

RECLAMATION

Managing Water in the West

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

Public Scoping Report



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

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Attachments

Attachment A Scoping Meeting Notification

Attachment B Scoping Meeting Materials

Attachment C Scoping Comments

List of Abbreviations and Acronyms

CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CDFW	California Department of Fish and Wildlife
CFR	Code of Federal Regulation
COA	Coordinated Operations Agreement
CVP	Central Valley Project
CVPIA	Central Valley Project Improvement Act
DOI	Department of the Interior
DWR	Department of Water Resources
EIS	Environmental Impact Statement
ESA	Endangered Species Act
FACA	Federally Advisory Committee Act
LTO	Long-Term Operation
NEPA	National Environmental Policy Act
NMFS BO	National Marine Fisheries Service's 2009 Biological Opinion on the Long-term Operation of the CVP and SWP
NOI	Notice of Intent
OMR	Old and Middle River
Reclamation	Bureau of Reclamation
RMP	Resource Management Plan
ROD	Record of Decision
RPA	Reasonable and Prudent Alternative
SGMA	Sustainable Groundwater Management Act
SWP	State Water Project

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SWRCB	State Water Resource Control Board
TCD	Temperature Control Device
USFWS BO	U.S. Fish and Wildlife Service's 2008 Biological Opinion on the Long-term Operation of the CVP and SWP
WEST	Water and Energy Sustainability through Technology Act
WIIN	Water Infrastructure for Improvements to the Nation Act

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1.0 Introduction

This report documents the scoping activities that occurred for Revisions to the Coordinated Long-Term Operation of the Central Valley Project and State Water Project, and Related Facilities (Revisions to the LTO). The U.S. Department of the Interior, Bureau of Reclamation (Reclamation), the National Environmental Policy Act (NEPA) lead agency, is planning to prepare an Environmental Impact Statement (EIS) to address the Revisions to the LTO. Accordingly, Reclamation held public scoping meetings to obtain public and stakeholder input and to comply with environmental regulations.

1.1 Scoping Purpose and Process

Scoping is generally defined as “early public consultation,” and is one of the first steps of the NEPA environmental review process. The purpose of scoping is to involve the public, stakeholders, Indian tribes, and other interested parties early in the environmental compliance process to help determine the range of alternatives to be evaluated, the potential environmental effects, and possible mitigation measures to be considered in an environmental document. The results of scoping help to guide an agency’s environmental review of a project.

As part of the scoping process, agencies often conduct public meetings. While scoping is not limited to this form, public meetings do allow interested persons to listen to information about a proposed project or action and express their concerns and viewpoints to the implementing agencies. During scoping meetings, the lead agency generally outlines the proposed project, defines the area of analysis, proposes issues to be addressed in the environmental compliance document, and solicits public comments. An agency also establishes a scoping comment period to accept scoping comments submitted in writing. Scoping comments are considered by the agency during the formulation of alternatives and the scope of the environmental issues to be addressed in the environmental impact analyses.

1.2 Applicable Regulations

Scoping is required by Federal regulations. The scoping requirements for NEPA are outlined below.

1.2.1 National Environmental Policy Act

NEPA regulations (40 Code of Federal Regulations [CFR] 1501.7) require scoping to determine the scope of the issues to be addressed in the environmental review and to identify significant issues. According to NEPA, scoping should occur early on in the environmental review process and should involve the participation of the affected parties.

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The lead Federal agency of the proposed action is required to:

1. “Invite the participation of affected Federal, State, and local agencies, any affected Indian tribe, the proponent of the action, and other interested persons (including those who might not be in accord with the action on environmental grounds);
2. Determine the scope and the significant issues to be analyzed in depth in the EIS;
3. Identify and eliminate from detailed study the issues that are not significant or have been covered by prior environmental review narrowing the discussion of these issues in the statement to a brief presentation of why they will not have a significant effect on the human environment or providing a reference to their coverage elsewhere;
4. Allocate assignments for preparation of the environmental impact statement among the lead and cooperating agencies, with the lead agency retaining responsibility for the statement;
5. Indicate any public Environmental Assessments and other Environmental Impact Statements that are being or will be prepared that are related to but are not part of the scope of the environmental impact statement under consideration;
6. Identify other environmental review and consultation requirements so the lead and cooperating agencies may prepare other required analyses and studies concurrently with, and integrated with, the Environmental Impact Statement; and
7. Indicate the relationship between the timing of the preparation of environmental analyses and the agency’s tentative planning and decision making schedule” (40 CFR 1501.7).

Public involvement activities are required by the Council on Environmental Quality (CEQ) regulations that state: “Agencies shall: Make diligent efforts to involve the public in preparing and implementing their NEPA procedures” (40 CFR 1506.6(a)). Public scoping meetings help to satisfy this requirement.

CEQ regulations (40 CFR 1508.22, 516 DM 2.3D) require the implementing agency to notify the public that it is preparing an EIS for a project under consideration. Reclamation published a Notice of Intent (NOI) in the Federal Register on Friday, December 29, 2017. Attachment A of this scoping report includes a copy of the NOI.

2.0 Project Description

Revisions to the LTO is programmatic planning document that will analyze 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.

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. The project will consider 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 U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) in 2008 and 2009, 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. The project will also evaluate potential changes in laws, regulations and infrastructure that may benefit power marketability. Potential alternatives that may be included are: 1) Actions that increase storage capacity upstream of the Delta for the CVP; 2) Actions that increase storage capacity south of the Delta; 3) Actions that increase export capabilities through the Delta; (4) Actions to generate additional water or that improve and optimize the utilization of water such as desalinization, water conservation, or water reuse; (5) 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; 6) Habitat restoration and ecosystem improvement projects intended to increase fish populations which would be factored into the regulatory process; and 7) Modification to existing state and federal facilities to reduce impacts to listed species.

