land fill site. The co-generation plant is currently being dismantled. This creates an opportunity to open up this site as an urban park joined to the 20th Street Bikeway. SMUD has a precedence for re-use of power facilities as recreational areas at its Lake Ranch Seco Park. Their ownership of property north of the co-generation plant creates another opportunity for partnership. Almost immediately upstream of the site of Intake 5 is a fenced private property that acts as a barrier to further public passage along the levee top. The purchase of this property as a link in a south levee river parkway would create a bicycle commute path and walking and jogging river access for residents of midtown and east Sacramento. Now is a critical time to make this link. (See Property map attached)

Acquisition and restoration of these properties would enlarge Sutter's Landing Park and create south bank river park linkages consistent with the goals of the General Plan, Richards Boulevard Plan, 2010 Bikeways, and American River Parkway Plan. This action combined with extensive improvements to a south bank levee top bicycle trail system would begin to mitigate for the projects inconsistencies with the above plans and provide a benefit to the lower income neighborhoods that bear all the risks and negative consequences. Other cities such as San Antonio Texas, Portland Oregon and even Santa Rosa, California have made river parkways significant to their identity. Though much focus has been made on the Sacramento River, a beautiful river corridor close to major off ice and hotel development in the rail yard and Richards Boulevard area and to existing residential areas is the highest and best use of the American River's natural beauty.

Thank you again for the opportunity to comment on the Draft EBMUD Supplemental Water Supply Project.

Sincerely; D. Condon

Deborah Condon

Attachments-
Site map and Biological Survey, 20th Street Bike Trail, City of Sacramento, 1995.
Plat map of site of Intake Alternative 5
1990 Census Map of Tract 4 and 53
Aerial view of site

cc Steve Cohn. City Council
Sacramento Old City Association
Boulevard Park Neighborhood Association
Roger Dickinson, County Supervisor

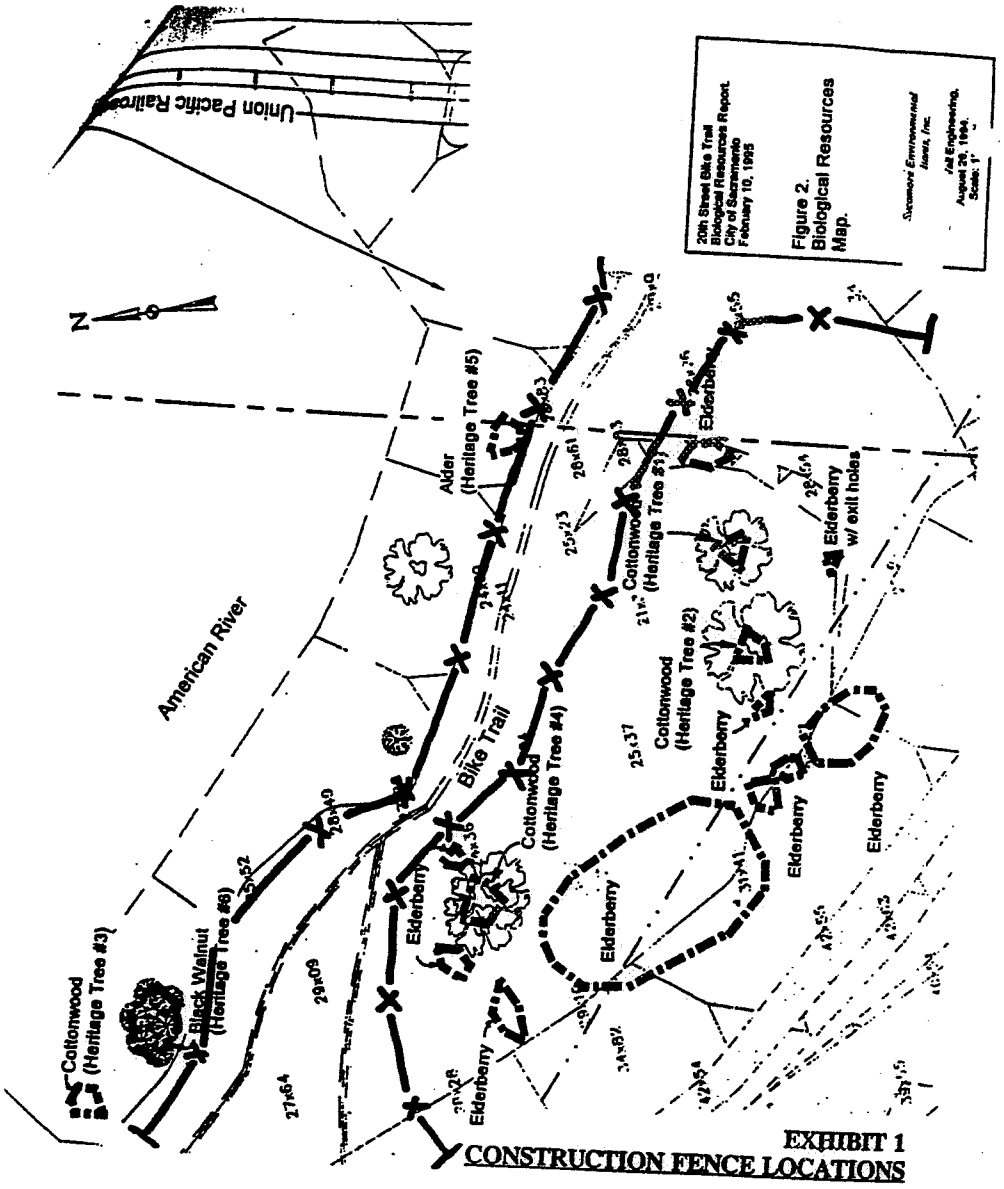
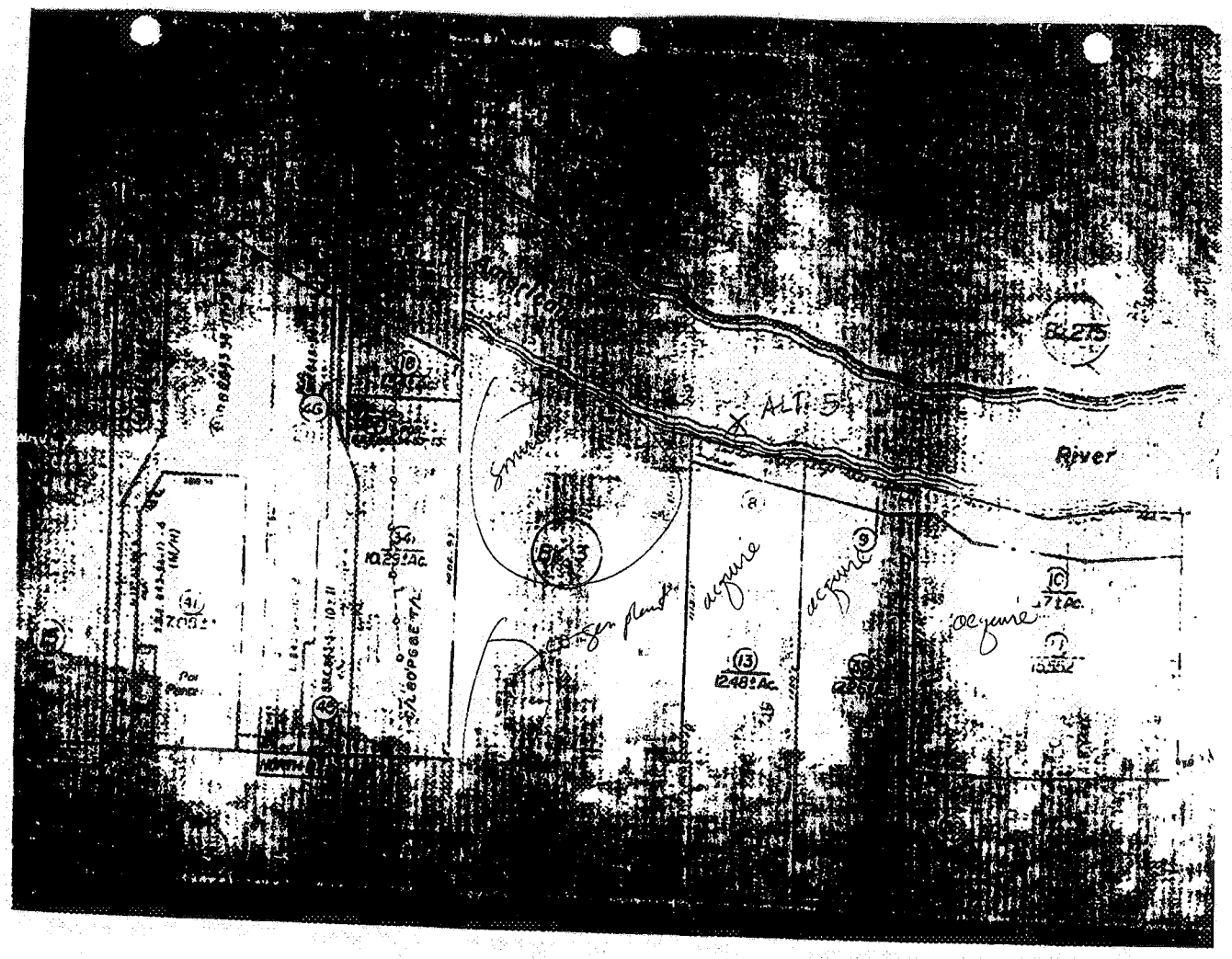


EXHIBIT 1
CONSTRUCTION FENCE LOCATIONS



EXHIBIT

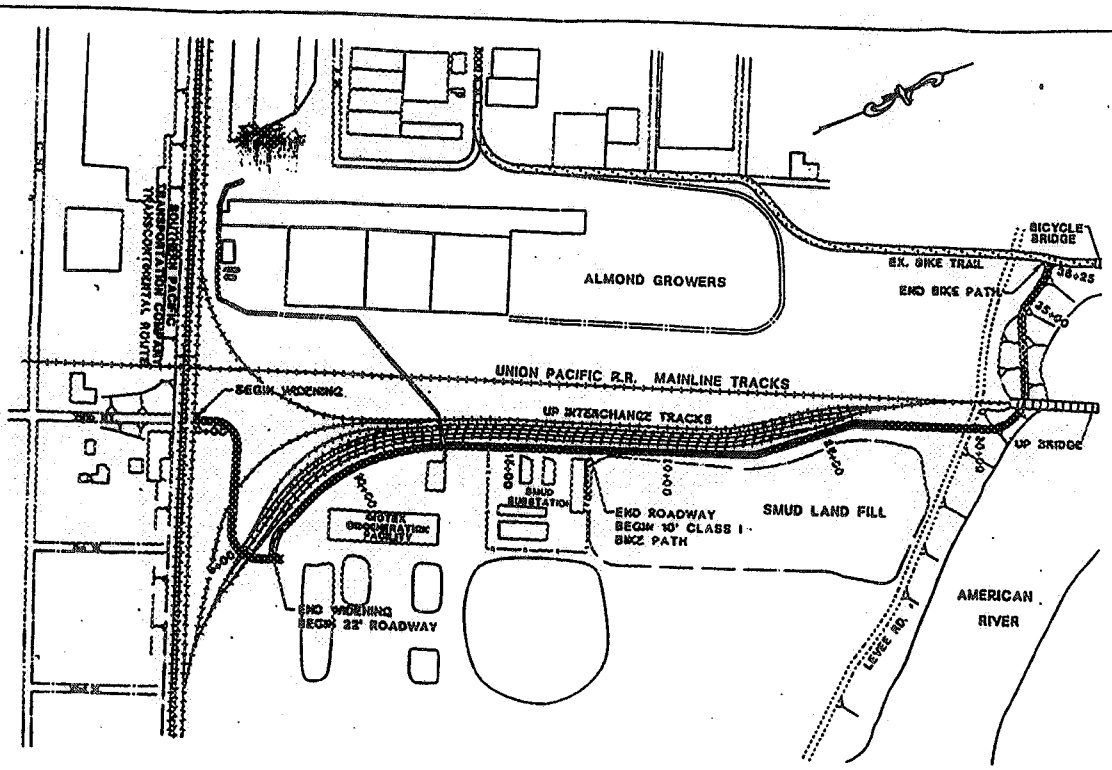


EXHIBIT B

LEGEND

SLOPE LINE
RR TRACK
PROP. BIKE PATH
BUILDING

20th STREET BIKE ROUTE

JN:3562 - SEPT 93

SITE PLAN

ALT. 5
COMMERCE
RICHARDS
DOS PIOS
53.00
70.07

24L-13
3.9R-3
BUS. 80

Response to Comments of Deborah Condon

Ind18-1, Deborah Condon
See responses to "Alternatives Considered" and the "Delta and Sacramento River Alternatives" major issues in Chapter 3 of this document.

Ind18-2, Deborah Condon
See responses to "Construction-Related Environmental Commitments and Mitigation," "C Street Pipeline Routing," and "Kiefer Boulevard Pipeline Routing" major issues in Chapter 3 of this document.

Ind18-3, Deborah Condon
The proposed design for the lower American River intake under Alternative 3, as shown in Figure 2-7 of the 1997 Draft EIR/EIS, would raise the levee, allowing the levee-top bike trail to continue uninterrupted following construction. During construction, the bike trail would be detoured to avoid the construction site. Page 6-12 of the 1997 Draft EIR/EIS discusses impacts on land-side recreation activities along the southern levee of the Lower American River. Since the levee-top bike trail and river access would not be impeded after construction, no significant impacts on land-side recreation are anticipated. Shoreline access for activities such as fishing, birding, biking, and jogging would remain.

As described in Chapter 6 of the 1997 Draft EIR/EIS, boating in the immediate vicinity of the intake facilities may be temporarily disrupted during construction. However, boats would be able to pass the construction site, maintaining upstream and downstream access. Once an intake structure is constructed, boats would be allowed to pass under the access bridge. Impacts on recreational activities would be less at upstream intake sites because of less boating use and lack of public access.

Ind18-4, Deborah Condon
Engineering design for the intake facility would be reviewed and approved by the local flood control district and the Corps of Engineers.

Ind18-5, Deborah Condon
The State Wild and Scenic Rivers Act prohibits diversion structures unless the Secretary of the Resources Agency determines that the facility is needed to supply domestic water to the residents of the county or counties through which the river flows, and unless the Secretary determines that the facility would not adversely affect the free-flowing condition and natural character of the river. Implementation of Alternative 3 would require an application for diversion through the State Water Resources Control Board and approval from the Secretary of the Resources Agency, as noted in Table 2-7 of the 1997 Draft EIR/EIS.

Ind18-6, Deborah Condon
Table 2-7 of the 1997 Draft EIR/EIS includes the American River Parkway Plan as a pertinent regulation that would require an amendment for the project to proceed. As described in Chapter 10 of the 1997 Draft EIR/EIS, if Alternative 3 is selected, EBMUD will coordinate with the City and County of Sacramento to avoid conflicts with future developments planned for the Lower American River area, including the Richards Boulevard Area Plan, the American River Parkway Plan, and the County Bikeway Master Plan. Table 10-1 in the 1997 Draft EIR/EIS lists the plans proposed prior to the completion of the 1997 Draft EIR/EIS. If the Joint Project Alternative is selected, the City and County of Sacramento will ensure that the pipeline does not conflict with existing plans and that new development proposals do not conflict with the planned pipeline.

Ind18-7, Deborah Condon
The evaluation of impacts on visual resources under Alternative 3 is described in Chapter 16 of the 1997 Draft EIR/EIS. The evaluation concluded that significant impacts would occur as a result of construction and operation of intake Sites 1, 2, and 3. The 1997 Draft EIR/EIS also indicates that no mitigation is available to reduce this impact to a less-than-significant level. This conclusion was based on the relative visibility of the intake structures from the I-5 bridge, the levee along the south bank of the river, and boats. The analysis recognizes that boating and shoreline uses occur more frequent in the lower reach of the river and decrease upstream. Although the analysis concluded that significant impacts on visual resources are not expected to occur at intake Sites 4 and 5, it did conclude that effects on visual resources would be greater at intake Site 4 than at Site 5.

The American River Parkway Plan 5.7 states that structures in the Parkway should "blend with the natural environment." To the extent possible, the intake structure design would minimize visual obstruction. The final design would be reviewed and approved by the City and County of Sacramento, with continuing opportunities by the public and interested organizations.

Ind18-8, Deborah Condon
Mitigation Measure 8-6 presented on page 8-15 of the 1997 Draft EIR/EIS provides for additional surveys to be conducted prior to construction coupled with the implementation of USFWS guidelines for valley elderberry longhorn beetle habitat mitigations.

Ind18-9, Deborah Condon
Page 10-12 and 10-19 of the 1997 Draft EIR/EIS discuss environmental justice effects posed by Alternative 3. The pipeline route through Sacramento passes through census tracts that exhibit median household incomes both above and below the City and County averages. The impacts associated with the project would not result in disproportionate impacts on minority or low-income populations.

Suitable intake facility and chemical conditioning facility locations are limited by riverine conditions, including water depth and shoreline integrity. Hazards associated with the chemical storage facility are not anticipated to be significant. (See Chapter 15 of the 1997 Draft EIR/EIS.) The placement of the intake structure would not preclude river access for downtown residents.

Ind18-10, Deborah Condon
Chapter 2 of this document describes the current status of the project. The impacted streets in Sacramento would be returned to their original condition as part of the construction plan. EBMUD will continue to work with the community and the City and County of Sacramento to develop appropriate measures to address temporary construction impacts if Alternative 3 is implemented. Specific property acquisitions to enhance the Lower American River Parkway are not included in the 1997 Draft EIR/EIS as mitigation. However, community enhancement measures are under discussion among EBMUD, the City, and the County.

Ind 19

February 10, 1998

Kurt Ladensack
EBMUD
P.O. Box 24055, MS 305
Oakland, California 94623-1055

Re: American River Water Diversion Project

Dear Mr. Ladensack:

Perhaps this letter will do little or nothing to influence the outcome of the proposed pipeline through Sacramento, still I feel it is necessary to offer a few concerns and insights regarding the project.

It is inevitable that history repeats itself. As population increases in the Bay Area the need for water and the lack of a nearby source becomes an all consuming quest. The strong prevail. The strong, those with the deepest pockets, unlimited resources and influence, will do what they will to have what they want.

Do Owens Valley, Mono Lake and the name Mulholland ring any bells? When will the impact of continued growth of an overpopulated area finally hit those who benefit financially between the eyes? Ind19-1

Diversion of water from the American River is not a solution to the problems of drought in the East Bay. It is merely a first step in perverting nature to satiate the need and greed of an ever demanding populace. What concessions will be made by EBMUD for Central Valley farmers when drought comes again and their water is rationed? Will we eventually have to imported more from foreign producers and put local farmers out of business? The logarithmic effects of water diversion are staggering.

Haven't we learned anything in the last fifty years? Does Los Angeles' growth not clue us in to what is happening in the Bay Area? Or do we really not give a damn who is affected as long as we can fill the swimming pools of overpriced homes.

SACH:\PIPELINE.DOC-95ydileo:1

My husband and I moved to Sacramento to avoid the crush of the Bay Area and still it plagues us. Our home in East Sacramento is on a quiet street, surrounded by neighbors who know and care for each other. We don't want to see our community impacted by the vastness of this project. A project that will never be finished within it's proposed budget or time frame. It is more than the inconvenience of another construction project to us, it is the potential change to our quality of life and the principle of the situation that gnaws at us.

When is enough, enough?

Sincerely,

Yvonne Di Leo

Yvonne Di Leo
548 - 40th Street
Sacramento, California 95819
(916)928-3300

cc: Cecily Hayward Hastings, *Inside East Sacramento*

SACH:\PIPELINE.DOC-95ydileo:1

Response to Comment of Yvonne Di Leo

Ind19-1, Yvonne Di Leo
The commentor's opposition to the project is noted.

Ind 20

10 Panoramic Way
Berkeley, CA 94704
December 26, 1997

Kurt Ladensack
Water Supply Improvements Division
EBMUD
PO Box 24055
Oakland, CA 94623

Dear Kurt Ladensack:

I am writing to comment on EBMUD's plan to tap the American River as outlined in its DEIR/EIS. The Supplemental Water Supply Project calls for up to 112,000 acre-feet of water per year to be taken from the confluence of the American and Sacramento Rivers.

I applaud the EBMUD board's refusal to change the District's current ultimate service boundary. I urge you to include in the plan the strongest possible guarantees for the future that the boundary will not change. Ind 20-1

I urge you to investigate further the effects of water diversions on the already decimated San Francisco Bay/Delta ecosystems and on potential growth within the EBMUD district. Ind 20-2

I also ask that you guarantee that you will only use American River water in critical dry years for use in the EBMUD service area or to maintain stream flows in the Mokelumne River. I urge you to ensure that any water drawn from the American River should be matched by increased flows down the Mokelumne River to the Delta to an extent that would help restore the Mokelumne's heavily damaged fisheries. Ind 20-3

I ask you to intensify your efforts at conservation, using the best available technology, including rebate programs and other incentives for the installation of drip-irrigation systems and other demand-reducing alternatives. Ind 20-4

Please also ensure that American River project remains consistent with the principles of the Bay-Delta water-quality standards currently being devised in the CalFed process. Ind20-5

Sincerely,

Constantina Economou

Constantina Economou

Response to Comments of Contantina Economou

Ind20-1, Constantina Economou
The 1997 Draft EIR/EIS indicates on pages 2-7 and 2-8 that "EBMUD has limited its service area growth to its adopted ultimate service area boundary (USB) and has also adopted additional policies that govern the provision of water to new areas." These policies set forth conditions that must be met prior to extension of water service into new areas and describe EBMUD's policy on the extension of water service to specific areas. The USB developed and adopted by EBMUD represents the area within which EBMUD anticipates that it can provide a safe reliable water supply using its existing Mokelumne River supply and supplemental water supply options.

Ind20-2, Constantina Economou
Effects of Alternatives 2 and 3 on Delta hydrology, water quality, and fisheries are addressed in Chapters 3, 4, and 5 of the 1997 Draft EIR/EIS. Growth effects within EBMUD's USB are addressed in Chapter 18, "Cumulative and Growth-Related Effects." The 1997 Draft EIR/EIS analysis concludes on page 18-8 that Alternatives 2 and 3 would have no additional growth effects in EBMUD's ultimate service area beyond what has already been addressed in EBMUD's Updated Water Supply Management Program EIR because it would not foster economic, population or housing growth beyond what has already been addressed in the Water Supply Management Program. The Supplemental Water Supply Project could indirectly facilitate growth decisions by service area cities and counties by reducing the amount of uncertainty that exists related to system reliability and water supply availability during severe drought conditions.

Ind20-3, Constantina Economou
As indicated beginning on page 1-2 of the 1997 Draft EIR/EIS, the purpose of the Supplemental Water Supply Project is to provide EBMUD with a supplemental water supply to reduce existing and future customer deficiencies to manageable levels during drought conditions and to provide an alternative water supply in case of planned or unplanned outages at EBMUD's Mokelumne River diversion facilities. FERC approved the Mokelumne River Settlement Agreement. The agreement provides for annual releases from Camanche Dam based on water-year type.

Ind20-4, Constantina Economou
The 1997 Draft EIR/EIS indicates on page 1-9 that EBMUD is actively pursuing many types of water conservation, including use of water audits, retrofit and conservation incentive programs, metering requirements, leak detection, pricing, water waste prohibitions, and educational programs. The 1997 Draft EIR/EIS indicates in Table 1-2 on page 1-11 that EBMUD's conservation targets for 2020 could amount to as much as a 34.7-MGD savings in water supply.

Ind20-5, Constantina Economou
As indicated in the 1997 Draft EIR/EIS on page 1-14, the Supplemental Water Supply Project has been included in the CALFED cumulative impact analysis and a sensitivity analysis will be conducted to assess the effects of EBMUD's American River contractual entitlement in combination with a CALFED program. The CALFED analysis will not evaluate specific project-level impacts. Based on the results of the hydrologic modeling and water quality analysis, it is unlikely that the Supplemental Water Supply Project will be inconsistent with future Bay-Delta water quality objectives.

Ind 21

COTTA & FERREIRA DAIRY
7651 E EIGHT MILE ROAD
STOCKTON CA 95212

MARCH 11, 1998

TO: KURT LADENSACK IN REGARD TO THE DEIR/EIS PIPELINE CONNECTION

COTTA & FERREIRA DAIRY DOES NOT WANT TO AUTHORIZE PERMISSION TO DO LAND SURVEYS. DO TO THE FACT THAT THE ABOVE NAMED DOES NOT WANT DEIR/REIS CONNECTION TO COME THROUGH THEIR PROPERTIES. IT WILL ALTER PROPERTY LINES, IRRIGATION MANAGMENT, AND NOT TO MENTION PROPERTY VALUE, WHICH IN THE FUTURE COULD BE SOLD FOR DEVELOPMENT. MOST IMPORTANTLY AT THIS TIME THIS PROPERTY IS NEEDED AND ALWAYS IS PLANTED WITH PERENIAL AND ANNUAL CROPS TO FEED CATTLE. Ind21-1

IN CLOSING COTTA & FERREIRA DAIRY REQUESTS THAT THIS LETTER BE KEPT ON FILE, AS HOW COTTA & FERREIRA DAIRY VIEWS DEIR/EIS CONNECTION THROUGH THEIR PROPERTIES.

SINCERELY,

John Ferreira

JOHN D. FERREIRA

Response to Comment of John D. Ferreira

Ind21-1, John D. Ferreira
Currently, none of the alternatives crosses your property. Your concerns are noted.

DOUGLAS T. FOSTER
ATTORNEY AT LAW
2825 FAIR OAKS BOULEVARD, SUITE 1
SACRAMENTO, CALIFORNIA 95864
FAX (916) 489-4572
PHONE (916) 485-4444

Ind 22

January 23, 1998

East Bay Municipal Utility District
MS# 305
P.O. Box 24055
Oakland, CA 94623-1055

U.S. Bureau of Reclamation
North-Central CA Area Office
7794 Folsom Dam Road
Folsom, CA 95630-1799

Attn: Kurt Ladensack, Manager
Water Supply Imp. Div.
Fax #510-287-1295

Attn: Rod Hall, Enviro.
Specialist
Fax #916-989-7208

Re: Draft EIR/EIS (a) EBMUD-/Sacramento Joint Water Supply Project, (b) Folsom South Canal Connection Project

Dear Sirs:

I respectively request you choose intake alternative #5 for the pumping station. This is a virtually unused recreational area. Alternative #1 through #4 are heavily used weekend recreational boater areas. Most of the year there are approximately 200 boats from 10 feet to 70 feet in length anchored, drifting or tied to shore. This represents approximately 350 tax payers and their children. There are approximately eight weekends a year where this swells to over 400 recreational boaters in this area. Alternative #5 is the only available option. Additionally, we are opposed to the Folsom South Canal Connection Project. Ind22-1

Sincerely,

DOUGLAS T. FOSTER

DTF:dl

Response to Comment of Douglas T. Foster

Ind22-1, Douglas T. Foster
See responses to Form 1-2 and Form 2-2.

Ind 23

March 7, 1998

EBMUD
Attn.: Kurt Ladensack
P.O. Box 24055 MS 305
Oakland, CA 946-1055

Dear EBMUD and Kurt Ladensack:

After having been to your meeting and having talked to knowledgeable water people and engineers, I recognize how hard it is to find the right solution to meet everyone's needs. Of all the options available, by far **I prefer Option 5, but by the alternate route that goes along the north side of the railway berm.** I am very much opposed to digging in the city residential neighborhoods, especially because of the damage to very old, precious trees that contribute to the economic and aesthetic value of neighboring homes. I am sure you are aware that digging into roots damages trees, so there should be no contact with them inside of the drip line. This would be impossible to do along many of the streets, especially along C Street.

However, I wonder if it isn't feasible to come up with a 6th option, one that should cause less inconvenience to residents and cost less. If you were to **dig from the river east of Lanatt Way,** it seems you would have less distance to cover from the river to Elvas Avenue, which only has residents along one side of it. This way you would not have to deal with the city landfill problems, you would have a nice wide street to work on and could do so without damaging trees. And rather than coming into the street, why not run the pipeline along the north side of the railroad?

Ind23-1

I truly hope that all the environmental concerns will be thoroughly researched to preserve, if not enhance, the quality of our river. I am in favor of a solution that provides benefits for everyone. Thank you for your response to the community.

Sincerely,

Deborah Fountain
P. O. Box 162758
Sacramento, CA 95816

Response to Comment of Deborah Fountain

Ind23-1, Deborah Fountain
The preference for intake Site 5 and opposition to construction in residential areas is noted. See response to "C Street Pipeline Routing" major issue in Chapter 3 of this document. The location for intake Site 5 was chosen due to the water depth at the site and because the location is mutually agreeable to EBMUD, the City, and the County. Sites upstream of intake Site 5, although technically feasible, are not agreeable to all parties.

Ind 24

December 22, 1997

TO: Mr. Kurt Ladensack
East Bay Municipal Utility District
Water Supply Improvements Division
P.O. Box 24055 MS #305
Oakland, CA 94623-1055

SUBJECT: Draft Environmental Impact Report/Draft Environmental Impact Statement for the East Bay Municipal Utility District Proposed Supplemental Water Supply Project

The following are my comments on the Draft Environmental Impact Report/Draft Environmental Impact Statement for the East Bay Municipal Utility District Proposed Supplemental Water Supply Project, hereinafter referred to as DEIR/DEIS. Page references are to the DEIR/DEIS.

1. The DEIR/DEIS gets off to a bad start on the first page. It is unnecessarily confusing. Paragraph three refers to the "first alternative," when it actually discusses Alternative 2 (Alternative 1 is the "no action" alternative). Paragraph four refers to the "second alternative," when it actually discusses Alternative 3. Ind 24-1

2. On page 2-13, "minor river crossings" are not defined. The Mokelumne River is discussed as a "major river" but it is not stated whether the Cosumnes River will be considered major or minor. Is the Cosumnes River to be considered a minor river? Ind 24-2

   If the Cosumnes River is to be considered a minor river, the construction of the pipeline crossing would be by an open cut method. In Alternative 2, Alignment 4, the Cosumnes River bottom is a hard clay and aggregate material. Trenching through this hard bed will promote accelerated erosion in this area of the channel and the adjacent banks. This is precisely where the 1997 flood breached the banks.

   Although page 2-5 mentions that an analysis would be performed to determine the potential for adverse effects related to scour of levees or the natural channel as a result of in-channel construction, page 9-4 notes that "...construction activities could result in localized accelerated erosion, siltation, or unstable soils."

   It is impracticable to construct a pipeline crossing at this location by the open cut method without one of the following results: Either the open cut will result in greatly accelerated erosion, or the methods used to prevent erosion will permanently destroy the riparian ecosystem. Neither of these scenarios is acceptable.

3. On page 7-15, mitigation for "unavoidable" riparian woodland losses is discussed. These losses would probably include clear cutting the riparian forest. The DEIR/DEIS notes that riparian woodlands along the Cosumnes River have high biological productivity and species diversity (page 8-3), and that the remnant riparian habitat supports a high value wildlife habitat. There would be no losses of riparian woodlands at the Cosumnes River crossing if the existing Folsom South Canal were utilized instead of constructing a new pipeline crossing. In fact, 17 miles of environmental impacts are avoided by utilizing the existing Folsom South Canal. Failure to utilize the existing Folsom South Canal is bad for the environment, bad economics, bad engineering and bad politics. The public must be made aware that the only reason that the Folsom South Canal would not be utilized is that there is a disagreement between two public agencies, The Bureau of Reclamation and East Bay Municipal Utility District. Ind 24-3

4. Page 11-2 states, "The 130-foot-wide right-of-way consists of an 80-foot-wide permanent operation corridor..." and "The analysis also assumed that all agricultural land within the permanent operation corridors would not return to agricultural production..." Page 2-9 states, "Alignment 2 is approximately 16.9 miles long..." and "Alignment 4 is approximately 32 miles long." Based on these figures: Ind 24-4

   Alignment 4: (32 X 5280 X 80)/43560 = 310 acres
   Alignment 2: (16.9 X 5280 X 80)/43560 = 164 acres

   However, page 11-5 states, "The permanent conversion of agricultural land would range from 83 acres under Alignment 4 to 22 acres under Alignment 2." Although Table 11-3 shows a breakdown of these two figures by crop type, there is no discussion of the method used to determine which areas of the "permanent operation corridor" would be on agricultural land. No maps were furnished in the DEIR/DEIS to support these figures. This is not acceptable. And if the acreage of "permanent conversion of agricultural land" is based on the present crops instead of the agricultural zoning, that is also unacceptable.

