Chapter 7

Environmental Impact Statement—Actions

7

7.1 When to Use an EIS *(40 CFR 1502.1)*

The primary purpose of an EIS is to serve as an action-forcing device to ensure that the policies and goals defined in NEPA are infused into the ongoing programs and actions of Reclamation. An EIS shall be prepared to inform decisionmakers and the public of the proposed action, reasonable alternatives, and their environmental impacts. Although the EIS shall focus on the significant environmental issues, it is more than a disclosure document. It shall be used by Reclamation officials, in conjunction with other relevant material, to plan actions and to make decisions.

Actions associated with the development and processing of an EIS are shown in figure 3.3.

An EA (as discussed in chapter 6) may lead to a decision to prepare an EIS. However, some general activities that normally require an EIS do not need an EA. These include proposals that require feasibility reports on water resource projects, proposed new repayment and water service contracts, and proposed modifications to existing projects or changes in programmed operation that may cause a significant new impact.

The ROD is discussed in chapter 9.

7.2 Typical EISs

The most familiar EIS is on a specific action and is site specific in its potential impacts. EISs of this type are the preponderance of those prepared. The next most common EIS type is the programmatic EIS. NEPA requires an EIS to be prepared when potentially significant impacts can result from the establishment of a program or new regulations (a programmatic EIS). A programmatic EIS (40 CFR 1500.4(I); 1502.4(b) and (c), 1502.20) is one that analyzes broad-scope actions that are similar in terms of timing, geography, or other characteristics that provide a basis for evaluating environmental

consequences. It provides a generic analysis of impacts that may not attempt to define the site-specific effects in detail but that do present at least a range of effects that reflect the reasonably foreseeable consequences of the program. While site-specific data may not be available, the requirement of NEPA to gather all reasonably available information needed to support a reasoned choice among alternatives does apply to a programmatic EIS. The range of alternatives considered may include various combinations of program elements. Careful screening of alternatives is necessary to keep the analysis manageable.

A programmatic EIS supports broad policy or program decisions that constrain or define specific proposals that may be proposed as part of the program or under the policy. Subsequent analysis of more specific proposals would generally be required under NEPA and would be more specific, since it would be of narrower scope. Information from a programmatic EIS can be referenced ("tiered") in the subsequent NEPA document to reduce redundancy.

7.2.1 Legislative EIS
(40 CFR 1506.8, 1508.17, 516 DM 4.23)

Either the site-specific or programmatic EIS can be used to propose legislation. The legislative EIS includes a bill or legislative proposal (including a proposal to reauthorize a project) to Congress developed by or with the significant cooperation and support of a Federal agency, but it does not include requests for appropriations. The test for "significant cooperation" is whether the proposal is, in fact, predominantly that of the agency rather than of another source (drafting does not by itself constitute significant cooperation). Only the agency that has primary responsibility for the subject matter involved will prepare a legislative EIS.

There are two types of legislative EISs. The first type is used for proposals that are not site specific. The legislative EIS is filed with EPA, sent with the legislative proposal to Congress, and is intended to be the detailed statement required by law. In this instance, the legislative EIS will be so marked and will not be marked "draft" or "final." This legislative EIS will not be distributed for review and comment. Reclamation has not prepared this type of EIS recently, if ever.

The second type of legislative EIS is required for proposals for Federal or federally assisted construction or other projects to be located in a specific geographical area (other categories are detailed in 40 CFR 1506.8). These are essentially routine EISs filed with EPA and sent to Congress as draft legislative EISs no later than 30 days

after the legislative proposal is forwarded. A distribution is made for review and comment, a public hearing is held, and an FEIS is prepared and filed. The main advantage of this type of "legislative" EIS is that the proposal can be sent to Congress for action with only the DEIS. The FEIS is forwarded at a later time. Again, Reclamation has not prepared this type of EIS recently, if ever.

7.2.2 Delegated/Nondelegated EIS (ESM 98-2)

All the EISs described above can be delegated or nondelegated, although the vast majority are delegated. A delegated EIS is one for which the decision authority on the proposed action rests, by delegation, with a single Assistant Secretary. The Assistant Secretary, in turn, may delegate this responsibility to individual bureaus.

Any EIS signed at the area office, regional office, or Commissioner's Office level is a delegated EIS.

A nondelegated EIS is:

- One for which the decision authority on the proposed action requires the approval of more than one Assistant Secretary (or bureaus under more than one Assistant Secretary), or

- An EIS reserved or elevated to the Secretary (or Office of the Secretary) by expressed interest of the Secretary; the Chief of Staff; the Solicitor; or the Assistant Secretary for Policy, Management and Budget, or

- The proposed action is of a highly controversial nature or one in which the Secretary has taken a prominent public position in a highly controversial issue, or

- The proposed action faces a high probability of judicial challenge.

Nondelegated EISs are to be reviewed by the Secretary's OEPC. The clearance to print is OEPC's informal, but substantive, approval of nondelegated EISs.

7.3 Tiering
(40 CFR 1502.20)

Agencies are encouraged to tier their EISs to eliminate repetitive discussions of the same issues and to focus on the actual issues ripe for decision at each level of environmental review (40 CFR 1508.28).

"Tiering" refers to covering general matters in a broader EIS (such as national program or policy statements), with subsequent narrower statements or environmental analyses (such as regional or basinwide program statements or, ultimately, site-specific statements) incorporating by reference the general discussions and concentrating solely on the issues specific to the statement subsequently prepared. Tiering is appropriate when the sequence of statements or analyses is:

- From a program, plan, or policy EIS to a program, plan, or policy statement or analysis of lesser scope or to a site-specific statement or analysis.

- From an EIS on a specific action at an early stage (such as need and site selection) to a supplement (which is preferred) or a subsequent statement or analysis at a later stage (such as environmental mitigation). Tiering in such cases is appropriate when it helps the lead agency to focus on the issues which are ripe for decision and to exclude from consideration issues already decided or not yet ripe.

If tiering is used, the entire process should be outlined at the outset so the interested public can understand what level of detail and analysis will be included in each tier.

When a broad EIS has been prepared, and a subsequent EIS or EA is prepared on a specific action included within the broad program or policy, the subsequent statement need only summarize the issues discussed in the broader statement. Issues addressed in a broad EIS are incorporated by reference so that the statement can concentrate on issues specific to the subsequent or following action. The subsequent document shall state where the earlier document is available (40 CFR 1502.20). Additional guidance on tiering is contained in CEQ's memorandum of July 22, 1983 (attached). When tiering is anticipated, it is prudent to print a substantial number of extra copies of the document for distribution during review of subsequent documents.

7.4 Incorporating by Reference *(40 CFR 1502.21, 516 DM 4.12)*

Incorporating by reference is an acceptable technique when material is readily available. "Readily available" suggests that the public could be expected to gain access to it within the time allowed for comment. Incorporated material shall be briefly described and appropriately cited. An EIS should not be processed for filing unless referenced documents are complete and available at the time of filing with EPA.

Literature citations should be written as indicated in the *Style Guide for Technical Publications*, Bureau of Reclamation, February 1989.

7.5 Actions Associated with an EIS

7.5.1 Getting Started

Before a NOI has been published in the *Federal Register* and scoping formally initiated, a number of steps should be taken. At the beginning of the process, the action and the purpose and need for the action should be explicitly defined. This should involve a multi-disciplinary team and management input and approval.

With the definition of the proposed action, other environmental evaluations in the area that may be related to the action should be reviewed. Whenever appropriate, these documents should be adopted or used as a basis for tiering. Every effort should be made to identify existing information and analysis applicable to the action to reduce redundancy.

7.5.2 Restrictions on Actions

While the EIS is being prepared, Reclamation is limited to the actions it can take. Until a decision is made, no action concerning the project shall be taken that will have an impact on, or preclude the choice of, other reasonable alternatives. This includes commitment of funds, personnel, resources, or materials that will advance the proposal to a point from which retreat may be difficult or impracticable (40 CFR 1506.1).

7.5.3 Timeframe

Preparation of an EIS should coincide with Reclamation's decision process so that it can be completed in time for the FEIS to be included

in, or to accompany, any recommendations or report. The statement shall be prepared early enough so it can provide an important contribution to the decisionmaking process.

In establishing the schedule, several factors need to be considered: (1) issues involved (e.g., potential impact, nature and extent of proposed action, and degree of public involvement); (2) NEPA process and required time limits; (3) data collection needs; (4) relationship of the proposed action to related processes within and outside of Reclamation; and (5) legal and political constraints. Adequate time should be allowed for the preparation and processing of the DEIS or FEIS. The process can vary significantly—from less than 18 months to 3 or more years—depending upon controversy, scope, and the issues to be addressed. Sometimes an EIS may be court-directed and have a mandatory completion date.

Usually, the more significant the issues, the greater the time that will be needed for preparation of an adequate EIS. Significant public controversy and an expanded public involvement program are generally helpful in such situations, but they extend the time needed to complete the EIS.

The NEPA process includes a number of required time limits. There are time limits for the minimum period between the notice of a hearing and the hearing (15 days, 40 CFR 1506.6), for the minimum period between the filing of a DEIS and the close of the comment period (60 days, 516 DM 4.24A), and for the minimum period between filing the FEIS and issuing the ROD (30 days, 40 CFR 1506.6).

The minimum review period for a draft EIS will be 60 days from **transmittal** of the document to EPA (516 DM 4.24A). Begin counting the 60 days from when the Notice of Availability appears in the Federal Register, which is 3 days after it is filed with the Office of the Federal Register and EPA. On the date it is filed, distribution should already be taking place to the public and agencies for comment. The CEQ regulations require a minimum of 45 days for review of a DEIS, but using the Department of the Interior's guidance, Reclamation is well within that timeframe.

Data collection needs can be significant. NEPA requires that the lead agency collect data needed for a reasoned choice among alternatives if it can be collected at a less-than-exorbitant cost (40 CFR 1502.22(a)). This data collection can require significant time and should be factored into the development of a reasonable timeframe for completion of the EIS.

Finally, the relationship of the proposed action to related processes within and outside of Reclamation must be understood to reasonably set an achievable timeframe. Internal processes, such as safety of

dam evaluations and contract negotiations, have timeframes and scheduling requirements that should be integrated with the NEPA requirements for those actions into one Reclamation decisionmaking process. External processes such as ESA or CWA Section 404 compliance can significantly affect the development of a reasonable timeframe.

7.6 *Federal Register* Notices Associated with an EIS

7.6.1 Notice of Intent to Prepare an EIS *(40 CFR 1508.22, 516 DM 2.3D)*

The NOI is required by CEQ regulations and notifies the public that an EIS will be prepared and considered. The notice shall briefly:

- Describe the proposed action and possible alternatives
- Describe the agency's proposed scoping process, including whether, when, and where any scoping meetings will be held
- State the name and address of a person within the agency who can answer questions about the proposed action and the EIS

The NOI should also indicate if there are any known ITA or environmental justice issues associated with the proposed action.

7.6.1.1 Timing of the NOI *(40 CFR 1501.7)*

As soon as practicable after the decision to prepare an EIS, the lead agency shall publish an NOI in the *Federal Register*. The NOI may be delayed if there is a lengthy period between the agency's decision to prepare an EIS and the start of actual preparation. In such a case, the NOI may be published at a reasonable time in advance of preparation of the draft statement (40 CFR 1507.3(e)).

