

Appendix A
Scoping Report

U.S. Bureau of Reclamation
Delta-Mendota Canal/California Aqueduct
Intertie Project
Scoping Summary Report

Prepared for:

U.S. Department of the Interior, Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825
Contact: Sharon McHale
916/978-5086

Prepared by:

Jones & Stokes
2600 V Street
Sacramento, CA 95818-1914
Contact: Gregg Roy, Project Director
916/737-3000
Jennifer Ames, Project Manager
707/280-9673

September 2006

Jones & Stokes. 2006. U.S. Bureau of Reclamation Delta-Mendota Canal/California Aqueduct Intertie Project Scoping Summary Report. September. (J&S 06688.06.) Sacramento, CA.

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Delta-Mendota Canal/California Aqueduct Intertie Project **Scoping Summary Report— September 2006**

Introduction

The U.S. Department of the Interior, Bureau of Reclamation (Reclamation) is preparing an Environmental Impact Statement (EIS) for the Delta-Mendota Canal/California Aqueduct Intertie Project. Pursuant to the requirements of the National Environmental Policy Act (NEPA), Reclamation published a Notice of Intent (NOI) to prepare an EIS and Notice of Public Scoping Meetings in the Federal Register on Wednesday, July 12, 2006 (Vol. 71, No. 133) and held public scoping meetings on Tuesday, August 1, 2006 and Thursday, August 3, 2006. The August 1, 2006 scoping meeting was held in Sacramento from 10:00 a.m. to 12:00 noon at the Federal Building located at 2800 Cottage Way. Approximately 15 representatives of various organizations attended the Sacramento scoping meeting. The August 3, 2006 scoping meeting was held in Stockton from 6:00 p.m. to 8:00 pm at the Cesar Chavez Central Library located at 605 North El Dorado Street. Approximately 12 representatives of various organizations attended the Stockton scoping meeting. The purpose of the scoping meetings was to solicit input on the scope of the Intertie EIS, including potentially significant impacts, ways to mitigate these impacts, and feasible alternatives. Written comments were received by Reclamation between July 12, 2006 and September 6, 2006. This report summarizes written comments received during the public comment period regarding the scope of the EIS to be prepared. Note that verbal comments made at scoping meetings were not considered formal public comment and have not been included for the purposes of this report.

Project Description and Components/Proposed Actions

The Delta-Mendota Canal (DMC) is part of the Central Valley Project (CVP) and is owned by Reclamation and operated by the San Luis & Delta-Mendota Water Authority; whereas the California Aqueduct (CA) is part of the State Water Project (SWP) and is owned and operated by the California Department of Water Resources (DWR). Reclamation and DWR currently coordinate water storage and delivery operations along the DMC and CA. The proposed project would

connect the CVP (Delta-Mendota Canal) and SWP (California Aqueduct) via the Delta-Mendota Canal/California Aqueduct Intertie to meet water supply demands south-of-the-Delta that are currently not being met. In addition, the Intertie project would provide flexibility in the water distribution system, allowing Reclamation to conduct maintenance activities and respond to CVP and SWP emergencies, without major disruptions to water supply south of the Sacramento–San Joaquin River Delta (Delta).

The proposed project area is an unincorporated area of the San Joaquin Valley in Alameda County, west of the City of Tracy. The site is in a rural area zoned for general agriculture and is under federal and State ownership. The proposed project would address conveyance conditions on the DMC that restrict the CVP Tracy Pumping Plant to less than its authorized pumping capacity of 4,600 cubic feet per second (cfs) by constructing and operating a 467 cfs pumping facility and a 500-foot long underground pipeline that would connect the two canals. The proposed Intertie would be located at milepost 7.2 of the DMC and would connect with milepost 9.1 of the CA.

Notification and Publicity

The Notice of Preparation of an EIS was published in the Federal Register on Wednesday, July 12, 2006 (Vol. 71, No. 133) and distributed to governmental agencies with potential interest, expertise, and/or authority over the project. The notification process also included paid newspaper advertisements and distribution of a press release. Notification materials including the NOI, newspaper display ads, and press release/additional publicity are included in Appendices B, C, and D respectively. Additionally, a project web page was developed and posted to Reclamation's web site at <<http://www.usbr.gov/mp/intertie>>.

