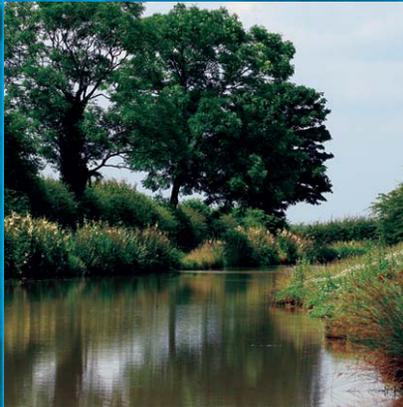


# Long-Term Water Transfers

## Environmental Impact Statement/ Environmental Impact Report Public Scoping Report



U.S. Department of the Interior  
Bureau of Reclamation  
Mid-Pacific Region  
Sacramento, California



San Luis and Delta Mendota  
Water Authority  
Los Banos, California



May 2011



# **Long-Term Water Transfers**

## **Environmental Impact Statement/Environmental Impact Report**

### **Scoping Report**

*Prepared by*

**United States Department of the Interior  
Bureau of Reclamation  
Mid Pacific Region**

**San Luis & Delta-Mendota Water Authority  
Los Banos, CA**



**U.S. Department of the Interior  
Bureau of Reclamation  
Sacramento, California**



**San Luis & Delta-Mendota Water Authority  
Los Banos, California**

May 2011

## **Mission Statements**

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian Tribes and our commitments to island communities.

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.

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# Abbreviations and Acronyms

CEQA	California Environmental Quality Act
CVP	Central Valley Project
Delta	Sacramento-San Joaquin Delta
DWR	California Department of Water Resources
EIS/EIR	Environmental Impact Statement/Environmental Impact Report
NEPA	National Environmental Policy Act
NOI	Notice of Intent
NOP	Notice of Preparation
Reclamation	United States Department of the Interior, Bureau of Reclamation
SLDMWA	San Luis & Delta-Mendota Water Authority
SWP	State Water Project

Long-Term Water Transfers  
Scoping Report

# Chapter 1

## Introduction

The U.S. Department of the Interior, Bureau of Reclamation and the San Luis & Delta-Mendota Water Authority (SLDMWA) are preparing a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) to analyze the effects of water transfers from entities in northern California to entities south of the Sacramento-San Joaquin Delta (Delta) and in the San Francisco Bay Area. The EIS/EIR will address transfers of Central Valley Project (CVP) water supplies that require use of CVP or State Water Project (SWP) facilities and transfers of non-CVP water supplies that require use of CVP facilities. Reclamation is the lead agency under the National Environmental Policy Act (NEPA). Pursuant to Federal and State law and subject to separate written agreement, Reclamation would facilitate water transfers involving CVP contract water supplies and facilities. SLDMWA is serving as the lead agency under the California Environmental Quality Act (CEQA) and would be one of the purchasing agencies of water transfers from agencies north of the Delta.

Buyers and sellers would be responsible for negotiating the terms of the transfers, including amount of water for transfer, method to make water available, and price. Reclamation is not initiating transfers or managing a bank or program to solicit sellers and buyers. Transfers of CVP supplies and transfers of non-CVP supplies that require use of CVP facilities are subject to review by Reclamation in accordance with the Central Valley Project Improvement Act of 1992, Reclamation's current water transfer guidelines, and California State law.

The proposed Long-Term Water Transfers EIS/EIR would include individual and multiyear transfers from 2012 through 2022. The EIS/EIR will analyze impacts of making water available in the sellers' service areas, conveying water, and using water in the buyers' service areas. Water transfers would occur through various methods, including, but not limited to, groundwater substitution and cropland idling.

As part of the NEPA and CEQA process, Reclamation and SLDMWA conducted public scoping to allow the opportunity for public input in development of the EIS/EIR. The Long-Term Water Transfers EIS/EIR also requires input and involvement of multiple stakeholders, including potential buyers, sellers, and regulatory agencies that will be involved in the transfer process. This report describes all elements of the scoping process conducted and provides a summary of comments.

## 1.1 Scoping Purpose and Process

Scoping is generally defined as “early public consultation,” and is one of the first steps of the NEPA and CEQA environmental review process (see Figure 1). The purpose of scoping is to involve the public, stakeholders, Indian tribes, and other interested entities early on in the environmental compliance process to help determine the range of alternatives, the environmental effects, and the mitigation measures to be considered in an environmental document. The results of scoping help to guide a lead agency’s environmental review of a project.



**Figure 1. NEPA and CEQA Process**

As part of the scoping process, lead agencies often conduct public meetings. Scoping is not limited to public meetings; however, public meetings allow interested persons to listen to information about a proposed project or action and express their concerns and viewpoints to the implementing agencies. During scoping meetings, the lead agencies generally outline the proposed project, define the area of analysis, propose issues to be addressed in the environmental compliance document, and solicit public comments. Agencies also establish a scoping comment period to accept scoping comments submitted in writing. Scoping comments are considered by the agencies during the formulation of alternatives and are used to determine the scope of the environmental issues to be addressed in the environmental document.

## 1.2 Applicable Regulations

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

### 1.2.1 National Environmental Policy Act

NEPA regulations (40 CFR 1501.7) require scoping to determine the scope of the issues to be addressed in the environmental review and to identify significant issues. Scoping helps focus the NEPA analysis on the potentially significant issues and deemphasize insignificant issues (40 CFR 1500.4(g)). According to NEPA, scoping should occur early on in the environmental review process and should involve the participation of the affected parties. Information gathered either identifies or can be used to identify:

- Significant resource issues
- Study participants
- The potentially affected geographical area
- Resources available for the study
- Study constraints
- Alternatives to be considered
- Cumulative impacts

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

1. “Invite the participation of affected Federal, State, and local agencies, any affected Indian tribe, the proponent of the action, and other interested persons (including those who might not be in accord with the action on environmental grounds);
2. Determine the scope and the significant issues to be analyzed in depth in the Environmental Impact Statement;

3. Identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review narrowing the discussion of these issues in the statement to a brief presentation of why they will not have a significant effect on the human environment or providing a reference to their coverage elsewhere;
4. Allocate assignments for preparation of the Environmental Impact Statement among the lead and cooperating agencies, with the lead agency retaining responsibility for the Statement;
5. Indicate any public Environmental Assessments and other Environmental Impact Statements which are being or will be prepared that are related to but are not part of the scope of the Impact Statement under consideration;
6. Identify other environmental review and consultation requirements so the lead and cooperating agencies may prepare other required analyses and studies concurrently with, and integrated with, the Environmental Impact Statement; and
7. Indicate the relationship between the timing of the preparation of environmental analyses and the agency's tentative planning and decision making schedule" (40 CFR 1501.7).

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

CEQ regulations (40 CFR 1508.22) require the implementing agency to notify the public that it is preparing an EIS for a project under consideration. Reclamation published a Notice of Intent (NOI) in the Federal Register on Tuesday, December 28, 2010. Appendix A of this scoping report includes a copy of the NOI.

Scoping includes all types of information-gathering activities and is not limited only to a public meeting forum. Information can be obtained in a variety of manners and forms: contacts with other agency personnel, water districts, citizens groups, and other interested individuals and parties are all scoping activities.

### **1.2.2 California Environmental Quality Act**

CEQA encourages early public consultation with affected parties. This early consultation can often identify and help to resolve potential problems before they turn into more serious problems further on in the process. CEQA describes two other benefits for early consultation:

- a) “Scoping has been helpful to agencies in identifying the range of actions, alternatives, mitigation measures, and significant impacts to be analyzed in depth in an Environmental Impact Report and in eliminating from detailed study issues found not to be important.
- b) Scoping has been found to be an effective way to bring together and resolve the concerns of affected Federal, State, and local agencies, the proponent of the action, and other interested persons including those who might not be in accord with the action on environmental grounds” (CEQA Guidelines Section 15083).

According to Section 15082 of the CEQA Guidelines, a State lead agency must conduct at least one scoping meeting for a project of statewide, regional, or area-wide significance. A scoping meeting held pursuant to NEPA in the city or county in which the project is located satisfies this CEQA requirement as long as notification of the scoping meetings has been carried out according to CEQA requirements.

Parallel to the process of the NOI for NEPA, CEQA requires public notification of the initiation of an EIR through a Notice of Preparation (NOP) (CEQA Guidelines Section 15082) that is submitted to the State Clearinghouse through the Office of Planning and Research. SLDMWA submitted the NOP to the State Clearinghouse on January 4, 2011. A copy of the NOP can be found in Appendix A of this scoping report.

### **1.3 Scoping Meeting Notification**

Reclamation and SLDMWA noticed groups and individuals about the scoping meetings through a variety of methods:

- Posting in the Federal Register (NOI)
- Submittal to the State Clearinghouse (NOP)
- Paid advertisements in the main sections of the following newspapers:
  - Sacramento Bee
  - Chico Enterprise Record
  - Redding Record Searchlight
  - Merced-Sun Star
  - Los Banos Enterprise
  - Patterson Irrigator
- Distribution of a press release to Reclamation’s media lists for the Sacramento and San Joaquin areas that included all of the aforementioned newspapers.

- Information regarding the scoping meetings on Reclamation's public website

Copies of paid advertisements, press releases, and meeting notice materials are included in Appendix A.

## 1.4 Scoping Meeting Format

Reclamation and SLDMWA convened three public meetings, one each in Chico (January 11, 2011), Sacramento (January 12, 2011), and Los Banos (January 13, 2011), to inform the public and interested stakeholders about Long-Term Water Transfers and solicit comments and input on the scope of the EIS/EIR.

Each scoping meeting began with a presentation by Reclamation. The presentation explained the purpose and format of the meeting, provided an overview of the proposed project and described the public comment process. During the presentation Reclamation and SLDMWA staff answered questions as they arose from meeting participants. Reclamation and SLDMWA also prepared information for stations that meeting participants could visit after the presentation for more information:

- Station 1: Overview
- Station 2: Transfer Types and Resources to be Analyzed
- Station 3: Process, Schedule, and Comments

Copies of meeting materials including the display boards for each station, comment card, and the presentation are included in Appendix B.

During the scoping meetings, participants were invited to provide verbal comments to a court reporter or written comments using comment cards. Appendix C includes a transcription of verbal comments and questions received during the meetings. (No verbal comments were received at the Los Banos scoping meeting.) Appendix C also includes all written comments received.

## Chapter 2

# Public Comments Received through Scoping

The public scoping period was from December 28, 2010 to February 28, 2011. The public was provided opportunities to comment in writing or orally at public scoping meetings or they could submit comments in writing via email, fax, or mail. Reclamation and SLDMWA distributed comment cards at the scoping meetings to facilitate return of written comments either at the scoping meetings and or via mail later during the project comment period. Email comments could be sent to representatives of Reclamation and SLDMWA. Of the 110 comments received, 71 were written comments and 39 were verbal comments.

This section summarizes the range of scoping comments received through the scoping period. These comments raised issues for Reclamation and SLDMWA to consider during the environmental process. These comments are included both in summary form and in their entirety in Appendix C.

The summary of comments presented in this section is organized by topic area and arranged in alphabetical order. This organization does not represent a relative importance among comments or topic areas, but rather is intended to facilitate presentation of comments in an orderly manner. The summary below does not include the complete text of each comment. If a similar comment was received from multiple participants, the comments were combined and reported as one comment. For the complete record of all comments received please see Appendix C.

### 2.1 Misunderstanding the Project Description

Some comments received did not pertain to the project description or reflected misinterpreted information. These comments included, but were not limited to, these common misconceptions:

- Commenters expressed concerns about impacts related to transfers from Butte County; however, the project description does not include transfers from Butte County. The project description for this EIS/EIR includes CVP-related transfers, and entities in Butte County are either not CVP contractors or would not use CVP facilities for transfers.
- Commenters were concerned that transfers may include up to 600,000 acre-feet of water annually; however, this EIS/EIR will include a much smaller transfer volume (approximately 100,000 to 150,000 acre-feet).

- Commenters discussed impacts related to transfers from the Trinity River watershed; however, the Trinity River is outside of the area of analysis for this EIS/EIR.

## 2.2 Alternatives

- Alternatives should include: conserve water, retire land in the San Joaquin Valley, modify CVP and SWP contracts, exclude groundwater substitution transfers, use transfers only within the basin of delivery, improve recapture and reuse, change crop patterns in San Joaquin Valley to less water intensive crops, limit dairy and cattle ranches south of the Delta, enforce seniority system to manage deliveries, desalinate water, pipe water from northern states, and create a policy of no net increase in water availability for urban or agricultural expansion.
- Cropland idling and groundwater substitution of pasture lands should be analyzed as possible transfer mechanisms.
- The EIS/EIR should include a No Action Alternative.
- The EIS/EIR should not only include transfers from water agencies, but from individuals and other entities as well.
- The EIS/EIR should incorporate information from the 2011 Technical Information Paper.

## 2.3 CEQA Lead Agency

- The California Department of Water Resources (DWR) should be the lead agency instead of SLDMWA.
- DWR has a statutory duty to serve as lead agency.
- Why has Reclamation partnered with SLDMWA in what otherwise seemed to be a commercial operation?
- Documentations should show how SLDMWA will profit from this project moving forward.

## 2.4 Cumulative Impacts

- The cumulative impacts analysis must include non-CVP water transfers, other potential water transfers, water exchanges, and other existing water transfer programs.

- Cumulative project impacts should be analyzed.
- Modeling may not fully capture groundwater-related impacts.
- The EIS/EIR should identify and consider Delta criteria proposed by the State Water Resources Control Board; these criteria represent the best available science and what is needed for a healthy Delta.

## **2.5 Economic Impacts**

- Crop idling causes economic impacts to local farmers and farm-related industries.
- Transfer documentation tends to rely on the RAND Corporation report related to economic third party effects from the 1991 Drought Water Bank, but this study does not adequately assess economic impacts from transfers.

## **2.6 Groundwater Impacts**

- The groundwater impact analysis needs a baseline for domestic wells, which should include groundwater level monitoring that starts immediately.
- Additional studies and surveys should be conducted to understand how the Tuscan Aquifer recharges.
- Potential groundwater quality impacts should be closely monitored and water quality regulations should be strictly enforced.
- Water transfers could cause long-term impacts to local groundwater resources and impair the long-term health of the aquifer.
- Declining groundwater levels could affect users that depend on local groundwater sources and oak trees and other vegetation that rely on groundwater.
- Groundwater overdraft could affect flows in Butte Creek.
- How will Glenn-Colusa Irrigation District Conjunctive Management Study be used in this EIS/EIR?
- The EIS/EIR must analyze impacts to localized groundwater conditions over the ten year time period and an analysis of whether the long-term

nature of the project establishes a permanent reliance on water from this program.

- The project must adhere to local groundwater ordinances and follow Basin Management Objectives.
- Groundwater should be monitored for potential migration of contaminated groundwater caused by groundwater substitution pumping.
- The foothill water table has dropped significantly in the past 25 years; groundwater substitution pumping could further affect wells in this area.
- Adequate groundwater modeling cannot be completed in the timeframe outlined for this study.

## **2.7 Opposition to the Program**

- Multiple commenters were generally opposed to the project and suggested organized protests.
- No one should profit from the sale of water.
- Profits from the sale of water should go to the county of origin.

## **2.8 Other Resource Impacts**

- The EIS/EIR must analyze the potential impact to migratory waterfowl associated with idling rice, potential loss of wetlands, and impact of delivery to wetlands south of the Delta.
- Crop idling can benefit wildlife if land is allowed to have seasonal, non-irrigated vegetation grow on it.
- The EIS/EIR should analyze the impacts of delivery to wetlands south of the Delta.
- The EIS/EIR must assess whether the project will have an adverse impact on historical resources within the area of project effect.
- The EIS/EIR should include analysis of how water transfers may affect the San Luis Reservoir State Recreation Area.

- Analysis must include water quality effects related to degraded water bodies, particularly issues related to mercury and dissolved oxygen.
- The analysis must consider whether exporting water from the Sacramento watershed to irrigate selenium-laden lands on the Westside of the San Joaquin Valley will result in runoff that could degrade surface water and groundwater bodies.
- Drainage from lands in transfer area could violate the state's anti-degradation policy.

## **2.9 Outreach and Involvement**

- Commenters would like for water transfers to be on the ballot so everyone in the region has a chance to vote on it.
- Commenters would like additional meetings in the North Valley region.

## **2.10 Project Description/Purpose and Need**

- The project description needs more definition. The EIS/EIR should analyze all proposed SWP transfers. The groundwater system is fragile; transfers could affect more groundwater users and the system is already in overdraft.
- The project is not cost effective because shifting water from one area of scarcity to another is just a waste of energy and money.
- Several commenters were generally supportive and indicated that they understand the project purpose and need.
- The baseline should include existing environmental program requirements.

## **2.11 Third Party Impacts**

- Groundwater substitution would affect more than just buyers and sellers; groundwater substitution could affect third parties and impacts must be analyzed.
- The Durham region experienced severe impacts to wells in the mid-1990s caused by DWR water transfers.
- The EIS/EIR must evaluate third party impacts.

- The EIS/EIR must include a clear plan to monitor and mitigate third party impacts.
- Any mitigation must be funded to prevent third party financial impacts.

## **2.12 Water Rights Issues**

- The EIS/EIR must include information about water rights of transferring parties.
- The EIS/EIR needs to clarify legal rights for riparian water rights owners.
- Commenters were concerned that transfers could cause farmers to lose water rights because of lost rights associated with another Northern California water transfer project.

## Chapter 3 Commenters

Agencies, organizations and individuals providing written scoping comments are listed below in Table 3-1. Agencies, organizations and individuals providing verbal comments at the meeting are listed below in Table 3-2. A summary of written comments and verbal comments as well as full written comments and the transcriptions of verbal comments are included in Appendix C.

**Table 3-1. Written Comments Received**

<b>Name</b>	<b>Affiliation/Organization</b>
Randy Abbott	Public
Tony St. Amant	Public
Mike Ashlock	Public
Jerry Bruns	California Regional Water Quality Control Board
Julie Butler	Public
Steve Lambert	Butte County
Greg Martin	Department of Parks and Recreation-Four Rivers Sector
Linda Calbreath	Public
Evon Parvaneh Chambers	Center for Biological Diversity, Friends of the River, Pacific Coast Federation of Fisherman's, Crab Boat Owners Assoc., Winnemem Wintu Tribe, Planning and Conservation League, Southern CA Watershed Alliance, Friends of Trinity River, North Coast Rivers Alliance, Salmon Water Now
RuthAnn Christensen	Public
Victoria Coots	Public
Brad Corkin	Public
Carl Wilcox, Paul Forsberg	California Department of Fish and Game
Marty Dunlap	Public
Gail Goodyear	Public
Steven Hammond	Public
Desiree' Hatton	Public
Stephanie Henderson	Public
Robin Huffman	Butte Environmental Council
Sarah Jensen	Public
Karen Laslo	Public
Ira & Teresita Latour	Public
Ann M. Vander Linden	Public
John MacTavish	Public
Danny Margoles	Public
Daniel McDaniel	Central Delta Water Agency
O. J. McMillan	Public
Dale Melville	Dudley Ridge Water District
Dale Melville	Dudley Ridge Water District
Bruce Meyer	Public
Richard Meyers	Public

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<b>Name</b>	<b>Affiliation/Organization</b>
Eric Miller	Public
Jan Mountjoy	Public
Katy Sanchez	Native American Heritage Commission
Gordy Ohliger	Public
Carole S. Oles	Public
Steve Owen	Public
Rod Butler	City of Patterson
Amber Pierce	Public
Brenda Rogers	Public
Angus Saint-Evens	Orland California
Ann Schuenemann	Public
Greg and Laurie Schwaller	Public
John Scott	Public
Grace Marvin	Sierra Club, Yahi Group
Jim Metropulos	Sierra Club California
Robert Stanley	Public
Jeffery Swanson	Public
Jeffery Swanson	Public
Paul R. Switzer	Public
Nora Todenhagen	Public
Judy Morris	Trinity County Board of Supervisors
John Merz	Sacramento River Preservation Trust
Barbara Vlamis, Bill Jennings, Carolee Krieger	Aqualliance, California Water Impact Network, California Sportfishing Protection Alliance
Elicia Whittlesey	Public
Greg Yarris	California Waterfowl Association

**Table 3-2. Verbal Comments Received**

<b>Name</b>	<b>Affiliation/Organization</b>
Jessica Allen	
Joshua Basofin	Defenders of Wildlife
Wally Bird	Chico resident
Brenda Calvert	Chico resident
Johnny Casper	Concow resident
Evon Chambers	Planning and Conservation League
Linda Cole	Citizen
John Dominguez	Chico resident
Marty Dunlap	Citizen
Robert Eberhart	Durham farmer
Jim Edwards	Tehama County farmer
Nanette Engelbrite	Northern California Power Agency
Jerry Toenyas	Northern California Power Agency
Paul Forsberg	Department of Fish and Game
Michael Garabedian	
Bob Hennigan	Retired Chico farmer
Barbara Hennigan	
Mark Herrera	

Name	Affiliation/Organization
John Hollister	Paradise resident
David Janinis	
Caroline Kittrell	Chico resident
Burt Levy	Citizen
John McCavish	Chico resident
Robert McCollin	Chico resident
Richard Meyers	Oroville resident
Eric Miller	Chico resident
Robert Montgomery	Small farmer in Durham
Grace Morgan	Conservation Chair of the Sierra Club
Gordon Ohliger	
Rick Ortega	Vice President, Quail Ridge Estates, Cottonwood, CA
Carol Perkins	Citizen of Butte County and water resource advocate for Butte Environmental Council
Trish Saint-Evens	Member of Save Our Water Resource
John Scott	Butte Valley Coalition and resident
Caroyl (sp?) Smth	
Rick Switzer	Resident of Butte Creek
Susan Tatayon	Nature Conservancy
Jerry Toenyas	Northern California Power Agency
Jim Townsend	Retired from farming industry
Bob Vanella	
Barbara Vlamis	Aqualliance



**Appendix A**  
**Public Notification Materials**



- Pasco Branch, Mid-Columbia Library, 1320 West Hopkins, Pasco, WA 99301.
- Quincy Public Library, 108 B Street Southwest, Quincy, WA 98848.
- North Central Regional Library, Royal City Library, 136 Camelia Street, Royal City, WA 99357.
- Seattle Public Library, Central Library, 1000 Fourth Avenue, Seattle, WA 98104.
- Sprague Public Library, 119 West Second Street, Sprague, WA 99032.
- North Central Regional Library, Warden Library, 305 South Main Street, Warden WA 98857.
- Washington State Library, 6880 Capitol Boulevard South, Olympia, WA 98504.

#### Public Disclosure Statement

If you wish to comment, you may mail or e-mail your comments as indicated under the **ADDRESSES** section. Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment (including your personal identifying information) may be made publicly available at any time. While you can request in your comment for us to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Karl E. Wirkus,**

*Regional Director, Pacific Northwest Region.*

[FR Doc. 2010-32525 Filed 12-27-10; 8:45 am]

**BILLING CODE 4310-MN-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### Long-Term North to South Water Transfer Program, Sacramento County, CA

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

**ACTION:** Notice of intent to prepare an Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) and notice of scoping meetings.

**SUMMARY:** The Department of the Interior, Bureau of Reclamation (Reclamation) and the San Luis & Delta-Mendota Water Authority propose to prepare a joint EIS/EIR 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 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.

**DATES:** Submit written comments on the scope of the Long-Term Water Transfer Program by February 28, 2011.

Three public scoping meetings have been scheduled:

- Tuesday, January 11, 2011, 6–8 p.m., Chico, CA.
- Wednesday, January 12, 2011, 2–4 p.m., Sacramento, CA.
- Thursday, January 13, 2011, 6–8 p.m., Los Banos, CA.

**ADDRESSES:** Send written comments on the scope of the Long-Term Water Transfer Program or issues to be addressed in the EIS/EIR to Mr. Brad Hubbard, Bureau of Reclamation, 2800 Cottage Way, MP-410, Sacramento, CA 95825.

Scoping meetings will be held at:

- Chico at the Chico Masonic Family Center, 1110 W. East Avenue.
- Sacramento at the Best Western Expo Inn & Suites, 1413 Howe Avenue.
- Los Banos at the San Luis & Delta-Mendota Water Authority, 842 Sixth Street.

**FOR FURTHER INFORMATION CONTACT:** Mr. Brad Hubbard, Project Manager, Bureau of Reclamation, via e-mail at [bhubbard@usbr.gov](mailto:bhubbard@usbr.gov) or at 916-978-5204, or Ms. Frances Mizuno, Assistant Executive Director, San Luis & Delta-Mendota Water Authority, via e-mail at [frances.mizuno@sldmwa.org](mailto:frances.mizuno@sldmwa.org) at 209-832-6200.

**SUPPLEMENTARY INFORMATION:** Due to dry hydrological conditions, priority of rights, competing needs, and low reservoir storage levels, water agencies south of the Delta have been using water transfers to supplement local and imported water supplies. Transfers of CVP supplies and transfers that require use of CVP or SWP facilities are subject to review by Reclamation and/or DWR in accordance with the Central Valley Project Improvement Act of 1992, Reclamation's water transfer guidelines, and California State law. Pursuant to Federal and State law and subject to separate written agreement, Reclamation and DWR would facilitate water transfers involving CVP contract water supplies and CVP and SWP facilities. Buyers and sellers would be responsible for negotiating the terms of the transfers, including amount of water for transfer, method to make water available, and price.

The EIS/EIR will identify potential selling parties in northern California, methods by which water could be made available for transfer, and maximum amounts of water available through each method. The EIS/EIR will also identify potential purchasing agencies south of the Delta and the proposed use of transfer water.

The EIS/EIR will investigate alternative transfer methods to make water available. Groundwater substitution and cropland idling have been frequent transfer mechanisms in the past and will be analyzed in the EIS/EIR. Groundwater substitution transfers occur when sellers forego diversion of their surface water supplies and pump an equivalent amount of groundwater as an alternative supply. The purchasing agency would receive the foregone surface water supply. The quantity of water available for transfer would account for potential stream flow losses as a result of groundwater-surface water interaction. Cropland idling would make water available for transfer that would have been used for agricultural irrigation without the transfer. Typically, the proceeds from the water transfer would pay farmers to idle land that they would have placed in production. Rice has been the crop idled most frequently in previous transfer programs.

Water transfers under the Proposed Action involving conveyance through the Delta would be implemented within the operational parameters of the Biological Opinions on the Continued Long-term Operations of the CVP/SWP and any other regulatory restrictions in place at the time of implementation of the water transfers. 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.

The EIS/EIR is expected to analyze the adverse and beneficial effects of implementing water transfers on the following environmental resources: Surface water, water quality, groundwater, fisheries, vegetation and wildlife, special status species, geology and soils, land use, air quality, climate change, cultural resources, noise, recreation, energy, visual resources, socioeconomic, and Indian trust assets. The EIS/EIR will also evaluate environmental justice and cumulative impacts associated with the Long-Term Water Transfer Program.

**Special Assistance for Public Meetings**

If special assistance is required to participate in the scoping meeting, please contact Mr. Louis Moore at 916-978-5106 or via e-mail at [wmoore@usbr.gov](mailto:wmoore@usbr.gov). Please contact Mr. Moore at least ten working days prior to the meeting. A telephone device for the hearing impaired (TDD) is available at 916-978-5608.

**Public Disclosure**

Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be publicly available at any time. While you can ask us, in your comment, to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: October 12, 2010.

**Anastasia T. Leigh,**

*Acting Regional Environmental Officer, Mid-Pacific Region.*

[FR Doc. 2010-32583 Filed 12-27-10; 8:45 am]

**BILLING CODE 4310-MN-P**

**DEPARTMENT OF THE INTERIOR****Bureau of Reclamation****Hydropower Resource Assessment at Existing Reclamation Facilities—Draft Report**

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

**ACTION:** Reopening of comment period for review of the Hydropower Resource Assessment at Existing Reclamation Facilities Draft Report (HRA).

**SUMMARY:** The Bureau of Reclamation is reopening the review period for the HRA for another 30 days from the date of publication of this Notice. The notice of availability of the HRA was published in the **Federal Register** on November 4, 2010 (75 FR 67993). The public review period was originally to end on December 6, 2010.

**DATES:** Submit written comments on the Draft Report on or before January 27, 2011.

**ADDRESSES:** Send written comments or requests for copies to Mr. Michael Pulskamp, Bureau of Reclamation, Denver Federal Center, Bldg. 67, P.O. Box 25007, Denver, Colorado 80225, or e-mail to [mpulskamp@usbr.gov](mailto:mpulskamp@usbr.gov).

The Draft Report is also accessible from the following Web site: <http://www.usbr.gov/power/>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Michael Pulskamp, 303-445-2931, [mpulskamp@usbr.gov](mailto:mpulskamp@usbr.gov).

**SUPPLEMENTARY INFORMATION:** The Administration is committed to increasing the generation of environmentally sustainable, affordable hydropower for our national electricity supplies. Reclamation has 476 dams and 8,116 miles of canals, and owns and operates 58 hydropower plants. On an annual basis, these plants produce an average of 40 billion kilowatt hours of electricity, enough to meet the entire electricity needs of over 9 million people on average, and provide the energy equivalent of more than 80 million barrels of crude oil or about 48.4 billion pounds of coal. Reclamation is the second largest producer of hydroelectric power in the United States, and is actively engaged in looking for opportunities to encourage development of additional hydropower capacity.

In March 2010 Reclamation signed a Memorandum of Understanding (MOU) with the Department of Energy and the U.S. Army Corps of Engineers. The MOU focuses on ways to increase renewable energy generation by focusing on development of sustainable, low impact, and small hydropower projects. The MOU committed Reclamation to produce an updated list of facilities and sites best suited for projects to increase sustainable hydropower generation by October 2010. The HRA provides information on potential hydropower development at existing Reclamation facilities that may warrant further study.

The Draft Report does not make any recommendations for development of the sites included in the report. Instead, it provides an inventory of hydropower potential at existing Reclamation sites using broad energy and economic criteria. Reclamation is not undertaking a new dam construction initiative with this study, and is focused on identifying the hydropower potential of Reclamation's existing structures. This resource assessment level study does not take the place of a site by site feasibility study.

**Public Disclosure**

Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we

cannot guarantee that we will be able to do so.

Dated: December 21, 2010.

**Michael R. Gabaldon,**

*Director, Technical Resources, Bureau of Reclamation.*

[FR Doc. 2010-32660 Filed 12-27-10; 8:45 am]

**BILLING CODE 4310-MN-P**

**INTERNATIONAL TRADE COMMISSION**

[Investigation No. 337-TA-729]

**In the Matter of Certain Semiconductor Products Made by Advanced Lithography Techniques and Products Containing Same; Notice of Commission Decision Not to Review an Initial Determination Terminating The Investigation**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's initial determination ("ID") (Order No. 11) granting a joint motion to terminate the investigation as to one respondent on the basis of a settlement agreement, and terminating the investigation.

**FOR FURTHER INFORMATION CONTACT:** Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-2532. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on July 27, 2010, based on a complaint filed by STC.UNM (Albuquerque, New Mexico) ("STC"), alleging a violation of section 337 in the importation, sale for

**NOTICE OF PREPARATION  
ENVIRONMENTAL IMPACT REPORT FOR THE LONG-TERM NORTH TO  
SOUTH WATER TRANSFER PROGRAM  
SAN LUIS & DELTA-MENDOTA WATER AUTHORITY**

**INTRODUCTION**

The San Luis & Delta-Mendota Water Authority (SLDMWA) as the State lead agency under the California Environmental Quality Act (CEQA), and the Department of the Interior, Bureau of Reclamation (Reclamation) as Federal lead agency under the National Environmental Policy Act (NEPA), propose to prepare a joint Environmental Impact Report/Environmental Impact Statement (EIR/EIS) to analyze the effects of water transfers from northern California to purchasers south of the Sacramento-San Joaquin Delta (Delta) and in the San Francisco Bay Area. 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.

Water transfers would occur through various methods, including, for example, groundwater substitution and cropland idling. Buyers and sellers, including SLDMWA, would be responsible for negotiating the terms of individual transfers, including the amount of water for transfer, the method for making water available, transfer period and price. Reclamation and the California Department of Water Resources (DWR) will be responsible for approving transfers under their jurisdiction and for use of CVP and SWP facilities required for the transfers.

The proposed Long-Term Water Transfer Program would include single and multiyear transfers between 2012 and 2022. The EIR/EIS will analyze impacts in the sellers' service areas of making water available for transfer, changes in flow patterns in

rivers upstream from the Delta and the Delta from conveying transfer water, and using the transferred water in the buyers' service areas.

The purpose of this notice is to obtain comments, suggestions, and information from other agencies and the public on the scope of issues to be addressed in the Long-Term Water Transfer Program EIR/EIS.

**DATES:** Three public scoping meetings will be held:

- Tuesday, January 11, 2011, 6:00 – 8:00 p.m., Chico, CA
- Wednesday, January 12, 2011, 2:00 – 4:00 p.m., Sacramento, CA
- Thursday, January 13, 2011, 6:00 – 8:00 p.m., Los Banos, CA

**ADDRESSES:** Scoping meetings will be held at:

- Chico at the Chico Masonic Family Center, 1110 W. East Avenue
- Sacramento at the Best Western Expo Inn & Suites, 1413 Howe Avenue
- Los Banos at the San Luis & Delta-Mendota Water Authority, 842 Sixth Street

Written comments on the scope of the Long-Term Water Transfer Program or issues to be addressed in the EIR/EIS should be sent to Frances Mizuno, Assistant Executive Director, San Luis & Delta-Mendota Water Authority, via e-mail at [frances.mizuno@sldmwa.org](mailto:frances.mizuno@sldmwa.org), by mail to P.O. Box 2157 Los Banos, California 93635 or by fax to 209-833-1039.

**FOR FURTHER INFORMATION CONTACT:** Frances Mizuno, Assistant Executive Director, San Luis & Delta-Mendota Water Authority, via e-mail at [frances.mizuno@sldmwa.org](mailto:frances.mizuno@sldmwa.org) or at 209-832-6200; or Brad Hubbard, Project Manager, Bureau of Reclamation, via e-mail at [bhubbard@usbr.gov](mailto:bhubbard@usbr.gov) or at 916-978-5204.

**BACKGROUND:** Hydrologic conditions, climactic variability, and regulatory requirements for operation of water projects commonly affect water supply availability in California, and advance planning for water shortages has become necessary and routine. This hydrologic and climactic variability, as well as environmental regulation, can strain water supplies in areas that are dependent on delivery of water supplies to meet most, if not all, of the water demand. This is especially true in areas south of the Delta that are dependent on CVP operations for delivery of water supplies. In an effort to be more prepared to manage for water shortages caused by decreases in water delivery from the CVP, various water agencies have requested that Reclamation facilitate water transfers from areas of greater supply north of the Delta to areas of need south of the Delta.

As potential buyers, SLDMWA and other interested water agencies south of the Delta would be responsible for finding willing sellers and negotiating water transfer terms and price. Transfers of CVP supplies, and transfers of non-CVP supplies that require use of CVP facilities, are subject to review by Reclamation under Reclamation's current water transfer guidelines and California State law. Pursuant to Federal and State law and subject to separate written agreement(s), Reclamation would facilitate water transfers involving CVP supplies and facilities. Water transfers that require the use of the SWP facilities would be subject to review by the DWR.

The EIR/EIS will identify potential selling parties in northern California, methods that they could use to make water available for transfer, and maximum amounts of water available through each method. The EIR/EIS will also identify potential purchasers south of the Delta and their proposed use of transfer water. Figure 1 shows areas where transfers could potentially originate and where transfer water could potentially be used.

The exact project location will be further defined as selling and buying parties are identified during the EIR/EIS process.

The EIR/EIS will investigate alternative methods to make water available for transfer; groundwater substitution and cropland idling have been frequent transfer mechanisms in the past and could be analyzed in the EIR/EIS.

Groundwater substitution transfers occur when sellers forego diversion of their surface water supplies and pump an equivalent amount of groundwater as an alternative supply. The purchaser would receive the foregone surface water supply. If groundwater pumping occurs near a surface water supply, it could result in a depletion of surface water flows. In these instances, the volume of water that can be transferred is not the same as the volume of groundwater pumped through a substitution action. Rules for accounting for the quantity of water available for transfer would address potential stream flow losses as a result of groundwater-surface water interaction. Cropland idling makes water available for transfer that would have been used for agricultural irrigation without the transfer. Typically, the proceeds from the water transfer would pay farmers to idle land that they would have placed in production. Rice has been the crop idled most frequently in previous transfer programs.

Water transfers under the Proposed Project involving conveyance through the Delta would be implemented within the operational parameters of the Biological Opinions on the Continued Long-term Operations of the CVP/SWP (Opinions) and any other regulatory restrictions in place at the time of implementation of the water transfers. Current operational parameters applicable to conveyance of transfer water include:

- Conveyance of a maximum of 600,000 acre feet per year (although the Proposed Project will likely involve the transfer of 100,000 to 150,000 acre-feet per year);
- Use of the SWP's Harvey O. Banks Pumping Plant and CVP's C.W. "Bill" Jones Pumping Plant during July through September only; and
- Use of California Aqueduct, Delta-Mendota Canal, San Luis Canal, O'Neill Pump/Generating and San Luis Reservoir for conveyance and storage.

The EIR/EIS will evaluate potential project-level and cumulative environmental effects associated with implementation of water transfers of CVP supplies and transfers that require use of CVP, SWP or CVP/SWP joint use facilities. Some potential environmental effects are described below.

**Surface water and water quality** – The maximum amount of potential water transfers is small compared to the total amount of water moved through the Sacramento and San Joaquin River systems. The EIR/EIS will analyze whether the proposed water transfers could potentially affect flows in the river systems and Delta. Changes in flows could also potentially affect water temperatures and water quality.

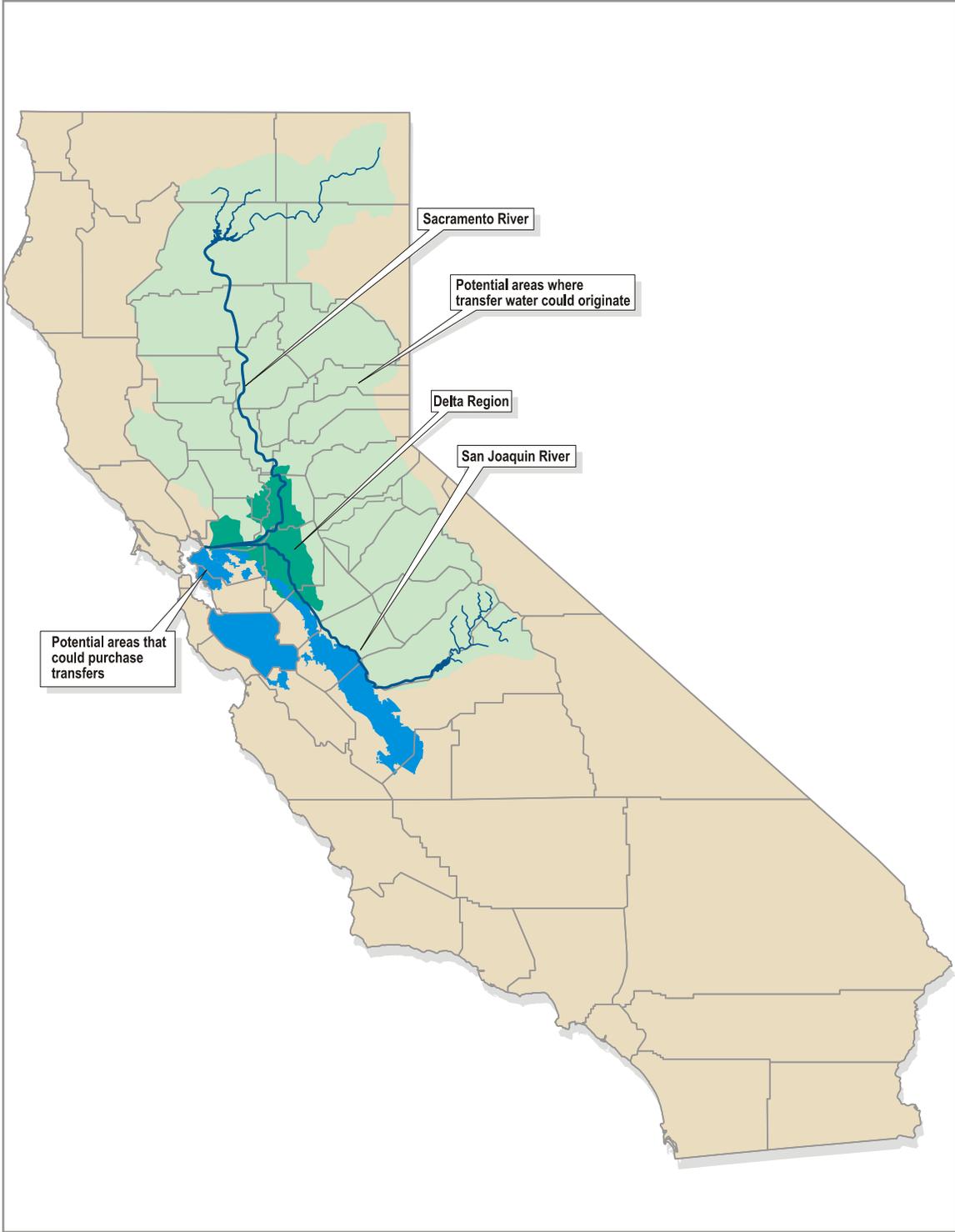
**Groundwater** – Groundwater substitution pumping could lower the groundwater table near participating wells, which could potentially affect nearby third party wells and change groundwater-surface water interaction of adjacent water bodies. Changes in groundwater levels could also induce subsidence near participating wells or water quality concerns.

