

Greene, Alicia M.

From: Veronese, Gina
Sent: Thursday, February 17, 2011 9:31 PM
To: Greene, Alicia M.
Subject: FW: water transfers

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Thursday, February 17, 2011 8:27 PM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: Fw: water transfers

For record.

From: Bruce Meyer <btmeyer@chico.com>
To: Hubbard, Bradley C
Sent: Thu Feb 17 20:54:59 2011
Subject: water transfers

Hello Mr. Hubbard,

I appreciate the opportunity to respond to the Bureau's proposal of water transfers from Butte Co. I have three points to make:

1) This is just a bad idea. Removing water from Butte Co. will jeopardize the quality of life in the area. The local population relies on the availability of water for its livelihood and survival. Replacing marketed surface water with pumped aquifer water can only lead to diminished supply and further compromise of communities that are already defined as "disadvantaged".

2) The legality of the proposal is in question. The original contracts with the water supplier (Bureau of Reclamation) surely prohibits the sell of water (provided by the Bureau) to a second agency. And if profit is involved, certainly the Bureau of Reclamation would not supply surface water to any agency and allow that agency to sell the provided water at a profit.

3) If this proposal is allowed to go forward, an EIR would certainly be warranted to protect the residents of Butte Co. Determining withdrawal limits, monitoring consequences, and assessing liability are topics that would certainly have to be addressed.

At the Chico meeting on January 11, 2011, a number of questions went unanswered and in developing further conservation concerning this proposal I feel that the following 3 questions are pertinent:

- 1) Who initiated this proposal?
- 2) Who are the proposed sellers and buyers?
- 3) What guarantees do the residents of Butte Co. have in protecting their water supply?

Thank you for your attention to these concerns and I look forward to your response to my questions.

Sincerely, Bruce T. Meyer
2045 Manzanita Ave. Chico, Ca. 95928

Greene, Alicia M.

From: Veronese, Gina
Sent: Wednesday, January 19, 2011 9:54 AM
To: Greene, Alicia M.
Subject: FW: EIS/EIR Development for long term water transfers-public scoping

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Tuesday, January 18, 2011 4:37 PM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: FW: EIS/EIR Development for long term water transfers-public scoping

Gina, Here is another comment received.

Thanks,
Brad

From: rmeyers@digitalpath.net [mailto:rmeyers@digitalpath.net]
Sent: Monday, January 17, 2011 1:29 PM
To: Hubbard, Bradley C
Subject: EIS/EIR Development for long term water transfers-public scoping

Mr. Brad Hubbard
Bureau of Reclamation
Sacramento, Ca.

“The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.”

The “American Public” is a much broader and more important interest than the corporate farming interests represented by San Luis and Delta Mendota Water Authority. There are thousands of people in the north state that rely on the Tuscan Aquifer for their economic interests, environmental interests and for water for their home and farm use. Any proposal to pump groundwater in a sustained way to replace irrigation water previously obtained from surface water has been proven to affect the Tuscan Aquifer. In 1994 there was sustained pumping to replace water sold south and we had numerous well failures in the Durham area. Until long-term studies can prove that there will be no effect, no agency can claim there will be any mitigation that will work. I am personally dependant on a spring fed home water system, possibly linked to the Tuscan Aquifer. I live in the foothills outside of Oroville. When my spring fails because of sustained pumping of water from the Tuscan Aquifer will the Bureau of Reclamation find some way to mitigate that?

The Bureau is involved in a court case right now challenging the EA and FONSI for the NEPA Document for the 2010-2011 CVP Water Transfers. For the bureau to start another, longer plan for water transfers with no decision on this court case seems like very poor planning. These “scoping meetings” are premature and have no actual proposal to comment on. There is no project to develop any EIS on, no concrete figures of how much water SLDMWA is looking to buy, and no statement about who is willing to sell water (therefore no locale to pinpoint any environmental impacts). The North valley is a huge and diverse area, for the bureau to lump it all into an EIS for some undefined amount of water grab will probably soon be found to be illegal.

I don't know about NEPA but for CEQA the "Lead Agency" is the agency with authority to accept or deny the EIR (EIS for NEPA) and to develop and approve mitigation measures needed. How in the world does SLDMWA become a "Lead Agency" in this proposal when they are the "customer" and "end user"? SLDMWA benefits from, initiates the need, sets the price, and now, with this proposal, becomes the environmental and economic watchdog for these undefined water transfers. Talk about "the fox guarding the henhouse!"

Historically the area encompassed by SLDMWA was used mainly for "Truck Farming". The seasonal nature of this allows a farmer to change his crops to allow for the cyclic drought and wet years of California's climate. In Northern California we have a mixture of crops with orchard crops making up a large percentage of the plantings. Our average rainfall is large enough that we seldom need to irrigate in the winter and spring, and the groundwater table is stable. The central valley uses 3 to 4 times the yearly water needs of the same crop grown in the north state. The rice farms that usually make up the "willing sellers" in this project have neighbors who have orchard crops and depend on the ground water for their crops viability. These "willing sellers" and "willing buyers" are also mostly made up of large corporate farms with their short term outlook for profit and loss that drives them to look at water as a commodity rather than an environmental and economic resource.

Water is not a "resource" to be mined and sold for profit. Water is a right and an ecological need for us in the north state. To make a long term commitment to sell water for marginal farming and to plan to do so in "drought years" when north state flora and fauna are at their most vulnerable seems unconscionable to me. For the bureau to rush to judgment on this issue because of a manufactured "need" for water by farmers who are trying to farm crops ill-suited to the desert they live in, without first addressing the very real concerns of the broad cross-section of people at the meeting in Chico, would be completely abrogating the duties listed in their "Mission Statement" quoted as the first lines of this letter.

Thank You,
Richard Meyers
3503 Dry Creek Road
Oroville, Ca. 95965
rmeyers@digitalpath.net



LONG-TERM NORTH TO SOUTH WATER TRANSFERS EIS/EIR COMMENT SHEET

There are several options to provide written comments. You can provide your written comments by turning in this form at the scoping meeting. You may also e-mail your comments directly to bhubbard@usbr.gov or frances.mizuno@sldmwa.org with the subject line "Long-Term North to South Water Transfers" or mail this form to the Bureau of Reclamation (mailing address is on the back of this card). Whatever method you choose, please note that all written comments must be received by **5:00 p.m. (Pacific Standard Time) on February 28, 2011.**

PLEASE PRINT CLEARLY. PLEASE NOTE THAT ALL COMMENTS BECOME PART OF THE PUBLIC RECORD.

Name: Eric Miller

Organization (if applicable): citizen (and local consultant)

Address: 2988 Butterfly Lane, Chico CA 95973

Phone: (530) 899-9055 Fax: (530) 892-1796

E-mail: ~~eric.miller@usbr.gov~~ eric.miller@npengineering.net

Date: 1/11/11

BUREAU OF RECLAMATION OFFICIAL FILE COPY RECEIVED	
JAN 12 '11	
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Comment: I provided verbal comments to the court reporter but want to reiterate that ~~I understand~~ I understand the water transfer issues and generally support the concepts, with three caveats:

(1) Fund to mitigate negative impacts to third parties and to the environment should be created. This is the cost of doing business.

(2) Groundwater modeling AND a ~~robust~~ robust field monitoring program is necessary to verify results and ensure Basin Management Objectives (BMO's) are in compliance

Please make sure that the environmental addresses these concerns.

Eric Miller
Chico, CA

Classification	ENV 600
Project	STW
File No.	11003286
Folder ID	1142370
Date Input & Initials	1-13-2011 IW

Greene, Alicia M.

From: Veronese, Gina
Sent: Monday, February 28, 2011 8:21 AM
To: Greene, Alicia M.
Subject: FW: Long-Term North to South Water Transfers

-----Original Message-----

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Sunday, February 27, 2011 5:55 PM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: Fw: Long-Term North to South Water Transfers

Comment for record.

----- Original Message -----

From: Jan Mountjoy <janmhayfork@gmail.com>
To: Hubbard, Bradley C
Sent: Sat Feb 26 19:24:47 2011
Subject: Long-Term North to South Water Transfers

As a resident of Trinity County in Northern California, I am against the program to grant long term North-South Water Transfers. We already have limitations on our modest growth projections from existing water transfers and we need the water for our fisheries and recreational river and lake economy.

Please consider these comments in your decision.

Thank you,

Jan Mountjoy
Hayfork, CA 96041

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



January 19, 2011

Frances Mizuno
San Luis and Delta Mendota Water Authority
P.O. Box 2157
Los Banos, CA 93635

RE: SCH# 2011011010 Long-Term North to South Water Transfer Program; Lake, Modoc, Shasta, Sierra, Lassen, Tehama, Plumas and Butte Counties.

Dear Ms. Mizuno:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Preparation (NOP) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. USGS 7.5 minute quadrangle name, township, range and section required.
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez

Katy Sanchez
Program Analyst
(916) 653-4040

cc: State Clearinghouse



This article was printed from the Local Stories section of the *Chico News & Review*, originally published January 6, 2011.

This article may be read online at:

<http://www.newsreview.com/chico/content?oid=1900955>

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Printed on 2011-01-17.

At long last, water transfers get analyzed

Upcoming meeting to discuss impacts of pumping from north to south

By [Meredith J. Cooper](#)

Next week, a new chapter in North State water history will begin with discussion of an environmental review of transferring water from the North State down south. For water advocates like Barbara Vlamis, it's about time.

“This is what we've been clamoring for for more than a decade and a half,” said the executive director of the advocacy group AquAlliance. “I guess there's an element of satisfaction, but it's really shameful that it's taken 15 years of public pressure and follow-through to have public agencies follow their own laws.”

What Vlamis is referring to is the transfer of surface water to regions in the south. In the early 1990s, agencies “flirted with the idea,” and often fields would remain fallow so that surface water could be sold south. But as the years wore on, despite a negative experience early on, it became common practice to pump groundwater from the Tuscan aquifer to replace the surface water that was being sold—so those fields that had previously remained fallow could instead be operational.

But until now, projects were short-term and never required an environmental review. Next Tuesday's meeting (Jan. 11) will be the public's first opportunity to voice concerns about the environmental impacts of transferring water out of this region. The federal Bureau of Reclamation, which touts itself on its website as “the largest wholesaler of water in the country,” and the San Luis Delta Mendota Water Authority want to ink a 10-year plan to transfer water from Northern California south and are seeking public input on how to study the project's environmental impacts.

For Vlamis, this is an opportunity she's lobbied for since 1994, when she was executive director of the Butte Environmental Council (BEC), an environmental organization dedicated to education and advocacy. That year, wells actually went dry because of over-pumping of the aquifer.

Get involved:

Attend a public meeting at 6 p.m. Jan. 11 at the Chico Masonic Family Center, 1110 W. East Ave. The Bureau of Reclamation is seeking suggestions for areas of study for a forthcoming environmental review of its proposal to transfer water from the North State south over a 10-year period.

In 1994, the Western Canal and Richvale water districts sold a significant amount of surface water to Southern California. To make up for the loss, they pumped groundwater. Unfortunately, 1994 turned out to be a drought year, and agricultural and residential wells in the Durham area went dry. A Durham municipal well even had to be shut down, Vlamis recalled.

“We saw what happened to the wells, but there was no monitoring of the environment,” she said. “If they want to do this for 10 years, the potential to compound the impacts is huge.”

Robin Huffman, advocacy director at BEC, agrees.

“A 10-year plan is basically institutionalizing water transfers,” she said recently by phone.

Both women emphasized that the public should be very concerned about such a project and encouraged everyone to get involved.

“The agencies need to know that the people up here care,” Vlamis said.

For her part, she hopes to learn what the impact of transfers is on local creeks, ecosystems, wells and farms. In addition, she hopes to see a system in place to monitor changes in the local environment and a policy that would stop transfers if significant negative impacts are found.

Huffman’s questions for the Bureau of Reclamation hinge around the details of the project, which are as yet unknown.