   Although the "permanent operation corridor" is to be 80 feet wide, the amount of land which has its productivity impacted is more than that 80 foot swath. For example, where an existing field is flood irrigated, removing an 80 foot corridor through the center of the field makes the entire field more difficult to irrigate. How do owners cross the "permanent operation corridor" with irrigation lines or flood irrigation? Will all heavy machinery be allowed to cross the corridor? If there will be a weight limit for machinery crossing the corridor, what would that limit be?

   Table 11-2 lists the estimated acreage of prime farmland

within the operation corridor for Alternative 2, Alignment 4, as 21 acres. There is nothing in the DEIR/DEIS to support this figure. If the 80-foot "permanent operation corridor" goes through a 20-acre irrigated pasture, does the methodology consider that the entire pasture may be removed from production? How was the figure of 21-acres arrived at?

5. Page 11-5 notes that there are lands currently under Williamson Act contracts within the construction corridors of Alternative 2. It then concludes that the impact is less than significant and that no mitigation is required. Ind 24-5

Note that the California Government Code regarding the Williamson Act states as follows:

> 51290(a) It is the policy of the State to avoid, whenever practicable, the location of any State or local public improvements and any improvements of public utilities, and the acquisition of land therefor, in agricultural preserves.

I maintain that it is in fact practicable to designate a pipeline route which will minimize impacts to parcels currently under Williamson Act contracts. Among the four proposed alignments of Alternative 2, there are clearly fewest impacts in Alignment 2.

6. Although page 16-3 states that electrical transmission lines would be extended to provide power for the pumping plants in Alternative 2, the DEIR/DEIS does not state how electrical power would be distributed to flow monitoring and corrosion prevention equipment along the pipeline. Will such equipment be installed? If so, what will be the visual impacts? There is a big difference in visual impact between overhead and underground electrical lines. Ind 24-6

The same issue of visual impacts arises in conjunction with the methods used to transmit flow monitoring data. The DEIR/DEIS says nothing on this subject. Would the system utilize overhead or underground hard wire, or perhaps wireless equipment? Even a wireless system would require an above-ground equipment enclosure and antenna. Will such equipment be installed? If so, what will be the visual impacts?

Will there be maintenance access openings into the pipeline from the surface? If so, what will these look like from the surface?

Where will maintenance roads be required? How will they look? What will be the frequency of traffic on such roads? Ind 24-7

7. Page 18-1 states that cumulative impacts must be addressed, taking into consideration past, present and reasonably foreseeable future actions. There are significant cumulative impacts where the pipeline would cross the Cosumnes River in Alternative 2, Alignment 4.

Construction of the existing Folsom South Canal across the Cosumnes river required a temporary diversion channel for the entire river. This was an enormous impact, just 1700 feet upstream of the new crossing proposed in Alignment 4. After having suffered the environmental impacts of the construction of the unused Folsom South Canal, it makes no sense to create new environmental impacts to cross the river again.

In January, 1997, the Cosumnes River broke through its east bank precisely where the pipeline crossing is proposed in Alignment 4. Subsequent repair of the river bank, completed in November of 1997, required removal of a portion of the riparian forest. Sacramento County administered the contract, which was funded by USDA Natural Resources Conservation Services (75%) and the State Office of Emergency Services (25%). The DEIR/DEIS mentions neither this flood damage nor the subsequent repairs.

The DEIR/DEIS does not mention the proposed diversion of water from the Cosumnes River for the Deer Creek Hills development (see the attached notification). Diversion of water from the Cosumnes River would have an impact on the Riparian ecosystem.

These past and potential future impacts, together with the impacts of your proposed construction (probably clear cutting the riparian forest and open trenching through the river channel and its banks), must be considered as combined assaults upon a fragile ecosystem.

Sincerely,

John Gledhill
Trustee
Edvisa Barbero Trust
12319 Plum Lane
Wilton, CA 95693

Cal/EPA

State Water Resources Control Board

Division of Water Rights

Mailing Address:
P.O. Box 2000
Sacramento, CA
95812-2000

1 P Street
Sacramento, CA
95814
(916) 657-1380
FAX (916) 657-1485

Pete Wilson
Governor

NOTICE OF APPLICATION TO APPROPRIATE WATER

APPLICATION 30626 DATE FILED July 8, 1997
APPLICATION 5646X03 DATE FILED July 10, 1997

Notice is hereby given that on July 10, 1997 Deer Creek Hills L. L. C. (Deer Creek Hills) filed a Petition for assignment of a portion of State Water Resources Control Board (SWRCB) State Filing A5646. Deer Creek Hills's Application A5646X03 seeks a water right permit under State Filing A5646 to divert water from the Cosumnes River tributary to the Mokelumne River in Sacramento County. In the event that the petition for assignment is not approved, Deer Creek Hills has also filed Application A30626, covering the same diversion points, direct diversion and storage amounts. In the event that A5646X03 is approved, Application 30626 would be cancelled.

The SWRCB will determine whether a water right permit should be issued for Application 5646X03 or Application A30626. In addition, the SWRCB will determine the conditions that should be included in the permits to protect the environment and other downstream water users. This notice provides a description of the proposed project and also describes the procedure and time frame for submittal of protests against the applications. Any correspondence to the applicant shall be mailed to:

Deer Creek Hills, L.L.C.
c/o C. T. Way, CH2M Hill
2485 Natomas Park Drive, Suite 600
Sacramento, CA 95833-2937

DESCRIPTION OF THE PROJECT

The proposed Deer Creek Hills project is located immediately adjacent to, and north of Rancho Murieta in Sacramento County. The project proposes to develop 2,999 homes, an 18 hole golf course, a 14 acre shopping center and a 20 acre medical care facility on 1,892 acres.

Deer Creek Hills proposes to provide water for the project by diverting from the Cosumnes River at a rate not to exceed 10 cubic feet per second (cfs). The water will be diverted from the Cosumnes River at Granlees Dam during the period of November 1 to June 30 of each year only when bypass flows in excess of 220 cubic feet per second (cfs) occur in the Cosumnes River. Up to 1,230 acre feet (AF) of water per year may be diverted directly to use and up to 4,800 AF per year may be diverted to offstream storage and/or underground storage. The total amount of water diverted for the source will not exceed 4,800 AF per year.

The water will provide for municipal and domestic use in the Deer Creek Hills community located within sections 21, 22, 23, 26, & 28, T8N, R8E, MDB&M, as shown on the map on file with the SWRCB. The water will also be used to supplement Rancho Murieta Community Services District's municipal supply during dry years and to preserve and enhance fish and wildlife resources within the offstream reservoirs within Rancho Murieta. Rancho Murieta's place of use is located within sections: 2, 3, 4, T7N, R8E, MDB&M, and sections 26, 27, 28, 33, 34, & 35, T8N, R8E, MDB&M, as shown on the map on file with the SWRCB.

The water will be diverted into the Rancho Murieta reservoir system. Then as needed, water will be rediverted and treated at the expanded Rancho Murieta treatment facility and piped to municipal users within Deer Creek Hills and Rancho Murieta or injected at the Lopes Groundwater Recharge Wellfield, 7 miles to the southwest.

Recycled Paper

The mission is to preserve and enhance the quality of California's water resources and ensure their proper allocation and efficient use for the benefit of present and future generations

Water stored at the Lopes Groundwater Recharge Wellfield will be extracted for seasonal use. The wellfield will be metered to ensure that more water has been injected than has been withdrawn. As conditions allow over the course of the next several years, Deer Creek Hills intends to inject sufficient water to create an underground reserve of up to 12,000 AF of water; this water will provide a bank account that can be drawn upon during dry periods.

After completion of the project, an average of 2,460 AF of water will be used annually for municipal and domestic needs; 820 AF of this water will be treated after the primary uses and be recycled for irrigation of landscaping and the Deer Creek Hills' golf course. Initial startup of the golf course and other common area landscaping will require supplemental sources of water until wastewater generation rates are sufficient to meet irrigation demand. Potential supplemental sources include onsite wells, offsite wells, or the Cosumnes River under the terms of this water right.

APPLICATION INFORMATION

The applicant proposes to divert water from the Cosumnes River tributary to Mokelumne River thence San Joaquin River.
The Point of Diversion is located within the SW¼ of SE¼ of Section 35, T8N, R8E, Mt. Diablo B&M.
Points of Rediversion are located at
(1) Lake Calero, within the NE¼ of NW¼ of Section 27, T8N, R8E, MDB&M;
(2) Lake Chesbro, within the NW¼ of NW¼ of Section 35, T8N, R8E, MDB&M;
(3) Lake Clementia, within the NW¼ of SE¼ of Section 35, T8N, R8E, MDB&M.
(4) Lopes Groundwater Recharge Wellfield, within the SE¼ of SW¼ and SW¼ of SE¼ of Section 15 and the NE¼ of NW¼ and the NW¼ of NE¼ of Section, 23,T7N,R7E, MDB&M.

The Points of diversion and rediversion and Place of use are located within the County of Sacramento.

Amount of water applied for:
(A) 10 cfs, Direct Diversion, not to exceed a total of 1,230 AFA
(B) 4800 AFA, Storage (as ground water)
Total diversion of water from the source not to exceed 4,800 AFA.

Water will be used for: Municipal and Fish and Wildlife enhancement. The applicant has requested to divert water from November 1 to June 30 of every year.

Place of Use is within the service boundaries of Deer Creek Hills and Rancho Murieta, as shown on the map on file with the SWRCB.

ENVIRONMENTAL INFORMATION

According to the California Environmental Quality Act (CEQA) and its guidelines, Sacramento County is the lead agency; the County has prepared a Draft Environmental Impact Report. If you have information not covered in the lead agency's environmental document which indicates that the project will cause a significant effect on the environment, please send this information to the lead agency immediately and also to Mr. Dan Meier, Sacramento County Department of Environmental Review and Assessment (916) 440-7914. This information will be reviewed in accordance with CEQA.

PROCEDURE FOR SUBMITTING PROTESTS

Any person may file a protest against the application. The protest must be submitted in writing to the SWRCB and to the applicant within 60 days of the date of this notice. Parties may file protests based on any of the following factors:

- Injury to existing water rights.
- Adverse environmental impact.
- Not in the public interest.
- Contrary to law.
- Not within the jurisdiction of the SWRCB.

All protests must clearly describe the objections to approval of the application and the factual basis for those objections. If the objection is based on injury to existing water rights, the protest must describe the specific injury to the existing water right that would result from approval of the application. In addition, the party claiming injury to prior water rights must provide specific information that describes the basis of the existing right, the date the use began, the quantity of water used, the purpose of use and the place of use. Please note that any water right permit issued by the SWRCB is subject to and includes conditions to protect vested water rights.

If the protest is based on environmental grounds, or other factors listed above, the protest must be accompanied by a statement of facts supporting the basis of the protest. If sufficient information is not submitted, the SWRCB may reject the protest, request that the protestant submit additional information, or withhold action on the protest until completion of environmental documentation by the applicant or SWRCB staff.

A protest should be submitted on a standard protest form available from the SWRCB, but can be submitted in letter form. Protests may be submitted by FAX, but the original(s) must be submitted to the SWRCB. An informational pamphlet is available that provides additional information relating to water rights and the procedure for filing protests. Please contact the person listed below if you would like a copy of the pamphlet or protest forms.

For good cause, the SWRCB may grant an extension in time to file a protest. A request for an extension of time must be submitted in a timely manner, must specify the additional time required, and state why additional time is needed to file the protest.

RESOLUTION OF PROTESTS

A copy of the protest shall be sent to the applicant. The protest shall include a description of any measures that could be taken to resolve the protest, including modification of the application (i.e., amount, season of diversion, etc.) or conditions (i.e., fish bypass flow, measuring device, etc.) that could be included in the water right permit. The protestant(s) and the applicant are encouraged to discuss methods that could be used to resolve the protest. If the protest(s) can not be resolved, the SWRCB may conduct a field investigation with all interested parties or may hold a water right hearing.

Please contact the engineer listed below if you would like to request an extension of time to file a protest.

CONTACT PERSON

To obtain additional information regarding this project, or to obtain copies of the protest forms or pamphlet, please call Hugh F. Smith at (916) 657-1380.

DATE OF NOTICE: NOVEMBER 21 1997

Recycled Paper *Our mission is to preserve and enhance the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations*

Response to Comments of John Gledhill, Edvisa Barbero Trust

Ind24-1, John Gledhill, Edvisa Barbero Trust
The information sheet attached to the 1997 Draft EIR/EIS should refer to Alternative 2 (Folsom South Canal Connection), instead of the "first alternative" and Alternative 3 (Joint Water Supply), instead of the "second alternative."

Ind24-2, John Gledhill, Edvisa Barbero Trust
On page 2-12 of the 1997 Draft EIR/EIS, the Cosumnes River is listed as a river or major stream crossed by pipeline Alignments 1 and 4 under Alternative 2. The 1997 Draft EIR/EIS states (on page 2-13) that "where necessary, major rivers would be crossed by tunneling the pipeline beneath the water channel to avoid the disruption of water flows." During final design, further analyses will be conducted to determine appropriate construction methods. Engineering solutions are available to minimize both erosion and riparian impacts.

Ind24-3, John Gledhill, Edvisa Barbero Trust
The alignments associated with Alternative 2 (Folsom South Canal Connection) would have impacts on riparian woodlands. As shown on Table 7-1 of the 1997 Draft EIR/EIS, Alignments 2 and 3 would impact the least amount of riparian woodlands.

Ind24-4, John Gledhill, Edvisa Barbero Trust
See response to Comment Sp1-1. The permanent pipeline easement would be returned to pre-construction surface conditions. The estimated acreage of prime farmland listed in Table 11-12 of the 1997 Draft EIR/EIS was calculated using a GIS system. The pipeline alignment was projected over land-use designation maps provided by the California Department of Conservation. Using the 80-foot permanent corridor width and the 130-foot construction corridor width, acreage was calculated along the pipeline route where the corridor encountered designated prime farmland. The methodology does not consider that the entire pasture would be removed from production. EBMUD will fairly compensate landowners directly affected by the project.

Ind24-5, John Gledhill, Edvisa Barbero Trust
Alignment 2 of Alternative 2 (Folsom South Canal Connection) would impact the least amount of land currently under Williamson Act contracts, as compared to Alignment 4.

Ind24-6, John Gledhill, Edvisa Barbero Trust
Only cathodic protection of the pipeline to prevent corrosion would require an additional source of electricity. This need would be provided by tapping into a local distribution line that crosses the pipeline alignment and then running an underground wire along the pipeline. No visual effects are anticipated.

Ind24-7, John Gledhill, Edvisa Barbero Trust
As stated on page 2-11 of the 1997 Draft EIR/EIS, a gravel road may be constructed within the permanent 80-foot-wide pipeline right-of-way in areas where the pipeline is not visible from existing roads. The EBMUD inspector's vehicles would be the only traffic on these maintenance roads. The configuration of the roadways would accompany final design, which would also include discussions with property owners regarding access requirements and methods for minimizing disruptions

Ind24-8, John Gledhill, Edvisa Barbero Trust
Alternatives 2 and 3 would not affect flows in the Cosumnes River. Impacts on the river riparian corridor associated with these alternatives are minor and temporary and would occur only as a result of pipeline construction. These impacts are described in

Chapter 7 of the 1997 Draft EIR/EIS, "Vegetation and Wildlife."
No cumulative significant impacts are anticipated.

1-98 12:01 PM 916 443 6967 P.01

Ind 25

Paul Harriman
2322 "T" Street
Sacramento CA 95816-4202
tel 916-442-7878
fax 916-443-6967

March 16,1998

Kurt Ladensac
EDMUD MS #305
P.O. Box 24055
Oakland, CA 94623-1055
tel 510-287-1197

Dear Mr. Ladensac,

I appreciated the presentation of this project to the 3 neighborhood associations at the Hart Senior Center in Sacramento and am glad for the opportunity to comment.
There are 3 things that concern me ... 1 involves planning and 2 involve engineering.

#1 My kids are the 5th family generation born in California. During my 47 years, the population has increased by over 20 million people and many changes have taken place ... some for the better and some for the worse. Two things are very clear at this point ... Ind 25-1

* Water *facilitated* the growth in the past (of both our agricultural land and our cities) and, it is the *most critical* element defining California's population in the future. There is plenty of land and building materials to work with, but without water, nothing will happen.

* A drive through California shows us that peoples' visions of the future vary considerably and that planning and zoning are often poorly executed. By providing new water connections, we encourage cheap urban sprawl at the expense of improving our existing neighborhoods, we overload the roadways and mechanical infrastructure, and this actually encourages the quality of life in our cities to deteriorate. Is this wise ?

Conclusion ... Water is ultimately our most effective "real" *planning tool.*
If we place a moratorium on new housing, rehabing existing buildings becomes an *opportunity* and the *money flows* there. It makes the "bad stuff" ... *valuable again,* and *we all* benefit from this kind of *reinvestment*.. That's what California really deserves.

*** If the "redundancy" built into the EDMUD project is used to fuel growth in the East Bay and Sacramento County, your plan *must* include a plan for that growth.
I'm not at all against growth, but I am against growth without a plan. It's just stupid.
In 1998, Californians are smarter than that. The evidence is all around us. (articles included)

#2 During the presentation of the EDMUD project, I heard alot of concern about tearing up streets to run the 7' water pipe through several neighborhoods. Ind 25-2
Question ... since the American River levee needs to be reinforced, would adding this pipe to the levee help reinforce it and provide an easily attainable right of way ?

#3 If the decision is finally made, to run this 7' pipe through Sacramento's midtown neighborhoods, there is one mitigation that would be very valuable to us in this process. Ind 25-3
We have no street lighting, and it is very dark. If the streets are to be torn up to this degree, there is a very real potential for problems at night. This situation could easily be improved by adding street lighting to the area.. Residents will certainly pay a price for this kind of construction, and I believe that these lights would also be viewed as a *symbol of gratitude* for the considerations of people who will contribute quite alot ... (quietly) to the success of this project.

very sincerely,

Paul Harriman

Response to Comments of Paul Harriman

Ind25-1, Paul Harriman
Chapter 18 of the 1997 Draft EIR/EIS evaluates the growth-related impacts of Alternatives 2 and 3 both in the EBMUD service area and in the City and County of Sacramento. The analysis covers many environmental resources, including air quality, traffic, and loss of agricultural land and native habitat. The updated Water Supply Management Program (WSMP) EIR outlines the need for a supplemental water supply to meet the needs of the service area during periods of drought and scheduled maintenance of Pardee Dam. The WSMP EIR analyzes the growth projections for the EBMUD service area in detail. The City of Sacramento General Plan and the Sacramento County General Plan assess the impacts of growth on their jurisdictions.

Ind25-2, Paul Harriman
Replacing the American River levee in downtown Sacramento would substantially increase the costs of the project. In addition, the integrity of the levee and access for emergency repairs could be hampered by the introduction of a water pipeline within the design of the levee. The State Reclamation Board would closely scrutinize such a project. Page 9-6 of the 1997 Draft EIR/EIS discusses impacts on the flood-control levees.

Ind25-3 Paul Harriman
See the responses to "C Street Pipeline Routing" and "Construction-Related Environmental Commitments and Mitigation" major issues in Chapter 3 of this document.

Ind 26

Jason Holmberg
3251 Santa Clara Ave., #3
El Cerrito, CA. 94530
December 17, 1997

Kurt Ladensack
Water Supply Improvments Division
EBMUD
MS#305
P.O. Box 24055
Oakland, CA 94623

Dear Mr. Ladensack:

I am writing to comment on EBMUD's American River water diversion project. The options for EBMUD are threefold. First, no project at all. Secondly, a jointly operated solution with city and county of Sacramento. This option is designed for the least environmental damage and would mean the least damage. Lastly, a diversion of water at Nimbus Dam into the Folsom South Canal for transportation to the Mokelumne Aqueducts. This option would greatly reduce the flow of water to the lower American River. Also, this is an upstream water diversion similar to a previous attempt by EBMUD to divert upstream that resulted in the "Hodge decision". This agreement requires EBMUD to draw water from the American River in wet years only. Would the Folsom Project option meet EBMUD's needs in times of drought? What about a new storage facility for water drawn from the Folsom Project option? Ind26-1

The Delta's flow requirement are still being determined and it is premature to start mitigating water flows as a result of water being taken by either the Folsom Project or even a jointly run water project with Sacramento. The facts are not in as to what is required to keep the Delta healthy. Construction of the Folsom Project would require the building of extra storage facilities (not factored into the current DEIS/EIR) and would cause further legal battles. Finally, despite all of the previous uncertainty, water supply and growth are inextricably linked. More water means more growth, more traffic, less open space, loss of prime agricultural lands, animal habitat and biodiversity. Ind26-2

In addition, EBMUD must investigate further the detrimental effects of any water diversions to the Delta ecosystem and on growth in the East Bay. In addition, EBMUD should agree that it will only use water from the American River supply only in critical dry years. Any water drawn from the American should be matched with an increase flow down the Mokelumne River to restore damaged fisheries. The EBMUD district should intensify its conservation efforts, including rebate programs for drip irrigation sytems installation. EBMUD should ensure that any American River project be consistent with principals for Bay-Delta water-quality standards being drafted in the "CalFed" process. Ind26-3 Ind26-4

Sincerely,

Jason Holmberg

Jason Holmberg

Response to Comments of Jason Holmberg

Ind26-1, Jason Holmberg
As indicated on page 2-11 of the 1997 Draft EIR/EIS, under Alternative 2, EBMUD would take delivery of American River water whenever it is available and can be used either to supplement EBMUD's water supplies can be stored in EBMUD's reservoirs. Under these conditions, EBMUD would take delivery of up to 350 cfs of water from the Folsom South Canal. These deliveries would be limited to those periods when flows in the American River are at or above flows required by the Hodge Decision. Table C-5 in Appendix C to the 1997 Draft EIR/EIS, "Results of PROSIM/EBMUDSIM Modeling," shows simulated deliveries to EBMUD during the 70-year hydrologic period. Alternatives 2 and 3 do not currently involve construction of a new storage facility. See the response to the "San Joaquin County Conjunctive Storage" major issue in Chapter 3 of this document.

Ind26-2, Jason Holmberg
Please refer to the response to Comment Sp9-7. Minimal to no effects on Delta outflow are expected to result from Alternative 2 or 3.

Ind26-3, Jason Holmberg
Growth-related effects of Alternatives 2 and 3 are addressed in Chapter 18 of the 1997 Draft EIR/EIS. No increase in EBMUD service area growth beyond what has already been evaluated in the EIR on the Updated Water Supply Management Program would result from the Supplemental Water Supply Project.

Ind26-4, Jason Holmberg
Please refer to the responses to Comments Ind20-1 through Ind20-4.

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 27

Name: James K. Hosley Date: 1/11/98
Address: 3129 E St.
City/State/Zip Sac. CA. 95816 Phone/Fax 444-8462
Organization (if applicable)
Comments: I COMMENT ON THIS DIVERSION OF THE NATURAL FLOW OF THE AMERICAN RIVER, BECAUSE I WISH TO AVOID THE DISRUPTION OF THE NATURE IN OUR COMMUNITY, I OBJECT TO THE MAJOR DISLOCATION OF CITIZEN ACTIVITY WHICH IS PROPOSED BY TEARING-UP PUBLIC STREETS TO BURY A PIPE LINE. ALSO, I FEAR THAT THIS TRENCHING ACTION WILL INJURE AND POSSIBLY KILL VERY MANY LARGE, MATURE TREES ALONG "C" STREET. THE TREES IN OUR NEIGHBORHOOD ARE VITAL TO ITS AMBIENCE AND CERTAINLY HELP IN SHADING AND COOLING THE AREA ON HOT SUMMER DAYS. PLEASE USE ALTERNATE ROUTES IF NECESSARY. Ind 27-1

SECONDLY, I DON'T UNDERSTAND YOUR PLAN TO PUMP HUGE AMOUNTS OF WATER UP HILL (CREATING MUCH SUFFERING OF LOCAL CITIZENRY IN THE CREATION OF THIS PIPELINE) TO ALMOST THE SAME LOCATION FROM WHICH THAT WATER STARTED IN ITS CONFINEMENT BEHIND FOLSOM DAM, WHY NOT JUST TAKE THE WATER AT THE HIGHEST POINT, AND LET GRAVITY DO THE WORK. Ind 27-2

WILL ALLOWING THE WATER THAT YOU NOW CLAIM TO CONTROL, TO RUN FOR SUCH A SHORT DISTANCE (AS RIVERS GO) AND ALLOWING THE LAST OF A FEW SPECIES OF FISHES TO SWIM FREELY UP STREAM TO A DEAD-END AT NIMBUS DAM, AND TO HIDE FROM PUBLIC RECOGNITION THE FACT THAT THE AMOUNT OF WATER THAT IS BEING DIVERTED FROM ITS NATURAL FLOW IS ENOUGH TO LOWER THE AMERICAN RIVER TO AN ALMOST UNRECOGNIZABLE STATE BE WORTH ALL THE DISRUPTION AND COST?

YOU AREN'T FOOLING ME BY PUMPING THE RIVER UP HILL. JUST GO AHEAD AND TAKE OUR WATER ... BUT PLEASE LEAVE ME IN PEACE WITH OUR STREETS UNDISTURBED AND TREES UNTOUCHED.

James K. Hosley

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is February 17, 1998. Thank you for your input.

Response to Comments of James K. Hosley

Ind27-1, James K. Hosley
See response to "C Street Pipeline Routing" major issue in Chapter 3 of this document.

Ind27-2, James K. Hosley
Chapters 1 and 2 of the 1997 Draft EIR/EIS describe the purpose and need for the project and explain the rationale for the proposed intake facility locations.

Ind 28

195 Grover Lane
Walnut Creek, CA 94596
February 16, 1998

Kurt Ladensack
EBMUD, MS #305
P.O. Box 24055
Oakland, CA 94623-1055

Dear Dr. Ladensack:

In the Summary of the DEIR/EIS for the EBMUD/USBR Supplemental Water Supply Project, I did not find any mention of the potential problem from the introduction of asbestos fibers into the drinking water supply.

Water in the Mokelumne Aqueduct is probably free of asbestos fibers because the Sierra formations do not contain asbestos minerals. However, water from rivers crossing the foothills is known to contain asbestos. Whether there is a health hazard from the ingestion of asbestos fibers is controversial; however, some authorities have believed that it could cause G.I. cancer. Moreover, in the past, water districts have considered it prudent to limit the concentration of asbestos fibers in drinking water. The fiber count in the water will depend on the source, the hold-up time in the reservoir, and the extent of reduction of suspended particulate matter at the treatment plant. Ind28-1

I believe it is encumbent on EBMUD and the U.S.B.R. to study this potential problem, to estimate the fiber count in the drinking water should the project be completed, and to take prudent steps to protect the public health.

Sincerely,

Walter John, Ph.D.

Response to Comment of Walter John

Ind28-1, Walter John
Analysis for asbestos fibers is included in EBMUD's routine water quality analysis. EBMUD does not anticipate substantial differences in asbestos content between Mokelumne and American River water.

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 29

Name: Tanine Kurtenback Date: 2-24-98
Address: 3440 'C' Street
City/State/Zip Sacramento CA 95816 Phone/Fax (916) 447-3764 /
Organization (if applicable) Madame Fogg's Cafe and Gallery.
Comments:

Our cafe has been open almost 4 years and we are a small business depending on the neighborhood and Cannery business just across the street. Any changes or construction work would put our business in jeopardy. We have very accurate and complete sales receipts, we would ask for financial compensation for any and all losses due to this project.

We understand that flood monies are to be available for long range safety. We support dredging the river bottom to allow the rivers to handle more water and to keep water within the river banks. Ind 29-1

Tearing up 'C' Street is completely unacceptable. Please do not even consider tearing up the street or coming near tree roots.

comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is ~~February~~ March 17, 1998. Thank you for your input.

Response to Comment of Tanine Kurtenback

Ind29-1, Tanine Kurtenback
See the response to the "C Street Pipeline Routing" major issue in Chapter 3 of this document. Flood control is not an objective of the Supplemental Water Supply Project.

ERNEST LEHR
7063 WILSHIRE CIRCLE
SACRAMENTO, CA 95822

JAN 9 1998
WATER SUPPLY IMPROVEMENTS

Comments RE EBMUD/USBR Supplemental Water Supply –

Ind 30

page 56 of Fact Sheet notes under "Areas of Controversy"

"potential growth effects within EBMUD – – –

Additional water will make possible additional growth to use up new flow and increase risk in event of upstream failure or drought. Ind 30-1

Question: Have both alternatives been planned so as to use maximum flow available?

Assuming maximum flow during normal year will use up new capacity, what other water sources are possible? (Risk impact has increased)

Are these additional sources environmentally practical?

Ind 30-2

Finally, even though EBMUD is entitled to water should the EIR not also include a growth limit so that a catastrophy is hopefully averted – The EIR should reflect/include impact of new growth made possible by new flow – OR need to limit growth until water matches need now and in 2025

Response to Comments of Ernest Lehr

Ind30-1, Ernest Lehr
Chapter 1 of the 1997 Draft EIR/EIS contains a discussion of the purpose and need for a supplemental water supply. Table 1-2 summarizes EBMUD's demand and supply projections through the year 2030. Customer demand, adjusted for reclamation and conservation, is project to be 228 MGD by the year 2030. The available supply is projected to be 228 MGD for normal years but only 205 MGD for dry years (at 10% deficiency). The proposed alternatives analyzed within the 1997 Draft EIR/EIS are designed to help meet dry-year and planned outage deficiencies. In order to meet demand during dry years without a supplemental supply, conservation measures would have to be increased to 35% including up to 50% for residential customers (see page 1-8 of 1997 Draft EIR/EIS). The Updated WSMP EIR analyzed potential alternatives for meeting projected water demand in the EBMUD service area.

Ind30-2, Ernest Lehr
Chapter 18 of the 1997 Draft EIR/EIS contains a discussion of growth-related effects of the supplemental water supply project. The EBMUD Board of Directors has adopted a formal policy to oppose supplying water to developments outside EBMUD's USB (see page 18-5). As noted on page 18-8 of the 1997 Draft EIR/EIS, the supplemental water supply is not anticipated to contribute to new growth-inducing effects that have not already been evaluated through the Updated WSMP EIR.

Ind 31

JAMES I. LERNER, PH.D.
420 SANTA YNEZ WAY
SACRAMENTO, CA 95816
(916) 456-8261

February 12, 1998

Kurt Ladensack
EBMUD
P.O. Box 24055
M.S. #305
Oakland, CA 94623-1055

Cecil Lesley
U.S. Bu Rec
Central CA Area Office
7794 Folsom Dam Road
Folsom, CA 95630

Re: EBMUD/USBR Supplemental Water Supply Project

Dr. Mr. Ladensack and Mr. Lesley:

I would like to express my comments on the proposed project based on a briefing I attended last night at the East Sacramento Improvement Association's meeting and based on my review of the Fact Sheets I have received about the project. Unfortunately, I was unable to review the DEIR/EIS during the remaining several days prior to the end of the extended comment period.

I am opposed to this project. I am aware that the proposal is a result of a negotiation process known as "The Water Forum" and that the rights to American River water are based on findings of the courts. Nevertheless, I believe that the proposed project, no matter which intake alternative one cares to select, is flawed. Ind 31-1

I do not believe that the environmental analysis considers the bigger picture. By transferring this quantity of water to EBMUD and the County of Sacramento, the project would enable significant population growth. Did your analysis consider the negative environmental impacts that this growth will contribute to?

By providing this additional quantity of water, the project will lead indirectly to increased population growth in both the EBMUD service territory, Sacramento County, and, if surplus water is sold to other urban users, additional urban and suburban growth in those communities. The results of this growth are well known and have been clearly documented in many other such reports.

The increased population growth will result in increased air pollution in Northern California. This will exacerbate the air pollution in the entire region. The entire region is "nonattainment" for ozone. The additional water will enable new growth to occur in the Bay Area, the Sacramento area, and the San Joaquin Valley (if water is supplied to this area as a result of this project). Ind 31-1

Did your analysis consider any of these indirect impacts, such as increased air pollution, loss of additional farmland to urban growth, loss of habitat due to urban growth, increased traffic congestion?

