

# RECLAMATION

*Managing Water in the West*

## **Attachment A**

# **SCOPING MEETING NOTIFICATION**

**Revisions to the Coordinated Long-Term Operation of the  
Central Valley Project and State Water Project, and Related  
Facilities**



Bureau of Reclamation  
Mid-Pacific Region

Cunningham Wash to the Graham Well, intersecting Butler Valley Road, then north and west on the county-maintained road to the "Bouse Y" intersection, 2 miles north of Bouse, Arizona. The course proceeds north, paralleling the Bouse-Swansea Road to the Midway (Pit) intersection, then west along the North Boundary (power line) Road of the East Cactus Plain Wilderness Area to Parker-Swansea Road. The course turns west into Osborne Wash crossing the CAP Canal, along the north boundary of the Cactus Plain Wilderness Study Area; it continues west staying in Osborne Wash and crossing Shea Road along the southern boundary of Gibraltar Wilderness, rejoining Osborne Wash at the CRIT Reservation boundary.

**Closure Restrictions:** The following acts are prohibited during the temporary land closures in order to provide for public and race participant safety:

1. Being present on or driving on the designated race course or the adjacent lands described above. All spectators must stay within the designated spectator areas. The spectator areas have protective fencing and barriers. This does not apply to race participants, race officials, or emergency vehicles authorized or operated by local, State, or Federal government agencies. Emergency medical response shall only be conducted by personnel and vehicles operating under the guidance of the La Paz County Emergency Medical Services and Fire, the Arizona Department of Public Safety, or the BLM.
2. Vehicle parking or stopping in areas affected by the closures, except where such is specifically allowed (designated spectator areas).
3. Camping in the closed area described above, except in the designated spectator areas.
4. Discharge of firearms.
5. Possession or use of any fireworks.
6. Cutting or collecting firewood of any kind, including dead and down wood or other vegetative material.
7. Operating any off-road vehicle (as defined by 43 CFR 8340.0-7(a)).
8. Operating any vehicle in the area of the temporary closure or on roads within the event area at a speed of more than 35 miles per hour. This does not apply to registered race vehicles during the race, while on the designated race course.
9. Failing to obey any official sign posted by the BLM, La Paz County, or the race promoter.
10. Parking any vehicle in violation of posted restrictions, or in such a manner as to obstruct or impede normal or emergency traffic movement or the parking of other vehicles, create a safety

hazard, or endanger any person, property, or feature. Vehicles parked in violation are subject to citation, removal, and/or impoundment at the owner's expense.

11. Failing to obey any person authorized to direct traffic or control access to event area including law enforcement officers, BLM officials, and designated race officials.
12. Failing to observe spectator area quiet hours of 10 p.m. to 6 a.m.
13. Failing to keep campsite or race viewing site free of trash and litter.
14. Allowing any pet or other animal to be unrestrained. All pets must be restrained by a leash of not more than 6 feet in length.
15. Reserving sites within the spectator area. Spectators are prohibited from denying other visitors or parties the use of unoccupied portions of the spectator area.

**Exceptions to Closure:** The restrictions do not apply to emergency or law enforcement vehicles owned by the United States, the State of Arizona, or La Paz County, and designated race officials, participants, pit crews, or persons operating on their behalf. All BITD registered media personnel are permitted access to existing routes 50 feet from the race course per BITD standards. Outside of the race corridor, other lands in the Field Office will remain open and available for off-highway vehicle access and all other recreation activities.

**Penalties:** Any person who violates these temporary closures may be tried before a United States Magistrate and fined in accordance with 18 U.S.C. 3571, imprisoned no more than 12 months under 43 U.S.C. 1733(a) and 43 CFR 8360.0-7, or both. In accordance with 43 CFR 8365.1-7, State or local officials may also impose penalties for violations of Arizona law.

**Effect of Closure:** The entire area encompassed by the designated course and all areas outside the course as described above and in the time period as described above are closed to all vehicles. The authorized applicant or their representatives are required to post warning signs, control access to, and clearly mark the event route and areas, common access roads, and road crossings during the closure period. Support vehicles under permit for operation by event participants must follow the race permit stipulations.

**Authority:** 43 CFR 8364.1.

**Jason West,**  
*Field Manager.*

[FR Doc. 2017-28217 Filed 12-28-17; 8:45 am]

**BILLING CODE 4310-32-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

[RR02800000, 18XR0680A1,  
 RX.17868949.0000000]

#### Notice of Intent To Prepare a Draft Environmental Impact Statement, Revisions to the Coordinated Long-Term Operation of the Central Valley Project and State Water Project, and Related Facilities

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of intent; request for comments.