“What is the program exactly? How deep are they going to go? How much can they transfer? And shouldn’t it depend on how much rainfall we get that year?” she posed. “We need to make sure it’s sustainable. We have a relatively healthy system right now, and we want to keep it healthy.”

An e-mail and phone message left for Brad Hubbard, project manager for the Bureau of Reclamation, seeking further information about the plan were not returned by press time. A meeting-notice document posted on the AquAlliance website (www.aqualliance.net) says the details—such as who can sell water to whom, what the limits will be, and what the impacts will be on a variety of resources—will be included in the environmental-review document.

Water Transfer Meeting Draws Huge Crowd



Reported by: [Alan Marsden](#)
Email: amarsden@khsltv.com
Last Update: 12:06 am



[Print Story](#) |



Nearly 200 people, concerned over water transfers to the San Joaquin Valley, crowded an informational meeting in Chico Tuesday night. Organizers seemed to even be a little unprepared for the huge turnout. At issue, transferring water from the North State to parched farmland in the Central Valley, south of the Delta.

The Bureau of Reclamation explained its 10-year-plan to accommodate the sale of water by those who have it in the North to those who need it in the South. They're looking for public input in preparing an environmental impact report.

Farmers and environmentalists are particularly worried that ground water will be depleted and the North State will be left high and dry. Barbara Vlamis of the group AquAlliance said the dry desert conditions of the Central Valley region is no place for farming. "The people that really don't have water, their watersheds are dry, they want water to farm in a desert," said Vlamis. "That is the biggest problem."

Louis Moore, a Bureau of Reclamation spokesman, said Tuesday night's meeting was important to hear these types of concerns. "Water's one of those things everybody needs," said Moore. "Everybody wants it and we have to figure out, based on the fact we have a limited resource, how do we get the best out of what we have?"

<http://www.khsltv.com/content/localnews/story/Water-Transfer-Meeting-Draws-Huge-Crowd/OkbqGeImlUO2Jsac206AOw.csp>

Water transfer meeting comes to boiling point

By JEN SIINO -Staff Writer

Posted: 01/12/2011 01:07:17 AM PST

CHICO — More than 200 people crowded into a room prepared for 50 to voice opinions about water transfers at the Chico Masonic Family Center Tuesday evening.

The event is the first of three scoping meetings to be held by the Bureau of Reclamation and the San Luis & Delta Mendota Water Authority regarding the Long-Term North to South Water Transfer Program.

Other events are scheduled today in Sacramento and Thursday in Los Banos.

The meeting aimed to gain comment on what should be included in a joint environmental impact statement/environmental impact report.

The meeting included a PowerPoint presentation and was supposed to be followed by an "open house" where citizens could approach designated areas about specific topics, such as transfer types and resources.

However, not long into the initial presentation by Brad Hubbard, project manager for the Bureau of Reclamation, audience members started asking questions.

Though the questions were supposed to be taken after the presentation, the audience insisted on being heard. One man even made a formal motion to change the format, saying they didn't want to do an open house and would rather hear each others' questions and have them answered. The idea was met with a resounding "aye" from the audience members in favor.

Audience members requested their questions be answered directly, and Frances Mizuno, assistant executive director for San Luis & Delta Mendota Water Authority jumped into the hot seat.

Mizuno tried to answer questions, but often came up short on specifics. She responded to more than one question by saying she didn't know the answer at that time.

For the remainder of the evening, citizens took two-minute turns at the microphone, sharing concerns and posing questions.

Common concerns were conservation and misuse of water and where it would be going. One main issue dealt with water not going to southern California and another with who would take responsibility for possibly harmful environmental effects.

These general concerns seemed to be shared by the majority of the diverse crowd, comprised of everyone from a homeless man, to farmers, to local politicians.

"There are a lot of liberals here and a lot of conservatives here, but on this we are united," said John Janinis, a Chico resident of 50 years. "You will see these people come together like you've never seen before."

Janinis and other speakers commented that water doesn't belong to any group of people and its rights shouldn't be bought or sold, he said.

Others expressed concern the EIS/EIR is intended to be issued next year, which some felt is not enough time to do sufficient research.

Butte County resident Terry Faulkner spoke to the audience about fears of negative environmental impact.

"Who's responsible for dealing with the damages?" Faulkner asked the audience and Bureau of Reclamation employees.

Faulkner also expressed concern over things being handled effectively and mentioned she didn't want the process to "take years of lawsuits."

The meeting's tone, at times, became humorous, too. Local politician Mark Herrera got the crowd laughing by saying he thought the community wasn't interested — adding that the Bureau of Reclamation representatives could still stick around.

Herrera wasn't the only local politician to make an appearance. Former Chico City Council member Tom Nickell was also in attendance.

Early in the meeting, Nickell said he was concerned about how the bureau intends to notify people about what is decided.

He also requested more meetings be held in areas such as Redding and Tehama County to make sure everyone's opinion is heard.

"I think that this interaction is really good," said Louis Moore, public affairs specialist for mid-pacific region of the Bureau of Reclamation. "There was a little bit of angst in the audience, but the people came to grips with, 'wait, this is my chance to say something.'"

Moore added that the purpose of the scoping report was achieved and they got what he considered to be "a lot of passionate input."

[http://www. Orovillemr.com/news/ci_17073976](http://www Orovillemr.com/news/ci_17073976)

FAX 1-916-978-5290

LONG-TERM NORTH TO SOUTH WATER TRANSFERS EIS/EIR COMMENT SHEET



There are several options to provide written comments. You can provide your written comments by turning in this form at the scoping meeting. You may also e-mail your comments directly to bhubbard@usbr.gov or frances.mizuno@sldmwa.org with the subject line "Long-Term North to South Water Transfers" or mail this form to the Bureau of Reclamation (mailing address is on the back of this card). Whatever method you choose, please note that all written comments must be received by **5:00 p.m. (Pacific Standard Time) on February 28, 2011.**

PLEASE PRINT CLEARLY. PLEASE NOTE THAT ALL COMMENTS BECOME PART OF THE PUBLIC RECORD.

Name: Gary Nordstrom

Organization (If applicable): _____

Address: 8892 Durnel Drive

Phone: (1) 530-518-5628 Fax: (1) 530-343-1801

E-mail: 53studeman@gmail.com

Date: 2-25-2011

Comment: My water well has gone dry 2 times: 1994 & 2009, when an emergency was declared and ground water pumped to replace surface water sold. There is a direct correlation between pumping & water loss as determined by monitoring my well. USBR finding of no detrimental impact is false. There is no justification to sell water to Westlands or any water district in southwest San Juanquin to make agricultural land out of desert. I worked for USBR as a drill operator helper in early 1970's and drilled before Tehama-Colusa, Delta-Mendota and pipeline from San Luis Res. to Holister. There was not enough water then to supply the deserts. Its worse now. Quit trying to take my sole source of water.

Greene, Alicia M.

From: Veronese, Gina
Sent: Monday, February 28, 2011 2:29 PM
To: Greene, Alicia M.
Subject: FW: Long Term North to South Water Transfer

From: Frances Mizuno [mailto:frances.mizuno@sldmwa.org]
Sent: Monday, February 28, 2011 1:24 PM
To: Buckman, Carolyn; Veronese, Gina
Cc: bhubbard@usbr.gov
Subject: FW: Long Term North to South Water Transfer

[More comments.](#)

From: GordyOh@aol.com [mailto:GordyOh@aol.com]
Sent: Monday, February 28, 2011 1:15 PM
To: bhubbard@usbr.gov; Frances Mizuno
Subject: Long Term North to South Water Transfer

Long Term North to South Water Transfer ~ **Public Comment Letter**

It is imperative that there should be more public input on this subject.

It is both shocking and disappointing how "quiet" this has been in the media. To have only one meeting on a rainy winters night in Chico is not sufficient nor respectful to all of the communities and farmers of the effected watershed.

My sister farms 1000 acres in Colusa County, and was livid that the meeting was so far away. As a fifth generation farmer on the same land, she suggested that there should be a public meeting every sixty miles from Sacramento to Susanville.

I have lived here all my life and know intimately the panic-feeling of when the well goes dry in September. It already happens, and we cannot drain water from this area in a greater degree. Each of my neighbors wells are tenuous and 1/3 are currently drilling them deeper.

To lower the aquifer would kill, stunt, or damage immeasurably the trees and streams throughout the landscape, far beyond the immediate riparian flora and fauna. You see, it is all connected. The California landscape would change, our world would literally dry-up. Taking water from the north-state, thereby killing tress and plants would remove the cleansing action of the living vegetation. Live, growing vegetation of all varieties, replenish the oxygen we breath, remove carbon-dioxide and cool the air. It is where fresh air comes from.

This northern part of our state, the Sacramento Valley, is one of the largest wild bird flyways in the world. A major route of the whole world. As they fly from the southern part of the globe to Alaska, this is where they rest, feed, and procreate. The water wetlands nurture literally millions. Please do not tamper with this delicate regional balance.

One last point; as a businessman I must point out that the farmers in the southern area show signs of being bad farmers/bad businessmen. They are overextending themselves beyond their resources. Because these men have made bad choices beyond the ability of the land to sustain and produce, or are possibly simply driven by greed, that is no justification to take from another community leaving it worse off. These actions of insensitive selfish desire should not be rewarded.

We live here. It is not right to steal from another.

Thank you for registering my comments. In closing, may I urge you to be open to the input of others. Please consider that some actions may be clever...but not wise.

Thank you~

~ Gordy Ohliger
Butte County Homeowner
530 891-3354

Carole S. Oles
286 East Sacramento Ave.
Chico, CA 95926
February 25, 2011

Mr. Brad Hubbard
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825, MP-410

Dear Mr. Hubbard:

I am writing to register strong opposition to the “Long-Term Water Transfers” that were the subject of the Bureau of Reclamation meeting on January 11, 2011 at the Masonic Lodge in Chico. My opposition is based on the following four major reasons:

the indeterminate nature of these “transfers,” since the presenters at that meeting could not provide specific details of the project, as suggested by language such as “likely” and “not necessarily” on page 4 of the Bureau’s handout;

the lack of provision for direct EIS/EIR analysis of all proposed SWP “transfers”;

the fragility of the aquifer and groundwater system as witnessed personally by many well-informed residents and farmers who had experienced dramatic negative results of excessive groundwater extraction for the drought water bank in 1994;

a recent University of California at Irvine study documenting the crucial depletion of groundwater in the Central Valley, stating that “Over-pumping is pulling vast and unsustainable amounts of groundwater from the heart of California farming, the Central Valley.” (Published 2/5/2011 online, *Geophysical Review Letters*.)

I urge the Bureau to suspend further action on the SWP until it has completed a comprehensive study and has disseminated all results of that study to citizens in the proposed project area and statewide.

Sincerely,

Carole S. Oles
Professor Emerita
Department of English
California State University, Chico

Greene, Alicia M.

From: Veronese, Gina
Sent: Friday, February 11, 2011 10:25 AM
To: Greene, Alicia M.
Subject: FW: Comments,for Proposed long-term 'North to South water transfers Envirmental Document Preparation

-----Original Message-----

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Friday, February 11, 2011 9:24 AM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: FW: Comments,for Proposed long-term 'North to South water transfers Envirmental Document Preparation

Comment for the record.

-----Original Message-----

From: Steve Owen [mailto:sowen278@gmail.com]
Sent: Friday, February 11, 2011 5:38 AM
To: Hubbard, Bradley C
Subject: Comments,for Proposed long-term 'North to South water transfers Envirmental Document Preparation

I am a landowner in the Glenn Colusa Irrigation District and have sold surface water rights in past water transfer programs, requiring cropland idling. I am against any program involving the transfer of groundwater or the use of groundwater to make up for the selling of surface water. I am also against Glenn Colusa punping groundwater into their surface water system. If water is transfered, the land must be idled and no water used during that season. If the land is idled and allowed to have seasonal ,non irrigated, vegetation to grow on it, would have great benefits for wildlife. A win win for wildlife and southern water users.