**Fisheries** – The EIR/EIS will analyze whether changes in flows could affect fish migration and habitat in rivers upstream from the Delta and the Delta.

**Vegetation, wildlife, and special status species** – Cropland idling transfers could potentially affect habitat for special status species listed under the Federal and California Endangered Species Acts, and commercially and recreationally important species.

**Air quality** – Groundwater substitution transfers could increase the use of diesel-fueled engines, which would increase air pollutant emissions. The EIR/EIS will also evaluate potential increases of PM<sub>10</sub> emissions from conversion of cropland to bare fields.

Other resource areas and issue areas that will be addressed in the EIR/EIS include: agricultural resources, cultural resources, energy, geology and soils, greenhouse gas emissions, Indian trust assets, land use, noise, population and housing, recreation, and visual resources.



**Figure 1 Project Location**

Mid-Pacific Region  
Sacramento, Calif.

Media Contact: Pete Lucero  
916-978-5100

Released On: January 05, 2011

## **Update: Scoping Meetings Scheduled on Proposed Long-Term 'North-to-South' Water Transfer Program**

The Bureau of Reclamation and the San Luis & Delta-Mendota Water Authority have scheduled public scoping meetings for a joint Environmental Impact Statement/Environmental Impact Report (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.

The EIS/EIR will address transfers of Central Valley Project (CVP) water through CVP or State Water Project facilities, and transfers of non-CVP water supplies that require the use of CVP facilities. Individual and multi-year water transfers could occur through various methods, including groundwater substitution and cropland idling, from 2012 through 2022. Currently, the only available document for review is the Notice of Intent. This document is published in the Federal Register and can be found at the following website address: <http://edocket.access.gpo.gov/2010/pdf/2010-32583.pdf>

Meetings to solicit comment on topics to be addressed in the EIS/EIR have been scheduled for:

- Chico: Tuesday, January 11, 6 p.m.-8 p.m., 1110 W. East Avenue, Chico Masonic Family Center
- Sacramento: Wednesday, January 12, 2 p.m.-4 p.m., 1413 Howe Avenue, Best Western Expo Inn
- Los Banos: Thursday, January 13, 6 p.m-8 p.m., 842 Sixth Street, Los Banos, San Luis & Delta-Mendota Water Authority

Written scoping comments should be received by close of business Monday, February 28, 2011, and should be sent to Brad Hubbard, Bureau of Reclamation, 2800 Cottage Way, MP-410, Sacramento CA 95825, via e-mail to [bhubbard@usbr.gov](mailto:bhubbard@usbr.gov), or faxed to 916-978-5290. For additional information, please contact Mr. Hubbard at 916-978-5204 (TTY 916-978-5608) or Frances Mizuno, San Luis & Delta-Mendota Water Authority, P.O. Box 2157, Los Banos CA, 93635, at 209-832-6200.

###

Reclamation is the largest wholesale water supplier and the second largest producer of hydroelectric power in the United States, with operations and facilities in the 17 Western States. Its facilities also provide substantial flood control, recreation, and fish and wildlife benefits. Visit our website at [www.usbr.gov](http://www.usbr.gov).

### **Relevant Links:**

Relea

## Public Meetings Scheduled on Proposed Long-Term 'North-to-South' Water Transfers Environmental Document Preparation



Bureau of Reclamation  
Mid-Pacific Region



San Luis & Delta-Mendota  
Water Authority

### Media Contacts:

Reclamation [Pete Lucero](#) 916-978-5100  
SLDMWA [Frances Mizuno](#) 209-832-6200

**For Release On:** December 28, 2010

### Public Meetings Scheduled on Proposed Long-Term 'North-to-South' Water Transfers Environmental Document Preparation

The Bureau of Reclamation and the San Luis & Delta-Mendota Water Authority have scheduled public meetings on topics to address in a joint Environmental Impact Statement/Environmental Impact Report (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.

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Written comments on the scope of the EIS/EIR should be received by close of business Friday, February 11, 2011, and should be sent to Brad Hubbard, Bureau of Reclamation, 2800 Cottage Way, MP-410, Sacramento CA 95825, via e-mail to [bhubbard@usbr.gov](mailto:bhubbard@usbr.gov), or faxed to 916-978-5290. For additional information, please contact Mr. Hubbard at 916-978-

## BRIEFS

### Deer in roadway cause injury crash

ORLAND — An Orland woman suffered minor injuries Saturday when the car in which she was riding hit a deer on Highway 32, and was then struck from behind by another vehicle.

Susan Phillips, 57, of Canyonville, Ore., was driving a 2002 Cadillac El Dorado east on 32, west of County Road Q, when three deer ran onto the roadway.

Her car struck one of the deer in the eastbound lane, causing her to brake. The driver of the car behind her, Daniel Turner, 29, of Chico was unable to stop on the wet road and struck the rear of the Cadillac.

One of three passengers in the Cadillac, Christina Phillips, 26, was taken to Glenn Medical Center for treatment.

That vehicle, and Turner's 2005 Nissan Altima, sustained major damage, according to the California Highway Patrol.

The CHP located the deceased deer nearby. The other two animals escaped being hit.

### Alleged burglar of vet's office caught

CHICO — A Chico man wanted on warrants in Tehama County was arrested early Thursday morning on suspicion of burglarizing Mangrove Veterinary Hospital on Mangrove Avenue.

A Chico police officer was approaching the business in an alley about 2:44 a.m. and saw a man riding toward him on a bicycle.

The officer stopped the rider, who identified himself as Gary Delmont Marley, 28.

Property belonging to the veterinary hospital, including syringes, was reportedly found in his pockets.

An investigation showed the hospital had been entered through a window above an air-conditioning unit.

Marley has outstanding arrest warrants in Tehama County for failure to appear on drug possession charges and driving under the influence.

It wasn't immediately determined if he may be connected to other area burglaries.

### Man says sister's home burgled

ORLAND — The Orland-area home of a woman arrested by Glenn Interagency Narcotics Task Force agents last week was burglarized while she was in jail, her brother reported to law enforcement Monday.

Martin Paez, 42, said he was watching over the home of his sister, Maria Delrosario Paez, 37, after she was arrested along with her husband, Abraham Rocha, 56, on multiple drug charges and child endangerment.

Bail for each was set at \$112,000.

Glenn County sheriff's deputies responded to the home on County Road E and were told two television sets and a laptop computer were missing. The exact time of the break-in is unknown.

The arrest of Rocha and Paez took place after agents served search warrants on two Orland area residences, and had already arrested two other suspects.

### Chico creeks calendar available

CHICO — The fourth edition of Chico Clean Creeks Calendar is now available at several places around town.

The calendar celebrates the city's watershed resources and encourages residents to take a role in keeping waterways free of pollution.

Providing tips and resources, the calendar photographs of local creeks were submitted by community members, and the calendars were produced with the help of a clean-water grant.

Free of charge, copies of the calendar are available while supplies last at the city offices, 411 Main St.; Chico library, East First and Sherman avenues; and Chico Area Recreation and Park District, 545 Vallombrosa Ave.

Information on fighting pollution is also available on the website [www.keepchicoclean.org](http://www.keepchicoclean.org) after Dec. 31.

### BLM adds parcel to public area

Red Bluff Daily News

BEND — The Bureau of Land Management acquired 226 acres of private land Wednesday to add to the Sacramento River Bend Area adjoining Jellys Ferry Road and the Sacramento River.

The BLM intends to open this acquisition to public use very soon after the removal of no trespassing and other private ownership signs and the installation of a temporary access gate near an existing parking area, according to a BLM release issued Thursday. Additional parking is being planned.

The parcel is closed to hunting and the use of firearms due to the proximity of private residences and public roads.

This purchase is the latest in a string of acquisitions the BLM has made during the last three decades, which has increased the acreage of public land to nearly 18,000 acres from around 4,000 original public land acres, the release said.

### Police: Fire in home possibly arson

WOODLAND (AP) — Officials said a fire in the home of a 102-year-old Woodland woman may have been caused by a Molotov cocktail.

Police Sgt. Ron Cordova told KCRA-TV that a firebomb was apparently thrown into Georgia Traynham's front window late Sunday, igniting a couch.

Two police officers reportedly kicked down Traynham's door to rescue her and her caretaker, who has not been identified. They were not injured.

# Biker escapes serious injury in crash

Staff Reports

OROVILLE — A motorcyclist was injured Monday afternoon after hitting a stopped car from behind on Highway 70.

California Highway Patrol officer Shane Schilperoort said the motorcyclist was traveling north on the highway and didn't realize the car in front of him had stopped for a red light at the intersection of Georgia Pacific Way. The driver, identified as Donald Johnson, 21, rear-ended a 2007 Honda CRV that was stopped behind several cars waiting at the stoplight.

Schilperoort said Johnson, driving a Suzuki SV-650, appeared to have been driving without "due regard" for everyone on the road.

"He just wasn't paying attention," said the officer. "He didn't see the vehicle stop ahead of him."

No one in the Honda was injured. Oroville Fire Department spokesman Bud Englund said Johnson's injuries initially appeared to be worse they were, and ended up being minor.



Barbara Arrigoni/Staff Photo

Emergency personnel attend to an accident victim on Highway 70 on Monday.

Johnson was taken to Oroville Hospital. His condition was unknown at deadline.

An ambulance responding to the scene of the crash was sideswiped on Oro Dam Boulevard near Fifth Avenue. Officials said no one was injured.

## Parking lot becomes delivery room for parents

By GREG WELTER

Staff Writer

PARADISE — A Chico pastor delivered his own son Monday in the parking lot of Edward Jones Investments on the Skyway.

Jeremy Rhodes, 30, said he was driving his wife, Elizabeth, 30, to Feather River Hospital's Birthing Place when it became obvious their third child was going to arrive before they did.

Driving up the Skyway, Rhodes was understandably in a hurry and was actually pulled over by police. "When I explained what was happening, the officer just let us go," he said.

Rhodes said his wife gave birth in the front seat of their car moments later. Although he's a chaplain for the

Chico Fire Department, Rhodes said he has had absolutely no medical training.

"We recently took a Bradley class that teaches the mother how to give birth without any medication, and we put that into practice," Rhodes said.

After the baby was delivered, Rhodes said he handed him to his wife and proceeded on to the hospital. He said there didn't seem to be a need to call 9-1-1.

Rhodes is pastor for Fusion Church, which meets at the Boys & Girls Club in Chico.

Baby Titus weighs in a nine pounds. He and the mother are doing well, but Feather River Hospital is doing blood tests for infection, just in case. "A car isn't the most sterile place to deliver a child," Rhodes said.

The Rhodeses are expected to bring their son home today.

## Schwarzenegger departs without major budget reform

SACRAMENTO (AP) — In calling California lawmakers back for an eighth special session in seven years, Gov. Arnold Schwarzenegger said the next governor will inherit a budget mess "just like I did the first year when I came into office."

While he can't hide the state's persistent deficit, Schwarzenegger is seeking to spread the blame for California's ongoing fiscal problems. The departing governor has faulted a steep drop in tax revenue on the deepest economic downturn since the Great Depression, lamented how a broken political system has resulted in gridlock over budget reforms and even chastised the media for the way they report on the problem.

"I think that it has a lot to do with that you guys are confusing them, too," he told reporters after announcing his special session, citing reports that said the budget deficit was estimated at \$25 billion over the next 18 months rather than focusing on the \$6 billion shortfall in the current fiscal year.

Next month, the celebrity governor who

swept into office in 2003 after the only recall of a sitting governor in California history will step down without accomplishing his main goal: fixing California's structural budget problems.

He said he wanted California government to live within its means, but the annual imbalance between what the state collects in taxes and its spending commitments persists.

He said he wanted to "end the crazy deficit spending," but the deficit is as high as ever and has plagued Schwarzenegger through most of his two terms.

And he said he would "tear up the credit cards," but he leaves office with the state owing some \$91 billion in total bond debt

compared to \$34 billion the year he took office, according to the state treasurer's office. Bond debt as a percentage of the state's general fund has roughly doubled in that timeframe, to just less than 7 percent.

California taxpayers still have \$7.4 billion left to pay on the \$15 billion in so-called Economic Recovery Bonds that Schwarzenegger persuaded them to approve in 2004 to close that year's deficit.

"He discovered what others have discovered," said Fred Silva, senior fiscal adviser at California Forward, a bipartisan group of business and political leaders that is seeking solutions to the state's fiscal and political problems. "If you're find-

ing it difficult to raise taxes or cut programs, the release valve was to borrow money. He fell into that kind of fiscal trap."

Schwarzenegger says he has made important structural changes that will take time to pay dividends, such as banning future borrowing to cover budget deficits and persuading lawmakers to place a rainy day fund on the 2012 ballot.

He also has overseen tens of billions of dollars in program cuts as the recession wiped out tax revenue and left California with an unemployment rate above 12 percent.

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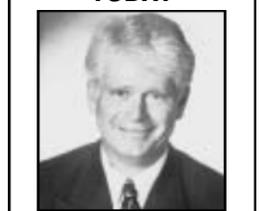
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### HEART DISEASE

Heart disease is a problem that can be seen in young dogs and cats, but occurs more frequently as a pet gets older. The most common heart diseases are heart valve problems, diseases affecting the heart muscle, and congenital defects (which are present at the time of birth).

Symptoms of heart disease can include coughing, difficult breathing, decreased activity, tiring when exercising, collapsing episodes, and enlargement of the abdomen. Any symptom can first seem mild and get progressively worse, or appear suddenly.

Examination of your pet may reveal the exact nature of the problem, but most often tests need to be run to properly diagnose the illness. X-Rays and an electrocardiogram (EKG) give direct information about the heart. Blood and urine tests are sometimes used to help in diagnosis.

The appearance of any symptoms of a heart problem should be evaluated by your Veterinarian promptly. Since some heart diseases can begin with no symptoms, an annual physical examination of your pet is recommended.

**343-5896**  
11181 Midway • Chico

HOURS: Mon.-Fri. 8am-6pm  
Sat. 8am-1pm  
Closed Sunday

### Public Scoping Meetings on Long-Term Water Transfers

The Bureau of Reclamation and the San Luis & Delta-Mendota Water Authority have published a Notice of Intent (NOI) and Notice of Preparation (NOP) for a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR). The NOI was published in the Federal Register on December 28, 2010 thereby beginning the period for public comment. The project proposes to analyze the effects of water transfer from willing sellers in northern California to agencies south of the Sacramento-San Joaquin Delta and in the San Francisco Bay Area.

The EIS/EIR will address transfers of the Central Valley Project (CVP) water supplies that require the use of CVP or State Water Project facilities and transfers of non-CVP water supplies that require the use of CVP facilities. Water transfers could 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.

Three public scoping meetings will be held to solicit public comment on topics to be addressed in the environmental document, including resources to be evaluated, alternatives to be considered and significant concerns and issues. The meetings are scheduled as follows:

#### Public Scoping Meetings

Location	Date and Time	Address
Chico	Tuesday, January 11, 6:00 – 8:00 p.m.	Chico Masonic Family Center, 1110 W. East Ave.
Sacramento	Wednesday, January 12, 2:00 – 4:00 p.m.	Best Western Expo Inn & Suites, Expo Room, 1413 Howe Avenue
Los Banos	Thursday, January 13, 6:00 – 8:00 p.m.	San Luis & Delta-Mendota Water Authority, 842 Sixth Street

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For additional information, please contact Mr. Hubbard at (916) 978-5204 (TTY) (916) 978-5608 or Frances Mizuno, San Luis & Delta-Mendota Water Authority, P.O. Box 2157, Los Banos, CA 93635 or by phone at (209) 832-6200.

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**NOTICE OF VACANCY ON CITY COMMISSIONS**

Notice is hereby given that the City of Los Banos is now accepting applications from citizens 18 or older residing within the City limits of Los Banos interested in serving on a City Commission.

Planning Commission

Four (4) Vacancies: Four (4) Two (2) Year Terms – Expiring December 31, 2012

Parks & Recreation Commission

Three (3) Vacancies: Three (3) Two (2) Year Terms – Expiring December 31, 2012

Airport Advisory Commission

Three (3) Vacancies: Three (3) Two (2) Year Terms – Expiring December 31, 2012

Culture & The Arts Commission

Three (3) Vacancies: Three (3) Two (2) Year Terms – Expiring December 31, 2012

Economic Development Advisory Committee

Four (4) Vacancies: Four (4) Two (2) Year Terms – Expiring December 31, 2012

Measure P Committee

Three (3) Vacancies: Three (3) Three (3) Year Terms – Expiring December 31, 2013

The various commissions meet once or twice a month and serve as advisory bodies to the City Council and Administrative Officials on such actions as they deem necessary, proper or advisable for the proper administration of City functions. Board members receive no compensation for their time, although they may be requested to attend training workshops or seminars at City expense. If you are interested in volunteering to serve on any of the City Commissions and are a resident of the City of Los Banos, please contact the City Clerk's Office at City Hall, 520 J Street, 827-7000 ext 124 to request an application or access an application on the City's website: [www.losbanos.org](http://www.losbanos.org). The **deadline** for submitting applications to the City Clerk is **Friday, January 7, 2011 before 5:00 p.m.**

000632

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**Public Scoping Meetings**

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00063582

## STATE

WALNUT CREEK

### Fire death blamed on electric blanket

A fire at a dispensary took in 11,000 pounds of food and handed out 2,000 joints. The food was donated to Second Harvest Food Bank.

# CALIFORNIA

MERCED SUN-STAR

Thursday, December 30, 2010 **A3**

the increases retroactive to 2007.

The three dozen executives who signed the letter say the regents agreed in 1999 to hike pensions once the Internal Revenue Service allowed them to lift the

Mark Tabor has opposed the pension increases as the UC has wrestled with its unfunded liability to employees.

In an effort to close the gap, the university is reducing benefits for future employees, raising the retire-

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### Public Scoping Meetings on Long-Term Water Transfers

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00061216

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NATION/FROM THE COVER

# Governor of Hawaii wants information out

■ He knew the president as a kid

MARKNIESSE  
Associated Press

HONOLULU — Democratic Gov. Neil Abercrombie wants to find a way to release more information about President Barack Obama's birth and dispel conspiracy theories that he was born elsewhere.

Abercrombie was a friend of Obama's parents and knew him as a child, and is deeply troubled by the effort to cast doubt on the president's citizenship.

The newly elected Democrat will ask the state attorney general's office and health officials about how he can make public more of Obama's birth documentation from Aug. 4, 1961, spokeswoman Donalyn Dela Cruz said Tuesday.

"He had a friendship with Mr. Obama's parents, and so there is a personal issue at hand," Dela Cruz said. "Is it going to be done immediately? No, the first thing on our list is the economy."

It's unclear what Abercrombie could do because Hawaii's privacy laws have long barred the release of a certified birth certificate to anyone who doesn't have a tangible interest.

Hawaii's health director said last year and in 2008 that she had seen and veri-

fied Obama's original vital records, and birth notices in two Honolulu newspapers were published with-in days of Obama's birth at Kapiolani Maternity and Gynecological Hospital in Honolulu.

So-called "birthers" claim Obama is ineligible to be president because they say there's no proof he was born in the United States, with many of the skeptics questioning whether he was actually born in Kenya, his father's home country.

"What bothers me is that some people who should know better are trying to use this for political reasons," Abercrombie told the Los Angeles Times last week. "Maybe I'm the only one in the country that could look you right in the eye right now and tell you, 'I was here when that baby was born.'"

The Obama campaign issued a certificate of live birth in 2008, an official document from the state showing the president's birth date, city and name, along with his parents' names and races. The certificate doesn't list the name of the hospital where he was born or the physician who delivered him, information collected by the state as part of its vital records.

Abercrombie, 72, originally from New York, befriended Obama's parents at the University of Hawaii.

# Economic adviser post a harbinger

■ Obama's pick vital to re-election

JULIE PACE  
Associated Press

HONOLULU — Change is soon coming to the White House economic team, with President Barack Obama set to announce a new top adviser who will have broad influence over the administration's efforts to jumpstart the struggling economy.

Obama is expected to announce a replacement for departing National Economic Council Director Lawrence Summers early in the new year, soon after he returns to Washington from his Hawaiian vacation.

The president's choice is being closely watched for signs of where he wants to take his economic agenda in the second half of his term, and how he looks to bring down the almost double-digit unemployment rate.

Will he tap the business world for a figure such as Roger Altman, an investment banker and Clinton administration alum who might carry too much baggage with his association with Wall Street? Will he turn to academia instead, calling on a scholar such as Yale President Richard Levin? Or will he go with deeply experienced insiders

such as deficit hawk Gene Sperling at the Treasury Department or Jason Furman, the council's deputy director?

With the unemployment rate at 9.8 percent, the private sector struggling to maintain steady growth and the public ranking the economy as the top concern, Obama's handling of the issue over the coming months is certain to play a central role in his expected re-election bid.

The selection process for the council post has dragged on for months. Summers announced his resignation in September, and many in the administration knew well before then that he planned to return to Harvard University after serving two years at the White House.

Obama spokesman Robert Gibbs said he expects Obama to make an announcement in early January, and blamed any delay on the frenzied legislative session that consumed the White House through the end of the year.

The administration's thinking on how to fill the job has evolved since Summers announced his resig-



Summers is the outgoing National Economic Council director.



Sperling is seen as a potential choice for Obama's top economic adviser post.

nation. The initial view — both inside and outside the White House — was that Obama should name a business leader to the post, in an attempt to give the private sector a greater voice in the administration and ease the perception that the president is anti-business.

But the administration now believes the relationship between Obama and the business community has started to thaw. The White House has grown more willing to find another prominent job for a private sector appointee while leaving the council post to an economic heavyweight who can coordinate the advice Obama is receiving from throughout the administration.

"To get a business person in there, it seems like an odd place," said Dean Baker, co-director of the Center for Economic and Policy Re-

search in Washington. It's that Wall Street connection that's been a knock against one of the leading candidates for the job, Altman, founder of Evercore Partners. Altman does have government experience, though, having served as deputy treasury secretary under President Bill Clinton.

Sperling, another top contender, also has dabbled in Wall Street, though he's most well-known for his work in the Clinton and Obama administrations.

Sperling helped craft the 1993 Deficit Reduction Act, and his appointment could show Obama is serious about his pledge to address the mounting debt and deficit.

Levin, who as president of Yale shares Summers' academic pedigree, is likely to favor stepped-up Wall Street regulation.

PREVENTABLE from 1A

Donnell Ewert, the director of Shasta County's public health department, cautioned that some of the figures could be misleading, because the numbers OSHPD provided for some of the conditions appear to move up-and-down drastically from year to year.

He said that could be because Shasta County's population is so small it makes the figures "a little more volatile" because there aren't many hospitalizations to track.

Even so, he said the fig-

ures demonstrate how unnecessary hospitalizations are caused by county's long-standing lack of health insurance.

He said close to 30 percent of the adult population doesn't have health insurance. Large segments of the population also are covered by Medicare, which many outpatient clinics don't accept.

The result is that more patients end up delaying treatment or seek care in a hospital emergency room. And that means more hos-

pital stays.

"The reality is here, we struggle with that," Ewert said.

He said representatives from north state hospitals, clinics and public health departments have begun meeting to discuss ways to improve the north state's health systems, particularly for the area's disabled residents and seniors, the largest consumers of health care services.

"How can we manage them better so they can stay healthier, so they don't consume as much health care as they do now," Ewert said.

SNOW from 1A

The state delivered 35 percent of the water requested in 2008, 40 percent in 2009 and 50 percent this year. The last time the state was able to deliver 100 percent of allocation was in 1996.

Even in wet years, allocations are hard to achieve because of pumping restrictions in the Sacramento San Joaquin Delta to protect a threatened fish.

Frank Gehrke, the department's snow survey section chief, warned that while the initial results look great, it's too soon to tell how the season will end because of the climate phenomenon known as La Niña. La Niña usually brings drier months later in the season.

"We don't know if this is a wrinkle in the pattern, or if we're going to get lower storm activity later on in the winter," Gehrke said.

Most of the state's major reservoirs are near or above normal levels

for this time of year. Lake Oroville, the State Water Project's principal reservoir in Butte County, is at 95 percent of normal, holding 2.1 million acre-feet of water. The lake last filled to its 3.5 million acre-foot capacity in 2003.

The latest survey found water content in the overall snowpack at 198 percent of normal. Electronic readings showed northern

mountains at 169 percent of normal for this time of year, central mountains at 180 percent and southern mountains at 261 percent.

A manual survey conducted near Lake Tahoe at Philips Station registered 158 percent of normal water content in 56 inches of snow.

The statewide snowpack was 85 percent of normal this time last year.

## Help Build the Veterans Memorial Chapel at the Veterans Cemetery in Igo



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Be an Important Part Of This Permanent Memorial Chapel For Veterans and Their Families



### LEGAL NOTICE

#### If you own a home in California with Monier roofing tiles, a class action lawsuit may affect your rights.

Para una notificación en Español, llamar o visitar nuestro website.

You could be affected by a class action lawsuit involving Monier roofing tiles. The lawsuit claims that Monier failed to disclose to California home owners that the color and exterior surface of Monier brand slurry-coated roofing tiles would not remain on the tiles for the expressly warranted life of the product. The case is now pending in the Placer County Superior Court and is called *McAdams v Monier*, Case No. SCV 16410.

The Court has given approval for this case to proceed as a class action on behalf of a "Class" or group that could include you. This notice summarizes what the case is about and your rights and options. If you are a member of the Class, which is described below, you have to decide whether to stay in the Class and be bound by the results of the case, or exclude yourself and retain your right to pursue your own lawsuit. This notice is only a summary. For additional information, including the Detailed Notice, visit [www.RoofingTilesClassAction.com](http://www.RoofingTilesClassAction.com).

What is this case about?

Plaintiff claims that Monier, a manufacturer and marketer of roof tiles until August 14, 1997, has made false and misleading representations over a period of years that its tiles:

- (1) are free from manufacturing defects and will remain structurally sound for a period of 50 years; are warranted for 50 years; and will last a lifetime and do not wear out;
- (2) have a permanent color glaze that requires no resurfacing; have a virtually impervious color glaze; have color that will last as long as the tile, with red tiles remaining red and brown tiles remaining brown (with some softening of color to a uniform finish); will always look good and have permanent color; and never lose their basic aesthetic appeal; and
- (3) need no care at all; and require no maintenance

Monier denies the claims and allegations in the lawsuit and says it has no liability for any of these issues. **The Court has not ruled on the merits of the case. The Plaintiff will be required to prove his claims and the claims of the Class.**

Who is included?

As certified by the Court, the Class is defined as:  
UCL CLASS: (i) all individuals or entities in the State of California who own structures with slurry-coated roof tiles sold by Monier Company, Monier Roof Tile, Inc., or Monier Inc. between January 1, 1978, and August 14, 1997 (the "Tiles"); and (ii) all California individuals and entities who paid to replace or repair such Tiles. Membership in the Class is limited to those

who, prior to purchasing or obtaining their Monier roof tile product, were exposed to a statement along the lines that the Tiles would have a 50 year life, permanent color, or would be maintenance free. The Class excludes the trial judge and his family, and defendants and their counsel.

CLRA CLASS: (i) all individuals in the State of California who own, for personal, family or household use, structures with slurry-coated roof tiles sold by Monier Company, Monier Roof Tile, Inc., or Monier Inc. between January 1, 1978, and August 14, 1997 (the "Tiles"); and (ii) all California individuals who owned such homes for personal, family or household use and who paid to replace or repair such Tiles. Membership in the Class is limited to those who, prior to purchasing or obtaining their Monier roof tile product, were exposed to a statement along the lines that the Tiles would have a 50 year life, permanent color, or would be maintenance free. The Class excludes the trial judge and his family, and defendants and their counsel.

What are your options?

You have a choice whether to stay in the Class, and you must decide this now.

If you stay in the Class, and money or benefits are obtained for the Class, you will be notified about how you can participate and share in any benefits. You will be bound by all orders and judgments of the Court whether favorable or not, and won't be able to bring your own claim against Monier for the claims at issue in this case. If you want to stay in the Class, **YOU DO NOT HAVE TO DO ANYTHING NOW.**

To exclude yourself from the lawsuit, you must send a letter by mail saying that you want to be excluded from the Class in *McAdams v Monier*. You must include the case number (No. SCV 16410), your full name, address, telephone number and signature. You must mail your Exclusion Request postmarked by **February 21, 2011**, to the address listed below. If you exclude yourself, you cannot get any money or benefits from this lawsuit and you will not be bound by any Court orders or judgments in this case. If you want to stay in the Class and potentially get money or benefits, **DO NOT** send an exclusion letter. Any member who does not request exclusion may, if the member so desires, enter an appearance through counsel.

How can I get more information?

For more information, visit the website at [www.RoofingTilesClassAction.com](http://www.RoofingTilesClassAction.com), call toll-free at 1-877-797-6085, or write to Monier Tile Class Action, P.O. Box 4068, Portland, OR 97208-4068.

Public Scoping Meetings

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# WORLD

## Enjoy an evening with Marcos Breton

### OUR REG

Sunday, November 28, 2010 | The Sacramento Bee | sacbee.com

Opinion  
**MARCOS BRETON**



If at first you don't succeed...

Talk about thanks giving. Marcus Wiggins

WEATHER



### CHAMPS AT LAST

After 53 seasons, Giants win first Series for S.F.



TEAM NO ONE PICKED WORE BASEBALL

After all that heat, turnout may be tepid  
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## Public Scoping Meetings on Long-Term Water Transfers

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**From:** Moore, Wilbert L [mailto:WMoore@usbr.gov]

**Sent:** Wednesday, February 23, 2011 9:32 AM

**To:** Moore, Wilbert L

**Cc:** Hubbard, Bradley C; Hatleberg, Shelly; frances.mizuno@sldmwa.org; Veronese, Gina; Buckman, Carolyn; tglover@westlandswater.org; Lucero, Pedro A (Pete); Wirth, Lynnette J

**Subject:** Reminder - Long-Term Water Transfer EIS/EIR Scoping Comments Due COB Monday February 28, 2011

Greetings,

**Reminder - Long-Term Water Transfer EIS/EIR Scoping Comments Due COB Monday February 28, 2011**

This is a reminder that Reclamation and San Luis & Delta Mendota Water Authority are soliciting scoping comments on the proposed Long-Term Water Transfer EIS/EIR. Written scoping comments should be received by close of business **Monday, February 28, 2011**, and should be sent to Brad Hubbard, Bureau of Reclamation, 2800 Cottage Way, MP-410, Sacramento CA 95825, via e-mail to [bhubbard@usbr.gov](mailto:bhubbard@usbr.gov), or faxed to 916-978-5290 or to Frances Mizuno, San Luis & Delta-Mendota Water Authority, PO Box 2157, Los Banos, CA 93635, via email to [frances.mizuno@sldmwa.org](mailto:frances.mizuno@sldmwa.org) or faxed to 209-833-1034.

The EIS/EIR will address transfers of Central Valley Project (CVP) water through CVP or State Water Project facilities, and transfers of non-CVP water supplies that require the use of CVP facilities. Individual and multi-year water transfers could occur through various methods, including groundwater substitution and cropland idling, from 2012 through 2022. Information concerning the project is available for review at the following website: <http://www.usbr.gov/mp/cvp/ltwt/>.

Thank you,

Brad Hubbard  
Bureau of Reclamation  
Division of Resources Management  
916-978-5204  
[bhubbard@usbr.gov](mailto:bhubbard@usbr.gov)

Frances Mizuno  
San Luis & Delta Mendota Water Authority  
209-832-6200  
[Frances.Mizuno@sldmwa.org](mailto:Frances.Mizuno@sldmwa.org)

Wilbert Louis Moore  
Public Affairs Specialist  
Bureau of Reclamation  
2800 Cottage Way, MP-140  
Sacramento, CA 95825  
916-978-5106 desk  
916-335-9755 cell  
916-978-5114 fax

**Appendix B**  
**Scoping Meeting Materials**



# OVERVIEW

## PURPOSE AND NEED

Hydrologic conditions, climatic variability, and regulatory requirements for operation of water projects commonly affect water supply availability in California, making advance planning for water shortages necessary and routine. This hydrologic and climatic variability, as well as regulatory restrictions, can strain water supplies in areas that are dependent on delivery of supplies to meet most, if not all, of the water demand. This is especially true

in areas south of the Delta that are dependent on CVP operations for delivery of water supplies. In an effort to be more prepared to manage for water shortages caused by decreases in water delivery from the CVP, various water agencies have requested that Reclamation facilitate water transfers from areas of greater supply north of the Delta to areas of need south of the Delta. The purpose of the Proposed Action is to facilitate voluntary water transfers from willing sellers north of the Delta to water users south of the Delta and the San Francisco Bay Area.

## WHAT IS A WATER TRANSFER?

- Sale of water between a willing seller and a willing buyer
- Water sold must have been put to beneficial use in previous years
- Sellers must take an action to make water available

## OVERVIEW

- Reclamation is not initiating a “bank” or “program”
- Reclamation is not purchasing water under this EIS/EIR
- Project time frame is 2012 through 2022
- Transfers analyzed include
  - CVP supplies
  - Non-CVP water supplies that require use of CVP or SWP facilities (including Warren Act contracts)
  - Single year or multi-year transfers
- Transfers would not necessarily occur each year within the 10-year time frame
- Transfers of SWP water will not be directly analyzed in the EIS/EIR (all transfers will be included in the cumulative analysis)

# STUDY AREA, ROLES, & RESPONSIBILITIES

## STUDY AREA



## NEPA LEAD AGENCY – BUREAU OF RECLAMATION

- Lead development of Environmental Impact Statement (EIS)
- Manage Federal permitting efforts (Endangered Species Act)
- Approve and facilitate transfers

## CEQA LEAD AGENCY – SAN LUIS & DELTA- MENDOTA WATER AUTHORITY

- Lead development of Environmental Impact Report (EIR)
- Assist in permitting efforts
- Negotiate transfers on behalf of potential buyers who are member agencies

## CEQA RESPONSIBLE AGENCY – CALIFORNIA DEPARTMENT OF WATER RESOURCES

- Review and provide feedback on development of EIS/EIR
- Review and comment on transfer proposals
- Operate SWP to facilitate transfers

## BUYERS AND SELLERS

- Identify transfer needs
- Negotiate transfer terms, including transfer method, amount, period and price
- Provide transfer proposal to Reclamation and DWR for review

# TYPES OF TRANSFERS



## GROUNDWATER SUBSTITUTION

- Sellers forego diversion of surface water supplies and pump equivalent amount of groundwater
- Buyers receive foregone surface water supply

## CROPLAND IDLING

- Sellers make surface water available by not planting agricultural fields
- Buyers receive unused surface water supply

## CROP SHIFTING

- Sellers switch from a higher water use crop to a lower water use crop
- Buyers receive the difference in water use

## STORED RESERVOIR PURCHASE

- Sellers release water from non-CVP or SWP reservoirs that would otherwise have remained in storage

## OTHER METHODS SUGGESTED DURING SCOPING

# RESOURCES TO BE ANALYZED



## HYDROLOGY AND WATER QUALITY

- Groundwater
- Surface Water Hydrology
- Water Quality

## BIOLOGICAL RESOURCES

- Vegetation and Wildlife
- Fishery Resources

## PHYSICAL RESOURCES

- Geology and Soils
- Air Quality
- Visual Resources
- Climate Change

## AGRICULTURAL RESOURCES AND SOCIOECONOMICS

- Agricultural Resources
- Land Use
- Regional Economics
- Recreation
- Cultural Resources

## CUMULATIVE EFFECTS

# EIS/EIR PROCESS

## ENVIRONMENTAL REVIEW PURPOSE

- Compliance activities associated with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) will:
  - Evaluate reasonable alternatives that could reduce or avoid environmental impacts
  - Provide information for public review and comment
  - Identify significant environmental impacts
  - Develop mitigation (ways to reduce or avoid environmental impacts)
  - Communicate to decision makers the impacts, mitigation, and public comments

## WHAT IS SCOPING?

- Public scoping serves to include agencies, stakeholders, and the interested public in the decision making process and to allow full environmental disclosure. Reclamation and SLDMWA invite stakeholder and public input on the environmental considerations as part of the scoping process of the Draft EIS/EIR.
- Scoping helps to identify and refine:
  - Potential alternatives
  - Potential environmental impacts
  - Potential mitigation measures

## EIS/EIR TIMELINE

2011			2012		
Winter	Spring	Summer	Fall	Winter	Spring
Public Scoping Meetings	Impact Analysis	Draft EIS/EIR	Comment Period & Public Hearings	Final EIS/EIR	Record Decision/ Notice of Determination

# COMMENT STATION



## HOW TO SUBMIT COMMENTS

- All comments due by close of business on February 28, 2011

## TONIGHT

- Fill out a comment form at this station and return it to the comment box
- Verbally submit comments to the court reporter

## BY FEBRUARY 28, 2011

- You may either mail the comment card to the address on the back; or mail, email, or fax a letter to the contact information below. Please include your name, address, and phone number

### **Brad Hubbard**

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

**E-mail:** [bhubbard@usbr.gov](mailto:bhubbard@usbr.gov)

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### **Frances Mizuno**

San Luis & Delta-Mendota Water Authority  
P.O. BOX 2157  
Los Banos, CA 93635

**E-mail:** [frances.mizuno@sldmwa.org](mailto:frances.mizuno@sldmwa.org)

**Fax:** (209) 826-9698 / (209) 832-6200



Place  
First Class  
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Long-Term North to South Water Transfers EIS/EIR  
Brad Hubbard  
Bureau of Reclamation  
2800 Cottage Way, MP-410  
Sacramento, CA 95825

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*Please fold, staple, stamp, and mail.*

# RECLAMATION

*Managing Water in the West*

San Luis & Delta-Mendota Water Authority



Long-Term Water Transfers EIS/EIR

**Public Scoping Meetings**

Chico

January 11, 2011

Sacramento

January 12, 2011

Los Banos

January 13, 2011



U.S. Department of the Interior  
Bureau of Reclamation

# Meeting Agenda

- **Introductions**
- **Presentation**
  - **Project Overview**
  - **Schedule**
  - **EIS/EIR Development Process**
- **Open House**

# Meeting Purpose

- Provide information about long-term transfer combined EIS/EIR
- Gather information from the public on alternatives and potential environmental issues
- Answer questions about transfers

# Background

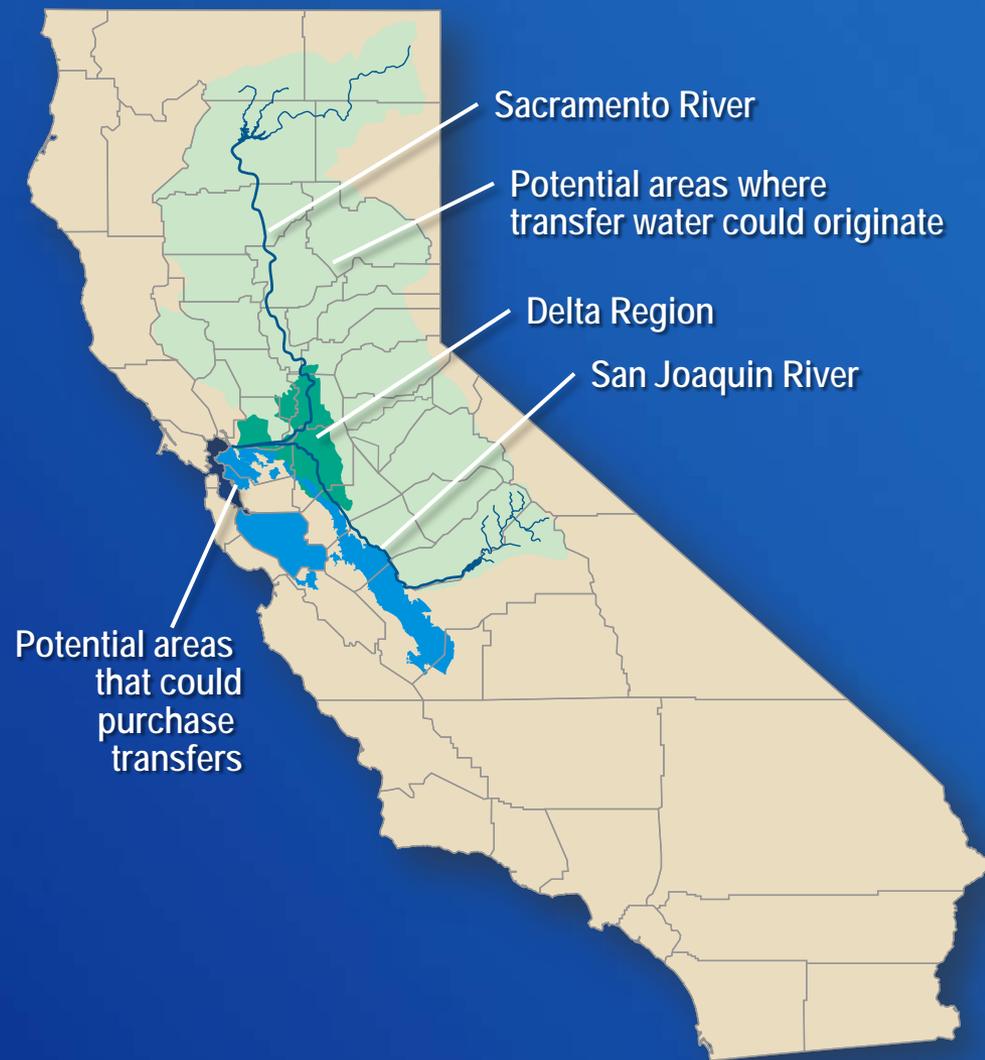
- Reclamation is not purchasing water under this project
- Reclamation is approving transfers
- Recent History
  - 2009 – Drought Water Bank
  - 2010 – Environmental Assessment for CVP-related transfers in 2010-2011
  - 2012 – EIS/EIR for CVP-related transfers in 2012-2022

# Purpose and Need

- Hydrologic and climatic variability, as well as regulatory restrictions, can strain water supplies
- In an effort to be more prepared to manage for water shortages caused by decreases in water delivery from the CVP, various water agencies have requested that Reclamation facilitate water transfers
- The purpose of the Proposed Action is to facilitate voluntary water transfers from willing sellers north of the Delta to water users south of the Delta and the San Francisco Bay Area

# Project Overview

- **EIS/EIR to analyze the effects of CVP-related water transfers**
- **Project timeframe is from 2012 to 2022**



RECLAMATION

# Project Overview

- Reclamation is not initiating a “bank” or “program”
- Buyers and sellers are responsible for negotiating transfer terms, including transfer method, amount, period, and price
- SLDMWA will be responsible for negotiating transfers on behalf of potential buyers that are Member Agencies
- Reclamation and DWR will be responsible for approving transfers under their jurisdiction and for use of CVP and SWP facilities required for the transfers

# Transfers in EIS/EIR

- **CVP water supplies**
- **Non-CVP water supplies that require use of CVP or SWP facilities (including Warren Act contracts)**
- **Single year or multi-year transfers**
- **Transfers would not necessarily occur each year within the project timeframe**
- **Total annual transfers likely in the range of 100,000 to 150,000 acre feet**
- **Transfers of SWP water will not be directly analyzed in the EIS/EIR (all transfers will be included in the cumulative analysis)**

# Project Agencies

- **NEPA**
  - Lead Agency – Bureau of Reclamation (Reclamation)
- **CEQA**
  - Lead Agency – San Luis & Delta-Mendota Water Authority (SLDMWA)
  - Responsible Agency – California Department of Water Resources (DWR)

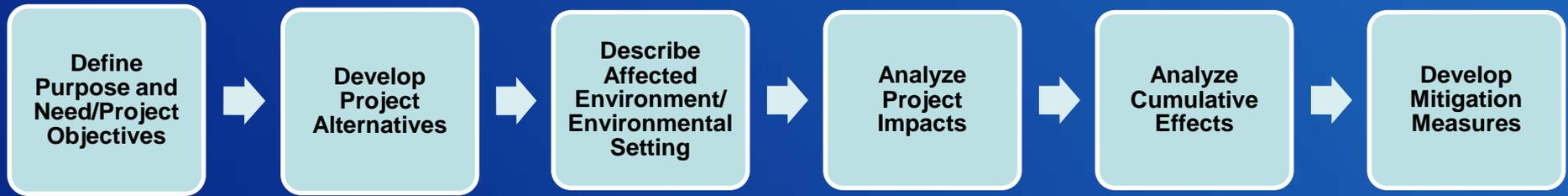
# Project Schedule

Project Milestone	Proposed Date
NOI and NOP	December 2010
Scoping Meetings	
Chico, CA	January 11, 2011
Sacramento, CA	January 12, 2011
Los Banos, CA	January 13, 2011
Draft EIS/EIR	July 2011
Public Meetings on Draft EIS/EIR	August 2011
Final EIS/EIR	January 2012
ROD and NOD	February 2012

# Environmental Review Purpose

- Evaluate reasonable alternatives that could reduce or avoid environmental impacts
- Provide information for public review and comment
- Identify any significant environmental impacts
- Disclose to decision makers the impacts, benefits, mitigation, and public comments

# EIS/EIR Development Process



RECLAMATION

# Open House Stations

- **Station 1: Overview**
- **Station 2: Transfer Types and Resources to be Analyzed**
- **Station 3: Process, Schedule, and Comments**

# How to Submit Comments

- **Tonight: state oral comments to court reporter or fill out a comment form**
- **By February 28, 2011:**
  - **Mr. Brad Hubbard**  
Bureau of Reclamation  
2800 Cottage Way  
Sacramento, CA 95825, MP-410  
[bhubbard@usbr.gov](mailto:bhubbard@usbr.gov)  
Fax: (916)978-5290
  - **Ms. Frances Mizuno**  
San Luis & Delta-Mendota  
Water Authority  
P.O. Box 2157  
Los Banos, CA 93635  
[frances.mizuno@sldmwa.org](mailto:frances.mizuno@sldmwa.org)  
Fax: (209)826-9698/  
(209)832-6200

**Thank You for Your Participation**

RECLAMATION



**Appendix C**  
**Scoping Comments Received**



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U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION  
SAN LUIS & DELTA-MENDOTA WATER AUTHORITY  
CALIFORNIA DEPARTMENT OF WATER RESOURCES

LONG-TERM WATER TRANSFERS EIS/EIR  
PUBLIC SCOPING MEETING

Tuesday, January 11, 2011  
Chico Masonic Family Center  
110 West East Avenue  
Chico, CA 95926

REPORTED BY: FREDDIE REPPOND, STENOGRAPHIC REPORTER

1 Tuesday, January 11, 2011

6:11 o'clock p.m.