**SUMMARY:** The Bureau of Reclamation (Reclamation) intends to prepare a programmatic environmental impact statement (EIS) for analyzing potential modifications to the continued long-term operation of the federal Central Valley Project (CVP), for its authorized purposes, in a coordinated manner with the State Water Project (SWP), for its authorized purposes. Reclamation proposes to evaluate alternatives that maximize water deliveries and optimize marketable power generation consistent with applicable laws, contractual obligations, and agreements; and to augment operational flexibility by addressing the status of listed species. Reclamation is seeking suggestions and information on the alternatives and topics to be addressed and any other important issues related to the proposed action.

**DATES:** Submit written comments on the scope of the EIS by February 1, 2018.

**ADDRESSES:** Send written comments to Katrina Harrison, Project Manager, Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536; fax to (916) 414-2425; or email at [kharrison@usbr.gov](mailto:kharrison@usbr.gov).

**FOR FURTHER INFORMATION CONTACT:** Katrina Harrison at (916) 414-2425; or email at [kharrison@usbr.gov](mailto:kharrison@usbr.gov).

**SUPPLEMENTARY INFORMATION:**

#### I. Agencies Involved

Reclamation will request the following agencies participate as cooperating agencies for preparation of the EIS in accordance with the National Environmental Policy Act (NEPA), as amended: U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), U.S. Army Corps of Engineers; Western Area Power Administration, and U.S. Environmental Protection Agency.

Reclamation has also identified Indian tribes and other Federal, State,

and local agencies (*e.g.*, public water agencies, power marketing agencies, power customers, etc.) as potential cooperating agencies, and Reclamation will invite them to participate as cooperating agencies.

## II. Why We Are Taking This Action

The CVP is a major water source for agricultural, municipal and industrial (M&I), and fish and wildlife demands in California. State and Federal regulatory actions, federal trust responsibilities, and other agreements, have significantly reduced the water available for delivery south of the Sacramento-San Joaquin River Delta, in order, among other things, to protect water quality within the delta and prevent jeopardy and adverse modification of critical habitat of threatened and endangered species. This project will evaluate alternatives to restore, at least in part, water supply, in consideration of all of the authorized purposes of the CVP.

In this programmatic EIS, Reclamation will analyze potential modifications to the continued long-term operation of the CVP (proposed action), in a coordinated manner with the SWP, to achieve the following:

- Maximize water supply delivery, consistent with applicable law, contracts and agreements, considering new and/or modified storage and export facilities.
- Review and consider modifications to regulatory requirements, including existing Reasonable and Prudent Alternative actions identified in the Biological Opinions issued by the USFWS and NMFS in 2008 and 2009, respectively.
- Evaluate stressors on fish other than CVP and SWP operations, beneficial non-flow measures to decrease stressors, and habitat restoration and other beneficial measures for improving targeted fish populations.
- Evaluate potential changes in laws, regulations and infrastructure that may benefit power marketability.

Reclamation has decided to prepare an EIS. As an example for why NEPA is required related to CVP operation, in 2014, the Ninth Circuit Court of Appeals determined that the current, coordinated operation of the CVP and SWP under biological opinions issued by the USFWS and NMFS in 2008 and 2009, respectively, was a major Federal action that affected the quality of the human environment that required the preparation of an EIS. *San Luis & Delta-Mendota Water Authority (SLDMWA) v. Jewell*, 747 F.3d 581 (9th Cir. 2014); *SLDMWA v. Locke*, 776 F.3d 971 (9th Cir. 2014). This EIS is expected to be primarily programmatic in nature. It is

anticipated that this current programmatic effort will be followed by tiered project-level NEPA analyses to implement various site specific projects or detailed programs that were generally described in the programmatic EIS.

## III. Purpose and Need for Action

The need for the action is to increase operational flexibility, as further described in Section II above. The purpose of the action considered in this EIS is to continue the operation of the CVP in a coordinated manner with the SWP, for its authorized purposes, in a manner that enables Reclamation and California Department of Water Resources to maximize water deliveries and optimize marketable power generation consistent with applicable laws, contractual obligations, and agreements; and to augment operational flexibility by addressing the status of listed species.

## IV. Project Area (Area of Analysis)

The project area includes the existing CVP and SWP Service Areas, proposed CVP Service Areas, and storage and export facilities (including potential modifications), within the Sacramento and San Joaquin watersheds (including external watersheds connected through facilities). The project area also includes potential improvements and developments of other water supply or power generation programs.