Thank You

Steve Owen



**City of Patterson
City Manager's Office**

1 Plaza
P.O. Box 667
Patterson, CA 95363
Phone (209) 895-8060 Fax (209) 895-8069

February 23, 2011

Frances Mizuno
San Luis & Delta Mendota Water Authority
P.O. Box 2157
Los Banos, CA 93635

RE: Comments regarding the Notice of Preparation for the Proposed Long-Term North to South Water Transfer Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS)

Dear Ms. Mizuno:

This letter is in regard to the City of Patterson's comments regarding the above referenced Notice of Preparation. The City requests that the EIR/EIS review impacts to groundwater in the Patterson area, specifically as it relates to groundwater substitution transfers by any nearby irrigation districts or increased groundwater use should the transfers be interrupted or terminated. The City is interested in impacts to both the upper (unconfined) aquifer and the lower (confined) aquifer relative to this additional potential groundwater pumping.

Sincerely,

Rod Butler
City Manager

Brad Hubbard, MP-410
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Dear Mr. Hubbard:

I attended the Public Meeting for the Proposed Long-Term North-to-South Water Transfers Environmental Document Preparation meeting on January 11, 2011 and do feel that it is important for the comments that were made at the meeting are definitely worth consideration.

A point that I wanted to make is that during the development of the potential projects that will be considered for these water transfers, the existing Basin Management Objectives within Butte, Glenn County are strongly connected to the determination of whether or not there could be potential impacts associated with proposed water transfers. I believe that Reclamation is aware of the objectives that exist and of the relative action levels that are in place to trigger notification to county officials according to well water level changes in existing monitoring wells.

I also understand that there real needs to be met by water conveyances within the Central Valley by way of the Central Valley Project. These many needs will only continue to be of increasing importance. Our water resource value is so interconnected economically and humans and other ecosystems are so dependent upon the viability of this resource. As this resource supports our increasing population, and our increasing uses within this state for our various needs, my concern is that the burden is being placed on the environment in order to ensure that our human needs in this complex water network are being met. Additionally, our historical uses aren't necessarily indicative of what can be done in the future. With technology today, and climate change upon us, it is imperative that we ensure that the appropriate measures are taken to analyze all potential impacts. Each proposed transfer may have an impact, but the cumulative potential impact could be much greater than that of each individual potential transfer and thus that maximum impact need to be analyzed to ensure that the resource can continue to be here for future generations to come.

In light of the meeting, I found it unfortunate that the potential projects were not discussed in greater detail. My hopes were that the forum would have allowed everyone present to hear what we otherwise would have heard with the break out session. I realize that there is a lot of information to disseminate and yet still more information to still be determined, but there were knowledgeable members that could have spoken to the specific projects if they had been discussed. Many members present were also requesting information as it becomes available so that they can be informed of what the potential projects are and to ensure that the analyses are adequately addressed. I believe that the efforts to hold the meeting in Chico were well intentioned, in terms of the requirement to notify the public and give them an opportunity to give their input for the "project". Many members of the public were very passionate in their in insuring that they are kept informed of the details as they are formulated. They would like to see another meeting occur locally before the projected August 2011 public meeting on the Draft EIS/EIR. It was discussed that it is going to be very difficult to appropriately analyze the impacts if the project does not have a concrete definition and boundary of what the project is (rather than what it may be). Perhaps the appropriate analysis would be a cumulative analysis of the maximum and greatest proposed use would be, and stepping down from here to a reasonable "project" with mitigations that are reasonable. Noting that the first step of the environmental impact analysis is to define the project, I do not see that some members would allow anything less. Rather than risk the analysis being shot down

and delayed, I think that this must be addressed. Note that everything else hinges from this premise, of what the project is and note also that there were many more questions than answers during the meeting on January 11.

What I also want to make note of is that conservation efforts need to be embraced in the region that the water is proposed to be utilized in, as well as the regions where the water is originating from. Unfortunately, the forum of the meeting did not allow the types of projects that may be considered to transpire, but I believe that there must be historical data or tentative proposals that would be representative of the types of projects expected. I personally would be interested to see types of uses and more specifically, excited to see them if they are more innovative than historical uses, more particularly that require conservation in their water use plans, appropriate crop installments, and non-permanent crops places where assurance of water has not been historically guaranteed without the need for a water transfer.

If Categorical Exclusion is determined for one transfer, based upon historical data, I would expect that the cumulative effect of all transfers be re-visited with the criteria in which the analysis are being made be revisited in light of all current scenarios in today's word and truly evaluate all real potential impacts.

For the culmination of the Environmental Impact Statement (EIR), please take note of the following alternative analyses to ensure that they are considered:

Desalinization is another potential alternative to supply water for the water needs in times that water supplies are strained.

Ground water, being out of sight, out of mind is not a pristine resource because mankind has had anything to say about it. How will impacts to the groundwater be mitigated, what are the potential impacts to the groundwater, besides just reduced levels? Take note of the Basin Management Objectives for Glenn and Butte Counties here. What are the monitoring requirements that each transfer will have to adhere to? Is the monitoring left to the agency administering the transfer?

What happens if the **maximum anticipated transfers** do occur? What is the worst case scenario if the driest season exists and the transfers are in place: What is the impact?

The required **do nothing** analysis. In this situation, would the impact be greater if the transfers are not be in place, and if so how? Is the impact merely economic and thus an impact foreseeable only to humans? Please keep in mind that the intent of the NEPA process is to ensure that both humans and the environment co-exist. I think that this act is something that a community like Chico tries to embrace. If the impact in economic, how will this be mitigated?

I would like to express the utmost importance for the Language within the EIR to be concrete, rather than phrases such as "likely", "may be", "expected to be". If the impacts are known to be effects, the effects need to be stated as such. The people need assurances that the EIR will have the teeth so that if transfers are in place, un-mitigateable impacts will not occur.

In conclusion, I believe that water transfers should not be issued to the water agencies unless they can prove that they are doing one of the following:

1. Making notable efforts to conserve water by revising their irrigation practices

2. Making efforts to transition their crops to appropriate water uses (by irrigating with reclaimed, desalinated, or non-permanent crops)

A sideline concern that is not tied directly to each transfer, but relates more directly to the cumulative effects of these transfers and that these projects will set precedence and subsequent expectations by the population as a whole. Once the transfers are in place, what assurance does the public have that if impacts are identified within the proposed timeframe from 2012 to 2022, the mitigations will be put into place or that the impacts will be reversed? With the technology of our Central Valley Water project and the State Water Project today water is too readily available thanks to technology, it will be very difficult to turn technology off once potential impacts are acknowledged. In other parts of the world, water is not so readily available and perhaps perspectives from these areas could shed light on the alternative analysis and determination of impacts.

If the impacts are not appropriately analyzed, realistically it could be too late to go back and mitigate, so there is the absolute legal and human responsibility to appropriately analyze the impacts and not overburden the environment or over ensure the water quantities necessary for the proposed transfers.

Thank you for consideration of my comments.

Sincerely,



Amber Pierce
Butte County Citizen

Greene, Alicia M.

From: Veronese, Gina
Sent: Monday, January 17, 2011 3:59 PM
To: Greene, Alicia M.
Subject: FW: CA North state Water

From: Frances Mizuno [mailto:frances.mizuno@sldmwa.org]
Sent: Monday, January 17, 2011 2:56 PM
To: Buckman, Carolyn; Veronese, Gina
Cc: Hubbard, Bradley C
Subject: FW: CA North state Water

FYI.

From: Brenda Rogers [mailto:brogers@soperwheeler.com]
Sent: Monday, January 17, 2011 2:55 PM
To: bhubbard@usbr.gov
Cc: Frances Mizuno; shatleberg@usbr.gov
Subject: CA North state Water

To: U.S. Dept of the Interior Bureau of Reclamation,

I'm writing in regards to the long-term water transfer that you are planning in the north state from 2012 to 2022. I'm a resident of Butte County and I highly oppose any type of water transfers. You have not provided the documentation to show the cumulative effects that will be done to our aquifers from your planned water transfers. I believe taking 100,000 to 150,000 acre feet is highly detrimental to Butte county and all of the north state. The environmental as well as the economical impact could be enormous. Farmers, consumers, and residents, could easily have their wells dry up and a water shortage.

Please formally file this letter as a protest to your proposed project. I would also like to be update on any new developments on this project.

Sincerely,

Brenda L. Rogers

Greene, Alicia M.

From: Veronese, Gina
Sent: Friday, January 14, 2011 8:41 AM
To: Greene, Alicia M.
Subject: FW: Water transfers

[Public comment for file](#)

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Tuesday, January 11, 2011 10:43 PM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: Fw: Water transfers

[First questions from tonight.](#)

From: Angus Saint-Evens <saintevens@sbcglobal.net>
To: Hubbard, Bradley C
Sent: Tue Jan 11 23:34:10 2011
Subject: Water transfers

I am interested in the proposed water transfers and before deciding whether to be in favor or against. A few questions if I may.

Is there a position paper or executive summary of the proposal that can be reviewed preferably on line?

What is the purpose of the transfer?

Will the receiving entities be permitted to further transfer the water received? Or sell it.

Is the transfer designed to supplement current water resources in the district who will receive it.

Is the transfer designed to supplant current water resources in the districts who will receive it.

Thank you for your anticipated responses.

Angus Saint-Evens
Orland California

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



January 19, 2011

Frances Mizuno
San Luis and Delta Mendota Water Authority
P.O. Box 2157
Los Banos, CA 93635

RE: SCH# 2011011010 Long-Term North to South Water Transfer Program; Lake, Modoc, Shasta, Sierra, Lassen, Tehama, Plumas and Butte Counties.

Dear Ms. Mizuno:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Preparation (NOP) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. USGS 7.5 minute quadrangle name, township, range and section required.
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez

Katy Sanchez
Program Analyst
(916) 653-4040

cc: State Clearinghouse

Greene, Alicia M.

From: Veronese, Gina
Sent: Wednesday, February 23, 2011 11:50 AM
To: Greene, Alicia M.
Subject: FW: Opinion

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Wednesday, February 23, 2011 10:49 AM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: Fw: Opinion

[Comment for record.](#)

From: Ann Patello <apatello@hotmail.com>
To: Hubbard, Bradley C
Sent: Wed Feb 23 11:41:17 2011
Subject: Opinion

Dear Sir:

I am from Orland, a town with a 95% agricultural-based economy. I attended the meeting in Chico, and found the atmosphere so toxic I left after about an hour. I agreed with the general feeling of frustration, disgust, disillusionment, and the feeling of 'being played'.

The entire reason for the meeting seemed to be to humor the public, when it appeared to many of us that the decisions had already been made. 'It will keep them quiet if they *think* they have a say in the process.'

In my opinion the most important, and unspoken, issue at the time was not *how* water transfers should be handled, but if there should be any. There was never any question 'do you want to participate and under what circumstances'. Our participation was a foregone assumption. That is what ticked everyone off so badly. We were given no reason to *want* to participate. Our homes, lives and crops, the water supply in *OUR* area, was not taken into consideration; ie: how will our wells be affected. I believe we should be given first priority, because *this* is where the food is grown. No water. No food. No people. Period.

The very fact that some have chosen to live in a place without adequate water(semi-arid and historically water poor), and then steadfastly refused to be proactive in utilizing reservoirs or other cachement is their decision, and their problem to cope with. Their problem does not automatically become our responsibility to solve. Because our water is subterranean and not easily quantifiable it is assumed to be limitless and therefore not treated with the respect a finite resource deserves.

Please do not bother to respond with a form letter, automatically generated. It is another sign of the disregard you have for us and our opinions.

Ann Schuenemann
Orland CA

Greene, Alicia M.

From: Veronese, Gina
Sent: Monday, February 28, 2011 8:22 AM
To: Greene, Alicia M.
Subject: FW: Long-Term North to South Water Transfers

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Sunday, February 27, 2011 6:02 PM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: Fw: Long-Term North to South Water Transfers

[Comment for record.](#)

From: Laurie Schwaller <lschwaller1@wildblue.net>
To: Hubbard, Bradley C
Sent: Sun Feb 27 18:43:37 2011
Subject: Long-Term North to South Water Transfers

We feel strongly that it is time for the people of California to start living within their means.

