SECTION 7

Scoping Efforts

7.1 Introduction

A major activity of the San Luis Drainage Feature Re-evaluation is compliance with NEPA. Reclamation will prepare an EIS that will assess and compare the impacts of drainage alternatives on the environment. Reclamation initiated the NEPA process by issuing a Notice of Intent to prepare an EIS in October of 2001. Following the Notice of Intent, Reclamation convened a set of scoping meetings to inform interested groups and individuals about the project and to solicit their ideas and comments. Reclamation intends for public involvement to be an integral part of the entire re-evaluation process, including planning, impact assessment, and implementation.

7.2 Scoping Meetings

Reclamation hosted an interagency scoping workshop and two public scoping meetings to collect comments and suggestions from individuals, organizations, and local and agency representatives. The interagency scoping workshop was held in Sacramento on October 25, 2001, from 8:00 a.m. to 4:00 p.m. at the Federal Building. Reclamation hosted two public scoping meetings to receive comments and suggestions from individuals, organizations, and local representatives. The first public meeting was held in Fresno on November 14, 2001, from 10:00 a.m. to 12:00 p.m. at the Piccadilly Inn University. The second public meeting took place in Concord on November 15, 2001, from 1:30 p.m. to 3:30 p.m. at the Concord Hilton Hotel.

The interagency scoping workshop included a detailed presentation of the project history, project scope, drainage alternative analysis, environmental compliance, and public involvement. Participants asked questions and presented comments throughout the presentations.

The public scoping meetings opened with a brief project history and overview of drainage alternatives previously considered. Reclamation briefly reviewed hearings, reports, and key court decisions regarding drainage service since the San Luis Act of 1960. The presentation highlighted the various actions that ultimately stopped each effort to provide drainage service. Reclamation also presented a description of the Feature Re-evaluation/EIS process. The presentation reviewed the project schedule, project area, and study challenges, as well as preliminary options and alternatives identified by Reclamation. Participants contributed comments at the public scoping meeting. Reclamation received additional comments through the mail, e-mail, fax, and website.

7.3 Summary of Scoping Comments

The attending public representatives presented concerns and questions. The group contributed many ideas and comments for Reclamation's review. Reclamation also presented a collection of important areas for public comment. The following brief synopsis summarizes the major issues and concerns.

7.3.1 Major Issues and Concerns

7.3.1.1 Definition of Drainage Service

Reclamation should expand the definition of drainage service to include on-farm, in-district management alternatives, including land retirement.

7.3.1.2 Land Retirement and Agricultural Practices

Many participants described land retirement as the best solution to the drainage problem. Many other participants said that land retirement does not allow for continued agricultural production and does not address drainage problems for lands remaining in production.

7.3.1.3 Impacts of Treatment and Disposal of Drainage Water

Reclamation must consider all of the potential impacts to the Delta, San Francisco Bay, groundwater, and all other potential treatment/disposal sites.

7.3.1.4 Project Schedule

The proposed project schedule is not acceptable. Reclamation should provide drainage service sooner than the current schedule describes. Some participants suggested that Reclamation implement a flexible or progressive approach to providing drainage service – implement drainage management solutions first, then provide drainage service.

7.3.1.5 Regulatory Compliance

Reclamation should review and comply with all current regulations and required permits. Reclamation should go beyond existing regulations to consider potential future regulations and recent scientific analyses of potential impacts (e.g., selenium).

7.3.1.6 Stakeholder Participation

A consensus-driven, stakeholder process can identify potential alternatives that are acceptable to all parties, including interim actions for mitigating agricultural drainage problems.

Section 7.3.2 presents a summary of the comments received at the scoping meeting and those received as written comments.

7.3.2 Summary of Issues and Comments

7.3.2.1 Drainage Service and Drainage Management

Definition of Drainage Service

Many participants suggested that Reclamation's definition of drainage service was not adequate to provide comprehensive solutions to the drainage management problem in the SLU. These participants stated that drainage service should include drainage management approaches, in addition to treatment and disposal options. Participants suggested that Reclamation should focus on early implementation of drainage management options, which could be more cost effective and could address up to 90 percent of the drainage problem.