Summary of Written Comments—Issues and Concerns

The following summarizes written comments received from regulatory agencies and the public during the scoping comment period. Comments in their entirety are located in Appendix A. Note that this summary is intended to summarize notable concerns, includes some paraphrasing, and is not intended to be a verbatim or comprehensive list of issues raised. For more detail, the reader is directed to the written comments themselves (included in Appendix A).

Project Location

- The proposed location of the Intertie in part underlies the 500-kV conductors of the California-Oregon Transmission Project (COTP) owned and managed by the Transmission Agency of Northern California (TANC). Reclamation

should consider alternative locations for the Intertie project because of significant direct and indirect environmental and human consequences that could result from its construction and operation underneath the COTP that may not be reduced to a less than significant level through the implementation of conventional safety precautions during its construction, operation, and maintenance.

- Consider two alternative locations proposed by TANC shown in Figures 1 through 4 of their letter, which are outside of the COTP right-of-way, in equal proximity to the DMC and California Aqueduct as Reclamation's proposed location, and that may be able to fulfill the project purpose and need.
- Conduct a cost-benefit analysis as part of comparing the proposed Intertie Project location and the two alternative locations proposed by TANC, consistent with 40 C.F.R. § 1502.23.

Health and Safety

- Engineering plans and specifications provided by Reclamation in December 2005 indicate that large cranes will likely be needed to move pipe sections during construction of the Intertie project. The proximity of cranes, machinery, and equipment to conductors poses a danger of arcing across the air gap and actual physical contact with the conductors, either of which could ground out the line and possibly result in injury and/or death to construction workers and bystanders. Moreover, if the conductors trip out of service, it could take hours to restore service, resulting in significant economic impacts.
- Construction under the COTP 500-kV energized lines has the potential for inducing currents and static charges without any physical contact. The proposed construction activities could cause electric arcs that could electrocute workers and bystanders, damage equipment and cause fires, and ground out the circuit with the potential to collapse the high-voltage electric grid in the Western region.
- Analyze reasonably foreseeable, potentially significant human health and safety impacts associated with construction activities beneath the 500-kV COTP transmission line consistent with 40 C.F.R. § 1502.2.
- The National Institute for Occupational Safety and Health (NIOSH) database of traumatic occupational injuries and classification of potential electrical injuries (<http://www.cdc.gov/niosh/injury/traumaelface.html>) includes several instances with fact situations similar to those possible during Intertie Project construction that resulted in human injury and death.
- The benefits of avoiding potential health and safety effects and associated economic and human health and safety consequences that could result from power grid outages caused by the Intertie project construction, operation, and maintenance outweigh the potential costs of relocating the project to an alternative location outside the COTP right-of-way.

- Grounding out the COTP circuit and causing a power outage could result in indirect human health and injury impacts including death similar to those documented by the Department of Health and Human Services Center for Disease Control and Prevention (including carbon monoxide poisoning from usage of a gas generator and house fires started by candles).
- The loss of electrical power has serious potential health-hazard consequences, especially if outages are widespread and repeated including impacts to those on life support, loss of stored food, loss of water treatment, loss of personal safety (alarm systems, traffic light systems, security systems, etc.), loss of communications, economic losses, and damage to electric equipment as documented by the Florida Power & Light website at http://www.lawyersandsettlements.com/case/florida_power_light. Avoidance of the potential causes of these impacts can only be achieved through relocation of the Intertie Project to a location safely outside of the COTP right-of-way.

General Project Support

- The Sacramento Municipal Utility District (SMUD), as one of the largest CVP preference power customers, has a major financial interest in the prudent management of CVP facilities and resources, and supports the actions taken by this project.
- SMUD supports the regional strategy to maximize the efficiency of water use for beneficial uses including meeting current water supply demands, allowing for the maintenance and repair of CVP Delta export and conveyance facilities, and providing operational flexibility to respond to emergencies related to both the CVP and SWP. These actions should be accomplished where institutionally and financially feasible.
- The Alameda County Water District would like to be involved in, and provide input into the planning process for the Intertie project as it progresses.

Operations

- The proposed Intertie should include provisions to facilitate the pumping of water from the South DMC to Bethany Reservoir on the California Aqueduct to keep the South Bay Pumping Plant and South Bay Aqueduct in full service during periods when the SWP Harvey O. Banks Pumping Plant is shut down.
- The EIS should address and update any changes to the operations scenarios developed for the September 2004 Delta-Mendota Canal/CA Aqueduct Intertie Draft Environmental Assessment/Initial Study.
- Fully evaluate downstream impacts of Intertie project operations on San Joaquin Valley lands, as a result of increased delivery of Delta waters to

agricultural lands and an associated increase in the amount of agricultural drainage discharged.