2 [Questions and comments from the

3 public began at 6:45 p.m.]

4 FRANCES MIZUNO: My name is Frances Mizuno.

5 I'm with the San Luis and Delta-Mendota Water Authority.

6 The Water Authority is a joint powers authority. We

7 actually consist of 32 member agencies, all of which are

8 Central Valley project water contractors south of the

9 Delta. Most of our contractors are ag districts. So

10 we're the ones that are south of the Delta that in

11 certain years that we're looking to purchase water to

12 supplement the water supply because of either drought

13 conditions or regulatory constraints that prevent us

14 from getting our supply. So hopefully that answers who

15 the Authority is.

16 UNIDENTIFIED SPEAKER [OFF MIKE]: [inaudible]

17 MS. MIZUNO: Yes. We are member agencies,

18 primarily -- like I said, primarily ag districts. We

19 cover from the city of Tracy, just south of the Delta,

20 all the way to Westlands Water District to Kettleman

21 City. We do also include San Benito County Water

22 District as well as Santa Clara Valley Water District.

23 UNIDENTIFIED SPEAKER [OFF MIKE]: San Diego?

24 MS. MIZUNO: Did I say that? I didn't mean to

25 say that. San Benito. San Benito Water District, which

1 is primarily an ag water district; and Santa Clara  
2 Valley Water District. They are primarily a  
3 municipal/industrial district.

4 UNIDENTIFIED SPEAKER [OFF MIKE]: How large is  
5 your legal defense fund?

6 UNIDENTIFIED SPEAKER [OFF MIKE]: I'd like to  
7 know what [inaudible] may be on the groundwater levels  
8 would be up here. And if it -- how is the need  
9 determined what's deleterious? And who is going to  
10 decide how to slow down or to stop the process if it is,  
11 in fact, deleterious? I'm afraid that once this thing  
12 gets started, like Westlands, water contractors will  
13 just keep wanting more product. And how do we shut you  
14 off?

15 MS. MIZUNO: That is the reason that we're  
16 doing this process. We're doing this ten-year  
17 environmental review process to analyze what available  
18 groundwater there may be available for transfers that is  
19 within the state's yield. And that's why we don't  
20 really have a project description, because we're wanting  
21 to hear what is possible. The whole process here is to  
22 analyze what is possible, what environmental impact  
23 there may be, and what mitigation we would have to take  
24 care of to get to do that.

25 UNIDENTIFIED SPEAKER [OFF MIKE]: What is

1 possible according to whom? You know, who's making that  
2 determination?

3 MS. MIZUNO: Well, this is going to be a  
4 public process. Reclamation has hired a consulting  
5 firm, CDM. And they are here tonight and they're  
6 evaluating what types of groundwater models that we're  
7 using. And through this whole process it will be --  
8 that's what we're trying to find now.

9 UNIDENTIFIED SPEAKER [OFF MIKE]: Westside has  
10 a history of reselling their water to Southern  
11 California. They had the federal law changed. When  
12 land went fallow, the government didn't get it back.  
13 They had it changed where if the land went fallow the  
14 owner got to keep the water. And, from what I've read  
15 in my farm magazines, they turned around and sold it to  
16 Southern California. So Westlands [sic] has a history  
17 of taking it, changing the federal law, and selling it.

18 UNIDENTIFIED SPEAKER [OFF MIKE]: Who would be  
19 the potential sellers?

20 UNIDENTIFIED SPEAKER [OFF MIKE]: And would  
21 their names be published in the newspapers?

22 UNIDENTIFIED SPEAKER [OFF MIKE]: Who are  
23 these people?

24 UNIDENTIFIED SPEAKER [OFF MIKE]: It needs to  
25 be published.

1 MS. MIZUNO: The environmental document will  
2 identify all the potential sellers and they will be  
3 listed out by name as well as all the potential buyers.  
4 One of the things that is ongoing right now is  
5 identifying those sellers that want to be included as  
6 part of this analysis. If they're not included as part  
7 of this analysis, once the document is completed, they  
8 would not be able to sell water utilizing this  
9 environmental document.

10 UNIDENTIFIED SPEAKER [OFF MIKE]: [inaudible]

11 MS. MIZUNO: They are going to be mostly water  
12 districts. At this point I guess an individual can, but  
13 most likely they will be water districts. And they are  
14 most likely going to be the Central Valley project  
15 contractors district.

16 UNIDENTIFIED SPEAKER [OFF MIKE]: [inaudible]  
17 is that one district, or Westside, says we'll take  
18 sixteen farms or public families and we'll pick six out  
19 of those to buy their water from them and sell it so  
20 they get part of the profits. So is this going to be a  
21 lottery system for you guys in your area for the farms?  
22 I mean what's going down here? I mean -- I'm sorry.  
23 It's a red flag. It really stinks. I mean we really  
24 stick a big straw and do like Crystal Geysers did over  
25 across at Orland and sold out on them.

1 MS. MIZUNO: Well, whatever transfers that we  
2 propose would have to pass environmental muster and  
3 making sure there is no environmental impact. And if  
4 there are, then we would have to have mitigation.

5 UNIDENTIFIED SPEAKER [OFF MIKE]: Okay. Are  
6 all your meetings open to the public?

7 MS. MIZUNO: Which meetings?

8 UNIDENTIFIED SPEAKER [OFF MIKE]: All  
9 meetings.

10 MS. MIZUNO: Yes.

11 UNIDENTIFIED SPEAKER [OFF MIKE]: That's the  
12 irrigation districts?

13 MS. MIZUNO: Yeah. We're all public agencies  
14 and we're -- we have open meetings.

15 UNIDENTIFIED SPEAKER [OFF MIKE]: So how are  
16 you going to notify everybody? What medias are you  
17 going to use?

18 MS. MIZUNO: Well, when we propose -- the way  
19 that I've been involved in water transfers is, when we  
20 indicate that we -- the Authority on behalf of a member  
21 agency, what we do is we go out and get the purchases  
22 and then we make that water available to the water buyer  
23 through our member agencies. We go out to folks up  
24 north and indicate that we're interested in the water;  
25 and those districts that are interested in selling some

1 to us, then we will have some discussions on potentially  
2 the quantity of water they have available and how much  
3 we are wanting to purchase. In the past, we've had to  
4 do that on an annual basis; and we've had an annual  
5 environmental review of environmental documents. We're  
6 trying to avoid doing annual-type of transfers and want  
7 to do a little more of a comprehensive analysis on water  
8 transferring. That's what this is all about. So we can  
9 do a long-term comprehensive analysis on all potential  
10 transfers that occurs from north of the Delta to the  
11 contractors -- to CVP contractors south of the Delta.

12 UNIDENTIFIED SPEAKER [OFF MIKE]: I have -- my  
13 concern is that, representing the City of Chico on the  
14 drought task force [unintelligible] City Council member.  
15 I'm no longer there. I'm a citizen now. The problem  
16 was that they held their meetings with the task force in  
17 Southern California -- Ontario -- and in Sacramento,  
18 where people from Northern California talk about the  
19 water transfers, water programs, et cetera, in terms of  
20 utilizing our aquifers, is that they have these meetings  
21 far enough away knowing that we can't afford to come  
22 down there because of the fact of trying to get to an  
23 airport, et cetera. So if this is going to go through,  
24 are you going to have meetings here in Chico? Are you  
25 going to have meetings in Redding, Red Bluff, Tehama?

1 Because you're affecting those aquifers.

2 MS. MIZUNO: That's why we're here.

3 UNIDENTIFIED SPEAKER [OFF MIKE]: That's why  
4 we're here.

5 MS. MIZUNO: I'm really pleased to see  
6 everybody here, because, really, what Brad emphasized  
7 earlier, is that we are here to hear your concerns; what  
8 you think is viable projects; what you think are not  
9 viable projects; so that we can include that in the  
10 analysis of the --

11 UNIDENTIFIED SPEAKER [OFF MIKE]: Put it in  
12 writing. Don't say [inaudible].

13 [Several people talking at once]

14 MS. MIZUNO: Thank you. I think putting your  
15 comment in writing is very important, because all those  
16 will be kept. They will be part of the whole document  
17 on this whole process. It will be included in the  
18 documents. So it would be much more effective if you  
19 put it in writing. Or if you want to go back and talk  
20 to the court reporter --

21 [Several people talking at once]

22 UNIDENTIFIED SPEAKER [OFF MIKE]: [inaudible]  
23 -- but what I'm interested in is the use of groundwater  
24 in this transfer process. How do you envision the use  
25 of the aquifers in this area, in the Northern California

1 region? How do you envision these aquifers being used  
2 in order to create these transfers? To many of us here,  
3 that's the central question.

4 MS. MIZUNO: In general, how groundwater is  
5 transferred is through groundwater substitution. So an  
6 example is a grower would pump groundwater to use for  
7 their irrigation and then provide their service water  
8 that they would otherwise have used -- to make that  
9 available for transfer sellers.

10 UNIDENTIFIED SPEAKER [OFF MIKE]: [inaudible]  
11 the use of the surface water, because we normally have  
12 here; and we're using the groundwater. And then we're  
13 also losing the water that would have infiltrated if we  
14 had used that surface water instead. So we're losing  
15 more than two times the amount of water.

16 UNIDENTIFIED SPEAKER [OFF MIKE]: [inaudible]  
17 and in a drought situation basically sell what is the  
18 water right by ownership. So you're going to go out and  
19 basically do this [inaudible]. It's a water right.  
20 It's not ownership. And to deplete the aquifer. Our  
21 aquifers have been going down steadily since we've  
22 developed this area. And it's not going any other  
23 direction. And eventually we may end up with a collapse  
24 of the aquifer, which is exactly what happened to you  
25 folks down there, which is why you have to bring water

1 in now.

2 And the misuse of water down there and then  
3 the scam that is going on, like the sales to Southern  
4 California. They took up there in the Owens Valley and  
5 found a rancher and took -- and bought the whole damned  
6 creek so that they could bottle sodas in L.A.

7 This kind of stuff is ridiculous. That water  
8 belongs in that aquifer.

9 UNIDENTIFIED SPEAKER [OFF MIKE]: [inaudible]  
10 And I'm from Cottonwood, California, in Butte County.  
11 Our neighborhood is right next to 4,800 homes that they  
12 want to put in. We don't have much water as it is up  
13 where I live; and I just don't see where it's going to  
14 end. I mean they got that through. There was a lot of  
15 grief about that. But it's there -- 4,800 homes. Del  
16 Webb. It's called [unintelligible] Village. It's all  
17 in there. You know, we got [unintelligible]. We've got  
18 other issues going on. And, for the life of me, I don't  
19 understand why they can't go to desalination plants --

20 [Several people talking at once]

21 UNIDENTIFIED SPEAKER [OFF MIKE]: [inaudible]  
22 if we don't stop. And I've been told by a member of --  
23 that works there -- that nobody showed up at the  
24 meeting, so they figured they could do whatever they  
25 please. Nobody goes and votes against it. So it's

1 going to happen. I don't -- some farmer told him the  
2 other day, Oh, they won't do that. But they will do  
3 that. [unintelligible] I grew up there and I know what  
4 goes on and I know what their politics are. I listened  
5 to my dad and my mother for years. So it's not like --  
6 it's political and they're after money and it's all they  
7 care about. Nobody cares about us.

8 MS. MIZUNO: But these transfers that we're  
9 looking at is not going to Southern California, though  
10 --

11 [Several people talking at once]

12 UNIDENTIFIED SPEAKER [OFF MIKE]: [inaudible]  
13 -- the community kind of stands together. And we don't  
14 want to get involved in this. What process does the  
15 community take just to politely say that we're not  
16 interesting in getting --

17 [Several people talking at once]

18 MS. MIZUNO: I'm not quite sure how to answer  
19 that. I'm a buyer.

20 UNIDENTIFIED SPEAKER [OFF MIKE]: My question  
21 is there's apparently monitoring of the groundwater.  
22 Does the State of California monitor groundwater now?  
23 Does the Bureau monitor groundwater? Is anyone  
24 monitoring groundwater?

25 MS. MIZUNO: Yes. The Department of Water

1 Resources monitors groundwater. I know many of the  
2 water districts themselves monitor the groundwater.  
3 There are different agencies doing that around the  
4 state.

5 UNIDENTIFIED SPEAKER [OFF MIKE]: Going  
6 against what you said about earlier, farming with your  
7 well water and just selling the surface, my good friends  
8 down in Ridgedale a few years ago were going to irrigate  
9 with their surface, turn on all their pumps, and sell it  
10 to the people down south. It was figured out thousands  
11 of shallow wells in Butte County would go dry, including  
12 three of mine, [unintelligible]. Who's going to  
13 mitigate redrilling the well? A 200-foot well from  
14 scratch with all the new mandated tests is now \$30,000.  
15 Now, who's going to give me that when, despite what you  
16 say, irrigating with the ground and selling the surface,  
17 everybody wants to do just the opposite.

18 MS. MIZUNO: Well, that is the reason that  
19 we're going through this process is to do the analysis  
20 on what is the safe way of doing groundwater  
21 substitution transfers.

22 [Several people talking at once]

23 MS. MIZUNO: Well, the contract -- our water  
24 contract is with the federal government not with the  
25 state.

1 UNIDENTIFIED SPEAKER [OFF MIKE]: I have a  
2 question for the Bureau. Who are these various water  
3 agencies that are requesting to facilitate this  
4 transfer?

5 TIM RUST: Let me first introduce myself. My  
6 name is Tim Rust. I am with the Bureau of Reclamation;  
7 and I work very closely with Brad and the consulting  
8 team on this project.

9 I'm hearing a lot of concerns about the  
10 impacts to the community, the groundwater, the surface  
11 water. I want to emphasize this is not Reclamation or  
12 DWR or the Authority, who is going to be the sellers in  
13 this program. The program, if you want to call it that,  
14 even though we don't want to call it that, is strictly a  
15 willing seller/willing buyer effort. What that simply  
16 means is that no water will get transferred if there's  
17 not a willing seller that exists to want to sell their  
18 water.

19 [Several people talking at once]

20 MR. RUST: Okay. No, I'm not -- no, listen.

21 UNIDENTIFIED SPEAKER [OFF MIKE]: [inaudible]

22 MR. RUST: Not necessarily, because -- and  
23 I'll tell you why -- is because Reclamation and DWR have  
24 to approve those transfers; and we have to approve those  
25 transfers in accordance with environmental laws, state

1 laws. And one of the key things is consumptive use. We  
2 will not transfer water that has not been consumptively  
3 used. That is a downright no-no.

4 [Several people talking at once]

5 MR. RUST: I will explain to you what I mean  
6 by consumptive use. And consumptive use is the amount  
7 of water that the crop uses.

8 UNIDENTIFIED SPEAKER [OFF MIKE]: What about  
9 the groundwater?

10 MR. RUST: The groundwater is a one-to-one  
11 transaction between surface water and groundwater.  
12 That's where you pump the groundwater and the district  
13 uses that water to irrigate their lands and then make  
14 their like amount of surface water available for  
15 transfer. That --

16 UNIDENTIFIED SPEAKER [OFF MIKE]: How far are  
17 you going to allow the groundwater to go down?

18 MR. RUST: That's what the environmental  
19 analysis will look at. We will not -- we will not  
20 transfer water that impacts safe yield.

21 UNIDENTIFIED SPEAKER [OFF MIKE]: You actually  
22 expect me to believe that [inaudible] coming down from  
23 all those different side canyons? I don't think you're  
24 going to be able to know that, so how in the world can  
25 you mitigate that impact?

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[Several people talking at once]

UNIDENTIFIED SPEAKER [OFF MIKE]: Don't say you can do what you can't do.

MR. RUST: Okay. Let me explain this one more step further, if I could, please. All right?

Again, I want to emphasize that when Reclamation, DWR, post their process of approving a transfer, we have to do so in accordance with very strict mitigation and conservation measures. And those are the measures that are put in place to protect other users of that water. We don't know exactly what those mitigation measures are right now, because that's what the analysis will show us what we would need to do to protect other users, to protect the groundwater resources.

UNIDENTIFIED SPEAKER [OFF MIKE]: In 1994 there was no protection. So would you speak to that? In 1994 there was a big transfer. People were injured. The environment was injured. What were the mitigations and what were the protective measures?

UNIDENTIFIED SPEAKER [OFF MIKE]: They were told to go get an attorney.

MR. RUST: No, that -- what you're saying is true, but that is no longer the case. There's been very strict ordinances put in place.

1 UNIDENTIFIED SPEAKER [OFF MIKE]: By whom?

2 MR. RUST: By the counties, by the cities, by  
3 the state.

4 UNIDENTIFIED SPEAKER [OFF MIKE]: But they're  
5 not enforceable.

6 [Several people speaking at once]

7 PATTI RANDELL: Excuse me. Just one moment,  
8 please.

9 We're not getting the actual comments. We've  
10 got people talking over each other. And if we're going  
11 to use this as a comment period, we need the court  
12 reporter to be able to hear. So if people could please  
13 speak for two minutes and one at a time, we would really  
14 appreciate it. Thank you.

15 UNIDENTIFIED SPEAKER [OFF MIKE]: I have an  
16 observation. You're only talking about the user as far  
17 as farmer [inaudible] digging the wells. But what about  
18 the environment? If you drop the groundwater down, you  
19 become a desert. [inaudible]. And that's what we -- we  
20 don't want to live in a desert. We don't want to live  
21 in San Joaquin Valley. It's a desert.

22 MR. RUST: Okay. We are -- our court reporter  
23 is unfortunately not able to hear everybody's comment.  
24 So we're -- there would be -- what my suggestion is, if  
25 you have a comment that you'd like recorded, to come up

1 and use this mike, because I think this is the only mike  
2 we have in the room right now. So I can turn this thing  
3 around. But there's a two-minute time limit. If you  
4 would like to have your comment recorded, then please  
5 use the mike here.

6 UNIDENTIFIED SPEAKER [OFF MIKE]: Are you  
7 going to answer any questions?

8 MR. RUST: Pardon me?

9 UNIDENTIFIED SPEAKER [OFF MIKE]: Are you  
10 going to answer any questions?

11 UNIDENTIFIED SPEAKER [OFF MIKE]: What about  
12 that environmental question?

13 MR. RUST: Let me address -- can you repeat  
14 your question one more time, sir?

15 UNIDENTIFIED SPEAKER [OFF MIKE]: You've  
16 concentrated on human uses and mitigation. But if the  
17 groundwater drops far enough, which it will, the trees  
18 and everything are going to die. We're going to become  
19 a desert, just like the San Joaquin Valley, and you  
20 can't mitigate that.

21 MR. RUST: Your point is very well taken, sir.  
22 And we -- again, I emphasize, when we do -- when we go  
23 about looking at the analysis, there will be mitigation  
24 and conservations put in place to avoid what you're just  
25 saying. I know the fish and wildlife service is on top

1 of this. They will not be happy if we do anything like  
2 that. I can tell you that right now. So we have to  
3 build in those conservation measures to protect other  
4 environmental sources that could be affected.

5 UNIDENTIFIED SPEAKER [OFF MIKE]: But you kill  
6 the San Joaquin --

7 [Several people talking at once]

8 UNIDENTIFIED SPEAKER [OFF MIKE]: Let's line  
9 up. Folks, look, let's be respectful. They're doing  
10 what we asked. Let's line up. Everybody speaks at the  
11 mike. The reporter can hear it. I want to hear all of  
12 you too.

13 MR. RUST: If you have a comment that you want  
14 recorded, this is the place to do it, up here.

15 UNIDENTIFIED SPEAKER [OFF MIKE]: May I make a  
16 suggestion? Instead of all us rampaging, why don't you  
17 repeat the question? That's how it's normally done.

18 [Several people speaking at once]

19 [At this point the public began  
20 making their comments through the  
21 microphone.]

22 RICK ORTEGA: Rick Ortega, vice president,  
23 Quail Ridge Estates, Cottonwood, California.

24 We are concerned about our water level. We  
25 are concerned about our wells. Is there going to be

1 some well-level testing? And what do we look for? Is  
2 somebody going to help us establish that baseline? We  
3 are next to a 4,800-home project that is going to go in.  
4 We are concerned about our wells, our water quality.

5 My home phone number is 530-347-2126. Thank  
6 you.

7 BOB HENNIGAN: I'm Bob Hennigan, retired  
8 farmer. I live in Chico, California.

9 Let me explain a -- little background perhaps  
10 would help you understand better. The issue is that of  
11 third-party impacts. We are basically third parties.  
12 And in the contracts that the DWR has written over the  
13 past 20 years for similar water transfers, they have  
14 inserted what we call the "Pontius Pilate clause." They  
15 say that it's not DWR's responsibility to mitigate  
16 third-party impacts, but that's the responsibility of  
17 the seller.

18 So what you've done is -- and this is what  
19 happened in the '90s. And this is -- this clause was in  
20 the contracts they were offering a little more than a  
21 year ago. So it's a long-term problem.

22 The farmers whose wells were dry in the area  
23 south of Durham had no income. Their crops were drying  
24 up, turning brown. So where were they going to get the  
25 financing to campaign a legal task of hiring a

1 hydrologist to prove that the actions of the water  
2 district had harmed them and an attorney to take the  
3 case to court? So we as third parties have no practical  
4 redress. So you're setting up a situation that's  
5 designed to fail and then denying responsibility for it.

6 UNIDENTIFIED SPEAKER [OFF MIKE]: Do you have  
7 an answer for that? Is that not in there? Is that in  
8 the contracts like you said? Is he lying or telling the  
9 truth?

10 [Several persons speaking at once]

11 UNIDENTIFIED SPEAKER: The Federal Register  
12 talks about priority rights. Can you please explain  
13 that briefly? It's in the Federal Register. I know you  
14 guys wrote that, so what is it you guys meant by that?

15 MR. RUST: I have to be honest with you. I'm  
16 going to need to go back and see why that's there.

17 UNIDENTIFIED SPEAKER [OFF MIKE]: Seriously?

18 MR. RUST: Yes, I do. I'm not sure exactly  
19 what that's referring to. And I will go back and take  
20 that comment and research it myself and find out what  
21 the intent of that comment -- what that was in there  
22 for.

23 [Several persons speaking at once]

24 MR. RUST: Like Brad mentioned earlier, there  
25 is a Website that's been developed, I think, on our --

1 on USBR's Website -- for this particular water transfer,  
2 the EIS/EIR effort. And I will be happy to post that on  
3 that Website once I find out the information.

4 UNIDENTIFIED SPEAKER [OFF MIKE]: What is the  
5 Website again?

6 [Several persons speaking at once]

7 ROBERT MONTGOMERY: While they try to get it  
8 together here with the Website, I'm a small farmer in  
9 Durham. I was here during the last real -- I'm Robert  
10 Montgomery, Rob Montgomery. I have a small farm.

11 Our well went dry when the last transfers went  
12 on during the last drought. And I also lived in Owens  
13 Valley; and I saw one of their wildlife mitigation  
14 projects where they sunk wells every few hundred feet  
15 right next to the aquifer and sucked out thousands of  
16 gallons of water and did a wildlife mitigation where  
17 they allowed the dried-up Owens River Valley to go like  
18 a mud slough and extend an extra 20 miles. So they took  
19 gallons and gallons and gave back a drop. That's the  
20 type of water mitigation that I've seen.

21 Now, the biggest concern now is these mega  
22 wells that are going into the Tuscan aquifer. And they  
23 were supposed to do some recharge surveys to see how  
24 much water they could pull out of the groundwater  
25 without -- giant mega wells -- we're talking like they

1 pump a million and a half gallons a day. It's like a  
2 stream -- giant stream. Trout stream, you know.

3 And they're pumping this out. And they figure  
4 they can pump it for six months and tell what the  
5 cumulative effect is on the aquifer. And then, hey,  
6 well, it wasn't so bad, so let's go to town. And this  
7 is the stuff that caused the collapse of the southern  
8 aquifer down there. And here we are now transferring  
9 water to the desert down there because they did not  
10 properly manage their water. And we are trusting that  
11 they're going to properly manage our water now with a  
12 plan like that? They totally left out of the equation  
13 they're going to pump the water. And they took time out  
14 of it. They said we're going to pump out of the  
15 aquifer. It's going through gravel. They're going to  
16 pump that water out and then they're going to go way up  
17 here and measure it. But that pressure of water takes  
18 years for it to reach. It's based on flawed science.

19 BARBARA VLAMIS: My name is Barbara Vlamis.  
20 And I represent Aqualliance, an organization that was  
21 formed to try to stop this from happening. Many  
22 lawsuits that I have filed with some -- the support of  
23 good people in this room have helped slow it down. But  
24 this is actually the moment we have waited for. They  
25 have tried for years to do these serial water transfers.

1 Year after year, claiming there were no impacts;  
2 nothing's going to happen. Check the box. We're done  
3 this year.

4 We are currently in litigation against the  
5 Bureau of Reclamation, the agency that's here, because  
6 they tried this again -- they tried to do a two-year  
7 transfer. Same check boxes, though. No impact.  
8 Nothing's going to happen. We defer all responsibility  
9 to the irrigation districts up here, our neighbors, our  
10 neighborhoods who in '94 told their neighbors to go hire  
11 an attorney when they had impacts to their domestic  
12 wells and their irrigation wells and the wells in  
13 Durham.

14 The only thing that we can do -- our anger is  
15 well-founded in this room. But these people, as nice as  
16 they may be as human beings, are representing a  
17 destructive process and you're all very aware of it.  
18 You're all sharp. You got it. But the only way to  
19 fight back in our society, as you have seen through the  
20 last couple of years of the economic meltdown, BP's oil  
21 disaster in the Gulf, is you have to organize. You have  
22 to have either political clout, financial clout, legal  
23 clout, or some mix of all of them. Up here we don't  
24 have a very large population. So we better be damned  
25 well organized.

1           Number two is we have to be willing to work  
2 together to try to stop this in the courts. We want  
3 them to produce this infamous EIS/EIR that they claim  
4 they were going to create in 2003 and couldn't do it,  
5 because the science -- as Mr. Montgomery pointed out,  
6 it's not just flawed, they don't have it. There is no  
7 science. They don't know what would happen up here. So  
8 we have to be prepared to look at their documents.

9           We can hope for the best and I will submit  
10 formal comments on the scoping and we will wait for  
11 their environmental impact statement and environmental  
12 impact report to submit formal comments that would hold  
13 up in a court of law, because all the anger in the  
14 world, while it means a lot to us, it doesn't to a  
15 judge. It doesn't -- you know, when you have to get in  
16 the door. So if you want to organize, we are willing to  
17 work with anybody here that wants to try to protect this  
18 region.

19           UNIDENTIFIED SPEAKER [OFF MIKE]: What's your  
20 phone number?

21           MS. VLAMIS: 895-9420. There's sign-up sheets  
22 going around the room. And our Web address is  
23 aqualliance, all one word, one "a" in the middle.

24           UNIDENTIFIED SPEAKER [OFF MIKE]: Write it on  
25 the board.

1                   JESSICA ALLEN: My name is Jessica Allen. And  
2 I would just like to state at this point of your  
3 deciding on the -- how you're going to go about doing  
4 the environmental impact report, that I don't believe  
5 that you can, as was stated.

6                   And going back to the purpose and need of this  
7 entire project, I don't believe that preparing for water  
8 shortages caused by droughts, pumping our water down in  
9 advance of that is a very good strategy at all, because  
10 obviously water conservation would be a much better  
11 strategy to do where you're already at and to conserve  
12 water, because all you're going to do is you're going to  
13 look at our water and say, oh, look they have enough.  
14 And until we don't have enough, that we go, wait, look,  
15 there's not enough water, well, it's too late. And you  
16 guys are out the door anyway and you got a lot of money.  
17 So we don't really want that. And I don't think that  
18 you can prevent that from happening at all by continuing  
19 with this.

20                   So I would just say go ahead and cut it out  
21 now, because you're not going to be able to mitigate  
22 that at all, because it is going to damage the  
23 environment. And there's no way that you can put the  
24 water back, because my neighbor said you couldn't make  
25 it. It's not like money. You just can't print more.

1                   ROBERT EBERHART: Good afternoon, everybody.  
2 My name is Robert Eberhart.

3                   I'm really nervous right now. I normally  
4 wouldn't fight for something or talk in front of a crowd  
5 like this. But, you know, water in my opinion is like  
6 the most important thing in the whole world. It's the  
7 essence of life. You know, it's the foundation for  
8 life. And people take water for granted.

9                   They talk about willing sellers, you know.  
10 They want to find willing sellers and willing buyers.  
11 Well, we all own the water. Nobody owns the water. God  
12 gave us all the water. Okay.

13                  There are a few things they don't want to tell  
14 you. For one, they say that on wet years they will  
15 inject water into the aquifer. Okay. If they put one  
16 drop of water in the aquifer, that's not God's water;  
17 it's their water. Therefore, not only do we have to pay  
18 to pump it out of the ground for our crops, but we have  
19 to pay the water company for that water in addition.  
20 They don't tell you that.

21                  Another thing is they talk about how much  
22 water that they use on the crops, they're not going to  
23 take any more water than they put on the crops. Well,  
24 when you take the water, the same amount of water, you  
25 put it in a ditch, none of it goes back into the ground.

1 We, as farmers, we take it out of the ground; we spread  
2 it around; it goes back into the aquifer. We are just  
3 recycling it. They don't talk about that either.

4 The problem with south of the Delta isn't so  
5 much the crops. It's the permanent crops, you know.  
6 They all decided to put permanent crops in instead of  
7 row crops. And on dry years they have to have the water  
8 now because they have got trees instead of lettuce or  
9 whatever, you know. They got to stop this permanent  
10 crop stuff, you know.

11 To put it in a nutshell, you know, the  
12 swimming pool analogy: We have ten wells. We can't  
13 afford to pump. We can't afford to dig ten wells if  
14 they go dry. Us, as farmers, we're on the shallow end  
15 of the pool. The water companies are going to dig deep,  
16 deep wells. They're going to be sucking out of the deep  
17 side of the pool. Well, all the farmers are on the  
18 shallow side. Whose wells are going to go dry first?  
19 It's going to be the shallow end of the pool.

20 You know, Mark Twain said, "Whiskey's for  
21 drinking. water's for fighting for." We need to fight  
22 for this water. It's our children's future. It's our  
23 future. It's the entire Valley's future. And, you  
24 know, in my opinion -- and this is just my opinion  
25 only -- but, you know, water companies and their

1 attorneys they will fight to the end for water. They  
2 are like termites eating at our foundations. They will  
3 eat 24/7 and they will not stop. Once they take it,  
4 they will never give it back.

5 BURT LEVY: My name is Burt Levy, a citizen.

6 I did have a couple of questions that you can  
7 answer in a bit. What does your district do for  
8 conserving water so you have more water to use, like  
9 reclaiming water and maybe working with your  
10 municipalities to put in more drought-resistant  
11 landscapes so you've got more groundwater for  
12 yourselves?

13 And have you guys ever thought about -- and  
14 this is a state thing -- putting in desalination plants  
15 along the coast so that water being used by the Bay Area  
16 could be diverted, because they use desalinated water?  
17 And then, you know, that seems like more of a long-term  
18 solution -- desalination for the whole state, for  
19 everybody.

20 And, again, reiterating my point, by the time  
21 you guys figure out that you drew the water --  
22 groundwater -- down too low and the trees are dying, you  
23 can't mitigate 500-year-old dead oak trees. And that's  
24 what will happen. Before you guys realize that you drew  
25 the groundwater down too far, all these ancient oak

1 tress and all this other vegetation is going to be dead.  
2 And you can't mitigate that.

3 So that's what I got to say.

4 CAROL PERKINS: Hello again. Carol Perkins,  
5 citizen, Butte County, as well as the water resource  
6 advocate for Butte Environmental Council.

7 The state and federal government has paid  
8 Glenn-Colusa Irrigation District \$1.2 million to study  
9 this process. This process is called conjunctive  
10 management. It's where we utilize groundwater instead  
11 of surface water.

12 I'm wondering -- that report or that study --  
13 that five-year study -- has shown that Butte Creek will  
14 be impacted by pumping. They also found that the  
15 process is not profitable. So I'd like to have somebody  
16 from the Bureau talk to that issue. I'd also like to  
17 hear what you're going to do with that report. Is that  
18 report going to be fed in? Is it going to be a  
19 reference to the EIS? And, hopefully, you're pressuring  
20 GCID to complete that report so it's public and part of  
21 the process.

22 Thank you.

23 JOHN HOLLISTER: My name is John Hollister.

24 And first I'd like to follow up on a point  
25 that Oren made. And that is that we don't have the

1 science. Butte County and a number of people have done  
2 lots of little tiny studies about the Tuscan aquifer,  
3 but no one has done a thorough study showing how much  
4 water goes in, where it goes in, how much water is in  
5 the aquifer, and how soon would different areas lose  
6 their water, like, you know, go down to 200 to 300 feet  
7 to whatever. So there is no model. And we have got a  
8 company here who's going to develop probably some  
9 elaborate mathematical model. But it's bogus right from  
10 the beginning because they don't know.

11 Certainly, the opportunity has been there to  
12 study this. Everyone has known. The federal government  
13 and state government and a lot of the citizenry has  
14 known that we are going to ship water to Southern  
15 California and to Kettleman City and the desert down  
16 there in the San Joaquin, that we could have somewhere  
17 between Corning and Chico in a couple of years. So we  
18 really might be trading one desert for another if this  
19 goes through.

20 Anyway, my main point is that they plan to  
21 have the EIR/EIS done in one year, February 2012. You  
22 cannot develop the kind of information we're talking  
23 about in one year. They've had many years to know that  
24 they need this information, but they haven't looked for  
25 it. They haven't tried.

1           The other thing I'd like to say just real  
2 quickly is that already the reduction of salmon in the  
3 California waters is down by over 90 percent.  
4 Steelhead, even worse than that. Other fish, highly  
5 endangered. That's primarily because of us fussing  
6 around with the Delta water or pumping all the water out  
7 of the San Joaquin Valley -- San Joaquin River -- and  
8 its tributaries. Well, what's going to happen if we,  
9 you know, take another -- okay -- another 150,000 to  
10 600,000 acre-feet of water out of our aquifers?

11           Thank you.

12           MARK HERRERA: Hi there. My name is Mark  
13 Herrera. And I really appreciate your taking the time  
14 to come and speak to our community and give the public  
15 an opportunity which was made by your executive decision  
16 to let us come up and speak publicly to you.

17           That aside, how about a shout-out for this  
18 project? Okay. I think that's an overwhelming no to  
19 you guys' being here and taking the water. I do not  
20 call it "our water" because that implies ownership.

21           What the gentleman said earlier really rang  
22 true to me. The moment we associate ownership over the  
23 resources here, that's when the problems start and  
24 that's when profits get in the way of the future. And  
25 that's nothing that we can afford to lose. So I'd

1 really appreciate if you discontinued any transaction of  
2 water.

3 And you can hang out if you want, but please  
4 don't transfer the water.

5 RICK SWITZER: My name is Rick Switzer. I  
6 live up in Butte Creek, unfortunately not long enough.

7 But I know that several of my upstream  
8 neighbors had their wells run dry already in August and  
9 September. There's no way that pumping out any  
10 additional water is going to mitigate that problem. It  
11 will only make that problem worse, because water runs  
12 downhill. It seems inherently obvious.

13 I don't believe that you have the capacity in  
14 a year or even three years to anticipate what you say  
15 you can anticipate in terms of being able to evaluate  
16 what the problems are going to be. You can't do it.  
17 It's physically impossible. So to stand up here and  
18 pretend that you can and that this is somehow a process  
19 that's based on any type of logic based in the physical  
20 world is not true. You can't make that presumption.