3.0 Scoping Meetings

Reclamation held three public scoping meetings in January of 2018, regarding preparation of an EIS for the Revisions to the LTO. The first meeting was held in Sacramento, California, on Tuesday, January 23rd, 2018, from 2:00 p.m. to 4:00 p.m. The second meeting took place in Los Banos, California, on Wednesday, January 24th, 2018, from 6:00 p.m. to 8:00 p.m. Reclamation received a formal request from the public that a meeting be held in Chico, California. Thus, a third meeting was held in Chico, California, Thursday, January 25th from 6:00 p.m. to 8:00 p.m.

Approximately 200 people attended the three meetings, including members of the public, landowners, elected officials, and representatives from public agencies.

3.1 Scoping Meeting Notification

Reclamation published a NOI in the Federal Register (Vol. 82, No. 249 / Friday, December 29, 2017), as required by NEPA.

To publicize the meetings, Reclamation published a press release notice and a NOI in the Federal Register. In addition, Reclamation contacted and informed approximately 130 interested parties on the dates, times and locations of the scoping meetings for the Revisions to the LTO.

A press release was distributed by Reclamation on January 12, 2018, to Reclamation's media lists, other newspapers and media outlets. Updated information on the scoping meetings was also distributed by Reclamation on the Bay Delta Office website (<https://www.usbr.gov/mp/BayDeltaOffice/lto.html>).

Attachment A of this scoping report contains a copy of the NOI and the press releases distributed by Reclamation.

3.2 Staff

Table 3-1 is a list of agency staff in attendance during the public scoping meetings.

Table 3-1. Agency Staff at Scoping Meetings

Staff	Affiliation
Federico Barajas	Reclamation
Erin Curtis	Reclamation
David Mooney	Reclamation
Janice Pinero	Reclamation
Katrina Harrison	Reclamation
Armin Halston	Reclamation
Benjamin Nelson	Reclamation
Luke Davis	Reclamation
Jericho Lewis	Reclamation
Margaret Bailey	Reclamation
Fernando Ponce	Reclamation

3.3 Scoping Meeting Format and Content

Meeting participants were greeted at the door and asked to sign in. All names were entered into a distribution list for the exclusive purpose of keeping participants up-to-date on future activities, meetings, and project information.

The public meetings began with a PowerPoint presentation by Reclamation. The presentation explained the purpose of the meeting, provided a brief history of the CVP and SWP, presented an overview of the key components of the potential revisions to the LTO, and described the public scoping process. Following the presentation, participants were able to walk around the room and discuss the project with Program staff members for the “open house” portion of the meeting or provide comment to the court reporter. Three stations with displays were set up and included:

1. Court Reporter
2. NEPA and ESA
3. Alternatives

A staff person was available to talk with the public and answer questions related to the project. A Spanish-speaking interpreter was present at the meetings. Copies of the PowerPoint presentation, and station displays are provided in Attachment B.

Meeting participants were invited to provide verbal and written comments during and after the public presentation. Participants were invited to submit written comments on the

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provided comment cards. A court reporter attended all three meetings to record all verbal comments.

All comments are in the scoping comment report matrix (Attachment C). Copies of the meeting transcripts for the all scoping meetings are also available in Attachment C.

4.0 Scoping Comments

Verbal and written comments were accepted by Reclamation during all three scoping meetings. Additionally, Reclamation accepted written comments through mail, e-mail, and fax, throughout the scoping period of December 29, 2017, through February 1, 2018. A total of 711 written and verbal comment documents were received during the scoping period.

The various organizations including public agencies, tribes, and organizations that provided written comments are presented in Table 4-1 through Table 4-3. In addition to organizations, several hundred individuals provided comments.

Table 4-1. List of Public Agencies That Provided Comments

Public Agencies	
California State Water Resources Control Board – Diane Riddle, Assistant Deputy Director, Division of Water Rights	
Department of Water Resources, Karla A. Nemeth, Director	
Delta Stewardship Council, Jessica Law, Chief Deputy Executive Office	
United States Environmental Protection Agency	
U.S. Department of Agriculture, Christopher Hartley, Office of the Chief Economist	
Humboldt County, Hank Seeman, Deputy-Director	
City of Stockton, Mel Lytle, Deputy City Manager	
Contra Costa County, Ryan Hernandez	
Fresno County	
San Joaquin County, Brandon Nakagawa, Water Resources Coordinator	
City of Folsom, Marcus Yasutake, Environmental & Water Resources Director	
City of Roseville, Richard D. Plecker, Environmental Utilities Director	
City of Sacramento, James Peifer, Department of Utilities	

Table 4-2. List of Tribes that Provided Comments

Tribes	
Hoopa Valley Tribe	
Winnemem Wintu Tribe	
Chicken Ranch Rancheria Me-Wuk Indians of California	
Yurok Tribe	

Table 4-3. List of Organizations That Provided Comments

Organizations	
East Bay Municipal Utility District, Alexander R. Coate, General Manager	Klamath Justice Coalition, Dania Rose Colegrove