We cannot afford to continue to devastate California's ecosystems and natural resources at gigantic and unsustainable expense, both economically and environmentally, by building more and more monumental systems to move huge volumes of water all over California. These systems are monstrously costly to build and to maintain, and they invariably have drastic consequences that in many ways outweigh their benefits.

Our efforts to provide more water to people who choose to live in areas where their demands have already outstripped the natural water supply should focus on conservation, re-use, and recycling. For too long, we've been robbing Peter to pay Paul at the taxpayers' expense. Far too often the transferred water is not used wisely or efficiently. Why should we destroy more ecosystems at huge expense to try to keep expanding human population in an ecosystem already virtually destroyed by overpopulation?

As for agricultural demand, water-intensive crops should not be grown in areas without adequate water supply, and ag water should not be wasted.

Californians should pay the true cost of their water at the point of demand. Rates must be tiered to promote careful and efficient use.

Long-Term North to South Water Transfers are not in the long-term interest of California and should not be pursued. The collapse of the Delta ecosystem will be an unmitigatable disaster. Let the water stay and do its work where it belongs.

Thank you for considering our comment.

Greg and Laurie Schwaller
43857 South Fork Dr.
Three Rivers, CA 93271

Greene, Alicia M.

From: Veronese, Gina
Sent: Tuesday, March 01, 2011 8:09 AM
To: Greene, Alicia M.
Subject: FW: Long Term Water Transfer EIS/EIR San Luis & Delta Mendota Water Authority

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Monday, February 28, 2011 5:02 PM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: FW: Long Term Water Transfer EIS/EIR San Luis & Delta Mendota Water Authority

[Comment for record.](#)

From: John Scott [mailto:john_lewis_scott@msn.com]
Sent: Monday, February 28, 2011 5:01 PM
To: San Luis & Delta Mendota Water Authority; Hubbard, Bradley C
Cc: Richard Harriman; Robin Huffman; Carol Perkins; Gary & Linda Cole
Subject: Long Term Water Transfer EIS/EIR San Luis & Delta Mendota Water Authority

Dear Frances Mizuno & US Bureau of Reclamation;

February 28 ,2011

Subject: Long Term Water Transfer EIS/EIR (for the San Luis & Delta Mendota Water Authority, and the U. S. Burea of Reclamation)

Please include my comments in the official draft document, and keep me informed of this potential project and EIR.
John Scott, 4370 Tao Way, Butte Valley, CA 95965-8345 and via my e-mail.

Comments:

- 1). Water transfers can not be extended beyond one year, because of the potential devastating economic and environmental consequences to our Tuscan Aquifer.
- 2). Conjunctive Water management is no way to treat our aquifer, because there is a great potential that our entire aquifer could be contaminated, and because many aquifers have been stolen away from the local people by those running the conjunctive water program.
- 3). Any farmer that sell their water will be shunned by the community, because of the disgrace they are bringing on to the entire farming community.
- 4). Any monetary proceeds that a farmer is to receive from attempting to sell their water must be taken away from them and given to their county of Origin. The water is ours and they do not have the moral right to sell our water.
- 5). Local water must stay local!!
- 6). The area of origin of water must have primary right to that water, forever.
- 7). The San Joaquin valley destroyed their Aquifer, by over pumping it until it collapsed and it can no longer be recharged.
We will not allow anyone to destroy our Aquifer.

very sincerely,

John Scott
Butte Environmental Council, Butte Valley Coalition, Cherokee Watershed Alliance

Greene, Alicia M.

From: Veronese, Gina
Sent: Monday, February 28, 2011 1:13 PM
To: Greene, Alicia M.
Subject: FW: Long-Term North to South Water Transfers

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Monday, February 28, 2011 12:12 PM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: FW: Long-Term North to South Water Transfers

Comment for record.

From: g-marvin@comcast.net [mailto:g-marvin@comcast.net]
Sent: Monday, February 28, 2011 12:05 PM
To: Hubbard, Bradley C
Subject: Long-Term North to South Water Transfers

Brad Hubbard
bhubbard@usbr.gov
Bureau of Reclamation
2800 Cottage Way MP-410
Sacramento, CA 95825

Subject: Long-Term North to South Water Transfers

As Conservation Chair of the Sierra Club, Yahi Group (covering five north state counties) I have attended meetings and discussed various aspects of the North to South Water Transfer program. I am hereby submitting EIS/EIR comments. We have a number of concerns about the program which I shall summarize:

1- At the recent meeting in Chico, the spokespeople for the Delta Plan spoke proudly of their "Coequal goals" which were *providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem*. But I heard nothing about the goal of protecting ecological systems in the north state that are a source of most of the Delta's water. We want a rigorous scientific study of our water supplies, including ecosystems, ground and surface water, relationships between aquifers, and recharging. We have strong evidence of subsidence, and lowered groundwater in numerous wells, aquifers and streams, suggesting that excessive movement of water southwards would continue to damage our ecosystems and water related economies. As audience members expressed: what is seen as a "safe yields" by water agencies are not safe from our perspectives. Give us the studies to allow for a) proper analyses of conjunctive management and for b) environmental impact reports.

2- Insufficient attention is given in the plans for water conservation efforts. For example, some widely grown crops are poorly chosen given water availability, and it is agricultural conservation that seems to receive the least attention in the plan. We agree with Sierra Club California which states that the plan should also : a) Promote statewide water conservation and efficiency, including enacting into law AB 19 (Fong)...., to require water metering or sub-metering of new multi-family residences like apartment buildings and condominium towers. b) Build best management practices for urban water agencies.

3- We agree with many other groups and individuals who maintain that we need to have more solid data regarding how much flow should take place through the Delta and during which times of year more flows are

needed. Furthermore, the plan should incorporate projections related to climate change, since water levels have already changed and will continue to do so – even more in coming years

4- It is truly unfair that we have to raise money for legal costs in order to challenge water transfers that have no good scientific or ecological justification as well as coming up with money for drilling new, deeper wells to replace those that have gone dry. We have much history that provides us with skepticism about assurances that our water needs will be met in the north state.

Please address these comments. The Yahi Group Executive Committee has voted to approve this letter

Thank you.

Sincerely,

Grace M. Marvin,

Conservation Chair

Sierra Club, Yahi Group



February 28, 2011

Mr. Brad Hubbard , Project Manager
United States Bureau of Reclamation
2800 Cottage Way, MP-410
Sacramento, CA 95825
bhubbard@usbr.gov

Mr. Dean Messer, Chief
DWR Office of Water Transfers
1416 9th Street Sacramento, CA 95814
dmesser@water.ca.gov

Ms. Frances Mizuno
Assistant Executive Director
San Luis & Delta-Mendota Water Authority (SLDMWA)
frances.mizuno@sldmwa.org

Re: Comments on Scope of Environmental Review of Proposed North to South Water Transfer Program

Dear Mr. Brad Hubbard, Ms. Frances Mizuno & Mr. Dean Messer:

Sierra Club California thanks you for the opportunity to comment on the proposed long term transfer program. The unprecedented duration and scale of these transfers raise serious environmental and economic issues, which we believe will be difficult to predict or evaluate.

We have the following comments on the scope and lead agency for the proposed environmental review:

1. Conflict of interest with lead agency

Since the San Luis and Delta Mendota Water District has many member agencies which are proposed recipients and financial beneficiaries of transferred water, they are not an appropriate agency to be a lead agency on this Environmental Review. The lead agencies should be the Department of Water Resources and the US Bureau of Reclamation, as the only statewide water agencies. The courts have held that the Department of Water Resources has the statutory duty to serve as lead agency in assessing the environmental consequences of projects involving the State Water Project.



2. New scoping notice announcing water agencies in the program.

Water agencies known to be in the project were not named in the notice, new ones may be added, and there may be others are known to be considering it. For example, it was learned at a scoping meeting (or write instead: at the Sacramento scoping meeting) that the Placer County Water Agency is in the project. A new notice and scoping comment period should be opened with a list of these agencies. Regarding the project sending and receiving areas, all of the agencies in these areas should be listed in the notice. The notice for the scoping that has occurred should have named the known agency participants including description of the mechanisms for participating and the status of their program participation. The participation documents should be made available online as soon as they are in effect.

3. Seller water rights and sources, and buying and selling history

For each agency in the project, at minimum, all water rights held or contracted for by the agency and all of its other water sources of any kind need to be identified and quantified. This includes any kind of water rights or other water use authority including agency including FERC water-related permits, riparian rights, wells, contracts and so forth. Maps of seller water right permit and other source locations and. A table and narrative description of these water rights and all other sources of water need to identify all aspects of the status of these authorities and uses. This needs to include, but not be limited to, quantity of beneficial use, permit/source expiration, renewal applications. The history of all of each agency's water transfer and sales and buys needs to be included.

4. Buyer water rights, sources and water buying and selling history

Buyer information, analysis and documentation needs to be the same as for sellers.

5. Seller and buyer area and entire watershed water transfer analysis

Buyer and seller areas including the watershed-wide and sub-watershed issues in the watershed where they are located need to be the basis for environmental, energy, water rights and land use impact and documentation and analysis. Specific factors to address include but are not limited to public trust doctrine water, instream uses, federal and tribal water rights, federal reserved water rights, all public lands water rights or other state and federal public land water use permissions, all other water rights, surface waters including lakes and groundwater, local general plans, local, state and national land use and resource management plans, downstream uses and environmental issues, development water supply, recycled water projects and plans, public health including drinking water, basin plans. Current and historical water sales and purchase throughout both seller and receiver watersheds need be detailed in table and narrative form.

6. Proof of beneficial use, lack of injury to other legal users of water

The mechanisms for participation in the Long-Term North to South Transfer program should be in agreement with SB 7X 1, and in particular the new office of the Delta Watermaster and instream flow determinations by the State Water Resources Control Board. The Delta Watermaster has proposed to enforce state law requiring beneficial use of water. Therefore all water transfers under this program should be required to show reasonable and beneficial use. The Environmental Review should address procedures for buyers to show that the end use of the proposed transfer is for a reasonable and beneficial and that it will not injure other legal users of water.

Comments on specific issues in the Environmental Review:

The transfer program is occurring at a time when the Sacramento Delta and anadromous fish populations are in a fragile state of recovery. Other essential ecosystem management policies, such as designated critical habitat for the Giant Garter Snake, *Thamnophis Gigas*, have not been completed. Therefore we have the following requests on specific issues:

1. Effects on listed Delta species

With the implementation of the Biological Opinion governing the joint operation of the CVP and SWP pumps in flux, it is impossible to determine in advance what the effect of the proposed transfer program will be on Delta smelt and other listed fish species. Therefore, we request that the time period for this evaluation be reduced to no more than three years. If the ten year term is kept, procedures for evaluating impacts on listed species should be specified, and criteria for reducing or discontinuing the transfers should be determined.

2. Effects on fisheries

The proposed transfers could affect the recovery of anadromous fish species both through the drawdown of upstream reservoirs and through increased pumping and entrainment at the Project pumps in the South Delta. Timing of transfers and potential impacts on the listed Winter and Spring Run Chinook salmon, as well migrating Fall Run salmon smolts should be examined. Procedures for evaluating the impact on the recovery of the fall salmon run and the economic effects of a continuing depressed fishing industry should be specified, as well as mitigation.

3. Ground and surface water impacts

The proposed water transfers are almost half of the amount of water used by the entire Sacramento Valley Rice industry. It is difficult to determine in advance what the effects of such large-scale, long-term transfers would be on the aquifers. Again, we request that the time period for this review be reduced. If the ten year term is kept, procedures for evaluating cumulative impacts on aquifers and river flow should be specified, and criteria for reducing the total transfers should be determined.