21 So how in the world you can say, well -- not  
22 to mention, I haven't heard anything that says, well,  
23 this is how we're going to put the brakes in place.  
24 This is how we're going to anticipate problems. I'm  
25 sorry. I don't think you can do that in a year. I

1 don't think you can do it.

2 So, frankly, this whole presumption is a  
3 misapprehension based on money, pure and simple. And,  
4 frankly, if you can justify it -- and I think that  
5 there's things like the water will get leapfrogged down  
6 further and further south. And so to talk about what  
7 has happened in the last two years, as you did, as some  
8 type of perfunctory overview, that is a smoke screen.  
9 That is nothing more. It's what has happened in the  
10 last eighty or a hundred years that is pertinent to the  
11 water issues.

12 Thank you.

13 MARTY DUNLAP: My name is Marty Dunlap. I am  
14 a citizen who has been involved with water for a number  
15 of years.

16 My comments are probably more to both the  
17 Bureau and the Authority here. And that has to do  
18 with -- like Barbara said, we would be very excited to  
19 see an EIR or an EIS. This binder that I brought has to  
20 do with the Sacramento Valley Water Management  
21 agreement. These are the short-term plans that were  
22 developed to facilitate moving the water to meet this  
23 settlement agreement that was decided in 2001 -- 180,000  
24 acre-feet of water.

25 I was part of two people who were part of a

1 public representation on the Lower Tuscan coordinating  
2 group. And we were trying to identify how this aquifer  
3 could be used in a safe manner. We kept waiting for DWR  
4 to come out with the environmental review for years.  
5 This was written in 2001. I just happened to go to my  
6 files and pulled out from the Federal Registry [sic]  
7 2003, the Department of the Interior, Bureau of  
8 Reclamation and DWR proposed to prepare a programmatic  
9 EIS/EIR to analyze the potential effects of the  
10 short-term phase of the Sacramento Valley water  
11 management program. Ten-year program. And it's going  
12 to have all this information.

13 We never saw that information. We never saw  
14 any data that was part of an EIR/EIS. If you can do it,  
15 that would be phenomenal. We want science. We want  
16 bona fide science. We want the public to be able to  
17 participate in the research designs. We want to have  
18 objective technical people, not the same old people that  
19 have been used year after year for all these different  
20 types of endeavors.

21 And the most important thing is we want the  
22 cumulative impact analyzed. If you said you're going to  
23 do 600,000 feet, we don't want you to be measuring 100  
24 or 200. We want you to be looking at what you really  
25 are proposing. And we want to have good science. We're

1 not unwilling to share our water, but we want to know  
2 what's overdraft, what's a safe yield, how do we  
3 recharge, and how do we mitigate the damages when they  
4 start.

5 LINDA COLE: This is a request for clarity in  
6 your document, having them -- Linda Cole -- having  
7 looked at documents for a water bank in the past and  
8 being aware that a federal project requires that you  
9 consider economic impacts as well as, including to the  
10 community. I -- when I look at these documents,  
11 frequently the use of "significant impact" is in the  
12 literature. What is significant to farmers in the San  
13 Joaquin that may have orchards would be different from  
14 someone who is farming up here on a shallow well. So I  
15 hope your document actually quantifies what you consider  
16 significant impact, because that is a sliding scale --  
17 has been a sliding scale in every project. And it's not  
18 acceptable.

19 Also, I hope your project clarifies legal  
20 rights for riparian water right owners, because in the  
21 past riparian water rights were -- you could divert  
22 water to land that abutted the stream and whatever your  
23 crop didn't use -- what you didn't use -- reverted back  
24 to the stream for the next downstream user. And I  
25 believe in these water transfers what happens is, if you

1 started diverting water from streams a year, two years,  
2 or your farm was developed 20 years before the  
3 downstream user, then you have priority rights for that  
4 diversion. And so then you have the opportunity to sell  
5 your riparian diversion -- the quantity -- to a buyer  
6 down in your district out of the area completely. It's  
7 not reverting back to the stream to be used for the next  
8 downstream user. So if that is an impact, the whole  
9 community -- everyone downstream -- it impacts people  
10 that are only using groundwater that is not being  
11 recharged. So those things need to be written in plain  
12 English.

13 People need to know that, yes, this project is  
14 going to affect my riparian water rights if I am  
15 downstream. Yes, they're saying there is no significant  
16 impact if the water drops ten feet.

17 And then, also, I would like you to  
18 anticipate, when you're talking about economic impacts  
19 and the significance and what's going to happen with  
20 groundwater, I would like you to project total build-out  
21 in this area. As time goes on, more land is going to be  
22 developed, more communities are going to be developed.  
23 They are going to need that water. How does that water  
24 come back? And is the plan going to be to retire those  
25 permanent water uses in your area?

1 Thank you.

2 JOHN SCOTT: John Scott. I live in Butte  
3 Valley. I'm on the Butte Valley Coalition. I'm also on  
4 the board of directors of the Butte Environmental  
5 Council.

6 My firm position is local water stays local.  
7 And I think all water-miners, period -- I don't care if  
8 they're Crystal Geyser or if they're somebody down in  
9 Westlands, who is in my opinion the most infamous of all  
10 the water-users, because they are just wasting our water  
11 down there --

12 I want to bring up one point that everybody's  
13 missed. And that is, I live in the foothills; and our  
14 water level and our water table has dropped probably  
15 25 feet in the last 25 years. And we have a very  
16 limited water table where we are in Butte Valley. It  
17 only goes down 200 feet and that's SOL. And if the  
18 Tuscan aquifer in the Central Valley drops another 50 or  
19 100 feet and you live in the foothills, you can just  
20 pull the plug on your well, because you won't have any  
21 water. Stop the water-miners.

22 Thank you.

23 TRISH SAINT-EVENS: Good evening. Trish  
24 Saint-Evens, Orland. And I'm a member of Save Our Water  
25 Resource.

1 I also agree with John Scott. No water  
2 mining. Once you start, you can't quit.

3 When Crystal Geysers came to Orland, they used  
4 the analogy of consumptive use. They were only going to  
5 use 160 acre-feet annually. I can guarantee you, now  
6 that they've sunk their well -- by the way, we have them  
7 in litigation, so they haven't won yet. However, if and  
8 when they do go to operation, they have their well and  
9 now it's theirs. And I can guarantee you they won't  
10 stop at 160 acre-feet. No way.

11 JOHNNY CASPER: Good evening. I'm Johnny  
12 Casper from Concow.

13 First of all, I'd like to thank all you water  
14 people for coming up here and explaining your proposal  
15 to us. And thank you, ladies and gentlemen in the  
16 audience, for just showing up and listening.

17 A lot of us in the audience are aware of what  
18 the Bureau of Water Reclamation has done in the  
19 northernmost California counties. We've got farmers up  
20 there that have agreed to a water transfer project and  
21 they no longer have water to grow their crops. They've  
22 got this water project going and they have lost their  
23 property rights. The water people come on their  
24 property at all hours of the day and night to check  
25 their wells, et cetera, et cetera. I don't believe

1           that's the American way.

2                       I personally think that we should take control  
3 of our water rights. And if we agree to sell them,  
4 that's all well and good. But my bottom line is I'd  
5 like to see it on the ballot so everybody, including  
6 those that aren't here tonight, have a chance to vote on  
7 it.

8                       Thank you very much.

9                       GORDON OHLIGER: Hi, folks. Am I speaking to  
10 you or to the court reporter guy? Okay. Good.

11                      My name is Gordon Ohliger, O-h-l-i-g-e-r. My  
12 phone number and address is on the little piece of paper  
13 there in case you want to call me or something.

14                      And I'm just a regular guy. I'm indigenous to  
15 this watershed. I've lived in this area my whole life.  
16 I was born in this area and have only moved up the  
17 watershed as time goes on. Myself, I live about 20  
18 miles from here -- something like that. And I am one of  
19 those people that you mentioned that was sunk on a well  
20 a couple of years ago. And every September the well  
21 goes dry for a couple of days, even though I have the  
22 deepest well of any one of all my neighbors. Of nine  
23 neighbors, I have the deepest well. We talk about this  
24 a lot.

25                      What that means is, when you want to fix

1 dinner, you can't have -- you have to have a jug of  
2 water to fix dinner, to brush your truth. So it's a  
3 real thing. It's not just a theory that you heard  
4 somewhere. It happens constantly.

5 And so for them -- for anyone to touch the  
6 aquifer, that affects me personally, so I want to speak  
7 that that's my personal, emotional reason I'm here.

8 The other thing is my sisters -- I come from a  
9 farming family south of here in Sacramento. My younger  
10 sister is still living at my dad's place. That's  
11 walnuts, a hundred acres of walnuts. My other sister  
12 married into another walnut family the other side of the  
13 river. And so basically about a thousand acres of  
14 walnuts. And they use riparian out of the Sac and also  
15 a lot of deep wells. Now, that is going to impact their  
16 growing -- they're making not only their living, but the  
17 cost of your food. When you leave this in a month you  
18 go, Wow, what was that meeting all about? You go down  
19 to the Safeway. Well, the cost of food -- the food  
20 comes from here. This is where it comes from. And  
21 that's going to impact that.

22 But, more importantly, I think probably the  
23 big thing I want to say -- you had this little map. And  
24 you're only having one meeting in Northern California,  
25 in Chico. My sisters couldn't come here tonight and

1 drive at night and get back home. What about the people  
2 in Burney and Elk Creek and those people that are out  
3 there? They've got to get up in the morning and work.  
4 I know Gloria's got to get up, because she's got to move  
5 walnuts in the morning. They're dry and they've got to  
6 get them on the truck. And I would appreciate -- please  
7 put that on the record, sir -- that I would appreciate  
8 if there was more input from the people that live in  
9 this area. And I'm coming to the end here.

10 Also, there's more than just us. There's the  
11 trees and the birds -- the greatest flyway on the planet  
12 goes right through here. That's right. We need water.  
13 They need the water. God made this thing, like you just  
14 read in your report. They're just numbers. People like  
15 numbers. But the animals and the plants, they're a part  
16 of this whole; and that's not even mentioned.

17 And, also, before I leave, I would just like  
18 to put in a word that I'd like to know who the heck  
19 these people are that think they own the earth and water  
20 and can sell it to someone else, because that's like  
21 evil white man stuff; and I just don't want it. So step  
22 up and let me know who the hell you think you are that  
23 you can sell the earth and sell it to someone else.

24 Thank you.

25 BARBARA HENNIGAN: My name is Barbara

1 Hennigan. And I want to talk about a couple of economic  
2 issues.

3 For all of these transfers, there's a tendency  
4 for agencies to rely on the RAND report from the 1991  
5 drought water bank for third-party impacts as a result  
6 of fallowing because of water sales. And if you look at  
7 the research, it's pretty sophomoric. They asked 99  
8 farmers who wanted to sell their water, Who do you do  
9 business with? They got about 250 responses. They  
10 could actually track down about 150 of those people.

11 Well, this is the first filter. If I want to  
12 sell my water and I know that someone is going to be  
13 harmed by it, I'm not going to give that name. I'm  
14 going to give the name of my accountant, who's going to  
15 have the same amount of business no matter what I do on  
16 the farm.

17 The second filter was they sent out surveys to  
18 the 150 names they could find addresses for; and they  
19 decided that if they didn't get a response it meant that  
20 someone was not going to be harmed if they farmed or did  
21 not farm. And up here we had a situation where one of  
22 the newspaper reporters went to a local cropduster and  
23 said, Will you be harmed if a certain number of acres  
24 are fallowed? And because it costs a lot of money to  
25 set up an airplane, he said yes. As a result, at least

1 two of his largest growers essentially fired him. So if  
2 you're an ag-dependent business, you're not going to  
3 create a stink, because you're going to offend your  
4 clients.

5 Now, for Butte, Glenn, and Colusa County,  
6 first of all, I'd like point out there's probably  
7 several hundred ag-dependent businesses represented just  
8 by the farmers in this room. But for Butte, Glenn, and  
9 Colusa County, they had seven responses that said it's  
10 no big deal. That is not a legitimate third-party  
11 impact research. You need to do a real third-party  
12 study.

13 The second economic issue is dealing with the  
14 legitimacy of comparing an acre of almonds in Butte  
15 County with an acre of almonds in Kern County. In Butte  
16 County we have almost two, two and a half acre-feet of  
17 water that comes out of the sky as rain, which means  
18 that the farmers apply another two, two and a half  
19 acre-feet. In Kern County not only do the trees require  
20 more water, but they only get three to six inches of  
21 rain. So it takes off, at the start, twice as much  
22 irrigation water to keep the same trees alive in Kern  
23 County as in Butte County.

24 According to the Delta vision process, it  
25 seems that somewhere between 50 and 75 percent of every

1 acre-foot that goes into the Delta goes out through the  
2 Bay. It boils down to, in order to keep one acre of  
3 almonds alive in Kern County, you have to be willing to  
4 take away the water for six acres of almonds in Butte  
5 County. Now, it makes no economic sense, never mind the  
6 immorality of transferring up to six times the economic  
7 hit to one region of the state.

8 And the third thing is the League of Women  
9 Voters is having a program on modeling. It's going to  
10 be in this building in the big room on Thursday,  
11 starting at five o'clock. And because it's a League  
12 program, we do provide food, because we don't want  
13 people to get too grouchy. And I think that it's -- a  
14 lot of political decisions are going to be based on  
15 models and we need to understand what they can do and  
16 what they can't do.

17 ROBERT C. EBERHART: One more thing, you guys  
18 -- just one real quick thing. I think if any water's  
19 sold -- if it's --

20 Oh, Robert C. Eberhart, Durham, California;  
21 and a farmer.

22 If any water's sold, no one person should  
23 profit. If any water's sold, it should go to the county  
24 which it is sold from; and all the money goes to the  
25 county for which it comes from. We all own the water.

1 No one person owns it.

2 And, again, I told you back there, because I  
3 was not on the mike, and I wanted you to hear that if  
4 any farmer sells water, his name should be published and  
5 how much money he's going to profit, because I think not  
6 only the embarrassment but the money figures and stuff,  
7 I think farmers would tend not to sell their water if  
8 they knew they were selling everybody out.

9 RICHARD MEYERS: I have one quick request that  
10 you would put up for us who haven't been involved in the  
11 NEPA --

12 Oh, my name is Richard Meyers. I live in  
13 Oroville, California.

14 You mentioned earlier about the NEPA document  
15 that's on file for the 2010 and 2011 CVP transfers. I'm  
16 wondering if that's a public document and I'm wondering  
17 how we could get access to that.

18 [Several persons speaking at once]

19 RICHARD MEYERS: I just think it would be  
20 helpful for people who are making comments to maybe, if  
21 you want to become informed before you make your  
22 comments, see what the -- they said was an environmental  
23 impact and a mitigation, including that one. And then  
24 come -- maybe it will be -- you'll have a more informed  
25 comment.

1                   And the August 2012 meetings, which are far  
2 off in the future, I'm hoping that you're planning more  
3 in this area and not just one meeting, say, in the  
4 middle of the state or something, if you know if that's  
5 true.

6                   UNIDENTIFIED SPEAKER [OFF MIKE]: [inaudible]

7                   JIM EDWARDS: I'm Jim Edwards. I'm a farmer  
8 from Tehama County.

9                   And my point is that Tehama County doesn't  
10 have surplus water to spare. I'd like to draw your  
11 attention to a couple of charts I can share with you.

12                   First of all, this is from the Department of  
13 Water Resources 2005 land and water use data, which  
14 shows that, in 2005, 69 percent of the water that was  
15 used came from groundwater in Tehama County. That is a  
16 lot different than some of the other counties. Most of  
17 the other counties have surface water -- higher uses of  
18 surface water.

19                   The other chart that I have here is the 2010  
20 review of groundwater levels of key wells in Tehama  
21 County. And this is, of course, monitoring of  
22 groundwater in Tehama County. And they established  
23 trigger levels to alert people when the levels drop.  
24 And we have about eight basins nine miles square. Seven  
25 of those, in 2010, raised the trigger level.

1                   That's all.

2                   MS. MIZUNO:   Would you like to give me that?

3                   RICHARD MEYERS:  Sure.  Thank you.

4                   DAVID JANINIS:  Hi.  My name is David Janinis.

5                   And thank you for coming tonight.  I would like my two  
6                   minutes to be spent with -- for you to outline how we  
7                   have to formally say no.  And that is how I would like  
8                   my two minutes to be answered.

9                   Thank you.

10                  CAROYL SMITH:  My name is Caroyl Smith.

11                  What are your other options?  That's the  
12                  question I have to ask you:  What are your other  
13                  options?  Is this it?  Is this where you're going to get  
14                  the water from?  You're not going to back down?

15                  And then people, obviously, say they don't  
16                  want you to take the water.  And I know where they're  
17                  going to get it.  There it is right there.

18                  Who has the -- what is it?  According to the  
19                  law -- she's going to get the law on her side.  They  
20                  have people backing her, because that's the only thing  
21                  they're going to say no to.  The judge says, Nope, you  
22                  don't get the water.  That's how it works.  We all know  
23                  that's how it works.  They're coming after the water,  
24                  period.  That's it.

25                  Thank you.

1 CAROLINE KITTRELL: My name is Caroline  
2 Kittrell. I am from Chico. And I'd like to see a copy  
3 of the minutes or the -- what's being documented  
4 tonight -- go at least to Aqualliance and Butte  
5 Environmental Council. And also encourage everybody  
6 that's here to please sign the sign-up sheet for  
7 Aqualliance so that you can get on the email list so we  
8 can keep informed about this issue.

9 MS. MIZUNO: We're going to post comments on  
10 the Website so everybody has access.

11 BRAD HUBBARD: There will be a scoping report  
12 that's prepared as a result of this series of meetings,  
13 so -- and we'll post that on the Website. It won't just  
14 be the court reporter record of everything we have heard  
15 tonight.

16 CAROLINE KITTRELL: Can it be also be mailed  
17 to the agencies that I mentioned instead of just putting  
18 it on the Internet?

19 MR. HUBBARD: You mean hard copy, ma'am? We  
20 can do that. If you would put that on one of the  
21 sign-in sheets, we can make sure that we do that. But  
22 that's a request, and put both Aqualliance and --

23 MR. RUST: Just to add to what Frances just  
24 said, the scoping report will include not only the  
25 verbal comments you heard tonight, but they will also

1 include all written comments that are submitted, email  
2 or otherwise. So it will be a very comprehensive  
3 document that provides the whole outcome of these  
4 scoping meetings today and tomorrow as well as on  
5 Thursday.

6 JOHN DOMINGUEZ: John Dominguez. I'm a  
7 long-time resident of Chico; and I've served on a couple  
8 of water boards up in my district where I live.

9 And I just want to tell you that the most  
10 important thing that we could really do is organize. I  
11 mean you may go out of here and someone else comes and  
12 tells you about something that's happened at the  
13 football game this weekend. We live and die by water.  
14 And these are fighting words when it comes to water.  
15 And there are a lot of liberals here and there are a lot  
16 of conservatives here. But we're united when it comes  
17 to water. We will stand together. Together. And if it  
18 means we will go to the ballot, we'll go to the ballot.

19 And this is something I've never thought I  
20 would ever say, but I've been thinking about it a lot  
21 lately. California is too big; it's governed by a lot  
22 of people in the South who have a lot of money and a lot  
23 of political clout. But you know what? We have clout  
24 too. And don't you think we don't. We can organize  
25 ourselves really, really well. And I'm willing to help

1 and do something about it. But we maybe need to  
2 separate this state. We maybe need to be the State of  
3 Northern California.

4 We think -- people say, well, you wouldn't  
5 want to do that. Why would I want to do that? Oroville  
6 Lake is not really our lake. It belongs to Southern  
7 California. If I want to have Porterville Lake in my  
8 state, where I live in Northern California, don't you  
9 think I ought to be paid for it or you should be paid  
10 for it?

11 But we need to think about this. It sounds  
12 like that guy without a lot on top of his head is  
13 telling us, State of Northern California. What I'm  
14 telling you, this is our water. And we're not going to  
15 let them come down here and talk to us. And the next  
16 time when you do come, have all the answers when we ask  
17 you the questions.

18 TRISH SAINT-EVENS: Just briefly, not to be  
19 redundant, but when Crystal Geysers --

20 I'm sorry. Trish Saint-Evens, Orland,  
21 California. Sorry.

22 Not to be redundant, but when Crystal Geysers  
23 came to Orland, they did not think that they had any --  
24 they thought they have every chance of just sinking a  
25 well and that was it; we would roll over and die. They

1 were so wrong. We banded together as a community. We  
2 don't have a whole lot of people in Orland, but we have  
3 a lot of power. We found a water advocacy attorney  
4 group that was more than willing to fight for our rights  
5 and has -- is continuing to fight for us as a pro bono.  
6 So there are people out there that are willing to help  
7 all of us and our water. And we do really need to band  
8 together. That is the best, most important thing that  
9 Orland did. And we may not win, but at least we can  
10 look back and we can say that we fought for our water.

11 ROBERT MCCOLLIN: My name is Robert McCollin  
12 and I'm a Chico resident. Can you hear me now?

13 I'm trying to think how I can comment usefully  
14 to your process. And I think only that I can say that  
15 this is not cost-effective. The idea of shifting water  
16 from one area of scarcity to another is just a waste of  
17 energy and money. The real problem underlying all of  
18 this is population overshoot. Without growing our  
19 environment, we don't have enough water to support all  
20 of our uses. And we've already registered huge impacts.  
21 Ninety percent of our fish and so forth have been lost  
22 to misuse of water in this state.

23 So to you folks who are all well-meaning  
24 professionals, "ologists," scientists, I think you need  
25 to turn your attention to yourselves and what you're

1 doing with your career. You need to do so something  
2 that is actually going to return the benefit of your  
3 education to the society that supported you, to the  
4 government that you work for [drowned out by applause].  
5 That's integrity. That's what your science is for.  
6 What you guys are doing now is just following through on  
7 a bureaucratic process.

8           Someone said again, Go do this again. You've  
9 been doing it over and over again. It doesn't work. It  
10 will never work because you're not addressing the real  
11 problem. There's not enough water for everybody who's  
12 here. You have to get more water. And there's not more  
13 water up here that you can send down there without  
14 impacting people. There's no way. And you guys don't  
15 have -- you should start off with some idea telling us  
16 how you might mitigate that. But you don't have a clue  
17 because, frankly, there's no way to deal with something  
18 of that scale. So, bottom line, you need to make more  
19 water. That is what you need to do -- [drowned out by  
20 laughter] what Mother Nature already did when they  
21 built -- when she created this place.

22           What you need to do is desalinate ocean water  
23 and give water to the people in NOAA and eventually  
24 transport it through the same pipes back over to the  
25 South Valley. There's enough energy and ways there to

1 do it. But at any rate, the real solution is to make  
2 water. If you want to take -- if you want to actually  
3 utilize your job and your position -- if you are working  
4 for an agency that has the resources to send a man to  
5 the moon, they also can desalinate water and provide  
6 water for the state of California and other places.

7 BRENDA CALVERT: My name is Brenda Calvert.  
8 I'm a citizen here in Chico.

9 I think we're all on the same page that we all  
10 want to prevent this from happening. And the way that  
11 we need to -- we all have our reasons. I'm not a  
12 farmer. I've never been negatively impacted, but I did  
13 have the opportunity to go to Africa in 2001; and I had  
14 people come up to me and say, is it true that in America  
15 you bathe in drinking water? And it really gave me an  
16 appreciation for what water means to us and what the  
17 lack of it can be like. And so that's my experience.  
18 But we all have our reasons that we don't want our water  
19 taken away.

20 But what we need to do is we need more than  
21 the number of people in this room involved. We need  
22 everybody involved. We are very fortunate that we have  
23 email and Facebook and Twitter and God knows what, but  
24 we all need to go home tonight and get on the email and  
25 spread it to everybody and tell them to tell everybody

1 to tell it to everybody. And they need to give the  
2 information that's here for Aqualliance, for Butte  
3 Environmental Council, and all the great resources that  
4 we've been given tonight. We want to pass that along,  
5 so we can all tell everybody and these guys will be  
6 history.

7 GRACE MORGAN: Grace Morgan, conservation  
8 chair of the Sierra Club.

9 I just finished reading a very powerful  
10 document. And I don't know if you know about it about  
11 already. But everybody here should know about it, I  
12 believe. And it was written by the Environmental Water  
13 Caucus, of which there are about 20 different  
14 organizations represented -- everything from Friends of  
15 the River to the Sacramento River Preservation Trust to  
16 Carol Perkins to Butte Environmental Council to  
17 Aqualliance -- many statewide organizations. And the  
18 major thrust of this 45-page document is that, even  
19 before we consider anything like desalination -- I'm not  
20 sure how to pronounce that -- tremendous water  
21 efficiencies can be undertaken to conserve water that  
22 will allow us, as individuals, as farmers, et cetera, et  
23 cetera, to have enough water. It's a matter of changing  
24 our priorities regarding to how we farm, how we  
25 conserve. And if that -- this document is seriously

1 considered, we wouldn't be needing to have this  
2 discussion. You would be getting your water from your  
3 local area, which is also a major thrust of the  
4 document.

5 Thank you.

6 RICK ORTEGA: Rick Ortega, Cottonwood,  
7 California.

8 Somebody mentioned earlier Facebook. Yeah,  
9 you did. Yeah. You know, I just found that the other  
10 day -- Aqualliance. And I was your first friend on  
11 there. I think I'm your first friend on Facebook. It  
12 really does need to get going here. And I want to make  
13 sure you all know that I was number one.

14 But at the same time I have to watch what I  
15 say, because my wife is a judge. But I haven't spent 27  
16 years in the military looking at insurgencies and  
17 political and military movements. I know that State of  
18 Jefferson thing is out there. So, you know -- I don't  
19 know if that will ever come to fruition. But, you know,  
20 where I am from in Cottonwood, there's a lot of  
21 militias. I don't belong to any of them. They tried to  
22 recruit me, but Ranger Rick ain't going down there. But  
23 you know what? I swear you have to have that option in  
24 the plan.

25 Thank you.

1                   JOHN HOLLISTER: This is John Hollister again.  
2 I'm from Paradise. You have that, I guess.

3                   One of the farmers who spoke recently said we  
4 need to unite, we need to get together. And he's  
5 absolutely right. We have two wonderful organizations  
6 here in Butte County. We have Butte Environmental  
7 Council that since the '70s, for a long time, has been  
8 providing education and outreach and various  
9 conservation things. Right now they're involved in --  
10 they'd like to file suit against Butte County over their  
11 -- their 30-year plan, whatever is -- their plan in  
12 regards to the use of water.

13                  In addition, Barbara Vlamis mentioned that  
14 currently Aqualliance is already -- has filed suit  
15 against the Bureau of Reclamation or -- yeah -- Bureau  
16 of Reclamation over this water transfer and also has  
17 another suit going against the State of California --  
18 various agencies that are responsible, like fish and  
19 game and other people, to monitor the quality of water  
20 and make sure that those people who are screwing up the  
21 water clean it up. They haven't been doing that job.  
22 They haven't been doing EIR stuff they should have been  
23 doing. So Barbara and Aqualliance is also suing them  
24 over that. Both agencies have great histories. The  
25 people working for them have done so much for Butte

1 County. And I would hope that that continue.

2 And if people are really looking for  
3 information or they want to have a strong impact, I  
4 would suggest getting involved with both agencies.  
5 Butte Environmental Council is more focused on the -- I  
6 think in Butte County and Glenn County and closer areas.  
7 And Aqualliance is the whole Sacramento watershed. So  
8 they're both in the phone book. And you have  
9 Aqualliance's Internet address up there. And BEC's is  
10 [www.becnet.org](http://www.becnet.org). So please contact them. They could  
11 also use money to help fight these lawsuits to stop this  
12 kind of nonsense or to at least force the agencies to do  
13 the science that they are supposed to do.

14 Thank you.

15 JOHN MCCAIVISH: Getting tired of listening to  
16 everybody? I'm John McCavish. I'm from here in Chico.

17 And I have one question for -- I don't  
18 remember your name. Frances. And your position with  
19 the water agency down south?

20 I'd like to know the financial benefit if this  
21 were to pass for who you represent, in dollars. To know  
22 the size of the battle that we're fighting, I think we  
23 need to put in perspective what the financial gain is.  
24 How much -- I'm sure you've got a pro forma  
25 calculation -- if this passes, what it means to your

1 membership. I'd like to know if you would share that  
2 number with the group here.

3 Thank you.

4 MS. MIZUNO: I don't have a number for you  
5 tonight. I know you're disappointed. Our agency just  
6 represents a member agency. So we're really only buying  
7 water on their behalf. And what we're trying to do is  
8 to purchase supplemental water for our agencies that are  
9 not getting their contract supply. So the financial  
10 benefit is to the individual growers so that they can  
11 continue to farm.

12 UNIDENTIFIED SPEAKER: Hi. Very briefly, I'm  
13 here from Cherokee, California.

14 And I hear an awful lot about how it's going  
15 to be used. Just to rephrase, there's only been a  
16 couple of decent things said that really go to the  
17 point. And I'm sorry to say this. I would like a very  
18 intelligent group of people just like you to get  
19 together and figure how you're going to conserve water  
20 and sustain yourselves. And it's not just for Southern  
21 California. It's for here. If you have that in your  
22 mind, you won't be standing here figuring how to take  
23 something that you cannot measure. Can you measure how  
24 old the water is in the Tuscan aquifer? I've heard some  
25 of it is thousands of years old. Are you going to sit

1 around and wait for another thousand till it's reformed?  
2 That's point one.

3 Point two. This is somewhat fictitious. But  
4 my son the other day was suspended from school for  
5 cocaine and marijuana. I said, Hey, Mack, what's wrong  
6 with you? He says, Well, I am a willing buyer and he is  
7 a willing seller. And I'd like you to look at your  
8 children -- I'd like to look at those you trust  
9 sincerely and say, You're a willing buyer and a willing  
10 seller and justify what you're doing.

11 JIM TOWNSEND: I'm Jim Townsend. I'm retired.  
12 I came out of the farming industry. I worked for Butte  
13 County Rice Growers for years.

14 To take the water from the farmers to sell it  
15 breaks down the infrastructure of fertilizer and  
16 ag-support companies, as the lady amply put it. That's  
17 well and fine. If they're out of business and you want  
18 to grow your crops, where do you get your seed? Where  
19 do you store it? Or where do you dry it, in relation to  
20 rice?

21 This is a very important part of our  
22 infrastructure of the northern part of the state. If we  
23 give our water away, we're going to dry up. Our whole  
24 infrastructure will die. If you like to support the  
25 environment, if you like to support needy people, you

1 are not going to have the money. This part of the state  
2 is going to collapse.

3 This is something else to think about: The  
4 bond that they were talking about passing, that our  
5 beloved governor that just was voted out decided to put  
6 it on hold -- \$11.2 billion project for enhancing our  
7 water storage and transfer -- when I first read that,  
8 you know who it benefits? The first time I read it,  
9 they said three entities in the southern part of the  
10 state. I was corrected by a gentleman that had been  
11 working with the water companies. And they said, no,  
12 it's not 3; it's 27. But they're all in the southern  
13 part of the state.

14 So let's not be foolish with the things that  
15 are given to us as a people and let them slip by because  
16 of our lethargic attitude. We have become fat and lazy  
17 as Americans. And our rights are being taken away as  
18 fast as we sit here. We're going to have to stand up  
19 and speak up for our whole society or we're going to be  
20 a third-world nation.

21 MR. HUBBARD: We want to make sure everyone  
22 gets heard. So is there anybody else who wants to come  
23 up and get on the court record?

24 [Several persons speaking at once]

25 UNIDENTIFIED SPEAKER: Well, first of all, I'm

1 not a farmer. My name is Terri Faulkner. And I am not  
2 a farmer. However, my horses really, really do enjoy  
3 the alfalfa. And I would really hate to give up feeding  
4 them what they so enjoy. And I would really hate giving  
5 up my chocolate-covered almonds and a few other things.

6 But that being said, I see a lot of  
7 buck-passing here. And I've heard no one named as a  
8 responsible party who will mitigate and fix the damages  
9 that are going to occur. So who do we sue? Who do we  
10 get the damages from and how long will it take?

11 And another question: Have you fixed the  
12 Casterson [phonetic spelling] mess yet down there? That  
13 water? Fresh water from Northern California being used  
14 to dilute the harmful stuff down there?

15 Thank you.

16 MR. HUBBARD: Now's the time if you want to  
17 come up. Final moments. Then I think there are some  
18 people that want to speak directly to the court reporter  
19 and not get on the mike.

20 UNIDENTIFIED SPEAKER [OFF MIKE]: Can you  
21 answer the question about what you're doing for  
22 conservation? There's a lot of conservation you can be  
23 doing for the Delta.

24 MR. HUBBARD: I think we've heard from  
25 everybody tonight. I think we met our primary

1 objective. Come on up here if you want to state more  
2 questions for the record.

3 I want to make sure that everybody knows that  
4 they can write their comment cards and submit comments  
5 via email, written. The Website is up here. It's  
6 online. It's already got the NOI and the NOP posted to  
7 it. My phone number is there.

8 UNIDENTIFIED SPEAKER [OFF MIKE]: I have a  
9 question, but it's not for the record. Who is paying  
10 for the EIR -- the EIS, that is?

11 [The period for public comments on  
12 the microphone ended at 8:21 p.m.]

13 --oOo--

14 COMMENTS MADE DIRECTLY TO THE COURT REPORTER

15 ERIC MILLER: Eric Miller from Chico,  
16 California.

17 In general, I appreciate the opportunity to  
18 comment. I feel like I have a good overall  
19 understanding of the purpose. In general, I'm  
20 supportive. However, I would just like to consider some  
21 of the comments I heard tonight from the other members  
22 of the public: that the parties consider developing a  
23 fund, a financial fund, to mitigate negative impacts  
24 that may occur, whether it's to third parties or  
25 environmental concerns that were expressed. So that can

1 just be kind of the cost of doing business. And then  
2 also develop, in addition to the modeling, a robust  
3 field monitoring.

4 But, in general, I'm supportive of and  
5 understand the need and purpose. And I'm open-minded.  
6 But those are the only two issues I have.

7 DAVID JANINIS: So with water shortages  
8 emerging as a constraint on food production growth, the  
9 world needs an effort to raise water production similar  
10 to the one that nearly tripled grainland productivity  
11 during the last half of the 20th century. Land  
12 productivity is typically measured in tons of grain per  
13 hectare or bushels per acre. A comparable indicator for  
14 irrigation water is kilograms of grain produced per ton  
15 of water. Worldwide, that average is now roughly one  
16 kilogram of grain per ton of water used.

17 Since it takes 1,000 tons of water to produce  
18 one ton of grain, it is not surprising that 70 percent  
19 of world water is used for irrigation. Thus, raising  
20 irrigation water efficiency is central to raising water  
21 productivity overall. Using more water-efficient  
22 irrigation technologies and shifting to crops that use  
23 less water can permit the expansion of irrigated area,  
24 even with a fixed water supply. Eliminating water and  
25 energy subsidies that encourage wasteful water use

1 allows water prices to rise to market levels. Higher  
2 water prices encourage all water users to use water more  
3 efficiently. Institutionally, local rural water users  
4 associations that directly involve those using the water  
5 in its management have raised water productivity in many  
6 countries.

7 BOB VANELLA: I would first like to have  
8 everything mailed to me. I do not know how to use a  
9 computer, so I have to have everything mailed to me. I  
10 can't go to the Website and get the information. So I  
11 am requesting that everything be mailed to me on this  
12 today -- the comments and everything. And I would like  
13 to also have mailed to me comments that you people were  
14 not able to provide and comments that we need to know.

15 One of my questions would be: In 2010, how  
16 much water was bought and transferred from the north to  
17 the south? There was water transferred to the Delta.  
18 We bought the water for \$35 to \$50 an acre-foot; they  
19 were offering as high as \$800 an acre-foot to buy our  
20 water.

21 The Bureau of Reclamation cannot give us a  
22 water estimate of how much water we are going to get so  
23 we can plant our crops in the north to this date. I  
24 called our water district, the Artois Water District, a  
25 week ago. They couldn't tell me how much water we were

1 going to have this year, the 2011 year. Down south, my  
2 understanding is, from farmers that I know down there,  
3 they have already gotten -- 50 to 75 percent of their  
4 water has been allocated to them so that they can plan  
5 their season. But in the north we don't know yet.

6 In the Artois Water District, we are short on  
7 water. We had a meeting which the map was presented  
8 tonight showing groundwater depths, how it's been going  
9 down. The Artois Water District does not want us  
10 pumping water anymore. They want us to use their water  
11 because so many farmers in the last three years in the  
12 Artois Water District had to drill wells because we were  
13 only getting 30- -- and I think it went down to  
14 40-percent water. Now, this year, 2010, we got a  
15 hundred percent of our water. But if you go back and  
16 look what a hundred percent water is from several years  
17 ago, it used to be in three acre-feet per acre, now  
18 they're calling 100 percent. I believe it's 2.67  
19 acre-feet. But they call that 100 percent. But over  
20 the long haul, if you look at the history, the acre-feet  
21 they call 100 percent keeps decreasing because they  
22 don't have enough water in the district from the Bureau  
23 of Reclamation because they won't give it to us.

24 So I'd like to know how they're going to  
25 address those concerns before they start coming up here

1 and buying more water from these people. And when you  
2 buy it from the water district, that's my water. They  
3 just lower my allocation and that gives the Artois Water  
4 District or the other districts more water they can sell  
5 because they need money to operate. We really don't  
6 have a say in it.

7 The Artois Water District is drilling wells.  
8 At this time they've drilled two so far. They do down  
9 to the thousand-foot level, which is called the Tuscan  
10 water in the ground. I have been told -- and I'm not  
11 sure how many thousands- or millions-of-years-old water  
12 they call it -- it's been untouched.

13 So what will happen -- my question is, to them  
14 and to the water district, is when that water is sucked  
15 out, what's going to happen to the other water which  
16 continues to go on down? They said, Well, we won't be  
17 around to worry about it, so don't you worry about it  
18 either. It won't happen in your lifetime. So they're  
19 not just looking at today. They don't really care about  
20 today. They care about today. But what's going to  
21 happen to my family when I pass on? They're going to  
22 farm the same ground. Our wells that are now in the  
23 200- and 300-foot level on the west side will have to be  
24 drilled down deeper now to the 700-foot to 1000-foot  
25 level to get the same water that we used to get at the

1 200-foot level. In the last five years we've lost that.  
2 How are they going to put water back into the ground to  
3 supplement the water that is taken? It is going down on  
4 the west side.

5 The map was presented tonight, which you can  
6 look at, that showed from the Bureau of Reclamation how  
7 it was coming down. I was shocked to see that nobody  
8 had seen that map that was in front of us tonight. They  
9 should have that seen that map already and known all  
10 that information.

11 Number three, how are they going to replace  
12 the water? It was suggested, I'm going to say probably  
13 60 years ago, to replenish this water. They could go up  
14 in some of the creeks and the high streams and drill  
15 shallow wells to let some of that water go down into in  
16 the aquifer. I don't think you could do that anymore  
17 with the environmental -- the way the state is set up  
18 today. But that's one way they might look at how to  
19 replace some of this water.

20 Would you please respond to all this  
21 information from me, please, to Bob Vanella. My address  
22 is 3068 Chico Avenue, Chico, California, 95928.

23 [The last public comment was  
24 received at 8:36 p.m.]  
25

1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN FRANCISCO )

3  
4 CERTIFICATE OF REPORTER

5 I, FREDDIE REPPOND, a duly authorized  
6 Shorthand Reporter and licensed Notary Public, do hereby  
7 certify that on the date indicated herein that the above  
8 proceedings were taken down by me in stenotype and  
9 thereafter transcribed into typewriting and that this  
10 transcript is a true record of the said proceedings.

11 IN WITNESS WHEREOF I have hereunto set my hand  
12 on this 21st day of January, 2011.

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U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION  
SAN LUIS & DELTA-MENDOTA WATER AUTHORITY  
CALIFORNIA DEPARTMENT OF WATER RESOURCES

LONG-TERM WATER TRANSFERS EIS/EIR  
PUBLIC SCOPING MEETING

Wednesday, January 12, 2011  
Best Western Expo Inn & Suites  
1413 Howe Avenue  
Sacramento, CA 95825

REPORTED BY: FREDDIE REPPOND, STENOGRAPHIC REPORTER

1 Wednesday, January 12, 2011

2:06 o'clock p.m.

2 [Questions and comments from  
3 the public began at 2:31 p.m.]

4 MICHAEL GARABEDIAN: Since we don't know what  
5 projects will be coming in before the EIS is done, I  
6 assume this contemplates additional environmental review  
7 after we know what the specific projects are?

8 BRAD HUBBARD: That is correct. We haven't  
9 even identified all the specific transfers that may  
10 occur.

11 MICHAEL GARABEDIAN: And you said San Joaquin.  
12 Does that mean Fresno, Kings, Tulare could be buying  
13 anywhere in California except Southern California?

14 MR. HUBBARD: We are covering -- yeah, the  
15 buyers' service area -- again, it hasn't formally been  
16 defined. We have not finalized that. We can't really  
17 finalize our alternatives until we complete the scoping  
18 process. But it could include those counties, yes.