With regard to the "local" environmental impacts that would result from both construction and operation of the proposed project, did you consider the impacts to our neighborhood quality of life? One giant water treatment plant on this scenic river is enough. No matter where you locate the intake for this project, it is an ugly sight. Did you consider the energy and air pollution impacts of operating these giant motors during the summer peak ozone season? Ind 31-2

Since Sacramento is classified as "severe" nonattainment for ozone by the U.S. EPA, the region must attain the federal standard by 2005. Our largest problem is the nitrogen oxide (NOx) emissions from heavy-duty diesel trucks and off-road diesel engines. The region must find an additional five (5) tons per day of NOx reductions beyond what the State and Federal regulatory agencies must obtain. The exhaust from the pump engines running during peak ozone season will further exacerbate our ozone problem. Did your analysis consider this? Note: the only way to minimize the emissions would be to use electric pumps; however, if the power were provided by SMUD, there would still be additional air pollution impacts from the production of the power locally, if SMUD's gas turbine power plants supply power to these engines. Ind 31-3

I am also concerned about the potential risk of localized flooding in the event of a rupture of the pipeline if it is located in the midtown or East Sacramento neighborhoods. While 217 cfs is much smaller than the potential flows that would result if we were to experience a catastrophic failure of the American River Levee during a winter rain storm, it is still possible that residences located along C and Elvas Streets would experience water damage and there might be a risk to persons as well. No engineering structure can be designed to prevent all causes of failure. That is why I do not believe it is a good idea to locate the pipeline in the populated area of the City. Ind 31-4

Finally, I believe that the short-term impacts of the

Ind 31-5

project during construction have not been properly addressed. The residents of these neighborhoods are being asked to endure a great deal of noise, air pollution from heavy trucks and construction equipment, particulate pollution from the dust and dirt, and a significant diminution of our quality of life. There are no apparent advantages to the residents that would mitigate these impacts. We were not allowed to vote on this project.

If you ask us, you will soon find that we do not approve of the project. It is the result of a political compromise that has been negotiated among lawyers representing EBMUD, the City of Sacramento, and the environmental groups. As a twenty year plus resident of this neighborhood, I was not consulted about this project, the largest construction project in this neighborhood since the American River Levees were built.

As an environmentally-sensitive engineer, I would be ashamed to be a part of the team of engineers who will be asked to design this project. Some projects are worth the cost and should be designed and built. This is definitely not one of them. I recommend that you reconsider this project, and expand the scope of the negotiations to involve the residents of this area before you offer alternatives as detailed as the ones described in your DEIR/EIS.

Thank you for considering these comments. Please feel free to contact me at the above address or phone me at my office at (916) 322-6007. Please put me on the mailing list to be kept informed about the project.

Sincerely,

James I. Lerner

James I. Lerner, Ph.D.

cc: City Council Member Steve Cohn
County Supervisor Muriel Johnson
ESIA President Cynthia Scanlon

Response to Comments of James I. Lerner

Ind31-1, James I. Lerner
Opposition to the project is noted. Chapter 18 of the 1997 Draft EIR/EIS evaluates the growth-related impacts of the project both in the EBMUD service area and in the City and County of Sacramento. The analysis covers many environmental resources, including air quality, traffic, and loss of agricultural land and native habitat. The updated WSMP EIR outlines the need for a supplemental water supply to meet the needs of the EBMUD service area during periods of drought and scheduled maintenance of Pardee Dam. The WSMP EIR analyzes the growth projections for the EBMUD service area in detail. The City of Sacramento General Plan and the Sacramento County General Plan assess the impacts of growth on their jurisdictions. There are no plans to sell water to other urban areas at this time.

Ind31-2, James I. Lerner
See responses to Comment Form-1 and Form-2.

Ind31-3, James I. Lerner
The pumps proposed for the intake facilities and pumping stations will be electrically powered. No long-term impacts to air quality are anticipated from the project following the construction phase. Projected air emissions associated with the construction phase of the project are presented in Table 13-4 of the 1997 Draft EIR/EIS. Appendix G in Volume II of the 1997 Draft EIR/EIS provides the assumptions and calculations used to create Table 13-4. Both Alternatives 2 and 3 are anticipated to create unavoidable short-term significant impacts to air quality based on these calculations. As stated in Chapter 13 of the 1997 Draft EIR/EIS, the emissions calculations are based on worst-case analysis for each county. No mitigations are available to reduce the short-term significant impact in Sacramento County to less-than-significant levels for ROG, NOx, and PM_{10}. The project would be subject to Sacramento Air Quality Management District's Rules concerning fugitive dust. A Dust Suppression Plan would be implemented during construction to assist in reducing PM_{10} levels. Mitigation Measure 13-1 would be implemented during construction to reduce NOx and ROG emissions.

Ind31-4, James I. Lerner
The pipeline design would be reviewed and approved by the City and County of Sacramento. Water conveyance pipelines rarely exhibit problems that result in large uncontrolled leaks. In addition, the pipeline wouldbe designed to meet stringent seismic standards. Safety measures for pressure release in the advent of a rupture would be included in the design. EBMUD has operated the Mokelumne Aqueducts since the 1920s with no major pipeline failures related to design.

Ind31-5, James I. Lerner
See the response to the "Construction-Related Environmental Commitments and Mitigation" major issue in Chapter 3 of this document.

Ind 32

1232 Evelyn Ave.
Berkeley, CA 94706-2318
28 Nov 97

EBMUD
P.O. Box 24055
Oakland, CA 94623

Dear Sirs,

I would like to comment on the Draft EIR/EIS for the supplemental water supply project. The "History" section glossed over some important points such as what went wrong? Why is there a problem now? How could it been prevented? The answer is new hookups. It was obvious after 1977 that any more post-drought connections should be controlled.

That didn't happen. It didn't happen after the next much worse drought. And the situation isn't likely to change. With further growth one thing is certain - whether its alternative 2 or 3 there will be more people in the EBMUD service area who do not have adequate water 50 years from now than there are today. Ind32-1

Since things are going to worsen no matter what, my singular comment is: Please save one of the most beautiful streches of flat river in the state by tapping the American down by the Sacramento river. The south fork is below 2000 cfs too much already. Its just not the same when its running low. Ind32-2

Sincerely,

Barry Lipsky

Response to Comments of Barry Lipsky

Ind32-1, Barry Lipsky
The Supplemental Water Supply Project objectives are included on page 2-1 of the 1997 Draft EIR/EIS. The objectives include providing increased operational feasibility and reducing customer deficiencies. The project is not designed to facilitate growth.

Ind32-2, Barry Lipsky
Alternative 3 would take delivery of water near the confluence of the American River with the Sacramento River. The Supplemental Water Supply Project would not affect flows on the south fork of the American River.

SANDBERG & LO DUCA
ATTORNEYS AT LAW

MARCUS J. LO DUCA
CRAIG M. SANDBERG

3300 DOUGLAS BOULEVARD, SUITE 365
ROSEVILLE, CA 95661

TEL (916) 774-1636
FAX (916) 774-1646

Ind 33

February 13, 1998

Mr. Kurt Ladensack
Water Supply Improvements Division
EBMUD
MS#305
P.O. Box 24055
Oakland, CA 94623

RECEIVED
FEB 17 1998
WATER SUPPLY IMPROVEMENTS

Mr. Cecil Lesley
Contracts Specialist
U.S. Bureau of Reclamation
Central California Area Office
7794 Folsom Dam Road
Folsom, CA 95630

Re: EBMUD Supplemental Water Supply Project Draft EIR/EIS.

Dear Mr. Ladensack and Mr. Lesley:

This office represents Lawrence H. and Marie-Luise McKee, owners of the McKee Ranch property, APN 136-0210-014-0000 and 136-0210-015-0000, west of Clay Station Road and north of Twin Cities Road in southeastern Sacramento County. One of the four alignments in Alternative 2, alignment 4, will significantly and adversely affect my clients' property. Both for reasons stated in the Draft EIR/EIS and additionally as set forth herein, we urge EBMUD and the U.S. Bureau of Reclamation to reject from further consideration alignment 4 in Alternative 2 as it is shown in the Draft EIR/EIS.

In a letter dated November 25, 1997 from EBMUD Project Manager Maria C. Solis to Mr. McKee (copy enclosed), EBMUD had indicated that its staff engineers have determined "it is feasible to re-route the alignment" to avoid the McKee Ranch property, moving the alignment in the area in question to the east side of Clay Station Road. We appreciate EBMUD's efforts to relocate alignment 4 to avoid the McKee Ranch property. However, in the absence of a formal decision by EBMUD to realign alignment 4 as shown in the enclosed map from Ms. Solis, we would like to express formally our concerns with the current alignment 4 as shown in the draft EIR/EIS. Ind 33-1

My clients' property was originally acquired by Mr. McKee's grandfather via a U.S. land grant signed in 1867 by President Andrew Johnson. The property has been farmed or grazed since that time by either members of Mr. McKee's ancestors or by tenants of the property. The property continues to be grazed under contract today.

Apart from its historical significance as a working ranch from the post Gold Rush era, including location on the property of a cemetery where members of Mr. McKee's family are buried, the property also contains significant natural features, including riparian habitat along Laguna Creek, magnificent oak trees and a significant eucalyptus tree stand at the property's northern border, near Clay Station Road.

Though Mr. McKee has discussed his concerns regarding alignment 4 with EBMUD officials prior to release of Draft EIR/EIR, the document did not address those concerns. Among those concerns are the actual physical impact on the McKee Ranch property from the 80 foot right of way and the additional 50 feet of temporary right of way required for construction. (EIR/EIS, p. 2-11). With alignment 4 running along the west side of Clay Station Road (EIR/EIS, p. 2-9), and with the current right of way for Clay Station Road at approximately 40 feet, there will be an actual and significant physical impact on my clients' property, which impact the EIR/EIS fails to analyze. In addition to the physical impacts on the use of a sizable portion of my clients' property from construction of the pipeline on the west side of Clay Station Road, there are underground pipes in that location on my clients' property which will be affected by alignment 4. Yet, again, the EIR/EIS is silent on this impact. As such, the analysis of alignment 4 is incomplete and inadequate for reliance upon by either EBMUD or the Bureau relative to alignment 4 as shown in the Draft EIR/EIS. Obviously, if EBMUD shifts alignment 4 to a location east of Clay Station Road as shown in the enclosed map, the impacts as detailed herein will not occur. Ind 33-2

Even had the EIR/EIS property analyzed these impacts from alignment 4, the document's own analysis points to alignment 4 as one of the least, if not the least, desirable alignment from an environmental perspective, over a broad range of environmental impacts. For example, simply the length of alignment 4, 32 miles, is the second longest of the four alignments under Alternative 2 (EIR/EIS, pp. 2-8, 2-9). Alignment 4 will involve crossings of Ind 33-3

Deer Creek, the Consumnes River, Dry Creek, the Mokelumne River, and Bear Creek (EIR/EIS, p. 2-12). In terms of costs, alignment 4 has the second highest cost, the second highest system capacity surcharge, and the second highest annual ratepayer costs. (EIR/EIS, p. 2-15)

More importantly, in terms of the impacts on plant communities and habitats, alignment 4 ranked highest of Alternative 2's alignments in terms of the amount of annual grassland effected, eucalyptus stand affected, blue oak/live oak woodland affected, vernal pool acreage affected, and vernal swale affected, and second highest of the four alignments in terms of valley oak woodland and willow riparian scrub (EIR/EIS, p. 7-2, Table 7.1). As to total acreage of plant communities and habitats, alignment 4 affects the most acreage (approximately 542.5 acres), when compared to alignment 1 (518.5 acres), alignment 2 (277 acres) and alignment 3 (326 acres). Moreover, alignment 4 involves the potential loss of a special status plant population, legenere (EIR/EIS, p. 7-17) as does alignment 2. Alignment 4 also potentially involves impacts to the vernal pool fairy shrimp and vernal pool tadpole shrimp (EIR/EIS, p. 8-5, Table 8-1), and to western burrowing owls (EIR/EIS, p. 8-7, Table 8-1). Ind 33-3

In the area of agricultural resources, alignment 4 will involve the second highest amount of acreage of the four alignments under Alternative 2 (EIR/EIS, Table 11-13). Furthermore, in the transportation area, alignment 4 is tied for the highest number of truck trips per hour (EIR/EIS, p. 12-5).

Most critical for consideration of the various alignments in Alternative 2 is the impact on air quality. Alignment 4 is tied with alignment 1 as the highest, by far, of the amount of ROG, NOx and PM10 generated, in some cases by a factor of over 100 percent (EIR/EIS, p. 13-10, Table 13-4).

Apart from these instances of the severity of alignment 4's impacts relative to the three other alignments in Alternative 2, there are several areas in the EIR/EIS where the analysis of impacts are either omitted or incomplete. For example, in the area of public health and safety, the EIR/EIS states that "[a] database has not yet been performed for ... Alignment 4 (north of its connection with Alignment 2)..." (EIR/EIS, p. 15-1). In the cultural resources section, no mention is made of the impacts to the McKee Ranch's historical resources, as outlined above.

Conclusion

Without examining the comparative impacts and benefits of Alternative 2 and Alternative 3, we believe that one matter is clear from the EIR/EIS: alignment 4 as it is shown in the Draft EIR/EIS has severe impacts relative to the other Alternative 2 alignments, in most cases the most severe impacts. In addition, the failure of the EIR/EIS to fully analyze the impacts of alignment 4 on, among others, historic and cultural resources such as those present on the McKee Ranch renders alignment 4 unavailable to the lead agencies in making a decision on the proposed project. The modified route for alignment 4 avoids the impacts discussed herein. On behalf of my clients, I would formally request written confirmation from EBMUD that alignment 4 has been formally modified to move to the east side of Clay Station Road as shown in the enclosed map, and that the former Alignment 4 in the area at issue has been abandoned. Ind 33-4

Thank you for the opportunity to comment on the Draft EIR/EIS, and for the efforts of your staffs to address my clients' concerns.

Very truly yours,

SANDBERG & LO DUCA

Marcus J. Lo Duca

MLD/tb
Enclosure
cc: Lawrence and Marie-Luise McKee, Jr.

Response to Comments of Marcus LoDuca

Ind33-1, Marcus LoDuca
As indicated in the last paragraph of the letter, Alignment 4 has been moved to the east side of Clay Station Road.

Ind33-2, Marcus LoDuca
The 1997 Draft EIR/EIS adequately evaluates resource impacts as a result of construction and operation of project alternatives and pipeline alignments associated with Alternatives 2 and 3. Many of these impacts were evaluated at the county or regional level. Effects on individual property owners were not evaluated. However, information on resources at the individual property level, combined with other property-level information, served as the basis for the impact analysis.

Ind33-3, Marcus LoDuca
Once a preferred alternative has been established, final engineering design will determine the precise pipeline route. The comment letter correctly re-states the quantified impacts of Alternative 2, Alignment 4 compared to other alignments. In many cases, more resources would be affected under Alternative 4 because of its length and alignment.

Ind33-4, Marcus LoDuca
See response to Comment Ind33-1.

Carol Manning
12552 Apricot Lane
Wilton, CA 95693
(916)687-6008

Ind 34

February 5, 1998

RECEIVED
FEB 9 1998
WATER SUPPLY IMPROVEMENTS

Mr. Kurt Ladensack
EBMUD
MS #305
P.O. Box 24055
Oakland, CA 94623-1055

Dear Mr. Ladensack:

Enclosed please find the signature of 125 residents of our small community. We object to the confiscation of farmland and homesteads for the construction of the EBMUD/USBR Supplemental Water Supply Project. We believe that Alternative 2 Alignment 4 of this Project should be deleted as a possible route for the Project when the Folsom South Canal sits virtually unused. Ind34-1

Sincerely,

Carol Manning

Carol Manning

c: Don Nottoli
Patrick Johnson
Richard Pombo

RE: EBMUD/USBR Supplemental Water Supply Project

Background: The East Bay Municipal Utility District (EBMUD) has plans to take water from the greater Sacramento Area rivers and transport it, for their use, to the Bay Area. One proposed route for this water project comes through WILTON (Alternative 2, Alignment 4 runs parallel to the Folsom South Canal for approximately 17 miles).

Alternative 2, Alignment 4 should be deleted as a possible consideration in this project. We object to the confiscation of farmland and homesteads for the EBMUD/USBR Supplemental Water Supply Project when the Folsom South Canal sits virtually unused.

Name	Address
[illegible] Davis	10337 Colony Rd Wilton
Jo Engle	10390 Colony Rd Wilton
[illegible]	11[illegible] [illegible] Rd Wilton
[illegible]	11[illegible] [illegible] Rd Wilton
Mary Costa	9343 Sunflower Rd Wilton
Debbie Harrison	10260 Davis Rd Wilton
[illegible]	9797 Dillard Rd. Wilton *
[illegible]	12571 Lee school X Rd Wilton
[illegible]	11247 Green Rd. Wilton
Betty L. Lang	12462 Peach Lane Wilton
C F Lang	12462 Peach Ln Wilton
[illegible]	687 6248 Wilton
Wade Neeley	6878471 Wilton
[illegible] Neves	9590 Sunflower Wilton

RE: EBMUD/USBR Supplemental Water Supply Project

Background: The East Bay Municipal Utility District (EBMUD) has plans to take water from the greater Sacramento Area rivers and transport it, for their use, to the Bay Area. One proposed route for this water project comes through WILTON (Alternative 2, Alignment 4 runs parallel to the Folsom South Canal for approximately 17 miles).

Alternative 2, Alignment 4 should be deleted as a possible consideration in this project. We object to the confiscation of farmland and homesteads for the EBMUD/USBR Supplemental Water Supply Project when the Folsom South Canal sits virtually unused.

Name	Address
Beverly Lamb	P.O. Box 614 Wilton Ca 95693
Shirley Ditter	12978 Rising Rd Wilton
MARK S. THALKEN	11654 GERMANY RD. WILTON
Kurt Gibson	11187 Gay rd Wilton
K. Mark Nelson	12211 Pear Lane, Wilton, Ca 95693
Mary Morgan	9809 Alta Mesa Rd, Wilton Ca 9569
Anastasia Onyon	11040 Alta Mesa Rd Wilton 95693
[illegible]	[illegible] Alta Mesa Rd Wilton 95693
JOHN CAMPOS	11787 HUBDAY RD WILTON 95693
Ricky Black	PO Box 558 95693 Wilton
Tom Tr	8770 Dillard Road Wilton Ca 95693
Bob Lang	8487 DILLARD RD Wilton CA 95693
[illegible]	11231 Davis Rd Wilton 9569
Bruce Wright	12028 Arno Rd Wilton 95693

COSUMNES COMMUNITY PLANNING [illegible]

RE: EBMUD/USBR Supplemental Water Supply Project

Background: The East Bay Municipal Utility District (EBMUD) has plans to take water from the greater Sacramento Area rivers and transport it, for their use, to the Bay Area. One proposed route for this water project comes through WILTON (Alternative 2, Alignment 4 runs parallel to the Folsom South Canal for approximately 17 miles).

Alternative 2, Alignment 4 should be deleted as a possible consideration in this project. We object to the confiscation of farmland and homesteads for the EBMUD/USBR Supplemental Water Supply Project when the Folsom South Canal sits virtually unused.

Carol Manning	12552 Apricot Lane Wilton
Rose Marie Razzano	12344 Plum Lane Wilton
Doris Razzano	12350 Plum Lane Wilton
Robert Razzano	12344 Plum Lane Wilton Cal
[illegible]	12354 PLUM LANE WILTON CA
Gary R. Willey	12401 PLUM LN WILTON CA.
Nadine K. Willey	12401 PLUM LN WILTON CA.
Gregory L. Stewart	12533 Plum LANE Wilton CA.
Joyce Thompson	12533 PLUM LN WILTON CA
Mary Gerringer	12591 Plum Ln Wilton, Ca.
Kim Gerringer	12591 PLUM LA WILTON CA
Ron Gerringer	12591 Plum Lane Wilton CA.
Paul Snacks	12613 Plum Lane Wilton Ca.
Lorine Turrell	9431 MAGOS RD WILTON CA 95693

COSUMNES COMMUNITY PLANNING ADVISORY COUNCIL

RE: EBMUD/USBR Supplemental Water Supply Project

Background: The East Bay Municipal Utility District (EBMUD) has plans to take water from the greater Sacramento Area rivers and transport it, for their use, to the Bay Area. One proposed route for this water project comes through WILTON (Alternative 2, Alignment 4 runs parallel to the Folsom South Canal for approximately 17 miles).

Alternative 2, Alignment 4 should be deleted as a possible consideration in this project. We object to the confiscation of farmland and homesteads for the EBMUD/USBR Supplemental Water Supply Project when the Folsom South Canal sits virtually unused.

June E. Ricketts	9511 Cosumnes Rd, Wilton, Ca 95693
[illegible]	124 Bradig West Ct Galt, Ca 95632
Gary Campfield	9654 Sherman Lane, Wilton, CA 95693
[illegible]	853 Olive Canon Dr Galt Ca 95632
[illegible]	12131 Overland Wilton 95693
Mike Teutsch	9521 Jeffcott Rd. Wilton Ca
Kenny Holm	12657 Rising Rd Wilton Ca.
[illegible] Holm	12657 Rising Rd Wilton, CA
M. McEntire	9999 Cosumnes Rd. Wilton, Ca.
[illegible]	10850 Walmart Rd. Wilton, Ca
Marilyn Brereton	9483 Jeffcott Rd. Wilton CA 95693
Margaret A. Munson	9814 Mindy Ln. Wilton CA 95693
Kelly R. Scott	10030 Dillard Rd Wilton Ca 95693
Bunchman Rose	9752 Elk Grove Florin Road Elk, Ca 95621

DVISORY COUNCIL

RE: EBMUD/USBR Supplemental Water Supply Project

Background: The East Bay Municipal Utility District (EBMUD) has plans to take water from the greater Sacramento Area rivers and transport it, for their use, to the Bay Area. One proposed route for this water project comes through WILTON (Alternative 2, Alignment 4 runs parallel to the Folsom South Canal for approximately 17 miles).

Alternative 2, Alignment 4 should be deleted as a possible consideration in this project. We object to the confiscation of farmland and homesteads for the EBMUD/USBR Supplemental Water Supply Project when the Folsom South Canal sits virtually unused.

[illegible]	Mac Ln	Shingle Springs Ca
[illegible]	Dillard Rd	Wilton, Ca.
[illegible]	P.O. Box 261	Wilton Ca
[illegible]	P.O. Box 114	Wilton
Gary Cone		Wilton
Jack Th. Timms		
[illegible] R. Spangler		Wilton, Ca.
[illegible]	PO Box 217	Wilton CA
[illegible]		Wilton CA 95693
[illegible]		Elk Grove Ca
Diana Stuck		Elk Grove CA
[illegible]		Wilton CA
[illegible]		Wilton Ca
Douglas Parry		
[illegible]	12556 Lee School Rd	Wilton Ca.
[illegible]	P.O. Box 433	Wilton CA
[illegible]	9484 Dillard Rd	Wilton Ca

COSUMNES COMMUNITY PLANNING ADVISORY COUNCIL

RE: EBMUD/USBR Supplemental Water Supply Project

Background: The East Bay Municipal Utility District (EBMUD) has plans to take water from the greater Sacramento Area rivers and transport it, for their use, to the Bay Area. One proposed route for this water project comes through WILTON (Alternative 2, Alignment 4 runs parallel to the Folsom South Canal for approximately 17 miles).

Alternative 2, Alignment 4 should be deleted as a possible consideration in this project. We object to the confiscation of farmland and homesteads for the EBMUD/USBR Supplemental Water Supply Project when the Folsom South Canal sits virtually unused.

Jd Shackelford	9997 Dillard Rd. Wilton
K-Mark Nelson	12211 Pear Lane Wilton
Wayne Jensen	11050 Mann Rd. Wilton
Paula Mitchell	9903 Alta Mesa Wilton
Monica Tristao	11828 Woods Road Wilton
Ed Lake	11168 Mann Rd Wilton
Robbie Jacobs	9805 Alta Mesa Rd. Wilton
Edward R Goffart	9828 Colony rd Wilton
Gale L. Small	8663 Tavernor Rd Wilton
Carol L Bakkett	10350 Reigl Rd Wilton
Edwin S Hamburg	12552 Apricot Lane Wilton
Jack Vargas	12136 Frantz Ln Wilton Ca
Clifford Vargas	12136 Frantz Ln Wilton Ca
Lily Jones	12650 Plum Ln Wilton Ca

COSUMNES COMMUNITY PLANNING ADVISORY COUNCIL

RE: EBMUD/USBR Supplemental Water Supply Project

Background: The East Bay Municipal Utility District (EBMUD) has plans to take water from the greater Sacramento Area rivers and transport it, for their use, to the Bay Area. One proposed route for this water project comes through WILTON (Alternative 2, Alignment 4 runs parallel to the Folsom South Canal for approximately 17 miles).

Alternative 2, Alignment 4 should be deleted as a possible consideration in this project. We object to the confiscation of farmland and homesteads for the EBMUD/USBR Supplemental Water Supply Project when the Folsom South Canal sits virtually unused.

Name	Address
[illegible] Barclay	Tina Mara A.C. Barclay 9760 Dillard Rd. Wilton 95693
[illegible]	11192 Haggie Ln Wilton 95693
[illegible]	120 [illegible] Rd [illegible] 95632
[illegible] Kiefer	11125 Nygaard Lane Wilton, Ca 95693
Randy Stiles	10055 Tavernor Rd Wilton CA 95693
[illegible]	
Shirlynne Isham	8363 Dillard Rd Wilton CA 95693
Kelly DeMello	11479 Haggie Rd Wilton CA 95693
Karen Vicarow	11479 Haggie Rd Wilton CA 95693
Marge Silichner	12761 Lee School Rd Wilton CA 95693
Jim Grosbeck	10255 Reigl R Wilton CA 95693
Joan Burns	12601 Lee School x Rd. Wilton Ca 95693
[illegible] Schoonmaker	10560 Sheldon Rd Elk Grove Ca 95624
[illegible] Schoonmaker	10560 Sheldon Rd Elk Grove CA 95624

TO:

COSUMNES COMMUNITY PLANNING ADVISORY COUNC

RE: EBMUD/USBR Supplemental Water Supply Project

Background: The East Bay Municipal Utility District (EBMUD) has plans to take water from the greater Sacramento Area rivers and transport it, for their use, to the Bay Area. One proposed route for this water project comes through WILTON (Alternative 2, Alignment 4 runs parallel to the Folsom South Canal for approximately 17 miles).

Alternative 2, Alignment 4 should be deleted as a possible consideration in this project. We object to the confiscation of farmland and homesteads for the EBMUD/USBR Supplemental Water Supply Project when the Folsom South Canal sits virtually unused.

Carolyn E. Denney 11234 Wilton Rd Wilton 687-6487
Raymond Zgraggen 9770 TAVERNOR Rd. WILTON 687-7234
[illegible] 10130 LaClaire Rd Wilton 687-7902
Jean Mulcahy 10660 Gay Rd. Wilton CA 687-7639
[illegible] 13463 Apple Rd Wilton
BRIAN A SWASEY 10314 WRANGLER DR. ELK GROVE CA 95624
M. M. Forseth-Andrews P.O. Box 629 Wilton, CA 95693
T Gavin 12542 Plum Ln Wilton CA 95693
Pam Mendoza 12622 Apricot Ln Wilton Ca 95693
[illegible] Gil Medina 12622 Apricot Ln Wilton CA 95693
John Gledhill 12319 Plum Lane Wilton CA 95693

TO:

COSUMNES COMM[illegible]NNING ADVISORY COUNCIL

RE: EBMUD/USBR Supplemental Water Supply Project

Background: The East Bay Municipal Utility District (EBMUD) has plans to take water from the greater Sacramento Area rivers and transport it, for their use, to the Bay Area. One proposed route for this water project comes through WILTON (Alternative 2, Alignment 4 runs parallel to the Folsom South Canal for approximately 17 miles).

Alternative 2, Alignment 4 should be deleted as a possible consideration in this project. We object to the confiscation of farmland and homesteads for the EBMUD/USBR Supplemental Water Supply Project when the Folsom South Canal sits virtually unused.

Name	Address
[illegible]	10587 Gay Rd Wilton Ca 95693
[illegible]	10051 Mindy Lane Wilton CA
[illegible]	12457 Peach Lane Wilton CA
Linda Newells Page	10590 Gay RD. Wilton CA 95693
K. Wallen	10356 Alta Mesa Wilton 9569[illegible]
Shawn Huston	10564 GAY RD, WILTON
Evelyn McClure	1[illegible]21 Green Rd Wilton
Connie L. Healy	12627 Apricot Lane Wilton
John R Healy	12627 Apricot Ln. Wilton

To:

COSUMNES COMMUNITY PLANNING ADVISORY COUNCIL

RE: EBMUD/USBR Supplemental Water Supply Project

Background: The East Bay Municipal Utility District (EBMUD) has plans to take water from the greater Sacramento Area rivers and transport it, for their use, to the Bay Area. One proposed route for this water project comes through WILTON (Alternative 2, Alignment 4 runs parallel to the Folsom South Canal for approximately 17 miles).

Alternative 2, Alignment 4 should be deleted as a possible consideration in this project. We object to the confiscation of farmland and homesteads for the EBMUD/USBR Supplemental Water Supply Project when the Folsom South Canal sits virtually unused.

Frank Haydock 7623 Rawhide Wilton
George Cecil 11641 Rising Rd. Wilton, CA
Marjorie Cecil 11641 Rising Rd. Wilton, Ca. 95693

To:

COSUMNES COMMUNITY PLANNING ADVISORY COUNCIL

RE: EBMUD/USBR Supplemental Water Supply Project

Background: The East Bay Municipal Utility District (EBMUD) has plans to take water from the greater Sacramento Area rivers and transport it, for their use, to the Bay Area. One proposed route for this water project comes through WILTON (Alternative 2, Alignment 4 runs parallel to the Folsom South Canal for approximately 17 miles).

Alternative 2, Alignment 4 should be deleted as a possible consideration in this project. We object to the confiscation of farmland and homesteads for the EBMUD/USBR Supplemental Water Supply Project when the Folsom South Canal sits virtually unused.

[illegible] 12488 PEAR LN WILTON CA 687-6917
687-7421
[illegible] Billy C. Fox 12445 La Vida Ln. Wilton, CA 95693

Response to Comment of Carol Manning

Ind34-1, Carol Manning
EBMUD's water service contract with Reclamation stipulates the use of a turn-out near Grant Line Road as the diversion point on the Folsom South Canal. The 1997 Draft EIR/EIS includes two pipeline alignments (1 and 4) that begin at the contract turn-out. The 1997 Draft EIR/EIS also includes two pipeline alignments (2 and 3) that begin at the south end of the Folsom South Canal. Taking delivery of water at the end of the Folsom South Canal may require amending the water service contract with Reclamation. At this time, no preferred alignment alternative has been selected.

Response to Comment of R. Mare

Ind35-1, R. Mare
EBMUD held five separate public hearings during the public comment period. See the response to the "Kiefer Boulevard Pipeline routing" major issue in Chapter 3 of this document.

Ind 36

BROWN STEVENS ELMORE & SPARRE
COMMERCIAL REAL ESTATE

January 2, 1998

Mr. Kurt Ladensack
EBMUD, MS #305
P.O. Box 24055
Oakland, California 94623-1055

RE: EBMUD AND USBR
DRAFT ENVIRONMENTAL IMPACT REPORT
FOR PROPOSED SUPPLEMENTAL WATER SUPPLY PROJECT

Dear Mr. Ladensack:

First of all I would like to inform you that your public notice regarding the above captioned was not mailed to my address at 691 Lilac Lane, Sacramento, California 95864. Please keep me apprised of all future public notice issues regarding this subject.

Secondly, the person that you originally mailed the public notice to received it on Wednesday, December 31, 1997. It was post-marked December 30, 1997. While you had originally asked for a January 5, 1998 response, I am under the impression that you have extended that day to February 17, 1998 because of the above. Regarding the above-captioned issue, I am personally opposed to what I have read so far. I am under the impression that the Metropolitan Sacramento area is currently sending water via an aqueduct canal to the Los Angeles area already. You may be interested to know that water is also a scarce commodity in our area. There have been articles in our local newspaper stating that Sacramento City and County are considering enacting a water metering measure on all residences of the City and County.

Ind36-1

Therefore, since any supplemental diversion of our current water supply would only work a greater hardship on our community, I do not support what you are proposing.

Very truly yours,

Gregory R. Mayer

GM:wk
cc: Cecil Lesley - USBR
Central California Area Office
7794 Folsom Dam Road
Folsom, California 95630
G\12ltr9w

Response to Comment of Gregory Mayer, Brown Stevens Elmore & Sparre

Ind36-1, Gregory Mayer, Brown Stevens Elmore & Sparre
The project is a necessary action for EBMUD to adequately prepare for the future. The Purpose and Need section of the 1997 Draft EIR/EIS describes the necessity for this project.

Ind 37

G. Vernell Moddison
5200 Moddison ave
Sac. Ca. 95819-1610

Kurt Ladensack;
EBMUD MS #305
P.O. Box 24055
Oakland, Ca 94623-1055

Dear Sir;
In reviewing the EBMUD Supplemental Water Supply Project I support the Alternative 2 Folsom South Canal Connection. Ind37-1

Sincerely,
Vernell Moddison

Response to Comment of Vernell Moddison

Ind37-1, G. Vernell Moddison
The preference for Alternative 2 is noted.