4. Effects on Sacramento Valley wetlands, riparian species, and migratory birds

The effects of widespread fallowing on populations of both listed and non-listed species should be estimated, and criteria for determining if populations are falling more severely than predicted. Baseline population data and mitigation measures for all threatened or endangered species should be determined, as well as criteria for mitigation of impacts and reduction of total transfers. In particular, critical habitat for the Giant Garter Snake, *Thamnophis Gigas* should be designated, and essential baseline data and mitigation measures s, should be determined.

5. Socioeconomic effects

Both direct and indirect job loss in the areas transferring water should be determined. Analysis of impacts should include both agricultural jobs and hunting and recreational fishing jobs. Mitigation of adverse impacts should be determined.

6. Water quality

Impacts of transferred water on ground and surface water quality in the San Joaquin Valley and the Sacramento-San Joaquin Delta should be addressed, including the potential for the transfers to increase nitrate loading in the San Joaquin River, and nourish toxic algal blooms in the lower San Joaquin River. Increased costs for water treatment for agencies drawing water from the Delta should be considered, and mitigation measures should be identified.

7. Effects on water supply to other agricultural users (with appropriative rights)

Potential transfers of water from Central Valley Project water users to urban users should be evaluated for an increase in demand under the Central Valley Project Water Shortage Policy, which preferentially allocates water to urban water districts. Mitigation for impacts on agricultural water supplies should be determined.

Background:

The Central Valley Project water shortage policy includes specific provisions for irrigation water transferred or converted to urban or “Municipal & Industrial” use. According to Section 3, irrigation water transferred or converted to M&I use is subject to the same shortage allocation as irrigation water. However, the agency receiving the water may request that the water obtained by transfer or conversion be eligible for M&I reliability. Then the policy states only that:

“Before Reclamation may approve such a request, the transferee or assignee must fully mitigate any adverse impacts to agricultural water supplies. Further, for CVP water converted, an M&I contractor may request a permanent conversion from agricultural shortage criteria to M&I shortage.”

8. Energy impacts

The Environmental Review should evaluate the effect of the proposed transfers on energy consumption and greenhouse gas emissions in the state. The expected change in the energy consumption of the respective projects should be calculated, and mitigation for the expected increase in greenhouse gas emissions should be identified.

Background:

A 2010 Study of the California Public Utilities Commission found that the total energy use for water supply, conveyance, and treatment in the state was about 18,098 GWh.¹

The study found that conveyance of project water was about half of this total. In 2001, the State Water Project used 6,352 GWh of electricity, and produced 1,933 GWh of electricity from hydropower. The net energy consumption of the State Water Project was 4,420 GWh of electricity. The Central Valley Project used 833 GWh of electricity, and the Colorado River Aqueduct used 2,483 GWh of electricity. The total energy used for conveyance was 9,718 GWh, or 7,401 GWh net of hydropower generation.

These numbers mean that long-distance conveyance alone is a significant percentage of total electricity used in the state – about 4% in 2001. In particular, the State Water Project has been a net consumer of electricity for many years, and has needed to supplement hydro power with electricity from fossil fuel-based power plants.

Increasing North-South exports by an additional million acre feet would use an additional 1.4 MWh – 3.9 MWh per acre foot – or an extra 840 GWh to 2,340 GWh for 600,000 acre feet.

The CPUC report also estimated that in 2001, groundwater pumping used about 6,068 GWh of electricity, only slightly less than the net use of the State Water Project, Central Valley Project, and Colorado River Aqueduct combined. The total energy use may have increased significantly in the past decade with increased reliance on active management strategies, including groundwater substitution transfers, and groundwater bank infiltration and extraction.

:

9. Finances: Effects of proposed transfers on CVP and SWP finances should be evaluated.

Given the fluctuations in the cost of fossil-fuel based electricity, and the fixed energy payments in the State Water Project Contracts, it should be determined if Project income will be sufficient to pay for the increased energy costs of the transfers in any given year. Also, the U.S. Bureau of reclamation is going to start implementing the preferred alternative for San Luis Drain Feature Re-evaluation, which will significantly increase the cost to the Central Valley Project of irrigating lands on the West side of the San Joaquin Valley.

1

¹ . Embedded Energy in Water Studies. Study 1: Statewide and Regional Water-Energy Relationship, Prepared by GEI Consultants/Navigant Consulting, Inc. for the California Public Utilities Commission Energy Division, August 31, 2010 http://www.calmac.org/publications/CALMAC_CA_Statewide_Regional_Water-Energy_Vol_15_of_15_-_Appendix_N.pdf

These financial effects will be difficult to forecast for the proposed time horizon, and it will be necessary to either reduce the time horizon for the proposed review, or to include provisions for recalculation and revaluation of impacts of the transfers on finances of the Projects..

10. Alternatives

The proposed transfers should be compared with less energy-intensive alternatives, including changing cropping patterns and crop irrigation methods for on-farm uses, and accelerated implementation of the “20 by 2020” conservation program, and local water recycling for urban users.

Thank you for the opportunity to comment. Please include Sierra Club California on the mailing list for this or similar projects.

Sincerely,

A handwritten signature in black ink that reads "Jim Metropulos". The signature is written in a cursive, flowing style.

Jim Metropulos
Senior Advocate
Sierra Club California
jim.metropulos@sierraclub.org

Greene, Alicia M.

From: Veronese, Gina
Sent: Monday, January 24, 2011 9:26 AM
To: Greene, Alicia M.
Subject: FW: Water transfer's

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Monday, January 24, 2011 9:08 AM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: FW: Water transfer's

Here is a comment that came in over the weekend. Thanks, Brad

From: robert stanley [mailto:robertstanley@att.net]
Sent: Saturday, January 22, 2011 1:50 PM
To: Hubbard, Bradley C
Cc: frances.mizuno@sldmwa.org
Subject: Water transfer's

The first and foremost rule is THE ECONOMY IS NEVER MORE IMPORTANT THAN THE ENVIRONMENT !!! AND THERE IS ONLY ONE ENVIRONMENT AND ONCE IT'S GONE IT'S GONE!!! AND WE GO WITH IT!!! This water transfer is bad science, but since some one high up in the GOV wants it , they will hire scientist's who are willing to sell their soul for money in order to write a false EIS/EIR reports to make it all happen. There is only so much water, but there are far better way's to manage water movement and storage in a seasonal desert. A great info source is the NATIONAL GEOGRAPHIC SPECIAL EDITION ON WATER!!! In it they describe water use and consumption for certain crops and other uses. It makes it obvious that high water consumption crop's like cotton should not be allowed in this state, and because they also use the most pesticides that kill the fish. LIMITING other high water user's like dairy's and cattle ranches may be needed because of the methane they produce, or require them to capture most of it. DRIP irrigation could save thousands. Your bad science means the person with the deepest well gets to deprive their neighbor's of their water rights's I have the answers you need.

Sincerely ROBERT STANLEY

Greene, Alicia M.

From: Veronese, Gina
Sent: Monday, January 31, 2011 1:40 PM
To: Greene, Alicia M.
Subject: FW:

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Monday, January 31, 2011 11:52 AM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: FW:

[For the comment record.](#)

From: robert stanley [mailto:robertstanley@att.net]
Sent: Thursday, January 27, 2011 10:27 PM
To: Hubbard, Bradley C
Cc: frances.mizuno@sldmwa.org
Subject:

The place to get water from is way north, Oregon , Washington , Canada all you need to do is pipe it to the northern Sacramento tributary's. The time to build is now. I'm completely against your flawed plan. Do it right, and get a 500 year supply now. I have brilliant new designs to save millions in pumping costs, you really should hire me as a consultant. I know how to fix the delta, which means you can pump more water! I have new storage and flood control system's that you need. The Sacramento sewage treatment plant needs to be fixed in one year not ten!!! This needs federal money NOW!!! I have the best solutions for scores problems. YOU have the money, I have the answers. Sincerely ROBERT STANLEY.

Greene, Alicia M.

From: Veronese, Gina
Sent: Tuesday, February 15, 2011 9:27 AM
To: Greene, Alicia M.
Subject: FW: Water transfer's

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Tuesday, February 15, 2011 8:26 AM
To: Buckman, Carolyn; Veronese, Gina
Cc: Hatleberg, Shelly
Subject: FW: Water transfer's

[Comment for record.](#)

From: robert stanley [mailto:robertstanley@att.net]
Sent: Monday, February 14, 2011 10:08 AM
To: Hubbard, Bradley C
Subject: Re: Water transfer's

When I said to limit dairy's and cattle ranches I meant south of the delta,
And other high water consumption user's.

From: robert stanley <robertstanley@att.net>
To: bhubbard@usbr.gov
Cc: frances.mizuno@sldmwa.org
Sent: Sat, January 22, 2011 1:50:23 PM
Subject: Water transfers

The first and foremost rule is 'THE ECONOMY IS NEVER MORE IMPORTANT THAN THE ENVIRONMENT !!! AND THERE IS ONLY ONE ENVIRONMENT AND ONCE IT'S GONE IT'S GONE!!! AND WE GO WITH IT!!!' This water transfer is bad science, but since some one high up in the GOV wants it , they will hire scientist's who are willing to sell their soul for money in order to write a false EIS/EIR reports to make it all happen. There is only so much water, but there are far better way's to manage water movement and storage in a seasonal desert. A great info source is the NATIONAL GEOGRAPHIC SPECIAL EDITION ON WATER!!! In it they describe water use and consumption for certain crops and other uses. It makes it obvious that high water consumption crop's like cotton should not be allowed in this state, and because they also use the most pesticides that kill the fish. LIMITING other high water user's like dairy's and cattle ranches may be needed because of the methane they produce, or require them to capture most of it. DRIP irrigation could save thousands. Your bad science means the person with the deepest well gets to deprive their neighbor's of their water rights's I have the answers you need.

Sincerely ROBERT STANLEY

Greene, Alicia M.

From: Veronese, Gina
Sent: Friday, February 25, 2011 11:18 AM
To: Greene, Alicia M.
Subject: FW: Fw:

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Friday, February 25, 2011 9:54 AM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: Fw:

[Comment for record.](#)

From: robert stanley <robertstanley@att.net>
To: Hubbard, Bradley C
Sent: Fri Feb 25 00:42:37 2011

When you think in short time frames like 10 , 20 years , the only result can be an ignorant environmentally destructive result!!! I have plenty of time to contemplate in 200 ,500, 1000 year time frames and my conclusions is it is extremely selfish and ignorant for one generation to cause severe environmental destruction just to boast the profit of a few farmers. There farming in a seasonal desert and should not be guaranteed water during droughts. Maybe they should be paid not to plant some years. You should have learned from your giant Klamath river mistake. Even though I'm against this flawed plan , I have figured out how to vastly improve the Delta's health so you can send more water through it. RS.

Greene, Alicia M.

From: Veronese, Gina
Sent: Friday, February 25, 2011 4:22 PM
To: Greene, Alicia M.
Subject: FW: Fw:

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Friday, February 25, 2011 3:21 PM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: Fw:

[Comment for record.](#)

From: robert stanley <robertestanley@att.net>
To: Hubbard, Bradley C
Sent: Fri Feb 25 14:27:31 2011

Idling crops in the water rich north and sending water to the water poor farmers south of the Delta makes no sense at all. Especially because of the environmental destruction involved. One of the problems is they are planting more orchard's there that are not sustainable. Re injecting ground water is a ponzi scheme. It sounds good but in the end we all lose. Try fixing Owens valley. Evan though I have given you lots of important information I'm withholding vital info you desperately need and I don't put it on my computer because I know you guy's can break in. RS

Greene, Alicia M.

From: Veronese, Gina
Sent: Monday, February 28, 2011 8:20 AM
To: Greene, Alicia M.
Subject: FW: Fw:

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Sunday, February 27, 2011 5:53 PM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: Fw:

From: robert stanley <robertstanley@att.net>
To: Hubbard, Bradley C
Sent: Fri Feb 25 21:55:22 2011

Someone has been breaking into my computer I apologize for accuseing you guys. RS

Greene, Alicia M.