Drainage Management Options and Alternatives

Several participants suggested that drainage management actions should be optimized and included in all alternatives. Several people noted that local management actions have been successful in several parts of the Central Valley. Reclamation should revisit drainage management options identified in the SJVDP. Participants suggested the following specific options and approaches for drainage management:

- Drainage Water Volume Reduction
  - Irrigation source control
  - Integrated on-farm drainage management systems
  - Reduction targets, incentives, and technical assistance
  - Land retirement
- Drainage Water Reuse
- Groundwater Management

Several participants suggested that one alternative should include the optimal combination of non-discharge alternatives, such as drainage minimization, land retirement, land fallowing, water transfers, sequential drainage use on-farm, and alternative land management.

Other participants stated that drainage management approaches alone are insufficient to address the drainage service need. Drainage management that only balances the salt load in the soil will result in declining agricultural productivity. Specifically, alternatives should address the need to remove the salt from the soil and dispose of that salt, thereby preserving the agricultural productivity of the land. IFDM Systems have worked locally but have not fully addressed the salt problem. Reclamation would have to demonstrate improved salt removal and mechanisms for regionalizing these programs. Groundwater management programs may only transfer the salt problem from the root zone to the groundwater. Improved water use efficiency over the last several years may mean that substantial reduction in drainage cannot be achieved through additional irrigation water source control.

Land Retirement

Many participants stated that land retirement and land fallowing should be a major component of alternatives to address the drainage problem because they could address a significant portion of the problem and land retirement programs are already in place. One participant stated that one alternative should consider exclusively land retirement, alternative land management, and dry-land farming.

Other participants noted that Reclamation should clarify how much of the drainage problem could be addressed by existing and proposed land retirement programs and how many acres of land need drainage service. One participant noted that the source of drainage problems is not solely agricultural lands; wildlife refuges, grasslands, and other natural resource areas contribute to the problem.

7.3.2.2 Drainage Treatment and Disposal

Treatment Options

Many participants suggested that Reclamation consider the full range of treatment options and not limit the analysis to evaporation ponds and some form of out-of-valley disposal. Potential treatment options identified by participants include: use of drain water in power generating solar ponds, on-site water treatment, reverse osmosis, on-farm technologies, micro/nano filtration, use for power plant cooling, and separation of drain water into usable components (water and various salt-residue products).

Several participants commented that traditional evaporation systems similar to Kesterson Reservoir should be avoided at all costs due to their impacts to aquatic and bird species, and the resources required for their eventual clean-up. Other participants commented that Reclamation is engaged in a number of pilot/experimental programs (Grasslands Bypass) that have been met with varying levels of success but should still be considered and perhaps enhanced as part of this project.

Some participants cited tightening water quality standards in the San Francisco Bay-Delta and San Joaquin River for Selenium and Boron, and stressed the need for more efficient in-valley water treatment prior to considering any disposal option. One participant suggested that drainage water be treated on a regional basis like other types of wastewater.

Some participants suggested that Reclamation evaluate an alternative that focuses on drainage management for 10 years before selecting options for salt disposal or utilization (similar to Alternative 4 in the 1991 Draft EIS). Another alternative should incorporate all of the drainage minimization and management options listed above and waste utilization alternatives for the remaining salts and water.

Disposal Options

Many participants suggested that Reclamation should consider a full range of disposal options, including out-of-valley disposal to the Delta, San Joaquin River, or the ocean). Supporters of out-of-valley disposal stated that the drainage solution must address salts removal from the valley. Some participants noted that the ocean is the appropriate place to return the salts.

Participants opposed to out-of-valley drainage options argued that transporting selenium-laden water to the Delta would exacerbate existing water quality problems. They cited similar difficulties regarding salts and discharge to the San Joaquin River. Participants noted that the state is likely to raise the discharge standards for selenium, boron, and salt making river or Delta disposal options increasingly infeasible. Participants noted that if the drainage water were treated to a standard where it could be discharged to the San Joaquin River or the Delta, it would become more useful to valley farmers and would be reused rather than discharged.

Other participants suggested deep-well injection, ocean disposal, and salt and selenium utilization as potential disposal strategies that Reclamation should consider. Some participants suggested Reclamation look at the drainage water as a resource and not as a problem. Useful applications for the salts may exist in a variety of markets. Participants stressed that Reclamation should actively pursue potential markets for these materials.