In most cases, planning of a project will occur over a period of several months or even years, and the determination to prepare an EIS is made at the beginning of project planning or shortly after project planning is initiated. It is recommended that the NOI be prepared at the time the decision is made to prepare an EIS and that another one be prepared if there is a long time interval before the EIS is actually initiated.

7.6.1.2 Processing the NOI

The office originating the action prepares the draft NOI and an accompanying draft news release. These are reviewed, as required, by regional procedures. The originating office or appropriate regional office will be responsible for filing the NOI and the EIS. The NOI is to be published at least 15 days (30 days are recommended) before any planned scoping meeting if the NOI announces such a scoping meeting. In addition to the news release, a paid advertisement or announcement in one or more local project area newspapers at least 15 days before the meeting date is recommended.

Figure 7.1 illustrates the general format requirements for a *Federal Register* notice, and figure 7.2 is an example of a *Federal Register* NOI.

The Departmental Manual (516 DM 2.3D) requires that the Department's OEPC receives a copy of each NOI. The Commissioner's Office of Policy in Denver and Washington should also receive a copy.

7.6.2 Notice of Scoping Meetings *(40 CFR 1506.6)*

The notice of scoping meetings shall be published a minimum of 15 days before the first scoping meeting. Normally, this notice is included in the NOI, but if it is not, a separate *Federal Register* notice is required.

7.6.3 Notice of Availability and Public Hearing *(40 CFR 1506.6)*

A NOA is placed in the *Federal Register* when the DEIS and FEIS become available for public review (figures 7.3 and 7.4) and comment and before any public hearings on the DEIS are held. If information on the hearing is available, the notice of public hearing (NOPH) may be combined with the NOA (figure 7.5). The NOPH, if separate from the NOA, should appear in the *Federal Register* 15 days before the meeting and at least 15 days after the document is available to the public. Processing of the notice(s) is the same as described above for the NOI.

7.7 *Federal Register* Notice Publication Process

Following are the steps for the *Federal Register* notice publication process for EISs. Please refer to figure 7.1 for general format requirements.

1. The office responsible for the EIS prepares a draft notice. This office is usually an area office or a regional office, but it may be an office in the TSC or Commissioner's Office of Policy for Reclamation-wide projects.

The format for *Federal Register* notices is described in detail in the *Federal Register Document Drafting Handbook*, published by the Office of the Federal Register. Copies of this handbook may be obtained on the Internet at the following website: http://www.nara.gov/fedreg/ddhhome.html or by contacting Reclamation's *Federal Register* Liaison Officer.

The TSC or Commissioner's Office of Policy may prepare a notice under a service agreement with the region. In this case, the draft notice would be sent to the region for approval and processing as described below.

2. The responsible office e-mails the draft notice to the Federal Register Liaison Officer (D-7924) for review of appropriate format. The Federal Register Liaison Officer will e-mail the draft notice back with any changes.

3. Three original notices are prepared and routed for surnaming and signature by the appropriate official at the regional or area office level (generally by either the regional director or the area manager) and by the designated official for Reclamation-wide projects. At the same time, a copy of the notice may be out on a disk for electronic submission. For important requirements on electronic submission of notices, please see the *Federal Register Document Drafting Handbook*, Chapter 5, "Disk Submission." **Note**: The "P" added to Reclamation's Standard Billing Code (4310-94) notifies the *Federal Register* that the document is being submitted for publication on electronic disk. The "P" should not be used in the billing code at any other time.

- ✓ Notices should not be stapled
- ✓ Name/title of signer should not be indicated until signed
- ✓ The notices must be signed in blue ink

4. After the notices are signed, the name and title of the signer should be typed below the signature. The name, date, and title of the signer should be typed in the file on the disk. The disk is labeled with the name of the project and Reclamation *Federal Register* billing code for electronic submission: 4310-94P.

5. For NOAs, the notices and the disk are included in the EIS transmittal package, which is sent to the Regional Liaison Office in Washington (see also section 7.8.2, "Procedures for Filing of Delegated EISs").

6. When the EIS package arrives in Washington for filing, it is the responsibility of the Regional Liaison to get a filing number from the Department of the Interior, OEPC. It will be either a DES (for DEIS) or FES (for FEIS) number. The DES/FES number is stamped (or written in blue ink) on each copy of the *Federal Register* notice at the end of the action line.

7. On the day the EIS is ready for filing, the Regional Liaison will arrange with the mailroom to deliver the three original copies of the *Federal Register* notice to the Office of the Federal Register (see address below). **Note**: If the document must appear in the *Federal Register* by the 10th of the month, the Regional Liaison must arrange to have the notices to the Office of the Federal Register by 2 p.m. 3 working days before the 10th.

8. For all other notices, the originating office prepares a letter transmitting the three signed notices and the diskette to the Office of the Federal Register (figure 7.6).

This letter may be signed by a staff person. To avoid delays or misplaced mail, express mail should be used for overnight delivery, or the notice can be hand carried to the Federal Register.

Office of the Federal Register
800 North Capitol Street, NW
Suite 700
Washington DC 20001

9. The Office of the Federal Register publishes the notice. Following is the regular publication schedule:

Received	Published
Monday	Thursday
Tuesday	Friday
Wednesday	Monday
Thursday	Tuesday
Friday	Wednesday

7.8 Review, Filing, and Distribution of EISs *(40 CFR 1506.9, 1506.10, 1503.1, 516 DM 4.16, 4.23, 4.24, 6.3)*

7.8.1 Review

Each region has internal review requirements that must be followed. These should include a broad review of the preliminary draft and final documents before filing by individuals with environmental compliance expertise to assure adequacy. Review of the documents by any cooperating agencies is also appropriate at this time. Upon request, the TSC and/or the Commissioner's Office of Policy will review and/or assist in the revision of preliminary DEISs and/or FEISs. The Commissioner's staff (Commissioner's Office of Policy or Policy and External Affairs) should be included when the review is likely to be highly controversial.

The Commissioner's staff should review draft and final EISs on highly complex or controversial actions. The office of the ASWS, Solicitor, and OEPC may also get involved in the reviews. For these actions, the Commissioner's Office should participate in reviewing preliminary drafts of the NEPA document to avoid delays at the time the EIS is to be filed. The Reclamation office responsible for preparing the EIS should request that a person in the Commissioner's Office be designated to coordinate any Washington reviews.

7.8.1.1 Delegated EISs

A delegated EIS is one prepared for a proposed action for which decision authority is delegated to an ASWS or further delegated to a subordinate bureau (515 DM 6.3A) (see also section 7.2.2). Within Reclamation, delegated EISs may be signed by the Commissioner or regional directors.

The area offices are normally responsible for preparation, adequacy, and internal review of the document before forwarding it to regional environmental staff for overall Reclamation policy and technical review. This review will address the legal and technical adequacy of material presented, as well as compliance with NEPA and other environmental laws, and Departmental and Reclamation regulations, instructions, and policies. Special attention will be given to completeness and accuracy of analysis. Additionally, the analysis of the alternatives will be critically evaluated to make sure an alternative or alternative feature that has less environmental impact, and that is legally and technically feasible, has not been inadvertently overlooked.

Review of preliminary copies of the DEIS by project sponsors, the Service, EPA, and other cooperating entities is encouraged. The level of the review and selection of the reviewing entities will be at the discretion of the office preparing the DEIS.

Technical peer review of the different sections should be performed by another office. For example, material developed by the area offices would normally be reviewed by the regional office but may also be reviewed, upon request, by the TSC and/or Commissioner's Office of Policy.

Review of documents covers all aspects (not just environmental compliance), and adequate time is needed to review the document's contents and to coordinate among the various disciplines involved in the review. Documents will normally receive a 30-calendar-day review from the date of receipt.

The originating office should make every effort to accommodate the policy and technical recommendations of the reviewing office. If a recommendation cannot be accommodated by the originating office, then the originating office and the reviewing office should work together to develop an alternative approach that is acceptable to both offices, or refer the disagreement to the decisionmaker for the action.

To facilitate preparation of the document, advance regional office comments and recommendations should be forwarded through informal channels (blue envelope, conference call, or a conference between the originating office and the regional office staff.)

When a director or the Commissioner requests that the Commissioner's Office of Policy take the lead within Reclamation to prepare an EIS, the Commissioner's Office of Policy would develop a team to prepare the document, using resources from the TSC, the Washington Office, and the regions, as appropriate. The team would develop an outline of the steps needed to complete the document. This outline would be reviewed internally by Commissioner's Office of Policy staff from Environmental and Planning Coordination, by the Director of the Commissioner's Office of Policy, and by other appropriate groups within Reclamation before being sent to the director for approval.

Working under this plan, a preliminary draft document would be developed by the Commissioner's Office of Policy lead team for review by Commissioner's Office of Policy staff from Environmental and Planning Coordination and other appropriate groups within Reclamation. If the proposed action may be of interest Reclamation-wide, the preliminary draft would also be offered to all regions and

other directors for review, using the NEPA Implementation Team to determine interest. The director requesting the document would approve the draft before it was filed with EPA for public review.

The final document would also be reviewed by Commissioner's Office of Policy staff from Environmental and Planning Coordination and other appropriate groups within Commissioner's Office of Policy. Those regions, and other directors who provided input on the draft, would be requested to review the final document. The director requesting the document would approve the final document before it was filed with EPA.

7.8.1.2 Nondelegated EISs

Nondelegated EISs are reviewed, filed, and distributed according to Departmental policies, as defined in the Departmental Manual. This specifically includes a review by the OEPC, which is required before the EIS is printed. Unless requested otherwise by the Assistant Secretary involved, Reclamation will formally review only nondelegated EISs produced in-house.

When Reclamation is preparing a nondelegated EIS, Reclamation will forward, through its Assistant Secretary, to OEPC:

- A letter transmitting the EIS to EPA for filing
- A NOA
- A draft press release (if required by the Office of Public Affairs)
- Four printed copies of the EIS to be filed with OEPC
- Five printed copies of the EIS to be filed with EPA

See Environmental Statement Memorandum No. ESM 98-2 for more details (attached).

7.8.2 Procedures for Filing of Delegated EISs

The regional director will normally approve the EIS and sign the transmittal to file the EIS. For EISs on rulemakings, Reclamation-wide issues, and other extremely controversial EISs, the Commissioner or the ASWS may sign the EIS.

7.8.2.1 Preparation of Filing Documents

While the EIS (draft or final) is being reviewed, the originating office prepares the following documents (in draft form) for filing the EIS, which will make up the filing packet.

- *Federal Register* NOA (DEIS and FEIS) (figures 7.3 and 7.4).
- *Federal Register* NOPH (figure 7.7); NOPH is prepared for a DEIS only. This notice is generally combined with the NOA as a NOA/NOPH (figure 7.5).
- The applicable news release for the action. Included are examples of news releases for NOPH, combined NOA/public hearing for DEIS, and NOA for FEIS (figures 7.8, 7.9, and 7.10).