From: Veronese, Gina
Sent: Tuesday, February 08, 2011 2:51 PM
To: Greene, Alicia M.
Subject: FW: Fw:

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Tuesday, February 08, 2011 8:42 AM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: Fw:

[Another comment from Mr Stanley.](#)

From: robert stanley <robertstanley@att.net>
To: Hubbard, Bradley C
Sent: Mon Feb 07 23:40:40 2011

One way to provide more flood protection for Sacramento would be to divert water from folsom dam over to the Cosumnes River. It would be pretty easy actually straight south from folsom lake . Another free million dollar Idea. You really should hire me as a consultant! But I have several other ones also. I know how to fix the Delta to make it hold more water , provide flood protection ,store more water , and save the fish. ROBERT STANLEY

JEFFERY J. SWANSON
ATTORNEY AT LAW

2515 Park Marina Drive, Ste. 102
Redding, California 96001-2831

Tel. 530.225.8773/Fax 530.232.2772
e-mail: jswanson@snowcrest.net

February 23, 2011

Mr. Brad Hubbard
Bureau of Reclamation
2800 Cottage Way, MP-410
Sacramento, California 95825

Re: EIS/EIR Scoping Comments_
Long-Term North to South Water Transfer Program

Dear Mr. Hubbard:

This letter is written on behalf of George McArthur (McArthur), a ranch owner with property in both the Fall River Valley and in Millville, Shasta County, California. It responds to the Notice of Intent to prepare an EIS/EIR as part of the Long-Term North to South Water Transfer Program. The comments on the scope of the EIS/EIR are as follows:

1. According to the summary in the Notice of Intent published in the Federal Register, Reclamation is proposing “to analyze the effects of water transfers from *water agencies* in northern California to water agencies south of the Sacramento-San Joaquin Delta (Delta) and in the San Francisco Bay Area.” The EIS/EIR should not be limited to transfers from “water agencies in northern California.” McArthur, along with many other individual water rights holders in northern California, have the ability and desire to transfer water conserved by groundwater substitution, cropland idling and other methods. The EIS/EIR should not be limited to analyzing transfers from water agencies only. Certainly, California law does not make any distinction to support such a restriction and doing so would only serve to limit transfers under the proposed program.

2. The proposed EIS/EIR should include an analysis of fallowing and groundwater substitution of irrigated pasture lands as a method to develop water suitable for transfer. While there may be concerns about whether there presently is a uniformly accepted consumptive use calculation for irrigated pasture, it is very likely that such an analysis will be in place before the end of the period analyzed by the proposed EIS/EIR. In fact, until the last few years, the California Department of Water Resources regularly developed and published accepted ETAW calculations for both alfalfa and irrigated pasture. (*See e.g.*, DWR Bulletin 160 series.) Further, insofar as the evapotranspiration (ET) calculations for other crops (ETc) are derived primarily from ET rates for pasture (ETo) and an applied crop coefficient (Kc), the ETAW calculations for those other crops should not be considered any more or less reliable than the ETAW for irrigated pasture.

At a minimum, an individual farmer such as McArthur should be given the opportunity to establish ETAW rates for his own irrigated pasture based upon data developed on site or within the area covered by the local CIMIS Station. DWR maintains and operates a CIMIS station on McArthur's property that can be used to accurately provide data to support an ETAW calculation for his pasture. In the alternative, an agreed upon base ETAW number for irrigated pasture north of the American River could be used, which would make some quantity of water available for transfer. Quite simply, excluding irrigated pasture from the analysis in the EIS/EIR is discriminatory and contrary to state law.

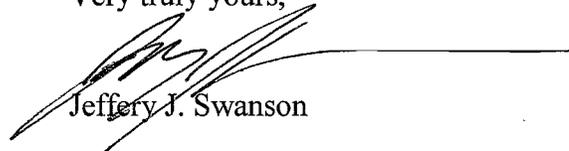
Other reasons to include irrigated pasture in the analysis are:

- It will increase the quantity of water available for transfer;
- Is consistent with provisions in the California Water Code encouraging water transfers (see Water Code §§109(b), 475;
- May provide more affordable water at a lower environmental cost when compared to the effects of fallowing other crop-types.

3. The proposed EIS/EIR should include an analysis of water made available for transfer upstream of Shasta Dam. McArthur owns approximately 750 acres of property in the Fall River Valley used for growing wild rice, and is interested in fallowing those lands and transferring conserved water. Water developed from fallowing that property and made available for transfer would enter Lake Shasta via the Pit River. The EIS/EIR should include an analysis of the effects any such transfer would have on USBR's operations at Shasta Dam.

Please contact me directly if you have any questions concerning the foregoing, and thank you for the opportunity to comment.

Very truly yours,



Jeffery J. Swanson

cc: George McArthur

JEFFERY J. SWANSON
ATTORNEY AT LAW

2515 Park Marina Drive, Ste. 102
Redding, California 96001-2831

Tel. 530.225.8773/Fax 530.232.2772
e-mail: jswanson@snowcrest.net

February 23, 2011

Mr. Brad Hubbard
Bureau of Reclamation
2800 Cottage Way, MP-410
Sacramento, California 95825

Re: EIS/EIR Scoping Comments
Long-Term North to South Water Transfer Program

Dear Mr. Hubbard:

This letter is written on behalf of The McConnell Foundation, a California non-profit corporation, (hereafter "McConnell"). It responds to the Notice of Intent to prepare an EIS/EIR as part of the Long-Term North to South Water Transfer Program. The comments on the scope of the EIS/EIR are as follows:

1. McConnell is party to an Exchange Contract (Contract No. 00-WC-20-1707) with the United States of America, acting through the Bureau of Reclamation (Reclamation). That Contract gives McConnell the right to receive from Reclamation up to 5,100 acre-feet of water each year for use within Reclamation's service area in Shasta County.

Historically, McConnell has entered into single-year agreements to make its Contract water available to water districts and other users within Shasta County. However, McConnell has no long-term obligation to make its water available for those uses.

Under the terms of the Contract, if McConnell desires to transfer the Contract water outside the designated area within Shasta County, the amount available for transfer is reduced by 1.786 acre-feet for each acre foot transferred. Thus, McConnell has available for transfer outside of Shasta County approximately 2,800 acre-feet of Contract water each year. Further, the Contract provides that water delivered under the Contract is not subject to any drought-year reductions imposed on CVP water right settlement contractors or CVP water service contractors.

McConnell would like to be identified as a potential northern California selling party under the EIS/EIR analysis. The quantity available for transfer would be up to the 2,800 acre-feet of water referenced above. This water could be delivered from Lake Shasta or Whiskeytown Reservoir, at Reclamation's discretion, and at any time during the water year, so long as it is scheduled in

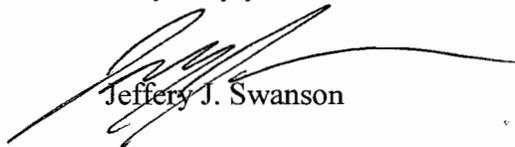
Mr. Brad Hubbard
Re: EIS/EIR Scoping Comments
February 23, 2011
Page 2

accordance with the terms of the Contract. At this time, McConnell has no agreement with any purchasing agency south of the Delta.

2. According to the summary in the Notice of Intent published in the Federal Register, Reclamation is proposing "to analyze the effects of water transfers from *water agencies* in northern California to water agencies south of the Sacramento-San Joaquin Delta (Delta) and in the San Francisco Bay Area." The EIS/EIR should not be limited to transfers from "water agencies in northern California." McConnell, along with many other individual water rights holders in northern California, have the ability and desire to transfer water conserved by groundwater substitution, cropland idling and other methods. The EIS/EIR should not be limited to analyzing transfers from water agencies only. Certainly, California law does not make any distinction to support such a restriction and doing so would only serve to limit transfers under the proposed program.

Please contact me directly if you have any questions concerning the foregoing. Thank you for the opportunity to comment.

Very truly yours,



Jeffery J. Swanson

cc: John Mancasola, The McConnell Foundation

Greene, Alicia M.

From: Veronese, Gina
Sent: Monday, February 28, 2011 4:27 PM
To: Greene, Alicia M.
Subject: FW: San Luis and Delta-Mendota Water Authority plan create an illegal Moral Hazard

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Monday, February 28, 2011 3:24 PM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: FW: San Luis and Delta-Mendota Water Authority plan create an illegal Moral Hazard

[Comment for record.](#)

From: r switzer [mailto:prswitz@gmail.com]
Sent: Monday, February 28, 2011 3:15 PM
To: Hubbard, Bradley C
Subject: San Luis and Delta-Mendota Water Authority plan create an illegal Moral Hazard

Dear Mr. Hubbard,

I wish to register my opinion concerning the proposal to establish an agency by which water rights would be sold to the San Luis and Delta-Mendota Water Authority.

I believe it is illegal to establish an agency by which "willing sellers" can assign their water rights to Sacramento River water flows, for up to 10 years per contract.

To do so would be to create a Moral Hazard, illegal under the law. A Moral Hazard increases the likelihood that one person will take steps that will adversely affect one or more other parties.

"Willing Sellers", having sold their Riparian rights, would have strong economic incentive (and financing, with profits from water sales) to continue to farm their properties with subterranean water.

This economic incentive increases the risk of the water table in the local area being greatly affected, with the risk of attendant harm assigned to a large number of innocent parties who had no part in the original water transfer or subsequent replacement, and did not profit from the original deal.

In our local area, it is a well established fact that towns and individuals can have their water tables ruined by excessive draw-downs.

Total water tables are already drastically reduced*without* the presence of an agency that will more strongly incentivize the further depletion of those water tables.

In this case it is not at all difficult to discern the obvious Moral Hazard attendant to a proposed creation of an agency such as proposed by the Bureau of Reclamation.

The proposal should be rejected.

Yours truly,

Paul R. Switzer
1197 Honey Run Road
Chico, CA 95928

Greene, Alicia M.

From: Veronese, Gina
Sent: Monday, February 28, 2011 4:24 PM
To: Greene, Alicia M.
Subject: FW: Northern California Groundwater

-----Original Message-----

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Monday, February 28, 2011 3:23 PM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: FW: Northern California Groundwater

Comment for record.

-----Original Message-----

From: Nora Todenhagen [mailto:n_todenhagen@yahoo.com]
Sent: Monday, February 28, 2011 3:12 PM
To: Hubbard, Bradley C
Subject: Northern California Groundwater

The proposed transfers of Sacramento Valley groundwater constitute a common right "taking" in every moral sense. Urban and agricultural interests in this hydrological region have used their groundwater as a good in common. They have not paid for the water itself only for its delivery. The rule was they were to put this water to productive use. With this groundwater has come a thriving agriculture and a vibrant urban economy dependent on this agriculture.

This common groundwater is delicate. It is declining; certainly the ground water users themselves should be imposing limits on its use. When an outside interest in 1994 siphoned water from a common aquifer, the results were disastrous. Wells ran dry.

Now the Bureau of Reclamation is proposing a massive "taking" of this common good. The excuse is the sellers of the water are "willing." There can be no "willing" sellers of a common good. There can only be massive disruption of the livelihood of many and the destruction of the flora and fauna which are dependent on groundwater and on a healthy stream - groundwater relationship.

Please reconsider your groundwater transfer proposal and look for other solutions to California's water problems.

Nora Todenhagen
2298 East 8th St.
Chico, Ca 95928



TRINITY COUNTY BOARD OF SUPERVISORS

P.O. BOX 1613, WEAVERVILLE, CALIFORNIA 96093
PHONE (530) 623-1217 FAX (530) 623-8365

February 3, 2011

Mr. Brad Hubbard
Bureau of Reclamation
2800 Cottage Way MP410
Sacramento, CA 95825

Re: Scoping comments on EIS/EIR on the effects of proposed water transfers from willing sellers in Northern California to buyers south of the Sacramento-San Joaquin Delta and in the San Francisco Bay Area.