- Include operational impacts where appropriate.

Power

- In the September 2004 Environmental Assessment/Initial Study (EA/IS), an environmental consequence of the proposed project was an increase in CVP project energy use calculated at 1.1% and 1.8% over the 2001 and 2002 baseline. In the EIS, recalculate the increase in CVP project energy use given the 2004 and 2005 baseline.
- The September 2004 EA/IS stated any increase over 10% was considered a significant impact. Provide the justification for the 10% level of significance.
- SMUD would like Reclamation to consider any increase over 5% to be the level of significance.
- Please include a definition of “project power”.
- Preference power customers are concerned about the allocation of project costs. Please clarify and assure that all water used in the proposed scenarios will be CVP water.
- Note any situations where Warren Act water may be included in the proposed operation. The Warren Act stipulates that any entity wishing to use Reclamation facilities to transfer non-project water may do so, providing there is excess capacity in the system and the entity provides the necessary power to move the water. For any action that may require the movement of non-CVP water, the project proponents should be responsible for acquiring the power supply necessary to accomplish the proposed action.

Fish

- The Planning and Conservation League (PCL) is concerned that the project is proposing to increase pumping from the Delta at the same time that federal and state scientists are discovering that existing pumping levels are negatively affecting threatened and endangered fish populations.
- The National Oceanic and Atmospheric Administration (NOAA) and the U.S. Fish and Wildlife Service (USFWS) recently announced that they will reinstate consultation on the Operating Criteria and Plan (OCAP) Biological Opinions. PCL strongly urges Reclamation to delay preparation of the EIS until NOAA and USFWS have prepared and issued new biological opinions for the OCAP and the Intertie.
- The Intertie project has the potential for additional pumping from the Delta to meet unmet water supply demands and should not move forward until a viable solution has been developed to address the Delta’s decline in pelagic

organisms. The EIS must fully analyze impacts of the Intertie given new information from studies obtained via the state and federal Pelagic Organism Decline (POD) studies. Specifically, the Draft EIS should address the degree to which the Intertie will contribute to negative impacts on Delta ebb tides, and resulting negative impacts on fisheries (Recent U.S. Geological Survey [USGS] POD studies have discovered that the ebb tide in the Delta is altered due to high pumping rates from the State and federal water projects).

- Fully evaluate upstream impacts of Intertie project operations, including changes in operations at upstream reservoirs and any associated changes in the availability of cold water for fisheries.
- Fully evaluate whether Intertie operations will prevent the restoration of endangered species including Delta smelt, salmon, and the greater Delta ecosystem. The EIS should explicitly state how the Intertie would be operated to meet the fish doubling goals of the Central Valley Project Improvement Act (CVPIA).

Climate Change

- The EIS must address how Intertie operations including increased pumping from the Delta will impact fisheries under conditions of climatic change. Fully analyze impacts from the Intertie project based on the estimated impacts of climate change on Delta and upstream water supply and water resources as discussed in the DWR report “Progress on Incorporating Climate Change into Management of California’s Water Resources” which states that climate change will result in a reduced amount of water available for the environment, and an increase in the temperature of those waters.
- Analyze the degree to which the Intertie will impact the availability of water (in particular cold water) for fisheries given the anticipated impacts of climate change.
- Based on numerous scientific reports and general consensus that global climate change will dramatically affect California’s water supplies, the EIS should not assume in the modeling analysis that past flow patterns will continue into the future.

Project Alternatives

- Fully analyze an alternative that includes reduced Delta exports and increased implementation of water conservation, water recycling, and groundwater treatment addressing information in the DWR California Water Plan 2005.
- Fully analyze the demand for water south of the Delta. Specifically, the EIS should include an alternative based on the California Water Plan’s updated demand projections that estimate a reduced water demand south of the Delta.