7.8.2.2 Letters and Memoranda Associated with the Filing Package

In addition to the three copies of the *Federal Register* notice, the computer disk, and the letter transmitting the notice to the *Federal Register*, there are a number of memoranda and letters that complete the filing package associated with the NOA for either DEISs or FEISs. In the case of joint lead agencies, only one agency should sign the transmittal memo and letters. OEPC recommends that the agency responsible for handling the administrative details be the signatory. Examples are provided and are listed as follows:

- Letter to *Federal Register*, denoting electronic transmission (figure 7.6)
- Memorandum to Director, Operations, to transmit the filing package to the Regional Liaison (figure 7.11)
- A letter from the regional director to EPA, Office of Federal Activities, transmitting the EIS for filing (figure 7.12)
- A memorandum from the regional director to the Director of OEPC, transmitting the EIS (with a copy of the memorandum from the regional director to EPA and a copy of the *Federal Register* notice) (figure 7.13)

- The applicable type of interested party letter signed by approving official (i.e., Commissioner, regional director, or area manager)

  Interested party letter - less traditional format (figure 7.14)
  Interested party letter - more traditional format (figure 7.15)

- Letters to elected officials signed by approving official (figure 7.16)

- Distribution list

After completion of the review and appropriate revision of the EIS, these documents are finalized and incorporated into the EIS or attached to it, as appropriate. If the draft documents are prepared by the TSC, they are sent to the region for approval and submission to the program manager.

When the EIS (draft or final) is completed and ready to file with EPA, a filing package should be sent by overnight mail to the Regional Liaison in the Washington Office. The package should include the following:

- At least 13 EISs (more copies if the EIS is controversial).

- Three original *Federal Register* notices signed by the regional director **in blue ink**. The memorandums (and attachments) from the regional director to EPA and OEPC are described in section 7.8.2.1.

When the document arrives in Washington for filing, the Regional Liaison will obtain a filing number from OEPC. It will be either a DES (for DEISs) or FES (for FEISs) number. EPA and OEPC will not accept the EISs without this number. The Regional Liaison will stamp this number on the first page of each copy of the DES/FES in the filing package and on each copy of the NOA after the action line. While it is not necessary for the regional or area offices to stamp all of the EIS copies with the DES/FES number, the Regional Liaison should provide the number to the regional office for their records.

The comment ending date should also be inserted on the cover sheet in the EIS. The comment period end date is counted from the date the notice is transmitted to EPA. The review period for a DEIS is normally 60 days, but is 90 days for combined planning reports and EISs.

All copies of the EIS should be distributed concurrently with the filing date with EPA. At the time of filing, EPA will ask if all copies have

been distributed. Therefore, immediately after the Regional Liaison has obtained a DES/FES number, he or she should coordinate with the regional office to agree on a filing date. The comment period can then be determined from that date, and the mailing can be completed concurrently with the filing. The comment review end date must appear in all EISs and should appear on the cover sheet of the EIS.

7.8.2.3 Filing the EIS

On the day that the document is to be filed, the Regional Liaison will keep **two** copies (sometimes more) of the EIS for their use and then arrange to **hand carry** the following:

- **Four** copies of the EIS and a transmittal memorandum to OEPC. In addition, OEPC will be furnished a copy of the transmittal letter to EPA and the Reclamation's *Federal Register* NOA.

- **Two** copies of the EIS to Interior's Natural Resource Library (no transmittal memorandum).

- **Five** copies of the EIS and a transmittal memorandum to EPA. It is important to read EPA's directions on "How to File An EIS" (attached).

- **Three** original copies of the NOA to the Office of the Federal Register, located at 800 North Capitol Street, NW, Suite 700, Washington, DC.

When the documents are filed, the Regional Liaison should notify the originating office and applicable regional office (if different) that this has been accomplished. The Regional Liaison should retain the extra copies of the document for future use. After 1 year, copies remaining should be sent back to the originating office.

The regional office should notify the area office and Commissioner's staff of the filing when they receive notification from the Regional Liaison that it has been completed. The Regional Public Affairs Officer publishes the news release as soon as the distribution is completed.

The regional office should provide the Commissioner's Office of Policy with the filing date and the comment review end date, which are necessary in maintaining the Reclamation-wide EIS status data base. When the *Federal Register* notice is printed, the citation should also be provided to the Commissioner's Office of Policy.

7.8.3 Distribution

Distribution of designated DEISs and EISs may be done at the area or regional level, or by the TSC, depending on which is most cost effective and time effective. The transmittal letter is to be signed by the regional director. Copies of the DEIS should be sent to a wide segment of the public for review. The EIS should be distributed to:

- Interior bureaus and offices
- Federal agencies
- The Washington offices of senators and representatives
- State office(s) of congressmen in the affected State(s)
- Governor(s) of affected State(s)
- Potentially affected or interested Indian Nations or tribes
- State (or other) clearinghouses, as appropriate
- State agencies indicating a desire to review independent of the clearinghouses
- State liaison office(s)
- Local agencies
- Potentially affected Indian holders of allotted trust or restricted lands
- Public libraries
- Conservation, environmental, or other interested groups
- Individuals having an interest or stake in the proposed action
- Parties that commented on the DEIS

After filing, the regional and area offices will have copies available for public inspection and a supply to meet reasonable public requests (normally at no cost). Statements shall be transmitted to all commenting agencies and made available to the public no later than the day the EIS is filed with EPA (40 CFR 1506.9).

7.9 Public Hearings and Comment Procedures for an EIS

7.9.1 Review and Comment
(40 CFR 1506.1)

CEQ's regulations require a minimum 45-day review period for a DEIS, starting after EPA's notice of DEIS availability is published in the *Federal Register*. Reclamation and the Departmental Manual (516 DM 4.23B) have extended this review period by 15 days and require a 60-day minimum review period for DEISs, starting when the EIS is filed with EPA. If the EIS is combined with a Planning Report (PR), a 90-day review period is required.

7.9.2 Public Hearing Procedures

A court reporter and a hearing officer will be required for the public hearing(s). The hearing(s) are to receive comments from the public. The hearing is not the place to debate the merits or drawbacks of the project. If a question-and-answer period is desirable, it should be scheduled informally before or after the formal hearing, with the understanding that the informal question-and-answer period is not part of the formal hearing record. A question-and-answer period before the hearing can often aid the public in focusing their comments on the DEIS and issues related to it. The hearing record should be left open for written public comment for 10 to 15 days after the date(s) of the public hearing(s).

The public hearing session(s) should be conducted by a hearing moderator in a manner that will encourage the fullest possible participation. All written comments from the public hearing and a summary of oral comments at the public hearing, along with Reclamation's responses, will be made a part of an appendix of the FEIS.

7.10 EIS Comment and Response

Please include the following paragraph as part of any communication vehicle you may be utilizing to solicit public commentary or as part of any public involvement process. Specifically, this statement should be included in the "Address Section" of any *Federal Register* notice that invites public participation, such as Notice of Intent/Scoping Process, Notice of Public Hearing or Meeting, Notice of Availability for EAs and DEIS/FEIS documents:

> *Our practice is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their home address from public disclosure, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold a respondent's identity from public disclosure, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public disclosure in their entirety.*

All written comments received from the public and a summary of the formal public hearing(s) comments must be included in the FEIS and responses given to each comment unless the comments are extremely voluminous. If the comments are voluminous, they may be grouped under categories of issues with broadly covered responses. This situation is rare, however, and individual responses are generally developed. Incoming review comments received in Washington or Denver will be sent to the originating office. The originating office will maintain a log of all comments received.

7.11 Supplemental Statements *(40 CFR 1502.9(c), 516 DM 4.5)*

A Reclamation EIS should be supplemented when:

- A DEIS has become outdated. Generally, a draft that has not been finalized and is more than 3 years old should be revised as appropriate and reissued as a new draft.

- Substantial changes have been made in the alternatives that are relevant to environmental concerns.

- Significant new circumstances or information relevant to environmental concerns arises that has a bearing on the proposed action or impacts.

- Review of the DEIS results in the inclusion of a new preferred alternative which was not included as a detailed reasonable alternative in the DEIS, or new material significantly alters previously described impacts.

- It has been over 5 years since the FEIS and ROD have been issued, the project still has not been implemented, and

conditions in the area have changed, or the project has been substantially modified.

A supplement shall be prepared, circulated, and filed in the same fashion as an EIS, including a *Federal Register* NOI to prepare a supplement. A scoping process is not required but may be appropriate, depending upon the reason for the supplement. A supplement may be prepared for an FEIS or a DEIS. If prepared for a DEIS, the draft supplement should be integrated with the existing DEIS during preparation of the FEIS for the proposed action. If prepared after the EIS is filed, both a draft and a final supplement will generally be prepared. Departmental regulations require Reclamation to consult with OEPC, the Office of the Solicitor, and CEQ if proposing a final supplement without an intervening draft (516 DM 4.5 B).

According to 516 DM 4.5, Reclamation must consult with the Department (OEPC) and the Office of the Solicitor when preparing a final supplement without preparing a draft supplement.

7.12 Cancellation of an EIS

Occasions may arise when an EIS is to be prepared and, later, the project is canceled, delayed for an indefinite period of time, or drastically modified. In these cases, it may be necessary or desirable to cancel the EIS. The Department considers DEISs that have not had FEISs prepared within 3 years to be either nonviable or outdated and in need of updating. The Department periodically reviews and develops a list of DEISs that fall within this category and may either recommend these DEISs be canceled, or they may cancel these DEISs.

Notice of cancellation of the DEIS must be published in the *Federal Register*, and a notice of cancellation sent to those agencies, organizations, and individuals receiving the DEIS. DEISs canceled by the Department will also be published in the *Federal Register*. Figure 7.17 is an example of a notice of cancellation.

7.13 Procedures for Response to Referral from Other Agencies on Reclamation Programs

Other Federal agencies may review EISs prepared by Reclamation (and vice versa) (CAA, Section 309; NEPA, Section 102(2)(c)). When this review results in serious interagency disagreements which cannot be resolved, the other Federal agency may refer the issue to CEQ for an opinion.

Not later than 25 days after the referral to CEQ, Reclamation may deliver a response to CEQ and the referring agency through the Commissioner. Reclamation may request more time if the response cannot be made within 25 days. CEQ may grant the time extension if Reclamation gives assurance that the matter will not go forward and explains why the time extension requested is reasonable. The response shall address the issues raised in the referral completely, be supported by data, and address the referring agency's recommendation.

Interested persons or organizations (including the applicant) may deliver their views to CEQ. Views in support of the referral or response shall be delivered at the same time that the referral or response is delivered.

Not later than 25 days after receipt of both the referral and any response, or upon being informed there will be no response (unless a time extension has been granted), CEQ may take one or more of the following actions:

a. Conclude that the conflict has been resolved

b. Initiate discussions of mediation with referring and lead agencies (OEPC will be responsible for coordinating the Department's position)

c. Hold public meetings or hearings to obtain additional views and information

d. Determine that the issue is not one of national importance and request the referring and lead agencies to pursue their decision process

e. Determine that the issue should be further negotiated by the referring and commenting agencies and recommend that CEQ's involvement is inappropriate unless the agencies' disagreements are irreconcilable

f. Publish its findings and recommendations

g. When appropriate, submit the referral and the response together with CEQ's recommendations to the President for action

CEQ shall complete actions b, c, or e, above, within 60 days. When the referral involves an action required by statute to be determined on the record after opportunity for agency hearing, the referral shall be conducted in a manner consistent with 5 U.S.C. 557(d) (Administrative Procedure Act).