Dear Mr. Hubbard:

The County of Trinity is very interested in commenting on the scope and participating in the analysis of the above mentioned Environmental Impact Statement/Environmental Impact Report. The opening statement of purpose in a water policy paper enacted by the Board of Supervisors over two decades ago reads as follows:

"Decisions involving the use and distribution of water throughout the state, most of which are made and will continue to be made at the State and Federal level, should be made with the input of local citizens and their local representatives. This input should be provided in such a manner that it is consistent, fair, and adequately addresses local needs and concerns. Equally important is the need to ensure that those County environmental resources dependent upon the quantity and quality of water are likewise represented in the decision making process.

Since the County of Trinity is charged with both the protection of its local citizenry and environmental resources, it is logical that the County represent these interests, especially when these interests are, or are potentially, threatened by State or Federal actions which may effect the use or distribution of water within or outside of Trinity County."

This policy statement emphasizes our commitment to our citizens and our most valued resources. Trinity County firmly believes that the laws of the State of California, and in particular, **the area of origin protections** fully establishing our rights to water originating within the county and any benefit derived from them.

We look forward to working with you as a coordinating agency on the proposed EIS/EIR.

Sincerely,

Judy Morris
Board Chair

Greene, Alicia M.

From: Veronese, Gina
Sent: Monday, February 28, 2011 5:35 PM
To: Greene, Alicia M.
Subject: FW: Scoping Comments: Long-Term Transfers (2012-2022)

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Monday, February 28, 2011 4:24 PM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: FW: Scoping Comments: Long-Term Transfers (2012-2022)

[Comment for record.](#)

From: John Merz [mailto:jmerz@sacrivertrust.org]
Sent: Monday, February 28, 2011 4:22 PM
To: Hubbard, Bradley C
Subject: Scoping Comments: Long-Term Transfers (2012-2022)

Dear Mr. Hubbard:

The Sacramento River Preservation Trust (Trust) has serious concerns about the cumulative and third party impacts (among other things) of the proposed Long-Term Water Transfer Program (Program). We trust that these issues will be addressed in depth during the EIS/EIR process and hereby request to be kept informed of ANY and ALL meetings and related developments regarding the Program.

Sincerely,

John Merz
President
Sacramento River Preservation Trust
P.O. Box 5366
Chico, CA 95927
(530) 345-1865
jmerz@sacrivertrust.org
www.sacrivertrust.org

AQUALLIANCE

DEFENDING NORTHERN CALIFORNIA WATERS



February 28, 2011

Mr. Brad Hubbard
Bureau of Reclamation
2800 Cottage Way, MP-410
Sacramento, CA 95825

Subject: Scoping Comments and Questions regarding the Ten-Year, 600,000 Acre-Feet, North-to-South Water Transfer Program

Dear Mr. Hubbard:

AquAlliance, the California Sportfishing Protection Alliance, and the California Water Impact Network ("the Coalition") submit the following scoping comments and questions for the Ten-Year, 600,000 Acre-Foot, North-to-South Water Transfer Program ("Project") Environmental Impact Statement and Environmental Impact Report ("EIS/EIR"). The EIS/EIR will address transfers of 600,000 acre-feet ("af") of Central Valley Project (CVP) and non-CVP water. The Bureau of Reclamation (Bureau) and the San Luis/Delta Mendota Water Authority (SLDMWA), the lead agencies (agencies) as defined by the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), must provide the public with a clear project description, properly define and quantify the impacts, provide enforceable mitigation measures, consider adequate alternatives, and propose a detailed monitoring plan.

For the majority of the twentieth century, the Sacramento Hydrologic Region supported family farming, healthy salmon runs, and a diverse environmental heritage. We hope that the agencies will seek to not only remember the heritage, but actively participate in efforts to defend what remains and restore what has been degraded for the health of California and future generations. That legacy and culture are now in the crosshairs of water policies that have repeatedly failed in the San Fernando, Owens, and San Joaquin valleys of California.

Lead Agencies

Please explain why the California Department of Water Resources is not the lead agency for the Project review under the California Environmental Quality Act. Clearly, DWR facilities are instrumental pieces of the Project as stated in the Federal Register: “Reclamation and DWR would facilitate water transfers involving CVP contract water supplies and CVP and SWP facilities.” Moreover, how will SLDMWA enforce the state’s role as trustee of the public’s resources in California? DWR has the statutory duty to serve as lead agency in assessing the environmental consequences of projects involving the SWP.¹

Project Description

The draft EIS/EIR must provide an accurate description of the proposed Project and its relationship to myriad other water transfer and groundwater extraction projects. An accurate and complete project description is necessary to evaluate the potential environmental impacts of the agencies’ actions. ‘Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal’s benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal . . . and weigh other alternatives in the balance.’” (City of Redlands v. County of San Bernardino (2002) 96 Cal.App.4th 398, 406-407, quoting County of Inyo v. City of Los Angeles (1977) 71 Cal.App.3d at pages 192-193.

A) The public’s ability to comment in this scoping process has been severely hampered by the lack of a definable project. The Federal Register notice dated December 28, 2010 provides very limited information:

The EIS/EIR will address transfers of Central Valley Project (CVP) and non-CVP water supplies that require use of CVP or State Water Project (SWP) facilities to convey the transferred water. Water transfers would occur through various methods, including, but not limited to, groundwater substitution and cropland idling, and would include individual and multiyear transfers from 2012 through 2022..... Current operational parameters applicable to the transfer water include:

- *Conveyance of a maximum of 600,000 acre feet per year; and*
- *Use of the SWP’s Harvey O. Banks Pumping Plant and CVP’s C.W. “Bill” Jones Pumping Plant during July through September only.*

As we await a project description, many questions come to mind such as, who are the potential sellers and buyers? Under what conditions will the Project be implemented and at what scale? What is the baseline? Repeated water transfer projects in the last decade have all occurred without the benefit of comprehensive federal or state environmental analysis, which prompts us to suggest that the baseline should precede all this activity – approximately the year 2000 (see chart below).

¹ <http://ceres.ca.gov/ceqa/cases/2000/PCLvDWR-2000.html>

84 Cal.App.4th 315A, 100 Cal.Rptr.2d 173, 00 Cal. Daily Op. Serv. 7782, 2000 Daily Journal D.A.R. 10,331

Past Water Transfers from the Sacramento Valley Through the Delta in TAF Annually										
Program	2001	2002	2003	2004	2005	2006	2007	2008	2009	Potential 2010
DWR Drought Water Banks/Dry Year Programs	138	22	11	0.5	0	0	0	0	74	0
Environ Water Acct	80	145	70	120	5	0	147	60	60	60
Others (CVP, SWP, Yuba, inter alia)	160	5	125	0	0	0	0	173	140	370
Totals (TAF)	378	172	206	120.5	5	0	147	233	274	430

Source: Western Canal Irrigation District's Negative Declaration, 2010 Water Transfer Program

B) The use of ground water substitution is very controversial (see Impacts). The Coalition brought this to your attention in our comments for the 2010-2011 Water Transfer Program. Members of the Coalition have also raised alarm over ground water substitution through comments submitted on numerous individual CVP and SWP contractor's water transfer and ground water extraction projects over many years. The controversy must be addressed in the EIS/EIR.

C) It is crucial that the EIS/EIR disclose the current over subscription of our natural water supply as well as the over subscription of legally designated surface water rights in the state, i.e. "paper water."

D) The Federal Register does not mention directly the use of State Water Project water. Please specify what is considered "non-CVP" water that may be used in the Project.

Impacts

The proposed Project will have significant effects on the environment—both standing alone and when reviewed in conjunction with the multitude of other plans, projects, and programs that incorporate and are dependent on Sacramento Valley water.

A) The Bureau understands the seriousness of the potential impacts as presented in the Environmental Assessment ("EA") for the 2010-2011 Water Transfer Program cumulative impacts section. The EA disclosed that there could be a *devastating* impact to groundwater: "The reduction in recharge due to the decrease in precipitation and runoff in the past years in addition to the increase in groundwater transfers would lower groundwater levels. Multi-year groundwater acquisition under cumulative programs operating in similar areas of the Sacramento Valley could further reduce groundwater levels. Ground water levels may not fully recover following a transfer and may experience a substantial net decline in groundwater levels over several years. This would be a substantial cumulative effect," (EA p. 3-108).

It is unacceptable and would be irresponsible for the agencies to move forward with the ground water substitution component in light of the potential impacts. However, if the agencies decide to move forward with ground water substitution as a part of the Project, an exhaustive and detailed description of the probable and possible impacts must be included in the EIS/EIR and the mitigation and monitoring plan, with all the component parts, must be presented for public review with the EIS/EIR.

B) The EIS/EIR must also provide, but isn't limited to, data and peer reviewed analysis for the following:

- The draft EIS/EIR must thoroughly analyze the potentially significant adverse effects on listed species, species of concern, critical habitat, and species recovery plans in the area of origin, areas of conveyance, and area(s) of delivery.
- Air quality impacts in the area of origin, areas of conveyance, and area(s) of delivery could be severe with the increased pumping that may be necessary to implement the Project. These probable impacts must be thoroughly analyzed.
- Significant projects of this size have the potential to create serious growth inducing impacts in the area of origin, areas of conveyance, and area(s) of delivery. These probable impacts must be thoroughly analyzed.
- Discussion and analysis of the legal and practical implications of artificial recharge, in lieu recharge, and replenishment districts must be presented in the EIS/EIR.
- Recharge data for all aquifers in the area of origin.
- Aquifer levels and trends in the area of origin and the area(s) of delivery for the past 40 years.
- Impacts to native hardwood trees (terrestrial habitat) that may result from alluvial aquifer leakage into dewatered aquifer layers.
- Detailed understanding of the interaction between surface and ground waters in the area of origin and the area(s) of delivery.
- Isotopic ground water data available for the area of origin.
- Ground and surface water quality in the area of origin, areas of conveyance, and the area(s) of delivery for the past 40 years and how the Project may improve or degrade water quality. Examples include hazardous waste plumes in ground water basins and selenium laden runoff.
- Detailed descriptions of local regulations and management plans and explicitly state how they might or might not protect the public trust and private property resources in the area of origin from 600,000 af per year water transfers.

Cumulative Impacts

Cumulative impacts analyses are required by both CEQA and NEPA and require the cumulative effects analysis to include past, present, and foreseeable future actions and projects that can be reasonably predicted to occur within the term of the proposed project. The cumulative effects analyses in this EIS/EIR must evaluate the combined effects of the Project and other water acquisition programs that could engage in water transfers similar to those of the Project as well as all ground water stress tests (see Monitoring for examples). The cumulative effects analyses must also consider projects proposing physical changes to water quality, storage, export, or conveyance facilities in the areas of origin, areas of conveyance, and the receiving area(s). The existence of these numerous related projects makes an adequate analysis of cumulative impacts especially important.

The Project's surface water transfers and ground water substitution program do not exist in a vacuum, as the agencies well know, and instead are actually integrated, important parts of a broader scheme to develop regional surface and ground water resources into a conjunctive use system. For example, "GCID shall define three hypothetical water delivery systems from the State Water Project (Oroville), the Central Valley Project (Shasta) and the Orland Project reservoirs sufficient to provide full and reliable surface water delivery to parties now pumping from the Lower Tuscan Formation. The purpose of this activity is to describe and compare the performance of three alternative ways of furnishing a substitute surface water supply to the current Lower Tuscan Formation groundwater users to eliminate the risks to them of more aggressive pumping from the Formation and to optimize conjunctive management of the Sacramento Valley water resources." (U.S. Bureau of Reclamation, September 2006. Grant Assistance Agreement) This example is only one many projects and programs that must be evaluated cumulatively in the EIS/EIR.

Alternatives

The agencies should consider direct alternatives and reduced-demand alternatives to the ten-year, 600,000 acre-feet per year water transfer program.