7.3.2.3 Environmental Impacts

Impacts to the Bay-Delta

Several participants suggested that environmental protection and restoration should be a goal of drainage management. Several participants stated opposition to the discharge of drainage water into San Francisco Bay and/or the Delta. Participants suggested that not enough is known about the effects of drainage water on the Bay/Delta environment, and that there are unknown water quality and human health impacts for the whole region. Participants acknowledged that the entire system is in need of a solution.

Selenium and Bioaccumulation

Participants noted that various potential sources of contamination exist throughout the San Francisco Bay/Delta system. Among those potential contaminants is selenium. Many participants expressed concern for the potential immediate and cumulative impacts that discharges with high concentrations of selenium may have on fish, wildlife, and the broader Bay/Delta watershed area. Some participants noted that selenium discharges at any level would be unacceptable.

Participants emphasized that Reclamation should consider the best available scientific research in evaluating disposal alternatives and allow a margin of compliance to accommodate future changes in regulations. Regulations have changed considerably through the years. For example, discharges to Kesterson Reservoir were within EPA's regulations at the time.

7.3.2.4 Costs and Economic Impacts

Costs and Financing

Several participants suggested that Reclamation should include updated costs for land purchases for facilities and rights-of-way and for decommissioning costs for evaporation ponds. Some participants questioned the economic feasibility of this project and requested information on the financial responsibilities for implementing the drainage program. Some participants suggested that Reclamation should compare the costs for drainage service to crop values. Participants also requested that Reclamation disclose the actual cost to farmers (with and without the federal subsidy program) in the economic analysis. The cost information should include the total cost to farmers for drainage service compared to drainage management.

Economic Impacts

Participants emphasized that Reclamation must look at the economic impacts to surrounding communities that may occur from failing to implement a solution or from the costs of a solution. Reclamation should also examine the economic impacts that could occur during the planning process – agricultural producers are in need of immediate solutions to sustain current practices.

7.3.2.5 Process and Schedule

Process

Several participants stated that Reclamation should take steps to implement interim drainage service solutions sooner than the completion of the Feature Re-evaluation. One participant noted that the interim coordination Reclamation described in the Plan of Action would not provide drainage service.

Schedule

Participants stated that the project schedule is inadequate. Some participants indicated that farmers need drainage service immediately to maintain agricultural production. Several participants stated that Reclamation's Plan of Action describes studies to be completed, but does not specifically describe the timing for providing drainage service as the court ordered. They questioned if the court considered Reclamation's Plan of Action to be "prompt" service. Several participants suggested that Reclamation implement findings from previously completed studies to expedite the project schedule instead of completing new studies. Others also requested that Reclamation list the staff and resources available to work on this project and any potential consultant support to ensure that Reclamation meets the schedule.

Some participants noted the permits and regulations that need to be addressed in developing project alternatives. Participants also noted that agency and public review of all of these issues might affect the project planning and implementation schedule.

Public Involvement

Participants suggested that Reclamation use a variety of outreach materials to reach the widest audience. Also, Reclamation should schedule public involvement activities between project milestones to retain individual engagement. Other participants noted that future phases of drainage planning provide larger roles for other agencies and professional disciplines.

Participants suggested that Reclamation consider the potential public response to alternatives in the feasibility analysis.

Table 7-1 lists participants who contributed oral and/or written comments:

TABLE 7-1
Comments Submitted

Name	Affiliation
Oral Comments at Scoping Meetings	
Irene VanTasser	Triple T Farms
Terry Young, Ph.D.	Environmental Defense
John Kopchik	Contra Costa County Community Development Department
Mark Holmes	The Bay Institute
David Nesmith	Environmental Water Caucus
Alex Hildebrand	South Delta Water Agency
Roy Senior	Zim Industries, Inc.
Matt Reeve	Private citizen