Reclamation's Format Template for Federal Register Notices
4310- 94P

Note: The "P" added to Reclamation's Standard Billing Code (4310-94) notifies the *Federal Register* that the document is being submitted in WordPerfect format on electronic disk. The "P" should not be used in the billing code at any other time.

DEPARTMENT OF INTERIOR

Bureau of Reclamation

Enter project name and location as well as the following note for a document control number INT-DES or FES ____ (This document control number is obtained upon filing the EIS from DOI - OEPC).

AGENCY: Bureau of Reclamation, Interior. This caption should match the "Agency" and, when appropriate, "Subagency" headings. When a subagency and agency name appear together, the subagency name is carried first and the agency name is represented by its commonly used acronym or other shortened expression as shown here.

ACTION: Describe action; capitalize only first letter of first word.

SUMMARY: This should briefly state in simple language what action is being taken, why the action is necessary, and the intended effect of the action. Extensive discussion belongs under the Supplementary Information caption.

DATES: When used, this should contain any pertinent dates the reader may need to know. If a specific date must be tied to *Federal Register* publication, see *Document Drafting Handbook* on computation of dates. To obtain a copy from the Internet, go to http://www.nara.gov/fedreg/ddhhome.html.

ADDRESSES: When used, should contain pertinent addresses the reader may need to know.

Libraries: This subheading will be used as part of the "Addresses" heading. It will likely be used in a notice of availability to tell readers where to locate copies of EISs.

Add Public Disclosure statement here.

FOR FURTHER INFORMATION CONTACT: This should include the name and telephone number of a person within the agency who can answer questions about the format.

SUPPLEMENTAL INFORMATION: This should contain the remainder of the necessary information of the document. It does not contain a list of subjects. It should contain any authority citation and *Federal Register* citation to a previously published document when appropriate. References to the *Federal Register* and the *Code of Federal Regulations* should follow the format in the *Document Drafting Handbook*.

Date: _____ Signature: _____
[Type name and title of signatory. The name typed must match signature. Type only after signature has been made in blue ink on the three required copies for the *Federal Register*.]

cc: Copies of notices may include more than the following guidance, depending on the project. Generally, copies of notices should go to the Department of Interior, Office of Environmental Policy and Compliance and the Commissioner's Office - Chief of Staff, Directors of the Office of Policy and the Operations Office.
bc: Regional Directors and Area Managers, Environmental Managers in affected region and area, Employees who have contributed to the study, and any employees who may have an interest in knowing about the EIS. For a specific example, see following page.

1

Figure 7.1.—Format for *Federal Register* notice.

Format Template for Federal Register Notices

Please note that Reclamation's Federal Register Liaison Officer is available to assist in ensuring Reclamation notices meet Federal Register document format standards. The Federal Register Liaison Officer is part of the Management Services Office in Denver, Colorado. For more detailed information on notices, please reference the Federal Register Document Drafting Handbook at website: http://www.nara.gov/fedreg/ddhhome.html

Margins	Section headings	Spacing and other requirements
Left: 1.5 inches Right, Top, Bottom: 1 inch	• Order indicated in sample notice. • Headings should be boldface. Subheadings are underlined, not bold face. • Dates and addresses may be omitted when not appropriate.	• Double space all information, except for "cc" and "bc" notes (which should not appear on the copy submitted to the *Federal Register*). • Do not staple notices. • Notices must be signed in blue ink • Indent all paragraphs. • Page number should appear centered on bottom of page. • Do not indicate name/title of signer until actually signed. The name typed must match signature.

Copies of notice may include more than the above depending on the project. Generally, copies of notices should go to the Commissioner's Office - Chief of Staff, Directors of the Office of Policy and the Operations Office, Regional Directors and Area Managers, Environmental Managers in affected region and area, employees who have contributed to the study, and any other interested employees. **Note**: Attached samples of notices were correct when first published. Minor format changes may have occurred since the first publication of NEPA Handbook. Contact the Federal Register Liaison Officer or reference the website above for the most correct and current format.

Suggested Template for copies:

cc: Department of the Interior
Director, Office of Environmental Policy and Compliance
1849 C Street NW Room 2340 MIB
Washington, DC 20240-0001
Commissioner, Attention: W-1500, W-5000, D-5100, W-6330 *[Appropriate Regional Liaison]*
(w/o attachment)

bc: Regional Director, *[code of appropriate Region]*,
Attention: *[code of appropriate environmental office]*
Area Manager, *[code of appropriate area manager]*,
Attention: *[code of appropriate environmental office]*
[others who may have interest]
Director, Management Services Office, Attention: D-7924 (Federal Register Liaison Officer)
(w/o attachment)

2

Figure 7.1.—Format for *Federal Register* notice (continued).

4310-94P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Yakima River Basin Water Enhancement Project, Yakima, Washington

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of intent to prepare a programmatic environmental impact statement.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, the Bureau of Reclamation (Reclamation) intends to prepare a programmatic environmental impact statement (PEIS) for implementing provisions of the legislation authorizing the Yakima River Basin Water Enhancement Project (Enhancement Project). The purpose of the Enhancement Project is to meet the competing needs of the Yakima River basin through improved water conservation and management, and other appropriate means. This may include reducing water diversions by improving conveyance, distribution, and onfarm irrigation facilities; and changing operations, management, and administration of Yakima River basin water. Conserved water will be used to increase instream flows and provide a more stable irrigation supply. The Enhancement Project legislation also authorizes actions on the Yakama Indian Reservation to benefit the members of the Yakama Indian Nation.

FOR FURTHER INFORMATION CONTACT: Mr. Cline Sweet, Environmental Program Manager, Upper Columbia Area Office, Bureau of Reclamation, PO Box 1749, Yakima WA 98907-1749; telephone (509) 575-5848

SUPPLEMENTARY INFORMATION:

Background

Federal involvement in the Yakima River basin began in 1905 with authorization of the first facilities of the Yakima Project. The Yakima Project now consists of seven divisions: a storage division consisting of seven reservoirs and six water service divisions with separate diversion, conveyance, and distribution facilities.

The Yakima River basin is highly dependent upon water from the Yakima River and its tributaries to meet a multitude of economic, environmental, and societal needs. The Yakima Project provides the primary facilities for the regulation and use of basin waters.

Congress first authorized a study of the Enhancement Project in 1979. Phase one of the Enhancement Project was implemented in 1984 when Congress authorized the Secretary of the Interior, through Reclamation, to construct fish passage and protective facilities in the Yakima

Figure 7.2.—Example of a *Federal Register* notice of intent.

River basin. The work was performed in partnership with the Bonneville Power Administration, the State of Washington, and others under the auspices of the Fish and Wildlife Program of the Northwest Power Planning Council.

The Columbia River Basin Fish and Wildlife Program adopted by the Northwest Power Planning Council in 1982 identified the Yakima River basin as one of the areas with the greatest potential for the production of salmon and steelhead. With the existing project facilities and operational requirements, maintaining a stable irrigation water supply and instream flows for the maintenance and enhancement of salmon and steelhead in the Yakima River basin is difficult to achieve.

In dry years, the water supply available is allocated among the water users pursuant to entitlements set forth in a Federal District Court Judgment of January 31, 1945 (1945 Consent Decree). The 1945 Consent Decree requires reductions in the water supply available to junior water right holders before any reductions to senior right holders. Additionally, a Federal Court directive on November 28, 1980, requiring Reclamation to make releases from Yakima Project reservoirs to assure adequate instream flows for anadromous fish spawning and rearing further reduces the reliability of irrigation water supplies.

Current Activities

The Enhancement Project legislation established the Yakima River Basin Water Conservation Program which is central to balancing the competing demands on the basin's water supply. This voluntary program will reduce demands on the available water supply by promoting conservation measures to improve:

- the efficiency of water delivery and use
- instream flows for fish and wildlife
- the reliability of the irrigation water supply

The actual measures that will be adopted depend on the preparation of water conservation plans detailing what can be done. Cost effectiveness will be considered and separate NEPA compliance will be completed when recommending water conservation actions for implementation. The water conservation measures will occur in steps over a period of years providing the opportunity to monitor, evaluate, and adjust subsequent measures.

2

Figure 7.2.—Example of a *Federal Register* notice of intent (continued).

The legislation also directs the Secretary of the Interior to establish a conservation advisory group, in consultation with the State of Washington, the Yakama Indian Nation, the Yakima River basin irrigators, and other interested parties. A charter for the group has been drafted and nominees are being sought.

The legislation was developed by a consortium of local, tribal, State, and Federal entities involved with water resource activities in the basin and is the result of a consensus building effort to structure an acceptable, comprehensive approach to the basin's water problems. An extensive scoping effort will be conducted by mail along with public scoping sessions which will be scheduled at a later date.

Alternative Measures

The PEIS will serve as an umbrella document to ensure that the interaction and cumulative effects of all activities proposed for implementation under Title XII of the Act of October 31, 1994 (Public Law 103-434), which authorized the Enhancement Project, are addressed. The provisions and measures of the legislation will set the limits on activities to be evaluated in the PEIS.

Two major alternatives are being considered; action, i.e., implementing the legislation, and no action. The action alternative will be an incremental analysis showing impacts at different levels of implementation of project components. Separate NEPA analyses addressing various alternatives will be conducted for site specific actions not covered in sufficient detail in the PEIS.

Potential Federal Action

Reclamation is seeking funding to implement Public Law 103-434. The draft PEIS is expected to be completed in June of 1996.

Anyone interested in more information concerning the study, or who has information concerning the study or suggestions as to significant environmental issues, should contact Mr. Sweet as provided above.

Date: _____

Signature: _____
Type name of signatory after they have signed and title

3

Figure 7.2.—Example of a *Federal Register* notice of intent (continued).

4310-94P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

American River Water Resources Investigation, Central Valley, California

INT-DES-_____

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of availability of the draft environmental impact statement/draft environmental impact report

Summary: Pursuant to the National Environmental Policy Act (NEPA) of 1969 (as amended) and the California Environmental Quality Act (CEQA), the Bureau of Reclamation (Reclamation) and the Sacramento Metropolitan Water Authority (SMWA) as lead agencies have prepared a joint draft environmental impact statement/draft environmental impact report (DEIS/DEIR) for the American River Water Resources Investigation (ARWRI). The proposed alternatives provide a means of action through which the water needs of the five county area (El Dorado, Placer, Sacramento, San Joaquin, and Sutter) are met. The proposed alternatives exercise the provisions of several Federal laws as applicable to Reclamation. Public hearings will be held in four sessions to receive written or verbal comments on the DEIS/DEIR from interested organizations and individuals on the environmental impacts of the proposal. Notice of the hearings will appear at a future date.