The CVP is Reclamation's largest federal reclamation project. Reclamation operates the CVP in coordination with the SWP, under the Coordinated Operation Agreement between the federal government and the State of California (authorized by Pub. L. 99–546). The CVP and SWP operate pursuant to water rights permits and licenses issued by the State Water Resources Control Board. The CVP and SWP water rights allow appropriation of water by directly using and/or diverting water to storage for later withdrawal and use, or use and re-diversion to storage further downstream for later consumptive use. Among the conditions of their water rights, are requirements of the projects to either bypass or withdraw water from storage and to help satisfy specific water quality, quantity and operations criteria in source rivers and within the Delta. The CVP and SWP are currently operated in accordance with the 2008 USFWS Biological Opinion and the 2009 NMFS Biological Opinion, both of which concluded that the coordinated long-term operation of the CVP and SWP, as proposed in Reclamation's 2008 Biological Assessment, was likely to jeopardize the continued existence of

listed species and destroy or adversely modify designated critical habitat. Both Biological Opinions included Reasonable and Prudent Alternatives designed to allow the CVP and SWP to continue operating without causing jeopardy to listed species or destruction or adverse modification to designated critical habitat. Reclamation accepted and then began Project operations consistent with the USFWS and NMFS Reasonable and Prudent Alternatives.

## V. Alternatives To Be Considered

As required by NEPA, the EIS will include and consider a proposed action and a reasonable range of alternatives, including a No Action Alternative. Reasonable alternatives to the proposed action may include a combination of:

- Operations in coordination with new or proposed facilities to increase water supply deliveries and marketable power generation:
  - Actions that increase storage capacity upstream of the Delta for the CVP
  - Actions that increase storage capacity south of the Delta
  - Actions that increase export capabilities through the Delta
  - Actions to generate additional water or that improve and optimize the utilization of water such as desalinization, water conservation, or water reuse
- Modified operations of the CVP and SWP with and without new or proposed facilities including possible requests to modify environmental and regulatory requirements, and sharing of water and responsibilities in the Delta
- Habitat restoration and ecosystem improvement projects intended to increase fish populations which would be factored into the regulatory process
- Modification to existing state and federal facilities to reduce impacts to listed species

The Final EIS will identify an agency-preferred alternative.

Alternatives could affect all or various facilities and/or operations of the CVP, and may also include actions that affect SWP and local project operations. Reclamation will engage with California Department of Water Resources and local stakeholders in developing the proposed action and reasonable alternatives. Reclamation will also consider reasonable alternatives identified through the scoping process.

The proposed EIS will address operations of the CVP and SWP, operations in coordination with new or proposed projects, and habitat restoration in the Project area, designed to increase operational flexibility, increase water supply for CVP

authorized purposes, and/or increase power marketability.

#### VI. Indian Trust Assets and Environmental Justice

There are Indian Trust Asset issues and there may be environmental justice issues related to the Trinity River, as well as potential impacts within other areas.

#### VII. Statutory Authority

NEPA [42 U.S.C. 4321 *et seq.*] requires that Federal agencies conduct an environmental analysis of their proposed actions to determine if the actions may significantly affect the human environment. As required by NEPA, Reclamation will develop an EIS which will analyze the potential direct, indirect, and cumulative environmental effects that may result from the implementation of the proposed action and alternatives.

The Rivers and Harbors Act of August 26, 1937 (50 Stat. 844, as amended and supplemented) provides for operation of the CVP.

#### VIII. Request for Comments

The purposes of this notice are:

- To advise other agencies, CVP and SWP water users and power customers, affected tribes, and the public of our intention to gather information to support the preparation of an EIS;
- To obtain suggestions and information from other agencies, interested parties, and the public on the scope of alternatives and issues to be addressed in the EIS; and
- To identify important issues raised by the public related to the development and implementation of the proposed action.

Reclamation invites written comments from interested parties to ensure that the full range of alternatives and issues related to the development of the proposed action are identified. Comments during this stage of the scoping process will only be accepted in written form. Written comments may be submitted by mail, electronic mail, facsimile transmission or in person to the contact listed in the **ADDRESSES** section of this notice. Comments and participation in the scoping process are encouraged.

#### IX. Public Disclosure

Before including your address, phone number, email address or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment

to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

#### X. How To Request Reasonable Accommodation

If special assistance is required, please contact Katrina Harrison at the address provided above or TDD 916-978-5608. Information regarding this proposed action is available in alternative formats upon request.

Dated: December 20, 2017.

**David Murillo,**

*Regional Director, Mid-Pacific Region.*

[FR Doc. 2017-28215 Filed 12-28-17; 8:45 am]

**BILLING CODE 4332-90-P**

#### INTERNATIONAL TRADE COMMISSION

##### Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Subsea Telecommunications Systems and Components Thereof, DN 3283*; the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

**FOR FURTHER INFORMATION CONTACT:** Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at <https://edis.usitc.gov>, and will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2000.