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 38

Name: Tom O'Neil Date: 1/9/98

Address: 1733 38th ST

City/State/Zip Sacramento Ca. 95816 Phone/Fax 916 371-9021 373-0655

Organization (if applicable) McKinley Sloan Neighborhood Alliance; Pres. EAST Sac Chamber Commerce

Comments: I attended the forum on Wednesday, while I appreciate the comments and information, I am still left with two unanswered (or avoided) questions - which were asked:

Ind 38-1

1- why can't the "pipeline" be installed North of the River; no homes, business nor streets to disrupt, it could go above ground (infinitely cheaper than below) and try in directly with the plant below Sac State. The answers were evasive!!

Ind 38-2

2- with the Courts judgement; EBMUD was allowed to draw direct from Nimbus; pursuant to stringent (I assume) criteria considering minimum/maximum and seasonal CCF flow, etc. why the resistance from City/County!! should the Courts judgement prove to be "muddled"; then why proceed at all until all answers are clarified -??

Ind 38-3

2a- To meet the Courtys' water needs; and the City's Retrofit needs - Do a joint cost on existing facilities to meet both entities goals and future needs ?? Thanks.

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is February 17, 1998. Thank you for your input.

Response to Comments of Tom O'Neil

Ind38-1, Tom O'Neil
A pipeline route within the American River Parkway to the north of the river was considered as an alternative in the planning process but was rejected due to the anticipated significant impacts on biological resources. The alternative north of the river would result in substantial impacts on sensitive species and wetland habitat. In addition, access to the pipeline during high river flows would be difficult, and preliminary geotechnical analysis indicated that the geology within the Parkway complicated the engineering design.

Ind38-2, Tom O'Neil
See response to Comments L15 and L16 (City of Sacramento) and L21, L22, and L23 (County of Sacramento) regarding the City and County of Sacramento's comments. Both the City and the County have expressed opposition to Alternative 2. The Hodge Decision provides a "Physical Solution" developed over many years of litigation. No further clarification of the "Physical Solution" is necessary at this time.

Ind38-3, Tom O'Neil
Table 2-5 in Chapter 2 of the 1997 Draft EIS/EIR contains information on project costs.

Ind 39

Chris Parkes
17 Dickenson Dr.
Moraga, CA 94556
March 19, 1998

Mr. Kurt Ladensack
EBMUD
P.O. Box 24055
M.S. 305
Oakland, CA 94623-1055

Dear Mr. Ladensack,

Please include this letter as comments on the EIR/EIS for the EBMUD Supplemental Water Supply Project. I have a number of concerns about several sections in the DEIR/EIS.

Some specific inadequacies in this report are:

CHAPTER 4: WATER QUALITY

1. Significance Criteria used to determine impact on EBMUD water quality is inadequate. "The project will result in a significant impact if: ... discharge of transported American River water would substantially increase the frequency or duration of nuisance taste and odor in EBMUD terminal reservoirs; ..." Ind 39-1

Inorganic, radiological, volatile organic, and synthetic organic chemical constituents that are tested to evaluate the quality of our current drinking water are not evaluated in the DEIR. No analysis is provided to determine the level of degradation in EBMUD water quality. Short and long term impacts on water quality resulting seasonally, from droughts, and from extended use are not evaluated. Water Quality degradation resulting from anticipated upstream growth and increased use and discharges into the American River are not estimated.

Mitigation measures to address water quality impact are not adequately described. Treatment byproducts are not evaluated.

CHAPTER 2: PROJECT OBJECTIVES AND ALTERNATIVES UNDER CONSIDERATION

1. Alternative 1: No Action is incorrectly described and defined. This failing prevents this alternative from being correctly evaluated in the DEIR. Ind 39-2

Under Alternative 1, the DEIR states "Growth within the EBMUD service area would continue under this alternative, resulting in potential effects on biological resources and the human environment. Addressing this scenario allows a complete comparison of the impacts of an EBMUD project at the time EBMUD would be making use of its contractual water supply."

A project objective is "reduce customer deficiencies". Customer deficiencies have resulted from expansion of customer deliveries beyond expansion of approved water supply. The No Action Alternative in the DEIR excludes consideration of limited growth. Many water and sewer districts have implemented moratoriums in order to reduce deficiencies. This is not considered in Alternative 1.

CEQA requires that the DEIR evaluate this alternative to determine whether it would avoid or substantially lessen the significant effects of the proposed project. CEQA requires that cumulative growth impacts be evaluated. The economic impacts of cumulative growth-related effects (traffic, pollution, health care) need to be compared to the economic impacts of restricting growth in customer deliveries.

Some increased customer growth will result form projects that require local EIRs. Some will not. Even when local EIRs apply to new developments, property owners have protected rights for development, and the small project may independently not have a significant effect on the environment. Therefore the DEIR cannot defer evaluation of growth impacts to local entities. The DEIR is required to evaluate the significant impacts based upon the project. The impacts of Alternative 1 incorrectly stated that customer growth would be allowed to exceed supply.

2. Pardee Reservoir Enlargement is missing from consideration as a project alternative in the DEIR/EIS. Ind 39-3

EBMUD's "Special Water Report" sent to customers in 1997 states:

> "A project level Draft Environmental Impact Report/Environmental Impact Statement of the EBMUD Supplemental Water Supply Project will be available

late this summer. Copies will be available for review at EBMUD's Administrative Center, 375 Eleventh Street in downtown Oakland, and in public libraries.

"**Other Options** - EBMUD is simultaneously studying other water supply options. One of these may be adopted if the Sacramento project is not realized."

"**A Bigger Pardee Reservior:** We are exploring the possibility of enlarging Pardee Reservoir, if a joint project with Sacramento or groundwater storage in the East Bay or in San Juaquin County should prove unworkable. Enlarging Pardee Reservoir could allow us to store 173,000 more acre-feet of Mokelumne water. This is a "fall-back" alternative which EBMUD would only pursue if the Sacramento project does not proceed as planned."

"**Local Underground Storage:** We are studying the potential for storing American and Mokelumne water underground in our own service area. The wells would be deep enough to prevent mixing with surface water and contaminants, allowing us to extract virtually the same high-quality water we put in."

CEQA requires that these alternatives be evaluated to determine whether they would avoid or substantially lessen the significant effects of the proposed project. These alternatives were not excluded by the Scoping Report.

Sincerely

Chris Parkes

Response to Comments of Chris Parkes

Ind39-1, Chris Parkes
The significance criteria used to determine impacts on water quality and the scope of the water quality analysis are appropriate. Inorganic, radiological, volatile organic, and synthetic organic chemical constituents were not evaluated because of the relative high quality of American River water. Additionally, this issue was not raised during the scoping process by regulatory agencies such as the California Department of Health Services and the California State Water Resources Control Board. Mitigation measures were not described because no significant impacts on water quality were identified.

Ind39-2, Chris Parkes
Cumulative and growth-related impacts in the EBMUD service area are addressed in Chapter 18 of the 1997 Draft EIR/EIS. As indicated in that chapter, water delivered to EBMUD as part of the Supplemental Water Supply Project is not expected to result in additional growth within the service area. Growth within the service area would continue without the Supplemental Water Supply Project, and EBMUD's existing available water supply would adequately meet future demands in most years.

As stated on page 2-8 of the 1997 Draft EIR/EIS, EBMUD is required by state law to provide water service to all areas within its boundaries. As such, denying water service was not considered as a method for reducing future demands. Additionally, EBMUD has instituted water conservation and reclamation programs that have saved substantial amounts of water. These programs are described in Chapter 1 of the 1997 Draft EIR/EIS.

Ind39-3, Chris Parkes
The alternatives screening report (Appendix B of the 1997 Draft EIR/EIS) describes a range of alternatives capable of meeting the project objectives. An enlargement of Pardee Reservoir and a conjunctive-use program with San Joaquin County were addressed in the screening report, although neither project would meet the basic project objectives.

During preparation of the 1993 WSMP, the U.S. Environmental Protection Agency submitted a comment letter indicating that the enlargement of Pardee Reservoir would result in significant environmental impacts on jurisdictional waters of the United States, requiring a Section 404 permit, and that the reservoir enlargement project would not be the least environmentally damaging alternative. The enlargement of Pardee Reservoir has been evaluated as a water supply option and serves as a back-up option should other EBMUD water supply alternatives prove infeasible.

The alternatives screening report also addressed a conjunctive-use program with San Joaquin County. Although this was the preferred water supply option upon completion of the 1993 WSMP, a conjunctive-use program could not be implemented because of institutional and regulatory problems described in the screening report and 1997 Draft EIR/EIS. One of the primary regulatory obstacles is the requirement for withdrawing stored water during a dry year. Although many discussions on this topic have occurred, multiple stakeholders continue to have divergent opinions, and no mutually agreeable joint project proposal exists. See also the REIR/SEIS.

Ind 40

Jim & Ann Peck
4257 Winding Woods Way
Fair Oaks, CA 95628
965-4057

January 14, 1998

East Bay Municipal Utility District
MS#305
P.O. Box 24055
Oakland, CA 94623-1055

Attn: Kurt Ladensack, Manager
Water Supply Imp. Div.

Re: Draft EIR/EIS East Bay Municipal Utility District Joint Water Supply Project

Dear Mr. Ladensack:

I am concerned that you do not realize the recreational use of the areas you are considering for the pumping station. Albeit seasonal, sites #1-4 on the American River are used most of the spring, summer and fall for boaters to escape the noise and congestion of the Sacramento River. While we do not have a boat ourselves, we have enjoyed the area with friends and we continually see the boaters enjoying the beauty of that part of the river from Highway 5 as we pass by. Ind40-1

Alternative #5 is the only agreeable option, if this is a necessity for you. Please discard the other alternatives as this would be an eyesore and impossible to blend into the environment. Let's try to keep some parts of our river fronts as nature gives them to us, and build as far away as possible from the recreational areas.

Sincerely,

Jim and Ann Peck

Jim & Ann Peck

Response to Comment of Jim and Ann Peck

Ind40-1, Jim and Ann Peck
See response to Comments SP24-1 and SP24-2 and Forms 1-1 and 1-2.

McDONOUGH, HOLLAND & ALLEN
A PROFESSIONAL CORPORATION
ATTORNEYS
555 CAPITOL MALL, 9TH FLOOR
SACRAMENTO, CALIFORNIA 95814
(916) 444-3900
TELECOPIER (916) 444-8334

JOSEPH E COGHES, JR
DAVID J BOTTIGWOOD
RICHARD W NICHOLS
HAROLD C POOLE
HARD W OSEN
HARD E. BRANDT
B RICHARD BROWN
DAVID W POST
SUSAN K EDLIND
DAVID F BEATTY
MICHAEL T FOGARTY
NATALIE E WEST
ANN O'CONNELL
ROBERT W O'CONNOR
JEFFREY R. JONES
T BRENT HAWKINS
JAMES M RUDDICK
DAWN H COLE
SHARON DAY ROSENE
SUSAN L SCHOENIG
JAMES L LEET
MARK A WEISER
DAVID S SALEM
VIRGINIA A CAHILL
HARRIET A STEINER
WILLIAM A LICHTIG
EDWARD J QUINN, JR
MARK GORTON
ROBERT R RUBIN
PATRICIA D ELLIOTT
WILLIAM C HILSON, JR
IRIS P YANG
MARY POWERS ANTOINE
CATHY DEUSEL SALENKO
CRAIG LABADIE
JACK D BROWN
THOMAS L HILL
NANCY P LEE
MARY E OLDEN
EDWARD J WRIGHT, JR
MICHELLE MARCHETTA KENYON
MICHELE M CLARK
STEPHEN L GOFF
MICHAEL R IWAMIRO
GLENN W PETERSON
DAVID L KROTINE
JULIE E GREEN
TIMOTHY P HAYES
TODD M BAILEY
MARCIA L. KUESBURGER
NANCY Y. TEMPLETON
DAVID E MACCHIAVELLI
RENT W SILVESTER
DANIEL V. MARTINEZ
STEVEN A LAMON
DOUGLAS A POTTS
L STUART LIST
JAN PATRICK SHERRY
DON P. HARRIS
CLYDE T OGATA
MADELINE R. DAVIS
JEREMY S. MILLSTONE
PAUL C ANDERSON
TORENE L. M. SCHWAB
WESLEY C J EHLERS
JULIE RANEY
MICHELL
STACEY
DEAN J. SHOOKS
CHRISTOPHER P. ANDERSON
ANDRE K CAMPBELL
TYSON M SNOWER
CHRISTOPHER HART DOYLE
ERIC N ROBINSON
OF COUNSEL
V BARLOW GOFF
ANN TAYLOR SCHWING
ZACHARY SMITH
CLEMENT J. DOUGHERTY, JR.
RETIRED
ALFRED E. HOLLAND
BRUCE F ALLEN
MARTIN McDONOUGH
(1915-1987)

Ind 41

March 18, 1998

Kurt Ladensack ✓
EBMUD, MS #305
P.O. Box 24055
Oakland, California 94623-1055

Cecil Lesley
USBR Central California Office
7794 Folsom Dam Road
Folsom, California 95630

Re: Draft Environmental Impact Report/Environmental Impact Statement ("DEIR/EIS") - East Bay Municipal Utility District Supplemental Water Supply Project (the "Project")

Gentlemen:

This firm represents Blue Diamond Growers ("Blue Diamond"). Blue Diamond conducts food processing operations and maintains its corporate headquarters on a site bounded by the American River, D Street, 16th Street and 23rd Street in the City of Sacramento. Blue Diamond believes that its property, its food processing operations and its other business activities may be impacted by the Project. Accordingly, on behalf of Blue Diamond, we offer the following comments on the DEIR/EIS.

Blue Diamond does not wish to express a preference among the three alternative projects considered by the DEIR/EIS. However, having reviewed the document and having discussed the Project with engineers and other consultants representing the Lead Agencies, Blue Diamond believes that Alternative 3 could have substantial impacts on the Company, its employees

YUBA CITY OFFICE
422 CENTURY PARK DRIVE, SUITE A
P.O. BOX 778
YUBA CITY, CALIFORNIA 95992-0778
(530) 674-6781
TELECOPIER (530) 671-0890

BAY AREA OFFICE
1999 HARRISON STREET, SUITE 1300
OAKLAND, CALIFORNIA 94612
(510) 273-8780
TELECOPIER (510) 839-9104

and its member-growers if the pipeline alignment is sited along C Street. As is discussed below, Intake Location 5 presents significant concerns to Blue Diamond in addition to the C Street issues which are common to the five proposed intake locations.

Our comments are focused on the potential effects of the project upon Blue Diamond's operations and its property value. However, as a major economic contributor and an important stakeholder in the Alkali Flat and Richards Boulevard sections of Sacramento, Blue Diamond also has concerns about the potential impacts of the Project upon its residential and commercial neighbors.

Blue Diamond understands, through discussions with Kennedy/Jinks Engineering, that the pipeline for Intake Location 5 may be installed along the eastern boundary of its property, from the American River levee to C Street. We view the DEIR/EIS description of this possible pipeline alignment as lacking sufficient precision. The document does not inform Blue Diamond, other nearby landowners, public agency decision-makers, or the general public of the exact location of the intake or the pipeline. Further, the document does not clearly describe the construction methods to be used for the pipeline, the potential impact on Blue Diamond operations, the impact on potential future use of Blue Diamond's property, or other potential impacts which may stem from decisions regarding pipeline location and construction methodology. In particular, the DEIR/EIS lacks detail regarding the potential short term impacts related to trenching and tunneling, and the long term impacts of a very large above ground pipe. Ind 41-1

We believe that some of these concerns would be addressed--and that the DEIR/EIS would be substantially improved--by the inclusion of an additional alternative intake location to the east of the current Intake Location 5. Ind 41-2

Blue Diamond is concerned that the potential impact on its operations of trenching along C Street has not been fully considered. Blue Diamond pursues extraordinary measures to assure the cleanliness of its food processing operations and the purity of its products. As is clearly recognized in the DEIR/EIS, construction of a very large diameter pipeline along C Street will produce vehicle emissions, dust, other particulates, and possibly other Ind 41-3

airborne contamination. The duration and intensity of construction in the vicinity of the Blue Diamond food processing operations should be more fully described and analyzed, given the sensitive nature of those operations.

Blue Diamond would be interested, as well, in an analysis of the potential effects on adjacent structures of vibration and/or subsidence stemming from trenching or tunneling activities of the magnitude necessary to install an 8-foot diameter pipe. The potential impact on the historic Blue Diamond Building is of particular concern. Ind 41-4

The DEIR/EIS concludes that the integrity of the river levees crossed by the pipeline will not be compromised by construction activities. This conclusion is based on the assumption that the project will be conditioned in a manner that prevents such adverse impacts. However, absent a clear and precise description of the location of the pipeline relative to the levees, and of the proposed method of construction, reviewers of the document cannot be sure that that objective will be achieved. Blue Diamond believes that Intake Alternative 5 and other Intake Alternatives should be analyzed individually with respect to this issue after precise location and construction methodology are specified. Ind 41-5

We believe that the Land Use Section of the DEIR/EIS does a very good job in general of analyzing the Project Alternatives. However, the discussion and analysis of the intake location and pipeline alignments under Project Alternative 3 lack detail. Further, this section omits mention of the approved and on-going Blue Diamond redevelopment project and the potential development of currently vacant portions of the Blue Diamond site. This current and potential future development activity is described in Blue Diamond's Development Agreement with the City of Sacramento, its Disposition and Development Agreement with the Sacramento Housing and Redevelopment Agency, and accompanying environmental review documents. Given Blue Diamond's present and potential future development activities on this site-- all of which could be adversely affected by the proposed intake and pipeline--we would disagree with the document's conclusion that potential Project land use impacts in the vicinity of the Blue Diamond site are less than significant. Ind 41-6

On behalf of Blue Diamond Growers, we would like to compliment the Lead Agencies, their staffs, and their consultants on a generally thorough and informative document. We also express our appreciation to representatives of Jones & Stokes, Kennedy/Jinks and the City of Sacramento for their willingness to discuss the Project and the DEIR/EIS with Blue Diamond representatives.

Very truly yours,

Edward J. Quinn, Jr.

EJQ:jjh

cc: Ray Linzy
City of Sacramento (Joe Robinson)
County of Sacramento (Paul Hahn)

Response to Comments of Edward J. Quinn, Legal Counsel to Blue Diamond Growers

Ind41-1, Edward J. Quinn, Jr., Legal Counsel to Blue Diamond Growers
Final design for the pipeline alignment would be completed following the designation of a preferred alternative. The 1997 Draft EIR/EIS discusses construction methods in Chapter 2 to the extent feasible at this stage in design. The pipeline under Alternatives 2 and 3 would be installed below grade where possible, including the segment for intake Site 5 along the 23rd Street alignment. Land use restrictions within the easements would resemble standard utility easements, include building and excavation restrictions. The property surface would be returned to its pre-construction condition.

Ind41-2, Edward J. Quinn, Jr., Legal Counsel to Blue Diamond Growers
Intake Site 5 was chosen due to the water depth at the site and because the site is mutually agreeable to EBMUD, the City, and the County. Sites upstream of Site 5, although technically feasible, are not agreeable to all parties.

Ind41-3, Edward J. Quinn, Jr., Legal Counsel to Blue Diamond Growers
Projected air emissions associated with the construction phase of the project are presented in Table 13-4 of the 1997 Draft EIR/EIS. Appendix G in Volume II of the 1997 Draft EIR/EIS provides the assumptions and calculations used to create Table 13-4. Both Alternatives 2 and 3 are anticipated to create unavoidable short-term significant impacts on air quality based on these calculations. As stated in Chapter 13 of the 1997 Draft EIR/EIS, the emissions calculations are based on worst-case analysis for each county. The project would be subject to Sacramento Air Quality Management District's Rules concerning fugitive dust. A Dust Suppression Plan would be implemented during construction to assist in reducing PM_{10} levels. Mitigation Measure 13-1 would be implemented during construction to reduce NOx and ROG emissions. No long-term impacts on air quality are anticipated from the project following the construction phase.

Ind41-4, Edward J. Quinn, Jr., Legal Counsel to Blue Diamond Growers
See the response to the "Construction-Related Environmental Commitments and Mitigation" major issue in Chapter 3 of this document. The railroad lines near the property border suggest that ground vibrations in the area are common. In addition, truck routes exist within the Richards Boulevard area. However, the construction plan would analyze the potential for vibration impacts to specific structures along the pipeline route. The construction plan would be developed and approved by the City and County of Sacramento in coordination with EBMUD.

Ind41-5, Edward J. Quinn, Jr., Legal Counsel to Blue Diamond Growers
Page 9-6 of the 1997 Draft EIR/EIS discusses impacts on the flood control levees. A levee encroachment permit would be issued by the State Board of Reclamation. This permit requires that construction methods be employed to maintain the integrity of the levees. Final design of the pipeline, including the levee-crossing segment, would be completed following the designation of a preferred alternative.

Ind41-6, Edward J. Quinn, Jr., Legal Counsel to Blue Diamond Growers
The precise route under Alternative 3 for the pipeline from the intake structure to Fairbairn Pumping Plant would be established in such a way as to minimize impacts on area residents and businesses. EBMUD will continue working with concerned area

residents and businesses to reduce impacts. It may be possible to alter the pipeline route slightly to accommodate area residents and businesses. See the response to the "Construction-Related Environmental Commitments and Mitigation" major issue in Chapter 3 of this document. EBMUD will respect existing City of Sacramento development agreements with regard to acquisition of easements.

Ind 42

TIMOTHY J. REINARTS
12394 Clay Station Road
Herald, California 95638

February 4, 1998

EBMUD-USBR Supplemental Water Supply Project
Post Office Box 24055, MS 305
Oakland, California 94623-1055

Attn: Kurt Ladensack

Dear Mr. Ladensack:

Please consider this my comments on the Environmental Impact Report.

The section concerning vegetation is inadequate. The survey is flawed, incomplete, and dated. The wetland section, 7-16, is also inadequate. The section does not take into consideration the extensive studies and litigation going on at the Borden and Clay Station Road area owned by a grape farmer. This was a subject of massive amounts of litigation and print media coverage in the major Sacramento newspaper in April of 1997. The EPA has brought suit against the land owner for deep discing his property indicating that irreparable environmental harm will be done to wetlands, vernal pools and ground water. As your trenches are going to be running on the border of this property, it seems to be a significant omission that this situation is not recounted and addressed in your studies. Further, the mitigation in this matter are also inadequately addressed. Ind 42 -1

The ground water section addressing recharging is also inadequate. Claiming that this is a local problem is an inadequate matter of redress. As we rely upon well water and your trenching next to our properties will affect ground water peculation to some degree leaves us with a feeling that there is no concern for my residence, business or livestock. There is no provision for me to have access to the water being pumped underneath my property in the event of need. I think that a provision of access should be addressed and it is extremely short sighted that this was not addressed. Ind 42 -2

Further, I specifically raised the issue of fire hydrants being placed along Clay Station Road at public forum and that has also not been addressed. The no significant impacts is grossly misplaced. I am sure that you are now aware of the California State Water Report which was published on January 29, 1998 which indicated that there were going to be significant short falls in both surface and ground water in the South County area. As my residence falls in that category, I would like access to use some of the water being pumped under my property. Ind 42 -3

The transportation section in this matter is the ultimate in administrative arrogance.

The alteration of traffic patterns has been ill-considered and has not been studied at all. Again, as I mentioned at public hearings there have been three life flight rescues over the last 18 months at the Clay Station Road and Twin Cities intersections. This can be verified by contacting the Northern California branch of Caltrans in Woodland. Speak to Mr. Brown. I also requested that the individual from the firm that you consulted to draft this report research that. On the record, he said that he would. Ind 42 -4

In short, the house on the South West corner of the Clay Station at Twin Cities Road intersection is a visual barrier. Particularly with the vegetation in the front. For the period of time that you will have Clay Station Road under construction, North of Borden Road, that is going to significantly alter traffic and force residents to drive through that hazardous intersection. It must be improved, or people will die.

This danger will be exacerbated during the winter months when the fog comes and will be again elevated during the summer months when the teenage traffic to Rancho Seco Park increases.

Damage to the local roads being left to the local government response is unacceptable. Clay Station Road is a high maintenance road and it is unfair to burden the County with what will ultimately be a great increase in the degradation of the road and road bed. The identification of Clay Station Road as not a high traffic road is also inaccurate. While I will not pretend to compare flow of traffic to a main urban artery, most of the traffic along this road are pickup trucks and other commercial trucks and farm equipment the gross vehicle weight of the traffic passing through here is high thus causing a greater amount of erosion of the road.

The visual and aesthetic aspects of the plan pumping area has been portrayed as "sensitivity could be high" 16-2. You could not be more correct on this and we have been informed about various types of under earth facilities and a large berm, or other facilities that would look like a barn or hay storage area. However, this is not addressed in the plan and as such it is insufficient. Sensitivity is high and could reach the level of outrage should some monstrosity be plopped into the area like a cow pie. Ind 42 -5

Finally, noise levels have been promised in 86-87 decibels equivalent to "a refrigerator running". I know from personal knowledge that these electric pumps, particularly the one at Folsom are loud as hell. It takes a lot of insulation and sound deadening to appropriately muffle or diffuse or and absorb the noise. Further, I am concerned about vibrations in the ground which my livestock may be sensitive to. This was not addressed in the environmental impact report in any meaningful fashion. Ind 42 -6

In summary, I have no major objections to putting a water pipe through my community. However, I ask that you give something back to the community in the form of fire protection and access to the water only to the area affected by the construction. This should amount to no significant extra expenditures.

I also ask that you not make my commute a death trap while the project is underway.

Finally, I ask that you return my community to the same or better state that it was prior to the project being initiated. Namely, we can't see it or know that its there while its operating.

East Bay Municipal Utility District is a large operation with qualified engineers and I am sure that none of the items that I have addressed would cause any significant hardship on the plans of East Bay Municipal Utility District or its engineers to resolve.

Very truly yours,

Timothy J. Reinarts

TJR/kmp
ebmud.

Response to Comments of Timothy J. Reinarts

Ind42-1, Timothy J. Reinarts
Impacts on vernal pools and wetlands under Alternatives 2 and 3 are outlined in Chapter 7 of the 1997 Draft EIR/EIS. Mitigation Measures 7-1a, 7-1b, and 7-1c have been developed to reduce these impacts. These measures provide for the reduction of construction impacts on surrounding sensitive habitats outside the construction zone and the restoration of the construction zone to pre-construction conditions.

Acreages of vernal pools and wetlands that would be affected by the project are indicated in Table 7-1 of the 1997 Draft EIR/EIS. Acreage estimates were based on the best available data. Land owners and federal resource agencies have informed EBMUD of the litigation.

Ind42-2, Timothy J. Reinarts
The Physical Solution provided by the Hodge Decision explicitly forbids supplying the water accessed under EBMUD's water service contract with Reclamation to users outside the EBMUD service area. See the response to the "San Joaquin County Conjunctive Storage" major issue in Chapter 3 of this document.

Ind42-3, Timothy J. Reinarts
The Herald Fire Department would be consulted to determine if this is feasible.

Ind42-4, Timothy J. Reinarts
Impacts on existing traffic conditions during the construction phase of the project would be managed through the Traffic Control Plan outlined in Chapter 2 of the 1997 Draft EIR/EIS. The Traffic Control Plan would address issues such as the intersection of Clay Station Road and Twin Cities Road. Based on the final alignment of the pipeline, the construction contractor may be required to install warning devices at and near the intersection of the two roads as well as ensure that at least one travel lane of Clay Station Road remains open to reduce the additional traffic at the intersection during pipeline construction. However, concerns regarding the intersection of Clay Station Road and Twin Cities Road (SR 104) are noted and would be specifically addressed in the Traffic Control Plan. Possible site-specific measures could include signs, flagmen, and temporary barriers to slow traffic in the vicinity of the intersection. The County and Caltrans would be consulted to ensure that existing safety conditions are not exacerbated during construction.

The Roadway Surface Repair Plan discussed on page 12-6 of the 1997 Draft EIR/EIS would be implemented to repair road degradation resulting from the construction phase. See the response to the "Construction-Related Environmental Commitments and Mitigation" major issue in Chapter 3 of this document. Each of these plans would be reviewed through the County's Improvement Plan Process.

Ind42-5, Timothy J. Reinarts
EBMUD is reviewing the potential locations for the pumping plant on the Folsom South Canal under Alternatives 2 and 3 to minimize sight lines from local residences. The final design and architectural treatment of the pumping plant would be subject to review and approval by Sacramento and San Joaquin Counties, as stated on page 16-8 of the 1997 Draft EIR/EIS. The local community would also be involved during this process, which will occur during final engineering design.

Ind42-6, Timothy J. Reinarts
Noise impacts resulting from the operation of the pumping plant under Alternatives 2 and 3 for the Folsom South Canal Connection are discussed in Chapter 14 of the 1997 Draft EIR/EIS. Noise ordinances for the City of Sacramento, Sacramento County, and

San Joaquin County specify allowable noise levels to ensure that long-term noise generated by a specific source is compatible with adjacent land uses. The 1997 Draft EIR/EIS uses these ordinances to assign a maximum acceptable exterior noise level of 60 dBA Ldn (day-night average sound level) for noise-sensitive land use areas. Noise level studies referenced in the 1997 Draft EIR/EIS indicate an anticipated noise level of 45 dBA for the operations-related noise generated by the pumping plant when noise-reduction enclosures were employed. This level is adequately below local ordinance standards to be a less-than-significant impact.

Ind 43

9033 Rosewood Drive
Sacramento, CA 95826
March 17, 1998

Mr. Kurt Ladensack
Water Supply Improvements Division
East Bay Municipal Utility District
MS #305
P.O. Box 24055
Oakland, CA 94623

Subject: East Bay Municipal Utility District Supplemental Water Supply Project--
Draft Environmental Impact Report/ Draft Environmental Impact Statement

Dear Mr. Ladensack,

The October 1997 Draft Environmental Impact Report for the East Bay Municipal Utility District Supplemental Water Supply Project (Draft EIR) addresses many environmental issues associated with this major project. According to the Draft EIR, Alternative 3--Joint Water Supply, involves withdrawal of contractual water from the lower American River near its confluence with the Sacramento River. This project alternative includes construction of a pipeline to convey the water from the intake on the American River eastward to the Fairbairn Water Treatment Plant and then to the Folsom South Canal. With respect to the environmental issues associated with the lower American River, I believe this alternative would have less overall environmental impact than Alternative 2--Folsom South Canal Connection, which would withdraw the contractual water at Nimbus Dam. The purpose of this letter is to address two of the issues that will affect my community of Rosemont in Sacramento County, as well as a larger area of the County near Rosemont, if Alternative 3 is implemented.

1. Transportation and Circulation Impacts During Pipeline Construction

According to the Draft EIR, construction of the pipeline will result in temporary alteration of traffic patterns and circulation from trenching in Kiefer Boulevard "near" the Rosemont Community (pp. 12-6 to 12-7). A Traffic Control Plan reportedly has been incorporated into the project to minimize adverse effects on traffic. This plan was not available with the Draft EIR for review. Ind 43-1

Kiefer Boulevard is the main arterial *through* (not "near") Rosemont, connecting Watt Avenue and Bradshaw. Many Rosemont businesses are located along this section of Kiefer Boulevard, as are many residences. Furthermore, Kiefer Boulevard carries commuter traffic to major employers such as the County of Sacramento Branch Center on Bradshaw, and heavy truck traffic to and from the Branch Center and area businesses. Construction details in the Draft EIR indicate that the construction zone width of more than 100 feet would completely close sections of Kiefer Boulevard during construction. Closure of Kiefer Boulevard anywhere

between Watt Avenue and Mayhew will significantly impact traffic circulation in our neighborhood. At an assumed pipeline installation rate of 150 feet per construction day, construction along this 3 to 4 mile section of Kiefer Boulevard will take more than 130 days over a period of more than 6 months (p. 2-23, and Figures 2-6a and 2-6b, Draft EIR).

My neighbors and I believe this disruption of traffic circulation and patterns to be a significant, although "temporary", impact to the Rosemont community. Local travel to and from residences and businesses along Kiefer, as well as travel into and out of Rosemont will be restricted and rerouted. Our local businesses cannot afford the negative economic impacts resulting from the nature and duration of this project unless appropriate mitigation measures are implemented. In seeking alternative routes, local and commuter traffic will detour through our neighborhoods on streets never intended to carry the increased volume. Our quiet, pedestrian community will be negatively impacted by the physical hazards associated with increased traffic, and increased noise and air pollution. Therefore, the impacts associated with traffic are significant and should be addressed by the EIR.

Specific mitigation measures should be described in the EIR. In addition to the general requirements specified in the Draft EIR, the Traffic Control Plan for the project should address specific impacts to each neighborhood along the pipeline alignment. I recommend the following as a minimum in addressing impacts to the Rosemont community:

- Coordinate with the Rosemont Community Association (RCA) and local businesses in planning alternative transportation routes, access to businesses, and hours of construction activities. Detours for through traffic into residential areas should be prohibited, including diverting traffic onto wider carrier streets (e.g., South Port, Thornhill, Rosemont, Huntsman, Caldera) or frontage roads. "Informal" detours by local residents onto narrower residential streets (e.g. Rosewood, Trujillo) also should be discouraged.