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Organizations	
Sacramento River Settlement Contractors, Roger Cornwell, President	Save the American River Association, Stephen Green, President
South Valley Water Association, Alex Peltzer, General Counsel	North Coast Rivers Alliance, Stephen C. Volker, Attorney
American River Contractors	Pacific Coast Federation of Fisherman's Association, Stephen C. Volker, Attorney
Contra Costa Water District, Leah Orloff, Water Resources Manager	The Institute for Fisheries Resources, Stephen C. Volker, Attorney
Contra Costa County Water Agency, Ryan Hernandez, Manager	San Francisco Crab Boat Owners Association, Stephen C. Volker, Attorney
Friant Water Authority, Jeffrey Payne, Director of Water Policy	Audubon California, Meghan Hertel, Interim State Co-Director
San Juan Water District, Paul Helliker, General Manager	Delta Fly Fishers, Ronald A. Forbes, Deputy Director
Sacramento County Water Agency, Michael L. Peterson, Director/Agency Engineer	AquAlliance, Barbara Vlamis, Executive Director
Placer County Water Agency, Elinar Maisch, General Manager	Restore the Delta, Barbara Barrigan-Parrilla, Executive Director
El Dorado Irrigation District, Jim Abercrombie, General Manager	Trinity Lake Revitalization Alliance, Kelli Grant, President
Sacramento Suburban Water District, Dan York, General Manager	California Sportfishing Protection Alliance, Bill Jennings, Chairman
Oakdale Irrigation District	California Water Impact Network, Carolee Krieger, President
Santa Clara Valley Water District, Garth C. Hall, Deputy Operating Officer	California Waterfowl, Jeffrey A. Volberg, Director of Water Law & Policy
San Luis & Delta Mendota Water Authority, Jon D. Rubin, Interim Executive Director and General Counsel	Coalition for a Sustainable Delta, William D. Phillimore
Westlands Water District, Thomas W. Birmingham, General Manager	Golden Gate Salmon Association, John McManus, President
State Water Contractors, Jennifer Pierre, General Manager	South Fork Trinity Up-River Friends, Karen Wilson
Metropolitan Water District, Jeff Kightlinger	National Resources Defense Council, Doug Obegi
North Delta Water Agency, Melinda Terry, Manager	North Delta CARES Action Committee, Barbara Daly, Co-Chair
Sacramento Municipal Utility District, Jon Olson, Director	Defenders of Wildlife, Rachel Zwillinger
Northern California Power Agency, Randy S. Howard, General Manager	The Bay Institute, Gary Bobker
Riparian Farm, LLC, Chris Nelson	San Francisco Baykeeper, Ben Eichenberg
Done-Again Farms, John Monroe, CEO	Salmon River Concerned Citizens, Petey Brucker
California Farm Bureau Federation, Christian C. Scheuring, Managing Counsel	Save California Salmon, Regina Chichizola

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Organizations	
California Farm Water Coalition, Mike Wade, Executive Director	Sacramento River Preservation Trust, Lucas RossMerz, Executive Director
Western Growers, Dave Puglia, Executive Vice President	California Indian Water Commission, Don Hankins, President
Northern California Guides and Sportsman Association, Robert Dunn, Treasurer	Sacramento Water Forum, Tom Gohring, Executive Director
California Delta Chambers & Visitor's Bureau, Bill Wells, Executive Director	San Francisco Crab Boat Owners Association, Stephen C. Volker, Attorney
California Democratic Party's Inland Empire/Desert Region, Ruth Musser-Lopez, Chair	Butte-Yuba-Sutter Water Quality Coalition, Bill Graves

4.1 Comment Summary

This section presents a summary of the comments received during the scoping process. If a similar comment was received from multiple participants, the comments were combined and reported as one comment. The full contents of the comments are included in Attachment C.

4.1.1 Project Purpose, Scope, and Analysis Related Comments

- The project purpose and scope is vaguely defined and makes it difficult to provide substantial comments.
- The scope of the analysis must address climate change, implementation of the San Joaquin Restoration Project, water transfers, including long-term and temporary urgency change petitions.
- Identify water needs including, not only municipal and industrial, but also instream flows needed to protect anadromous fish and other public trust assets. Identify natural water sources that have “excess” or “surplus” water. Define “excess” and “surplus water”. Analysis impacts from drained irrigation lands (e.g. selenium, boron, etc.). Provide details on how fish and wildlife resources can be protected as water supply is maximized.
- Reclamation must identify necessary water quality standards, particularly in Discovery Bay waterways.
- Reclamation’s purpose and need violates NEPA because it is narrowly defined.
- Reclamation’s purpose and need improperly excludes consideration of an alternative that reduces, instead of maximized, water deliveries.
- The scope of the analysis should include impacts on diversion reliability, frequency, water quality, and flow direction at the Freeport Regional Water Project. Also included should be long-term and short-term water transfers at the Freeport Regional Water Project.
- Address potential impacts and proposed changes that may affect Mokelumne Fisheries, specifically those related to the Delta Cross Channel.
- The list of physical facilities that could be considered in the consultation for continuing project operations should be narrowed.
- California WaterFix should not be included in the modeling of ongoing operations. Reclamation should seek a biological opinion that covers the time until California WaterFix becomes operational.
- The inclusion of water right permit conditions and other agreements should not be in the purpose statement. There should not be any inclusion of infrastructure changes and power generation projects in the Notice of Intent’s purpose and need statement for continuing project operations.

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- A comprehensive water and energy supply project should be considered independent of the ongoing consultation on project operations.
- The scope of the consultation should be narrowed to exclude future regulatory changes beyond review of the Reasonable and Prudent Alternatives.
- Department of Water Resources and Department of Fish and Wildlife need to be included in the consultation process.
- The “project area” should be limited to the Delta and its watershed, consistent with the current biological assessment on coordinated State Water Project and Central Valley Project operations.
- Include prospect or “triggers” for developing additional NEPA documentation, including site-specific Environmental Assessments or Environmental Impact Statements for individual projects and/or operation criteria.
- Formulate and analyze an alternative that assumes full or close to full project deliveries, and that relies on actions other than those that cause reductions in water deliveries to comply applicable laws (e.g. non-flow conservation).
- Define and clarify what is meant by a “programmatic approach”.
- Form alternatives that evaluate the need to meet ESA requirements without exacerbating the impact of dedicating surface water from the San Joaquin Valley for uses in the Delta.
- Work with the SWRCB on forming alternatives that identifying private diverters and develop standards that address environmental issues.
- Any analysis of potential alternatives for meeting ESA standards must be supported by the best available science.
- Utilize best available science, especially current information on American River water demands and inflows to Folsom Reservoir.
- Consider the best available science, specifically SWRCB’s finale report for the Phase II update of the Bay-Delta Water Quality Control Plan.
- Evaluate alternatives consistent with the SWRCB’s Bay-Delta Water Quality Control Plan.
- The goal of proposed changes should be more reliable deliveries for all CVP contractors and not an increase in supplies available south-of-the-Delta at the expense of impacts upstream on reservoir storage levels, fisheries, water rights and CVP contractor allocations, and overall water supply reliability, especially in dry and multi-dry year scenarios.