General information concerning the Commission may also be obtained by accessing its internet server at United States International Trade Commission (USITC) at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at <https://edis.usitc.gov>. Hearing-impaired persons are advised

that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Neptune Subsea LP Ltd.; Neptune Subsea Acquisitions Ltd.; and Xtera, Inc. on December 22, 2017. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain subsea telecommunications systems and components thereof. The complaint names as respondents Nokia Corporation, Finland; Nokia Solutions and Networks B.V., the Netherlands; Nokia Solutions and Networks Oy, Finland; Alcatel-Lucent Submarine Networks SAS, France; Nokia Solutions and Networks US LLC, Phoenix, AZ; NEC Corporation, Japan; NEC Networks & System Integration Corporation, Japan; and NEC Corporation of America, Irving, TX. The complainant requests that the Commission issue a limited exclusion order, cease and desist orders, and impose a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five (5) pages in length, inclusive of attachments, on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

- (i) Explain how the articles potentially subject to the requested remedial orders are used in the United States;
- (ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;
- (iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the

**Mid-Pacific Region  
Sacramento, Calif.**

MP-18-003

Media Contact: Erin Curtis, 916-978-5100, [ecurtis@usbr.gov](mailto:ecurtis@usbr.gov)

For Immediate Release: Jan. 3, 2018

## **Meetings scheduled for public input on efforts to maximize Central Valley Project deliveries**

SACRAMENTO, Calif. – The Bureau of Reclamation published a notice of intent Friday to prepare an environmental impact statement, “Revisions to the Coordinated Long-term Operation of the Central Valley Project and State Water Project, and Related Facilities” in the Federal Register <https://www.federalregister.gov/documents/current#reclamation-bureau>.

Reclamation is seeking comments by Feb. 1, 2018, that will be used to develop alternatives to the proposed action. Two public meetings have been scheduled to receive oral or written comments:

- Tuesday, Jan. 16, from 6-8 p.m. at the San Luis & Delta-Mendota Water Authority, 842 Sixth St. in Los Banos
- Tuesday, Jan. 23, from 2-4 p.m. at the Stanford Room, 650 Capitol Mall in Sacramento

The CVP is a major water source for agricultural, municipal and industrial, and fish and wildlife demands in California. State and federal regulatory actions and other agreements have significantly reduced the water available for delivery south of the Sacramento-San Joaquin River Delta. This project will evaluate alternatives to restore water supply in consideration of all authorized purposes of the CVP.

Written comments are due by close of business, Feb. 1, 2018, by U.S. mail or hand-delivery to Katrina Harrison, project manager, Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536; fax 916-414-2439; or email [kharrison@usbr.gov](mailto:kharrison@usbr.gov). For additional information, please contact Harrison at 916-414-2425 (TTY 800-877-8339).

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**Mid-Pacific Region  
Sacramento, Calif.**

MP-18-010

Media Contact: Erin Curtis, 916-978-5100, [ecurtis@usbr.gov](mailto:ecurtis@usbr.gov)

For Immediate Release: Jan. 12, 2018

## **Reclamation changes schedule, adds additional public meetings on efforts to maximize Central Valley Project deliveries**

### *Public meeting in Los Banos postponed a week*

SACRAMENTO, Calif. – The Bureau of Reclamation has added an additional meeting and postponed a meeting to give the public more time and more opportunities to provide comments as it prepares an environmental impact statement for Revisions to the Coordinated Long-term Operation of the Central Valley Project and State Water Project, and Related Facilities.

Three public meetings have now been scheduled to gather comments that will be used to develop alternatives to the proposed action. A meeting scheduled for Jan. 16, 2018, in Los Banos has been postponed a week to give the public more time to prepare and attend the meeting.

The new meeting schedule is as follows:

- Tuesday, Jan. 23, from 2-4 p.m. at the Stanford Room, 650 Capitol Mall, Sacramento, CA 95814
- Wednesday, Jan. 24, from 6-8 p.m. at Los Banos Community Center, 645 7th St, Los Banos, CA 93635
- Thursday, Jan. 25, from 6-8 p.m. at Bell Memorial Union (Room 210), CSU Chico, West 2nd St, CA 95929 between Hazel and Chestnut.

Reclamation published a notice of intent to prepare an environmental impact statement, “Revisions to the Coordinated Long-term Operation of the Central Valley Project and State Water Project, and Related Facilities” in the Federal Register: <https://www.federalregister.gov/documents/2017/12/29/2017-28215/notice-of-intent-to-prepare-a-draft-environmental-impact-statement-revisions-to-the-coordinated>

Written comments are due by close of business, Feb. 1, 2018, by U.S. mail or hand-delivery to Katrina Harrison, project manager, Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536; fax 916-414-2439; or email [kharrison@usbr.gov](mailto:kharrison@usbr.gov). For additional information, please contact Harrison at 916-414-2425 (TTY 800-877-8339).

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