DATES: A 90-day public review period commences with the publication of this notice. Written comments on the DEIS/DEIR are to be submitted to the Project Manager, Bureau of Reclamation. Public hearings on the DEIS/DEIR will be held during the month of April in Sacramento, Stockton, Placerville, and Auburn.

ADDRESSES: Written comments on the DEIS/DEIR should be addressed to Alan R. Candlish, Project Manager, Bureau of Reclamation, Central California Area Office, 7794 Folsom Dam Road, Folsom CA 95630; telephone: (916) 989-7255. The document is available on Internet at http:\\www.mp.usbr.gov. If requesting copies of the DEIS/DEIR, contact Mr. David M. Haisten, Activity Manager, MP-700, Bureau of Reclamation, 2800 Cottage Way, Sacramento CA 95825-1898, telephone: (916) 979-2338.

1

Figure 7.3.—Example of a *Federal Register* notice of availability for a draft environmental impact statement.

Copies of the DEIS/DEIR are also available for public inspection and review at the following locations:

- Bureau of Reclamation, Program Analysis Office, Room 7456, 1849 C Street NW, Washington DC 20240; telephone: (202) 208-4662
- Bureau of Reclamation, Reclamation Service Center Library, Building 67, Room 167, Denver Federal Center, 6th and Kipling, Denver CO 80225; telephone: (303) 236-6963
- Bureau of Reclamation, Mid-Pacific Regional Office, 2800 Cottage Way, Sacramento, CA 95825-1898; telephone: (916) 979-2338
- Bureau of Reclamation, Central California Area Office, 7794 Folsom Dam Road, Folsom CA 95630; telephone: (916) 989-7255
- El Dorado Irrigation District, 2890 Mosquito Road, Placerville, CA 95667; telephone: (916) 622-4513
- El Dorado County Water Agency, 330 Fair Lane, Building A, Placerville, CA 95667; telephone: 621-5392
- Georgetown Divide Public Utility District, 6425 Main, Georgetown, CA 95634; telephone: (916) 333-4356
- El Dorado County Planning Office, 2850 Fairlane Court, Placerville, CA 95667; telephone: (916) 621-5355
- Placer County Water Agency, 144 Ferguson Road, Auburn, CA 95603; telephone: (916) 889-7591
- California Department of Water Resources, Central District, 3251 S Street, Sacramento, CA 94816-7017; telephone: (916) 445-5631
- Sacramento City-County Office of Metropolitan Water Planning, County Office, 5770 Freeport Boulevard, Suite 200, Sacramento, CA 95822; telephone: (916) 433-6276
- Sacramento Metropolitan Water Authority, 5620 Birdcage Street, Suite 180, Citrus Heights, CA 95610-7632; (Office may not be open all hours, please call for hours: 916/967-7692)
- San Joaquin County Department of Public Works, Flood Control Center, 1810 E. Hazelton Ave., Stockton, CA 95205; telephone: (209) 468-3000

Libraries:

Copies will also be available for inspections at the following public libraries:

- El Dorado County Library, Main Branch, 345 Fair Lane, Placerville, CA 95667
- Auburn-Placer County Library, 350 Nevada Street, Auburn, CA 95603

Add Public Disclosure Statement here

2

Figure 7.3.—Example of a *Federal Register* notice of availability for a draft environmental impact statement (continued).

- Roseville Public Library, Main Library, 225 Taylor Street, Roseville, CA 95678
- Folsom Library, 300 Persifer Street, Folsom, CA 95630
- Sacramento Public Library, Central Branch, 828 I Street, Sacramento, CA 95814
- Sacramento County Library, 380 Civic Drive, Galt, CA 95632
- Stockton Public Library, Main Branch, 605 N. El Dorado Street, Stockton, CA 95202
- Lodi Public Library, 201 W. Locust Street, Lodi, CA 95240
- Manteca Public Library, 320 W. Center Street, Manteca, CA 95336
- Marysville-Yuba County Library, 303 Second, Marysville, CA 95901

FOR FURTHER INFORMATION CONTACT: If requesting copies of the DEIS/DEIR, contact Mr. David M. Haisten, Activity Manager, MP-700, Bureau of Reclamation, 2800 Cottage Way, Sacramento CA 95825-1898; telephone: (916) 979-2338. For additional information contact Mr. Alan R. Candlish, Study Manager, CC-102, Bureau of Reclamation, 7794 Folsom Dam Road, Folsom CA 95630; telephone: (916) 989-7255; or Mr Gene Robinson, Sacramento Metropolitan Water Authority, 5620 Birdcage Street, Suite 180, Citrus Heights, CA 95610-7632; telephone: (916) 967-7692; or Mr. David M. Haisten, Activity Manager, MP-700, Bureau of Reclamation, 2800 Cottage Way, Sacramento CA 95825-1898; telephone: (916) 979-2338.

Date: _____

_____
[Name and title of signatory is typed here after notice has been signed in blue ink on all three original copies]

cc: Department of Interior
Director, Office of Environmental Policy and Compliance
1849 C Street NW Room 2340 MIB
Washington DC 20240-0001
(w/o att)

bc: Director, Office of Policy
Attention: W-5000, D-5100
Director, Operations
Attention: W-6332 (Jackson)
Area Manager, Folsom, CA
Attention CC-102 (Candlish)
Regional Director, Sacramento, CA
Attention: MP-152, -700 (Haisten)
Director, Management Services,
Attention: D-7924 (FR Liaison Officer)
(w/o att to each)

3

Figure 7.3.—Example of a *Federal Register* notice of availability for a draft environmental impact statement (continued).

4310-94P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Cachuma Project Contract Renewal, Santa Barbara County, California, INT-FES _____

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of availability on the final environmental impact statement/final environmental impact report.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA) of 1969 (as amended) and the California Environmental Quality Act, the Bureau of Reclamation (Reclamation), the Cachuma Project Authority (Authority) and the Santa Barbara County Water Agency have prepared a joint final environmental impact statement/final environmental impact report (FEIS/FEIR) for the Cachuma Project contract renewal. The proposed action of the lead agencies is the continuation of the member units' entitlement to water from the Cachuma Project by means of a renewed water service contract. The proposed action exercises the provisions of several Federal laws as applicable to Reclamation.

ADDRESSES: Copies of the FEIS/FEIR are available for public inspection and review at the following locations:

- Bureau of Reclamation, Office of Policy, Room 7456, 1849 C Street NW., Washington, DC 20240; telephone: (202) 208-4662
- Bureau of Reclamation, Denver Office Library, Building 67, Room 167, Denver Federal Center, 6th and Kipling, Denver, CO 80225; telephone: (303) 236-6963
- Bureau of Reclamation, Regional Director, Attention: MP-152, 2800 Cottage Way, Sacramento CA 95825-1898; telephone: (916) 979-5129
- Bureau of Reclamation, South-Central California Area Office, Attention: SCC-412, 2666 N. Grove Industrial Drive, Suite 106, Fresno CA 93727-1551; telephone: (209) 487-5137
- Cachuma Project Authority, 3301 Laurel Canyon Road, Santa Barbara CA 93105-2017; telephone: (805) 569-1391
- Santa Barbara County Water Agency, 123 E. Anapamu Street, Santa Barbara CA 93101-2058; telephone: (805) 568-3542

1

Figure 7.4.—Example of a *Federal Register* notice of availability for a final environmental impact statement.

Libraries:

Copies will also be available for inspection at public libraries located in Carpinteria, Montecito, Santa Barbara, Goleta, Solvang, Buellton, Vandenberg Village, Lompoc, and Santa Maria, California.

Add Disclosure Statement here

FOR FURTHER INFORMATION CONTACT: Mr. Robert May, Program Manager, SCC-412, Bureau of Reclamation, 2666 N. Grove Industrial Drive, Suite 106, Fresno CA 93727-1551; telephone: (209) 487-5137; or Mr. Chris Dahlstrom, Project Coordinator, Cachuma Project Authority, 3301 Laurel Canyon Road, Santa Barbara CA 93105-2017; telephone: (805) 569-1391; or Mr. Robert Almy, Santa Barbara County Water Agency, 123 E. Anapamu Street, Santa Barbara CA 93101-2058; telephone: (805) 568-3542.

SUPPLEMENTARY INFORMATION:

The FEIS/FEIR considers the effects of renewing the Cachuma Project Contract under which water service has been provided to the member units. The original Cachuma Project Contract (No. I75r-1802) was executed on September 12, 1949, for irrigation, and municipal and industrial purposes under the provisions of section 9 (c) (2) and 9 (e) of the 1939 Reclamation Project Act. The authority for contract renewal is pursuant to the Act of July 2, 1956, 70 Stat. 483, and the Act of June 21, 1963, 77 Stat. 68, requiring the Secretary of the Department of the Interior, upon request, to renew long-term contracts.

The Cachuma Project has been the principal water supply for the majority of the member units since initial deliveries began in 1955. These member units include the City of Santa Barbara, Goleta Water District, Montecito Water District, Summerland Water District, Carpinteria County Water District, and the Santa Ynez River Water Conservation District, Improvement District No. 1. The original Cachuma Project Contract had a term of 40 years and expired on May 14, 1995.

A Phase I Renewal Contract was executed on April 25, 1995, for purposes of continuing the rights and obligations under the original Contract until April 15, 1996, to allow the contract renewal negotiation process to be completed. A proposed Cachuma Project Long-Term Renewal Contract was made available to the public for a 60-day review period beginning November 14, 1995. The proposed Cachuma Project Long-term Renewal Contract is a water service contract with a term of 25 years. It will be retroactively effective to extend from May 15, 1995, through September 30, 2020, even though the contract requires repayment of the remaining Cachuma Project capital costs within 20 years.

2

Figure 7.4.—Example of a *Federal Register* notice of availability for a final environmental impact statement (continued).

The FEIS/FEIR evaluates several alternatives, including the no action alternative, and also describes the existing environment and environmental consequences of contract renewal. The FEIS/FEIR considers the following issues: environmental improvement and restoration with respect to biological resources, including fisheries, wildlife, and riparian vegetation, surface water hydrology, groundwater hydrology, flood control, water supply and demand, water pricing and delivery practices, increased operational efficiency, increased conservation, conjunctive use, water exchanges and transfers, recreational enhancement and land use policies, agriculture, socioeconomic conditions, cultural resources, and Indian Trust Assets (ITA).

The terms and conditions of the proposed Cachuma Long-Term Renewal Contract represents the lead agencies' preferred alternative. It combines features of the original Contract with higher water rates and a "renewal fund" that may be used for various environmental restoration purposes. Relative to the "no action" alternative, there are no significant environmental, socioeconomic, or agricultural impacts under the proposed contract/preferred alternative, and current operations of the Cachuma Project are unchanged. In addition, there will be opportunities to restore riparian and other habitats along the Santa Ynez River using the renewal fund. Therefore, no mitigation measures are required for renewal of the Cachuma Project Contract.

The Santa Ynez Indian Reservation, the Southern California Area Office of the Bureau of Indian Affairs (BIA), and the Sacramento Area Office of the BIA have been contacted by Reclamation regarding ITAs that may be affected by the proposed action. No potentially affected ITAs have been identified by the BIA.