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- The NOI fails to acknowledge that reinitiation of consultation is required because existing operations of the CVP and SWP are jeopardizing the continued existence and recovery of ESA-listed species.
- Consider alternatives that focus on reduction of water, including one or more alternatives that are consistent with the flow and export limitations identified in the SWRCB 2017 Final Scientific Basis Report.
- Evaluate the effects of potential changes to the Coordinated Operating Agreement.
- The environmental baseline must include existing environmental protections (e.g. full implementation of the RPAs).
- The EIS should analyze potential effects from COA and Unimpaired Flow Criteria.
- The EIS should analyze how various future operations or facility additions will either improve or degrade the current challenges associated with CVP power.
- The EIS should analyze funding impacts, and consider alternative funding sources related to CVP power. Specifically consider the potential impacts of loss of CVP customer revenues.
- Evaluate how the potential alternatives considered will ensure compliance with the Wilkins Slough 5,000 cfs navigation flow standard, which is not discretionary.
- When presenting effects, describe them in terms of magnitude and/or population levels.
- Clarify any specific actions so that they will not impede water rights of the San Joaquin River exchange contractors.
- The EIS should not consider assessment or consideration of alternative San Joaquin River releases from Millerton Reservoir.
- Conduct analysis to ensure that the CVPIA Restoration Fund is fully appropriated and collected annually to provide the necessary funding to meet Level 4 refuge water supply requirements.
- Consider an alternative in which implementation of OMR restrictions is dependent on the relative impact of individual diversion facilities. The alternative should include consideration of pre-screen loss that occurs at Clifton Court Forebay.
- There is no need to consult 20 years into the future, as California WaterFix will occur in that timeframe and will result in an additional consultation.
- With regards to Power, consider whether the current package of regulatory and legislative requirements can be achieved by the CVP and SWP, in light of changes in population, global warming, and other environmental factors.

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- Consider alternatives that would consider a direct transmission interconnection at the Banks pumping facilities to the CVP transmission system, along with other similar opportunities that would reduce costs or increase benefits for the two systems.
- Trinity River and Klamath River systems impact power and water operations and should be included as alternatives in the EIS.
- Consider the “water soft path” approach, which involves planning backwards from a desired outcome of water-related goods and services and then figuring out how to meet those needs in an environmentally sustainable and responsible way.
- The focus of the project should be on rational and efficient use of existing water – potentially even reducing water deliveries over time to adapt to the realities of climate change impacts –and corrections to the institutional, market, and legal framework failures that permit such abuse to occur.
- The scope of the project should include scenarios that match any eventual Unimpaired Flow negotiated agreements.
- The scope of the project should include benefits and impacts for salinity management and drainage in areas irrigated by CVP and SWP, or influenced by its operation.
- The scope of the project should include reservoir reoperation and recalculation of flood curves as part of efforts to increase supply and storage.
- Health and economic impacts to tribes and fisherman should be analyzed.
- An analysis of impacts to beneficial uses of water and water quality in the supply, and impacts on fisheries, along with mitigation measure should be considered.
- The Draft EIS should include: A) a comprehensive description of the 1981 Contract between DWR and North of the Delta Water Agency; B) identify the 1981 Contract as a significant legal constraint on the coordinated operation of the CVP/SWP in order to maximize CVP water deliveries; and C) identify in the EIS how proposed long-term coordinated operations will assure water supply reliability, availability, and quality for all North Delta water users.
- All modeling must assume as a “baseline” that the terms and conditions of the 1981 Contract will remain in full force and effect.
- The draft EIS must analyze mitigations associate with repair, modification, or replacement of existing landowner diversion facilities and levees as required under Article 6 of the 1981 Contract.
- The draft EIS should focus on alternatives that are feasible in light of the requirements of the 1981 Contract.

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- Analyze the potential impacts to alter water quality, water surface elevations, and velocities in the North Delta.
- The draft EIS must analyze impacts to the upstream watershed of the Central Valley, as well as identify the source of water.
- The draft EIS must analyze how water diversions create artificial dry years in the San Francisco Bay.
- The draft EIS must contain an alternative that honors the California Water Code Section 85021 that requires all regions of California to reduce their dependence on water imported from the Delta.
- The draft EIS must contain an alternative that focuses on the reduction of water demand.
- Alternatives should incorporate the Conservation Strategy approach included in the 2017 Central Valley Flood Protection Plan, as well as recommendations from the 2008 Listen to the River report.
- Incorporate at least one alternative in the draft EIS that reflects the state policy to “make conservation a California way of life.”
- Analyze how dams and diversions have prevented sediment from flowing into the Bay Estuary, resulting in a large decrease in sandy beaches which corresponds to an increase in coastal erosion.
- The draft EIS should evaluate the development and implementation of a collaborative science plan that would inform and guide continued long-term operations.
- The draft EIS should address every different soil type in California affected by the project action, their different evapotranspiration rates and differing recharge rates through California’s aquifers.
- Consider as an alternative, the Sustainable Water Plan for California, which put out by the Environmental Water Caucus.
- Evaluate alternatives that do not rely on temporary urgency change petitions.
- The draft EIS must evaluate the over allocation of real water in the Central Valley.

4.1.2 Habitat and Fish/Wildlife Biology Related Comments

- The Project action should focus on restoring Endangered Species Act listed species, such as Delta Smelt and Winter-run and Spring-run Chinook Salmon, instead of “maximizing water”.
- Only two Delta Smelt were identified in the latest Delta Smelt count.