TABLE 7-1
Comments Submitted

Alan Wilhelmi	California Striped Bass Association
Lisa Holm	Contra Costa Water District
Ed O'Neill	O'Neill Farms
Richard Harriman	California Nat. Res. Foundation
Nettie Drake	B&N Enterprises
Chris White	Central California Irrigation District
Al Dingle	Westlands Water District
Daniel Kippen	Smiland & Khachigian
Dudley Silvera	Private citizen
Vashek Cervinka	California Department of Water Resources
John Brooks	U.S. Fish & Wildlife Service
Written Comments Submitted	
Dave Ciapponi, Assistant General Manager (2)	Westlands Water District
Terry Young, Ph.D., (Consulting Scientist)	Environmental Defense
Angela Sherry, Resource Policy Analyst	
Felix Smith (2)	Private Citizen
William Loudermilk	CA Department of Fish and Game
Gary Bobker	Bay Institute
John Kopchik	Contra Costa Community Development Dept.
Lisa M. Holm	Contra Costa Water District
Terry Young, Ph.D., (Consulting Scientist)	Environmental Defense
R. Berry Stewart, Chairman	Trinity County Board of Supervisors
Terry Young, Ph.D., (Consulting Scientist)	Environmental Defense
Thomas Graff, Regional Coordinator	
Angela Sherry, Resource Policy Analyst	
Lori Clamurro	Delta Protection Commission
Steve Chedester, Executive Director	San Joaquin River Exchange Contractors Water Authority
Russ Freeman, Supervisor of Resource Management	Westlands Water District
Matthew Reeve	CA Department of Fish and Game
Dick and Mary Allen	Private Citizens
Irene Van Tassel	Triple F Farms
Nick Di Croce, Vice President	California Trout
Byron W. Leydecker, Chairman	Friends of the Trinity River
Alex Hildebrand	South Delta Water Agency
William M. Smiland, Attorney	Smiland & Khachigian
Roy F. Senior, Jr.	Zim Industries, Inc.
Theresa S. Presser	U.S. Geological Survey

TABLE 7-1
Comments Submitted

Joshua Baylson, Acting Deputy Director	U.S. EPA
Curt Zimmerer, President (2)	Zim Industries, Inc.
Joseph McGahan, Drainage Coordinator (2)	Grassland Drainage Area Grassland Farmers
Patrick Porgans	Patrick Porgans & Associates
Dudley Silveira	Private Citizen
Dennis Falaschi, Manager	Panoche Drainage District
Alene L. Taylor	Private Citizen
A.L. Fourchy, Chairman	San Joaquin Valley Drainage Authority
Susan Masten, Chairperson	Yurok Tribe
Jose I. Faria, P.E., Chief Special Investigations Branch	Department of Water Resources, San Joaquin District
Walt Shannon	State Water Resources Control Board
Laura Fujii	Environmental Protection Agency
Daniel J. O'Hanlon	Kronick, Moskovitz, Tiedemann & Girard
Andrew Gordus	CA Department of Fish and Game
John Kopchik	Contra Costa Cty Community Development Dept.

7.4 Next Steps

Through the initial planning and public scoping activities, Reclamation identified several important issues and challenges that influence the approach and techniques for public involvement in the Feature Re-evaluation. These issues and challenges reflect the areas where there are diverse interests and positions among the stakeholders, resolution of which may fall beyond the pure technical analysis required in this effort.

This section describes Reclamation's strategy for integrating the technical analysis required to evaluate each potential drainage alternative and stakeholders' clear message favoring a process that provides public dialogue in the alternative screening/selection process. Reclamation is focusing on a strategy to inform, educate and involve key stakeholders and the general public in formulating workable solutions to agricultural drainage in the SLU. Reclamation will pursue approaches and activities through 2002 to support a collaborative, stakeholder-driven process for identifying screening criteria for the various alternatives and providing input to the development of alternatives that will receive more focused environmental review during 2003 and 2004. This process will also accommodate any parallel activities that may develop during the course of the Feature Re-evaluation, such as consideration of interim or short-term solutions.

By providing a process combining stakeholder involvement and technical assessment, Reclamation is endeavoring to make the process more inclusive to foster understanding, and acceptance on the major issues described by stakeholders during public scoping. Based on stakeholder comments received to date, Reclamation has identified a collaborative

approach to Feature Re-evaluation with two primary elements, technical evaluation and public involvement. The two-track technical evaluation will consist of: (1) drainage service solutions and completion of the required NEPA documentation (the Feature Re-evaluation process) and (2) consideration of interim actions that could be expanded or implemented before 2005. This process will allow Reclamation to evaluate various levels of agricultural discharge and develop appropriate drainage service strategies based on the alternatives described in Section 6. Stakeholders will help describe the screening criteria that Reclamation will use to develop the preferred alternative.