The Draft EIS/EIR (DEIS/DEIR) was issued November 16, 1994. Responses to comments received from interested organizations and individuals on the DEIS/DEIR are addressed in the FEIS/FEIR. No decision will be made on the proposed action until 30 days after the release of the FEIS/FEIR. After the 30-day waiting period, Reclamation will complete a Record of Decision (ROD). The ROD will state the action that will be implemented and will discuss all factors leading to the decision.

Date: _____

Signature: _____

cc: Department of Interior
Director, Office of Environmental Policy and Compliance
1849 C Street NW Room 2340 MIB
Washington DC 20240-0001
(w/o att)

bc: Director, Office of Policy
Attention: W-5000, D-5100
Director, Operations East
Attention: W-6332 (Jackson)
Area Manager, Folsom, CA
Attention CC-102 (Candlish)
Regional Director, Sacramento, CA
Attention: MP-152, -700 (Haisten)
Director, Management Services,
Attention: D-7924 (FR Liaison Officer)
(w/o att to each)

3

Figure 7.4.—Example of a *Federal Register* notice of availability for a final environmental impact statement (continued).

4310-94P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Arrowwood Project, Garrison Diversion Unit, Stuttsman County, North Dakota INT-DEIS- _____

AGENCY: Bureau of Reclamation, and Fish and Wildlife Service, Interior, in conjunction with the State of North Dakota Game and Fish Department.

ACTION: Notice of availability and notice of public hearing for draft environmental impact statement.

SUMMARY: Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, as amended, the Department of the Interior, Reclamation, in conjunction with the U.S. Fish and Wildlife Service and the North Dakota Game and Fish Department, has prepared a draft environmental impact statement (DEIS) on the proposed Arrowwood National Wildlife Refuge (NWR) mitigation project. The DEIS describes and presents the environmental effects of seven alternatives, including no action, for mitigating adverse impacts of Jamestown Reservoir operations on Arrowwood NWR. This mitigation is required by the Garrison Diversion Unit Reformulation Act of 1986 (P.L. 99-249) and the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 688dd). A public hearing will be held to receive comments from interested individuals and organizations on the environmental impacts of the proposal.

DATES: A 60-day public review period commences with the publication of this notice. The public hearing is scheduled as follows:

Date: April __, 1996

Time: 7:00 p.m.

Loction: Law Enforcement Center, Jamestown, ND

The hearing will be preceded by an open house beginning at 4:00 p.m. during which EIS team members will answer questions in an informal setting.

1

Figure 7.5.—Example of a *Federal Register* combined notice of availability and notice of public hearing on a draft environmental impact statement.

Copies of the DEIS are available for inspection at, or may be requested from, the following address: Area Manager, Bureau of Reclamation, Attention: DK-611, P.O. Box 1017. Bismarck, ND 58502-1017; telephone: (701)250-4242.

Libraries:

Copies will also be available for public inspection at the following public libraries:

- Carrington City Library
- Chester Fritz Library, University of North Dakota
- Reclamation Service Center Library, U.S. Bureau of Reclamation, Building 67, room 167, Denver Federal Center, 6th and Kipling Street, Denver, CO 80225-0007; telephone: (303) 236-6963
- Grand Forks Public Library
- Jamestown Public Library
- North Dakota State University Library
- Oakes School and Public Libraries
- Raugust Library, Jamestown College

FOR FURTHER INFORMATION CONTACT: Greg Hiemenz, Arrowwood EIS Coordinator, Dakotas Area Office; telephone: (701)250-4721.

SUPPLEMENTARY INFORMATION: Arrowwood NWR is located on the James River in Stutsman and Foster Counties of North Dakota. The refuge has four impounded pools (Arrowwood Lake, Mud Lake, Jim Lake, and Depuy Marsh) which cover about 3,500 acres. Arrowwood NWR lies within the flood pool of Jamestown Reservoir, a component of the Garrison Diversion Unit, and has, on numerous occasions, been adversely affected by reservoir operations. Flood control operations of Jamestown Reservoir inundate the refuge pools for extended periods. The normal summer operating level of the reservoir causes backwater effects that limit water level management capability at the refuge. In addition, Jamestown Reservoir is a source of rough fish that invade the refuge, where they uproot aquatic plants and increase turbidity. The goal of the proposed action is to improve habitat management capability at the refuge during normal and dry years to offset impacts that result from flood storage in high runoff years. To date, the 2.8-mile Jim Lake drawdown channel (Final Finding of No Significant Impact and Environmental Assessment No. MS0150-91-09, August 1991) is the only mitigation measure that has been constructed.

2

Figure 7.5.—Example of a *Federal Register* combined notice of availability and notice of public hearing on a draft environmental impact statement (continued).

Seven alternatives, including no action, are considered in the draft statement. The action alternatives comprise an incremental series of physical features, including water control structures and bypass channels, that could be constructed at Arrowwood NWR and Jamestown Reservoir to improve water management capability at the refuge. Fish barriers would be constructed below Arrowwood NWR to control movement of rough fish into the refuge. In addition, five of the six action alternatives would lower the normal operating levels of Jamestown Reservoir and include measures to enhance the reservoir's sport fishery. The reservoir's summer target (top of joint-use pool) would be lowered from 1432.7 m.s.l. to 1431.0 m.s.l. The winter target (top of conservation pool) would be lowered from 1429.8 m.s.l. to 1428.0 m.s.l. Fishery enhancements would include planting of suitable vegetation in the upper end of Jamestown Reservoir to create additional spawning and nursery habitat. Three of the six action alternatives would require off-site mitigation, including acquisition of private lands for development as wildlife habitat, to fully mitigate impacts to the refuge.

The preferred alternative is the Mud and Jim Lakes Bypass - Lower Joint-use Pool Alternative. This is the least costly alternative that mitigates for all impacts without requiring any acquisition of private land. Principal new features of this alternative are:

- New water control structures at each of the four refuge pools.
- 7.0-mile channel along the east side of Mud Lake.
- 2.5-mile channel along the east side of Jim Lake.
- 3.1-mile channel improvement below Depuy Marsh.
- Three subimpoundments in Mud Lake and one subimpoundment in Jim Lake.
- Fish barriers at Depuy Dike and approximately 2 miles downstream.
- Improved road crossings at Mud Lake Dike and 2 miles downstream of Depuy Dike.
- Jamestown Reservoir joint-use pool lowered 1.8-feet.
- Fishery enhancements in Jamestown Reservoir.

The principal environmental consequences that would result from implementation of the preferred alternative include:

Hydrology. Water management capability would improve at Arrowwood NWR. Jamestown Reservoir elevations would typically be about 2-feet lower during low to moderate flow periods. Flood storage capability in Jamestown Reservoir would increase slightly. There would be no significant change in releases from Jamestown Dam, or river flows in the city of Jamestown or downstream.

3

Figure 7.5.—Example of a *Federal Register* combined notice of availability and notice of public hearing on a draft environmental impact statement (continued).

Water Quality. Decreased depth of refuge pools could slightly increase eutrophication.

Habitat. Increased water management capability at the refuge would improve habitat for migratory birds and other wildlife.

Fish. Fishery enhancements would improve spawning and nursery habitat for sport fish in Jamestown Reservoir. Lower reservoir levels would slightly increase the probability of a fish kill occurring during a prolonged drought.

Threatened and Endangered Species. Construction activities would not affect any species that are listed or are candidates for listing under the Endangered Species Act.

Recreation. Lower reservoir levels could affect boat access during a drought. Reclamation would work with the North Dakota Game and Fish Department to ensure that boat ramps remain operational.

Cultural Resources. Arrowwood Refuge has not been inventoried in its entirety. Construction would involve ground disturbance which could affect historic properties. Consultation would take place as required by the National Historic Preservation Act.

HEARING PROCESS INFORMATION: Organizations and individuals wishing to present statements should contact the Bureau of Reclamation, Dakotas Area Office, at the above address, to announce there intention to participate. Requests for scheduled presentations will be accepted through 4 p.m. on April __, 1996.

Oral comments at the hearing will be limited to 10 minutes. The hearing officer may allow any speaker to provide additional oral comments after all persons wishing to comment have been heard. Whenever possible, speakers will be scheduled according to the time preference mentioned in their letter or telephone requests. Speakers not present when called will lose their privilege in the scheduled order and will be recalled at the end of the scheduled speakers.

Written Comments from those unable to attend or those wishing to supplement their oral presentations at the hearing should be received by Reclamation's Dakota's Area Office at the Address above by May __, 1996, for inclusion in the hearing record.

Date: _____

Signature: _____

cc: Department of Interior
Director, Office of Environmental Policy and Compliance
1849 C Street NW Room 2340 MIB
Washington DC 20240-0001
(w/o att)

bc: Director, Office of Policy
Attention: W-5000, D-5100
Director, Operations
Attention: W-6332 (*GP Liaison*)
Area Manager, [ ]
Attention [ ]
Regional Director, Billings, Montana
Attention: GP-2100
Director, Management Services
Attention: D-7924 (FR Liaison Officer)
(w/o att to each)

4

Figure 7.5.—Example of a *Federal Register* combined notice of availability and notice of public hearing on a draft environmental impact statement (continued).

MP-152
ENV-6.00

Office of the Federal Register
800 North Capitol Street, NW
7th Floor, Suite 700
Washington DC 20001

Subject: Electronic Submission of Federal Register Documents

In response to Circular Letter No. 359 issued by the U.S. Government Printing Office, our agency would like to participate in your endeavor to have more Federal Register documents submitted in electronic format, and to take advantage of the cost-savings opportunity.

Enclosed with this letter are three original signed copies of the Federal Register notice on for a proposal to prepare a joint environmental impact statement/environmental impact report (EIS/EIR) on potential alternative solutions to meeting water-related needs in portions of five counties in California as identified by the American River Water Resources Investigation, and a certified WordPerfect 5.1 copy on a 3.5 inch double-sided, high-density disk. The disk also contains a label that identifies the document along with our agency billing code.

I certify that the disk is a true copy of the original document.

When you receive this notice of intent please call Mr. David M. Haisten at (916) 979-2338. If you have any questions, please contact Mr. Haisten.

Signed by _____
Douglas Kleinsmith, Environmental
Compliance Branch

Figure 7.6.—Letter to *Federal Register* notice denoting electronic submission of notice.

4310-94

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Yakima River Basin Water Enhancement Project, Yakima, Washington

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of public meetings on development of a programmatic environmental impact statement (PEIS).

SUMMARY: Pursuant to the National Environmental Policy Act of 1969, as amended, the Bureau of Reclamation is preparing a PEIS for the Yakima River Basin Water Enhancement Project (Enhancement Project), Yakima, Washington. The public meetings will be held to receive comments from interested organizations and individuals on the environmental impacts of the Enhancement Project.

DATES: The public meetings are scheduled from 7:00 to 10:00 p.m. on May 21, 1996, in Yakima, Washington; and on May 22, 1996, in Toppenish, Washington.

ADDRESSES: The meetings will be held at:

- Red Lion Inn, 1507 North First Street, Yakima, Washington; and
- Yakima Indian Nation, Yakima Nation Cultural Center, Eagle Seelatsee Auditorium, 401 Fort Road, Toppenish, Washington.