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- Global climate change will exasperate habitat conditions in the Delta and will increase the frequency of future droughts. Climate change mitigation and analysis should be considered.
- Increasing water exports will increase salinity and negatively impact native fish species.
- Increasing water exports will detrimentally impact salmon fisheries, aquaculture, and tourism.
- Temperature requirements above Shasta Dam should not impede the delivery of water.
- Improve temperature protections at CVP dams for all salmon runs, including, at a minimum, the January 2017 revised NMFS RMP for temperature control at Shasta Dam.
- Migratory birds require clean water from the Delta.
- Consider the upcoming 2018 permit for longfin smelt in project analysis.
- The project should implement non-flow measures that are more beneficial to fish populations than flow restrictions.
- Address the requirement of the CVPIA that wildlife refuges be provided the full Level 4 supply of water from 2002 forward.
- Evaluate predation by non-native fish on native, listed fish within the Delta as a beneficial non-flow measure to decrease stressors.
- Investigate costs and benefits to opportunities to investigate and establish ecologically based minimum flow schedules for the Sacramento and San Joaquin Rivers in accordance with the needs of species, water quality, and navigation requirements.
- Investigate costs and benefits for invasive species removal and increased take limits in support of salmonid recover and outmigration, especially concerning striped bass populations north of Colusa.
- Investigate costs and benefits to opportunities to deliver water to the Yolo Bypass in support of juvenile salmon rearing habitats and multi-benefit projects.
- Expanded project management options that allow periodic increases of salinity in the interior Delta to better control invasive species that rely on freshwater.
- Protect winter and spring flows as proposed in the Delta Plan update process for the San Joaquin and Sacramento Rivers, as well as consult with fisheries genetic experts on how to improve the duration/timing of these flows to benefit spring and winter runs.

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- Restore Lower Klamath Lake and clean Klamath Irrigation Project's waste water prior to reaching Klamath River. Restoring Lower Klamath Lake can provide additional winter water storage.
- Protect breeding age Kuptu and C'wam fish in Clear Lake.
- Support the Native Fish Recovery Plan.
- A portion of the revenue from release/transfer at New Melones to be used for habitat improvement, Native Fish plan, gravel augmentation, and habitat complexity.
- Include in the alternatives a program to reduce the dewatering of fall-run redds in the Sacramento River after Keswick releases are ramped down.
- Reclamation must provide a provision for release of Humboldt County's 50,000 acre feet in addition to fishery flows per the 1955 Trinity River Act.
- The proposed draft EIS must contain a full NEPA, National Historic Preservation Act, and CEQA analysis on any projects associated with fish passage around Shasta Dam.
- Incorporate an alternative in the draft EIS that addresses what Delta in- and out-flows would be needed to achieve the recovery of Delta smelt, longfin smelt, winter-run Chinook salmon, and spring-run Chinook salmon.
- The redirection of water supplies for the benefit of listed anadromous fish, has not improved the populations of those listed species.
- Regulatory water demands will increase with declining aquatic species.
- Chinook salmon populations in the Trinity and Klamath River systems have dropped significantly.
- Augment flows beyond the requirements of the 2000 Trinity River ROD as necessary for preservation and propagation of fish.
- Conduct studies to reduce uncertainty in restoration actions, including; genetic and otolith research, Steelhead population estimates and trends, Fall-run population model, sediment transport model, and avoid hatchery competition or genetic introgression with wild salmon.
- Create a restoration plan that includes publicly vetted and agreed to benchmarks for the recovery of listed species.
- Pumping water kills fish.
- Implement a spring pulse flow to benefit fish species.

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- Implement the 2003 guidance, as described under CVPIA that allows 800,000 acre feet for the purpose of the environment.

4.1.3 Agriculture Related Comments

- Drought tolerant crops and improved irrigation practices should be adopted in the Central Valley.
- Almond trees and other orchard crops should not be planted in the Central Valley.
- Further increases in the conveyance of water to southern California should not occur.
- Water should be conveyed to the Central Valley to support agriculture and the local economy, instead of into the Ocean.
- Cultivation of marijuana detrimentally impacts the Trinity River watershed.
- Increased exports of water will result in increased selenium tainted agricultural runoff going into the Delta.
- Evaluate potential improvements in irrigation efficiency that would enable reduced water during drier years, while still using flood irrigation during wet years, with the ability to transfer water.
- When south of the delta water delivers restricted, permanent crops are lost, which increases the amount of fallowed land and impacts air quality due to dust and particulate matter.
- Provide financial assistance and incentives to more farmers to implement efficient irrigation methods.
- Update district irrigation delivery systems to provide water to farmers when it is needed.
- Investigate costs and benefits to opportunities to prioritize water deliveries based on crop type, soil portfolio, and groundwater conditions.
- Conduct drip irrigation in both agricultural and residential areas.
- Subsidize drip irrigation instead of subsidizing new dams.
- Central Valley agriculture has thrived in the past decade, while the salmon fishing industry has declined.
- Large corporate farms are not growing food for America, but for overseas markets.
- Farm orchards help reduce carbon emissions.

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

- Agricultural interests should not be lumped together. There are many small farms as well as corporate farms that grow a variety of crops in a variety of soil throughout California.
- Food is a national security issue.

4.1.4 Groundwater Related Comments

- Groundwater aquifers have not been fully restored from the previous wet year.
- Pumping of groundwater in northern California should not be considered. Subsidence in the Central Valley has occurred due to pumping of groundwater in southern California.
- Groundwater pumping increases when surface water deliveries to south of the delta are restricted. This impacts soil salinity, infrastructure and energy usage, and land subsidence.
- Change current state law, which allows local government to create local groundwater management authorities, to require such authorities throughout the state.
- Irrigators in Klamath should use federal canals, pumps, and other facilities to convey groundwater they want to sell on the opening market.
- Analyze the consequences of declining Sacramento Valley groundwater levels.
- Identify areas where communities, farms, residential wells, and groundwater dependent ecosystems may be impacted by conjunctive water use.
- Provide a permanent fix to recently identified issues relating to land subsidence along the Friant-Kern Canal.
- No major revisions to the CVP and SWP should occur until all critically over drafted basins have developed a Groundwater Sustainability Plan by 2024, as required under SGMA.
- Incorporate more groundwater monitoring.