Direct Alternatives to the Proposed Project

- Thoroughly scrutinize the no project alternative.
- Thoroughly scrutinize the no project alternative or a **delay of the Project alternative** in conjunction with:
 - Conservation in the area(s) of delivery.
 - Retirement of farmland in the San Joaquin Valley that produces polluted runoff.
 - Bringing the CVP and SWP contract amounts in line with **historic firm yields** and eliminating "paper water."
- Allow 600,000 acre-feet per year over ten years, but **exclude ground water substitution**.
- Consider a smaller amount, such as **300,000 acre-feet per year** over ten years **and exclude ground water transfers**.
- Use of water transfers only within the basin(s) of delivery (excluding north of delta to south of delta transfers).

Additional Reduced-Demand Alternatives to the Proposed Project

- Change crop patterns in the San Joaquin Valley to less water intensive crops. For example, change from perennial tree crops to annual crops that can be left fallow during normal to sub-normal precipitation patterns.
- Enforce the existing seniority system to manage deliveries, demand, and expectations.
- Create a policy of no net increase in water availability for urban or agricultural expansion.

Monitoring

Adequate monitoring is particularly important in light of the significant risks posed by the Project to the health of the area of origin's ground water. Moreover, this Project is occurring concurrently with other past, present, and reasonably foreseeable projects like the Drought Water Bank, the SCF *Stony Creek Fan Aquifer Performance Testing Plan*, the Butte County aquifer performance testing program, and more. A clear and explicit adaptive management strategy must be integrated into the EIS/EIR from the outset and available for public comment; its description cannot be left undefined or left as a "next step."

A) If ground water substitution is used in the Project, how will individual well owners be protected from impacts and notified of Project pumping? The EIS/EIR must disclose that the majority of wells used in the Sacramento Valley are individual wells that pump from varying strata in the aquifers and that there are thousands of domestic wells in the target export area that are vulnerable to ground water manipulation and lack historic monitoring.

The Bureau's 2009 Drought Water Bank Environmental Assessment elaborated on this point regarding Natomas Central MWC (p. 39) stating that, "Shallow domestic wells would be most susceptible to adverse effects. Fifty percent of the domestic wells are 150 feet deep or less. Increased groundwater pumping could cause localized declines of groundwater levels, or cones of depression, near pumping wells, possibly causing effects to wells within the cone of depression. As previously described, the well review data, mitigation and monitoring plans that will be required from sellers during the transfer approval process will reduce the potential for this effect." There must be a monitoring protocol that is sufficient to draw real time conclusions regarding area-wide impacts and a notification process and for all well owners in any basin that uses ground water substitution.

B) The Coalition believes that individual selling districts' mitigation and monitoring plans, which have been used previously by the Bureau and DWR, are inadequate. They fail to provide the most basic framework for governmental authority to enforce the state's role as trustee of the public's water in California, let alone a comprehensive and coordinated structure, for a very significant program that could transfer up to 600,000 af of water from the Sacramento Valley.

We suggest that an independent third party, such as USGS, oversee the mitigation and monitoring program. The Bureau, DWR, SLDMWA, and the selling districts are interested parties and should not "guard the henhouse" as it were. After the fiasco in Butte County during the 1994 Drought Water Bank and with the flimsy, imprecise proposal for mitigation and monitoring in the 2010-2011 Water Transfer Program, the agencies and districts lack credibility as oversight agencies.

C) Monitoring of the area of origin's hydrology must include measurement and analysis of the alluvial (shallow) aquifer layers that contribute to stream-flow and sustain deep-rooted native valley oak trees. In addition, interaction between these shallow layers and the pressurized underlying semi-confined aquifer layers must be disclosed and analyzed.

Conclusion

As our alternatives section suggests, we believe that the “need” for this project is driven by demand from junior water rights holders south of the Delta. The need for 600,000 af of water south of the Delta springs from failed business planning that has been supported with political influence. The Bureau, SLDMWA, and DWR, the “silent partner” in this Project, must acknowledge this and further disclose that their agencies are willing to socialize the risks taken by corporate agribusiness and developers while facilitating private profit. Instead of asking northern California water districts and municipal water purveyors to place their own water at risk, as well as the water and water quality for neighboring communities, thousands of residential well owners, fisheries, recreation, stream flow, terrestrial habitat, and geologic stability, the agencies must disclose all the uncertainty in the Project and then evaluate the risks with scientific methodology.

Please inform our organizations of any information regarding this Project and send us all future environmental review news releases.

Sincerely,



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Greene, Alicia M.

From: Veronese, Gina
Sent: Friday, February 11, 2011 10:23 AM
To: Greene, Alicia M.
Subject: FW: Long-term north to south water transfers: comments

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]
Sent: Friday, February 11, 2011 9:21 AM
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly
Subject: FW: Long-term north to south water transfers: comments

[For the record.](#)

From: Elicia Whittlesey [mailto:elicia.whittlesey@gmail.com]
Sent: Tuesday, February 08, 2011 1:36 PM
To: Hubbard, Bradley C
Subject: Long-term north to south water transfers: comments

February 8, 2011

Comments on north-south water transfer proposal

To Brad Hubbard

Bureau of Reclamation

I attended the “scoping” meeting in Chico (January 11th) on the north-south water transfer proposal. These transfers – whether they are a “project” or a “plan” or some other scheme – constitute an ill-conceived, poorly disguised and unwarranted subsidy of agribusiness. As someone who grew up here, playing in and protecting Butte County’s creeks, I am acutely aware of water’s preciousness – and precarity – in northern California. Studying water in college and graduate school, I also know that there are ways to live well and wisely with the water that we have, and in ways that support all life. I know that there are wise alternatives to this proposal. And so, like many other people in the area around Chico, I am firmly opposed to any north-south water transfers.

But it is not up to me to make the argument against such transfers. It is up to the proponents to make an argument for them. And it is the job of government agencies working in service of all people, not just the richest, to fairly and fully examine all angles of the possible water transfer. This hopelessly nebulous proposal

was brought to the public prematurely. Without the details of any actual proposal in hand, the public is not able to adequately comment on this vague proposition. We can only ask questions. I hope that these and many other questions will be addressed in the EIR/S.

Why is this water needed? By whom? For what purpose? What will the environmental effects, positive or negative, of this water be on the San Joaquin Valley and River ecosystem? Who will benefit economically from this water? Who and what will suffer? What state-wide water policies support or conflict with these proposed transfers?

When will this water be transferred? Will the public be notified of these transfers, and have case-by-case opportunities to comment? What constitutes a drought? How will global climate change affect the supposed need for water transfers? Will these transfers truly alleviate a shortage in supply? If northern California is also experiencing drought, why would it be reasonable or justifiable to deprive northern ecosystems of water for the sake of southern orchards? Why should junior water rights holders farming in inappropriate locations be given precedence over the uses of water by senior water rights holders and for farms, ecosystems, and homes in the Sacramento Valley? Please provide a detailed monitoring and mitigation plan concerning ground- and surface-water impacts in the Sacramento Valley. And please be transparent about the political rationale for transferring this water. What role does financial and political power play in deciding how water is allocated?

Who will sell the water? What effect will groundwater replacement for irrigation have on the regional hydrology, including the aquifers, creeks, wells, and springs? Who will be liable for any adverse effects to these water systems? What effect will groundwater replacement have on groundwater quality – including movement of heavy metals into drinking water? What effect will groundwater replacement pumping have on river and creek levels, and on the viability of these waterways for aquatic life and salmon migrations? Where is the baseline data, and what does it say? What will the cumulative impacts be? How can we predict these effects with any accuracy, given the current dearth of knowledge about regional groundwater systems? Be honest about scientific uncertainty.

What are the alternatives to these proposed transfers? What are the benefits – social, economic, and environmental – of retiring cropland on the west side of the San Joaquin Valley? What are the benefits of water conservation, in both agricultural and municipal uses? I want to see a full, fair, and thorough investigation of these alternatives.

With many others in northern California, I reject the attempt to take the water we all rely on. It is insulting to have the Bureau introduce a proposal utterly lacking in substance, justification, or honesty. Without a project description, everyone can only guess at the effects.

I ask that you use the space of the EIR/S to tell us how, and why, we can and should formally say “No” to this proposal.

Sincerely,

Elicia Whittlesey

Butte Valley, California



February 25, 2011

Mr. Brad Hubbard
Bureau of Reclamation
2800 Cottage Way, MP-410
Sacramento, CA 95825

Submitted via email to bhubbard@usbr.gov

Subject: Comments on Long-Term North to South Water Transfer Program

Dear Mr Hubbard,

On behalf of the California Waterfowl Association (CWA), I am pleased to provide comments concerning the proposed EIS/EIR for the Long-Term North to South Water Transfer Program. CWA is a charitable 501 (c)(3) organization dedicated to conserving California's waterfowl, wetlands, and outdoor heritage. We represent the interests of over 20,000 members statewide, and our waterfowl and wetlands programs are implemented throughout the state.

While preparing the EIS/EIR, we ask you to consider the impacts to migratory birds, especially waterfowl. Where negative impacts to migratory bird habitat exist, it is critical that measures be taken to mitigate for these impacts. Specifically, we ask that you evaluate the following:

Potential loss of rice as migratory bird wintering habitat.

Agriculture in the Sacramento Valley and Delta region, especially small grains and rice, provide significant habitat for waterfowl and other wildlife. The contribution by rice is especially important, and is critical to meeting the habitat conservation planning goals of the Central Valley Joint Venture (<http://www.centralvalleyjointventure.org/science>). Any reduction in the amount of rice crop planted would be a loss of waterbird habitat. Your analysis should include not only the potential reduction in the acres of rice planted, but also changes in rice acreage flooded during the winter as a result of reduced water availability or increased costs of pumping from aquifers. Finally, we ask that water used for less wildlife-friendly crops, not from rice and other small grains, be targeted for potential north to south transfers to reduce impacts to waterfowl and other wildlife.

Potential loss of water for natural wetlands.

The reduction in rice can also have indirect impacts on the timing and availability of water for natural wetlands in the Sacramento Valley. Some natural wetlands rely on tail water from rice irrigation, especially in late summer and fall when rice fields are drained in preparation for harvest. Many of these critical wetlands complexes, such as the Butte

Sink, are dependent on the annual supply of rice tail water for initial flood-up. The potential impacts of water transfers on the ability of these wetland complexes to continue to provide critical early habitat must be addressed in the EIS/EIR.

Impacts on water deliveries to wetlands south of the Delta.

Wetlands in areas south of the Delta are not currently receiving adequate supplies of water to meet federally-mandated requirements of the Central Valley Project Improvement Act (CVPIA 1992). This is occurring for several reasons, but the capacity of water conveyance systems, combined with restrictions on pumping from the Delta due to endangered species concerns, contribute to the problem. Increasing the amount of water delivered to interests south of the Delta could further limit the ability to provide water for wetlands at state wildlife areas, national wildlife refuges, the Grasslands Ecological Area, and the Tulare Basin. At minimum, it is critical that the impacts of north to south water transfers on these wetlands be evaluated, to insure they will not hinder the quantity or timing of water deliveries to these critical wetland areas. Ideally, all transfers will include wetland water as part of the CVPIA obligation to refuge water supply.

Land use treatment of fallow agricultural fields.

Past water transfers by the Department of Water Resources have resulted in “bare earth” policies in regards to treatment of fields removed from production and left fallow. Inhibiting growth of vegetation on fallow lands is often used to reduce water loss from evapotranspiration, and to insure that crops were not being grown on the property. This land use practice provides little habitat for wildlife, especially relative to rice crops that were previously grown in these fields. Requiring a cover crop on lands that are fallowed as a result of water transfers would reduce soil erosion, while also providing escape and nesting cover for a myriad of birds and other wildlife. The treatment of lands intended to be fallowed, and the adverse impacts or benefits to soil and wildlife, should be thoroughly evaluated in the EIR/EIS.

I appreciate the opportunity to comment on the proposed EIS/EIR for the Long-Term North to South Water Transfer Program. Please feel free to contact me if you have any questions regarding my comments or need further clarification.

Sincerely,



Gregory S. Yarris
Vice President, Policy and Communications