- Directly notify by mail all residents and businesses along the construction route of the project and construction schedule. Through coordination with RCA, or by preferred means such as direct notice (postcard or newsletter), notify the Rosemont community of the construction schedule and proposed alternative transportation routes. Notify local employers, particularly the County of Sacramento Branch Center and California State Franchise Tax Board, regarding the construction schedule and alternative transportation routes.

- Consider construction schedules which would avoid activities in and near residential areas when air pollution impacts from increased traffic and altered traffic patterns would be at the greatest (e.g., June through October).

- Avoid scheduling construction when it may coincide with construction activities associated with the proposed widening of the Watt Avenue bridge over the American River.

2. Alternative 3 Pipeline Alignment and Roadway Improvement and Construction--Kiefer Boulevard East of Bradshaw and Happy Lane

According to the Draft EIR, impacts associated with the Alternative 3 pipeline to "Proposed or Planned Projects in the City or County of Sacramento" (pp. 10-17 to 10-18), and to "Local Plans and Policies" (pp. 10-18 to 10-19) would be less than significant. **Roadway improvements and construction of Kiefer Boulevard from Bradshaw eastward to Eagles Nest Road will have major environmental impacts!** To my knowledge, plans by the County of Sacramento to improve and construct this section of Kiefer Boulevard have not been evaluated in an environmental impact report. If the County plans these improvements as part of the Joint Water Supply Project, the associated environmental impacts must be addressed in the Draft EIR for the EBMUD Supplemental Water Supply Project. Since the extension of Kiefer Boulevard eastward will open a very large area to development, all environmental impacts associated with future development, as well as pipeline and roadway construction, must be addressed. Ind 43-2

Thank you for the opportunity to comment on the Draft EIR. I look forward to your responses.

Sincerely,

Barbara Renzi

Barbara Renzi
Rosemont Resident

cc: Mr. Michael Gallagher, President
Rosemont Community Association

Mr. Don Nottoli, Supervisor, District 5
Sacramento County Board of Supervisors

Response to Comments of Barbara Renzi

Ind43-1, Barbara Renzi
See responses to "Construction-Related Environmental Commitments and Mitigation" and "Kiefer Boulevard Pipeline Routing" major issues in Chapter 3 of this document. EBMUD, Reclamation, the County, and the City recognize the importance of Kiefer Boulevard to the Rosemont community. Since publication of the 1997 Draft EIR/EIS, additional engineering work has been conducted. It has been determined that at least two lanes of traffic can remain in service during nearly all of the construction period. EBMUD and the County would work closely with the Rosemont community, should Alternative 3 be selected, to minimize traffic disruption effects. The specific measures outlined in this comment are within the framework of possible actions to reduce disruption impacts and would be considered during the final design process and during additional public outreach, should Alternative 3 be selected.

Ind43-2, Barbara Renzi
The County of Sacramento has proposed plans to improve Kiefer Boulevard between Happy Lane and Eagle's Nest Road, as shown in Table 10-1 of the 1997 Draft EIR/EIS. Environmental impacts associated with this improvement project, including growth effects, would be addressed in project-specific environmental evaluations prepared by the County.

Ind 44

Kurt Lodenzack,
EBMUD, Oakland, Ca.

227 Monti Vista
Larkspur, Ca.
94939

Dec. 12, 1997

Dear Mr. Lodenzack:

Concerning the American River, please consider that the District further investigate the effects of the diversions on the Delta ecosystem, and on growth within the EBMUD District. Ind 44-1

(1) EBMUD should agree that it will use the American River supply only in critical dry years for use in its service area and/or to maintain stream flows in the Mokelumne River. (2) Any water drawn from the American River should be matched by increased flows down the Mokelumne River to the Delta to an extent that would help restore the Mokelumne's damaged fisheries. Ind 44-2 (3) The District should intensify its conservation efforts, including the implementation of rebate programs and other incentives for the installation of drip-irrigation systems and other demand-reducing alternatives. Ind 44-3 (4) EBMUD should ensure that its American River project remains consistent with the principles for Bay-Delta water quality standards currently being devised in the "CalFed" process. Ind 44-4

Sincerely,

Walter Powers

Response to Comments of Walter Rivers

Ind44-1, Walter Rivers
The 1997 Draft EIR/EIS includes a discussion of impacts of Alternatives 2 and 3 on Bay-Delta resources, including water supply (Chapter 3), water quality (Chapter 4), and fisheries (Chapter 5). A discussion of growth-inducing effects is included in Chapter 18 of the 1997 Draft EIR/EIS.

Ind44-2, Walter Rivers
Chapter 2 of the 1997 Draft EIR/EIS outlines the project description with regard to water delivery schedules. As indicated beginning on page 1-2 of the 1997 Draft EIR/EIS, the purpose of the Supplemental Water Supply Project is to provide EBMUD with a supplemental water supply to reduce existing and future customer deficiencies to manageable levels during drought conditions and to provide an alternative water supply in case of planned or unplanned outages at EBMUD's Mokelumne River diversion facilities. FERC has approved the Mokelumne River Settlement Agreement. The agreement provides for annual releases to the Mokelumne River from Camanche Reservoir based on water-year type.

EBMUD has undergone an extensive program as part of the Lower Mokelumne River Management Plan process to identify downstream needs and available supplies. As part of that effort, various options and alternatives were fully explored. The Lower Mokelumne River Management Plan has been adopted by the EBMUD Board of Directors and serves as input to the Supplemental Water Supply Project process.

Ind44-3, Walter Rivers
EBMUD has aggressively pursued urban water conservation practices. The Updated WSMP EIR completed in 1993 describes these practices and EBMUD's long-term conservation strategies. However, detailed analysis of urban water conservation is outside the scope of the Supplemental Water Supply Project. The project alternatives for this document include the installation of a pipeline, the diverting of water, and the modification of the water service contract with Reclamation. Other EBMUD policies and procedures, including water pricing, are not necessarily included within the analysis of this document.

Ind44-4, Walter Rivers
See response to "Relationship to CALFED" major issue in Chapter 3 of this document.

Ind 45

J.A. Savage
3006 Sheffield Ave. • Oakland, CA 94602-1545 • e-mail: honest@compuserve.com •
Telephone (510) 534-9108 • Fax (510) 534-9105

February 2, 1998

Kurt Ladensack
EBMUD
MS #305
P.O. Box 24055
Oakland, CA 94630

Re: Environmental Impact Statement, No Project Alternative

Dear East Bay Municipal Utilities District Board and Staff:

I vote not project at all. It would be foolish to pursue either building strategy under the supposition that increased development and drought beg such a waste of money with such environmental consequences. Ind45-1

There is no reason not to kick back for a couple years while enormous rainfalls fill your existing reservoirs. Meanwhile, EBMUD should concentrate on curbing wasteful development and making efficiency a priority, not only for your users, but for the agency itself. Over the years, I've figured out (and its been confirmed by your staff) that the agency wastes far more than us little folks can ever conserve.

All EIRs and EISs have a "no project" alternative. It was disingenuous for whomever prepared the analysis to forget to add that very important option until page four and then to only address it in the most cursory way, not explaining environmental and economic benefits of doing nothing. Your whole public EIR/EIS is geared toward forcing the public to choose between two poor environmental choices instead of openly providing the "no project" choice up front. As such it is an incomplete EIR/EIS. Organizations have been successfully sued on far less than that.

(more)

In a related issue--if the idea of building more dams is to provide more water, the emphasis should instead be focused on conservation of current assets. Your rate structure encourages waste. That could use much fine tuning. For instance, I have to pay over $30 per month for my paltry consumption of less than 100 gallons/day. The commodity part of the bill is only about one-fifth that amount, so if I wasted water, it would make little difference as most of the charges are not set on consumption, but flat fees for services. And, I don't live in some high-rise apartment, where conservation is easy. I have a big house and a vegetable garden. I have to pay for sewage service, even for the water sent to the garden.

Cordially,

Ms. J.A Savage
cc: Phil Williams, Phil Williams & Associates

Response to Comment of J.A.Savage

Ind45-1, J.A. Savage
EBMUD considers the supplemental water supply project essential to meeting future dry-year water demand. The forecasted future demand in the EBMUD service area is the same with or without the supplemental water supply project. EBMUD has the responsibility to plan for the future. The Updated WSMP EIR analyzed numerous potential projects to reduce the need for additional water, including substantial reclamation and conservation programs, and EBMUD has instituted effective reclamation and conservation strategies.

The no action alternative is analyzed throughout the 1997 Draft EIR/EIS along with the two action alternatives. Rate structures are discussed within the Updated WSMP but are not a part of the 1997 Draft EIR/EIS.

DR. DAVID L. SCHNEIDER
OPTOMETRIST
ph./fax (510) 848-6733
1736 HEARST AVENUE
BERKELEY, CA 94703

12/17

Ind 46

DEAR MR. CADENASCH —

I URGE THE DISTRICT TO FURTHER INVESTIGATE THE EFFECTS OF THE DIVERSIONS ON THE TA ECOSYSTEM + ON GROWTH WITHIN THE EBMUD DISTRICT. I URGE THE DISTRICT TO ADOPT THE PRINCIPLES THAT THE AMERICAN RIVER PROJECT REMAINS CONSISTENT W/ THE PRINCIPLES FOR BAY-DELTA WATER-QUALITY STANDARDS CURRENTLY BEING DISCUSSED IN "CALFED" PROCESS. . .

Ind46-1

SINCERELY —

Response to Comments of Dr. David L. Schneider

Ind46-1, Dr. David L Schneider
The 1997 Draft EIR/EIS adequately addresses impacts on the Delta and growth within the EBMUD service area.

Ind46-2, Dr. David L Schneider
As a CVP contractor, EBMUD is committed to participating in the CALFED process.

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 47

Name: Lyvonne Sewell Date: 1/14/98

Address: 2221 C St

City/State/Zip Sacto Ca 95816 Phone/Fax (916) 943-8026

Organization (if applicable) To whom it May Concerne

Comments: The water is a sacred gift that needs to be cherished + respected. There is only so much of it in the river + growth of population will continue to this area. This is not a long term solution + we should realize this at the beginning of this project not 20 yrs from now. Please do more to also push for the use of Ocean water. The bay area is surrounded by water. They need to develop + plan to use it sooner rather than later. ♡

Since this looks like a done deal alternative 5 looks best. It is the least disruptive to the city + if you could do the bipass to get pipes off the city streets

Ind47-1

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 5, 1998. Thank you for your input.

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Name: Lyvonne Sewell Date: 1/14/97

Address:

City/State/Zip Phone/Fax

Organization (if applicable) BPNA

Comments: That also would be wonderful. Money should be put towards educating the public to conserve water because they understand ~~supply~~ + demand will not stop but water amts will vary + we need to respect this at all times especially in times of plenty. I would like to see as part of the agreement street lights put in mid town and a clause written in the contracts stating any damage done to side walks + drive ways must be repaired at the City's cost. Please if you do come down the streets take care not to kill our trees. I would like #5 to be on 24th rather than 23rd St we just put in our city pedestrian island on 23rd Hate to see it turn ing ♡

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 5, 1998. Thank you for your input

Thank you! L Sewell

Response to Comment of Lyvonne Sewell

Ind47-1, Lyvonne Sewell
At this time, the technology for desalination of sea water has not advanced far enough to be an economically viable solution in supplying water to meet California water quality standards. EBMUD continues to promote aggressive water conservation practices within its service area and assumes a reduction in water use of 25% during drought years. EBMUD will work closely with appropriate agencies to ensure that damage to streets and sidewalks that occur during project construction is repaired.

Carl Seymour
3116 C Street
Sacramento, CA. 95816
(916) 444-9164

Ind 48

March 19, 1998

Kurt Ladensack
EBMUD m.s. #305
PO Box 24055
Oakland, CA. 94623-1055

RE: EBMUD/USBR SUPPLEMENTAL WATER SUPPLY PROJECT

Dear Mr. Ladensack,

The proposed routing of the pipeline portion of this project down C Street will cause irreparable harm to our neighborhood as well as introducing unnecessary hazards, and must be reconsidered. A much better alternative would be run the pipeline on the north side of the railroad berm, or even between the levees of the American River.

The pipeline route should be moved north of railroad berm or between the river levees to: Ind 48-1

(1) Preserve neighborhood landscape trees that have taken 75 years to develop;

(2) Reduce construction costs by avoiding sub-street utilities, and repaving following excavation;

(3) Avoid impact on neighborhoods;

(4) Avoid potential catastrophe, should the pipeline ever rupture.

The trees on my street are estimated to be 75 years old, and represent a heritage from previous generations. In a street of undistinguished houses, they are our primary asset, and contribute materially to property values (for example, I bought a home in this neighborhood just because of the trees). Arborists tell us that the only way to ensure the continued health of a large tree when excavation is necessary is to dig outside the dripline. The proposed pipeline will not only be well within the dripline, it will be close to the trunks. It is very likely that these trees will sicken and die following the pipeline installation, or even have to be removed in advance of it.

Within the river parkway, periodic flooding completely rearranges the landscape every few years anyway - knocking down trees, uprooting brush, etc. There is no permanent landscape that people have toiled for years to nourish, and few (or no) heritage trees. Ind 48-2

On the other side of the railroad berm and/or within the river parkway, there are no residences to be disturbed by construction. Construction there will have no impact on lives or property values.

It makes no sense to put the pipeline down a residential street when undeveloped property is so close. Surely there are also many fewer utility connections, and areas north of the railroad berm or within the river parkway would not have to be repaved.

In considering placing the pipeline down C Street, one must also consider the possibility of a catastrophic rupture of the pipe, e.g. in the event of earthquake, pump malfunction, blockage at some point along the line, or any of the many other unplanned problems that could occur. On the other side of the railroad berm, there are no residences which could be flooded, or people living who could be hurt or killed by flooding. Within the parkway, any flooding would simply return the water directly to the river! Given the size and capacity of the pipe, it does not make sense to locate it in a residential area except as a last resort. Ind 48-3

Finally, from reviewing the diagrams submitted, I do not see how the pipeline can be built on C street without ruining front yards and dramatically disrupting our lives. While lawn and shrubs can be replaced, our big trees cannot. The proposed hours of work will deprive my growing daughter of much needed sleep, which can never be replaced.

In summary, it is my fervent hope that you will move the pipeline route off of C Street wherever possible.

Thank you very much for your attention to my letter and concerns. I realize that you have many issues to consider, and appreciate your time and consideration.

Sincerely,

Carl Seymour

Carl Seymour

cc: Steve Cohn, City Councilmember

Response to Comments of Carl Seymour

Ind48-1, Carl Seymour
See the response to the "C Street Pipeline Routing" major issue in Chapter 3 of this document.

Ind48-2, Carl Seymour
The pipeline design would be reviewed and approved by the City and County of Sacramento utility departments should Alternative 3 be selected. Water conveyors rarely exhibit problems that result in large uncontrolled leaks. In addition, the pipeline would be designed to meet stringent seismic standards. Safety measures for pressure release in the advent of a rupture would be included in the design.

Ind48-3, Carl Seymour
An alignment within the American River Parkway was eliminated from detailed consideration in the 1997 Draft EIR/EIS because of potential significant environmental impacts and lack of access during periods of high river flows in the American River.

GAIL SLATER

4200 Rosecrest Way
Sacramento, CA 95826

Email bensan1@ix.netcom.com

Ind 49

March 16, 1998

Mr. Kurt Ladensack
c/o East Bay Municipal Utility District
P.O.Box 24055
Oakland, CA 94623

Dear Mr. Ladensack,

My husband and I have been home owners in Rosemont for fourteen years and are very concerned about the quality of our neighborhood. The placing of the East Bay Municipal Utility District pipeline through the main thoroughfare and economic heart of Rosemont raises several issues:

- The economic impact on the business owners along Kiefer Boulevard (from its beginning at Florin Perkins Road to Bradshaw Road) and the impact to access for Rosemont residents/customers. Ind 49-1
- The disruption to the high volume of traffic along Kiefer and the effects of the diversions (either designated or haphazardly taken by impatient motorists) onto our narrow residential streets. Kiefer is also a main route for heavy trucks - which will not be tolerated on our residential streets.
- The inconvenience to Rosemont residents while the work is in progress - commuting to and from work, school, medical appointments, errands, shopping, etc. Also a great concern is ambulance and sheriff service during the construction.
- Since Kiefer is the lifeblood and heart of Rosemont, the quality of the surface of Kiefer and its general appearance is of great concern. How Kiefer is excavated and resurfaced is of upmost concern. To leave Rosemont with a main thoroughfare that will require continual patching will be a detriment to Rosemont and thus a threat to the economic viability of our community.

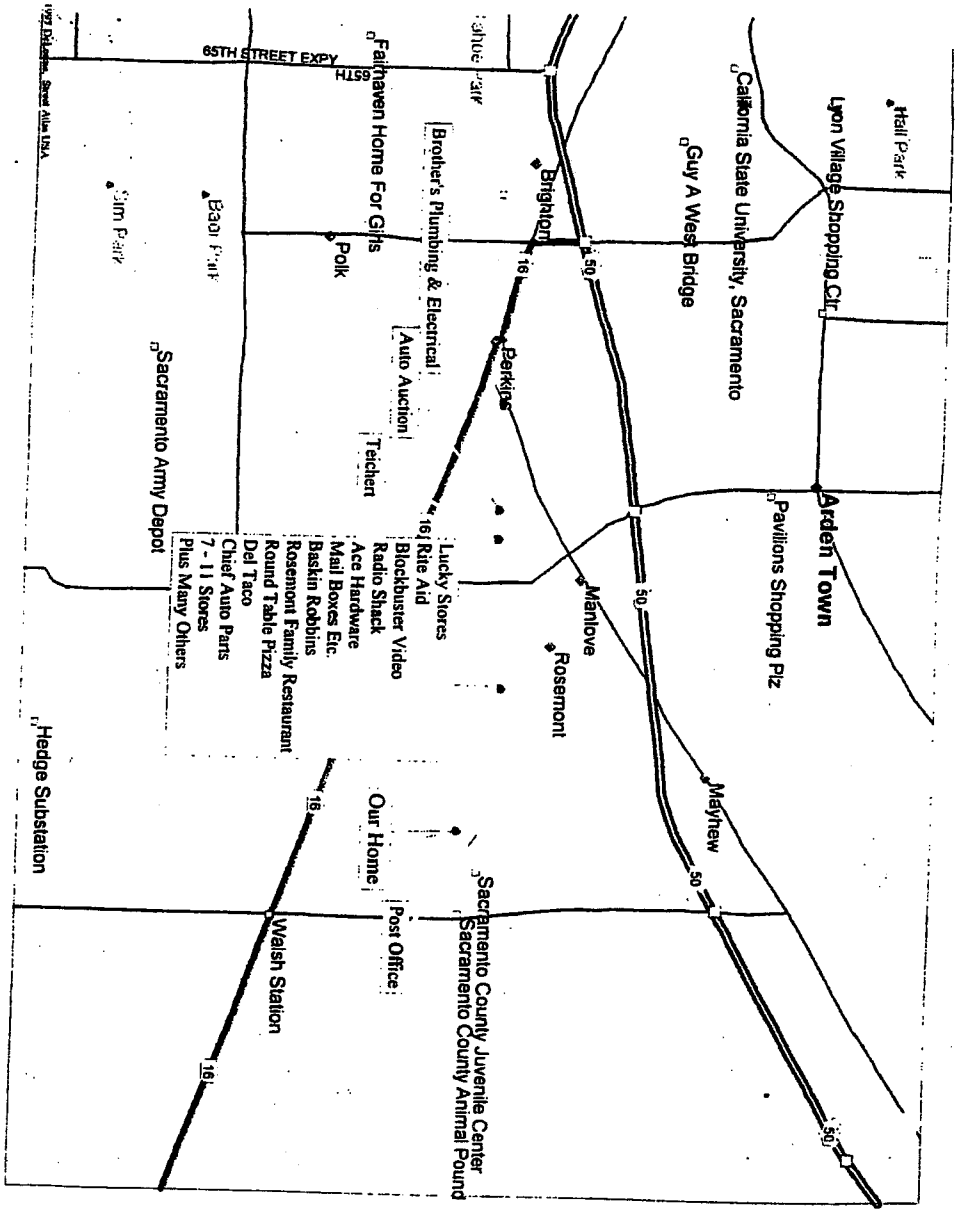
Enclosed are maps showing your proposed route and three alternate routes we think you should take into consideration. One, of course, is along Jackson Highway - the most obvious and most direct route. We also suggest two routes along the two railroad right of ways, the Central California Traction line and the Southern Pacific line south to Florin Road and then east to the Folsom South Canal. Have these alternate routes been looked into? I would hope that the Kiefer route wasn't chosen because it looked like it would be a pushover to sell to the citizens of Sacramento. I think EBMUD will discover that the residents of Rosemont are not only an organized and a motivated group but have a record of fighting for and judiciously protecting our community. Ind 49-2

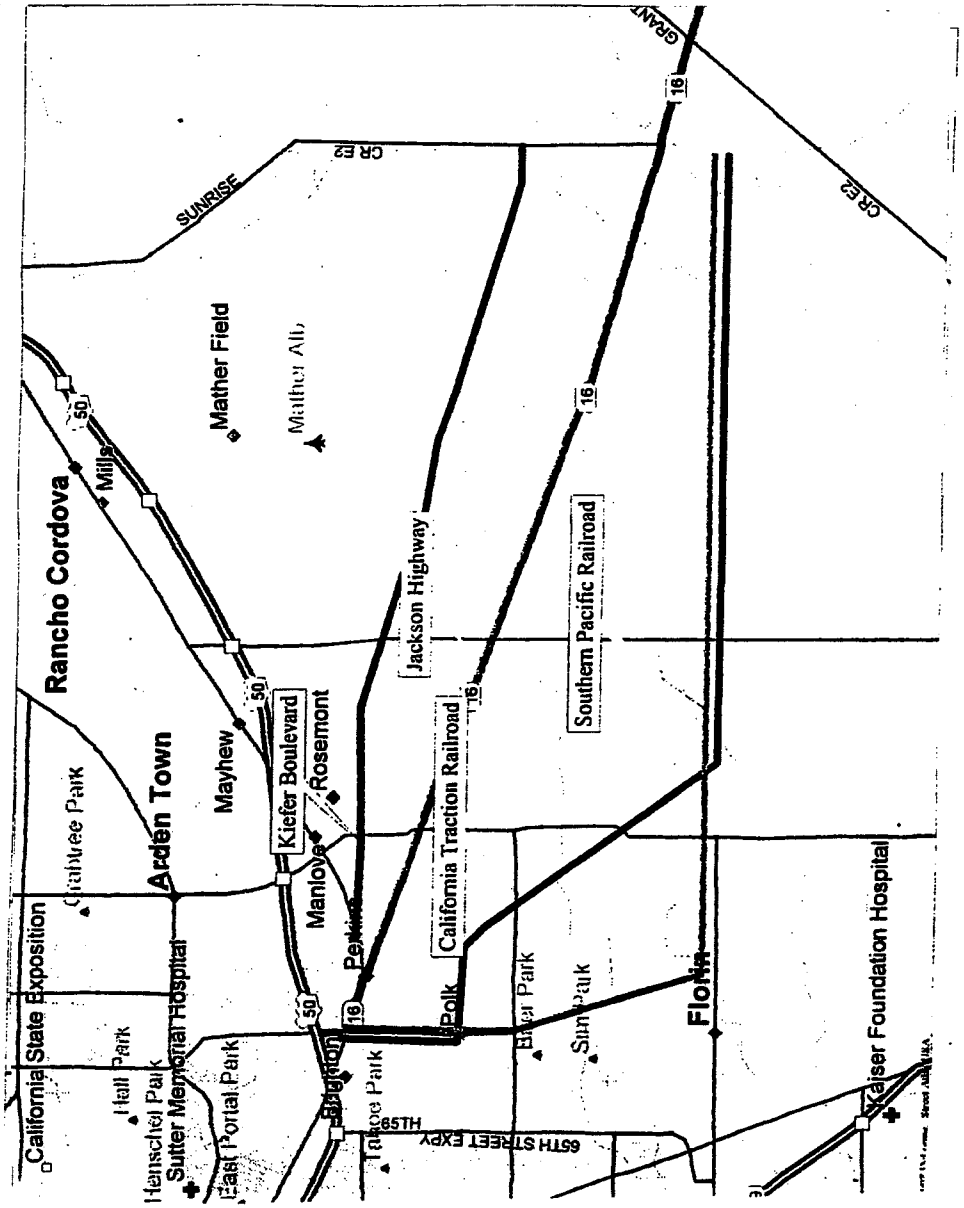
Sincerely,

Gail Slater

Gail Slater

cc: Supervisor Don Nottoli
enc: 2





Rancho Cordova
Arden Town
Mather Field
Mather Alb
Mills
Mayhew
Kiefer Boulevard
Rosemont
Manlove
Perkins
Jackson Highway
California Traction Railroad
Southern Pacific Railroad
Florin
Polk
Bogdon
Sutter Memorial Hospital
California State Exposition
Grabtree Park
Hall Park
Henschel Park
East Portal Park
Tahoe Park
Sun Park
Kaiser Foundation Hospital
65TH STREET EXPY
SUNRISE
CR E2
GRANT
50
16

Response to Comments of Gail Slater

Ind49-1, Gail Slater
See the response to the "Kiefer Boulevard Pipeline Routing" major issue in Chapter 3 of this document. Emergency service routes in construction areas would be addressed in the Traffic Control Plan, as noted in Chapter 12 of the 1997 Draft EIR/EIS. Resurfacing impacted road surfaces would be part of the Construction Plan.

Ind49-2, Gail Slater
Alternative routes, such as those provided in the comment letter, were evaluated during the planning phase of the project and rejected because they would not reduce impacts overall compared to the routes evaluated in the 1997 Draft EIR/EIS. See the response to the "Kiefer Boulevard Pipeline Routing" major issue in Chapter 3 of this document.

Ind 50

February 15, 1998

Mr. Kurt Ladensack
Water Supply Improvements Division
EBMUD, MS #305
P.O. Box 24055
Oakland, CA 94623

SUBJECT: DRAFT EIR/EIS EBMUD/SACRAMENTO JOINT WATER SUPPLY PROJECT

Dear Mr. Ladensack:

I understand an analysis was initiated on the Urrutia property on the north side of the river as an alternative intake site. Was this analysis technically sufficient to determine whether or not a pumping facility at this location might be viable? Ind50-1

If the analysis was sufficient for evaluation of this property, it would be helpful to include it in the Final EIR/EIS.

Thank you for your attention to this matter.

Sincerely,

Robert Sleppy
1454 El Nido Way
Sacramento, CA 95864

Faxed on 2-17-98

Response to Comment of Robert Sleppy

Ind50-1, Robert Sleppy
A pipeline route within the American River Parkway to the north of the river was considered as an alternative in the planning process but was rejected due to the anticipated significant impacts on biological resources. The alternative north of the river would result in substantial impacts on sensitive species and wetland habitat. In addition, access to the pipeline during high river flows would be difficult, and preliminary geotechnical analysis indicated that the geology within the Parkway complicated the engineering design.

Ind 51

January 7, 1998

Mr. Kurt Ladensack
East Bay Municipal Utility District
c/o Water Supply Div.
P.O. Box 24055
MS#305 Oakland, CA. 94632-1055

RECEIVED
JAN 9 1998
WATER SUPPLY IMPROVEMENTS

Mr. Rod Hall
Environmental Specialist
U.S. Bureau of Reclamation
7794 Folsom Dam Road
Folsom, CA 95630

Dear Sirs:

Comments on the DEIR for EBMUD's Supplemental Water Supply Project. DEIR received Dec. 12, 1997.

Overall impression

I find the project descriptions and operational plans difficult to follow. Information is inconsistent with Water Forum information, see Chapter 3 Hydrology etc. Each alternative should be clearly explained including the operational aspects of the NO ACTION alternative. This alternative is the baseline from which all impacts (beneficial and detrimental) are measured. Ind 51-1

The project's objectives on S-2 are those of EBMUD. Other project objectives should include protecting public trust interests and the natural resource objectives of the Judge Hodge decision; meeting the fish "in good condition" criteria of Fish and Game Code Section 5937, the conditions of the Delta Accord and Delta water quality. Ind 51-2

Some specific comments

EBMUD wants to guarantee its customers a full water supply under any hydrological condition, planned system outage or system failure. Therefore it desires to exercise its 1970 Bureau of Reclamation contract to take American River water. Ind 51-3

The project alternatives (Chapter 2) are not clearly presented nor their specific plans of operation adequately explained. Simply stated, Alternative 1 is No Action; Alternative 2 is Folsom South Canal Connection; and Alternative 3 is a joint Sac. City/County/EBMUD project. The operational plans for each alternative should be spelled out for each water year type. Ind 51-4

Information from Chapter 1 indicates that the supplemental water supply would be taken in all years from the mouth of the Ind 51-5

American River and also at times from the Folsom South Canal. This arrangement sounds something more than a supplemental/ dry year supply/ planned outage supply. This looks like some-one wanting to wholesale water while protecting its supply. What is EBMUD'S intent?

The Hodge physical solution and the Central Valley Project Improvement Act (CVPIA) Anadromous Fish Restoration Program (AFRP) put protecting the Lower American River public trust resources, uses and values **first** before EBMUD could take American River water from Folsom / Nimbus Reservoirs. The baseline conditions for the Lower American River (LAR), are the Hodge flow pattern (flow, timing and temperature of releases) and the fish flow pattern incorporated into the AFRP. These conditions have been implemented by the Bureau as provided for in the CVPIA. Any water diverted from the American River, above its mouth (EBMUD'S contract water), should be added to that released to meet the Hodge/AFRP flow pattern at the mouth. Ind 51-6 Ind 51-7

EBMUD's diversion from the Folsom South Canal (FSC) and its operational plan must be fully explained. For example, how much water will be taken and when? The 35,000 AF average annual delivery (Table, page 3-5) does not tell the complete story. (Note: With the improved water treatment technology available an operational Bixler facility could easily provide this amount of water). A chart showing the years when water may be available and what amounts would be diverted would be helpful since it is clear that 150,000 AF, or 112,000 AF or even 40,000 AF would not be available each and every year. In many years little or no water would be available via the FSC. Ind 51-8

On Pg 2-15, a joint Sac. City/County/EBMUD project is discussed as the best concept around for all the parties. However there appears to be no agreement on the operational details of that project. The joint project, its particulars and plan of operations; who gets water when and how much water during dry year cutbacks, have not been developed into a project acceptable to all parties. Ind 51-9

Critical to an acceptable joint project may be the EBMUD cutback in drier and driest years in order to protect the public trust uses, values and resources of the area of origin, including the Delta. It appears that EBMUD management is trying to shove its concept of a joint project down the throats of the people of the greater Sacramento region. Ind 51-10

A question is Will a new point of diversion be approved by the State Board so EBMUD can take its water around the Delta in its own private peripheral canal? Are there new findings that allow EBMUD to divert from the same flows that Judge Hodge required Ind 51-11

for protecting public trust interests of the LAR? What are the bypass flows for EBMUD's proposed joint project?