4.1.5 Regulation Related Comments

- Current environmental regulations should be reviewed and reduced, specifically the Endangered Species Act.
- The Endangered Species Act should update and amend harm and hardships, which burden people, industry, and economics, and place them as a priority.
- Reclamation must maintain the specific environmental mandates from the Central Valley Project Improvement Act
- Implement the 2009 Delta Plan which mandates co-equal goals of restoring the Delta ecosystem while achieving a reliable water supply.

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

- Reclamation must follow the Delta Reform Act, which mandates that future water solutions must reduce reliance on the Delta.
- Reclamation should coordinate with the U.S. Army Corps of Engineers to determine if a Section 404 permit, under the Clean Water Act, is required.
- The purpose and need statement is inconsistent with state law. Reclamation is obligated to operate the CVP in conformance with state law pursuant to both section 3406 of the CVPIA and section 8 of Reclamation Act of 1902. Cal. Water Code § 85054 establishes co-equal goals of improving water supply reliability and protecting and restoring the Delta ecosystem
- The Sustainable Groundwater Management Act infringes on property rights.
- Investigate costs and benefits to opportunities to prioritize water deliveries based on results from the Sustainable Groundwater Management Act planning process.
- Provide legislative, regulatory, and administrative support to update the water rights system given the future hydrologic uncertainties.
- Reclamation should revisit and carry out to completion provisions directed by Congress in HR 2828 passed in the 108th Congress in 2004.
- Reclamation must comply with state law under section 8 of the Reclamation Act of 1902.
- Follow Fish and Game codes which mandate suitable flows for salmon at dams and in some cases fish passage.
- The Trinity River Act of 1955, Trinity River Basin Fish and Wildlife Restoration Act of 1984, the Federal Clean Water Act Section 303, and the 2000 Trinity River Record of Decision should be included in all alternatives.
- Implement section 4004(a) of the WIIN Act by providing large, quarterly public “brainstorming” workshops.
- Enforce the Endangered Species Act, specifically in the Upper Klamath River Basin with respect to agriculture operations.
- The 2-Gates Fish Protection Project is a violation to the Rivers and Harbors Act.
- Do not take any actions that will weaken the RPA actions from USFWS and NMFS 2008 and 2009 BO.
- Comply with SWRCB Water Rights Decision 1641.
- Withdrawal and reform of the 2003 guidance document regarding the implementation of Section 3606(b)(2) of the CVPIA.

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

- Do not incorporate any modifications to regulatory requirements into the draft EIS.
- CEQA requires that lead agencies identify in their EIR the alternative that is environmentally superior to all others, including the proposed action/project.
- The NOI is illegal as it is in direct violation of the DOI Solicitor's memorandum of December 23, 2104.
- Take full advantage of WIIN Act operational flexibility.

4.1.6 Water Storage and Conveyance Related Comments

- Research and funding should be focused on water alternatives, such as; desalinization plants, rain water retention ponds, urban storm water recapture, recycling, and water reuse (e.g. grey water).
- Consider local and regional water supply projects such as; San Luis Reservoir and proposed and potential groundwater banking projects (including on-farm recharge projects).
- Affirm the amount of water available in the Sacramento River watershed.
- New storage facilities, such as Sites, Temperance, and other Dams and storage facilities should not be associated with this EIS or any reasonable alternatives to maximize water deliveries and optimize power.
- The scope of the project should include all existing and proposed CVP and SWP service areas, and storage and export facilities, along with areas where non-flow habitat projects might be recommended/required.
- Raising Shasta Dam, the expansion of San Luis Reservoir, the expansion of Los Vaqueros Reservoir, Temperance Flat Dam, and Sites Reservoir should be the main focus.
- Focus attention on fixing/repairing any aging infrastructure.
- Restore Tulare Lake Basin for increased storage capacity south of the Delta and as percolation ponds to restore ground water.
- Improve groundwater storage and groundwater management, including control of Kern Water Bank.
- Incorporate the Modified Flow Management Standard.
- Facilitate carryover storage of winter water for spring irrigation in San Luis Reservoir for South of the Delta refuges.

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

- Restore natural sinks and basins throughout the Central Valley as a means to provide surface storage and groundwater recharge. This could be achieved through land retirement.
- Restore natural flow regimes in the Delta, which would provide water within basins for local use.
- Evaluate eliminating Fall X2 Action (Action 4) and Component 3 of the Reasonable and Prudent Alternative prescribed by USFWS in its 2008 BO.
- Reclamation should participate in California WaterFix or at a minimum, affirm support for the project.
- Investigate costs and benefits to opportunities to increase efficiency of Delta outflows and pumping operations in the South Delta.
- Evaluate the safety of all CVP dams, specifically the earthen dam at Trinity Lake.
- Change the index for New Melones to a hydrologic index for river releases that is more reactive to current hydrologic conditions of year (e.g. 60-20-20 for the San Joaquin River Basin). The current index devastates storage.
- Release/transfer 25-100,000 acre-feet per year for the next ten years. Releases would be made available March to May. Any water not released would be stored by Reclamation, pursuant to a Warren Act Contract.
- Reschedule guidelines related to New Melones for Stockton East Water District and Central San Joaquin Water Conservation District.
- Consider a conveyance facility to move excess Tuolumne River water to Oakdale Irrigation District. Back Oakdale Irrigation District deliveries up into New Meolones.
- Oakdale Irrigation District and South San Joaquin Irrigation District “conserved water” should be stored in New Melones and made accessible to the Districts.
- Stockton East Water District and Central San Joaquin Water Conservation District’s “unused allocation” should be stored in New Melones for use in subsequent years.
- Evaluate alternatives that include the Sierra/Cascade watershed management that rehabilitates mountain meadow restoration and restores wildfire into the fire-evolved ecosystem.
- Water exporters should be cut back to three million acre feet until a safe amount of water exports can be determined.