19 MICHAEL GARABEDIAN: So we don't know what to  
20 comment on exactly except to ask for more information so  
21 we can know what to comment on. Like, PCWA could do  
22 it -- Placer County Water Agency -- anybody? Donner  
23 Heights -- Donner Summit PUV could -- anybody could  
24 apply? So the maps are not exactly accurate about where  
25 people could apply or where water could go?

1 MR. HUBBARD: Well, that could be one of your  
2 comments that you could provide to us. We have the  
3 ability to expand the scope or narrow the scope.

4 MICHAEL GARABEDIAN: So our comments would  
5 actually expand the program so we can understand what it  
6 is?

7 MR. HUBBARD: That could be your comment.

8 MICHAEL GARABEDIAN: Well, that's kind of  
9 chicken-and-egg.

10 UNIDENTIFIED SPEAKER: That's an interesting  
11 comment, because I hadn't thought about that, because  
12 when I see San Luis & Delta-Mendota Water Authority, I  
13 think it's limited. That was going to be one of my  
14 questions.

15 MR. HUBBARD: Frances, would you like to  
16 address those comments?

17 FRANCES MIZUNO: Through this scoping session,  
18 one of the tasks is to identify all the potential  
19 sellers, because at this point we have a list of all  
20 potential sellers. What we don't know is who all wants  
21 to be part of this document, to be identified as sellers  
22 in this program.

23 UNIDENTIFIED SPEAKER: So we know the sink.  
24 We just don't know the sources. And I think that helps  
25 then.

1 MS. MIZUNO: We've got a huge list of  
2 potential buyers, but we need to narrow down to who  
3 actually wants to be part of this document. As far as  
4 the buyers are concerned, we know the San Luis &  
5 Delta-Mendota Water Authority is there, which includes  
6 32 member agencies that are potential buyers. East Bay  
7 MUD Contra Costa has requested to be part of this  
8 document. So that's the San Francisco Bay Area. So at  
9 least from the buyers' view, you do have kind of a  
10 limitless, where the water potentially could go to.

11 MICHAEL GARABEDIAN: What are the limits?

12 MS. MIZUNO: As far geographic areas?

13 MICHAEL GARABEDIAN: Where it could go.

14 MS. MIZUNO: I think at this point, unless  
15 others want to be included, the San Luis & Delta-Mendota  
16 Water Authority service area includes those CVP  
17 contractors from the Tracy area --

18 MICHAEL GARABEDIAN: Well, I looked at the  
19 list but I don't understand why that's the CEQA lead  
20 agency or how it came to be, that they are the ones  
21 doing this.

22 MS. MIZUNO: That is a good question. The  
23 CEQA lead agency was the kind of question that we needed  
24 to identify. To do the joint document we needed a CEQA  
25 lead. I think for ease at this point we have identified

1 the Authority as the CEQA lead because we're the largest  
2 buyers' group as part of this document. There's a  
3 question whether the Authority is the appropriate CEQA  
4 lead for Contra Costa and East Bay MUD. I think there's  
5 still some issues there we want to work through on that,  
6 but we hope to resolve all that through this whole  
7 scoping process.

8 JOSHUA BASOFIN: Are we in a  
9 question-and-answer period? Can I ask a question?

10 MR. HUBBARD: We prefer to have the Q&A after  
11 the open house. Can you hold your question till after  
12 the open house?

13 UNIDENTIFIED SPEAKER: Till 4:00 o'clock?

14 MR. HUBBARD: Yeah.

15 MS. MIZUNO: I'm okay to go ahead with it now.

16 MR. HUBBARD: Okay. What's your question?

17 JOSHUA BASOFIN: I'd rather address it now on  
18 the record.

19 MR. HUBBARD: Let me explain. We mentioned  
20 that what we'd do is open it up, because there's a lot  
21 of technical questions that people have that we can  
22 answer. We want to get people's input on the record.  
23 We have the court reporter here so if you want to come  
24 up. And if you don't want to talk in front of  
25 everybody, you can also come up individually to the

1 court reporter and express your comments. We had people  
2 last night that indicated they didn't want to speak in  
3 front of the whole group. So we have that option too.  
4 But if you want to put your comment on the record in  
5 front of everybody, you can do that.

6 MS. MIZUNO: Why don't you state your name and  
7 where you're from.

8 NANETTE ENGELBRITE: I've never seen a court  
9 reporter at a scoping meeting.

10 MR. HUBBARD: It's been commonly done with our  
11 San Joaquin River restoration program. We have had  
12 court reporters. It's very common.

13 JOSHUA BASOFIN: My name is Joshua Basofin,  
14 with Defenders of Wildlife here in Sacramento.

15 So what I heard from you was that, although  
16 the Bureau will be facilitating a number of water  
17 transfers within the state in the next year or ten years  
18 and although you don't know which agencies will actually  
19 be doing the transfer, you don't consider this to be a  
20 program. And so, therefore, you won't be doing a  
21 programmatic EIR; is that correct?

22 MR. HUBBARD: Yeah, it will not be a  
23 programmatic EIR/EIS.

24 JOSHUA BASOFIN: Okay. Can you explain how  
25 you intend to analyze the cumulative impacts to various

1 environmental resources without doing a programmatic  
2 EIR?

3 MR. HUBBARD: We cannot answer that question  
4 because we don't know what the project is yet. It's  
5 really going to depend on the level of the detail of the  
6 project.

7 CARRIE BUCHMAN: Carrie Buchman, with CDM.

8 The answer is generally that we're working to  
9 identify all potential people who could be involved in  
10 transfers as part of this program or other cumulative  
11 projects that may have impacts that come together with  
12 this program. So we don't need to do a programmatic --  
13 a programmatic CEQA/NEPA document is a more general  
14 document. It does not describe impacts at the same  
15 level of detail. And we are trying to get to a more  
16 detailed level that will include cumulative impacts at a  
17 very detailed level.

18 JOSHUA BASOFIN: The idea behind the NEPA  
19 programmatic analysis is also, when you have an agency  
20 action that facilitates multiple programs, that you  
21 would have that programmatic analysis and then you could  
22 tier off of that for the sort of smaller, minor  
23 individual actions. So I actually think this fits  
24 pretty well within the framework of the programmatic.

25 MS. BUCHMAN: It could, but it would require

1 subsequent environmental documentation. And the goal  
2 here is to try to analyze all of the impacts as part of  
3 this.

4 MICHAEL GARABEDIAN: Michael Garabedian,  
5 Friends of the North Fork.

6 He just said there would be later  
7 environmental analysis for specific transfer  
8 applications.

9 MS. BUCHMAN: Exactly. And what I'm saying is  
10 that that is not the goal. If we did a programmatic  
11 approach, then there would be subsequent environmental  
12 documentation. Currently, the goal as part of this  
13 document is to be the level of detail to a sufficient  
14 point that it would not require additional environmental  
15 documentation.

16 MS. MIZUNO: That's why we wanted to actually  
17 identify specific sellers and specific buyers within  
18 this document which would name those, so that if Seller  
19 A wants to sell water to Buyer A, if they're already  
20 covered under this document, we would not need to do a  
21 separate document.

22 JOSHUA BASOFIN: I guess I'm having trouble  
23 understanding how that would be legally defensible to  
24 not doing a programmatic EIS for a ten-year program that  
25 contemplates multiple individual transfers. But I'll

1           just let that be on the record.

2                       I also wanted to bring your attention to the  
3 fish and wildlife service's concurrence from last year  
4 for the water transfers program in which they discussed  
5 the potential effects to the giant garter snake. And  
6 they said, This office has consulted with Reclamation  
7 both informally and formally approximately six times  
8 over the past nine years on various forbearance  
9 agreements and proposed water transfers for which water  
10 is made available for delivery south of the Delta by  
11 fallowing rice and other crops or substituting other  
12 crops for rice in the Sacramento valley. And that's the  
13 type of water transfer that has significant impacts on  
14 giant garter snake, as conceded by the Bureau and  
15 concurred upon by the fish and wildlife service.

16                      The concurrence further states, The need to  
17 consult with some frequency on transfers involving water  
18 made available from rice fallowing or crop substitution  
19 suggests to us a need for programmatic environmental  
20 compliance documents, including a programmatic  
21 biological opinion that addresses the cumulative affects  
22 on giant garter snakes of repeated fallowing over time.

23                      So I just wanted to bring those suggestions  
24 from the fish and wildlife service to your attention.

25                      MS. MIZUNO: The goal is to do that.

1 MR. HUBBARD: I can speak to that a little  
2 bit. Fish and wildlife is one of the agencies that has  
3 requested that we undertake a more comprehensive  
4 longer-term analysis of this, of transfers, so that  
5 we're not doing consultations every single year.  
6 They're one of the ones that have encouraged other  
7 agencies to look at transfers more comprehensively. And  
8 we think it's a good idea to look at transfers over a  
9 longer period of time and more comprehensively.

10 NANNETTE ENGELBRITE: Nannette Engelbrite with  
11 the Northern California Power Agency.

12 Just had a couple of general questions. When  
13 I looked at this, one is that it doesn't seem to me it's  
14 just transfers, right? I mean it could be groundwater  
15 storage or it could be --

16 MS. MIZUNO: There's different ways that the  
17 water could be made available for transfers, but we are  
18 talking transfers. What you're referring to is all the  
19 water may be made available for transfers.

20 NANNETTE ENGELBRITE: So in the source part of  
21 it, it could be done with --

22 MS. MIZUNO: It could be groundwater  
23 substitution. It could be fallowing. I think we're  
24 going to be looking at all those.

25 NANNETTE ENGELBRITE: Does the new

1 cross-canals pumping station help with this? Or will  
2 that be part of this?

3 MS. MIZUNO: The intertie?

4 NANNETTE ENGELBRITE: Yeah, the intertie.

5 MS. MIZUNO: The intertie probably will not  
6 help facilitate transfer, because the transfer window at  
7 this point is in the July through September period of  
8 time. Okay.

9 NANNETTE ENGELBRITE: When they're all needing  
10 the water.

11 MS. MIZUNO: Yeah.

12 NANNETTE ENGELBRITE: Are we talking about both  
13 M&I and IA water?

14 MS. MIZUNO: Primarily ag, but there are a  
15 couple of -- well, the San Francisco Bay area. And  
16 within our member agencies we do have a couple.

17 NANNETTE ENGELBRITE: And my last question was  
18 the CVPI in these water transfers, there have been water  
19 transfers previously. And I was just curious as to why  
20 now we are doing the long-term water transfer EIS. Is  
21 it --

22 MS. MIZUNO: We've been doing water transfers,  
23 but we've just been doing annual EIS's on an annual  
24 basis as we need it. Fish and wildlife service and  
25 others have said in doing this one year we're not

1 looking at it more comprehensively. And the goal here  
2 is to do that so that we can have a look at a  
3 comprehensive ten-year program. And we haven't covered  
4 ten years --

5 NANETTE ENGELBRITE: So that's why I disagree  
6 with the programmatic, particularly if the sink is so  
7 specific to your membership and then it's kind of  
8 figuring out the program specific to it. But if it was  
9 everybody in the south and everybody in the north, then  
10 I would certainly think that would be programmatic.

11 MR. HUBBARD: We broadcast this out to a wider  
12 range of potential buyers and sellers. And we solicited  
13 based on -- this original list, I think, was developed  
14 from DWR and the drought water bank. We had a pretty  
15 big list to start with. We sent out -- I can't  
16 remember -- when was it, Carrie, November? We sent out  
17 a pretty large email solicitation to see who would be  
18 interested. And not all agencies expressed interest.  
19 Some agencies indicated they didn't want to be part of  
20 the process or part of the environmental document. So  
21 it's a willing buyer/willing seller thing, so we can't  
22 force anybody --

23 NANETTE ENGELBRITE: So are you doing this as  
24 part of CVPIA or is this outside of it?

25 MR. HUBBARD: The authority that we have

1 Reclamation has -- to review and approve transfers comes  
2 under CVPIA; that's correct. And we --

3 MS. MIZUNO: Most likely, what the CVP  
4 transfers would have to be in compliance with CVPIA.

5 Let me correct myself. When I said we limit  
6 it to the Authority members area south of the Delta, it  
7 really includes all CVP contractors south of the Delta,  
8 which does include some of those folks that could  
9 potentially be part of the program as well.

10 NANETTE ENGELBRITE: I guess my last comment  
11 would be, looking at project use, making sure that  
12 nonproject water that moves through federal facilities  
13 isn't used as project use or those sorts of things,  
14 making sure that it documents both sides and those  
15 issues.

16 MR. HUBBARD: Okay. Good comment.

17 We've got another hand in the back. Sir.

18 WALLY BIRD: Wally Bird from Chico.

19 I'm hearing you say you're looking for  
20 potential buyers and potential sellers. So you're  
21 looking for people that want to buy water and sell water  
22 also. So is this going to allow the expansion of  
23 property that doesn't have water now in the Delta -- or  
24 south of the Delta?

25 MS. MIZUNO: No.

1                   WALLY BIRD: Okay. So you're looking for the  
2 need of existing agricultural and residential property?

3                   MS. MIZUNO: The reason that we are in it is  
4 to supplement our contractors' water supply that has  
5 been reduced either due to drought, regulatory  
6 constraints, and so forth. So for those of us south of  
7 the Delta, it's probably not likely we'll ever get a  
8 hundred-percent water supply. So there are those years  
9 that we need to supplement supplies for ag and M&I; and  
10 those are those years that we're looking for the water  
11 transfers.

12                  WALLY BIRD: And this reduction has come over  
13 how many years?

14                  MS. MIZUNO: We've had reductions since CVPI  
15 was passed in about 1992.

16                  WALLY BIRD: Has there been any expansion of  
17 agricultural lands during that period of time?

18                  MS. MIZUNO: No. There's been reduction of  
19 agriculture because of the reduced water supply.

20                  SUSAN TATAYON: My name is Susan Tatayon with  
21 the Nature Conservancy.

22                                And I'm wondering if in your analysis you're  
23 going to look at past transfers. I know that most of  
24 them have been annual among bureaus and CVP contractors.

25                                But I think it would be a good indicator of potential

1 impacts if you looked at, for example, the transfers  
2 under forbearance agreements from 2000 to now. And I  
3 think that would be really informative.

4 And I also think the information from the  
5 DWR's dry year water purchase program -- I think that it  
6 would help the modeling and also give you a sense of  
7 why, for example, in -- I think it was 2001, the reason  
8 there were so many willing sellers is the rice  
9 commodities tanked. So it would be nice in the analysis  
10 to know incentives for selling, incentives for buying,  
11 impacts over the last decade or so. And that might tell  
12 you something about what might occur in the future.  
13 Just a suggestion.

14 MR. HUBBARD: Thank you. I think that's a  
15 good comment. I think you should probably write that  
16 comment up and express that to us formally in writing.

17 PAUL FORSBERG: Paul Forsberg, Department of  
18 Fish and Game. We will be supplying comments by the  
19 February 28th deadline.

20 Just a couple of clarifications that I have at  
21 the moment: The Federal Register talked about -- under  
22 "Supplementary Information," it says that Reclamation  
23 and DWR would facilitate water transfers involving CVP  
24 contract water supplies with CVP and state water project  
25 facilities under separate written agreement. I wonder

1 if you would shed some light on what the separate  
2 written agreements would be.

3 And the second part. Well, you want to go  
4 ahead take that one?

5 MS. MIZUNO: For us to convey water using  
6 either federal or for us to convey non-CVP water using  
7 federal facilities, we have to enter into a separate  
8 Warren Act contract with Reclamation for the use of  
9 those facilities. And for us to utilize banks and the  
10 state water project facilities to facilitate transfers,  
11 we would have to enter into separate written contracts  
12 with DWR to do that.

13 PAUL FORSBERG: And then one other question:  
14 Would we assume, since we're using state water project  
15 facilities -- we may be using state water project  
16 facilities -- that the drought water bank 2009 program  
17 criteria for mitigation would likely be the same sort of  
18 mitigation we would be looking at or previous state  
19 water project facilities?

20 MR. HUBBARD: Are you referring to mitigation  
21 to listed species?

22 PAUL FORSBERG: If in the drought water bank  
23 program, if one was going to wheel water through the  
24 state water project facilities, there was a certain set  
25 of criteria you could use for mitigation purposes. It

1 was a different set than what you would use for wheeling  
2 through CVP facilities. I was wondering if you were  
3 going to use a similar approach.

4 MR. HUBBARD: My expectation is we'll be  
5 developing our own independent mitigation criteria based  
6 on the input we receive from the resource agencies and  
7 from the public in terms of going forward with the  
8 longer-term program. So they may not be the same. We  
9 may not just adopt them. We may adopt some of them. I  
10 don't know. It's difficult to answer without knowing  
11 what our full project description is. But it's possible  
12 we'll adopt some. We may adopt some and need to tweak  
13 them based on fish and game's input or something.

14 MS. MIZUNO: Are you referring to mitigation  
15 on how the water would be made available and then convey  
16 using the facility? Or would the mitigation be specific  
17 because of the use of the CVP facilities?

18 PAUL FORSBERG: I think some of the mitigation  
19 for the drought water bank program in 2009 was picked up  
20 and used for the 2010 --

21 MS. MIZUNO: Are you referring to the  
22 technical paper?

23 PAUL FORSBERG: This was actually on the  
24 Website -- the drought water bank Website. And in the  
25 2010 Website it looked like they used the same criteria.

1 I was wondering if you had a baseline starting out with  
2 that criteria and then building to something --

3 MS. MIZUNO: I think we'll probably start with  
4 that as a basis.

5 MR. HUBBARD: We can update the conservation  
6 measures and the mitigation measures in line with  
7 current science. And we plan to do that so that we are  
8 following -- may be in accordance with the best-known  
9 information at the time. If there's more information  
10 available than we had when DWR and Reclamation worked on  
11 those measures in 2009, we would certainly consider  
12 updating any measures that we decide to put in the  
13 document.

14 SUSAN TATAYON: I'm just wondering, are you  
15 considering an options program, since you're looking at  
16 a ten-year time period? An options program by which,  
17 you know, if the water conditions change and you had  
18 some folks wanting to buy but suddenly they don't  
19 necessarily need to.

20 MS. MIZUNO: I guess we haven't really gotten  
21 into those kinds of details. Those generally are terms  
22 between the buyer and seller. We are really looking at  
23 potential environmental impacts due to any transfers.  
24 Those are more terms for later.

25 JOSHUA BASOFIN: Are you intending to contract

1 with the consultant in order to do surveys for giant  
2 garter snakes in anticipation of crop-idling transfers?

3 MR. HUBBARD: I can answer that one.

4 Reclamation has hired a consultant -- the prime  
5 consultant, CDM, to help assist us in preparation of,  
6 not only an EIS/EIR, but also some assistance in  
7 environmental compliance. Whatever environmental  
8 compliance is needed. That could include Section VII  
9 consultation. But you got to remember we're not even  
10 sure, because we don't have the project defined yet,  
11 whether or not we would even have potential impacts to  
12 giant garter snakes. So we don't even know if we need  
13 to do any additional work with relation to giant garter  
14 snakes at this point.

15 It's possible that crop idling may fall out of  
16 the scope of this document. It's possible that other  
17 types of drinking water may fall out of the scope of  
18 this document as we get more information.

19 JOSHUA BASOFIN: I think one thing we've seen  
20 in the past, particularly in 2009, was that there was a  
21 pretty tight time frame in terms of when the water  
22 transfers program was established and when the transfers  
23 actually were implemented; like water was being wheeled,  
24 instead of something like in the fall DWR and the Bureau  
25 established a program and then water was being wheeled

1 as early as the spring. So I think that there's a  
2 possibility that there could be some crop idling. It's  
3 probably important to have that survey information.

4 MR. HUBBARD: Let me further explain that  
5 Reclamation is partners with DWR on a giant garter snake  
6 study that will involve technical field work to identify  
7 habitat. We are partnered with the Department of  
8 Wildland Resources on that -- that study. We have a  
9 team that's involved with that. So we are actually  
10 involved specifically with that. But we are not sure --  
11 again, we're not sure if we're going to need specific  
12 information for this project yet.

13 MICHAEL GARABEDIAN: Once the project is  
14 defined and the EIS is finished -- pardon me for kind of  
15 repeating my question -- could other projects come into  
16 the scope of this project later? Could other  
17 transfers --

18 MS. MIZUNO: I suppose it can, which would  
19 then require probably an amendment to the document. But  
20 I think what we are looking at is we want the document  
21 to remain whole. And if there are other transfers, then  
22 they probably to have to do separate environmental  
23 documents in order to facilitate those transfers.

24 [Comments made to the general  
25 group ended at 2:58 p.m.]

1                   COMMENTS MADE DIRECTLY TO THE COURT REPORTER

2                   JERRY EOENYES: My name is Jerry Eoenyes. I'm  
3 with the Northern California Power Agency, NCPA.

4                   Just two comments: Reclamation mentioned the  
5 role that they have in the water transfer. There are a  
6 couple more roles they did not mention. One, they  
7 mentioned the accounting of the water. But they also  
8 need to account for water -- for the power that's needed  
9 to pump that water. And for some of that, they have a  
10 policy in place that states how the power will be  
11 accounted for. But they don't have the procedures that  
12 are in place that are transparent so one can easily see  
13 how some water can have project use and some water,  
14 especially the non-CVP water, requires power outside of  
15 project use to be supplied to pump that water. And they  
16 need to have a transparent accounting item so we can see  
17 the different types of water that's being pumped, that  
18 the power associated with that corresponds to that  
19 particular type of water.

20                   The second thing is the restoration fund.  
21 They need, again, to have an accounting system that's  
22 transparent so they can easily track the restoration  
23 fund charges that's associated with the different types  
24 of water that's being transferred.

25                   EVON CHAMBERS: Evon Chambers. I work for the

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Planning and Conservation League in Sacramento. I am a water policy and planning analyst.

I encourage the Bureau and the San Luis & Delta-Mendota Water Authority to identify and consider the different criteria proposed by the state and adopted by the water resources control board. And although right now it's not required in any way, it is the best available science. And it identifies what is needed for a healthy Delta. And although sometimes the intentions of a program are good, there are few that could abuse a program. And by identifying the science available for healthy flow standards, that should be considered with the analysis of this document. That's the best available science.

[The last public comment was received at 3:10 p.m.]

1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN FRANCISCO )

3  
4 CERTIFICATE OF REPORTER

5 I, FREDDIE REPPOND, a duly authorized  
6 Shorthand Reporter and licensed Notary Public, do hereby  
7 certify that on the date indicated herein that the above  
8 proceedings were taken down by me in stenotype and  
9 thereafter transcribed into typewriting and that this  
10 transcript is a true record of the said proceedings.

11 IN WITNESS WHEREOF I have hereunto set my hand  
12 on this 21st day of January, 2011.

13  
14 \_\_\_\_\_  
15 FREDDIE REPPOND  
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**Greene, Alicia M.**

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**From:** Veronese, Gina  
**Sent:** Monday, February 28, 2011 8:22 AM  
**To:** Greene, Alicia M.  
**Subject:** FW: Comments Addressing Water Transfer Proposal

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**From:** Hubbard, Bradley C [mailto:BHubbard@usbr.gov]  
**Sent:** Sunday, February 27, 2011 8:08 PM  
**To:** Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly  
**Subject:** Fw: Comments Addressing Water Transfer Proposal

[Comment for record.](#)

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**From:** Randy Abbott <randyxabbott@gmail.com>  
**To:** Hubbard, Bradley C  
**Sent:** Sun Feb 27 20:57:20 2011  
**Subject:** Comments Addressing Water Transfer Proposal

I want to add my voice to the objections raised at transferring Water from the Sacramento Valley bio-Region to other watersheds for either agricultural, industrial, or domestic purposes without a clear prioritization of maintaining the surface water levels and water quality of the Sacramento Valley watershed, including its subterranean hydrology.

Not only does the complex natural ecosystem - home to endangered species - rely on less than overburdened limits of resource extraction, the economies of various settlements within the Sacramento Valley also are hinged to the availability of Water, and the cost to procure and distribute Water.

Baseline levels of water quantity and quality must be used as a the basis for frequent monitoring. Such baselines must be formed at the onset of a proposed project, and remain the baseline for the project, despite any number of changes, or scope changes that may occur during the drafting process.

Baseline levels and monitoring plans should include detailed inclusion of all wells, to adequately understand the response of the complex hydrology of the large area affected.

All potential alternative water sources should be explored, such as saline processing, to ensure that economic cost impacts to the Sacramento Valley Area if given a water transfer scenario, are not greater than investments in technology that might equally serve the proposed 'needs' of points south of various Sacramento Valley hydrological systems.

All potential improvements to water use efficiencies and re-processing of local waters for appropriate uses should be considered in the project alternatives.

Thank you for allowing these comments,

Randy Abbott  
Chico, Ca  
Lower Tuscan Aquifer User



**Greene, Alicia M.**

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**From:** Veronese, Gina  
**Sent:** Friday, January 14, 2011 8:39 AM  
**To:** Greene, Alicia M.  
**Subject:** FW: Long-Term North to South Water Transfer Program

[Public comment for file](#)

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**From:** Hubbard, Bradley C [mailto:BHubbard@usbr.gov]  
**Sent:** Thursday, January 13, 2011 11:48 AM  
**To:** Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly  
**Subject:** FW: Long-Term North to South Water Transfer Program

[Comment for file.](#)

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**From:** Tony St Amant [mailto:tsainta@hotmail.com]  
**Sent:** Thursday, January 13, 2011 10:33 AM  
**To:** Hubbard, Bradley C  
**Subject:** Long-Term North to South Water Transfer Program

Mr. Hubbard,

I was at the Chico meeting on the 11th. I have two questions. What was the web link to the transfer program on the Bureau website? What the actual term you used when I asked you why the Bureau was partnered with SLDMWA in what otherwise seemed to be a commercial operation? You told me that federal law required the Bureau to support or facilitate such transfers, but I don't think the word you used was either support or facilitate.

Thanks,

Tony St. Amant  
Chico

## Comments on EIS/EIR Scoping for

### Bureau of Reclamation Long-Term North to South Water Transfer Program, Sacramento County, CA

Tony St. Amant  
27 Garden Park Drive  
Chico, CA 95973  
tsainta@hotmail.com

January 18, 2011

**1. Any north to south water transfer program must be based on good science. If that science does not exist, it should be incumbent on the proponents of the transfer program to develop it and include skeptics in the process in such a way as to develop a common understanding of the hydrogeologic dynamics.**

The simple rejoinder to this suggestion is that the job of developing a robust scientific approach is much too large and expensive for the timelines established for this EIS/EIR. The answer to that rejoinder is that the proponents of north-south water transfers have had 16 years since the controversy caused by the transfers in 1994, and they have done virtually nothing to advance the science of assessing aquifer carrying capacity and health in the Sacramento Valley. The risks and cost of that failure should not fall on the shoulders of north state groundwater users and ecosystems.

**2. A recent investigation by the Glenn Colusa Irrigation District and the Natural Heritage Institute<sup>1</sup> has been proposed as a useful examination of conjunctive water management. It is not.**

At best, the investigation is a seriously deficient baby step in the right direction. The shortcomings are significant and most of them are acknowledged in the investigation itself. See comments on the GCID-NHI investigation at the end of this document.

**3. The phrase “voluntary water transfers between willing sellers and willing buyers” is a misleading over simplification of the real scope and impact of the action.**

If sold and transferred surface water is to be backfilled by increased pumping of groundwater, there is a potential for adversely affecting neighbors who may rely on groundwater for economic survival. Groundwater aquifers do not conform to property lines. Consequently, increased groundwater pumping has a potential for drawing down groundwater levels across property lines and requiring neighbors to take on the cost of deepening their wells without compensation from the surface water sale; the real cause of their problem and expense.

Reliable data needs to be developed on the potential depth and breadth of groundwater drawdown over time. Short-term localized effects have been studied and documented, but the effect of increased pumping over time has only been speculated. Yet, the impact over time is by far the most dangerous threat to aquifer and ecosystem health.

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<sup>1</sup> Sacramento Valley Conjunctive Water Management Technical Investigation Modeling Report, prepared for the Glenn-Colusa Irrigation District and Natural Heritage Institute (CH2MHill & MBK Engineers), February 2010.

As well as the potential economic impact on distant groundwater users from increased pumping, there is a potential for environmental impact that has received only the most cursory conceptual examination. Surface water sold out of the area will no longer replenish the local aquifer as it does when it is used to water crops. Pumping groundwater to backfill surface water sent out of the area could result in an aquifer drawdown that could starve surface vegetation. Moreover, an aquifer void created by the pumping could draw off an increased amount of stream water in the recharge process, causing less tributary flow into the Sacramento River, damaging riparian vegetation and further exacerbating salmon spawning problems and downstream flow shortages. These phenomena need focused and detailed assessment before a long-term conjunctive management project is implemented.

**4. Transferring water to dry southern areas wastes a significant amount of water that could be put to more efficient use in its native region.**

Evaporation loss in transit is not the only inefficiency of transferring surface water south. Another example is the amount of irrigation water required to grow orchard crops. About twice the irrigation water is required in the southern San Joaquin Valley compared to the Sacramento Valley. This relationship exists because about half the water in the Sacramento Valley comes from rain, but virtually all of the water in the southern San Joaquin Valley must come from irrigation.

If agricultural markets need more of what is being produced in water-short areas, maybe the state and federal governments ought to be examining how to expand production in areas where the precious resource of water can be used most efficiently instead of leading an effort to use it less efficiently.

**5. There is little logical rationale—except among massive water rights holders—for allowing water rights holders to profit from the sale of water.**

Water rights do not equal water ownership. The water is owned by the people of the State of California and is granted for beneficial use to individuals and agencies. A more appropriate alternative approach—assuming an environmentally sound transfer program—would be to charge the receiving agencies the estimated fair market value for transferred water, place the proceeds in a fund administered by a public executive agency, and allow claims against the fund to reimburse actual expenses incurred as a result of the water transfers.

In addition to claims for reimbursement of actual expenses caused by water transfers, the proceeds should be expected to pay the cost of administering the system. At a minimum, valid claims would include: (1) the cost differential to surface water users of pumping replacement groundwater; and (2) the cost differential to affected groundwater users of any expenses caused by the increased pumping. Public input should be solicited to ensure all potential categories of valid claims are identified before the program is implemented. Should the proceeds from the transfers not cover the cost of claims and program administration, the market value of the transferred water should be revised upward to cover the actual cost.

**6. Comments on Sacramento Valley Conjunctive Water Management Technical Investigation Modeling Report, February 2010 follow (A copy was provided to GCID January 12, 2011).**

## Comments on

### Sacramento Valley Conjunctive Water Management Technical Investigation Modeling Report, February 2010

**Overview.** The subject investigation (Investigation) was prepared by CH2M HILL and MBK Engineers for the Glenn Colusa Irrigation District (GCID) and the Natural Heritage Institute (NHI).

The primary purpose of the Investigation was to examine how to integrate the operation of surface water and groundwater systems (conjunctive water management) for the purpose of enlarging water supplies for local and regional benefits and creating operational flexibility to contribute to ecologically friendly flows in the Sacramento and Feather Rivers and the Delta.<sup>2</sup>

By its own terms the Investigation does not present results appropriate for implementation of a conjunctive water management program without extensive additional analysis:

Analyses described herein should be considered a planning level analysis that tests the general viability of conjunctive water management strategies presented, and provides a general estimate of benefits that may be realized by implementation of these projects. However, *these evaluations will need to be significantly refined, both in specificity of infrastructure and operational protocols and response of the natural system to these operations, before a project of this type could be carried to the design phase.*<sup>3</sup> (emphasis added)

**Conclusion:** Based on the Investigation's own self-evaluation it is insufficient to validate the safe operability of a conjunctive water management program in the Sacramento Valley.

### Comments on the Surface Water Analysis

The model used for the surface water analysis was CalSim-II, a well-established model developed jointly by the federal Bureau of Reclamation (USBR) and the California Department of Water Resources (DWR). CalSim-II is a water flow model used to simulate California State Water Project (SWP) and Central Valley Project (CVP) operations, and while it has been used to model the estimated effects of climate change<sup>4</sup>, this Investigation did not use that capability.

Without consideration of climate change, the results of this Investigation include the implicit but unstated assumption that basic SWP/CVP water flows for the next 82 years will be as they were for the years 1922 through 2003.<sup>5</sup> This is a significant shortcoming. DWR's position on the impact of climate

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<sup>2</sup> Investigation Update, June 2010, which eliminated specific reference to "the Lower Tuscan Aquifer and related deep aquifers."  
.."

<sup>3</sup> Investigation, February 2010, p. 14-1, Section 14, subsection 14.1, third paragraph.

<sup>4</sup> Using Future Climate Change to Support Water Resources Decision Making in California, California Climate Change Center, CA Department of Water Resources, May 2009.

<sup>5</sup> The years 1922 through 2003 are the years of actual SWP/CVP water flow used by CalSim-II.

change is that “*Historic hydrologic patterns* [like those used in this Investigation] *can no longer be solely relied upon to forecast the water future.*”<sup>6</sup> (emphasis added)

**Conclusion:** Without integration of a climate change sensitivity analysis, the surface water analysis has no utility in conjunctive water management planning or decision-making for the Sacramento Valley. As currently crafted, the Investigation provides no level of confidence that the surface water analysis would be relevant for conditions other than those experienced during the period 1922-2003.

### Comments on the Groundwater Analysis

The model used for the groundwater analysis appears to have been an adaptation of MicroFEM© version 3.60, an integrated groundwater modeling package developed in The Netherlands. Referred to as SacFEM, the model is described as optimized to cover over 5,955 miles of the Sacramento Valley Groundwater Basin. However, there is no mention of peer review or other independent validation for the model adaptation—an unacceptable shortcoming for a program proposal with such huge environmental and economic implications for the Sacramento Valley. Some critical areas of interest in a validation process would be model fidelity in the areas of:

- Replicating the internal flow mechanics of dissimilar aquifers, such as the Tehama Formation, the shallow unconfined Tuscan Formation, and the deeper fractured rock Tuscan Formation;
- Replicating any flow interaction between the upper and lower Tuscan Formations;
- Replicating aquifer recharge, including postulated foothill area recharge for the Tuscan Formation(s); and
- Revealing the potential long-term, cumulative, wide-area effects on aquifer levels of extended reliance on groundwater to supplement surface water shortfalls.

The importance of such validation is emphasized by the Investigation itself:

*The distribution of aquifer properties across the Sacramento Valley is poorly understood. In certain areas with significant levels of groundwater production, the collection of aquifer test data, and the measurement of historic groundwater level trends in response to known groundwater production rates have provided valuable information on aquifer properties. However in the majority of the valley, these data are not available.*<sup>7</sup>  
(emphasis added)

If the results of any investigation are to be used as a basis for a long-term extraction commitment from Sacramento Valley aquifers, first there must be a consensus among state and federal agencies and the interested public that program projections are based on a reasonable representation of future probabilities.

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<sup>6</sup> Managing an Uncertain Future: Climate Change Adaption Strategies, CA Department of Water Resources, October 2008, p. 2.

<sup>7</sup> Investigation, February 2010, Section 8, subsection 8.3.5, p. 8-11, first paragraph.

**Conclusion:** The Investigation's groundwater analysis provides no more than an interesting starting point for the robust analysis that would be required for a high confidence conjunctive water management project.

### Comments on Groundwater Management and Decision Criteria

While it is arguable that conjunctive use water management and decision criteria are beyond the technical scope of the Investigation, the subject is broached in Section 5, General Operational Scenario:

In some years, conditions in the Sacramento Valley may be so critically dry that Project pumping would be suspended altogether. For instance, if groundwater levels were already at levels of concern (according to county Basin Management Objectives or other standards), Project wells would be turned off and the Project would generate no new supplies under these conditions.<sup>8</sup>

The implications of this paragraph are profound and far reaching. Without a public management structure in control of the process, a conjunctive water management project would be a license for unrestricted groundwater pumping managed only by the entity doing the extraction. Response to concerns of others would be voluntary unless redressed through legal action at potentially great cost to the injured party. Because groundwater aquifers do not necessarily conform to local government boundaries there is no existing local public entity that could ensure aquifer safety across the Investigation area.

An example of what could happen without a public management structure in control of the process occurred in Butte County in 1994. Two agricultural water districts sold surface water to Southern California buyers and pumped groundwater to make up for it. Nearby wells went dry with their owners convinced that the cause was increased pumping by the water districts. The water districts never accepted responsibility citing the relatively low precipitation that year as the cause.<sup>9</sup> The controversy remains the basis of deep distrust 16 years later.

The point here is not to imply blame, but to emphasize that a succession of similar unresolved issues would be intolerable across the Sacramento Valley over time. The Investigation gives the example of county basin management objectives programs (BMO) as a solution to the management problem, but BMO programs fail on several accounts: (1) they are limited by county boundaries, which do not necessarily relate to aquifer hydrodynamics; (2) Glenn County exempts water districts from compliance with its BMO ordinance; (3) Butte County's BMO ordinance provides no binding enforcement mechanism; and (4) neither county ordinance deals with the potential issue of long-term aquifer depletion.<sup>10</sup>

**Conclusions:** Safe and effective conjunctive water management for the Sacramento Valley requires a public executive authority that extends across local government boundaries. No such authority now exists.

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<sup>8</sup> Investigation, February 2010, Section 5, subsection 5.1, p. 5-1, last paragraph.

<sup>9</sup> At the time, Butte County had no water transfer or groundwater management ordinances in force.

<sup>10</sup> Of Sacramento Valley counties, Butte and Glenn Counties are the only ones known by the author to have BMO programs.

## Comments on EIS/EIR Scoping for

### Bureau of Reclamation Long-Term North to South Water Transfer Program, Sacramento County, CA

Tony St. Amant  
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February 14, 2011

**According to U.S. Geological Survey water use data, the proposed long-term water transfer program could almost double the extraction of fresh groundwater from Butte and Glenn Counties.**

The data in the following table is extracted from a spreadsheet at the USGS website.<sup>1</sup>

<b>BUTTE &amp; GLENN CO. ESTIMATED WATER USE 2005</b>	Total Fresh Groundwater	Total Fresh Surface Water	Total Fresh Water
Butte, Mgal/day	308.210	481.350	789.560
Glenn, Mgal/day	278.330	462.430	740.760
Total, Mgal/day	586.540	943.780	1530.320
Total acre feet/day*	1,800	2,896	4,696
Total acre feet/year*	657,008	1,057,168	1,714,177

\* Based on 325,851.385 gallons equal one acre foot.

The U.S. Bureau of Reclamation-San Luis & Delta-Mendota Water Authority Long-Term North to South Water Transfer Program proposes to transfer up to 600,000 acre feet of water per year during the period 2012-2022. The process for facilitating these transfers could be crop idling or substituting groundwater for transferred agricultural surface water.

Widespread crop idling has a potential for significant economic impact on agribusinesses and individuals who need active planting, growing, harvesting, maintenance, support, and supply activities for revenue and income. And the problem would spread quickly beyond dedicated agricultural activities to a broad range of community businesses and services. This impact would occur in a rural area with already chronic underemployment problems.

In the long-term, groundwater substitution could be as harmful or worse. The 600,000 acre feet proposed for transfer equals 91 percent of 657,008 acre feet of fresh groundwater extracted from Butte and Glenn counties in 2005. In other words, the project would almost double groundwater extractions from an aquifer that is already under stress and is expected to be in even more difficulty if current long-term snowpack projections hold up.

The potential long-term impact of such a huge increase in groundwater extraction cannot be reasonably assessed during the time-frame of this EIS/EIR process. Prudence demands that the project be scrapped.

<sup>1</sup> <http://water.usgs.gov/watuse/data/2005/index.html>, Estimated Use of Water in the United States, County-Level Data for 2005, caco2005.xls. (latest data available).

## Comments on EIS/EIR Scoping for

### Bureau of Reclamation Long-Term North to South Water Transfer Program, Sacramento County, CA

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tsainta@hotmail.com

February 25, 2011

**According to U.S. Geological Survey water use data, the proposed long-term water transfer program could more than double the extraction of fresh groundwater from Tehama and Glenn Counties.**

The data in the following table is extracted from a spreadsheet at the USGS website.<sup>1</sup>

<b>TEHAMA &amp; GLENN CO. ESTIMATED WATER USE 2005</b>	Total Fresh Groundwater	Total Fresh Surface Water	Total Fresh Water
Tehama, Mgal/day	205.17	333.28	538.45
Glenn, Mgal/day	278.330	462.430	740.760
Total, Mgal/day	586.540	943.780	1530.320
Total acre feet/day*	1,484	2,442	3,926
Total acre feet/year*	541,589	891,309	1,432,898

\* Based on 325,851.385 gallons equal one acre foot.

The U.S. Bureau of Reclamation-San Luis & Delta-Mendota Water Authority Long-Term North to South Water Transfer Program proposes to transfer up to 600,000 acre feet of water per year during the period 2012-2022. The process for facilitating these transfers could be crop idling or substituting groundwater for transferred agricultural surface water.

Widespread crop idling has a potential for significant economic impact on agribusinesses and individuals who need active planting, growing, harvesting, maintenance, support, and supply activities for revenue and income. And the problem would spread quickly beyond dedicated agricultural activities to a broad range of community businesses and services. This impact would occur in a rural area with already chronic underemployment problems.

In the long-term, groundwater substitution could be as harmful or worse. The 600,000 acre feet proposed for transfer equals 111 percent of 541,589 acre feet of fresh groundwater extracted from Tehama and Glenn counties in 2005.