A joint project is discussed in several places in the documents There is a 217 cfs diversion from the LAR and a 350 cfs connection / addition to the FSC. Why so much capacity in the FSC especially if EBMUD does not intend to take water from Nimbus Reservoir? It is apparent that EBMUD desires to take its contract water whenever it can, i.e. from Nimbus Reservoir when Hodge / AFRP flows can be meet and from the mouth of the American River in all other years. The 217 cfs diversion equates to about 157,000 AF per year while 350 cfs diversion equates to about 253,000 AF annually. (See meeting EBMUD's planned outage and take up to 350 cfs via the FSC pg. 5-19). Ind51-12

Chapter 3 - Hydrology, Water Supply and Power. This section presents data that is inconsistent with Water Forum data or is incomplete. For example, the demand on the American River is greater than 368,000 AF for year 2030. Up date information and clarification is needed. Tables 3-2 and 3-3 also appear to be inconsistent with Water Forum developed data. Why the differences? Ind51-13 The Mokelumne River data (Table 3-1) is not based on a State Board decision or FERC ruling, but on a politically contrived decision. Ind51-14 The Settlement Agreement submitted to FERC is being challenged by the Committee to Save the Mokelumne River and others. Table 3-1, foot note e should read "Estimates of AFRP **objectives**, not objections". Ind51-15

During most years, the Bureau will make releases to the LAR to meet the Hodge flow pattern / AFRP flows standard requirements and diversion demands including any bypass flows. Ind51-16 During most drier than normal and dry years EBMUD can not take water via the FSC. However from the evidence presented in the DEIR, EBMUD wants to exercise its contract with the Bureau and take between 112,000 and 150,000 in most years and 70,000 AF annually in the driest years from just about any point of diversion downstream of Folsom Dam. However a Delta diversion alternative is not discussed. Ind51-17 This 150,000 AF in combination with the 250,000 to 300,000 AF from the Mokelumne River amounts to about 450,000 AF of Delta inflow depletion attributable to EBMUD. Ind51-18 The plumbing proposed by EBMUD is its own peripheral canal transporting water from the American River and Mokelumne River around the Delta to its Service area. EBMUD is a part of the organization "Share the Water". However with this amount of depletion, EBMUD is becoming a bigger part of the problem rather than part of the solution to "share the water". How and what is EBMUD going to do to mitigate the adverse impacts to Delta water quality for agriculture, urban users, export supplies, fish resources and other trust interests by this increased Delta depletion? Ind51-19

In 1853 the California Supreme Court, in Eddy v Simpson (3 Cal 249) stated that a property right in water is usufructuary, i.e. the right to utilize and enjoy something belonging to another so long that the property is not damaged or altered in any way. One must assume that EBMUD was aware of this meaning. In 1977, Mr. Ronald Roby, then Director of the Department of Water Resources, stated that in allocating water rights, the water necessary to protect public trust interests was not and never was allocated (The Public Interest in Water Rights Administration, Twenty-third Annual Rocky Mountain Mineral Law Institute - 1977). Ind51-20

The Cal Trout decision indicated that under Fish and Game Code Section 5937 protecting fish and other aspects of the public trust comes **first**. The Court stated that CDFG Code Section 5937 limits the amount of water that may be appropriated by requiring that sufficient water **first** be released to assure that the instream ecosystem and its fish and other aquatic life are in good condition. With this understanding the water necessary to protect fish and other aquatic resources uses and values was never allocated. Therefore protecting the varied public trust interests was and is a pre-condition to any water right allocation, applicable to both the State Board and the water right holder.

A provision of the EBMUD/FWS/CDFG Settlement Agreement, EBMUD desires to sell 40,000 AF to 80,000 AF of surplus Mokelumne River water to the Bureau/Fish and Wildlife Service as a part of the CVPIA's anadromous fish restoration program. Prices paid for water have ranged from $35.00 up to $100.00 an acre-foot. This water would help to restore public trust resources, uses and values of the Lower Mokelumne River and Delta. The funds for such a purpose would come from scarce public (restoration fund) dollars. While such a transaction may be in the parochial interests of EBMUD, it is not consistent with the public trust principles and the no taking findings of Audubon (National Audubon Society v. Superior court Alpine County, 33 Cal. 3d 419, 189 Cal. Rpt. 346 (1983), Racanelli, (United States v. State Water Resources Control Board, 227 Cal. Rpt. 161 - 1986) and Cal Trout v. State Water Resources Control Board, 207 Cal. App. 3d 585 (1989). Since there is no taking; - What is the rational for the public to pay for water (i.e. buy back its owned water) to protect public trust interests and to keep "in good condition" (CDFG Code Section 5937) the fish and other aquatic life of the lower Mokelumne River, the Delta and San Francisco Bay? What is EBMUD's rational for using non-EBMUD funds (PUBLIC DOLLARS) to mitigate and/or help offset impacts to lower Mokelumne River fish resources and Delta water quality caused by the operations of EBMUD's Mokelumne River project? Ind51-21

EBMUD by its present actions and Mokelumne River Settlement Agreement is not contributing its fair ecological share of instream flows to maintain the Delta pool, its quality or public trust interests. EBMUD with its own peripheral canal is clearly a contributor to the problem of water quality in the Delta. EBMUD by taking a major part of its supply at Bixler, would become part of the solution by protecting Delta water quality and other public trust interests. Interestingly EBMUD indicates (pg.3-10) that it releases 100 to 325 cfs from Camanche reservoir for fish and to satisfy other downstream needs. However much of this water does not become Delta inflow because it is diverted at Woodbridge Diversion Dam to meet the senior water rights of Woodbridge I.D. Only about 10 percent of the average unimpaired Mokelumne River runoff of 730,000 AF, is designed for Mokelumne River ecosystem, Delta water quality protection and for public trust uses.

On page 3-11, EBMUD acknowledges that adequate Delta inflows are critical for maintaining the water quality necessary for agricultural, municipal and industrial purposes as well as maintaining public trust resources, uses and values. Under cross-examination during the 1992-93 State Board hearings on EBMUD'S Mokelumne River project, it was established that the Bixler facility is a viable solution for EBMUD to take some or all of its water because about 20 million Californians already do; the Delta city of Pittsburg treats Delta water to a lower level of trihalomethanes than EBMUD's pure snow melt; that Contra Costa W.D. diverts from the Delta and satisfactorily treats its water supply for municipal and industrial purposes; and that EBMUD representatives admitted that it could treat Delta water to the same drinking water standards as Pardee Reservoir water. Ind51-22

On Dec. 18, 1997 EBMUD's staff conducted an informational briefing on its LAR supplemental water supply project. EBMUD's presentation gave the impression that it has no other water supply option without the American River. This does not reflect past actions to meet emergencies and dry hydrologic conditions. In response to the question,-- What is the intended use of EBMUD's Bixler point of diversion? -- Messrs. Lampe and Ladensack did no more than shrug their shoulders and show a blank expression. This blank expression and shrugging of shoulders by EBMUD management gave a feeling of "so what" to those in the Sacramento audience. The question remains - What is EBMUD's intended use of the Bixler point of diversion? This facility and point of diversion has been licensed / permitted in the past and has been tested and was used in 1976 and again in 1977 (FWS info and EBMUD submittal to FERC and contained in FERC's DEIR on the EBMUD'S lower Mokelumne River hydro-project). Ind51-23

EBMUD's Bixler point of diversion (Indian Slough) or other Delta location must be considered a viable diversion point for taking water to meet its supplemental needs. This Bixler diversion is a must if protecting water quality, aquatic resources and other public trust interests are to be realized by those taking or who could take Central Valley Project (CVP) and State Water Project (SWP) deliveries from the Delta pool. The biggest stumbling block to protecting Delta water quality are the upstream water right holders and diverters (including EBMUD) who are impacting water quality and other public trust interests by depleting inflows or by dischargers adding salts, trace elements and agricultural chemicals directly or indirectly to Delta inflow. Because the Bixler facility is a viable alternative for EBMUD to obtain its supplemental water supply, EBMUD should develop realistic cost estimates for enlarging and operating this facility. Such costs and the cost of operations should be included for comparison purposes along side EBMUD's FSC and the joint project costs. Ind51-24

The Racanelli decision put the obligation to protect Delta water quality and other public trust interests on all upstream diverters and water right holders. The State Board is supposed to be formulating everyone's fair ecological share contribution for maintaining Delta water quality. The Hodge physical solution (flow pattern, etc.) and the improved "F pattern" approximates what the American River Basin's inflow contribution would be to protect the public trust interests of the LAR and the Delta pool. The Bureau can help meet its Delta inflow and water quality objectives by making the point of delivery of EBMUD's contract water its Bixler facility. EBMUD can also help by taking a major portion of its Mokelumne River supply released for public trust purposes at Bixler. Ind51-25

Summary Table S-3. The list of impacts is incomplete. In addition the significance of impacts should be determined by the reader. EBMUD's values are not the same as someone concerned about public trust interests, endangered species or selected species of anadromous fishes. Identifying impacts and formulating mitigation actions is a primary purpose of an the National Environmental Policy Act. Some of the impacts are: Ind51-26

* Depletion of the cold water pool in Folsom Reservoir (all other thing being equal) will result in increased temperatures which would impact the LAR ecosystem. Any sudden or abrupt temperature changes could disrupt spawning activity or out-migration. Ind51-27
* Depletion of the cold water pool in Folsom Reservoir will impact operations and could increase mortality (through elevated temperature of the water supply) at the American

River Trout Hatchery as well as the Nimbus Salmon and Steelhead Hatchery (NSSH). The NSSH was constructed and is operated to mitigate the loss of the upstream spawning and nursery areas once utilized by Chinook salmon and steelhead trout. Salmonid fishes just about cease growing at temperature above 68 F because of increased metabolic rate. In addition increased water temperature has a synergistic effect on the several components of the aquatic ecosystem with signs of stress occurring below 68 F. This is especially so under hatchery conditions. For optimum management a reliable water supply is needed. This includes water of acceptable quantity and quality including the range of temperature necessary for salmonid production (holding, spawning, incubation and growth) through the year.

* Impact to juvenile steelhead in the LAR because of reduced flows passing the joint project intake. Ind 51-28
* Because salmonid fishes are capable of sensing a temperature differential of less than .5 degrees F. Temperature will increases of released flows because of reduced volume in cold water pool. This will impact summering over of juvenile steelhead and could impact Chinook salmon spawning conditions (delaying the spawning time and out migration). Ind 51-29
* Reduced warmwater fish habitat in Folsom, Shasta and Trinity Reservoirs (water level fluctuations as water is stored and later released to provide Delta inflow. Ind 51-30
* Impacts to American Shad spawning and out migration resulting from reduced stream flow and outflow. Ind 51-31
* Reduced coldwater fish habitat in Shasta and Trinity Reservoirs April thru October as increased releases are made necessary to provide water to the Delta to help maintain water quality for public trust uses and water export. These same releases could reduce coldwater needed for the winter-run Chinook salmon as well as impact fall-run Chinook salmon holding, spawning and egg survival in the upper Sacramento River. There could be similar impacts to fall-run Chinook salmon holding, spawning and egg survival in the Trinity River. Ind 51-32
* Losses at the fish screen of the joint facility. This facility must be screened to reduce the impact of diversion on all fish species not just those of special concern or considered threatened. If such protection is not provided all native fishes in the area could be listed or be considered as a candidate species under the FESA. In addition the wholesale loss of egg, larva and young of such high interest species as striped bass and American shad would not look good. Ind 51-33
* Construction of the intake as envisioned would be a scenic intrusion into the Lower American River. Ind 51-34

* Any flow fluctuations which occur as a result of meeting EBMUD's on/off diversion demands will impact the wetted perimeter of the LAR ecosystem. These fluctuations are particularly adverse to the entire periphyton community of green algae, brown diatoms and the various developmental stages of aquatic insects and other invertebrates, basic food production. In addition at certain stream flow stages a change of .3 tenths of a foot as measured at the Fair Oaks USGS gage will result in impacts to the wetted perimeter (including dried out shallow areas and resultant heat buildup), to summer nursery and fall spawning conditions. These conditions will be magnified during periods of high air temperatures and especially so during years of below normal runoff. Ind51-35

The general statement "the natural variation in hydrologic / water quality conditions is substantially larger than hydrologic changes which would result from the various alternatives" is common phrase in this document. Is this EBMUD's way of diminishing the impacts and dumbing its audience? It is because of this same natural variation in conditions that EBMUD desires to take water from the American River (i.e. the natural variations in the hydrologic conditions of the Mokelumne River do not provide the certainty of supply desired by EBMUD especially in light of the need to protect public trust interests of the LMR and Delta. Ind51-36

It is because of this natural variation in hydrologic conditions, that the Sacramento Water Forum developed the co-equal objectives relative to the American River. All interests share in years of ample runoff, while in water short years, **all** must share the pain in order to help protect a variety of public trust interests of the Lower American River and Delta. Ind51-37

The statements that mitigation measures are not required or not available, puts protecting public trust interests on less than an a co-equal footing with EBMUD's water diversion. Identifying impacts and formulating mitigation actions is a primary purpose of an the National environmental policy Act.

EBMUD indicated that mitigation measures are not required to offset or compensate for many project associated impacts or associated values, because it is proposing to contribute money to help support the Habitat Management Element (HME) of the Sacramento Water Forum Agreement. The HME is basically a habitat monitoring and evaluation program. Contributing funds to a program does not constitute mitigation. Direct project impacts are a responsibility of the project sponsor. In this instance EBMUD is the responsible party therefore it is EBMUD who must come up with mitigation actions to offset project Ind51-38

occasioned impacts. EBMUD is the one accountable for mitigating the various impacts, either on site or in close proximity of the impact area, not at some location far removed from the impacts.

The intrusive design of the LAR intake structure of the joint project must be modified. Project engineers must be stressed to develop an intake structure that is not so intrusive. The facility should be compatible with the scenic qualities of the LAR. It may necessary to place it landward of the levee. Ind 51-39

There are also recreational opportunity impacts to water dependent uses such as boating, rafting, and swimming along the LAR and impacts to boating (less surface area and loss of boat ramp function) recreation at Folsom, Shasta and Trinity Reservoirs, as water is drawn to offset EBMUD's Delta water quality impacts. Similar impacts occur to Folsom Reservoir. EBMUD indicates that mitigation measures are not required for these impacts. This is faulty thinking. EBMUD is the responsible party therefore it is EBMUD who must come up with actions to mitigate the impacts. EBMUD is the one accountable for mitigating impacts on site or at least in close proximity of the impact area. Ind 51-40

EBMUD in the conduct its overall water supply facilities (including Pardee Res.), manages its reservoirs for maximum storage carry over and recreational use (Pg 1-3). By not implementing mitigation actions, EBMUD will be short changing the areas of origin recreational opportunities, resources and uses (Shasta and Trinity Lakes, Trinity River, upper Sacramento River, Folsom Reservoir and the lower American River, while building benefits in its own service area by maximizing the storage in its reservoirs. Ind 51-41

The seemingly minor, less than significant impacts, attributable to this and other diversions will result in significant cumulative impacts to public trust interests of water quality and to aquatic resources of the LAR and Delta. Ind 51-42

All impacts should be identified. EBMUD must develop mitigation measures or actions and then implement them in a timely manner. A monitoring program must be undertaken to determine if the mitigative measures or actions are doing what they were designed to do in an acceptable manner. If not, corrective action must be taken. Ind 51-43

Those impacts not mitigated or replaced in some way will constitute a subsidy to EBMUD so it can enhance its image and reduce its water costs. All this is at the expense of the public trust resources, uses and interests of the area of Ind 51-44

origin, such as Shasta and Trinity Lakes, Sacramento and Trinity Rivers, Folsom Reservoir and the lower American River.

Please incorporate these comments into the record regarding the DEIR for EBMUD's Supplemental Water Supply Project.

Sincerely,

Felix E. Smith

Felix E. Smith
4720 Talus Way
Carmichael, CA 95608
1-916-966-2081

Save the American River Association
The Bay Institute of San Francisco
California Sportfishing Alliance
Friends of the River
Committee to Save the Mokelumne River

comments of Felix Smith 1/7/98 (C:EBMUDEIR)

Response to Comments of Felix E. Smith

Ind51-1, Felix E. Smith
The water demands used in the hydrologic modeling and analysis were based on the best available information and are reasonable for impact assessment purposes. The assumptions used in the hydrologic modeling for Alternatives 2 and 3 are discussed in Chapter 3 of the 1997 Draft EIR/EIS. See in particular pages 3-1 through 3-5 of the 1997 Draft EIR/EIS.

Ind51-2, Felix E. Smith
CEQA and NEPA require that project objectives be identified and described. The objectives of the project are provided on page 2-1 of the 1997 Draft EIR/EIS. The project objectives state, in part, that the purpose of the project is to make use of EBMUD's American River water service contract "consistent with the conditions set forth in the Hodge Decision." Those conditions incorporate public trust protections. The remaining suggested objectives are embodied in the various approvals that would be required for operation of the project.

Ind51-3, Felix E. Smith
EBMUD has implemented some of the most stringent water planning measures of any major urban water purveyor in California. As part of its drought planning, EBMUD assumes that it can achieve an overall reduction in water use of 25% during severe droughts. This 25% reduction includes a reduction in water use in single-family homes of close to 40%. The purpose of the Supplemental Water Supply Project is not to provide a full water supply to EBMUD customers, but rather to reduce deficiencies to EBMUD customers to manageable levels.

Ind51-4, Felix E. Smith
See response to Comment Ind51-1. Chapter 3 of the 1997 Draft EIR/EIS provides an explanation of project operations. Details on project operations are also provided in Appendix C to the 1997 Draft EIR/EIS. Project operations are not explicitly controlled by water-year type, but rather by water-supply availability to EBMUD, the CVP, the City of Sacramento, the County of Sacramento, and others.

Ind51-5, Felix E. Smith
The description of the project alternatives is contained in Chapter 2 of the 1997 Draft EIR/EIS. As described in Chapter 2, water would be delivered to EBMUD only in certain years. The two alternatives discussed in the 1997 Draft EIR/EIS are independent; none of the discussion refers to an operational scenario in which water would be delivered from both the Folsom South Canal and the new intake facility on the lower American River.

Ind51-6, Felix E. Smith
The Hodge Decision (1990) did not specify release requirements in the lower American River. It did, however, specify conditions that must be met in the river before EBMUD could take delivery of water. The 1997 Draft EIR/EIS examines both the availability of water and the impacts of deliveries under the alternatives using both "Hodge flows" and AFRP flows as baseline conditions for impact analyses.

Ind51-7, Felix E. Smith
Under Alternative 2, Folsom South Canal, Hodge flows would need to be met before EBMUD could take delivery of water under its water service contract with Reclamation. However, under Alternative 3, Joint Water Supply, EBMUD, Reclamation, the City, and the County have agreed that taking delivery of water at a downstream location near the mouth of the American River essentially meets the purposes of Hodge flow and AFRP flow standards.

Ind51-8, Felix E. Smith
Table C-5 in Appendix C to the 1997 Draft EIR/EIS fully discloses the predicted availability of water under Alternative 2 (note that the average delivery shown on Table 3-1 and in Appendix C is approximately 29,000 AF). Most deliveries occur during November, December, January, and February each year. At least some water is predicted to be available in most years (57 years out of 70 simulated years).

Ind51-9, Felix E. Smith
EBMUD, the City, and the County will further develop the details of a potential joint water supply project if Alternative 3 is implemented. Although some details require further development, no substantive changes to the project have been identified to date, and the operations evaluated in the 1997 Draft EIR/EIS encompass such details.

Ind51-10, Felix E. Smith
EBMUD will continue to work with Sacramento-area interests to implement a project that meets the needs of all parties and protects the natural resources of the lower American River. Alternative 3 is premised on the availability of water during dry years.

Ind51-11, Felix E. Smith
Approval by the California State Water Resources Control Board may be required for implementation of Alternative 3, depending on the location of any new point of diversion. The alternatives considered in the 1997 Draft EIR/EIS are consistent with the Hodge Decision, and bypass flows for a new intake structure have not been specifically identified. The concept of bypass flows in the lower portion of the American River must be examined in light of the backwater conditions in this portion of the river.

Ind51-12, Felix E. Smith
As stated in Chapter 2 of the 1997 Draft EIR/EIS and described throughout the 1997 Draft EIR/EIS, none of the alternatives analyzed include taking delivery of water from both a new intake structure and the Folsom South Canal. Under limited circumstances (see pages 2-11 and 2-20), EBMUD may require water to meet its planned outage needs. Under Alternative 2, that need would be met by taking delivery of water from the Folsom South Canal during a wet year to meet EBMUD's full needs for a short period. Under Alternative 3, to meet its planned outage needs, EBMUD would take delivery of water from both the new lower American River intake facility and the Fairbairn WTP intake facility. EBMUD's planned outage need for water is approximately 350 cfs. Therefore, although the pipeline connection from the new intake facility under Alternative 3 to the Fairbairn WTP is sized at 217 cfs, the pipeline connection from Fairbairn WTP to the Folsom South Canal and from the Folsom South Canal to the Mokelumne Aqueducts is sized at 350 cfs.

Ind51-13, Felix E. Smith
It is recognized that the demand on the American River in 2030 will exceed 368,000 AF. Significant new actions by numerous agencies would be required to realize a higher level of demand. For purposes of impact analysis and to be consistent with the requirements of CEQA and NEPA, EBMUD and Reclamation used expected demands on the lower American River for 2030 but, as described on page 3-2 of the 1997 Draft EIR/EIS under "Alternative 1: No Action," limited actual deliveries to those capable of being made without new facilities. This modeling approach is nearly identical to the approach used by Reclamation for the Central Valley Project Improvement Act EIS. Procurement of the data in Table 3-3 of the 1997 Draft EIR/EIS was closely coordinated with the Water Forum, to the extent that the Water

Forum was willing to share information. The demands shown in Table 3-3 are consistent with Water Forum data.

Ind51-14, Felix E. Smith
The Mokelumne River flow pattern used in the modeling is the best available information to use for the impact analysis.

Ind51-15, Felix E. Smith
Comment noted. See Chapter 12 of this document, "Errata." The footnote of Table 3-1 should read "objectives."

Ind51-16, Felix E. Smith
This comment does not accurately reflect the analyses contained in the 1997 Draft EIR/EIS. Figure 3-3 of the 1997 Draft EIR/EIS shows the anticipated deliveries under Alternative 3. As shown in this figure and discussed in the text on page 3-14, under Alternative 3, deliveries would be made to EBMUD in 33 out of 70 simulated years, and the maximum delivery to EBMUD would be 112,000 AF, except in planned outage years, which are expected to occur very infrequently. Figure 3-3 also shows deliveries made to the City and County under Alternative 3.

Ind51-17, Felix E. Smith
See response to the "Alternatives Considered" major issue in Chapter 3 of this document.

Ind51-18, Felix E. Smith
It is not an accurate portrayal of EBMUD water needs to add all water entitlements owned or potentially obtained by EBMUD and then attribute that total to depletion of Delta inflow. EBMUD's demands and demand reduction measures are clearly described in Chapter 1 of the 1997 Draft EIR/EIS (Table 1-2). EBMUD demands are predicted to be far less than available supplies to EBMUD in most years. Any water not used by EBMUD in those years is available for other beneficial uses.

Ind51-19, Felix E. Smith
The impacts of Alternatives 2 and 3 on Delta water quality, Delta export, fish, and other resources are fully described in the 1997 Draft EIR/EIS. No significant impacts were identified on these resources on a project level, and no mitigation is necessary.

Ind51-20, Felix E. Smith
EBMUD has held a water service contract with Reclamation for American River water since 1970. Reclamation holds water rights on the American River and exercises its water rights consistent with water right permit terms and conditions. The alternatives as defined in the 1997 Draft EIR/EIS are consistent with all state water rights laws and with the Hodge Decision.

Ind51-21, Felix E. Smith
The settlement agreement approved by the Federal Energy Regulatory Commission in November, 1998, is not an integral element of the Supplemental Water Supply Project. See response to "Delta and Sacramento River Alternatives" major issue in Chapter 3 of this document.

Ind51-22, Felix E. Smith
See response to "Alternatives Considered" and the "Delta and Sacramento River Alternatives" major issues in Chapter 3 of this document.

Ind51-23, Felix E. Smith
The status of the Bixler pumping facility is described on page 1-3 of the 1997 Draft EIR/EIS. Currently, there is no permit to operate this facility. See also the response to Comment Ind51-22.

Ind51-24, Felix E. Smith
See the response to Comments Ind51-22 and Ind51-23. The cost estimates provided in Appendix B to the 1997 Draft EIR/EIS for a Delta delivery alternative are reasonable estimates, according to available information. Additionally, there is no substantial

evidence that taking delivery of CVP water in the Delta has fewer or less substantial environmental effects than taking delivery of water through an upstream intake point. See also the REIR/SEIS.

Ind51-25, Felix E. Smith
See response to "Delta and Sacramento River Alternatives" major issue in Chapter 3 of this document.

Ind51-26, Felix E. Smith
Both NEPA, and particularly CEQA, require that a lead agency identify significant impacts in an EIR/EIS. The significance criteria presented in the 1997 Draft EIR/EIS are intended to assist the reader in understanding the basis for the conclusions of significance made in the 1997 Draft EIR/EIS to provide for more comprehensive and thorough public review. The 1997 Draft EIR/EIS fully complies with CEQA and NEPA.

Ind51-27 Felix E. Smith
The 1997 Draft EIR/EIS contains a full analysis of the potential temperature effects of Alternatives 2 and 3 on the lower American River. This information is discussed in Chapters 4 and 5 of the 1997 Draft EIR/EIS and in Appendices D and E to the 1997 Draft EIR/EIS.

Ind51-28, Felix E. Smith
The potential effects of Alternatives 2 and 3 on all fish species is fully discussed in Chapter 5 of the 1997 Draft EIR/EIS.

Ind51-29, Felix E. Smith
See response to Comment Ind51-27.

Ind51-30, Felix E. Smith
The potential effects of Alternatives 2 and 3 on warm-water fisheries in other CVP reservoirs are fully disclosed in the 1997 Draft EIR/EIS (see pages 5-17 through 5-24 and Tables 5-7, 5-33, and 5-34).

Ind51-31, Felix E. Smith
The potential effects of Alternatives 2 and 3 on American shad are fully disclosed in the 1997 Draft EIR/EIS (see pages 5-17 through 5-24 and Tables 5-25 and 5-26).

Ind51-32, Felix E. Smith
The potential effects of Alternatives 2 and 3 on cold-water fisheries habitat in CVP reservoirs are fully disclosed in the 1997 Draft EIR/EIS (see pages 5-17 through 5-24 and Table 5-8).

Ind51-33, Felix E. Smith
The effects of entrainment of fish species potentially resulting from Alternative 3 are fully disclosed in the 1997 Draft EIR/EIS (see page 5-20). Additionally, as described in Chapter 2 of the 1997 Draft EIR/EIS, the description of this alternative includes the construction and operation of fish exclusion facilities designed to meet NMFS and DFG criteria.

Ind51-34, Felix E. Smith
This issue is fully discussed in the 1997 Draft EIR/EIS in Chapter 16, "Visual Resources." Depending on the intake site, the visual effects are found to be significant (intake Sites 1, 2, and 3) or less than significant (intake Sites 4 and 5). The analytical methodology is discussed on page 16-7 and Table 16-1.

Ind51-35, Felix E. Smith
The fisheries analysis presents an accurate evaluation of impacts on fisheries in the Llower American River. The conclusions of the analysis are located on pages 5-17 through 5-22 of the 1997 Draft EIR/EIS.

Ind51-36, Felix E. Smith
The statements in the 1997 Draft EIR/EIS about the natural variability in conditions were not intended to minimize the discussion of effects potentially caused by Alternatives 2 and 3. These statements were an attempt to put into context the accuracy

of the analysis tools and methodology available to assess effects and to describe the relative effects of the alternatives.

Ind51-37, Felix E. Smith
EBMUD supports the Water Forum process of only taking water when needed after implementation of reclamation, conservation, and an aggressive dry-year rationing policy.

Ind51-38, Felix E. Smith
The environmental effects of Alternatives 2 and 3 were identified as less than significant in the 1997 Draft EIR/EIS, and no mitigation is legally required. It is recognized that cumulative demands on the American River have the potential to cause significant effects. These potential effects were described in the 1997 Draft EIR/EIS. These cumulative effects cannot be mitigated without the participation of other parties. EBMUD is committed to participating in appropriate mitigation for cumulative effects, as described in the 1997 Draft EIR/EIS.

Ind51-39, Felix E. Smith
See response to Comment Ind51-34. EBMUD has undertaken substantial engineering evaluation of the intake facility design and has determined, based on preliminary engineering, that the current design is the most practical and best engineering solution. The analysis contained in the 1997 Draft EIR/EIS addresses relevant effects. If a different design is determined to be feasible in the future, the environmental effects would likely be similar to or less than those described in the 1997 Draft EIR/EIS.

Ind51-40, Felix E. Smith
The potential effects of Alternatives 2 and 3 on recreation in the lower American River system were fully disclosed in Chapter 6 of the 1997 Draft EIR/EIS. According to the analysis, no significant impacts would result, and no mitigation is necessary. As shown in Chapter 6, changes were typically less than 2%, and there were nearly as many positive changes as negative changes. The analysis is accurate and no mitigation is necessary.

Ind51-41, Felix E. Smith
See response to Comment Ind51-40. Alternatives 2 and 3 would not result in any substantial changes in recreational opportunities at CVP reservoir sites.

Ind51-42, Felix E. Smith
The 1997 Draft EIR/EIS acknowledges that some cumulative impacts would be significant. These impacts are analyzed and addressed throughout the 1997 Draft EIR/EIS.

Ind51-43, Felix E. Smith
The 1997 Draft EIR/EIS identifies all impacts associated with implementation of Alternatives 2 and 3. Where appropriate, mitigation measures are identified. When a project is adopted by EBMUD, EBMUD will be required to adopt a mitigation monitoring and reporting program under CEQA.

Ind51-44, Felix E. Smith
EBMUD is just one of many CVP contractors. As such, EBMUD will share in the implementation of appropriate mitigation measures related to CVP resources. The 1997 Draft EIR/EIS fully discloses the potential effects of Alternatives 2 and 3 and describes mitigation that could be implemented to reduce these effects to less-than-significant levels where appropriate.

Ind 52

February 22, 1998

Mr. Kurt Ladensack
East Bay Municipal Utility District
c/o Water Supply Div.
P.O. Box 24055
MS#305 Oakland, CA. 94632-1055

Mr. Cecil Lesley
Central California Area Office
U.S. Bureau of Reclamation
7794 Folsom Dam Road
Folsom, CA 95630

Dear Sirs:

Subject: Comments on the DEIR on EBMUD's Supplemental Water Supply Project. These comments supplement and further clarify my comments of January 7, 1998.

The subject DEIR is inadequate in several areas. Two key areas are;

1. The dismissal of any downstream alternatives, a Delta diversion, i.e. Bixler diversion (DEIR Vol. II pg. 4-3) is a major deficiency of the DEIR. It is apparent that EBMUD has used subjective screening criteria to eliminate projects that do not divert water directly from the Lower American River.

2. The "Hodge physical solution" put limitations on those wanting to divert from the American River. The Court's first concern was protecting the many beneficial uses and values of the Lower American River protected by the public trust. All American River diverters including EBMUD must live with this limitation. This limitation has been endorsed by the Water Forum.

Delta diversion at Bixler (Indian Slough) a viable alternative

Ind 52-1

Under CEQA an agency must develop objective screening criteria for analyzing the various alternatives as a part of the decision making process. The DEIR should describe a reasonable range of alternatives to the proposed project which could realize the basic project objective - supplemental water supply. This is especially important if adverse impacts could be reduced or avoided by using such an alternative project.

The general philosophy of protecting the many beneficial uses and public trust interests as used by Judge Hodge for the Lower American River should also apply to all of EBMUD's operations.

The Bixler point of diversion (Indian Slough) or other south-western Delta location must be considered a viable diversion point for meeting EBMUD's supplemental water needs. The use of the Bixler facility is a logical and viable alternative project. By using this facility to obtain a major share of its water supply, EBMUD can contribute to the protection of water quality and other public trust interests of the Delta pool. The biggest stumbling block to protecting beneficial uses of the Delta pool are the upstream water right holders and diverters (including EBMUD) who by depleting Delta inflow contribute to water quality degradation of the Delta pool. This includes EBMUD's water rights and diversions from the Mokelumne River and EBMUD's desire to take American River water while bypassing the Delta.

Clearly EBMUD should develop realistic cost estimates and environmental impacts for the operation of the Bixler facility. Such costs and impacts should be included in the DEIR for comparison purposes along side those for the Folsom South Canal (FSC) and the amorphous joint project. Such comparisons are necessary in order to give the public and decision makers a clear understanding of the various water supply alternatives. An operational Bixler facility could help mitigate water quality impacts of the proposed FSC / Mokelumner River Aqueduct Delta bypass. In addition some incidental protection of water quality, aquatic resources and beneficial uses could occur, as well as allow EBMUD to obtain its contract water during most years.

All diverters must live with the Hodge / "F" pattern limitation.

Ind 52-2

Following the general criteria developed in the Audubon decision, (National Audubon Society v. Superior Court Alpine County, 33 Cal. 3d 419, 189 Cal. Rpt. 346 -1983), Judge Hodge put protecting the Lower American River (LAR), its ecosystem, resources and beneficial uses first before EBMUD could divert water at FSC. The actual implementation of the "Hodge physical solution" and the Water Forum "F" pattern depends on a certain amount of runoff (water) being available throughout the year in order to met flow and temperature needs of the LAR ecosystem. Water diverted to storage at one time of the year can be released at a later date to meet Hodge and the "F" pattern regimen (i.e. fall-run Chinook salmon spawning flows and temperature conditions) in the LAR. The "F" pattern has been incorporated into the Federal Anadromous Fish Restoration Program (AFRP) for the LAR and since 1995 has become the operating criteria (equal to today's conditions) for managing Folsom Reservoir by the Bureau of Reclamation.

The DEIR fails to adequately explain how EBMUD modeled the "Hodge physical solution", the "F" pattern or the AFRP flow regimen and temperature needs of the Lower American River.