Written comments are to be submitted to:

Area Manager, Bureau of Reclamation, Upper Columbia Area Office, Attention: UCA-1203, P.O. Box 1749,Yakima, Washington 98907-1749.

Public Disclosure Statement

FOR FURTHER INFORMATION CONTACT: Bureau of Reclamation, Upper Columbia Area Office, at the above address, or by telephone at (509) 575-5848 extension 265.

SUPPLEMENTARY INFORMATION: Organizations and individuals wishing to present statements at the meetings should contact the Bureau of Reclamation, Upper Columbia Area Office, to announce their intention to participate.

1

Figure 7.7.—Example of a *Federal Register* notice of public hearing on a draft environmental impact statement.

Oral comments at the meetings will be limited to 5 minutes. The meeting facilitator will allow any speaker to provide additional oral comments after all persons wishing to comment have been heard.

Written comments from those unable to attend or those wishing to supplement their oral presentations at the meetings, should be received by Reclamation's Upper Columbia Area Office at the above address by June 21, 1996, for inclusion in the meetings notes.

Date: _____

Signature: _____

2

Figure 7.7.—Example of a *Federal Register* notice of public hearing on a draft environmental impact statement.

BUREAU OF RECLAMATION
Mid-Pacific Region
2800 Cottage Way
Sacramento, CA 95825-1898

MP-96-25

Jeffrey S. McCracken
916/979-2837

FOR IMMEDIATE RELEASE: April 2, 1996

HEARINGS TO BE HELD ON THE
AMERICAN RIVER WATER RESOURCES INVESTIGATION

The Bureau of Reclamation and the Sacramento Metropolitan Water Authority will hold a series of public hearings on the Draft Planning Report and Draft Environmental Impact Report/Environmental Impact Statement for the American River Water Resources Investigation.

In Stockton Tuesday, April 9, 7 p.m. Stockton Hilton 2323 Grand Canal Boulevard	**In Auburn** Wednesday, April 10, 7 p.m. Auburn Holiday Inn 120 Grass Valley Highway	**In Folsom** Thursday, April 11, 7 p.m. Folsom Community Center 52 Natoma Street
In Placerville Tuesday, April 16, 7 p.m. Best Western Placerville Inn 6850 Greenleaf Drive	**In Sacramento** Wednesday, April 17, 7 p.m. Red Lion Sacramento Inn 1401 Arden Way (at Bus 80)	

Five public hearings will be held to receive comments from interested organizations and individuals on the environmental impact of the project. Oral comments at each hearing will be limited to 5 minutes. The hearing officer may allow any speaker to provide additional oral comment after all persons wishing to speak have been heard. Speakers not present when called will lose their place in the scheduled order and will be recalled at the end of the remaining speakers.

To have written comments included as part of the hearing record, they should be received by Reclamation no later than April 18, 1996. These include written comments from individuals unable to attend a hearing or those wishing to supplement their oral presentation. Written comments received after April 18, 1996, will not be included in the hearing record but will continue to be accepted until Friday, May 3, 1996. Written comments should be addressed to Mr. Alan Candlish, Program Manager, Bureau of Reclamation, Central California Area Office, 7794 Folsom Dam Road, Folsom CA 95603.

For additional information on the ARWRI, please contact Al Candlish, Program Manager at 916/989-7255, TDD 916/989-7285, or Dave Haisten, Activity Manager, at 916/979-2338, TDD 916/979-2310, and for additional information on the hearings, please contact Sammie Cervantes at 916/979-2837, TDD 916/979-2310.

Figure 7.8.—Example of a *Federal Register* notice of a news release for notice of public hearing.

BUREAU OF RECLAMATION Contact: Bruce Ellis (602) 870-6767
Phoenix, Arizona

For Immediate Release
October 30, 1996

DRAFT PROGRAMMATIC EIS ON PIMA-MARICOPA IRRIGATION PROJECT AVAILABLE FOR PUBLIC REVIEW AND COMMENT
Public Hearings Also Scheduled

A Draft Programmatic Environmental Impact Statement (PEIS) for the Pima-Maricopa Irrigation Project was released today for a 60-day public review and comment period.

The purpose of the draft PEIS is to assist in decision making by the Commissioner of Reclamation regarding the approval to use Central Arizona Project (CAP) funds to implement portions of the project.

A component of the Gila River Indian Community's master plan for land and water use, the project would involve construction by the Community of a common-use irrigation system to deliver water to 146,330 acres within the Gila River Indian Reservation, and rehabilitation of the San Carlos Indian Irrigation Project joint works facilities.

The project would support the continued role of agriculture as a primary element of the Community's traditional economy and way of life, and enhance the Community's economic growth, development and self-sufficiency. It has the potential to significantly improve the standard of living for Community members.

The draft PEIS describes four alternatives for rehabilitation of 66,000 acres and development of 80,330 new acres of irrigated agricultural lands. The proposed action is to rehabilitate San Carlos Indian Irrigation Project facilities and build new facilities both on and off the Reservation. A "No Federal Action" alternative is also described.

Public hearings have been scheduled to allow interested individuals and organizations an opportunity to present their views and comments on the environmental impacts of the proposed project. The dates, locations and times of the hearings are:

- **December 3 at Sacaton, Arizona**, in the Tribal Council Chambers, Corner of Pima and Main Street, from 7:00 p.m. to 9:00 p.m.;
- **December 4 at Laveen, Arizona**, in the District 6 Service Center, Corner of St. Johns Road and 51st Avenue, from 7:00 p.m. to 9:00 p.m.;
- **December 5 at Coolidge, Arizona**, in the Coolidge Adult Center, 250 South 3rd Street, from 7:00 p.m. to 9:00 p.m.; and
- **December 5 in Phoenix, Arizona**, at the Quality Inn - South Mountain, 5121 East La Puente Street, from 1:00 p.m. to 3:00 p.m.

(MORE)

Figure 7.9.—Example of a news release for combined notice of availability and notice of public hearing for a draft environmental impact statement.

Those wishing to request time to comment at the hearings should write or call Reclamation at: Bureau of Reclamation, Phoenix Area Office, PO Box 9980, Phoenix, AZ 85068, (602) 870-6760. Requests should be received on or before November 26, and should indicate at which session the speaker wishes to appear. Speakers will be called on to present their comments in the order in which their requests were received. Requests to speak may also be made at each session; these speakers will be called after all those who made advance requests have spoken. Oral comments will be limited to five (5) minutes per individual.

Interested individuals and organizations can also submit written comments on the draft PEIS. Copies of the document, or a 26-page executive summary, can be requested from the Bureau of Reclamation by writing to the address above, attention Mr. Bruce D. Ellis, or by calling (602) 870-6760. Written comments should be sent to the address listed above, and should be received by Reclamation by December 31.

To be included in the hearing record, written comments from those unable to attend the hearing or wanting to supplement their oral presentation should be received by Reclamation by December 15, 1996.

The Gila River Indian Community prepared the draft PEIS through a Self-Governance Agreement with Reclamation. Reclamation is the lead federal agency for the Project; the Bureau of Indian Affairs is a cooperating agency in the process because of its trust responsibility and administration of SCIIP.

- 30 -

Figure 7.9.—Example of a news release for combined notice of availability and notice of public hearing for a draft environmental impact statement (continued).

BUREAU OF RECLAMATION MP-95-97
Mid-Pacific Region
2800 Cottage Way Jeffrey S. McCracken
Sacramento, CA 95825-1898 916/979-2837

FOR IMMEDIATE RELEASE: December 27, 1995

FINAL ENVIRONMENTAL IMPACT STATEMENT/FINAL ENVIRONMENTAL IMPACT REPORT FOR THE CACHUMA PROJECT CONTRACT RENEWAL IS AVAILABLE TO THE PUBLIC

A final environmental impact statement/final environmental impact report(FEIS/FEIR) for the Cachuma Project Contract Renewal, Santa Barbara County, California, has been filed with the Environmental Protection Agency (EPA) and is available to the Public by the Bureau of Reclamation (Reclamation), the Cachuma Project Authority (Authority), and the Santa Barbara County Water Agency (Agency), said Roger K. Patterson, Mid-Pacific Regional Director.

The FEIS/FEIR considers the effects of renewing the Cachuma Project Contract under which water service has been provided to the member units since initial deliveries began in 1955. These member units include the City of Santa Barbara, Goleta Water District, Montecito Water District, Summerland Water District, Carpinteria County Water District, and the Santa Ynez River Water Conservation District, Improvement District No. 1.

The FEIS/FEIR evaluates several alternatives, including the no-action alternative, and also describes the existing environment and environmental consequences of contract renewal. The terms and conditions of the proposed Cachuma Long-Term Renewal Contract represents the lead agencies' preferred alternative. No mitigation measures are required for renewal of the Cachuma Project Contract. The FEIS/FEIR also includes comments received during the 60-day public review of the draft EIS/EIR and provides Reclamation's, Authority's, and Agency's responses to those comments.

After a 30-day waiting period has ended, Reclamation, the lead Federal agency responsible for National Environmental Policy Act (NEPA) compliance on the project, plans to issue a Record of Decision (ROD). The FEIS/FEIR was prepared in compliance with NEPA, California Environmental Quality Act (CEQA), Reclamation, Authority, and Agency procedures.

For information please contact Robert May, Program Manager, SCC-412, Bureau of Reclamation, 2666 North Grove Industrial Drive, Suite 106, Fresno, CA 93727-1551,
209/487-5137; or Robert Almy, Santa Barbara County Water Agency, 123 East Anapamu Street, Santa Barbara, CA 93101-2058, 805/568-3542.

To obtain copies of the FEIS/FEIR, please contact Chris Dahlstrom, Project Coordinator, Cachuma Project Authority, 3301 Laurel Canyon Road, Santa Barbara, CA 93105-2017, 805/569-1391. Copies are also available for review in libraries in Santa Barbara County.

Figure 7.10.—Example of news release for notice of availability for final environmental impact statement.

MP-152
ENV-6.00

MEMORANDUM

To: Director, Operations
Attention: W-6330

From: Roger K. Patterson
Regional Director

Subject: Draft Environmental Impact Statement/Draft Environmental Impact Report for American River Water Resources Investigation, California

Attached for your processing and forwarding to appropriate entities are the following documents for filing the subject Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR).

1. Regional Director's transmittal letter for filing the DEIS/DEIR with the Environmental Protection Agency.

2. Regional Director's memorandum to the Office of Environmental Policy and Compliance transmitting five copies of the DEIS/DEIR.

3. Three signed originals of the Notice of Availability for the Federal Register, and a certified WordPerfect 5.1 copy on a 3.5 inch double-sided, high density disk.

4. Transmittal letter to the Office of the Federal Register.

5. One copy of the Issue Summary.

Please notify Alan R. Candlish at (916) 989-7255 or e-mail immediately upon receipt of this memorandum and attachments.

We will be forwarding 17 copies of the DEIS/DEIR, under separate letter, following Sacramento Metropolitan Water Authority's approval for release. Please notify Mr. Candlish immediately when the copies are received and the filing number is obtained. Before processing the 17 copies of the DEIS/DEIR, they must be stamped with the filing date and the date that comments will be due.