The potential long-term impact of such a huge increase in groundwater extraction cannot be reasonably assessed during the time-frame of this EIS/EIR process. Prudence demands that the project be scrapped.

---

<sup>1</sup> <http://water.usgs.gov/watuse/data/2005/index.html>, Estimated Use of Water in the United States, County-Level Data for 2005, caco2005.xls. (latest data available).

## Comments on EIS/EIR Scoping for

### Bureau of Reclamation Long-Term North to South Water Transfer Program, Sacramento County, CA

Tony St. Amant  
27 Garden Park Drive  
Chico, CA 95973  
tsainta@hotmail.com

February 25, 2011

**According to U.S. Geological Survey water use data, the proposed long-term water transfer program could almost double the extraction of fresh groundwater from Tehama, Colusa, and Glenn Counties.**

The data in the following table is extracted from a spreadsheet at the USGS website.<sup>1</sup>

<b>TEHAMA, COLUSA &amp; GLENN CO. ESTIMATED WATER USE 2005</b>	Total Fresh Groundwater	Total Fresh Surface Water	Total Fresh Water
Tehama, Mgal/day	205.170	333.280	538.450
Colusa, Mgal/day	139.980	776.280	916.260
Glenn, Mgal/day	278.330	462.430	740.760
Total, Mgal/day	623	1,572	2,195
Total acre feet/day*	1,913	4,824	6,738
Total acre feet/year*	698,386	1,760,853	2,459,239

\* Based on 325,851.385 gallons equal one acre foot.

The U.S. Bureau of Reclamation-San Luis & Delta-Mendota Water Authority Long-Term North to South Water Transfer Program proposes to transfer up to 600,000 acre feet of water per year during the period 2012-2022. The process for facilitating these transfers could be crop idling or substituting groundwater for transferred agricultural surface water.

Widespread crop idling has a potential for significant economic impact on agribusinesses and individuals who need active planting, growing, harvesting, maintenance, support, and supply activities for revenue and income. And the problem would spread quickly beyond dedicated agricultural activities to a broad range of community businesses and services. This impact would occur in a rural area with already chronic underemployment problems.

In the long-term, groundwater substitution could be as harmful or worse. The 600,000 acre feet proposed for transfer equals 86 percent of 698,386 acre feet of fresh groundwater extracted from Butte and Glenn counties in 2005.

The potential long-term impact of such a huge increase in groundwater extraction cannot be reasonably assessed during the time-frame of this EIS/EIR process. Prudence demands that the project be scrapped.

<sup>1</sup> <http://water.usgs.gov/watuse/data/2005/index.html>, Estimated Use of Water in the United States, County-Level Data for 2005, caco2005.xls. (latest data available).

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

chv 6 10

Mike Ashlock  
4400 Pine Cluster  
Oroville (Concow), Ca 95965

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### Long-Term Water Transfer EIS/EIR Scoping Comments

I recently read an Introduction to California Water, by David Carle. There was history and much general information about the system of water storage and distribution around the state. There were maps of canals and information on diversions of water from one river to another to mediate use in one river to preserve fish habitat in another, etc. Other topics were the Drought Water Bank, pumping, agriculture use, and realistic commentary on our ever-growing need on limited water resources.

As an individual who fought the Peripheral Canal back in the 70s and 80s because I was fearful of what the diversion of water would do to the delta, once again I comment on the scope of Long-Term Water Transfer. The above book also educated me about how we have circumvented the "Peripheral Canal" by name while, in essence, used canals, pump stations, and myriad other diversions to accomplish its purpose—movement of north state water south.

I have become aware of the existing "junior water right holders" that by contract must give up their water during droughts. That makes sense to me. Don't encourage junior right holders to invest in a dependence on guaranteed year-round water if it isn't available without taking it from other existing dependent entities. I'm fearful that by ignoring the ebb and flow of natural cycles we are going to *further* over commit ourselves. Junior right holders ~~that become~~

Classification	ENV 6.00
Project	214
Control No.	11015809
Folder I.D.	1148370
Date Input & Initials	2-28-2011 FN

dependent on their water rights even in drought times will degrade the resource of those of us already dependent on ground and surface water in the north state. Obviously the environment will also be negatively affected.

We have *already* overwhelmingly degraded the rivers in the state such that our once superb salmon and steelhead fisheries exist as mere museum exhibits reliant on humans to artificially maintain them. Most attempts to mediate the impact of our water use on natural systems are an illusion if not an outright deception when we honestly examine the effects on the environment. We aren't doing a very good job of even faking it.

As a Northern California resident dependent on ground water for my small farm and household consumption I am fearful my family's livelihood will be impacted. Our local Concow School's well has gone dry in the last few years during the summer. Their attempt to drill two more wells came up with no water. During the present year they are using bottled water in school because their well has been so degraded that it is not potable. Many neighbors in nearby Yankee Hill have run out of well water as the summer progresses these past few years.

Carle's book ends by leaving us with the choice between very different future scenarios for our state concerning water use. Like he says, we could maintain 5 times our population by the exploitation of water for human use. But what would our state become? Our present paradigm depends on the conception of "progress" on ever expanding and consuming populations. That paradigm will change. Are we smart enough to make a better choice?

Sincerely,

A handwritten signature in cursive script that reads "Mike Ashlock". The signature is written in black ink and is positioned below the word "Sincerely,".

Mike Ashlock



**California Regional Water Quality Control Board  
Central Valley Region  
Katherine Hart, Chair**



Linda S. Adams  
Acting Secretary for  
Environmental Protection

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114  
(916) 464-3291 • FAX (916) 464-4645  
<http://www.waterboards.ca.gov/centralvalley>

Edmund G. Brown Jr.  
Governor

16 February 2011

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

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410	✓	

Classification	ENV 600
File No.	219
Project No.	11014229
Case ID	1147370
	223201

**LONG-TERM NORTH-TO-SOUTH WATER TRANSFER PROGRAM SCOPING COMMENTS**

Thank you for providing us the opportunity to comment on the scope of the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the proposed "Long-Term North-to-South Water Transfer Program". We strongly support the US Bureau of Reclamation's decision to prepare a full EIS/EIR for this project and to evaluate the project's potential impacts to ground and surface water quality.

The Central Valley Water Board, with the State Water Resources Control Board and the US Environmental Protection Agency, has identified numerous water bodies in the in the Central Valley as impaired by various pollutants, including mercury, pesticides, and organic enrichment/low dissolved oxygen. Below are specific comments on mercury and dissolved oxygen.

**Mercury**

About 100 water bodies in the Central Valley are on the Clean Water Act Section 303(d) List for impairments due to mercury. These water bodies include the Sacramento-San Joaquin Delta and its major tributaries, the Sacramento and San Joaquin Rivers. The mercury impairments are due to elevated concentrations of methylmercury in fish, and consumption of those fish poses a health risk to people and wildlife species.

Mercury in the US Bureau of Reclamation's project area comes primarily from historic mercury and gold mines and from resuspension of contaminated material in stream beds and banks downstream of the mines, as well as from modern sources such as atmospheric deposition from local and global sources, waste water treatment plants, and urban runoff.

Methylmercury, the most toxic form of mercury, forms primarily by sulfate reducing bacteria methylating inorganic mercury. Sources of methylmercury include methylmercury flux from sediment in open water and wetland habitats, urban runoff, irrigated agriculture, and waste water treatment plants. Water management activities, including water storage, conveyance, and flood control, can affect the transport of mercury and the production and transport of methylmercury.

In April 2010, the Central Valley Water Board adopted the Delta Mercury Control Program for the control of mercury and methylmercury in the Delta and Yolo Bypass. The goal of the Delta

**California Environmental Protection Agency**

Mercury Control Program is to reduce mercury pollution and restore the beneficial use of safe fish consumption for humans and wildlife. The control program, also known as a Total Maximum Daily Load (TMDL), determined mercury and methylmercury loads and assigned reductions (allocations) to sources in the watershed, including open water. The Delta Mercury Control Program needs to be approved by the State Water Resources Control Board, the Office of Administrative Law, and the U.S. Environmental Protection Agency before it becomes legally effective. This approval process is expected to be complete in late 2011.

The Delta Mercury Control Program has specific requirements for state and federal agencies, including the US Bureau of Reclamation, that manage water in the Delta and Yolo Bypass. In brief, the Delta Mercury Control Program requires the agencies to develop and implement study plans to evaluate methylmercury production and control. A detailed description of the Delta Mercury Control Program requirements, including specific tasks and schedules, can be found in Resolution No. R5-2010-0043 Attachment 1, available at: [http://www.waterboards.ca.gov/centralvalley/water\\_issues/tmdl/central\\_valley\\_projects/delta\\_hg/april\\_2010\\_hg\\_tmdl\\_hearing/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/delta_hg/april_2010_hg_tmdl_hearing/index.shtml)

The EIS/EIR must consider and incorporate the requirements of the Delta Mercury Control Program as part of the Long-Term North-to-South Water Transfer Program. In addition, the EIS/EIR should consider the potential negative and positive short-term and cumulative effects the Long-Term North-to-South Water Transfer Program and associated transfer mechanisms may have on the transport of mercury and the production and transport of methylmercury in the Delta and Yolo Bypass where the transfer water is conveyed, in the Delta's tributary watersheds where the water is made available for transfer, and in the watersheds south of the Delta and in the San Francisco Bay Area where the water would be used, particularly in those water bodies that are identified as impaired by mercury on the 2010 Clean Water Act Section 303(d) List.

#### **DISSOLVED OXYGEN**

In 2005 the Central Valley Water Board adopted a TMDL control program for the San Joaquin River (Stockton Deep Water Ship Channel) to address organic enrichment/low dissolved oxygen. This TMDL has been approved by the US Environmental Protection Agency. The TMDL identified three main factors contributing to the low dissolved oxygen conditions – loading of oxygen demanding substances and precursors (nutrients) from upstream sources; increased residence time as a result of the geometry of the deep water ship channel; and reduced net river flows through the channel.

The proposed scope of the EIS/EIR describes the potential transfer of water from north-to-south and also east-to-west. The EIS/EIR should consider the potential negative and positive short-term and cumulative effects the Water Transfer Program and associated transfer mechanisms may have on loads of oxygen demanding substances and net flows on the San Joaquin River that will affect dissolved oxygen concentrations downstream in the deep water channel. Any project that has the potential to impact dissolved oxygen conditions in the channel should evaluate and fully mitigate its impacts.

If you would like additional information about the Central Valley Water Board's TMDL programs, please contact me at (916) 464-4621 or by email at [jbruns@waterboards.ca.gov](mailto:jbruns@waterboards.ca.gov).



Jerry Bruns  
Environmental Program Manager

cc: Ms. Frances Mizuno, San Luis & Delta-Mendota Water Authority, PO Box 2157, Los Banos

**Greene, Alicia M.**

---

**From:** Veronese, Gina  
**Sent:** Friday, January 14, 2011 8:39 AM  
**To:** Greene, Alicia M.  
**Subject:** FW: North-South water transfer

[Public comment for file](#)

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**From:** Hubbard, Bradley C [mailto:BHubbard@usbr.gov]  
**Sent:** Wednesday, January 12, 2011 4:51 PM  
**To:** Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly  
**Subject:** FW: North-South water transfer

[Here is a comment for the record. Thanks, Brad](#)

---

**From:** juliegiada@gmail.com [mailto:juliegiada@gmail.com] **On Behalf Of** Julie Butler  
**Sent:** Wednesday, January 12, 2011 3:20 PM  
**To:** Hubbard, Bradley C  
**Subject:** North-South water transfer

Mr. Hubbard,

I am opposed to the water transfer. Let farming practices be changed to conserve water through Permaculture and rainwater harvesting techniques, before we all run out of water, north and south. That is the sustainable method, so that our children will have a better future.

Sincerely,  
Julie Butler  
9050 Lasell Lane  
Durham, CA 95938



# BOARD OF SUPERVISORS

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February 22, 2011

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

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

Dear Mr. Hubbard and Ms. Mizuno:

Butte County appreciates the opportunity to provide comments on the scoping of the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the proposed Long-Term 'North-to-South' Water Transfer Program. Butte County and the region have a vested interest to assure that the Long-Term 'North-to-South' Water Transfer Program has the least impact upon its community, agricultural economy and environment. Our region's water resources provide the life blood for our agricultural-based communities, economy and environment. Much of our local water supply comes from the various groundwater basins throughout the region that are recharged through these creek and rivers. The counties of the region - Butte, Colusa, Glenn, Shasta, Sutter and Tehama - have formed the Northern Sacramento Valley Integrated Regional Water Management Group to work collaboratively on regional water and resource management issues. In consultation with our regional partners, Butte County is offering comments and recommendations. Our comments are limited by the fact that there was not a comprehensive project description provided.

The magnitude of the proposed program is daunting and raises considerable concerns. An adequate EIS/EIR may not be possible based on the length and breadth of the proposed program. As explained, it is our expectation that the EIS/EIR will assess project specific impacts including localized groundwater conditions over the entire ten-year time period of the program. The long term duration of the program raises concerns about setting an expectation on a permanent reliance on transfers. The proposed program must address how it will avoid an expectation of a permanent reliance on water provided through this program. The EIS/EIR should discuss how the project complies with SB1X that calls for a reduced reliance on the Delta and to promote regional water supply reliability. Given these overarching concerns, a transfer program of smaller scope and limited timeframe should be considered.

It is imperative that the proposed program adhere to local groundwater ordinances that have been codified since the Drought Water Bank held in the early 1990s. In Butte County, the proposed program must reference adherence to the Butte County's Groundwater Conservation Ordinance (Chapter 33 of the Butte County Code). Beyond complying with local ordinance requirements, the environmental review must be scoped consistent with the procedures of local ordinances adopted in the Sacramento Valley. Therefore, the proposed program must have an EIS/EIR of its own and cannot rely on previously conducted environmental documents from other programs. For example, the 2009 Drought Water Bank relied on the Environmental Water Account EIS/EIR and failed to adequately recognize the potential impacts.

The proposed project must approach northern Sacramento Valley with a high degree of caution especially in regards to groundwater substitution programs. As previously stated, anything less than an environmental review consistent with the procedures in local ordinances in the Sacramento Valley will not be adequate. The process and procedures (e.g., monitoring, communication, responsibilities, mitigation triggers, etc) of the proposed program must be clear, transparent and unambiguous. The EIS/EIR must include clear and specific documentation and a thorough evaluation of impacts from specific transfers covered by the proposed program over the ten year period. The EIS/EIR must take into consideration groundwater conditions are currently impacted beyond routine seasonal fluctuations as well as projected impacts from climate change. The proposed program referenced a reliance on locally adopted Basin Management Objectives (BMO). In some areas, BMO alert or trigger levels have been reached. The proposed program must clearly describe how BMOs will be utilized and how the program will address current conditions. The EIS/EIR must fully evaluate potential ecosystem impacts. Significant uncertainty exists regarding stream/aquifer interaction and that uncertainty should reflect a cautious approach regarding assessment of upstream ecological impacts. The EIS/EIR must describe potential effects on the operation of Central Valley Project and/or State Water Project facilities, including Lake Oroville. Lake Oroville is more than a part of the SWP system. It is integral to our recreation, economic and ecosystem for those in its Area of Origin. Further, the economic impacts from the program must be assessed in greater detail taking into account regional variability and agronomic conditions.

The lack of clarity on the process to monitor and mitigate third party impacts must be addressed. Transfer programs must have an unambiguous, transparent, locally vetted dispute resolution program. It is imperative that the Long-Term Transfer Program recognize that potential impacts associated with the transfer of water from the Sacramento Valley need to be addressed through this type of approach.

In conclusion, we cannot underscore that actions through the Long-Term Transfer Program could have grave economic and environmental consequences in the Sacramento Valley that must be addressed. We look forward to reviewing a comprehensive project plan. We hope that the concerns of Butte County and the region are fully addressed in the draft EIS/EIR. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lambert".

Steve Lambert, Chair  
Butte County Board of Supervisors



February 17, 2011

VIA EMAIL

Frances Mizuno  
San Luis and Delta Mendota Water Authority  
P.O. Box 2157  
Los Banos, CA 93635  
(209) 832-6200

Subject: NOP of Draft EIR, SCH #2011011010

Dear Ms. Mizuno,

California State Parks appreciates the opportunity to comment on the Proposed Long-Term North to South Water Transfer Program Environmental Impact Report. My comments below concern how the water transfer program may affect San Luis Reservoir State Recreation Area (SLRSRA).

California State Parks exists to "provide for the health, inspiration, and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation."

As you know, SLRSRA is comprised of three water bodies: San Luis Reservoir (SLR), the O'Neill Forebay (ONF), and Los Banos Creek Reservoir (LBC). This State Recreation Area serves approximately 500,000 visitors a year from all over the state, country, and the world. These park visitors travel to the SLRSRA because of the water. Although park visitation occurs year-round, the highest visitation occurs between April and October.

Park visitors come to enjoy all sorts of recreational activities including enjoying the world class fishing, boating, waterfowl hunting, birding and wildlife viewing, camping, and other general day-use activities. SLRSRA is also a world renowned location for windsurfing. Several water-based special events are held here throughout the year and include fishing tournaments, jet-ski races, and triathlon events.

As the Superintendent for the SLRSRA, I submit the following issues that should be thoroughly addressed during the preparation of any environmental documents related to the water transfer program:

### Recreation

The quality of the visitor's recreational experience at SLRSRA is directly related to the water level and water quality. That is, when the water levels are low, it impacts where boaters can travel on the lakes and can even prevent boaters from launching; can prevent windsurfers from windsurfing; and, can deter park enthusiasts from visiting.

Any impacts on the visitor's quality of experience while engaged in water-based recreational activities should be considered and mitigated to the satisfaction of the Department of Parks and Recreation (CA State Parks).

### Public Safety

Low water levels can impact park visitors using the lakes. Boaters and windsurfers can damage their vessels and other equipment and even injure themselves or their passengers by running aground. Low water levels can even hamper rescue efforts of State Park Rangers responding to emergencies on the lakes.

Any impacts on the public's safety due to low water levels should be addressed to the satisfaction of California State Parks.

### Aesthetics and Visual Resources

Open space and scenic vistas are key values for the SLRSRA. The view as seen by boaters, campers, and other park users will change if water levels drop because of this water transfer program. Any impairment of scenic vistas would lessen the sense of openness that currently pervades the park.

### Cultural Resources

Cultural resources are defined as buildings, sites, structures, or objects, each of which may have historical, architectural, archaeological, cultural, or scientific importance and are referred to as historical resources. Approximately 51 prehistoric and historic cultural resources have been documented within the SLRSRA. Dozens of these sites are inundated at least part of the year.

Lower water levels may impact these historic cultural resources by exposing them to looters. Any potential impacts to cultural resources should be considered and mitigated to the satisfaction of California State Parks.

### Wildlife

One of the biggest draws to SLRSRA is its excellent angling. SLR and the ONF are known for the striped bass, a recreationally important fish species. Bass spawning is determined by littoral development and lake temperature. By lowering water levels the littoral development decreases as well as the lake temperature which has a direct negative impact to spawning bass and the decrease in their populations.

The SLR State Recreation Area is part of the Pacific Flyway and hundreds of thousands of birds use these water bodies. Raptors, including bald eagles, and other birds occur in and near the park, with the largest concentrations found in areas with large bodies of water that support abundant prey such as fish or waterfowl. Suitable foraging habitat is abundant throughout the park.

Lower water levels will impact waterfowl by reducing the available fish for food. Lower water levels will also cause the water to recede, which will reduce the number of protected coves and other isolated aquatic areas birds can use.

Any impacts to fish and wildlife, and to the recreation revolving around fish and wildlife, should be considered throughout the preparation of environmental documents for the proposed water transfer program.

### Infrastructure

Under an agreement with the California Department of Water Resources, approximately 2,750 acre feet of water per year can be drawn from SLR and ONF by California State Parks to serve its visitors.

California State Parks operates water treatment facilities on the SLR and the ONF. Construction on these new water treatment facilities are nearly complete. The 72,000 gallons per day (gpd) SLR Water Treatment Plant serves a developed campground and other use areas on the SLR. The 86,000 gpd ONF Water Treatment Plant serves a full-hookup campground and a very large developed day-use area.

Water transfers and lower water levels could impact California State Parks' ability to draw water from SLR and ONF. These long-term water transfers and lower water levels could result in uncovering the water intake line and pump used for water utilization for our visitors and irrigation for park landscaping.

Any impacts to State Parks' ability to draw water from these lakes should be considered and mitigated to the satisfaction of California State Parks.

Comments on NOPEIR SLDMWA Water Transfer Program  
February 17, 2011  
Page 4

California State Parks at San Luis Reservoir State Recreation Area looks forward to future opportunities for review and comments on this project as it proceeds through the program environmental review process. Please contact me at (209) 826-1197 should any of our comments need clarification. I am also happy to discuss our comments in person.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Martin", written over a horizontal line.

Greg Martin  
Sector Superintendent  
Four Rivers Sector

cc: Heather Reith, DPR District Environmental Coordinator  
Clarissa Sampaga, DPR Natural Resources Division  
DPLA Environmental Review Unit, DWR

**Greene, Alicia M.**

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**From:** Veronese, Gina  
**Sent:** Monday, February 28, 2011 8:22 AM  
**To:** Greene, Alicia M.  
**Subject:** FW: Fwd: Long term water transfer

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**From:** Hubbard, Bradley C [mailto:BHubbard@usbr.gov]  
**Sent:** Sunday, February 27, 2011 6:01 PM  
**To:** Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly  
**Subject:** Fw: Fwd: Long term water transfer

[Comment for record.](#)

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**From:** lindzer2@aol.com <lindzer2@aol.com>  
**To:** Hubbard, Bradley C  
**Cc:** frances.mizuno@sldmwa.org <frances.mizuno@sldmwa.org>  
**Sent:** Sun Feb 27 17:14:13 2011  
**Subject:** Fwd: Long term water transfer

2/26/11  
Linda Calbreath  
4318 Green Meadow Ln.  
Chico, CA 95973

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

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

I am writing to express my disapproval of the plan to transfers of water from Northern California to the Central Valley. The flora and fauna of the area rely upon our current water supply as do the farmers and individuals. We do not want to turn our area into a desert. The Central Valley was a desert before white man's arrival to California, and it is a shame that it cannot be farmland, but that is the climate of the area. I may not be able to articulate this as well as some, but I still want to go on record that I think it is a bad idea and I will be willing to contribute to the legal process of fighting this water transfer.

Sincerely,

Linda Calbreath



## CENTRAL DELTA WATER AGENCY

235 East Weber Avenue • P.O. Box 1461 • Stockton, CA 95201  
Phone 209/465-5883 • Fax 209/465-3956

### DIRECTORS

*George Biagi, Jr.  
Rudy Mussi  
Edward Zuckerman*

### COUNSEL

*Dante John Nomellini  
Dante John Nomellini, Jr.*

February 28, 2011

Via Email [bhubbard@usbr.gov](mailto:bhubbard@usbr.gov),  
Facsimile No. (916) 978-5290  
and First Class Mail

Brad Hubbard  
Project Manager  
U.S. Bureau of Reclamation  
2800 Cottage Way, MP-410  
Sacramento, C 95825

Re: Scoping Comments for Long-Term North to South Water Transfer Program  
Environmental Impact Statement/Environmental Impact Report

Dear Mr. Hubbard:

Please accept these comments of the Central Delta Water Agency ("CDWA") on the scope of the proposed Environmental Impact Statement ("EIS")/Environmental Impact Report ("EIR") to be prepared by the Department of the Interior, Bureau of Reclamation ("USBR") and the San Luis & Delta Mendota Water Authority ("SLD") pursuant to the Notice of Intent published in the Federal Register, December 28, 2010, Vol. 75, No. 248, page 81642, FR Doc. 2010-32583.

The EIS/EIR is stated to be for the purpose of analyzing the effects of multi-year water transfers during the period of 2012 through 2022 from unnamed water agencies in northern California to unnamed water agencies south of the Sacramento-San Joaquin Delta ("Delta") and the San Francisco Bay Area. It is stated that 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. It is further stated that water transfers would occur through various methods, including, but not limited to groundwater substitution and cropland idling.

It is reported that current operational parameters include the transfer of 600,000 acre feet per year, but it is not stated that such would be the maximum for the project. It is further stated that the USBR and DWR would facilitate water transfers involving CVP contract water supplies and CVP and SWP facilities.

Apparently the project is not clearly defined, since the EIS/EIR will identify potential selling parties in northern California, the methods by which water could be made available for transfer, and maximum amounts of water available through each method. The EIS/EIR would also identify potential purchasing agencies south of the Delta and the proposed use of transfer water.

Further alternative transfer methods to make water available would apparently be investigated in the EIS/EIR, including groundwater substitution and cropland idling. It is stated that the proceeds from the water transfer typically would pay farmers to idle land that they would have placed in production, and that rice has been the dominant crop idled in previous transfers.

Please accept these comments concerning the scoping of the EIS/EIR.

**1. A Complete and Adequate Description of the Project Has Not Been Provided.**

In order to provide a complete and adequate ability to provide scoping comments, the project should be more fully and completely described. There should be a specific identification and designation of the transferor lands as well as the transferee lands to be irrigated with the transferred water, or other transferee water use. This would include soil characteristics and chemical elements, existing cropping, and future cropping both with and without the project, the characteristics of any project supplied urban water use, and without project supply and usage. Details of location and nature of groundwater pumping also must be provided. Further, the notice vaguely mentions current operational parameters of 600,000 acre feet annual conveyance, and use of the state and federal pumps during July through September only, but fails to state whether that will be the limit for the project. The project must be clarified to state whether the past practices are or are not part of this project.

**2. Full Analysis of the Impacts from Use of Groundwater as Substitute Supply for Transferors.**

With regard to the investigation and evaluation of impacts and potential impacts, one of the critical direct and indirect impacts which the EIS/EIR should fully evaluate is the use of groundwater pumping as an alternative supply by transferors. The potential impacts of increased groundwater usage are widely recognized and well-established, and the short and long term project effects should be fully evaluated. Further, the EIS/EIR should investigate, discuss, analyze, and ultimately mitigate to the extent feasible, the potential impacts from such increased groundwater pumping, including increased electrical demands for pumping, well-drilling activities, and other greenhouse concerns.

Also, the EIS/EIR must evaluate potentially substantial and cumulative impacts in all of the areas directly or indirectly affected by groundwater pumping.

**3. Full Analysis Should Be Made of the Short and Long-Term Effects of Cropland Idling.**

Cropland idling, or fallowing, creates a whole host of issues that must be analyzed, including but not limited to the following:

- A. Lack of groundwater recharge by percolation and return surface flows to waterways from surface irrigation.
- B. Habitat modification for species benefitting from farming, including waterfowl.
- C. Economic impacts to the communities from loss of farm employment and adverse impacts on the local business community dependent upon actual farming.
- D. Greenhouse gas effects, including carbon sink and sequestration relative to active farming, and effects of cropping changes in the area of supply and the area of usage.
- E. The impacts of having food supplies grown at other than existing locations, including the need for rice to be grown elsewhere.

**4. Full Analysis of the Drainage Impacts from Use of Transferred Water.**

With regard to the investigation and evaluation of impacts and potential impacts, the EIS/EIR must fully evaluate the direct and indirect impacts of the use of transferred water in the already drainage impaired San Joaquin Valley. The transfer of water requires in-depth study of the drainage in the areas of delivery which directly or indirectly drain surface and subsurface waters, and, hence, the various pollutants contained in such waters and irrigated lands, into any waterways. Such waters directly or indirectly drain into waterways, including the San Joaquin River and upslope areas which generate hydraulic pressure which thereby increase the drainage of waters from the downslope lands into groundwater and the San Joaquin River. Waterlogging of the lowlands in the CVP service areas is a substantial issue, worsened by the project. The potential for such impacts is widely recognized and well-established.

The proposed project necessitates that the EIS/EIR investigate, discuss, analyze, and ultimately mitigate to the fullest extent feasible, the potential impacts from water use that would not occur absent the transfer and thereby increase impacts on the water quality of the San Joaquin River.

It is well-recognized that drainage directly or indirectly into the San Joaquin River can and does contain numerous contaminants which must be properly investigated and evaluated

(e.g., selenium, boron, molybdenum, other trace elements, etc.). Any increase in these contaminants that may arise from the project must be evaluated. The EIS/EIR must evaluate potentially substantial and cumulative impacts in all of the areas directly or indirectly affected by the project, including but not limited to the Delta.

## **5. Consideration of Federal Anti-degradation Laws.**

The Federal Environmental Protection Agency ("EPA") requires all states to adopt an "antidegradation policy" similar to the State Water Resources Control Board's ("SWRCB") Resolution 68-16. (40 C.F.R. 131.12.) Resolution 68-16 is intended to and implements Water Code section 13000, requiring the SWRCB to regulate all "activities and factors which may affect the quality of the waters of the state" such that they "attain the highest water quality which is reasonable."

The SWRCB's Resolution 68-16 (commonly referred to as the SWRCB's "Anti-Degradation Policy") provides in pertinent part:

"Whenever the existing quality of water is better than the quality established in policies as of the date on which such policies become effective, such existing high quality will be maintained until it has been demonstrated to the State that any change will be consistent with maximum benefit to the people of the State, will not unreasonably affect present and anticipated beneficial use of such water and will not result in water quality less than that prescribed in the policies."

The EIS/EIR must analyze compliance with these requirements and explain the proposed project's impacts upon San Joaquin River and Sacramento River water quality and water quality in all waters into which transferred waters may drain or supply, including, but not limited to, drainage from lands irrigated by water supplied by the project as well as water supplied by others and other sources. The significant potential for degradation of San Joaquin River and Sacramento River water quality and water quality elsewhere is a great concern, and the same must be fully analyzed and evaluated. Further, it must be determined whether the project meets the specific requirement that it be "consistent with maximum benefit to the people of the State, will not unreasonably affect present and anticipated beneficial use of such water and will not result in water quality less than that prescribed in the policies."

The transfer presents a number of troubling issues due to the substantial risk of impairment of other waters. This needs to be thoroughly investigated and analyzed in the EIS/EIR.

## **6. The San Luis Act of June 3, 1960, Public Law 86-488, 77 Stat. 156.**

Public Law 86-488 specifically requires:

“Construction of the San Luis unit shall not be commenced until the Secretary has . . . received satisfactory assurance from the State of California that it will make provision for a master drainage outlet and disposal channel for the San Joaquin Valley, as generally outlined in the California water plan, Bulletin Numbered 3, of the California Department of Water Resources, which will adequately serve, by connection therewith, the drainage system for the San Luis unit, or has made provision for constructing the San Luis interceptor drain to the delta designed to meet the drainage requirements of the San Luis unit as generally outlined in the report of the Department of the Interior, entitled 'San Luis Unit Central Valley project,' dated December 17, 1956.” (Emphasis added.)

The drain for removal of salts from the valley has never been constructed, yet over a million acre feet of water per annum from the San Luis Unit was committed to use. With every acre foot of water delivered to the San Joaquin Valley through the Delta Mendota Canal and San Luis Unit, there is delivered a significant quantity of salt which is retained in the San Joaquin Valley or returned to the Delta via the San Joaquin River. The substantial degradation of the San Joaquin River from such drainage is well-understood and recognized.

The project will result in further impairment of water quality, and in doing so, will merely increase the volume of salt in the groundwater and return flows. Moreover, in the absence of the project it is reasonable to anticipate a reduction or change in cropping patterns and a reduction in lands in transferee areas under cultivation, thereby reducing ground and surface water quality impairment. Of course, the EIS/EIR needs to fully investigate and analyze all of these issues.

Without the required drain, the EIS/EIR must evaluate the project's impact, including cumulative impacts, ensuing from the continued irrigation of the transferee area of use, and the impacts of increasing irrigation in areas that would not otherwise be irrigated in the absence of the project. The EIS/EIR should examine and explain how the proposed project as well as existing conditions are consistent with and in compliance with PL 86-488.

**7. The EIS/EIR Should Include A Range of Alternatives, including a No Project Alternative.**

The EIS/EIR should evaluate a range of reasonable alternatives, including but not limited to the following:

1. No Project.
2. Reducing and curtailing water supply demand, including the elimination of the irrigation of drainage impaired lands, and alteration of farming practices, including cropping, in the transferee area.

The EIS/EIR should also include, in the context of the analysis of some of the foregoing

alternatives or otherwise, an extensive discussion of desalinization options in order to promote regional self-sufficiency and, hence, improved water reliability that would obviate the need for the project. Such a discussion would be in furtherance of Water Code section 12946 which provides:

“It is hereby declared that the people of the state have a primary interest in the development of economical saline water conversion processes which could eliminate the necessity for additional facilities to transport water over long distances, or supplement the services to be provided by such facilities, and provide a direct and easily managed water supply to assist in meeting the future water requirements of the state.”

Opportunities for environmentally friendly desalinization of ocean waters as well as brackish ground waters should be thoroughly examined.

#### **8. Full Analysis of Impacts In the Delta.**

In addition to the San Joaquin River water quality issues from return flows and accretions, hydraulic pressures, and waterlogging, other impacts outside and within the Delta should be fully evaluated. This would include effects upon Delta water use due to the periodic imposition of Term 91 conditions to protect the transferee water supply during transfers, thereby depriving Delta water users of the ability to use water during July through September.

#### **9. Evaluate Conditions That May Be Reasonably Anticipated to Exist in the Future.**

The EIS/EIR should include an analysis of the present and future water needs including environmental water needs and the needs to offset overdraft of groundwater within the watersheds of origin (See Water Code section 11460) and determine the availability of surplus water. Water not needed by the transferors may be needed by others within the watersheds of origin.

Even more so since no drainage solution has been implemented, the EIS/EIR should evaluate impacts of the project against the background of a variety of scenarios and outcomes, including but not limited to, the lack of a drain ever being implemented, substantially inadequate supplies in the transferor and transferee areas, implementation of the SWRCB Flow Study, the project's enablement of continued farming and cropping practices and urbanization that are not otherwise supportable by adequate supplies of water, and land retirement.

#### **10. CVPIA Analysis.**

The EIS/EIR should include an analysis of how the transfers will impact water purchases by the CVP to enable compliance with the Central Valley Project Improvement Act.

**11. Calfed Bay Delta Authorization Act.**

The EIS/EIR should include an analysis of how transfers will impact CVP compliance with the California Bay Delta Authorization Act, October 25, 2004, Public Law 108-361, 118 Stat. 1681, section 103(d)(2)(D).

Thank you for the opportunity to comment on the scope of the EIS/EIR. We look forward to the receipt of a comprehensive EIS/EIR.

Very truly yours,



DANIEL A. MCDANIEL  
Attorney for Agency

DAM:kk



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WINNEMEM  
WINTU TRIBE



NORTH  
COAST  
RIVERS  
ALLIANCE



February 28, 2011

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

Dean Messer, Chief Water Transfers Office  
Department of Water Resources  
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](mailto:frances.mizuno@sldmwa.org)

**Re: Scoping Comments Proposed Ten Year North to South Water Transfer of CVP and Non CVP Water Using State Water Project (SWP) and Central Valley Water Project (CVP) Facilities**

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

Thank you for the opportunity to comment on the proposed long term transfer of water from north of the Delta to areas south of the San Francisco Bay Delta using federal and state facilities from 2012 through 2022, from willing sellers and buyers.

**1. The Department of Water Resources Not the SLMWA Joint Powers Authority Should Be the Lead State Agency:**

The Department of the Interior, Bureau of Reclamation (Bureau) and the San Luis & Delta-Mendota Water Authority (SLDMWA) propose to prepare a joint EIS/EIR 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 is to address transfers of Central Valley Project (CVP) and non-CVP water Transfers of supplies that require use of CVP or State Water Project (SWP) facilities to convey the transferred water.

The courts have held DWR, not a joint powers authority such as SLDWA, has the statutory duty to serve as lead agency in assessing the environmental consequences of projects involving the SWP.<sup>1</sup> The proposed water sales from one basin to another will potentially have broad statewide and national impacts to groundwater supplies, State and federal San Francisco Bay-Delta estuary ecosystem through-flow and outflow responsibilities under the Clean Water Act and Porter-Cologne Water Quality Control Act.<sup>2</sup> Any transfers or sales also could have significant impacts on Bay Delta flow criteria and need to be analyzed.<sup>3</sup>

Despite assurances in the scoping documents that proposed additional diversions from the Delta would not have an impact on federal or state endangered species, the complexity of the estuary ecosystem and the national and statewide importance of these public trust resources to the entire state demand State analysis of local, regional and statewide impacts from the proposed water transfer project. Further the environmental review needs to analyze the local and statewide impacts from the proposed water transfers on energy consumption and greenhouse gas emissions due to increased groundwater pumping programs, transport through

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<sup>1</sup> <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

<sup>2</sup> [http://www.swrcb.ca.gov/laws\\_regulations/docs/portercologne.pdf](http://www.swrcb.ca.gov/laws_regulations/docs/portercologne.pdf)

<sup>3</sup> [http://www.swrcb.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/deltaflow/final\\_rpt.shtml](http://www.swrcb.ca.gov/waterrights/water_issues/programs/bay_delta/deltaflow/final_rpt.shtml)

the federal and state systems and needed energy to deliver the water some 200 to 300 miles away.

2. **It is not clear there is a viable federal project without identified willing buyers and sellers given State and federal legal constraints on further diversions from the Bay-Delta estuary.**

No willing sellers or buyers have been identified in the scoping documents. Without this information the proposed project is purely speculative, making the nature of the project and potential scope of its impacts indeterminable. Pursuant to the 1992 Central Valley Project Improvement Act (CVPIA) federal contractors are required to meet specific fish and wildlife restoration goals. To date these goals have not been met.<sup>4</sup> Further, Tribal trust responsibilities and area of origin requirements on diversions of water from the Trinity River have not been met. Any additional transfers of water out of the Bay-Delta estuary from north to southern basins need to comply with these explicit provisions of law prior to transferring additional supplies from the estuary. Further as noted in the scoping document the CVPIA places specific constraints on the transfer of CVP water including requirements that water be consumptively used as a prior condition to its transfer in order to avoid third party impacts and to encourage water conservation.

Given the highly speculative and ill-defined nature of the project it is difficult for the public to comment on whether the important constraints on any such project will be sufficiently analyzed and reviewed. In addition, with the undefined nature of the project, it is unclear that the Bureau has an authorized project to use federal facilities. As stated by the author of the federal legislation, "The purpose of the CVPIA was not to create a permanent annuity for a few contractors who become re-sale agents of a public resource, with the profit going into private pockets...The resale authority was intended for the short term, and should not be abused."<sup>5</sup>

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<sup>4</sup> The timing of required Environmental Water Account (EWA) water flows is to enhance and protect fish populations and the water is to flow in Delta channels to San Francisco Bay and the Pacific Ocean to meet water quality requirements under federal and state law for outflows. Previous short term water transfer programs under the Drought Water Bank have released water from storage facilities to be exported for deliveries in the July through September period. Compliance with EWA provisions require water at critical time periods and year-round depending on the specific needs to protect fish. Potential conflicts with the proposed transfer of more water out of the Delta need to carefully examine the conflicts with the EWA, where water purchases are to provide instream flows in the Delta, rather than water to serve consumptive uses outside of the Delta.

<sup>5</sup> <http://www.fotr.org/comments/MillerReewalComnts083104.pdf>

### **3. CEQA and NEPA Require An Accurate Baseline Description in order to Analyze Impacts & Integration with other Planning and Environmental Procedures.**

According to the scoping notice, “the water transfer provisions 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. Further the transfer of these water supplies would require use of CVP or State Water Project (SWP) facilities to convey the transferred water.” The locations, amounts, place of use, purpose and point of diversion are not identified either for the sellers or buyers of the water proposed to be diverted from the San Francisco Bay-Delta. Without this basic information the scope of the project is unknowable. Extensive planning at both the State and federal levels are underway to ensure Bay-Delta estuary ecosystem restoration and reliable water supplies. Any long term water sale transfer project would need to fit into this ongoing planning effort.