The taking of any water by EBMUD via FSC whenever it believes there is water instantaneously available above the needs of "Hodge" or the "F' pattern, could result in a water shortage later in the year. This in turn could impact both the temperature and amount of water available (the cold water pool) for release from Folsom Reservoir later in the year to support viable spawning and incubation conditions. Such a negative situation would violate the intent of Hodge and the AFRP and could nullify efforts to protect and restore the LAR ecosystem, its resources and beneficial uses endorsed by the Water Forum. Ind52-3

EBMUD is apparently negotiating changes to its supplemental water supply project without public notice or involvement (Contra Costa W.D. letter to U.S.B.R. of Feb. 5, 1998). Such actions make a shamble out of the DEIR review process.

Please incorporate these comments into the record of EBMUD's Supplemental Water Supply Project DEIR.

Sincerely,

Felix E. Smith

Felix E. Smith
4720 Talus Way
Carmichael, CA 95608

cc:interested parties
Save the American River Association
The Bay Institute of San Francisco
California Sportfishing Protection Alliance
Friends of the River
Committee to Save the Mokelumne River

sup. comments of Felix Smith 2/17/98 (C:EBMUEIRs.doc)

Response to Comments of Felix E. Smith

Ind52-1, Felix E. Smith
See responses to "Alternatives Considered" and "Delta and Sacramento River Alternatives" major issues in Chapter 3 of this document.

Ind52-2, Felix E. Smith
The modeling approach used in the 1997 Draft EIR/EIS to simulate AFRP flow standards is fully described in Chapter 3 of the 1997 Draft EIR/EIS and in Appendix C to the 1997 Draft EIR/EIS. As with any delivery or diversion, including those made now and those proposed in the future by other American River water users, taking delivery of water from the American River does have the potential to affect subsequent month and carryover storage in Folsom Reservoir. These potential effects, including reservoir storage, river flow, and temperature, were fully evaluated in the 1997 Draft EIR/EIS in Chapters 3, 4, 5, and 6. These effects were all determined to be less than significant at a project level. The Supplemental Water Supply Project fully meets the letter and intent of the Hodge Decision, and the project alternatives were formulated taking the Hodge Decision in full consideration.

Ind52-3, Felix E. Smith
Any changes to the project not addressed in the 1997 Draft EIR/EIS must be fully disclosed and subjected to appropriate compliance with CEQA and NEPA. Chapter 2 of this document summarizes the current status of the project.

Ind 53

January 30, 1998

Susan Twining
3188 C Street
Sacramento CA 95816

Kurt Ladensack
EBMUD MS #305
PO Box 24055
Oakland CA 94623-1055

Dear Mr. Ladensack:

Regarding the EBMUD/USBR Supplemental Water Supply Project — I am urging you not to implement this project at the expense of C Street in Sacramento. Please don't trench C Street and install pipeline there.

I am worried about ① traffic congestion ② my front lawn landscaping during the construction project ③ potential leakage of the system and mostly ④ OUR BEAUTIFUL TREES. This project has the potential to kill our stately 75 year old trees. Tree experts recommend any trenching be outside the drip-line (the far outer reach of the branches). The proposed trench will be well within the dripline. Ind 53-1

An alternate route exists, on the other side of the railroad berm. Using the alternate route makes sense. It takes the construction out of the residential neighborhood & saves our trees & neighborhood.

Please choose the C Street bypass option instead of C Street.

Sincerely,
Susan Twining
(916) 973-7766

Response to Comment of Susan Twining

Ind53-1, Susan Twining
EBMUD will work closely with the City to ensure that damage to streets and sidewalks that occurs during construction is repaired. EBMUD will continue to work with the community and the City and County of Sacramento to develop appropriate measures to address temporary construction impacts if Alternative 3 is implemented.

Potential impacts on trees along the pipeline route are described on page 7-18 of the 1997 Draft EIR/EIS. As indicated, EBMUD will attempt to avoid trees and will comply with local ordinances in the event trees are removed.

The pipeline design would be reviewed and approved by the City and County of Sacramento. Water conveyance pipelines rarely exhibit problems that result in large uncontrolled leaks. In addition, the pipeline would be designed to meet stringent seismic standards. Safety measures for pressure release in the advent of a rupture will be included in the design.

J. J. Waidhofer, D.V.M.
109 East Walnut Street
Stockton, California 95204
(209) 465-2851

RECEIVED
DEC 2 2 1997
WATER SUPPLY IMPROVEMENTS

Ind 54

December 18, 1997

Mr. Kurt Ladensack,
Water Supply Improvement Division,
East Bay Municipal Utility District,
P.O. Box 24055,
Oakland, California 94623

Dear Kurt, et al,

Enclosed find my Statements and Comments on EBMUD and Bureau of Reclamation Draft Environmental Report dated October 1997.

As you know I have for several years suggested and promoted a joint (EBMUD-ESJPA) supplemental water project using the overdrafted ground water basin in eastern San Joaquin County as a storage reservoir for part of that project. I still firmly believe that such a joint project is the proper, environmentaly and politically correct way go. I have also many times told all the parties that any water project in this area that "bi-passed" eastern San Joaquin would not be acceptable to me or to many of the residents in San Joaaquin County. Ind54-1

You will see in the <u>last</u> <u>paragraph</u> of my Statements that I am still optimistic that such a joint project is possible. If EBMUD would commit all its extra unneeded water in all years to a ESJPA "Comprehensive Water Project", I believe that a prolonged "gridlocked" EBMUD water project could be avoided. I would be most happy to meet and further discuss my suggested ideas for a modified acceptable conjunctive water use project with the parties.

I envision that ESJPA will commit and accept the responsibility to execute contracts for the needed water and find the financially resources to develop the facilities that will eventually provide all of the 300,000 acre feet of surface water needed for the overdrafted groundwater basin. I also envision that EBMUD will be needed as a partner with ESJPA in only about half of this suggested "Comprehensive Water Project".

Very truly yours,

Joe J. Waidhofer, DVM

Joe J. Waidhofer, DVM

Statements & Comments of Joe J. Waidhofer D.V.M.
on the Draft Environmental Report
Drafted by East Bay Municipal Utility District &
U.S. Bureau of Reclamation

December 18, 1997

I have reviewed the two volumes of this document (DEIR) dated October 1997 proposing the contracting of East Bay Municipal Utility District (EBMUD) with U.S. Bureau of Reclamation (BOR) for about 150,000 acre feet of BOR controlled American River Water. I find that this document does not address all the laws that are necessary to meet the state and federal laws governing proposed supplemental surface water supply projects in California.

The BOR is a partner with EBMUD in this Supplemental Water Supply Project and it is my opinion that the BOR is subject to the "Area of Origin" and "Watershed Protection" water laws in the California State Water Code [#11460 & #10505]. Therefore, I believe that BOR must discuss and tell how they will comply with these laws in this DEIR. The DEIR does not even mention anything on this subject.

§ 11460.

In the construction and operation by the department of any project under the provisions of this part a watershed or area wherein water originates, or an area immediately adjacent thereto which can conveniently be supplied with water therefrom, shall not be deprived by the department directly or indirectly of the prior right to all of the water reasonably required to adequately supply the beneficial needs of the watershed, area, or any of the inhabitants or property owners therein.

§ 10505.

No priority under this part shall be released nor assignment made of any application that will, in the judgment of the board, deprive the county in which the water covered by the application originates of any such water necessary for the development of the county.

For the present day Sacramento BOR bureaucrats and the present EBMUD staff and consultants I will briefly review my observations of some of the past half century water overdraft history and past BOR commitments, policies and obligations to the overdrafted groundwater in eastern San Joaquin County (SJC). I believe that the BOR must review this history to understand its present day obligations to the overdrafted groundwater basin as well as to how this relates to how it must obey the "Area of Origin Laws" when contracting to export BOR water to a water provider out of such an overdrafted basin.

History of the overdrafted groundwater basin in SJC

First: After World War II, the Sacramento and San Joaquin County officials proposed to Congress that the BOR be provided with the funds to build the Folsom Dam in eastern Sacramento County for flood protection and additional surface water for the city of Sacramento and at the same time construct the Folsom-South Canal all the way to Lone Tree Creek in southern SJC to use the extra storage water from Folsom Lake for the overdraft basin that was developing in eastern San Joaquin County. From this early mid-century time, it was understood by by all parties that the American River was and would be eastern San Joaquin's "Area of Origin Water". This was the opinions and conclusions drawn by the federal and state water agencies since most of the Mokelumne River water had been developed by EBMUD and most of the Stanislaus River water had been developed by Oakdale and South San Joaquin Irrigation Districts.

New Melones Dam on the Stanislaus River had not even been proposed at mid century. There are numerous BOR maps and reports drafted over the next 50 years showing that "the Folsom-South Canal" was committed to supply SJC the addition 450,000 acre feet per year needed in eastern SJC to combat this water overdraft condition. The U.S. BOR had assumed the full responsiblity to provide this needed supplemantal surface water to SJC from this federal funded water project. The SJC water agencies (Stockton-East Water District, Central San Joaquin Water Conservtion District and North San Joaquin Water Conversation) in the early 1970's even negotiated contracts with the BOR for this water that would be brought to SJC when the Folsom-South Canal was completed. Some of these contracts were approved and signed by the water districts and forwarded to the BOR in Washington D.C. for approval and implementation.

Second: In the early 1960's a number of newcommers showed up and demanded much additional water from the American River to meet their supplemental surface water needs. EBMUD put in a request for an additional 150,000 acre feet per year and Sacramento Municipal Utility Districe (SMUD) requested water for their proposed two nuclear power units to be built in southeastrn Sacramento County. In order to accomodate this and other additional requests, BOR added a newly proposed Auburn Dam (this project now called the Folsom-Auburn-South Canal Unit) to be built on the American River to provide this additional storage water. At this time BOR also proposed that the Hood-Clay Pump Back Facility be constructed and that an additional storage reservoir (Clay Station Reservoir) be built in Sacramento County.

Third: However, about this time in the early 1970's when the Auburn Dam construction had started, the U.S. Congress passed the Environmantal Protection Act. The environmentalists (Save the American River Association (SARA) and the Environmental Defense Fund (EDF), etc.) immediately filed a suit [EDF vs STAM] against BOR to stop construction of the Auburn Dam. Construction stopped and this law

suit then continued for over 20 years. The BOR continued to use the overdrafted ground water basin argument in San Juaquin County to support its claim in the litigation [EDF vs STAM] that the Auburn Dam was needed to produce extra storage water and that the Folsom-South Canal was very necessary to meet this critical water shortage problem in SJC. All during this time period, BOR continued to tell and remind the San Joaquin water providers that they were in the "American River Basin" and they would receive whatever supplemental surface water they needed from this river through the Folsom-South Canal.

Fourth: In the mid 1970's Congress approved the funds for the construction of the New Melones Dam on the Stanislaus River. This construction of the last big dam and water storage projects in California moved forward in spite of the environmental law suits filed against it. In the congressional act that authorized and later funded New Melones Dam, the Sacramento bureaucarts of the BOR were given the authority to define the boundary of the "Stanislaus River Basin" where water allocations from this newly developed storage water facility were to be awarded and distributed.

At this point it becomes obvious to the BOR that it could not remove or transfer the water demands for the overdrafted groundwater basin in San Joaquin County from its "American River Basin" because that overdraft basin water requirment was needed "for the law suit" to prove their argument that Auburn Dam construction was necessary.

It also becomes obvious to the San Joaquin water agencies that the BOR had become politically involved in an American River litigation [EDF va STAM] and were not able to use fair and good judgment to make decisions on defining the size, extent and use of the newly proposed "Stanislaus River Basin". The BOR arbitarily eliminited all of the overdrafted groundwater basin in San Joaquin County, which had been in the Mid 1950's earmarked to be served with American River Water through the Folsom-South Canal, from any consideration of placing or transferring any of these water demands to the "Stanislaus River Basin". This BOR decision took place even though the Stanislaus River was the southern boundary of San Joaquin County and as much as 20 miles closer to the overdrafted basin area. Thus the "Stanislaus River Basin Boundary" was indirectly decided and politically drawn by the BOR bureaucrats to be most advantageous to them in their Auburn Dam [EDF vs STAM] lawsuit. If the BOR would even hint that the overdrafted basin in San Joaquin County could even be partially supplied by supplemental water from the New Melones Dam, the BOR Sacramento bureaucrats feared that their pending Auburn Dam project lawsuit would be lost. These political facts were common knowledge and discussion among the water oriented people of that time.

Now in the mid 1990's we find that the BOR had dropped their proposed extension of the Folson-South Canal Project into SJC and has also arbitrarily removed itself from their longstanding commitments, responsiblity and obligation to deliver or make available any of the BOR's American River water allocation, "Area of Origin Water", to

the overdrafted groundwater basin in SJC. The BOR "Stanislaus River Basin" document which was defined and drawn on the premise that a "Folsom-South Canal" would be constructed and American River Water would be supplied to water agencies in eastern San Joaquin County which was never built and is no longer a BOR project, I therefore believe that this present "Stanislaus River Basin Document" is one that was drawn on faulty assumptions, data and conclusions that never happened, and therefore should no longer be accepted as a proper, reasonable or legal document. I believe that <u>any legal document</u> drawn and based on future fictitious facts that would later prove to have never happened is a faulty document that should be reexamined, corrected and redrawn properly by the parties.

And now to the questions which have been repeatedly asked. **What river basin does the eastern San Joaquin County overdrafted groundwater basin legally depend on to supply its full needed BOR controlled supplemental surface "Area of Origin" water?**

First, I would like to remind all the parties and consultants that the overdrafted water basin in eastern SJC has been carefully studied and models run (Brown & Caldwell Study, Montogomery & Watson Study). From these studies it was learned that the minimum amount of additional surface water needed to prevent saline water intrusion and basin destruction from water under the Delta and to maintain and use water for Ag and M&I to support their present level of economic life, it would need a <u>minimum</u> of 300,000 acre feet of supplemental surface water per year. It is my opinion that the BOR must reserve and seek ways to make at least 300,000 acre feet per year of BOR controlled "Area of Origin" water to this overdrafted basin in SJC before it even begins to think about exporting any BOR controlled water out of this area of origin for use by parties out of this basin. It is my belief that BOR and EBMUD must discuss this BOR Area of Origin obligation to this overdrafted basin in this DEIR.

Finally, it is my opinion that a water project proposal by EBMUD as described in this DEIR, "<u>if modified</u>" to make all excess unused surface water, from the Mokelumne and America River sources that are controlled or contracted for by EBMUD, available in all years to a "Comprehensive Water Use Project" by the East San Joaquin Parties Water Authority for the goal to restore and conjunctively use this overdrafted basin, is possible. I also believe such a project would be advantageous to all parties as well as having BOR comply with their Area of Origin water obligation. This proposed "comprehensive water use project" mentioned above should include at least 150,000 acre feet of water per year from the BOR Stanislaus River supply and a second 150,000 acre feet per year from the American and Mokelumne excess EBMUD and BOR water supply to produce the 300,000 acre feet needed by the overdrafted basin each year. Without a complete discussion and mitigation of the BOR Area of Origin water obligation in this DEIR plus EBMUD making the necessary modifications and changes in the DEIR, I feel that there will be several water agencies in SJC that will legally challenge the EIR on several legal grounds.

[4]

Response to Comments of Joe J. Waidhofer, DVM

Ind54-1, Joe J. Waidhofer, DVM
Please see response to "Area of Origin" major issue in Chapter 3 of this document.

Ind54-2, Joe J. Waidhofer, DVM
Please see responses to "Area of Origin" and "San Joaquin Conjunctive Storage" major issues in Chapter 3 of this document.

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 55

Name: Walter Watters Date: 1-30-98
Address: 365 34th St
City/State/Zip Sac, Ca. 95816 Phone/Fax 916 4471462
Organization (if applicable)
Comments: It is my understanding that your proposal is to spend millions of dollars so the public can use the water that flows between Fairbairn Water Treatment Plant and the Sacramento River. Since very few people use the river after dark why not pump the water out at the existing facility in the late evening or early morning. Ind55-1

The C-St Bypass option would save a lot of grief for people living in that area. Ind55-2

Thanks

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is February 17, 1998. Thank you for your input.

Response to Comments of Walter Watters

Ind55-1, Walter Watters
A daily schedule has not been developed. Delivery of water at Nimbus would be subject to the Hodge Decision regardless of the time of day.

Ind55-2, Walter Watters
See the response to "C Street Pipeline Routing" major issue in Chapter 3 of this document.

Ind 56

3948 Cañon Avenue
Oakland, California 94602
January 2, 1998

Mr. Kurt Ladensack
Water Supply Improvements Division
East Bay Municipal Utility District
MS #305
Post Office Box 24055
Oakland, California 94623

Dear Mr. Ladensack:

This is to encourage you to pursue negotiations for a joint diversion facility with Sacramento, in order to minimize effects on the American River.

I would hope that whatever the outcome of this planning, you provide guarantees that the American River supply be tapped only in seriously dry years and that when this source is used adequate steps be taken to ensure sufficient flows in the Mokelumne River and to maintain current water quality standards. Ind56-1

Meanwhile, it is important to continue conservation measures, with whatever incentives or sanctions are necessary to reduce water usage. Ind56-2

Sincerely,

Gail Weininger

Response to Comments of Gail Weininger

Ind56-1, Gail Weininger
Estimated annual deliveries from the American River to EBMUD under Alternatives 2 and 3 are shown in Figures 3-2 and 3-3 of the 1997 Draft EIR/EIS, respectively. The figures indicate that EBMUD would take delivery of water in 58 of the 70 simulated years under Alternative 2 and in 33 of the 70 simulated years under Alternative 3. This information was used to help conduct the environmental impact analysis. The actual amount and timing of deliveries to EBMUD would be equal to or less than the amount described in Chapter 3 of the 1997 Draft EIR/EIS.

The Federal Energy Regulatory Commission approved the Mokelumne River Settlement Agreement, which provides for annual releases to the Mokelumne River from Camanche Reservoir based on water-year type.

Ind56-2, Gail Weininger
EBMUD has an aggressive water conservation and reclamation program. This program is described on page 1-7 of the 1997 Draft EIR/EIS.

Table 8-1 lists the comments received for which the "Kiefer Boulevard Pipeline Routing" major issue response applies. Copies of these comment letters are included following Table 8-1.

Table 8-1: Comments Received Regarding Kiefer Boulevard Pipeline Routing

Date	Name		Comment Letter
3/17/98	Norman Askew	Rosemont Business, Mail Boxes Etc.	Ind 57
3/1/98	C. Barnes	Rosemont Resident	Ind 58
12/10/97	Robert R. Dean	Rosemont Resident	Ind 59
3/12/98	Chelsae Hackney	Rosemont Resident	Ind 60
2/8/98	Harlyn Hill	Rosemont Resident	Ind 61
2/10/98	Mr. & Mrs. L.F. Macon	Rosemont Residents	Ind 62
2/8/98	Robert Meline	Rosemont Resident	Ind 63
3/1/98	Glenelle Romack	Rosemont Resident	Ind 64
12/16/97	Willard J. Schulz	Rosemont Resident	Ind 65
1/4/98	Cheryl Terpak	Rosemont Resident	Ind 66

MAIL BOXES ETC. 9175 Kiefer Blvd., Sacramento, CA 95826

Ind 57

March 17, 1998

Kurt Ladensack
C/o East Bay Municipal Utility District
P.O. Box 24055
Oakland, CA 94623

Dear Sir :

I am a business owner in the Rosemont Shopping Center on Kiefer Blvd., directly adjacent to where the EBMUD is planning to construct the pipeline.

This letter is to protest this plan to build this pipeline immediately in front of my business. I have no doubt that should this construction go forth, along the Kiefer Blvd. Corridor, it will put me, and a number of other businesses in the area, out of business.

As can be seen, by the number of vacant storefronts in the Rosemont Shopping Center, businesses in this area are already struggling to survive. I truly believe that the project that EBMUD plans to undertake along Kiefer Blvd. will certainly spell disaster for many businesses, which are currently only able to barely make ends meet. Ind57-1

Others are protesting this undertaking by the EBMUD, and offering a number of solutions, which would satisfy their concerns. While I can understand their concerns about water quality, safety, appearance of the Kiefer Blvd. Corridor, or even a grant to the Rosemont High School project, or another community project, the greatest concern I have is the failure of my business, and many other businesses, adjacent to this planned project.

In my opinion, the only negotiable point is for the EBMUD to relocate this project to another location, perhaps along Jackson Road south of the population, and business district of Rosemont.

Sincerely,

Norman Askew
Owner/Operator
Mail Boxes Etc.

Cc: Supervisor Don Nottoli

Ind 58

March 1st, 1998

Kurt Ladensack
c/o East Bay Municipal District
P.O. Box 24055
Oakland. CA 94623

Dear Mr. Ladensack

I am a resident of Rosemont and I am writing to voice my objection to the laying of a pipeline in the middle of our community. If this pipeline is absolutely necessary, then I suggest you take it down the Jackson Highway, or better still, away from this area. Ind58-1

The route presently suggested will obviously cause a great deal of hardship for the businesses on Keifer Boulevard and also concern for the parents of young children who must cross this street at least twice daily.

During the last two years we residents have been forced to fight the proposed installation of a garbage truck storage site, which would have backed up to residences, and the building of a large welfare office. In both instances more appropriate locations were available. It certainly appears the same situation applies here. Explore other alternatives and stay away from Keifer Blvd.

We are proud of our community and will continue to fight any and all bureaucrats who attempt to lower the standards we have set for it.

Sincerely

C. BARNES
3101 Brasilia Court
Sacramento, CA 95826

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 59

Name: Robert R. Dean Date: December 10, 1997

Address: 8972 Glen Alder Way

City/State/Zip Sacramento, CA 95826 Phone/Fax (916) 363-4646

Organization (if applicable)

Comments: I strongly object to tearing up Kiefer Blvd. for the EBMUD pipeline. More serious consideration should be given to routing the pipe through the uninhabited gravel pit property south of Rosemont residential areas, even if the cost may be somewhat higher. Environmental mitigation such as restoration of vernal pools could be addressed in that alternative. Since the gravel pits are well below the normal surface, costs could be trimmed by laying the pipe on top of the ground. Excavation would not be necessary and any needed repairs in future years would be simplified (avoiding tearing up Kiefer Blvd. every time a repair needs to be made).

Ind59-1

Rosemont property values are already below most other areas. The proposed Kiefer pipeline project would further depress the neighborhood. Please focus your efforts on the gravel pit alternative. Clearly, overall, it makes the most sense.

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 5, 1998. Thank you for your input.

Robert R. Dean

Ind 60

March 12, 1998

Kurt Ladensack
c/o East Bay Municipal Utility District
P.O. Box 24055
Oakland, CA 94623

Dear Mr. Ladensack,

I am a resident of the Sacramento County community of Rosemont. I oppose EBMUB's plan to build a pipeline through the heart of our community. This project would cause major difficulties for Rosemont residents and obvious hardships for the businesses that would be directly affected by the construction. This would be a dangerous project for our community in terms of air pollution and heavy construction equipment as well as an annoying problem in terms of noise pollution. Ind60-1

I am also concerned about traffic. I live on Sutters Gold Drive, which is the most direct route into Rosemont off of Watt Avenue, after Kiefer Blvd. Sutters Gold Drive is a residential street with a 25 mile per hour speed limit. If the flow of traffic on Kiefer Blvd.is disrupted, this could seriously increase traffic on Sutters Gold. This would create an extremely dangerous situation for the families in the area.

Until acceptable mitagation measures are in place, I will not support EBMUB's proposed pipeline project and will help in the effort to block it.

Sincerely,

Chelsae Hackney
8912 Sutters Gold Drive
Sacramento, California 95826

Copy to:
Supervisor Don Nottoli
700 H Street
Room 2450
Sacramento, California 95814

Ind 61

February 8, 1998

Kurt Ladensack
c/o East Bay Municipal Utility District
P. O.Box 24055
Oakland, CA. 94623

Dear Mr. Ladensack,

I am a resident of Rosemont. This letter is to protest EBMUD's plan to build a pipeline through the heart of our community. Not only will this be very disruptive, but it will also cause undue hardships on our local businesses. We are also concerned about additional pollutants being added to our already polluted air as well as the presence of open pits in a community of children. Ind61-1

Rosemont remains willing to discuss a Kiefer Blvd. route, but only on the following four conditions: (1) a badly needed upgrade of Kiefer Blvd. from an appearance and safety standpoint is done at the same time (Sacramento County must be a partner in this), (2) a strategy is in place to minimize impacts on Kiefer Blvd. merchants and to compensate for lost business, (3) a full exploration of the need for an alternative to well water in Rosemont and Rancho Cordova areas based on a smaller pipeline to carry treated drinking water which would be laid in conjunction with the larger transport pipe line, and (4) for those adverse impacts which don't have a direct mitigation, a grant to be made to the Rosemont High School project or another community /project.

A check with Sacramento County officials will verify that the Rosemont community has been very successful in blocking actions which are not in the community's best interest. It is hoped that a satisfactory solution to this problem , which will certainly impact this area and community, can be achieved.

Sincerely,

Harlyn Hill

Harlyn Hill
3458 Rosemont Dr.
Sacramento, Calif. 95826

Copy to:
Supervisor Don Nottoli
700 H Street, Room 2450
Sacramento, Calif. 95814

Ind 62

Feb 10, 1998

Kurt Ladensack
C/O East Bay Municipal Utility District
P.O. Box 24055
Oakland, Ca 94623

Dear Sir

In protest to the pipeline that your district purposes to construct on Kiefer Blvd in the Rosemont district, we wish to say - please, please re-consider your options - Jackson Road is much less improved and populated than our area. We have just recently seen our shopping center upgraded and hope to see it continue to improve.

We have lived in Sacramento for seventy some years -, we have never protested any improvements that have been made - however we definitely feel the project you propose is not only going to be an interruption to the business community but an extreme traffic hazard -. Are your aware that the Sacramento County Corp. yard and Complex uses Kiefer Blvd also the Postal service with the carriers from the Perkins Post office at Kiefer and Mayhew uses Kiefer Blvd - as well as the numerous trucks and Buses using the same - Blvd - I am sure we are not being unreasonable - to ask to be heard - when you consider school children must reach their school by walking on Kiefer Blvd to reach their school on Morandy just off Hunteman - visit our community at peak hours and evenings and you will take your pipeline to Jackson Road -

Ind62-1

Think again - if our water has to go south - take it on Jackson Road

Please

Sincerely
Mr & Mrs L. F. Macon
9381 Snowbird Way
Sacto, Ca 95826
916 - 362-6629

attached to letter of same date

February, 1998

Kurt Ladensack
c/o East Bay Municipal Utility District
P.O. Box 24055
Oakland, CA 94623

Dear Mr. Ladensack,

I am a resident of Rosemont. This letter is to protest EBMUD's plan to build a pipeline through the heart of our community. Not only will this be very disruptive, but it will also cause undue hardship on our local businesses. We are also concerned about additional pollutants being added to our already polluted air and open pits in a community of children.

Rosemont remains willing to discuss a Kiefer Blvd. route, but only on four conditions: (1) a badly needed upgrade of Kiefer Blvd. from an appearance and safety standpoint is done at the same time (Sacramento County must be a partner in this), (2) a strategy is in place to minimize impacts on Kiefer Blvd. merchants and to compensate for lost business, (3) a full exploration of the need for an alternative to well water in the Rosemont and Rancho Cordova areas based on the pipeline or a smaller pipeline laid at the same time to carry treated drinking water, and (4) for those adverse impacts which don't have a direct mitigation, a grant be made to the Rosemont High School project or another community project/activity.

If you are not prepared to negotiate in good faith on the four conditions above, then, to paraphrase a popular song, you are invited to "take your pipeline somewhere else other than through the heart of our community." You should also check with Sacramento County officials to verify that Rosemont has a very successful track record of blocking actions which are not in the community's best interest.

Sincerely,

signature Mary Mae L. F. Macon
print name LEWIS F MACON
address 9381 SNOWBIRD WAY
Sacramento, CA 95826

Copy to:
Supervisor Don Nottoli
700 H Street, Room 2450
Sacramento, CA 95814

Ind 63

Robert Meline
4330 Rosecrest Way
Sacramento, CA 95826

February 8, 1998

Kurt Ladensack
EBMUD
PO Box 24055
Oakland, CA 94623

Dear Mr. Ladensack

The proposed EBMUD major construction project through the middle of the Rosemont Community is disturbing. It will have a major impact on the residents of Rosemont and those who work in Rosemont. Ind63-1

The main points that I consider important have been listed in a letter that has been circulated in our neighborhood. I have attached a copy.

Please consider other locations for this project or work with the community of Rosemont for reaching a mutually beneficial arrangement.

Sincerely,

Robert Meline

Robert Meline

attachment

cc:Supervisor Don Nottoli

Ind 64

March 1st, 1998

Kurt Ladensack
c/o East Bay Municipal District
P.O. Box 24055
Oakland. CA 94623

Dear Mr. Ladensack

I am a resident of Rosemont and I am writing to voice my objection to the laying of a pipeline in the middle of our community. If this pipeline is absolutely necessary, then I suggest you take it down the Jackson Highway, or better still, away from this area.

The route presently suggested will obviously cause a great deal of hardship for the businesses on Keifer Boulevard and also concern for the parents of young children who must cross this street at least twice daily. Ind64-1

During the last two years we residents have been forced to fight the proposed installation of a garbage truck storage site, which would have backed up to residences, and the building of a large welfare office. In both instances more appropriate locations were available. It certainly appears the same situation applies here. Explore other alternatives and stay away from Keifer Blvd.

We are proud of our community and will continue to fight any and all bureaucrats who attempt to lower the standards we have set for it.

Sincerely

Glenelle K Romack

GLENELLE ROMACK
4201 Rosecrest Way
Sacramento, CA 95826

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 65

Name: Willard J. Schulz Date: Dec 16 1997

Address: 3244 Rosemont Dr.

City/State/Zip Sacramento, CA 95826 Phone/Fax (916) 363-1974

Organization (if applicable) Home owner

Comments: I am a Member of Local #3 Operating Engineers. I joined the Operating Engineers Local 150 Chicago, Ill in early 1953 and worked out of their Hammond, Ind District office. I went to work for J.F. Cleghorn Inc an Sewer & Underground Contractor. The I was employed as a Heavy Duty Mechanic. About a year later they got a big Sewer Job in East Chicago, Ind.

I really felt sorry for the residents there what with Pumps for the dewatering system running 24 hrs a day. People not able to park their Cars at their residence for probably a Month and parking next street over and their Cars getting Vandalized. Trucks of all kinds hauling equipment, Pipe, shoring, fill and repair trucks. Their water gas and electric was continually being interrupted accidently but not always. When we went there to repair equipment it was practically a War Zone. Try to put this somewhere else but Reifel Blvd

Ind65-1

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 5, 1998. Thank you for your input.

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 66

Name: Cheryl H. Terpak Date: January 4, 1998
Address: 3457 Rosement Dr
City/State/Zip Sacramento CA 95826 Phone/Fax
Organization (if applicable) Resident of Rosement for 15 years
Comments: On behalf of the citizens and business community of the Rosement neighborhood, I ask you to reconsider your decision to bring the EBMUD pipeline project down the center of Kiefer Blvd. Our community is in a very fragile condition. Kiefer Blvd. is the main thoroughfare located in the heart of Rosement. Rosement Plaza, which is located on Kiefer Blvd., has a high vacancy rate. Many units have remained unoccupied for years. But the existing businesses seem determined to hang on. Lucky's has recently upgraded it's facilities, and BlockBusters Video will open a new franchise store soon. Now installation of a pipeline across the only entrance to 95% of Rosement's businesses will threaten their future survival.

Ind66-1

Imagine if, one day, a government agency came to your home and informed you that they would dig a ten-foot wide ditch across your front lawn and driveway of your residence. This ditch would remain for several weeks, but would be repaired and smoothed over when the project was finished. Imagine that this agency also told you that "mitigation measures were not required", for your inconvenience. How would you feel upon hearing this news? Do you not think that the residents and businesses will be greatly inconvenienced by the installation of this pipeline down Kiefer Blvd? Please consider other alternative routes for this pipeline.

Sincerely,

Cheryl H. Terpak

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 5, 1998. Thank you for your input.

RECEIVED
JAN 06 1998
WATER SUPPLY IMPROVEMENTS

Table 8-2 lists the comments received for which the "C Street Pipeline Routing" major issue response applies. Copies of these comment letters are included following Table 8-2.