Before delivering the Notice of Availability to the Office of the Federal Register, please insert the statement filing number in the Action section.

Attachments 5

cc: Department of the Interior
Director, Office of Environmental Policy and Compliance
1849 C Street, NW, Room 2340 MIB
Washington DC 20240-0001
(w/o attachment)

bc: Director, Office of Policy
Attention: W-5000, D-5100
Director, Operations
Attention: W-6332 (Jackson)
CC-102 (Candlish)
MP-700 (Haisten)
(w/o attachment to each)

Figure 7.11.—Memorandum to Director, Operations, to transmit the filing package to the Regional Liaison.

US Environmental Protection Agency
Office of Federal Activities
Mail Code 2252-A, Room 7241
Ariel Rios Building (South Oval Lobby)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

In accordance with Section 102(2)(c) of the National Environmental Policy Act of 1969, we are enclosing five copies of the Draft Environmental Impact Statement to the 1996 Final Supplement to the Final Environmental Statement for the Animas-La Plata Project.

Transmittal to the public will be completed the same day this document is submitted for filing. For further information, please contact Lilas Lindell at (801) 524-3689.

Sincerely,

[Regional Director's signature]

[Only for highly controversial EISs will the Commissioner or the Secretary of Interior sign this letter]

Enclosures

cc: Department of the Interior
Director, Office of Environmental
Policy and Compliance
1849 C Street NW, Room 2340 MIB
Washington, DC 20240

Figure 7.12.—Letter to Environmental Protection Agency.

MP-152
ENV-6.00

MEMORANDUM

To: Director, Office of Environmental Policy and Compliance,
Washington DC

From: Roger K. Patterson
Regional Director

Subject: Draft Environmental Impact Statement/Environmental Impact Report for
American River Water Resources Investigation, California

In accordance with Section 102(2)(c) of the National Environmental Policy Act of 1969, we are attaching five copies of the Draft Environmental Impact Statement/Environmental Impact Report for the American River Water Resources Investigation located in California.

Attachment - 5 copies

bc: Director, Office of Policy
Attention: W-5000, D-5100
Director, Operations
Attention: W-6332 (Jackson)
CC-102 (Candlish)
MP-700 (Haisten)
(w/o attachment to each)

WBR:DKleinsmith:Cap:1/23/96:916-979-2482
H:\DATA\PUB150\152\ARWRI\OEPC.MEM

Figure 7.13.—Memorandum to Department of the Interior's
Office of Environmental Policy and Compliance.

Final Environmental Impact Statement for
the American River Bridge Crossing Project

Dear Interested Party:

Enclosed is a copy of the Final Environmental Impact Statement (FEIS) for the American River Bridge Crossing Project, located in Folsom, California. Because the bridge facility crosses federal land, the City of Folsom must apply for an easement from Reclamation for construction. Accordingly, Reclamation is the lead federal agency responsible for National Environmental Policy Act (NEPA) compliance on the proposed action.

Reclamation and the City of Folsom prepared a joint draft environmental impact report/environmental impact statement (DEIR/DEIS) for the American River Bridge Crossing Project in March 1992. It was decided that a separate final environmental impact report (FEIR) and a separate FEIS would be prepared, rather than a joint FEIS/FEIR, because the NEPA process was delayed by meeting the requirements of related Federal environmental laws. Pursuant to the California Environmental Quality Act, the City of Folsom released and certified the FEIR in July 1994. A supplement to the FEIR was released November 1994. This FEIS incorporates the information contained in those two documents and new information received since the release of the Supplement to the FEIR.

The primary reason for building the bridge is to relieve traffic on Rainbow bridge, which is currently operating at design capacity. The FEIS describes the environmental effects of five alternatives, including no action.

The proposed action (preferred alternative) consists of a 2,300-foot span bridge connecting Folsom Boulevard with Folsom-Auburn Road. The bridge would be constructed to accommodate four vehicular lanes, bicycle and pedestrian facilities, and right-of-way for a future high-occupancy vehicle facility (such as a light rail line or carpool lane). The project would require roadway and intersection improvements in Folsom's downtown historic district, widening Folsom Boulevard, modifying the Greenback Lane/ Folsom-Auburn Road intersection for the northern bridge approach, and raising an electrical transmission line to meet clearance requirements over the northern bridge approach.

The FEIS includes all comments received on the DEIR/DEIS and responses to those comments. No decision will be made on the proposed action until 30 days after release of the FEIS. After the 30-day waiting period, Reclamation will complete a Record of Decision which states the action that will be implemented and will discuss all factors leading to the decision.

For additional information, contact Doug Kleinsmith at (916) 979-2482.

Figure 7.14.—Interested party letter - less traditional format.

MP-152
ENV-6.00

MEMORANDUM

To: Interested Individuals, Organizations, and Agencies

From: Roger K. Patterson
Regional Director

Subject: Draft Environmental Impact Report/Environmental Impact Statement on the Interim South Delta Program, California

As lead agencies, Reclamation and the California Department of Water Resources (DWR) have prepared a Draft Environmental Impact Report/Draft Environmental Impact Statement (DEIR/DEIS) for the Interim South Delta Program. The proposed alternatives provide a means to improve (1) water levels and circulation in south Delta channels to local agricultural diversions; and (2) south Delta hydraulic conditions to increase diversion into Clifton Court Forebay to maximize the frequency of full pumping capacity at Banks Pumping Plant. The document evaluates seven alternatives against two no-action alternatives.

Your comments should be received by December 6, 1996. The specific date and location for comments are indicated on the cover page of the DEIR/DEIS. Public workshops and hearings are being scheduled during October in Sacramento and Tracy; details will be announced later. To request a copy of the DEIR/DEIS from Judy Fong, please either:

1. Call her at (916) 653-3496
2. Fax her at (916) 653-6077, or
3. Complete and mail the order form to her at the address below.

For additional information please contact Mr. Al Candlish, Reclamation, at (916) 989-255 or Mr. Stephen Roberts, DWR, at (916) 653-2118.

To: ***Judy Fong***
Department of Water Resources
1416 Ninth Street, Room 215-28
Sacramento CA 95814

Please send me a copy of the Draft Environmental Impact Report/Environmental Impact Statement on the Interim South Delta Program.

NAME _____

ORGANIZATION _____

ADDRESS _____

_____

cc: Director,
Office of Environmental Policy and Compliance
Department of the Interior
1849 C Street, NW, Room 2340 MIB
Washington DC 20240-0001
(w/o encl)

bc: Director, Office of Policy
Attention: W-5000, D-5100
Director, Operations
Attention: W-6332 (Jackson)
CC-102 (Candlish)
(w/o encl to each)

WBR:DKleinsmith:edc:7-31-96:916-979-2482
G:\Data\Pub150\152\sdelta\intprty2.let

Figure 7.15.—Interested party letter - more traditional format.

D-8620
ENV-6.00

Dear Member of Congress:

Enclosed is a copy of the final environmental impact statement (EIS) on the operation of Glen Canyon Dam, Colorado River Storage Project, Arizona.

On July 27, 1989, the Secretary of the Interior directed the Bureau of Reclamation to prepare an EIS to reevaluate Glen Canyon Dam operations. The purpose of this reevaluation is to determine specific options that could be implemented—consistent with law—to minimize adverse impacts on the downstream environmental and cultural resources and Native American interests in Glen and Grand Canyons.

This final EIS presents analyses of the impacts of nine alternatives for operating Glen Canyon Dam. Alternative operations evaluated include three that would provide steady flows and six, including no action, that would provide various levels of fluctuating flows. Additional measures have been combined with the alternative operations, where appropriate, either to mitigate adverse impacts of the alternative or to enhance resources.

The EIS team and cooperating agencies attempted to balance benefits to all resources in identifying a preferred alternative. As a result of comments on the draft EIS and discussions with the U.S. Fish and Wildlife Service, the preferred alternative described in the draft EIS was modified for this final EIS. The preferred alternative is the Modified Low Fluctuating Flow Alternative.

This final EIS will be used by decisionmakers in the Bureau of Reclamation and the Department of the Interior and is provided for public information. A record of decision can be approved 30 days after publication of release of the final EIS in the *Federal Register*. Any decision regarding the operation of Glen Canyon Dam, as well as opportunities for future public involvement, will be well publicized.

Sincerely,

Daniel P. Beard
Commissioner

Enclosure

Blind copy to persons on enclosed page.

Figure 7.16.—Letters to elected officials signed by approving official.

4310-94P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Draft Environmental Impact Report/Environmental Impact Statement on the Stanislaus River Basin and Calaveras River Water Use Program (also known as the American River/Folsom South Conjunctive Use Optimization Study).

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of cancellation.

SUMMARY: The Bureau of Reclamation (Reclamation) and the California Department of Water Resources (DWR) are canceling plans to continue work under the National Environmental Policy Act and the California Environmental Quality Act on the environmental impact report/environmental impact statement (EIR/EIS) for the Stanislaus River Basin and Calaveras River Water Use Program. DWR terminated participation in this joint EIR/EIS since the Program would not likely result in any increased yield to the State Water Project. The notice of intent was published in 55 FR 15291, Apr. 23, 1990.

FOR FURTHER INFORMATION CONTACT: Mr. David Lewis, Mid-Pacific Region, Bureau of Reclamation, Attention: MP-700, 2800 Cottage Way, Sacramento, CA 95825-1898; telephone: (916) 979-2336.

SUPPLEMENTARY INFORMATION: The Program was a joint study by Reclamation and DWR to formulate a plan for increasing and optimizing water supply and for the long-term use of water supply for the area between the Stanislaus and Calaveras Rivers. In terminating their participation, DWR indicated that the Program would not likely result in any increased yield to the State Water Project since any interim water supplies once available for use outside the study area appear to now be needed to meet water quality, fish, and wildlife requirements as required by both the Central Valley Project Improvement Act and the December 1994 Bay-Delta Accord. Owing to the ongoing Reclamation activity entitled New Melones Water Management Study, Short-term, it is

1

Figure 7.17.—Example of a notice of cancellation.

advantageous for Reclamation to write a transition report documenting study activities. The New Melones Water Management Study, Short-Term, is developing an interim plan of operation and suitable method of allocation to manage available water supplies in the Stanislaus River Basin until either the California State Water Resources Control Board completes the water rights phase of the Bay-Delta hearings or until a long-term operation plan for New Melones Reservoir is negotiated among the stakeholders. The New Melones Water Management Study, Long-Term, is the second phase and is intended to develop a long-term operation strategy for New Melones Reservoir. This study will negotiate a consensus among stakeholders concerning New Melones Reservoir long-term operation. If it is determined that upon completion of both the New Melones Water Management Study, Short-Term and Long-Term, that there are still unmet demands, a new planning study will be developed to address these needs.

Date: _____

Signature: _____

bc: Director, Office of Environmental Policy and Compliance,
1849 C Street NW, Room 2340 MIB
Washington DC 20240-0001

Director, Office of Policy
Attention: W-5000, D-5100 (Taylor)
Director, Operations
Attention: W-6332 (Jackson)

MP-150 (Kleinsmith)

WBR:DLewis:lsl:979-2270:071696

Figure 7.17.—Example of a notice of cancellation (continued).