At the heart of any adequate CEQA analysis is an accurate description or baseline of the environment conditions such that the public and decision makers are sufficiently informed regarding the impacts of the project and necessary mitigation measures. Due to the complexity of groundwater withdrawals on surrounding wells and potential injury to other water users the project needs to accurately reflect the elevation, hydrology and conditions of existing groundwater basins from which the proposed substitutions or extractions are proposed. The record is replete with examples where groundwater storage projects have overestimated the amounts of groundwater that can be safely withdrawn without injury to domestic wells and other water users.<sup>6</sup>

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<sup>6</sup> See: Incorporated here by reference,

[http://www.aqualliance.net/sitebuildercontent/sitebuilderfiles/coalitionwatertransfersea\\_fonsi\\_011910final.pdf](http://www.aqualliance.net/sitebuildercontent/sitebuilderfiles/coalitionwatertransfersea_fonsi_011910final.pdf)

Subject: Comments on the Draft Environmental Assessment and Findings of No Significant Impact for the 2010-2011 Water Transfer Program

“The Bureau’s 2009 DWB EA elaborated on this point regarding Natomas Central Mutual Water Company (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.*”

Also see: [http://www.c-win.org/webfm\\_send/119](http://www.c-win.org/webfm_send/119)

Rosedale Rio-Bravo Storage District complaint

Without identified buyers it is difficult for the public to comment on the proposed scope of water transfers and the potential for increased pollution and discharges of selenium, contaminants and salt to the San Joaquin River and Bay-Delta estuary. Westlands Water District (Westlands) largely controls the SLDMWA through membership and acquisition of other member districts. Exporting water from the Sacramento watershed to irrigate toxic selenium lands on the Westside of the San Joaquin Valley will result in additional polluted runoff and groundwater supplies. These contaminants are discharged to the San Joaquin River and Bay-Delta estuary causing additional impacts to endangered species, water pollution and long term cumulative impacts to the estuary ecosystem in terms of public health concerns, mortality and reproductive failure in aquatic systems and wildlife.<sup>7</sup>

Thus any environmental analysis must provide an accurate baseline so that decision-makers can understand one of the most important causes and effects of such water sales: Potential long term damage to the groundwater resources in the Sacramento Valley and the production of additional pollutants and contaminants from irrigating toxic soils in the western San Joaquin Valley, where many of the prospective buyers are likely located, with the resultant discharge of

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Also see: <http://www.bakersfield.com/news/columnist/henry/x2120045792/LOIS-HENRY-More-wells-go-dry-in-Rosedale>

<sup>7</sup> The source of much of the saline discharge to the San Joaquin River is from lands on the west side of the San Joaquin Valley which are irrigated with water provided from the Delta by the CVP, primarily through the Delta-Mendota Canal and the San Luis Unit." (D-1641, p. 83 .)

See: EPA testimony <http://www.cal-span.org/cgi-bin/archive.php?owner=DSC&date=2011-02-24> Testimony of Erin Foresman: 'Primary sources of selenium contamination to the Delta are from oil refinery point sources and irrigation return flows from the Westside discharges into the San Joaquin River and Delta.'

and CVRWQCB January 2002 Technical Report, p. 11: Surface and subsurface agricultural drainage represent the largest sources of salt, selenium and boron loading to the Lower San Joaquin River (LSJR). The vast majority of this agriculturally derived salt and boron loading to the river originates from lands on the west side of the LSJR watershed. Soils on the west side of the San Joaquin Valley are derived from rocks of marine origin in the Coast Range that are high in salts, selenium and boron. Dry conditions make irrigation necessary for nearly all crops grown commercially in the watershed. Salt and boron are leached from these west side soils when irrigation water is applied. ...The discharge of subsurface drainage has resulted in elevated salt and boron concentrations in the Lower San Joaquin River and certain tributaries.... Groundwater accretions to the river are another significant source of salt and boron loading to the LSJR as ongoing irrigation practices have led to accumulation of salts and contaminants in the unconfined and semi-confined aquifer that underlies most of the west side of the San Joaquin Valley and lands on the east side of the San Joaquin Valley directly adjacent to the river.

these contaminants to the San Joaquin River and the San Francisco Bay-Delta estuary. The environmental costs, economic burden of this pollution on society, and the damage to groundwater supplies from this chain of prospective actions must be fully disclosed and analyzed.

**4. The alternative analysis needs to examine intra-basin transfers that would result in less environmental impacts—such as water transfers from irrigated toxic soils to other SLDMWA water users.**

Absent identified sellers and buyers, it is difficult to determine if this is a water transfer program designed specifically to deliver more water to Westlands or to other users with the SLDMWA. Millions of taxpayer dollars have been spent in loans and direct payments to assist in water efficiency measures, to support subsidized crops and to treat the resultant contaminated ground and surface drainage water in the SLDMWA districts of the authority. Flood irrigation is still used within some of the districts where water rates are low. Subsidized crops are also grown. Retiring at least 300,000 acres<sup>8</sup> of toxic lands could result in substantial water savings making more water available for transfer within the SLDMWA boundaries. Prior to advancing additional transfers of water from the Bay-Delta estuary with the resulting polluted return flows, project alternatives must consider in-basin transfers resulting from water conservation measures and land fallowing of toxic selenium soils on the west side of the San Joaquin Valley. This type of alternative would also provide significant energy savings that needs to be analyzed.

Thank you for the opportunity to comment. Please include the undersigned organizations on the mailing list for this or similar projects.

Regards,



Adam Lazar  
Staff Attorney  
Center for Biological Diversity  
alazar@biologicaldiversity.org



Steven L. Evans  
Conservation Director  
Friends of the River  
sevans@friendsoftheriver.org

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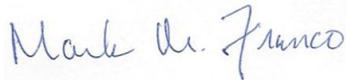
<sup>8</sup> The Bureau's Feasibility Report for the San Luis Drainage Feature Re-evaluation (SLDFRE), March 2008, makes a clear case that neither the technology nor the funding are available to meet the SLDMWA contractors' desired to handle the toxic drainage problem through a fully reimbursable program or funded by taxpayer subsidies. The National Economic Development (NED) Report Summary for the San Luis Drainage Feature Re-evaluation Record of Decision (SLDFRE ROD) concluded that any alternative with less than 300,000 acres of land retirement would be a net economic loss.



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Bruce Tokars, Co-Founder  
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btokars@pacbell.net

**Greene, Alicia M.**

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**From:** Veronese, Gina  
**Sent:** Tuesday, March 01, 2011 8:09 AM  
**To:** Greene, Alicia M.  
**Subject:** FW: Long Term Watedr Transfer

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**From:** Hubbard, Bradley C [mailto:BHubbard@usbr.gov]  
**Sent:** Monday, February 28, 2011 5:01 PM  
**To:** Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly  
**Subject:** FW: Long Term Watedr Transfer

[Comment for record.](#)

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**From:** ruthann530@comcast.net [mailto:ruthann530@comcast.net]  
**Sent:** Monday, February 28, 2011 5:00 PM  
**To:** Hubbard, Bradley C  
**Subject:** Long Term Watedr Transfer

Dear Sir:

I'm sending this email to you because I attended the meeting in Chico, CA and was impressed with how many people attended and how much they care about our water problems in Northern California. I will confess that I don't know much about the problems that were discussed that night, but I do know that every time I pass Lime Saddle Marina on Lake Oroville and look at the dirt where there used to be water, it brings to mind that we just might have a problem with water.

I have since done some research on this subject and I realize that I have only scratched the surface. One of the statistics that floored me was that thousands of acres that used to be productive crop land need to be cleaned. That sounds like the wasteland in the southern part of our state. How can this happen if we had used good agricultural planning? Obviously we didn't. Another statistic that got to me was that the six hundred thousand acre feet of water that would have been transferred could have provided water to Chico for eighteen years! Amazing. So many of the farmers who were present at the meeting in Chico were concerned about the water table levels and the affect that these levels would have on wells and aquifers. And if the water levels were to be damaged and the wells to go dry, who would pay for new wells? Going beyond that, why should we have to deal with dry wells at all? Another statistic was the best estimate that one third of California's current water use can be saved with existing technologies.

As I stated earlier, I have much to learn and also so many more questions to ask, but I found that I have to have some correspondence in to you by 5:00pm today, I hope to hear more about this subject and will definitely be watching and attending future meetings.

Thank you.

RuthAnn Christensen  
6680 Shay Lane  
Paradise, CA 95969  
(530)872-7381



# 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@slmwa.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: VICTORIA K. COOTS

Organization (If applicable): CITIZEN/TEA PARTY PARTISANS

Address: 1555 3RD AVE

Phone: 800 533-4348

E-mail: angand.mon@comcast.net

Date: 1/12/2011

Classification	ENV 6.00
Project	219
Control No.	11003249
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BUREAU OF RECLAMATION OFFICIAL FILE COPY		
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Comment: I AM CONCERNED NOT ONLY WITH THE IDEA TO CONFISCATE WATER FROM NORTHERN CALIFORNIA TO SUPPORT SOUTHERN CALIFORNIA WATER NEEDS, ALONG WITH THE IMPACT ON THE PEOPLE AND ENVIRONMENT HERE, BUT ALSO THE DESTRUCTION TO OUR CENTRAL VALLEY FARMER'S BY THE WITHHOLDING OF THEIR WATER SUPPLY. THESE FOLKS (CVF) SUPPLY 50% OF THE NATION'S PRODUCE AND THIS WAS ALL DESTROYED OVER A TWO WEEK DELTA SHUT NOT EVEN INDIGENOUS TO THE AREA. PEOPLE ARE MORE IMPORTANT THAN FISH, ANIMALS, AND PLANTS. WE NEED TO PROTECT OUR ENVIRONMENT BASED ON FACTS, NOT UN-SUPPORTED CONCERNS TURNED INTO AN UN-WARRANTED CRISIS.



# 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](mailto:bhubbard@usbr.gov) or [frances.mizuno@slmwa.org](mailto:frances.mizuno@slmwa.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: Victoria Coats

Organization (if applicable): CITIZEN/TEA PARTY PATRIOT

Address: 1555 3RD AVENUE

Phone: 505 533-4348 Fax: ( ) \_\_\_\_\_

E-mail: amgandmon@comcast.net

Date: 1/42/2011

Comment: I HAVE ADDRESSED MY CONCERNS, NOW, I WILL OFFER SOLUTIONS. DESALINATION IS A FABULOUS IDEA TO ADDRESS OUR WATER ISSUES. ALSO, WE COULD BUILD MORE DAMS/RESERVOIRS AND OTHER WATER STORAGE FOR TIMES OF DROUGHT. AN OUNCE OF PREVENTION IS WORTH A POUND OF CURE. QUIT LISTENING TO THE HYPER OF THOSE WITH AGENDAS. ACT ON SOLID PROVED EVIDENCE. DON'T TRY TO FIX THINGS THAT AREN'T BROKEN, AND FIX THOSE THAT ARE BROKEN. LET THE WATER THAT IS ALREADY THERE FLOW BACK TO OUR CENTRAL VALLEY FARMERS.

**Greene, Alicia M.**

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**From:** Veronese, Gina  
**Sent:** Monday, January 24, 2011 10:25 AM  
**To:** Greene, Alicia M.  
**Subject:** FW: BUTTE COUNTY'S WATER RIGHTS

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**From:** Hubbard, Bradley C [mailto:BHubbard@usbr.gov]  
**Sent:** Monday, January 24, 2011 10:24 AM  
**To:** Buckman, Carolyn; Veronese, Gina  
**Subject:** FW: BUTTE COUNTY'S WATER RIGHTS

Another comment below. Thanks, Brad

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**From:** Corkin, Brad [mailto:BCC6@pge.com]  
**Sent:** Monday, January 24, 2011 10:12 AM  
**To:** Hubbard, Bradley C; frances.mizuno@sldmwa.org; Hatleberg, Shelly  
**Subject:** BUTTE COUNTY'S WATER RIGHTS

**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 northstate from 2012 to 2022. I'm a resident of Butte country 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 northstate AS EXISTING TRANSFERS HAVE ALREADY PROVEN TO BE HIGHLY DETRIMENTAL! The environmental as well as the economical impact could be enormous. Farmers, consumers, and residents, could easily have their wells dry up WHICH ALSO HAS ALREADY HAPPENED and a water shortage.**

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

Sincerely,

*Brad Corkin*

[bcc6@pge.com](mailto:bcc6@pge.com)



February 28, 2011

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

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

Dear Mr. Hubbard:

The Department of Fish and Game (DFG) has reviewed the Bureau of Reclamation (Bureau) Notice of Intent for the Long-Term North to South Water Transfer Program (Program) as published in the Federal Register on December 28, 2010, and submits the following comments on the scope of the proposed actions.

#### Project Overview

DFG understands the Environmental Impact Statement/Environmental Impact Report (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 from water agencies in northern California to water agencies south of the Sacramento–San Joaquin Delta (Delta), and in the San Francisco Bay Area. 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. Buyers and sellers would be responsible for negotiating the terms of the transfers, including amount of water for transfer, method to make water available, and price.

Water transfers under the Proposed Action involving conveyance through the Delta would be implemented within the operational parameters of the Biological Opinions on the Continued Long-term Operations of the CVP/SWP (commonly referred to as the 2009 OCAP BO) and any other regulatory restrictions in place at the time of implementation of the water transfers. Current operational parameters applicable to the transfer of 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 the July through September period only.

## Comments

The scope of the Program is currently limited to a one-page description in the December 28, 2010 Federal Register. DFG recommends the Bureau work closely with the DFG which is a California Environmental Quality Act (CEQA) responsible agency and trustee agency for fish and wildlife resources to develop conservation measures that may be required once the project description has been developed. We also recommend you coordinate with DFG to ensure the Program complies with California Endangered Species Act requirements. Past coordination efforts with fisheries agencies were accomplished through the Agency Working Group. We advise this group be reinitiated.

In addition, DFG has the following recommendations:

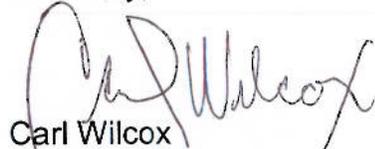
- Work closely with the Department of Water Resources (DWR) which is the state CEQA lead for the Bay Delta Conservation Plan EIR/S. It is essential that you work with a common set of modeling assumptions for both programs before you conduct CALSIM model runs for the water transfer program. In particular it is important that you use the same assumptions for the environmental baseline.
- Incorporate DWR's criteria for 2011 water transfers described in the DWR/Bureau January 2011 "Draft Technical Information for Water Transfers in 2011", and the Bureau February 2010 "2010-2011 Water Transfer Program Final Environmental Assessment" including the 1993 interim implementing guidelines for the water transfer provisions of the Central Valley Project Improvement Act. These criteria should provide a good starting point to develop criteria for sellers and protective measures for fish and wildlife.
- Conduct a cumulative impacts analysis including non-CVP water transfers, other potential water transfers, and other existing water transfer programs (including the Lower Yuba River Accord, Deer Creek Flow Enhancement Program, Tehama County flow exchange project with Deer Creek Irrigation District, and water exchanges in the lower Mill Creek watershed, Tehama County) which could in the cumulative condition alter timing and quantity of reservoir releases, river flow, water quality, and reduce groundwater recharge and lower groundwater levels due to increases in groundwater transfers. The cumulative impacts analysis should include growth inducing impacts and third party impacts. Address how transfers will be coordinated between the Bureau and those proposed through the State Water Resources Control Board Section 1725 process.
- Identify, analyze and address coordination of Bureau environmental review and approval of individual proposals through various Bureau Area Offices, including coordination of monitoring and mitigation requirements.

- Agricultural lands and idled croplands can provide valuable foraging and nesting habitat for migratory and resident species. Analyze, identify and evaluate alternatives to current monitoring program requirements for cropland idling/shifting which require idled cropland with “excessive vegetation” to be disked or abated within two weeks of identification (see the January 2011 “Draft Technical Information for Water Transfers in 2011”).
- Identify how the draft EIS/EIR fits in context with the Draft Environmental Assessment on Accelerated Water Transfers and Exchanges between South of Delta Contractors for Contract Years 2011-2015 (EA-10-51), which has an overlap of dates (years) identified for both Projects (i.e. 2011 to 2015, and 2012 to 2022).
- Identify potential impacts to existing environmental program requirements (for example, Section b(2) of the Central Valley Project Improvement Act, 2009 OCAP BO Reasonable and Prudent Alternatives, winter-run Chinook flow requirements, municipal water needs). Dedicated water quantity and flow timing requirements described within these documents should be identified up front and be part of the baseline condition (i.e. should be removed from consideration and/or considered when determining water delivery timing and/or quantities). This should also be done in the context of assessing future dedicated water needs (to 2022), including the context of potential climate change impacts.
- Ensure and confirm that any proposed groundwater pumping will be compatible with state and local regulations and groundwater management plans.
- Fully identify impacts to both state and federally listed species, and species of special concern. Potential water transfers from one stream need to be evaluated not only in terms of the listed species population located on that particular stream, but also in the context of a species (or evolutionary significant unit) entire distribution/range.
- Interrelated and/or interdependent projects and/or programs should be fully researched and disclosed, given the long-term time frame of this project (to 2022). This includes the Shasta Lake Water Resources Investigation, the North of Delta Offstream Storage/Sites Reservoir Project, and the Central Valley Flood Protection Plan, all of which are currently being evaluated in the EIS/EIR level.

Mr. Brad Hubbard  
February 28, 2011  
Page 4

Thank you for the opportunity to provide project scoping comments at this time. DFG looks forward to working with the Bureau to ensure that public trust resources are adequately protected as the Program is implemented. You may contact me at (916) 445-1232, or email [cwilcox@dfg.ca.gov](mailto:cwilcox@dfg.ca.gov), or Senior Environmental Scientist Paul Forsberg at (916) 323-7215, or email [pforsber@dfg.ca.gov](mailto:pforsber@dfg.ca.gov).

Sincerely,



Carl Wilcox  
Chief, Water Branch  
Department of Fish and Game

ec: Mr. Dale Garrison  
U.S. Fish and Wildlife Service  
2800 Cottage Way  
Sacramento, CA 95825  
[dale\\_garrison@fws.gov](mailto:dale_garrison@fws.gov)

Mr. Mike Welsh  
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Mr. David Widell  
Grasslands Water District  
22759 S. Mercey Springs Road  
Los Banos, CA 93635  
[dwidell@grasslandwetlands.org](mailto:dwidell@grasslandwetlands.org)

Mr. Tim Rust  
U.S. Bureau of Reclamation  
2800 Cottage Way, MP-410  
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[trust@mp.usbr.gov](mailto:trust@mp.usbr.gov)

Ms. Sonya Nechanicky  
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2800 Cottage Way, MP-410  
Sacramento, CA 95825  
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Department of Fish and Game, Region 1  
Mr. Neil Manji, Regional Manager  
601 Locust Street  
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Department of Fish and Game  
Ms. Sandra Morey, Deputy Director  
1416 9<sup>th</sup> Street, Suite 1208  
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Department of Fish and Game  
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830 S Street  
Sacramento, CA 95811  
[slehr@dfg.ca.gov](mailto:slehr@dfg.ca.gov)

## Greene, Alicia M.

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**From:** Veronese, Gina  
**Sent:** Monday, February 28, 2011 10:45 AM  
**To:** Greene, Alicia M.  
**Subject:** FW: Comments on Long-Term Water Transfers EIS/EIR

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**From:** Hubbard, Bradley C [mailto:BHubbard@usbr.gov]  
**Sent:** Monday, February 28, 2011 9:25 AM  
**To:** Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly  
**Subject:** FW: Comments on Long-Term Water Transfers EIS/EIR

[Comment for record.](#)

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**From:** Marty Dunlap [mailto:dunlaplegal@yahoo.com]  
**Sent:** Monday, February 28, 2011 9:04 AM  
**To:** Hubbard, Bradley C  
**Subject:** Comments on Long-Term Water Transfers EIS/EIR

To Mr. Brad Hubbard,

I attended the public scoping meeting in Chico on January 11, 2011. I did make verbal comments at that meeting and would like to expand on those at this time.

Since you probably have received numerous comments on the deliterious effects of such a "project," I will direct my comments toward the preferred approach to conducting a EIR/EIS that could be satisfactory to the public interest.

There have been numerous projects designed for water transfers from the north to the south. None of these have conducted an EIR/EIS for environmental impact. For many years, the public interest has been focused on maintaining a healthy and balanced ecosystem in the northern part of the state regarding water transfers and groundwater substitution projects. Having a bonafide scientific investigation conducted into the impacts such projects and compilation of concrete data would provide the public and NGOs an opportunity to realistically evaluate the environmental impacts from such projects.

There are a few considerations that need to be included in providing data that would considered as bonafide by the public. The first is that from the outset of the project, there need to be knowledgeable representatives from the public sector who participate in the design of the EIR/EIS research model. The needs to be technical, scientific contributors working on the EIR/EIS studies who clearly are not under the "purse strings" of the water purveyors. These would include geologists, hydrologists, biologists and environmental scientists who can provide an unbiased perspective to the research design and evaluation of the data.

The "best available science" should be the mantra of such an undertaking in generating this EIR/EIS. This is a process that meets the criteria of: 1) relevance, 2) inclusiveness, 3) objectivity, 4) transparency and openness, 5) timeliness, and 6) peer review. Reasonable care must be undertaken to identify all the available and relevant scientific information for the impact of long-term water transfers.

This scientific data on the condition of the water basins in northern California is needed and those who seek to profit from the water are the entities that need to pursue compilation of this data. Some of the scientific research questions to be answered are: What are the characteristics of the impacted water basins and their

related aquifers? What is a 'safe yield" of this underground water system? How and where do the aquifers recharge themselves? What is the length of time require to replenish the aquifers when X number of acre feet are pumped out? How will overdraft be determined? What is the criteria for identifying when this aquifer is in overdraft?

Any EIR/EIS that is designed for a long-term water transfer project needs to include the maximum amount of water being considered for the project. Finally, the cumulative impacts of this project and others that are currently underway, or are being considered by other water purveyors, need to be incorporated into the research design to create a realistic understanding of the environmental impacts to the region.

Please remember that although the public may seem to be an annoying and disruptive entity to "deal with," when pursuing a new approach, the public serves an important role in balancing the progressive aims of development with ensuring long-term health and viability to the ecosystem.

Thank you,

Marty Dunlap  
Attorney at Law  
Chico, CA  
(530) 520-8642  
fax (530) 345-4433

January 30, 2011

# US Bureau of Reclamation

To whom it may concern:  
Butte County Supervisors:

BUREAU OF RECLAMATION OFFICIAL FILE COPY REMOVED	
FEB 11 2011	
410	SURNAME & DATE

My name is Robert C. Eberhardt. I am a local x-ray technologist and almond farmer. I live in the Dayton four corners area. I have several concerns which I would like addressed prior to any decisions made regarding transfers of water south.

1. My biggest concern is the fact that there has not been an adequate long term environmental impact report on recharge rate, contamination, and long term depletion of our aquifer.

2. If you know anything about hydraulics you would know you can-not compress water. The water in the aquifer holds the valley floor up and over pumping the aquifer would eventually cause the valley to sink, along with the levees. Who is going to build up the levees, (say 10 years from now, if that happens?)

3. Water companies in the past have suggested infusing the aquifer with surface water in exchange for allowing them to pump the aquifer in dry years. The problem with this is, by doing so, you risk contaminating the water in the aquifer. The water company that infused it can lay-claim to it. (All of it!) Not only will the farmers have to pay pg&e to pump the water, they would also have to pay the water company who infused it. (Say good-bye to our god given water rights under our farms!)

4. Wells dug deeper than the existing surrounding wells could cause a collapse of the system, resulting in dry wells. Deeper wells would take the water from the farmer who utilizes the water nearer the surface.

On site farmers basically just recycles their water. What doesn't evaporate goes back into the aquifer through percolation. If you put that same amount of water in a ditch and ship it south, none of it goes back to recharge the aquifer. The math is different.

5. We need accountability of how much water is currently being sent south and by whom. We also need to have the names of all standing in line. We need names of individuals, ranches or corporations involved in selling our water and meters put on all wells pumping for export. There are meters on the other end, its only fair that meters are on our side too.

It was said that in 1994 water exports was believed to cause wells in the Durham area to go dry. When confronted with the news, the water exporters said (prove to us we are to blame).

6. No long term contracts. If anyone in the point of origin area develops problems with

Classification	RS 2300
Project	214
Control No	17011024
Date Input & Initials	114.8013 2-11-2011

water levels or excessive water drops we need to pull the plug immediately on all water exports until the problem is solved. (local farmers need assurances in writing.)

7. The water under our feet belongs to everyone in the origin in which it is located. No one person, farm, company or corporation should be allowed to lay claim to it. As it seems to stand now anyone who owns property next to a ditch ,river , canal or creek simply takes it, pumps it and sells to the highest bidder.(or so they would like) We need to pass a county ordinance requiring any water sold off site goes directly to county coffers and nothing is sold below what the homeowners in the south state are paying for water.

I am against transferring water south. It is bad for the local farmer, it is bad for the local economy. I would prefer to keep it here for our children and our children's children.

Buying water in small plastic bottles in grocery stores will cost you about 10 dollars a gallon, so why are we in such a hurry to give it away. Water is the foundation of all living things and the big water companies and their attorneys are working 24/7 under the cover of silence, quietly trying to pass laws and long term contracts to further quench their greedy thirst.

I don't mind sharing things with people in need so long as it doesn't jeopardize my livelihood and the our entire way of life we so enjoy in the north state If water must be sold let butte county profit and balance their books. Not line the pockets of (out of town) big water and their cronies.

Robert C Eberhardt

Chico

## Greene, Alicia M.

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**From:** Veronese, Gina  
**Sent:** Monday, February 14, 2011 9:28 AM  
**To:** Greene, Alicia M.  
**Subject:** FW: Comments on water transfer from northern CA to Delta and SFBA

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**From:** Hubbard, Bradley C [mailto:BHubbard@usbr.gov]  
**Sent:** Monday, February 14, 2011 8:19 AM  
**To:** Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly  
**Subject:** FW: Comments on water transfer from northern CA to Delta and SFBA

[Comments for record.](#)

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**From:** Gail Goodyear [mailto:ggoodyear@hotmail.com]  
**Sent:** Friday, February 11, 2011 4:23 PM  
**To:** Hubbard, Bradley C  
**Subject:** Comments on water transfer from northern CA to Delta and SFBA

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

Dear Brad,

I request notification of all future meetings and opportunities to comment on any proposed project that will transfer water from water agencies in northern California to water agencies south of the Sacramento-San Joaquin Delta (Delta) and in the San Francisco Bay Area.

These are my preliminary comments regarding the proposal by The Department of the Interior, Bureau of Reclamation (Reclamation) and the San Luis & Delta-Mendota Water Authority propose to prepare a joint EIS/EIR 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 announcement of the proposed EIS/EIR assumes it is legal in California (1) to sell water as a commodity, (2) to sell water from the Central Valley Project (CVP), (3) to declare that an annual allotment is excessive and can be made available for sale, (4) to avoid returning water declared excess to the county of origin, but rather sell it to another entity, (5) to engage in water transfer between agencies and (6) that water from Trinity County may be used in ways other than originally presented when Trinity Dam was constructed.

1. Limiting preparation of this EIS/EIR to the two agencies mentioned above is unacceptable. Landowners living in the counties from which the water originates must be represented. The Trinity Public Utilities District, the Trinity County Board of Supervisors, as well as private landowners shall have direct involvement in preparation of this document.

2. In proposing such an EIS/EIR, water is treated as a commodity. Ownership of water for sale must include those with land over which the water would flow if no man-made effort to move the water was made. The EIS/EIR needs to include payment to landowners in counties of origin.

3. Use of natural resources from one area in another geographic area must result in compensation for those resources to the area of origin. If water agencies in northern California believe they have excess water to sell, the sale of that water will benefit those in the counties from which the water originated. The water agency may only retain overhead costs.
4. No water transfer from a northern California water agency may occur if surface water available to landowners whose land adjoins the Trinity River and the South Fork of the Trinity are limited in any way.
5. No water transfer from a northern California water agency may occur until enough water flows in the Trinity River to wash all gravel, infused mechanically by the Trinity River Restoration Program, from the deep river holes.
6. No water transfer from a northern California water agency may occur unless all landowners owning river front property along the Trinity and the South Fork of the Trinity are allowed to pump water from the Trinity River. No local, State or Federal agency may restrict pumping of water because there is not enough water (for fisheries or any other reason).
7. No water transferred from a northern California water agency may be used to for nonessential uses such watering landscapes, swimming pools or recreation. Also, any household which wishes to use northern California water away from its origin or natural flow must employ all available water conservation methods and limit water use to a strict per person/per day allotment.
8. Water (in liquid, solid, or vapor form) is difficult to quantify. The tools used to declare there is excess need to be reviewed in the EIS/EIR.
9. Transfer of water through the CVP and away from the county of origin has a detrimental effect on the amount of surface and ground water available for the Trinity River, for its fisheries, vegetation and wildlife, special status species, as well its geology and soils. Some of these data of these might be available from the Trinity River Restoration Program; however, it is unlikely they have all the data needed to prepare the proposed EIR/EIS. Please do not submit the proposed EIR/EIS for certification until these impacts have been fully analyzed.
10. Transfer of water away from its origin and natural flow changes the climate, water quality, and creates economic benefit for people not in the area of water origin and natural flow. Decreasing the environmental quality and socioeconomic benefits to the area where the water originates and naturally flows, to create benefit in another area of California is not acceptable.
11. Transporting water through the CVP and away from the Trinity River was decided prior to EIS/EIR and valuation of environmental justice. Now is the time conduct the examination fully. The EIS/EIR need not be certified if long-term water transfer continues to degrade the county of water origin in any way.
12. The County of Trinity needs legal and academic representation in California water discussions, and for the proposed long-term water transfer program. Environmental Justice will be achieved, in part, when this County is able to expend the same amount of money on water issues, as do other counties in the State of California.

Sincerely,  
Gail Goodyear

*Gail Goodyear*

P.O. Box 1120  
Weaverville, CA 96093

## Greene, Alicia M.

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**From:** Veronese, Gina  
**Sent:** Monday, February 28, 2011 8:21 AM  
**To:** Greene, Alicia M.  
**Subject:** FW: Comments on: Proposed North to South water transfers

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

From: Hubbard, Bradley C [mailto:BHubbard@usbr.gov]  
Sent: Sunday, February 27, 2011 5:57 PM  
To: Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly  
Subject: Fw: Comments on: Proposed North to South water transfers

Comment for record.

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

From: Steven Hammond <schammond@earthlink.net>  
To: Hubbard, Bradley C  
Sent: Sun Feb 27 10:48:33 2011  
Subject: Comments on: Proposed North to South water transfers

Following are my comments about the proposed North to South water transfers.

I am a homeowner and long-time resident of Chico, CA, in Butte County. I am extremely concerned and against the proposed water transfers that would result in tapping the aquifer in this area, with the potential to have devastating effects all over this region.

A previous water transfer in 1994 moved ONE-SIXTH the annual amount proposed - and both deep and shallow agricultural wells in this area ran dry. Farmers and families affected were essentially told that they had no proof that the tapping the aquifer for water transfer was the cause - even though common sense reveals the obvious answer. This is only one example that illustrates why the current proposal is terribly flawed.

\* No comprehensive environmental impact review has been done - which violates the National Environmental Protection Act.

In order to even consider any North-South transfers like those in the current proposal, a longitudinal study over multiple years needs to be completed, in order to provide scientific data and analysis of groundwater quantity, recharge rates, natural recharge locations and amounts, conditions, comprehensive monitoring, and disclosure of impacts.

\* Another key problem with the proposal is that alternatives for those desiring this water have not been adequately utilized. The idea that the taking of this water out of our area would be to fulfill a "need," and therefore justified, is merely a perception that needs careful examination.

Alternatives should include more serious conservation efforts, for example fallowing of contaminated farmlands in the Central/South Valley, and all forms of water rationing and efficient usage. Also, "outside the box" thinking about water provision through new technologies (such as de-salinization, etc.), should be taken seriously.

\* My concerns as a local citizen include items that would have a direct impact on my life:

Fluctuating groundwater in Chico and Butte County could seriously impact domestic wells via heavy metals and non-aqueous fluids contamination - there are numerous hazardous waste plumes

in Butte County that would very likely migrate more rapidly and move the pollutants into different strata.

Chico is a city known for its lovely canopy of mature trees. It is not at all outside the realm of possibility that if groundwater levels were to drop catastrophically, that there could be a massive "die-off" of these beautiful old trees which are in many ways at the heart of this community. Those who talk of mitigation need to be reminded that there is no way to "mitigate" such an outcome.

At the Public Scoping Meeting I attended in Chico January 11, 2011, there were at least 150 local people in attendance - many of whom spoke passionately against these proposed transfers which would result in sucking large amounts of water out of our local aquifer. I urge you to the right thing - either withdraw the proposal entirely, or plan for the kind of careful longitudinal environmental review which will surely reveal that the potential negative impacts in this area are too great to continue with this idea. Any plan that could ruin this region's water supply is just plain wrong!

Steven Hammond  
Chico, California

Brad Hubbard,  
Bureau of Reclamation,  
2800 Cottage Way, MP-410  
Sacramento CA 95825,  
bhubbard@usbr.gov  
fax 916-978-5290

Dear Brad Hubbard,

The following is my scoping comments for the Long-Term North to South Water Transfers. There are many concerns about transferring such large amounts of water. The conditions of the area of origin for any "transferred" water should be taken into account. Examples include; General Plans are being developed anticipating growth in the northern areas that are cited in the scoping presentation as potential areas that the transfers could originate from. How will transfers affect this anticipated growth in these areas and the health of the aquifer and surface water system? Sound scientific data and analysis of the Sacramento Valley aquifer quantity, and recharge areas should be examined. This should be cross-referenced with areas plans for future growth and development. Will General Plan build outs over the next 20 years be affecting those recharge areas? What are the current cone of depressions in the aquifer under northern areas dependant on ground water? Natural recharge areas and amounts need to be identified, monitored, and made available to the public.

With the environmental review, when impacts are identified they should be accompanied with mitigation and monitoring plans, that can also be commented on by the public during the comment period. There should be a clear project definition as well as an explanation for what the project is needed and will be used for. The willing buyers should be completely honest with what exactly the water will be used for. When and if any water transfers do occur, they should only be for the uses of drinking water, sustainable agriculture, and restoration of water ways in these dry, arid regions. I've recently read that water from the California State Water project is being used for oil production in West Kern's Water District's water and that as much as 83% of it is being used for oil production. There is no reason that the state should ruin the northern water systems for short term gain by a select few.

The long term impacts on public health and safety must be analyzed as well as the effects on the places of origin. For the record, during the drought in the summer of 2009, the Mua family, who farms here at the GRUB Cooperatives well went dry. There is a 30-35 foot well that is fed by an underground spring. We had to hook them up to the other well on the land to ensure that their crops did not die and that they could make a living that summer. (Hacking, Heather. "Well-wishers". Enterprise Record [Chico, CA] 08,09,2009 (A1, A6.) This March the GRUB Cooperative will be installing a private well monitoring system to learn more and to be actively engaged. There are 3 full-time farmers who operate a 80 member C.S.A. program at GRUB and the Cooperative also strives to have relationships with local farmers and food producers and to be an educational resource for the community. Chico residents are completely dependent on groundwater for our drinking water, agricultural, and urban operations.

It is extremely important that independent well monitoring systems be included in the monitoring of the health of northern water systems. We are extremely concerned for our communities health and economic well being.

Please let me know if you have questions, or correspondence and answers to my questions.

Thank you.

Desiree' Hatton  
Assitant Advocacy Director  
Butte Environmental Council  
GRUB Cooperative

February 26, 2011

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

Dear Mr. Hubbard:

We are writing in regards to your request for comments on the scope of the Long-Term Water Transfer Program.

We are graduate students in the Professional Science Master's Program for Environmental Science at California State University, Chico.

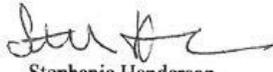
We are concerned that the Long-Term Water Transfer Program will significantly attenuate the ecological health of watersheds in the North Sacramento Valley. Specifically, we are concerned that the continued and prolonged groundwater substitution practices will overdraft the Tuscan Aquifer. There is great uncertainty as to the amount and rate at which water can be extracted from the aquifer without negatively impacting its functionality and persistence—which are crucial factors in maintaining watershed health. We urge the Bureau of Reclamation (Reclamation) and San Luis & Delta-Mendota Water Authority (SLDMWA) to include in the Environmental Impact Report (EIR) scientific data assessing the groundwater quantity, recharge rates, natural recharge locations and amounts, and hydrologic conditions of the Sacramento Valley. We are especially interested in data that demonstrates the Tuscan Aquifer is not presently overdrawn and not threatened to be overdrawn given the current and projected population's water needs. Unbiased environmental monitoring results will provide the information necessary to make educated and constructive decisions regarding the risks and benefits of long-term water transfers.

We are also concerned that the changing climate may rapidly alter water needs as well as hydrological processes across the state. We strongly encourage a significant portion of the EIR to consider the potential and various impacts climate change may have on the North State watershed's hydrologic processes, including groundwater recharge rates and recharge locations. The Long-Term Water Transfer Program Plan must contain a sustained monitoring strategy to assess changes in real-time and contingency plans supported by scientific data for various scenarios that may arise throughout the project's lifespan.

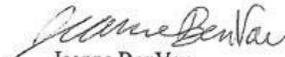
Lastly, we urge Reclamation and SLDMWA to thoroughly explain and evaluate the need for the project in the EIR. We seek a comprehensive and broad range of alternatives. Our understanding of California's watersheds, ecological health, and public water needs led to our conclusion that any long-term water transfer program is unnecessary. The proposed water transfer program is inherently harmful to watersheds in the North State. We would like to see Reclamation and SLDMWA go forward with water conservation plans, such as water reuse and water capture, before considering extreme large-scale water transfers.

Thank you for your time and consideration.

Sincerely,



Stephanie Henderson  
Yuba City, CA



Jeanne BenVau  
San Diego, CA



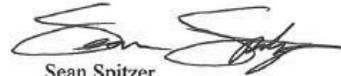
Christopher Radford  
Chico, CA



Teresa Bhardwaj  
Chico, CA



Kelly Miller  
Stockton, CA



Sean Spitzer  
Sacramento, CA

## Greene, Alicia M.

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**From:** Buckman, Carolyn  
**Sent:** Wednesday, March 02, 2011 1:15 PM  
**To:** Greene, Alicia M.  
**Subject:** FW: North-to-South Long Term Water Transfers

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**From:** Hubbard, Bradley C [mailto:BHubbard@usbr.gov]  
**Sent:** Monday, January 03, 2011 9:51 AM  
**To:** Buckman, Carolyn; Veronese, Gina  
**Cc:** Hatleberg, Shelly  
**Subject:** FW: North-to-South Long Term Water Transfers

[More scoping comments...](#)

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**From:** Robin Huffman [mailto:rafh@comcast.net]  
**Sent:** Thursday, December 30, 2010 11:08 AM  
**To:** Hubbard, Bradley C  
**Cc:** Paul Gosselin; Vickie Newlin  
**Subject:** North-to-South Long Term Water Transfers

Please accept this entire e-mail as a re-submission for the record. I've made a few corrections below from the note I sent a few minutes ago.

How will the transfer program protect the North Valley from desertification and from other impacts from "willing sellers" transferring too much water? The incentive to profit from water sales is a disincentive to protect the environment and the relatively shallow wells that so many North Valley residents depend on for their water.

Another consideration is the serious over-allocation of water rights (i.e., the paper water that doesn't necessarily exist). How does the transfer program address this issue?

I would appreciate receiving a reply at your earliest convenience. BEC appreciates that the Bureau has done an EIS/EIR and surely wishes for everyone to have sufficient water via this proposed program. A viable program is certainly needed over what we have now, and while BEC is taking a strong line, we want the most sustainable balance possible – economically, environmentally, energy and social equity wise – for California's water resources.

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**To:** 'bhubbard@usbr.gov'  
**Subject:** North-to-South Long Term Water Transfers

Mr. Hubbard,

This is a short note for inclusion in the record with the environmental document, the EIS/EIR on the proposed water transfers from the North Valley of California from 2012 through 2022.

Butte Environmental Council is very concerned about the proposed long-term North-to-South Water Transfers, particularly the allowance for groundwater substitution in the plan.

Using deep wells, such as private irrigation districts have, for North-South transfers is very disturbing. The connections of the upper and lower aquifers are not well known, and yet intuitively all know that they are connected. Transferring too

much water will create two deserts. Rather than alleviating the Southern California desert, the transfers will negatively affect the ecosystems in Northern California.

The alternative is for Southern California to change the way they do agriculture and the way they manage their current water supply. Northern California is also growing, and there is not enough water to share more with Southern California. The only reason our aquifers in the North Valley are not already depleted is because of the use of surface water, traditionally from the Sacramento River (now dammed) and the Feather Rivers (now dammed).

Taking more water from Northern California will not solve Southern California's problems; instead, it will desertify the Sacramento Valley and further aggravate the biology of rivers and streams that feed the rivers. Find other solutions, such as Southern California living within the watershed of the San Joaquin Valley. This is the only solution given the rising populations everywhere and the fact that we need to be self-sufficient with our food supply as we head into the near future.

The long term North-South water transfer program is a very bad idea for everyone in California. Allowing groundwater substitution in the program is especially egregious and should be eliminated.

What protections are built into the water transfer plan to protect North State farmers, the agricultural industry, residents, and the environment from "willing sellers" transferring too much water?

Robin Huffman  
Advocacy Director  
Butte Environmental Council  
(530) 891-6424  
[rhuffman@becprotects.org](mailto:rhuffman@becprotects.org)



# 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](mailto:bhubbard@usbr.gov) or [frances.mizuno@sldmwa.org](mailto: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: Sarah Jensen

Organization (If applicable): \_\_\_\_\_

Address: 10 Tilden Lane Chico CA 95928

Phone: ( ) 530-345-9516

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Date: 1-14-11

Classification	ENV 6.00
Project	214
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Folder I.D.	1148370
Date Input & Initials	1-24-2011 B

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Comment: First, I need to comment on the necessity of such thick, glossy meeting materials. Who paid for these? It shows that wastefulness of resources, rather than conservation, is prevalent in organizations trying to make up for their own excesses by grabbing the resources of others.

Second, I am firmly against the transfer of water to a desert of others' making. There is no reason for planting permanent crops, ie almonds, in a region that does not have the resources, ie water, to support them. The waste entailed in transferring water from the north to support the idiocies of these decisions would be immoral to say the least. I feel sorry for those who were misled by greed or others' to make such unsound decisions, but we in the north should not have to get them out of their situation. I will never support this type of transfer!