Table 8-2: Comments Received Regarding C Street Pipeline Routing

Date	Name		Comment Letter
1/9/98	Joseph G. Agosta	Sacramento Resident	Ind 67
2/1/98	Vincent B. Bezdecheck	Sacramento Resident	Ind 68
1/7/98	Dale Bosley	Sacramento Resident	Ind 69
3/18/98	Diane C. Brown	Sacramento Resident	Ind 70
2/16/98	Mr. & Mrs. A. Cano	Sacramento Residents	Ind 71
1/7/98	James Chambers	Sacramento Resident	Ind 72
1/7/98	Susan Covey	Sacramento Resident	Ind 73
1/11/98	Elizabeth Davis	Sacramento Resident	Ind 74
1/7/98	Mary Anne Davis	Sacramento Resident	Ind 75
2/13/98	Olga Dural	Sacramento Resident	Ind 76
2/10/98	Ann Fry	Sacramento Resident	Ind 77
2/10/98	Randall Hartley	Sacramento Resident	Ind 78
1/11/98	Charles Klein	Sacramento Resident	Ind 79
2/12/98	David and Kathleen Koontz	Sacramento Residents	Ind 80
2/10/98	Dale Kooyman	Sacramento Resident	Ind 81
1/9/98	Hal McMillen	Sacramento Resident	Ind 82
2/13/98	Susan Poirier-Klein	Sacramento Resident	Ind 83
1/17/98	Ray Reid	Sacramento Resident	Ind 84
2/17/98	Nora Rodriguez	Sacramento Resident	Ind 85
1/14/98	Robert F. Sewell	Sacramento Resident	Ind 86
2/11/98	Maria Sgromo	Sacramento Resident	Ind 87
2/11/98	Vito Sgromo	Sacramento Resident	Ind 88
1/7/98	Traci Soward	Sacramento Resident	Ind 89
2/10/98	Betty Travis	Sacramento Resident	Ind 90
1/12/98	Patricia Turse	Sacramento Resident	Ind 91
2/13/98	Dean F. Unger	Sacramento Business Owner/Resident	Ind 92
2/10/98	Frances M. Villanueva	Sacramento Resident	Ind 93
1/7/98	Mollie Wasemiller	Sacramento Resident	Ind 94
1/11/98	Lillian Watters	Sacramento Resident	Ind 95
2/9/98	Joe Wolfenden	Sacramento Resident	Ind 96
1/10/98	Katie Zarzana	Sacramento Resident	Ind 97
2/7/98	Diana S. Zuniga	Sacramento Resident	Ind 98
2/9/98	Robert P. Zuniga	Sacramento Resident	Ind 99

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 67

Name: JOSEPH G. AGOSTA Date: 1-9-98

Address: 3240 - "C" ST

City/State/Zip SPETO, CA. 95816 Phone/Fax 916-448-2091

Organization (if applicable)

Comments: I have lived in this house for 57 years and seems like we never have a peace of mind. There is always some thing going on to change this neighborhood from a peaceful one to a hecktic turmoil. We have too much traffic for such a narrow streets. We don't need a 96" pipe which will cause more confusion. It makes more sense to use the alternate route. Please consider it for our sake. Besides you wouldn't be bothered with traffic to complete the job sooner. Ind67-1

Thank You

Joseph G. Agosta

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 5, 1998. Thank you for your input.

30

Ind 68

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Name: Vincent B Bezdecheck Date: 2-1-98
Address: 2130 H St.
City/State/Zip Sacramento CA 95816 Phone/Fax 91
Organization (if applicable)

Comments: We are happy for you as you work to gain the access you need to secure the water needed for your prosperity and growth. We, Midtown also have needs such as lighting for safe streets in our arduous struggle to preserve our community, known as one of Sacramento's most important assets. Your plans will disrupt our community at those very sensitive times so I hope you will entertain the "quid for quo" our esteemed leaders are proposing — water from the America River for your lighting for us. Ind68-1

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is ~~January 6, 1998~~ FEB 17. Thank you for your input.

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 69

RECEIVED
JAN 9 1998
WATER SUPPLY IMPROVEMENTS

Name: DALE BOSLEY Date: JAN 7, 1998
Address: 3324 C STREET
City/State/Zip SACRAMENTO CA 95816 Phone/Fax (916) 654-4396
Organization (if applicable)
Comments: I am strongly opposed to the Construction of a pipeline along C Street. Most of my neighbors are also opposed to this pipeline. Ind69-1

I strongly urge that you select the C Street bypass option.

Dale Bosley

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 8, 1998. Thank you for your input.

30

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 70

Name: DIANE C. BROWN Date: 3/18/98

Address: 3176 C STREET

City/State/Zip SACRAMENTO, CA 95816 Phone/Fax H: 916-443-2820 W: 916-448-7100

Organization (if applicable)

Comments: I am adamantly opposed to the proposal to run a pipeline under C street in front of my home. One of the main reasons I purchased my home is because of the beautiful mature trees on C Street. I am appalled that they may be destroyed, particularly when there ~~is a~~ are other viable alternatives about where the pipeline could be located. Considering the potential for damage to ~~the~~ my neighborhood in terms of beauty, peacefulness, property value and ~~the~~ energy conservation because the trees provide shade, I simply can't understand why an alternative is not chosen that will eliminate all these problems.

I know that my neighbors feel the same way I do, whether they took the time to write a comment or not, or whether they realize the risk associated with this project or not. PLEASE do NOT run the pipeline down C Street. PLEASE locate it elsewhere where it won't destroy the homes and neighborhood of people who live here because they chose it for it's charm and character. PLEASE do not ruin ~~our~~ ~~to~~ our homes! ~~which~~

Diane C. Brown

Ind70-1

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is ~~February 17, 1998~~. Thank you for your input.
March 19, 1998

RECEIVED
MAR 2 0 1998
WATER SUPPLY IMPROVEMENTS

Ind 71

Kurt Ladensack
EBMUD
P.O. Box 24055
MS #305
Oakland, CA 94623-1055

Cecil Lesley
U.S. Bureau of Reclamation
Central California Area Office
7794 Folsom Dam Road
Folsom, CA 95630

Re: EBMUD/USBR Supplemental Water Supply Project

Gentlemen:

Please [illegible] the [illegible] Street Bypass Options.

Ind71 -1

Sincerely,

Mr. + Mrs. [illegible] Cano
3232 "C" Street
[illegible] 95816

Ind 72

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Name: James Chambers Date: 1/7/98

Address: 3176 C Street

City/State/Zip Sacramento CA 95816 Phone/Fax (916) 443-2820

Organization (if applicable) N/A

Comments: I am deeply concerned about the proposed project to put an underground pipeline under the street I live on. The construction itself, as well as the damage to the trees and natural beauty of the street makes my heart sink. I bought property on this street partly because of the way the trees canopy the street. If they are damaged it would totally change the feel of the neighborhood — Please use the C Street Bypass option and do not tear up C street. Ind72-1

James Chambers

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 7, 1998. Thank you for your input.

30

Ind 73

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Name: SUSAN COVEY Date: 1·7·98

Address: 3189 C street

City/State/Zip SACRAMENTO, CA 95816 Phone/Fax 448-7196 (EVE), 443-9266 (DAY)

Organization (if applicable)

Comments: Please do not go forward with the plan to send an 8 foot pipeline down C street!

There are many personal reasons for my opposition to this plan. I do not want the noise, pollution and inconvenience of construction right outside my home. More importantly I oppose this plan because of what it will do to my neighborhood. Our neighborhood is quiet and tree lined. We've lived here nearly 15 years and other family members over 50 years. Most of the great trees that give our neighborhood its charm, shade and air have been here 75 years. If the trees along C Street should sicken and die because of this pipeline, it would devastate the atmosphere of our neighborhood community, bring property values down, and require our family to use an air conditioner (which we have not done to this point.)

Ind73-1

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December 30 public meetings. The deadline for submitting comments is January 5, 1998. Thank you for your input.

Please use the alternative plan!

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 74

Name: Elizabeth Chan Date: 1/11/98

Address: 3124 E St.

City/State/Zip Sac CA 95816 Phone/Fax 916 444-8462

Organization (if applicable)

Comments: Please use the by-pass option plan for the pipeline rather than run it through C Street with the possibility of losing the beautiful trees on C St. Ind74-1

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is February 17, 1998. Thank you for your input.

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 75

Name: MARY ANNE DAVIS Date: 1/7/98

Address: 3129 D St.

City/State/Zip SAC. CA. 95816 Phone/Fax 444-8462

Organization (if applicable) MENA

Comments: I feel very strongly as a homeowner on D Street that borders C that to put a pipeline on C St would be very hurtful to that very sweet + precious and already stressed street. Ind75-1

Please consider the option of by-passing C and putting the pipeline on the north side of the tracks bordering the landfill!

Thank you.

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 9, 1998. Thank you for your input.

30

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 76

Name: Olga Duval Date: 2/13/98

Address: 3148 C Street

City/State/Zip Sacramento CA 95816 Phone/Fax 442-2727

Organization (if applicable)

Comments: As a resident adjacent to the proposed work I am deeply concerned for the following reasons:

1. I operate a small home office and it will be most difficult to properly serve my employer.
2. I have one of the few Ginko trees (that bear fruit) in Sacramento and to endanger this tree would be unforgiveable
3. ~~The~~ When an alternative is available to even consider construction of this magnitude in "C" st is not acceptable

Ind76-1

comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is February 17, 1998. Thank you for your input.

Ind 77

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Name: Ann Fry Date: 2/10/98

Address: 711 28th St.

City/State/Zip Sac. CA 95816-4116 Phone/Fax (916) 442-7847

Organization (if applicable) Marshall School Neighborhood Assoc.

Comments: If you have approval to place a water pipe under C street, please consider installing street lighting in the surrounding neighborhoods. Ind77-1

Thank you.

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 5, 1998. Thank you for your input.

Hartley House
BED & BREAKFAST INN

Ind 78

February 10, 1998

Kurt Ladensack
EBMUD
P.O. Box 24055
MS 305
Oakland, CA 94623-1055

RE: EBMUD/USBR Supplemental Water Supply Project

Dear Mr. Ladensack:

This letter is in regards to the EBMUD digging up C Street in Sacramento to install a water line.

You are probably aware that C Street is a designated truck route. While you are working on C Street, the trucks will have to use other streets. Most of the trucks will most certainly use G and H Streets because they are major throughways in the neighborhood. Ind78-1

My business is at the corner of 22nd and G Streets and the increase in truck traffic will cause a significant noise problem and more difficult driving for my guests and me.

Since your project will have a negative impact on our neighborhood I would like to suggest that EBMUD consider financing a better part of our neighborhood lighting project. I believe most of us would be most appreciative and remember how generous EBMUD was to us.

If you have any questions or need further information, please let me know.

Cordially,

Randall Hartley
Owner

700 TWENTY SECOND STREET · SACRAMENTO, CALIFORNIA 95816-4012
TELEPHONE: 916-447-7829 · TOLL-FREE 1-800-831-5806 · FACSIMILE: 916-447-1820
EMAIL: randy@hartleyhouse.com · INTERNET: http://www.hartleyhouse.com

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 79

Name: Charles Klein Date: Jan. 11, 1998

Address: 3173 C Street

City/State/Zip Sacramento, CA 95816 Phone/Fax (916) 322-6888

Organization (if applicable)

Comments: I beg of you please not to ruin our trees and our front yards along C Street by running a seven-and-a-half foot pipe down the street. I've lived here 19 years and I hope to continue living here through my retirement, perhaps another twenty years or more, but the pipeline would surely wreck the quality of life on this street. The diagram shows the trench would be dug seventeen feet deep and thirty-eight feet wide. It would destroy the roots of all our 100 year old trees and tear up all our yards. The trees would die off one by one afterwards. And if there were ever an accident with the pipeline, our homes would flood. I don't have the resources or the desire to move elsewhere and I don't want to have to live on a hot, treeless street in my old age. Please take the "C Street bypass" route for the pipeline up by the railroad embankment and along the edge of the "Centrage" property. C Street is just too narrow and under too much stress already to bear this pipeline. Thank you.

Ind79-1

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is February 17, 1998. Thank you for your input.

Ind 80

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Name: David and Kathleen Koontz **Date:** February 12, 1998
Address: 3158 C Street
City/State/Zip Sacramento, CA 95816 **Phone/Fax:** 448-3445
Organization (if applicable) none

Comments: We live on C Street in Sacramento between Alhambra Blvd. and 32nd Street. We have lived in our Victorian home since 1984. It is on a lovely street with huge, beautiful trees that overhang the street forming an arch. In the summer the leaves on the trees muffle the noise from the nearby freeway and railroad tracks making it a quiet and enjoyable neighborhood to live in.

Just recently, the City of Sacramento required that we repair the sidewalk in front of our home. The City also required their Aborist to inspect the sidewalk, tree and it's roots to make sure we did not damage the tree in any way. The sidewalk was curved around the tree roots so as not to disturb the roots and damage the tree. The City's Aborist also said our Chinese Ginkgo tree is one of the oldest in the City.

We were understandably, very upset when we heard that a huge trench would be dug down the middle of our street for an eight foot pipeline. How would this affect our beautiful, old trees? They provide shade in the summer which reduces the heat and noise. This, in turn, reduces our electric bill as we have less need to use our air conditioner. A construction project of this magnitude and duration would also have a detrimental affect on traffic, parking and the creatation of much dust affecting our allergies. Ind80-1

We attended the January meeting held by the neighborhood associations and listened to many speakers including representatives of the City, County and EBMUD. We were very impressed after we heard the past history, the comprises and future plans. We are in full agreement with the plans to upgrade the city's facilities and provide needed water to the County and EBMUD.

We were especially pleased to hear that there is a planned alternative to bypass C Street. We ask the decision-makers involved to please go with this "Bypass C Street" Alternative. It would seem this approach to be the least disruptive and less costly alternative by following the railroad tracks and old City dump. We also realize there could be new problems going over the dump, but feel there are many talented engineers involved to resolve these issues.

We thank you for listening to us and appreciate your consideration in using the Bypass C Street Alternative rather than C Street itself for this worthy project.

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is February 17, 1998. Thank you for your input.

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 81

Name: DALE KOOYMAN Date: Feb 10, 1998

Address: 801 21st St

City/State/Zip SACRAMENTO 95814 Phone/Fax 448-5543 / 443-5553

Organization (if applicable) AREA 1 NEIGHBORHOOD ASSOC. MOVSURY GROUP ~~SPACE~~

Comments: IF THE C STREET OPTION IS CHOSEN, IT WILL MEAN CONSIDERABLE DISRUPTION IN THE NEARBY RESIDENTIAL + BUSINESS NEIGHBORHOODS. TRAFFIC - MAINLY TRUCKS FROM C STREET WILL SCATTER INTO THE RESIDENTIAL NEIGHBORHOODS AT ALL HOURS OF THE DAY + NIGHT. TO MINIMIZE THE CONFUSION, WE NEED FROM YOU AS SOON AS POSSIBLE FUNDING (5 to 7 MILLION DOLLARS) TO INSTALL STREETLIGHTS TO REDUCE "LOST" TRUCKS, ACCIDENTS + OTHER PROBLEMS ASSOCIATED WITH DRIVERS TRYING TO FIND THEIR WAY IN THE DARK. THIS AMOUNT IS BASED ON THE CITY'S ESTIMATE FOR LIGHTING FROM 16th TO 28th STS + A thru C ST WHERE THE TRAFFIC WILL BE PRIMARILY DIVERTED. THIS FUNDING WOULD ALSO BE AN EXCELLENT PUBLICITY, GOODWILL GESTURE THAT WOULD REDUCE A LOT OF NEGATIVE FEELING TOWARDS THIS PROJECT THAT NOW EXISTS. LIGHTS SHOULD, OR AT LEAST INSTALLATION SHOULD OCCUR, OF COURSE PRIOR TO THE C ST CONSTRUCTION

Ind81-1

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is ~~January 15~~, 1998. Thank you for your input.

2/17/98

25. IF YOU DO NOT BELIEVE THIS [illegible] THE TRAFFIC ARE [illegible]

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 82

Name: HAL McMILLEN
3157 D Street
Sacramento, CA 95816

Date: 1/9/98

Address:

City/State/Zip

Phone/Fax 442-4391 / 442-4311

Organization (if applicable)

Comments:

I URGE YOU TO USE THE C STREET BYPASS OPTION FOR THE NEW PIPELINE. I OBJECT STRONGLY TO TEARING UP C STREET FOR THE INSTALLATION. Ind82-1

THANK YOU,

Hal McM

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 9, 1998. Thank you for your input.

Ind 83

Susan Poirier-Klein
3143 C Street
Sacramento, CA 95816

February 13, 1998

EBMUD
P.O. Box 24055
MS 305
Oakland, CA 94623-1055

Dear Mr. Kurt Ladensack,

I am writing regarding the EBMUD-USBR Supplemental Water Supply Project Draft ERI/EIS. I am a home owner on C Street in Sacramento. Your proposal to put your pipeline under C Street is UNACCEPTABLE to me, especially since you have other alternatives available. C Street is already overburdened. Plus your digging it up to put in the pipeline would cause me to lose my shade trees and use of my front yard which I do not want to do. Ind83-1

After attending several meetings about this project, I urge you to accept the C Street By Pass Option and the Lower American River Intake Alternative 5.

Sincerely,

Susan Poirier-Klein

Susan Poirier-Klein

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 84

Name: KAY REID Date: 1-17-97

Address: 36 LUPINE WAY

City/State/Zip SAC, CA 95819 Phone/Fax 916-457-3103

Organization (if applicable)

Comments: Recommend using the "C" ST BYPASS OPTION", for the obvious reasons, saving TREES, no STREET closures, disruption of utilities, etc.

Ind84-1

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is February 17, 1998. Thank you for your input.

Ind 85

Kurt Ladensack
EBMUD
P.O. Box 24055
MS #305
Oakland, CA 94623-1055

Cecil Lesley
U.S. Bureau of Reclamation
Central California Area Office
7794 Folsom Dam Road
Folsom, CA 95630

Re: EBMUD/USBR Supplemental Water Supply Project

Gentlemen:

Your plan to take water from the American River is fine — however how you can justify tearing up our streets unnecessarily is beyond my comprehension.

You have an alternate route along the railroad tracks instead of going down C Street — why don't you go with that? You will not disturb so many of Sacramento citizens this way. It might be more costly (I don't see how) but save our trees and make inroads with the Sacramento!

Please consider your C Street bypass option along the rail tracks.

Sincerely,

Nora Rodriguez
430 - 35th Street
Sacramento, Ca.
95816

Ind85-1

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 86

Name: Robert F. Sewell Date: 1/14/98

Address: 2221 "C" St (in jeoperdy of becoming an X St)

City/State/Zip Sacto, Ca. 95816 Phone/Fax 443-8026

Organization (if applicable) BPNA

Comments: "In our every deliberation, we must consider the impact of our decisions on the next seven generation." from The Iroquois Confederacy. Because this project of EMUD does not coincide with the seventh generation concept, because it is a stopgap plan, which depletes and does not give back. I can not, in good faith, support this project. I know that as wise stewards we can and must direct our creativity, our money and resources towards sustainable plans for the future and EMUD should be the way showers in this regard. More water reclamation and reservoirs, Much Much less WASTE, education and is desalination workable in the future? Ind86-1

Because we are so close to the "American River of Life" and as a photographer I draw much inspiration from the river energy. There are intangible/even spiritual qualities of our rivers that we have yet to quantify and appreciate their role in supporting and giving life to the home of our, Our Mother Earth. Maybe if we reverse course and do what's best for the river the river will ultimately and certainly do what's best for man. We are One.

Thanks for offering comments.

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 5, 1998. Thank you for your input.

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 87

Name: Maria Syromo Date: 3/11/98

Address: 711 28th St.

City/State/Zip Sac. CA 95816-4116 Phone/Fax (916) 442-1847

Organization (if applicable) Marshall School Neighborhood Assoc.

Comments: Please consider installing street Lights if you decide to place a pipe under C street. Thank you. Ind87-1

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 5, 1998. Thank you for your input.

File 17

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 88

Name: Vito Sgromo Date: 2/11/98

Address: 711 28th St.

City/State/Zip Sac CA 95816-4116 Phone/Fax (916) 442-1847

Organization (if applicable) Marshall School Neighborhood Assoc.

Comments:

If you have approval & decide to place a waterpipe under C street, please consider installing street lighting in the impacted areas. Ind88-1

Thank you

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is ~~January~~ 5, 1998. Thank you for your input.

Ind 89

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Name: Trai Soward Date: 1/7/97
Address: 3109 C St.
City/State/Zip Sacto, CA Phone/Fax 356-5980
Organization (if applicable)
Comments:

I am requesting that EBMUD use the C Street Bypass Option instead of C St. Ind89-1

Thank you very much - Trai

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January ~~5~~ 30, 1998. Thank you for your input.

Ind 90

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Name: BETTY TRAVIS Date:

Address: 2222 C Street

City/State/Zip Sacramento, CA 95816 Phone/Fax (916) 443-1935

Organization (if applicable) Boulevard Park Neighborhood Association

Comments: As a resident of C Street, I am concerned about the possible negative effects the digging up of the street will have on our years-old trees. Root damage could cause their death and I would like to be on record that if trees are destroyed in the process, it would be a basis for a class action suit by home-owners along this route. I believe the EBMUD-Sacramento Joint Water Supply Project is the preferable alternative, but I would like to put a vote for the "C Street By Pass" alternative, avoiding the long stretch of proposed construction directly on C Street as described in the charts, and place the pipeline on the north side of the railroad tracks, through the planned Sutter Park and the Centrage property up to Elvas. I insist on landscaping to hide the unsightly transfer pumping station and a mitigation of any construction impacts. I would lobby heavily for truck traffic control, construction noise abatement and will go to the mat for the preservation of our old trees which on my side of the street are in the Historic Preservation Area. Please be gentle with our fragile neighborhood.

Betty Travis

Ind90-1

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is February 17, 1998. Thank you for your input.

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 91

Name: Patricia Turse Date: 1/12/98

Address: 3109 D St

City/State/Zip Sacramento, CA 95816 Phone/Fax N/A

Organization (if applicable)

Comments: I would support the EMBUD-Sacramento Joint project but would prefer that the C Street Bypass Option be used to lessen the impact on my neighborhood. I appreciate the extending of the comment period. Ind91-1

; comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is February 17, 1998. Thank you for your input.

Ind 92

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Name: Dean F. Unger Date: 2/13/98

Address: 700 Alhambra Blvd.

City/State/Zip Sacramento, CA 95816 Phone/Fax (916) 443-5747/443-5534

Organization (if applicable) Dean F. Unger, AIA, Inc., Architects

Comments: One of our employees lives at 3148 "C" Street, and she is on crutches and provides us with computer services from her home office. The demolition of C Street would diminish her availability. C Street is a classic example of cottage type homes in a mature tree shaded environment. To endanger this environment when alternate routes are available, would be disruptive, foolish and potentially harmfull. Ind92-1

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is February 17, 1998. Thank you for your input.

Ind 93

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Name: Frances M. Villanueva Date: 10 FEB. '98

Address: 2126 15th St Apt #2

City/State/Zip SACRAMENTO, CA. 95818 Phone/Fax 916 448-1308

Organization (if applicable) Ø

Comments: On hearing the concerns of my friends in the area of around 2 St and beyond, I, too, would be opposed to having not only the water supply project altered to some other route, but to consider the impact on the cosmetic beauty of destroying the beautiful trees and habitat of the animals living in the trees. Ind93-1

If possible the least-costly route would probably be the one closest or choice of the decision-makers, but please reconsider the families who have to live on the route; planners have already considered and decided.

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is February 17, 1998. Thank you for your input.

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 94

Name: Mollie WASEMILLER Date: 1/1/98
Address: 3181 C Street
City/State/Zip SAC. CA. 95816 Phone/Fax 442-6507
Organization (if applicable)
Comments: Please use the C Street Bypass option "INSTEAD OF C Street". Ind94-1

Kim Lansing
Scott Salzer 446-7165
3130 7th St
Sac CA 95816

Please use C Street Bypass option "Instead of C street"

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 9, 1998. Thank you for your input.

30

Ind 95

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Name: Lillian Watters Date: 1-11-98

Address: 3241 'C' Street

City/State/Zip Sacramento Phone/Fax

Organization (if applicable)

Comments:

The proposed EBMUD project would have significant negative effects on the neighborhoods bordering 'C' street. Without knowing if the project is even necessary the sheer magnitude is appalling. Ind95-1

It would eliminate parking on the street during construction, divert traffic flows and destroy aesthetics of our ~~3~~ neighborhood.

There is already too much noise from steel traffic going to the Cannery during commute hours.

I oppose this project and with will act to stop the proceedings

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January ~~5~~ 30, 1998. Thank you for your input.

Ind 96

Joe Wolfenden
725 21st street
Sacramento, Ca. 95814
(916) 444-6249
Email -- Jwolf@ns.net

EBMUD/USBR Supplemental Water Supply Project
Comment

To. EBMUD-USBR

Attn. Kurt Ladensack
P.O. Box 24055, MS 305
Oakland Ca. 94623-1055

As a resident of the Midtown area of Sacramento I have been following the plans for EBMUD to take American River water for use by its customers. I understand your desire to access the water before it enters the Sacramento River. The quality and taste is great, rivals any European bottled water. Ind96-1

I applaud your decision to divert water from the downstream access so as to allow the water flow in the American River to not be decreased in the upper channels making recreation and environmental uses of the water to be optimized.

The concern that I am writing to you about is the impact that the installation of the diverter pipe on C street will have on heavy truck traffic in the neighborhood. C street is the truck route through midtown and during excavation there will likely be significant impact on our already overcrowded streets during all hours of the day and night.

Midtown is a residential neighborhood with many children and elderly residents. There are not streetlights in the area that will become impacted with the traffic . I and other residents are asking that EBMUD install lighting in the neighborhood as a compromise for our support in your project. The midtown neighborhood has very active community associations which have brought projects to a standstill for years. Working with a spirit of compromise I as an active participant in local issues hope to be able to support your project in spite of its significant negative impact on our neighborhood.

2/9/98 Joe Wolfenden

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 97

Name: Katie Garzana Date: 1-10-98
Address: 3132 C St
City/State/Zip Sacramento, Ca Phone/~~Fax~~ 442-5252
Organization (if applicable) —
Comments:

Please don't cut our trees —
Please don't ruin our beautiful
Neighborhood!

That is exactly what is going to
happen unless you take the
alternate route —

our Neighborhood won't be worth a
penny unless you take the other route —

Barren streets and houses are not
too attractive —

Please do not do this to our
neighborhood — think about it, please.

Ind97-1

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is January 9, 1998. Thank you for your input.

30

Ind 98

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Name: Diana S. Zuniga Date: 2/7/98

Address: 3106 C st.

City/State/Zip Sac. Ca. 95816 Phone/Fax (916) 442-2237

Organization (if applicable)

Comments: Using the C St route that goes east of Alhambra Blvd. 31st & 32nd streets would kill all the trees (full grown) on both sides. It would change the look of an entire neighborhood.

I understand there is another route to take which would go through a large empty area that is undeveloped. I hope you would consider that route instead. Its the area where Centrage had been proposed.

Ind98-1

8-269

.o comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is February 17, 1998. Thank you for your input.

EBMUD/USBR Supplemental Water Supply Project
Comment Form

Ind 99

RECEIVED
FEB 11 1998

Name: Robert P Zuniga Date: 2/9/98
Address: 3106 C St
City/State/Zip Sac. Ca. 95816 Phone/Fax (916) 442-2237
Organization (if applicable)
Comments: I really love the full grown Trees in front of my house. There the pride of this entire Neighborhood. Please consider the alternet route through Lannys property where Centrag was being planned. Ind99-1

To comment on the EBMUD-USBR Supplemental Water Supply Project Draft EIR/EIS you can: 1) Turn in your comment form during today's meeting; 2) Mail your written comments to EBMUD, attn: Kurt Ladensack, P.O. Box 24055, MS 305, Oakland, CA 94623-1055; 3) Make a verbal statement at the December public meetings. The deadline for submitting comments is February 17, 1998. Thank you for your input.

July 22,1997

Maria C. Solis
EBMUD
PO Box 24055
MS 305
Oakland CA 94623-1055

Ind 100

RECEIVED
JUL 23 1997
WATER SUPPLY IMPROVEMENTS

Dear Ms Solis,

Thank you for inviting us to the meeting in Clements last month. We appreciate learning of the proposed pipeline adjacent to our property (22744 Buena Vista Road, Clements). However, we must oppose this route because of concerns which were expressed at the meeting. Our concerns are in these areas:

Safety...

The proposed route places the pipeline on your property up-slope and within close proximity to our house. Within 100 yards of our house the proposed pipeline will be above our foundation by an estimated 15 feet. A rupture in an 8' pipe with water under as much as 100 psi could cause devastation to our property. Even more worrysome is the potential for trapping occupants due to the predictable water flow, given the existing slopes and location of our home. Simply, the potential water flow would create a river directed at our home, causing severe damage, potential broken propane and electric lines, and trapped occupants. History shows that high pressure pipelines do rupture, sometimes with costly results. Ind100-1

Monitary...

Your proposed route places the pipeline on our property for a distance of over 600 feet, and adjacent to our property (part of which is up-slope from our home) for another 1380 feet. The proposed route will wrap our home on two of our four property lines, with a 90 degree turn in the middle.

The easement you seek will restrict the use of a sizeable section of our property, especially as related to permanent crops and structures. We have taken preliminary steps (well and pump for orchard or vineyard) but now are faced with potential prohibition of those activities, by EBMUD, on portions of our own property. Future income, as well as, property value and saleability are affected. The safety concerns discussed above also yield negative monitary results. Ind100-2

Inconvenience...

During construction, we fear that access to our home and property will be sacrificed. Noise, dust, and lack of privacy will be unwelcome. A telephone cable which serves our and other area homes will need relocation. Will service be interrupted?
After the pipeline is in place, will routine inspections for leaks and repairs bring more inconvenience to us? In future years, will expansion of the system be desired, bringing new and old concerns to our doorstep?
At best, the land will be scarred for too long. At worst, the vernal pond common to your and our property will be threatened along with its wildlife.
The issues related to privacy, land use restrictions, wildlife, altering the natural appearance of the land and pond, are especially significant to property owners such as us. We have paid extra high prices for our homes in order to enjoy the benefits that are being threatened by your proposal. Ind100-3

Solutions, Recommendations, and Requests...

Please don't build a large, high pressure water pipe system on our property or around our home. Safety and monitary concerns are very significant. Privacy, inconvenience, and potential alterations to desireable conditions which now exist are issues we consider important.

If, and only if, a pipeline is to be constructed along Buena Vista Road contiguous to our property, please consider a route alteration. Move the entrance of the pipeline route onto your property eastward along Buena Vista Road (200-300 yards ?) so as to be beyond the down-slope to our home. Maintain the route beyond the crest of the hill at our rear yard, so that the flow from a rupture would be directed toward uninhabited areas of EBMUD property rather than toward our home. Ind100-4

Sincerely,

Larry M. Salo, Gretchen M. Salo

Larry M. Salo And Gretchen M. Salo, property owners
22744 Buena Vista Road, POBox 555
Clements, CA 95227
(209) 759-3777

Response to Comments of Larry M. Salo and Gretchen M. Salo

Because this letter was received prior to the beginning of the comment period on the 1997 Draft EIR/EIS, EBMUD responded in writing in a letter dated December 24, 1997. Responses to the comments contained in that letter are also provided below.

Ind100-1, Larry M. Salo and Gretchen M. Salo
The pipeline will be designed to very strict standards to protect against rupture. For example, design engineers have completed a detailed seismic evaluation of the project area and developed appropriate design criteria to protect the pipeline from rupture caused by a seismic event. EBMUD's design criteria are more conservative than the current industry standard for pipelines. It is highly unlikely that a catastrophic rupture of the pipeline would occur.

Ind100-2, Larry M. Salo and Gretchen M. Salo
As a public agency, EBMUD is required to reimburse landowners for fair market value of all properties that are acquired for the project. Fair market value would be determined through the use of property appraisals (prepared by both EBMUD and the landowner) and negotiations. It is EBMUD's intent that this process result in a fair compensation to landowners for the monetary impacts associated with project implementation. Any fences removed during construction would be replaced in kind at no cost to the landowners.

Ind100-3, Larry M. Salo and Gretchen M. Salo
During construction, there may be some short-term disruption to landowners. EBMUD is committed to minimizing these effects. See the response to the "Construction-Related Environmental Commitments and Mitigation" major issue in Chapter 3 of this document for a detailed discussion of this topic.

The vernal pool discussed in this comment is recognized in the 1997 Draft EIR/EIS as a valuable resource. The pipeline alignment has been adjusted to avoid this area, and mitigation measures have been included to eliminate the potential for significant effects. EBMUD access to the pipeline would be relatively infrequent. Most patrolling of the alignment would be done from public roads.

Ind100-4, Larry M. Salo and Gretchen M. Salo
As part of planning and environmental documentation activities, EBMUD evaluated a number of potential pipeline alignments for the project. Based on the pipeline routing criteria developed from feedback received during public meetings and the approach that is outlined in the 1997 Draft EIR/EIS, EBMUD has selected an appropriate route for the pipeline Alignment 2 route. Two key criteria associated with pipeline routing were the use of EBMUD-owned land and use of the existing public rights-of-way as much as possible to reduce effects on private property. These criteria were the primary reasons for the location of the proposed pipeline alignment.