Additionally, Reclamation will implement a three-tiered outreach approach to form the framework for public review and collaboration on the evaluation efforts. The three-tiered outreach and collaboration strategy aims to encourage the involvement of decision-makers and opinion leaders, agency and organization specialists, and interested and affected individuals from the general public. Scheduled briefings will keep decision-makers and opinion leaders informed of program objectives, process, issues and preliminary decisions. Reclamation intends to establish a working group of key stakeholders to review and discuss the elements that will shape and refine the alternatives through 2002. Through these activities, participants will be actively involved in developing screening criteria, formulating alternatives, and other re-evaluation processes. Public meetings and workshops will ensure that the general public and affected communities and landowners have an opportunity to review and comment on the Feature Re-evaluation activities.

Overall, the enhanced stakeholder-driven process described above is designed to help Reclamation develop viable project alternatives for environmental review within the constraints of the timeframes identified in the Plan of Action.

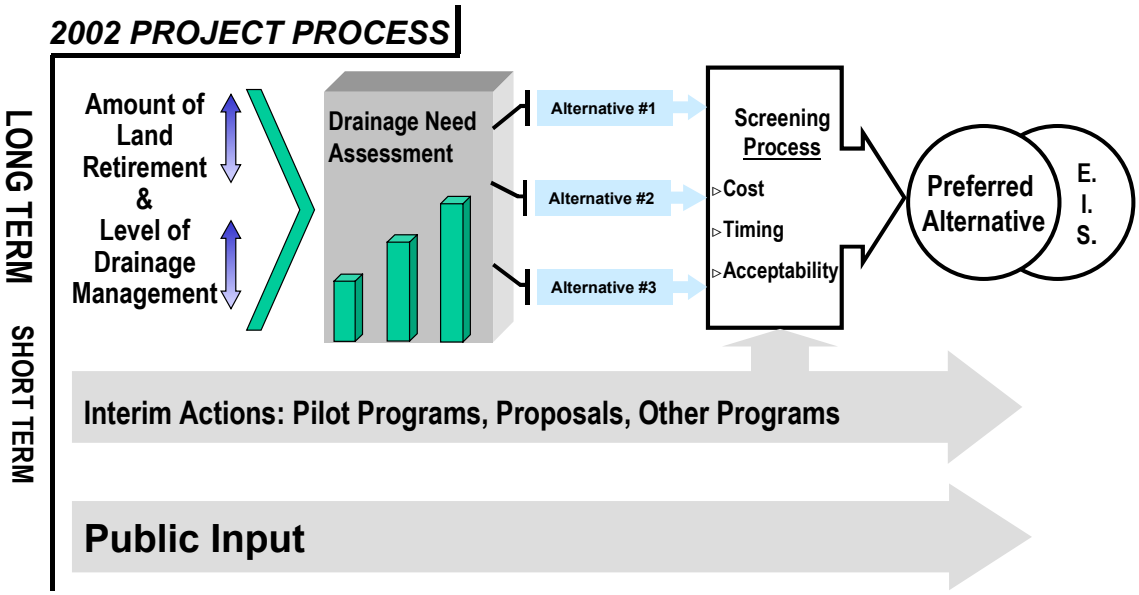

FIGURE 7-1
2002 Project Process

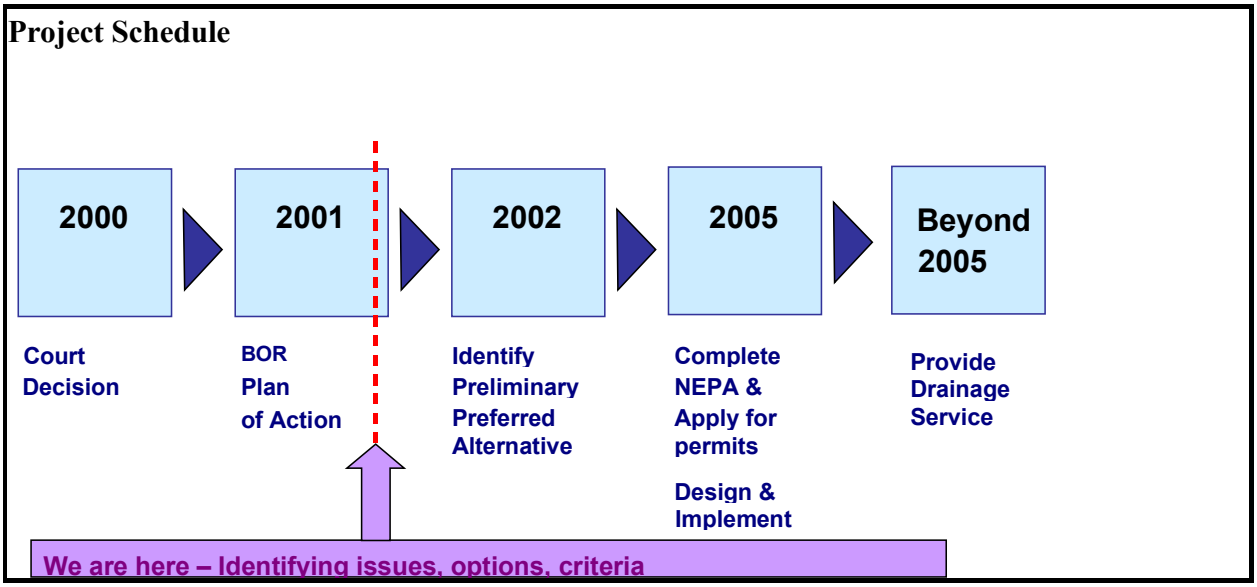

FIGURE 7-2
Project Schedule

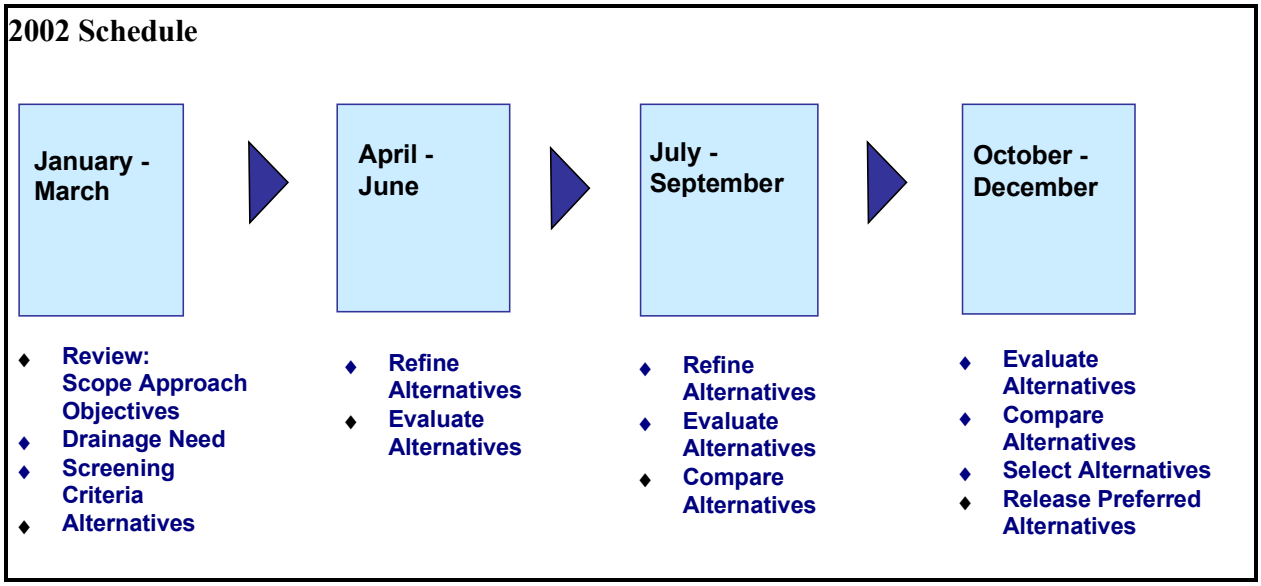

FIGURE 7-3
2002 Project Schedule