**Greene, Alicia M.**

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**From:** Veronese, Gina  
**Sent:** Thursday, February 24, 2011 6:01 PM  
**To:** Greene, Alicia M.  
**Subject:** FW: Water Transfers from Northern Calif. to Southern Calif.

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**From:** Hubbard, Bradley C [mailto:BHubbard@usbr.gov]  
**Sent:** Thursday, February 24, 2011 4:17 PM  
**To:** Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly  
**Subject:** FW: Water Transfers from Northern Calif. to Southern Calif.

[Comment for record.](#)

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**From:** Karen Laslo [mailto:Laz@chiconet.com]  
**Sent:** Wednesday, February 23, 2011 11:46 AM  
**To:** Hubbard, Bradley C  
**Subject:** Water Transfers from Northern Calif. to Southern Calif.

February 23, 2011

To: Mr. Brad Hubbard

Bureau of Reclamation

2800 Cottage Way, MP-410

Sacramento, CA 95825

From: Karen Laslo

468 E. Sacramento Ave.

Chico, CA 95926

[laz@chiconet.com](mailto:laz@chiconet.com)

530-896-1168

Dear Mr. Hubbard,

I am writing to you because I wish to comment on the proposed water transfers from northern California, and specifically the Sacramento Valley where I live, to southern California.

As I understand it, the amount of water proposed for transferring is 600,00 acre-feet of water, per year, for ten years. That is *a lot* of water and, therefore, much thought and consideration about how water transfers will affect our region

should go into a plan before any water sales are allowed to occur. I assume you will *have* a detailed mitigation and monitoring plan, along with an environmental review. I would like to see this plan made available to the public so that we may comment on it. We who will be affected by water transfers have the right to know *who* is willing to sell their water, for how much money and to whom it was sold.

In advance of any water sales, I ask the Bureau of Reclamation to provide us with real scientific statistics and analysis of the Sacramento Valley's groundwater quantity, recharge rates, locations of natural recharge, the amounts of recharge, how the monitoring will be done and monitoring results.

I am greatly concerned about the safety of our drinking water. I want you to *thoroughly* analyze the risks to the public's health and safety. It's well known that there are many hazardous plumes in Chico's groundwater and in Butte County, overall. These toxic plumes have the potential to move more rapidly and become more concentrated if increased groundwater pumping occurs. These dangerous chemicals will undoubtedly contaminate peoples' drinking water from their domestic wells and Chico's city wells too.

The beautiful and valuable environment of the Sacramento Valley (along with public health) is of primary concern to me. I want to know exactly how these water transfers will affect our watersheds, streams and rivers before any water sales are allowed to occur. I want to know exactly how the loss of surface and groundwater will affect our Valley Oaks. I've seen the impacts of subsidence on other lands where groundwater has been excessively pumped and I don't want that to happen here. How will fish and other aquatic species, that need adequate amounts of fresh, clean water for their existence, fare if the groundwater is lowered so much that our above ground streams disappear? I want to know exactly how these sales will affect the small family farmers in our valley who don't have the deep wells that agribusinesses have. How will they survive, economically, if the groundwater is lowered so much that their shallower wells cannot reach the water? In Chico, the "buy local" movement is quite strong and we fully support our small family farmers who grow our food for us. We do not want them to have their wells run dry like so many did during the last water sales.

I want a thorough analysis of why this project is needed in the first place. And have you investigated alternatives to water sales for meeting southern California's needs? Stricter conservation of the water they already have in the south should be expanded before taking more from the north. Planting more trees helps to conserve groundwater and cleanses the air.

Using valuable irrigation water on polluted lands in the San Joaquin Valley must stop. And I heard the following appalling information on KCHO's program, Living On Earth, (February 2011, [loe.org/shows/shows.htm?programID-P13-00006#feature5](http://loe.org/shows/shows.htm?programID-P13-00006#feature5))

“. . . About 83 percent of the West Kern Water District's water," which is about 31,000 acre-feet. So, in this parched, dry region, about 83 percent of the water being delivered through the California aqueduct, through one water district alone, is being given to oil companies for steam-flooding operations."

I think that if the average Californian knew how greedy oil companies are using one of our most precious natural resources to steam oil from tar sands in the San Joaquin Valley they would be as outraged as I am. These wasteful practices must be stopped immediately.

Lastly, water is needed by all living things, not just we humans. It should not be used as a commodity, to be bought and sold. As a Zen Buddhist I believe that we humans must not use more than our share of the Earth's natural resources. Therefore, it is incumbent upon us to use

the water that we have wisely and not waste a drop of it.

Sincerely,

Karen Laslo

“Preserve well, for you now have, this is all.” Tozan Ryokai, Zen teacher



# 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](mailto:bhubbard@usbr.gov) or [frances.mizuno@sldmwa.org](mailto: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: Mr. Ira and <sup>Ms.</sup> Teresita Latour

Organization (if applicable): (Dim) Retired College Professor and <sup>husband's estate</sup> broker

Address: 487 Gaseo Companeros

Phone: 530 891-0770 Fax: ( ) 530-345-9644

E-mail: too much e-mail already

Date: Jan. 14, 2011

Comment: My husband and I attended the "scoping" meeting at the Masonic Lodge a few miles ago in Chico. We went because in 2009, we had to deepen our home well in Chico which was not cheap.

After listening to the comments made by the people from our Chico, Glenn and Tehama areas we are convinced that no transfer of our water should ever be considered. It appears that any transfer would be a very risky proposition for our area. Southern California missed their water resources and we do not want that tragedy to happen here.

(copy)  
Teresita Latour

## ANN VANDER LINDEN

P.O. Box 503  
Magalia, CA 95954  
530.873.4154  
ann.v@att.net



*Tuesday, March 01, 2011*

*Long-Term North to South Water Transfers EIS/EIR  
Brad Hubbard  
Bureau of Reclamation  
2800 Cottage Way, MP-410  
Sacramento, CA 95825*

*Dear Mr. Hubbard:*

*The Bureau of Reclamation's aggressive 10-year plan does not take into consideration the consequences the damage such a project will cause. Such as: the decrease of flow of our rivers and streams, increased water temperatures associated with increased ground water pumping, refer to data at Butte Creek Watershed Conservancy at: **[www.buttecreekwatershed.org](http://www.buttecreekwatershed.org)**, increased contamination of our ground water with potential hazards to public health and safety, impacts on all ground water users, as well as wildlife - especially salmon and other dependent animal species.*

*This project is unreasonable and disproportionate for Northern California. It threatens land owners and appears biased. An explanation for the need of the Project should be provided by the Bureau of Reclamation, and should include scientific data and analysis of Sacramento Valley groundwater quantity, recharge rates, natural recharge locations and amounts, conditions, monitoring, and monitoring results. Mitigation and monitoring plans should be provided with the environmental review, so it is available for public review and comment.*

*The potential buyers in the south [San Joaquin Valley] have already demonstrated water-wasteful practices; and the bureau should thoroughly analyze the potential impacts where the water originates [in Northern California]. The proposed fluctuation of groundwater may seriously impact domestic well purity; concentrating heavy metals and non-aqueous fluids contamination. Additionally, with increased groundwater pumping, there are numerous hazardous waste plumes in Butte County that would migrate more rapidly and potentially move the pollutants into deeper strata. Refer to information from Butte Environmental Council at **[www.becet.org](http://www.becet.org)**.*

*I strongly object to the proposed water-transfer of 600,000 acre feet of water per year that the Project could deliver, and will stand with my neighbors and fellow citizens who are determined to defend the region's water supplies.*

*Sincerely,*

*Ann M. Vander Linden*

**Greene, Alicia M.**

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**From:** Veronese, Gina  
**Sent:** Friday, February 25, 2011 11:19 AM  
**To:** Greene, Alicia M.  
**Subject:** FW: Water Sale/Transfer

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**From:** Hubbard, Bradley C [mailto:BHubbard@usbr.gov]  
**Sent:** Friday, February 25, 2011 9:55 AM  
**To:** Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly  
**Subject:** Fw: Water Sale/Transfer

[Comment for record.](#)

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**From:** John MacTavish <john.mactavish@lpl.com>  
**To:** Hubbard, Bradley C  
**Sent:** Fri Feb 25 10:46:02 2011  
**Subject:** Water Sale/Transfer

I have real concerns over the wisdom of sending surface water south and drawing more groundwater to replace what is sold.

How will the impact on Northern California groundwater be calculated or determined if the transfer results in the need to replace sold water with groundwater. Is there valid proof of the process being used to calculate the impact? If so would you please site the source?

How much water in dollar terms is Mendota water district willing to spend to buy this water? What has been bought and at what cost over the past twenty years? Who are the ultimate sellers and the buyers? If the water districts sell their water use rights and pull groundwater (everyone's water rights) how much do they profit?

Thank you for your response.

John MacTavish  
3307 Kennedy Ave  
Chico CA 95973

**Greene, Alicia M.**

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**From:** Veronese, Gina  
**Sent:** Monday, February 28, 2011 8:21 AM  
**To:** Greene, Alicia M.  
**Subject:** FW: Water transfer scoping comments

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**From:** Hubbard, Bradley C [mailto:BHubbard@usbr.gov]  
**Sent:** Sunday, February 27, 2011 5:59 PM  
**To:** Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly  
**Subject:** Fw: Water transfer scoping comments

[Comment for record.](#)

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**From:** Danny Margoles <dannymargoles@gmail.com>  
**To:** Hubbard, Bradley C  
**Sent:** Sun Feb 27 13:25:19 2011  
**Subject:** Water transfer scoping comments

Dear Brad Hubbard,

Roughly a month ago I attended the meeting in Chico about water transfers and was thoroughly impressed. You skillfully presented one of the most incoherent, manipulative, deceitful, and boring presentations I have ever attended. I had no clue about any of the specifics on the project (no), plant (no), program (no), collusion. I think the scheme to rid northern California of its excessive(?) water supply makes a lot of sense for agribusiness in southern CA. I am not from the area, but found my way into the meeting with a friend who is. The presentation that I observed really made me wonder whether Brad or any of the others knew any more about what they were talking about than I did. Seriously, how do you plan to complete an EIS/R without being able to explicitly describe the scheme.

Why was the issue of climate change never brought up? Please explicitly describe how a changed future climate could influence water resources in both northern and southern California. How will these transfers affect groundwater levels? Your response to this question should be based on a rigorous and sound assessment of long-term groundwater data, millennial-length historic climate patterns, and future demand and climate forecasts. The EIS/R should explicitly address the potential benefit of putting southern CA cropland out of production instead of doing these water transfers. I understand that the scoping process occurs prior to developing some of the scheme's specifics, yet I was truly shocked at the lack of basic information both presented and apparently understood by the panel. Please be honest about the science. It was obvious that the vast majority of people in the scoping meeting in Chico were against the scheme; the people had important questions that need to be truthfully answered. It is sad to me that I have very little confidence that the final decision will be based on good ecological and social ideals.

Sincerely,

Danny Margoles

## Greene, Alicia M.

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

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**From:** Hubbard, Bradley C [mailto:BHubbard@usbr.gov]  
**Sent:** Sunday, February 27, 2011 6:00 PM  
**To:** Buckman, Carolyn; Veronese, Gina; Hatleberg, Shelly  
**Subject:** Fw: Long-Term North to South Water Transfers

[Comment for record.](#)

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**From:** O. J. McMillan <ojgamc@pacbell.net>  
**To:** Hubbard, Bradley C  
**Cc:** info@aqualliance.net <info@aqualliance.net>  
**Sent:** Sun Feb 27 14:30:20 2011  
**Subject:** Long-Term North to South Water Transfers

Although there is no detail yet available on the proposed "Project," I am submitting a formal Comment to express my alarm about what I understand that Project to be. I am a citizen of Chico:

O. J. McMillan  
2040 Vallombrosa Ave  
Chico, CA 95926  
530.345.7003

My wife and I moved to Chico about seven and a half years ago, lured here in no small part by the natural beauty of the area. Our outdoor activities are very important to us, including hiking and bird watching, and they invariably involve the rivers, creeks, and streams which are so integral to that natural beauty and which interact in a fundamental way with the aquifer(s). Our drinking water comes from the California Water Service Company via pumping from the aquifer. So it is natural for us to be concerned about a Project which could impact in a major negative way our groundwater supply. Over the years, we have attended many informational meetings on groundwater issues put on by Glenn-Colusa Irrigation District, the Bureau, Butte Environmental Council, the League of Women Voters, and others, so we understand how poorly the aquifer is understood and how important its maintenance is to us.

We also understand there are powerful economic forces at work to secure more of the water from the Northstate to support the population and agriculture of the southern parts of California. The population of Southern California is a presumably immutable fact, and it is also a fact that they need water – it is fortunate that impressive water conservation measures have been undertaken there to mitigate somewhat the impact of that population. A bigger factor as far as water is concerned is the factory agriculture in Southern California, which in many cases involves crops which are largely inappropriate for the climate there. The clamor for more water from the north to support this agriculture would, in a rational world, be turned towards a focus on helping transition our culture to consumption of locally produced crops and towards growing crops that better fit the local climate.

But as for the proposed Project to transfer surface water over 10 years and "make that up" by increasing pumping from the aquifer: The environmental review for the Project must include a comprehensive monitoring and mitigation plan for the inevitable adverse impacts of increased groundwater removal, and it must be available for public review and comment in a timely manner. Prior to proceeding, the Bureau should also explain how the Project will not cause irreversible subsidence, will not adversely impact existing wells by lowering the water table and introducing contaminants, will not adversely affect flows in rivers, streams, and creeks, will not be harmful to fish and other aquatic species, and why instead of enabling this water transfer, the Project shouldn't involve something that would actually improve the water situation.

The Bureau is seemingly trying to defuse potential Northstate public outrage by emphasizing that it is merely trying to facilitate *voluntary* water transfers from “willing sellers” to willing buyers. The notion that current holders of water rights *own* Northstate water and can pillage the aquifer to make a profit on surface water just beggars belief. A Federal Project should rather be facilitating a future where sustainable practices were the rule, rather than a distant dream.

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

**Name:** Dale Melville (Manager-Engineer for Dudley Ridge Water District)

**Organizations:** Representing Dudley Ridge Water District, Berrenda Mesa Water District, Belridge Water Storage District, Lost Hills Water District, Wheeler Ridge – Maricopa Water Storage District

**Address:** Dudley Ridge Water District, 286 W. Cromwell Ave., Fresno, CA 93711-6162

**Phone:** 559-449-2700 x102

**Fax:** 559-449-2715

**E-mail:** [dmelville@ppeng.com](mailto:dmelville@ppeng.com)

**Date:** February 15, 2011

**Comment:** We are requesting that the multi-year EIS/EIR for north to south transfers include fallowing and groundwater substitution of pasture lands as an allowable method for developing conserved water that could be transferred south of the Delta.

We understand that specific guidelines for determining the consumptive use from pasture lands, although currently being developed, have not been adopted as of this date. However, for the following reasons we believe it is incumbent on the USBR to concur with our request:

- It is highly probable that an acceptable determination of consumptive use for various conditions of pasture land will have been developed within the 10-year period proposed in the EIS/EIR...likely early within the 10-year scope of the water transfer period;
- Transfers from fallowed pasture land would have less economic impacts on local and regional resources compared to fallowing most other crops (often, grazing livestock can be moved to slightly more concentrated populations in other fields to allow all or a portion of the original field to be fallowed, without reducing the “product”, jobs, or revenue to the regional economy);
- Transfers from fallowed pasture land would have less environmental impacts on local and regional resources than fallowing other types of crops (farming operations for fallowing pasture land would require less, if any, disking, herbicide treatments, land leveling, cultivation prior to re-planting, and similar resource-intensive operations);
- At a minimum, the EIS/EIR should not discriminate as to the type of land being fallowed; it should be clear that any crop, including irrigated pasture, could be fallowed under this transfer proposal subject to USBR/DWR accepted consumptive use values at the time the water is transferred.

So that the maximum impacts can be evaluated in the EIS/EIR, we offer the following references to the extent it provides an basis for determining the potential range impacts. However, we understand that the evaluation in progress within the USBR has significantly more detail on this subject and that the USBR's preliminary data would likely provide the best basis for evaluating potential impacts related to developing water from irrigated pasture. However, based on an assumed cap of 30,000 acre-feet<sup>1</sup> ("af") being developed from fallowing irrigated pasture and using a lower end of the consumptive use at 42 in/y (3.5 af/ac) and up to 8,570 acres of pasture land could be utilized.

1. Consumptive use reports from ITRC website ([www.itrc.org/etdata/etmain.htm](http://www.itrc.org/etdata/etmain.htm)) based on ET<sub>c</sub> for surface irrigation schedules for various DWR CIMIS ET<sub>o</sub> zones in the area of Tehama, Trinity, and Shasta Counties.

DWR CIMIS ZONE	County generally represented by zone	Water Year Type (inches/year)		
		Typical	Wet	Dry
10	Tehama	48.09	42.81	47.92
13	Trinity	46.32	42.84	47.92
14	Shasta	43.43	41.58	39.36
	Average	45.95	42.41	45.07

2. Pasture acreage in Tehama, Trinity, and Shasta Counties (source: DWR website)
  - Tehama County (1999 data) - 33,467 acres
  - Trinity County (1996 data) - 2,378 acres
  - Shasta County (1995 data) - 47,901 acres

If the USBR's direction for the EIR/EIS is to focus on specific sources for transferred water, we are requesting that the McArthur lands located near Millville in Shasta County be included in the document. Specifically, the lands would consist of up to 1,100 acres of McArthur family land irrigated from Cow Creek, a tributary to the Sacramento River. The water is pre-1914 and was adjudicated in Shasta County under Case No. 38577 (August 25, 1969). A map of the entire Millville property (JS Ranch) owned by the McArthur family is attached.

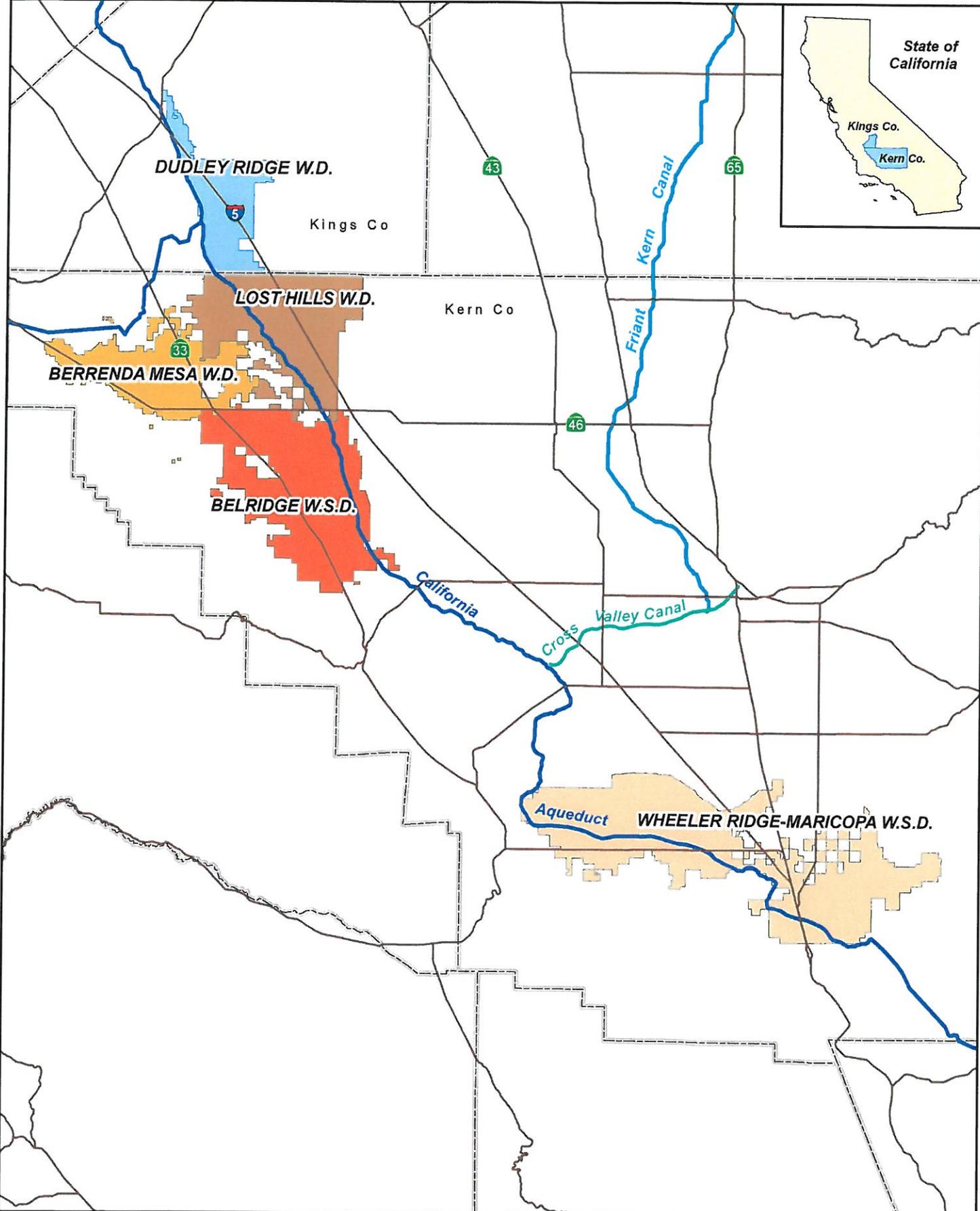
Similar to the comments submitted to Brad Hubbard via email on 1/14/2011 relating to the McArthur Fall River water, this comment requests that the five water districts noted in "Organizations" above, should be included in the EIS/EIR as an area that could receive

<sup>1</sup> An assumed cap of 30,000 af/y relates to 20% of the 150,000 af/y

transferred water. A map of those districts was previously submitted to Brad Hubbard, but is provided again as an attachment to these comments.

Attachments: as stated (map of JS Ranch; map of the five Westside SWP districts)





0 5 10 Miles

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 Fresno, CA 93711-6162  
 (559) 449-2700

Westside Districts  
 Regional Map

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

**Name:** Dale Melville (Manager-Engineer for Dudley Ridge Water District)

**Organizations:** Representing Dudley Ridge Water District, Berrenda Mesa Water District, Belridge Water Storage District, Lost Hills Water District, Wheeler Ridge – Maricopa Water Storage District

**Address:** Dudley Ridge Water District, 286 W. Cromwell Ave., Fresno, CA 93711-6162

**Phone:** 559-449-2700 x102

**Fax:** 559-449-2715

**E-mail:** [dmelville@ppeng.com](mailto:dmelville@ppeng.com)

**Date:** February 16, 2011

**Comment:** We are requesting that the multi-year EIS/EIR for north to south transfers include the comments provided to the USBR in our email of January 14, 2011. Specifically, to include the McArthur transfer (Fall River water) in your proposed EIS/EIS. This would also entail expanding the area to receive transferred water to include at a minimum, portions of Kings and Kern Counties. In addition to the McArthur land (map of our five water districts is attached).

Below is a description of the water transfer proposed with George McArthur of McArthur Farms. We have previously provided the USBR this description of the proposed transfer so that USBR could provide a response to the potential of obtaining the Bureau's approval of this request and the items that would need to be completed in the process. Included in this proposed transfer is use of storing non-project water in Lake Shasta with a Warren Act contract to assist in regulation of the pre-1914 water to periods when it can be delivered south through the Delta.

Both McArthur and our district(s) are interested in a multi-year transfer of the water to supplement reduced deliveries on the SWP. Due to the dynamic pumping conditions in the Delta, being able to store the water upstream plays an important role in the viability of being able to regulate the delivery of the water to periods when it can be pumped from the Delta. As shown below, the water would be developed from May-August (north of Shasta); as you are aware, pumping windows are uncertain during these periods and often in any given year.

## **Source of the proposed transfer water from McArthur Farms**

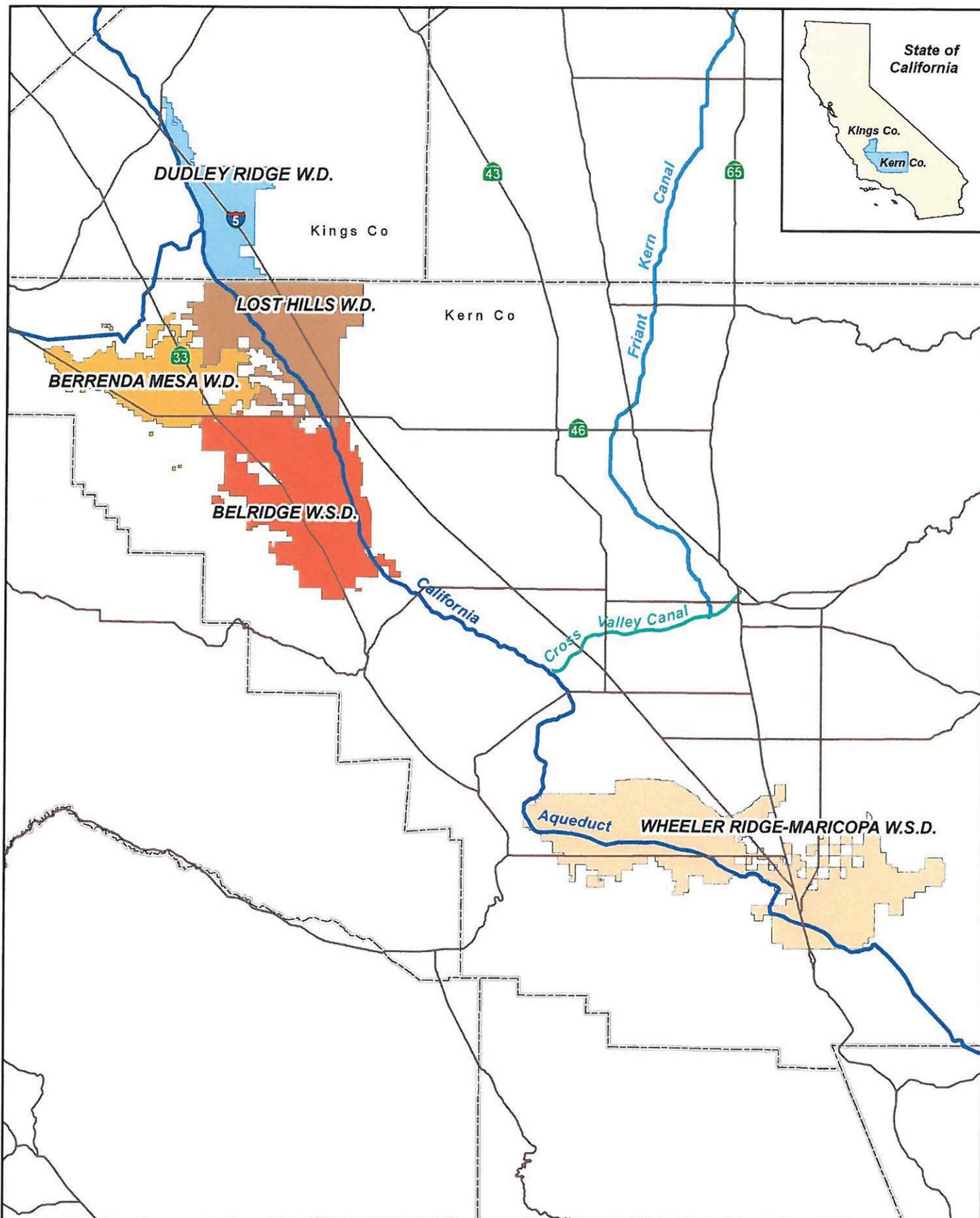
- Property is located near McArthur CA, upstream of Lake Shasta (portions of Sec 1 & 2, T37N, R4E and Sec 7, 17-19, T37N, R5E)
- Land is owned by George and John McArthur
- Land has been farmed for wild rice the last four years
- Propose to fallow 750 acres wild rice and transfer the conserved water
- Consumptive use is approximately 1,700 af/y
- Water is pump out of the Fall River , which deposits into the Pitt River, above Shasta Dam
- Typical water usage time period is May 1 to August 15
- McArthur water right is a pre-1914 right and was confirmed in Case #4292 in May 1928 in Shasta County
- This water was sold and transferred previously in 1992 (to Bella Vista WD)

McArthur has indicated to me that in May 2009, the above water info was reviewed by the USBR and they concurred that McArthur did in fact have the right to transfer this water; DWR has requested McArthur obtain a supplemental opinion from the courts related to their water right before DWR can concur that the water is transferable; McArthur is working on completing that request.

## **Proposed transfer to Dudley Ridge WD (and 4 other agricultural water districts in the SWP service area)...collectively, "Westside Districts"**

- Westside Districts in Kings and Kern Counties are pursuing multi-year water transfers
- McArthur transfer would be for 10 years, with an option to extend for 5 additional years
- McArthur land would not be fallowed for more than 3 successive years (farmed at least 1 in 4 years)
- Conserved water would be conveyed to the Delta, pumped by SWP facilities, and delivered to the Westside Districts
- Due to pumping restrictions in the Delta at the time the conserved water is made available, interim storage is needed upstream of the Delta
- A Warren Act contract for storage in Shasta could accommodate seasonal (within the same year) and yearly (from one year to the next) storage needs until pumping windows are available in the Delta.
  - Westside Districts understand that any stored water would be the first water subject to spill
  - Westside Districts anticipate (albeit minimal) additional stored water in Shasta would have beneficial impacts for Shasta recreation, cold water temperatures for fish, and head for power operations.

Attachments: map of the five Westside SWP districts; map of McArthur's Fall River lands; and regional map showing McArthur lands, Pit River, and Lake Shasta

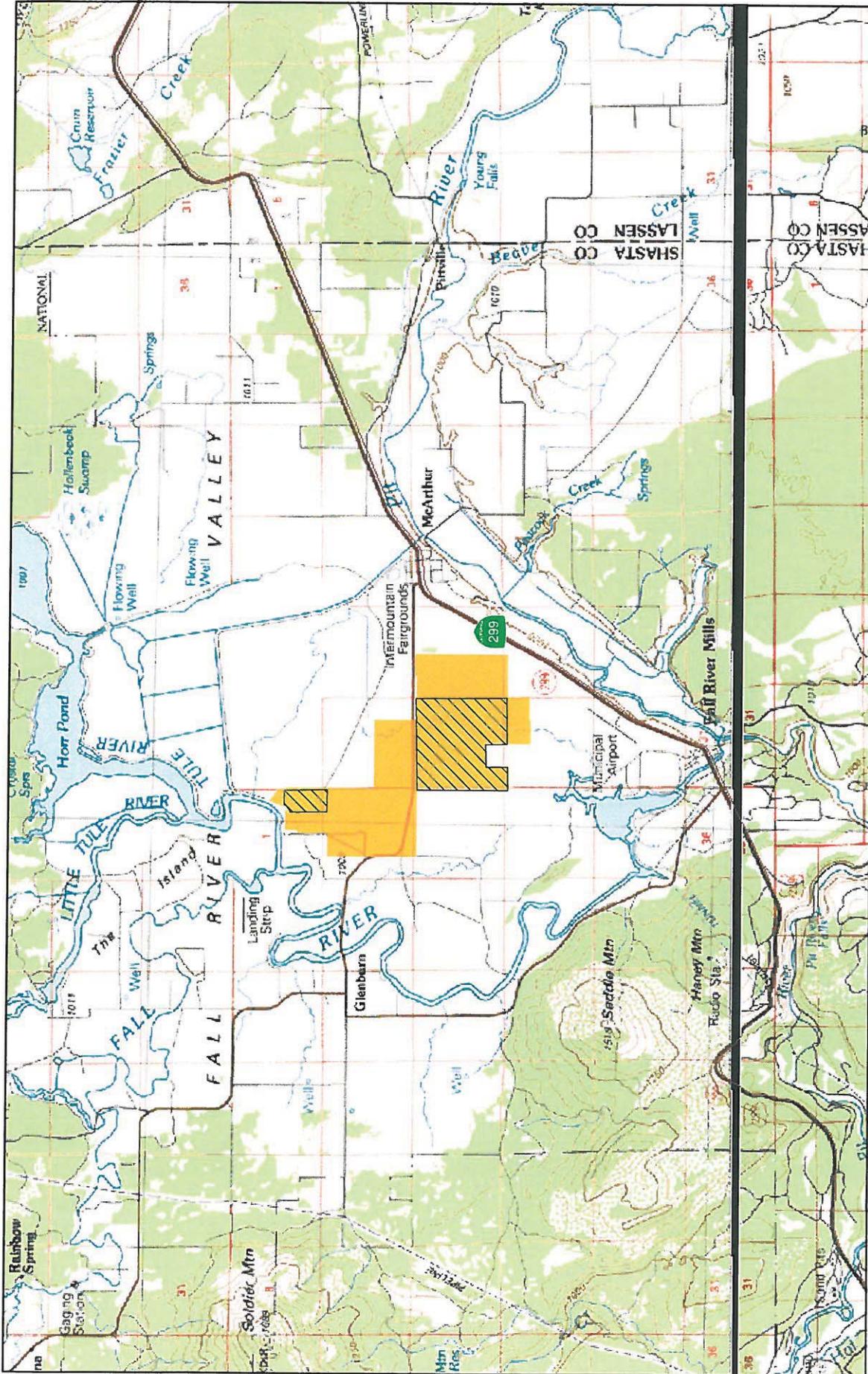


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 Fresno, CA 93711-6162  
 (559) 449-2700

Westside Districts  
 Regional Map



**McArthur, CA Lands**  
(McArthur Ranch)

POP. SEC. 7, 17, 18, 19; T37N, R5E  
POP. SEC. 1 & 2; T37N, R4E

**Legend**

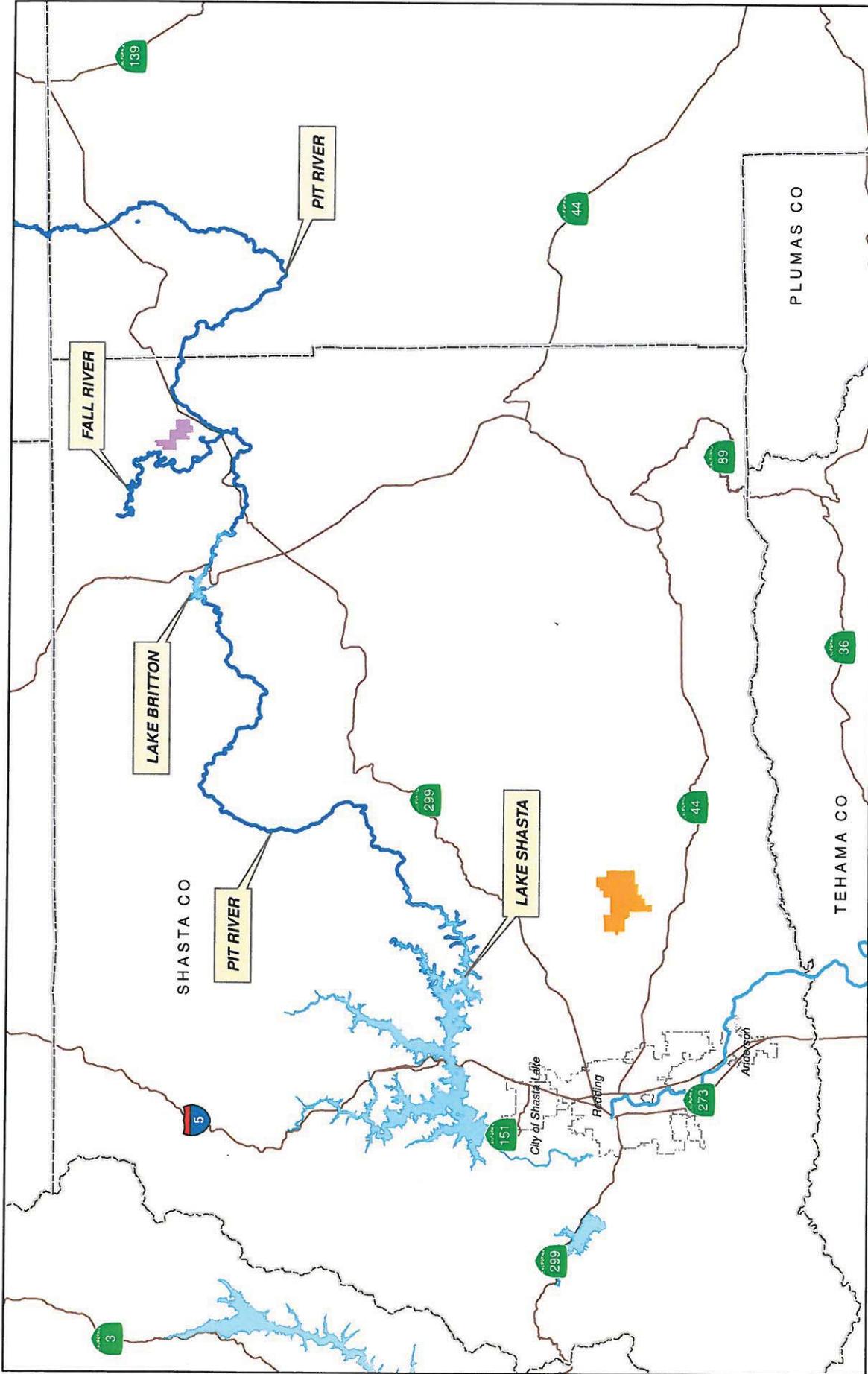
-  Land Proposed for Fallowing
-  McArthur Lands



0 4,000 8,000 Feet

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(559) 449-2700



**McArthur Farms Lands**  
Location Map

- Legend**
- McArthur Farm Land (Fall River)
  - McArthur Farm Land (Cow Creek)
  - California Major Roads
  - Waterways
  - Incorporated City
  - County Boundary
  - Lakes/Reservoirs

0 5 10 Miles

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(559) 449-2700

**Greene, Alicia M.**

---

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

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**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.**

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**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

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**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](mailto: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](mailto:bhubbard@usbr.gov) or [frances.mizuno@sldmwa.org](mailto: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	
CU:	NAME & DATE
110	
150 copy	

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.**

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**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](http://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](mailto: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/OkbqGeImUO2Jsac206AOw.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](mailto:bhubbard@usbr.gov) or [frances.mizuno@sldmwa.org](mailto: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 Hollister. 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.**

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**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.**

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

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**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.

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**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.**

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

[Public comment for file](#)

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**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.](#)

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**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.

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

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**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.](#)

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**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.

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

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**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.](#)

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**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.**

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**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

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**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.](#)

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**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.

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

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**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.

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**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](mailto: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.<sup>1</sup>

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.

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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.

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<sup>1</sup> . 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](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](mailto:jim.metropulos@sierraclub.org)

**Greene, Alicia M.**

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

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**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

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**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.**

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

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**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.](#)

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**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.**

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

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**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.](#)

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**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.

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**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.

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

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**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.](#)

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**From:** robert stanley <robertestanley@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.

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

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**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.](#)

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**From:** robert stanley <robertstanley@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.**

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

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**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:

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**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.**

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

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**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.](#)

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**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**

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

Tel. 530.225.8773/Fax 530.232.2772  
e-mail: [jswanson@snowcrest.net](mailto: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.

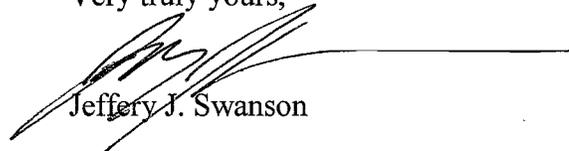
Other reasons to include irrigated pasture in the analysis are:

- 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**

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

Tel. 530.225.8773/Fax 530.232.2772  
e-mail: [jswanson@snowcrest.net](mailto: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

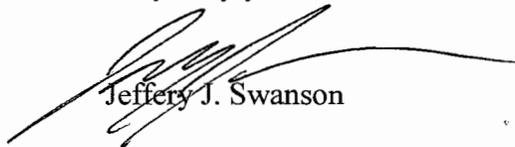
Mr. Brad Hubbard  
Re: EIS/EIR Scoping Comments  
February 23, 2011  
Page 2

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

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**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.](#)

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**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.**

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**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.**

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

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**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.](#)

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**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](mailto:jmerz@sacrivertrust.org)  
[www.sacrivertrust.org](http://www.sacrivertrust.org)

# AQUALLIANCE

DEFENDING NORTHERN CALIFORNIA WATERS



California Sportfishing  
Protection Alliance

*"An Advocate for Fisheries, Habitat and Water Quality"*

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.<sup>1</sup>

## 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).

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<sup>1</sup> <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
<b>Totals (TAF)</b>	<b>378</b>	<b>172</b>	<b>206</b>	<b>120.5</b>	<b>5</b>	<b>0</b>	<b>147</b>	<b>233</b>	<b>274</b>	<b>430</b>

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,



Barbara Vlamis  
Executive Director  
AquAlliance  
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[info@aqualliance.net](mailto:info@aqualliance.net)



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Carolee Krieger  
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California Water Impact Network  
808 Romero Canyon Road, Santa Barbara, CA  
93108  
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[caroleekrieger@cox.net](mailto:caroleekrieger@cox.net)

**Greene, Alicia M.**

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**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

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**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.](#)

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**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 11<sup>th</sup>) 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](mailto: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