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

- The draft EIS must consider ways to capture and export more water during periods of high Delta outflow, as well as the effectiveness of increased storage capacity in the south-of-Delta export areas.
- Reclamation should maintain a requirement for a minimum cold water storage in Trinity Reservoir for salmon and steelhead runs.
- Establish a minimum pool volume of 900,000 to 1,000,000 acre feet at Trinity Reservoir to protect an adequate lake level for boating facilities and a cold water source for fishery restoration on the Trinity River. If unable to establish request, mitigate the impact by funding the construction of low-water boat launch facilities and Trinity Center and Fairview.
- Only waters that are surplus to the Trinity and Klamath River basins may be diverted to the Central Valley.
- The NOI is inadequate as it does not contain an option evaluating the removal of the Trinity and Lewiston dams, or the option of terminating the CVP in its entirety.
- The Sierra snowpack is diminishing and drought is a fact of life for California.
- Consider the Storage Integration Study by ACWA.
- Consider on-going maintenance, repair, rehabilitation, modernization and improvement of existing Reclamation and Corps structures and facilities.
- Include a proposed 100,000 acre foot year Tulare Lake Storage and Floodwater Protection Project, a 100,000 acre foot per year Kern Fan Groundwater Storage Project, and new proposed 30,000 acre foot per year groundwater water bank partnership between Delano-Earlimart Irrigation District and Pixley Irrigation District on the Eastside of the San Joaquin Valley.
- Seasonally inundate floodplains.
- Sediment at the bottom of reservoirs leads to less water storage.
- Decrease forest cutting, road building, and development in the Sierra/Cascades will help water sequestration.
- Do not raise Shasta Dam.
- Do not drain the Tuscan aquifer.
- Consider a Salinity Control Mechanism that would restrict the tide and save fresh water.
- Better management of our forests improves storage of water.

4.1.7 Power Generation and CVPIA Restoration Fund Related Comments

- Net prices for CVP power could soon exceed market rates and CVP power is currently difficult to predict for planning
- Known proposals to move generation to spring may further diminish the market value of power.
- Climate change may impact future power generation
- Lower water deliveries shift costs to power.
- CVP operations, maintenance, repayment, and Restoration Fund program rely heavily on funding that is provided by CVP water and power customers.
- Effects of hydropower generation projects upstream of Folsom Reservoir should be analyzed.
- Finalize the Croffsets proposal.
- Finalize the Cost Allocation Study, which will reduce the capital repayment obligation for commercial power contractors.
- Reclamation should revise ability-to-pay waivers and accounting practices. Specifically, ability-to-pay waiver for CVP water contractors.
- Revise State Trust Fund accounting practices.
- Reset the three-year rolling average. The three-year rolling average is uneven due to inconsistent collections from earlier years.
- Assist WAPA in providing an increased annual Croffsets credit.
- Change California's definition of renewable energy to include existing CVP hydropower facilities.
- All CVP facilities should utilize solar energy.
- U.S. Department of the Interior should maintain fair power costs for irrigators in the Klamath Project rather than reduce them.
- Construct a cold water convenience system through Lewiston Reservoir to Trinity River from Trinity Reservoir. More water from Trinity Reservoir would be available to valley users and for power generation later in the season.
- Consider solar and wind generation as an alternative.

4.1.8 Cultural Related Comments

- Beneficiaries with historic ties to the traditional cultural regions of California, regardless of federal recognition status, should be engaged in identifying impacts of the projects on their homelands.
- Assess spiritual and metaphysical parameters in the environmental impact analysis. Specifically, use the Mauri-o-meter.
- Coordinate with Gerald Jones, Bureau of Indian Affairs. Be inclusive and conduct outreach with all beneficiaries.
- Lands should be deeded back to beneficiaries.
- Initiate a government-to-government relationship between Reclamation and Chicken Ranch Rancheria Me-Wuk Indians of California on all matters relating to CVP facilities within the Stanislaus River watershed, including the preparation of this EIS.
- Accept Chicken Ranch Rancheria Me-Wuk Indians of California's request to be identified as a cooperating agency for the preparation of this EIS.
- The Draft EIS must evaluate impacts to indigenous people and the cultural ramifications of raising Shasta Dam.
- The Winnemem Wintu Tribe must be considered consulting parties.
- Consider the SWRCB's recent approved beneficial uses for tribal/cultural subsistence fishing and evaluate the impacts and mitigation measures to those uses.
- Coordinate and integrate operation of the CVP and Trinity River Division with the Klamath Irrigation Project in a joint directorate with the Hoopa Valley Tribe.
- Upgrade the Trinity River Division hatchery facilities and fund Hoopa Valley Tribe plans for additional selective harvest. Transfer management of the hatchery facility to the Hoopa Valley Tribe.
- Fulfill trust obligations to mitigate, protect, and restore the Hoopa Valley Tribe's trust resources.
- Evaluate and adopt an allocation of CVP power to the Hoopa Valley Tribe.
- Make the 1914 act of congress legit.

4.1.9 Miscellaneous Comments

- A third scoping meeting should be held in Chico, California
- The California WaterFix Project should not occur or be considered as an alternative.

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

- Adopt minimum cold-water carryover storage in Trinity Lake as described in Reclamation Record of Decision for the Trinity River Restoration. Adopt a minimum lake level that ensures Clark Springs and Fairview boat ramps remain in the water (90% forecast), or adopt mitigation measures if the lake is managed at lower levels.
- Replace Clifton Court Forebay's 1.5 mile levee with a fish screen, specifically ZeeWeed fish screen. Fill the Clifton Court Forebay at nighttime and use only natural flows during the daytime. Increase the capacity of Clifton Court Forebay by dredging. Add shipping lock and tidally controlled louvers to reduce salt water intrusion into the Delta.
- Connect the Folsom South Canal via the Freeport pipeline extension 10.7 miles south to connect to the East Bay Municipal Utility District aqueducts. Improves conveyance of and storage of water. Use of a "Lucid Pipe" can add hydroelectric power generation.
- Add a 30 foot diameter pipeline from Sherman Island to Tracy Pumps to capture water on the north side of Sherman Island.
- Construct a gate system to limit the intrusion of salt-water into the Delta.
- Construct small dams near inflow points of lakes/reservoirs and annually dredge out sediments behind these small dams, sending the sediments to nearby farm lands.
- Friant Water Authority has suffered frequent shortages of contract maximum allocations and have supported a fair share of environmental obligations to the Central Valley Project.
- Reclamation should not allow the California State Water Resources Control Board to impede deliveries from Shasta to the CVP.
- Empower the State Water Resources Control Board to act as an independent body by changing the appointment and funding processes.
- Develop economic strategies, including pricing, water markets, and water transfer agreements that provide incentives to improve efficiency rather than incentives to consume water.
- Maintain equal priority among CVP contractors.
- Reclamation should facilitate inter-refuge transfers among Federal and State refuges.
- Diverting of water from Trinity Lake should be agreed to by Trinity County residents.
- Clarify that Reinitiation of Consultation on the Long-term Operation of the CVP and SWP are occurring separately from this NOI.
- Consider the WEST Act put forward by Jerry McNerney.

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

- Include the United State Department of Agriculture as a cooperating agency.
- Investigate costs and benefits to opportunities to calculate and re-establish contracted water rights and the real supply available during wet and dry years to meet contracted demands.
- Investigate costs and benefits to opportunities to limit the transfer of CVP and SWP water from agriculture and municipal uses for energy extraction like hydraulic fracturing.
- Investigate costs and benefits to opportunities to increase the floodplain using setback levees along streams and the main stem of the Sacramento River between Red Bluff and Colusa. Include the purchase of private lands within the floodplain.
- Investigate costs and benefits to opportunities associated with supplying water to the Salton Sea to avoid air quality impacts.
- Land and water rights should be retired.
- Retire farming lands of the East San Joaquin Valley.
- Reclamation's eight Trinity River water permits are not consistent with North Coast Basin Plan temperature objectives and instream flows under the Trinity Record of Decision.
- Address excessive subsidies provided exclusively to Klamath Basin irrigators, which are out of proportion to subsidies and benefits provided to Delta and Central Valley growers.
- Regulate agriculture pollution and consider the effects of pesticides and fertilizers on water quality.
- Federal irrigation water receipts should go to the Federal Treasury.
- Examine/Revisit the 2013 Biological Opinion with regards to Klamath River Basin flows and salmon.
- Consider the allocation of needs for quantities of water required for fire suppression.
- End fracking.
- Conduct a moratorium on golf courses and artificial lakes in arid communities.
- Petition the State Water Board to modify Dissolved Oxygen objective with regards to New Melones and Stanislaus River.
- Eliminate NMFS RPA Appendix 2e flows and revert back to California Department of Fish and Wildlife 1988 agreement flows that are a condition of the New Melones Project Permits.

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

- Eliminate RPA water temperature objectives. They either are met or cannot be met.
- Contra Costa County, representatives of other Delta Counties, municipalities, and water agencies should be engaged in developing the proposed action and reasonable alternatives.
- Reclamation should make every effort to stimulate operations on a daily time step through modeling.
- Water quality data should be presented for a full 82 years in the draft EIS, since CALSIM II modeling is performed for an 82-year period.
- The California salmon fishing industry has suffered significantly as Central Valley runs decline.
- Conduct a feasibility study and environmental document to address the temperature issue in Lewiston Reservoir.
- Consider limited dam removal and off-stream reservoirs to support natural salmon runs.
- Provide shade over open canals, preferably with solar panels.
- Incorporate findings about water quality “stressors” from the Delta Independent Science Board’s recent water quality science review.
- The DOI did not reinstate the Trinity Adaptive Management Working Group following its review of committees and their compliance with FACA.
- The appointment of Deputy Secretary Bernhardt should not have occurred due to the various conflicts of interest.
- Due to federal budget constraints, consider transfer of ownership and operation of existing Reclamation facilities, federal-state-local-private partnerships, and creative new financing arrangements.
- Improve hatchery management.
- Safe harbor for dry-year rescue efforts, dry-year channel modification and maintenance for emergency fish passage, modern conservation hatchery techniques, and managed trucking and barging.
- Illegal marijuana grows in National Forests lead to water pollution.
- The comment period is uncomfortable short and very concerning that it was published in the Federal Register on December 29.

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

- Provide a clear timeline for completion of the EIS, as well as ample notice and time be given for responses.
- Define the term “mitigation” in the draft EIS.
- Avoid language that prompts the north versus south narrative in California.
- The draft EIS should include the cost of Oroville Dam spillway break and compare and contrast the economic costs of the break versus the economic cost of the maintenance that should have occurred.
- Continue salmonid habitat enhancement in partnership with USFWS, CDFW, and the Water Forum.
- As described in the NMFS 2009 BO, implement power bypass monetary fund, improve Folsom TCD, reduce warming across Lake Natoma, and improve water temperature management decision tools.
- Work with the U.S. Forest Service to prioritize water yield.
- The Scoping Process at the Chico meeting was unorganized.
- There should be more focus on better communication between water users.
- Selenium is an issue in the drainage areas, such as Kesterson, of the San Joaquin Valley.
- In the draft EIS, include Suisan marsh water issues, specifically increased salinity.

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Attachment A

**SCOPING MEETING
NOTIFICATION**

(See attachment)

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Attachment B

**SCOPING MEETING
MATERIALS**

(See attachment)

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

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Attachment C

SCOPING COMMENTS

(See attachment)

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

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