Cumulative and Indirect Impacts

- The EIS should provide a cumulative impact analysis related to power- and growth-inducing impacts.
- Because California courts have ruled that replacing paper water with actual water can affect local planning and therefore induce growth, the EIS must address growth-inducing impacts even if increased deliveries will still be less than total contract amounts.
- The EIS cannot speculate that deliveries will only be used on already-irrigated agricultural lands as agricultural users may transfer the water for urban use.
- A small increase in the percentage of water being delivered by the CVP represents a large amount of water and creates a commensurately large potential for induced growth.
- The EIS must analyze cumulative growth-inducing impacts and environmental impacts on the Sacramento/San Joaquin ecosystem for both the Intertie project and related or concurrent projects with the potential to increase delivery capacity.
- The EIS must quantitatively analyze the effects of reasonably foreseeable projects being planned by Reclamation.

Modeling/CALSIM II

- There is concern regarding the calibration of CALSIM II, and regarding its monthly output that may not model the effects of the short-term fluctuations that the Intertie could create.
- Because facilitating operations during maintenance periods is one of the primary stated purposes of developing the Intertie, the model utilized must be able to address the costs and benefits of operational changes during maintenance periods.
- Modeling predictions are only as accurate as their input data. Input data depend on assumptions about future conditions, which, in the case of the Intertie project, may be wrong. For example, the assumption that future water flow patterns will be similar to those that have occurred in the past is inconsistent with predictions about the effect of global warming on water flows.

Appendix A

Copies of Written Comments Submitted



DIRECTORS
JUDY C. HUANG
 President
ARTHUR LAMPERT
 Vice President
JAMES G. GUNTHER
DAVID H. KOLLER
JOHN H. WEED

43885 SOUTH GRIMMER BOULEVARD • P.O. BOX 5110, FREMONT, CALIFORNIA 94537-5110
 (510) 668-4200 • FAX (510) 770-1793 • www.acwd.org

MANAGEMENT
PAUL BIRNAD
 General Manager
ROBERT C. WEN
 Engineering Manager
KARL B. STINSON
 Operations Manager
WILBERT LEON
 Finance and Administration Manager

August 31, 2006

Ms. Sammie Cervantes
 Bureau of Reclamation
 2800 Cottage Way
 Sacramento, CA 95825-1898

Dear Ms Cervantes:

Subject: ACWD Comments on Delta-Mendota Canal/California Aqueduct Intertie Environmental Scoping

Thank you for the opportunity to comment on the scope of the environmental documentation for a Delta-Mendota Canal/California Aqueduct Intertie. We understand that the proposed intertie would connect the Delta-Mendota Canal and the California Aqueduct via a new pipeline and pumping plant.

Alameda County Water District (ACWD) is a water retailer that provides potable water to a population of over 320,000 in the Cities of Fremont, Newark and Union City ("Tri-Cities"). ACWD was formed in 1914 by an act of the California Legislature for the purpose of protecting the water in the Niles Cone Groundwater Basin and conserving the water of the Alameda Creek Watershed. Being a long term water supply contractor with the Department of Water Resources, ACWD depends upon continuous delivery of water imported from the State Water Project through the South Bay Aqueduct to supply our two surface water treatment plants as well as supplement recharge of the Niles Cone Groundwater Basin.

The proposed intertie should include provisions to facilitate the pumping of water from the Delta-Mendota Canal to Bethany Reservoir on the California Aqueduct to keep the South Bay Pumping Plant and South Bay Aqueduct in full service during periods when the Banks Pumping Plant is shutdown.

ACWD would like to continue to be involved in, and provide input to the planning process for the Bureau as it progresses. Please send future notices to Eric Cartwright, Water Resources Planning Manager, and Laura Hidas, Water Supply Supervisor, at 43885 S. Grimmer Blvd., Fremont, CA 94538. If you have any questions regarding these comments, please contact either Mr. Cartwright at (510) 668-4206 or Ms. Hidas at (510) 668-6516.

Sincerely,

Karl B. Stinson
 Operations Manager

By fax



SMUD

SACRAMENTO MUNICIPAL UTILITY DISTRICT
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P.O. Box 15830, Sacramento, CA 95852-1830; 1-888-742-SMUD (7683)

August 31, 2006
ET&C 06-194

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06

Ms. Sam Cervantes
Public Involvement Coordinator
Bureau of Reclamation
2800 Cottage Way, MP-730
Sacramento, CA 95825

RE: Public scoping Comments Delta-Mendota / California Aqueduct Intertie Project

The Sacramento Municipal Utility District (SMUD) is both a Central Valley Project (CVP) power and water customer. SMUD, as one of the largest CVP preference power customers, provides not only payments into the Restoration Funds but repayment of the CVP plant-in-service and Operations and Maintenance costs allocated to power. SMUD has a major financial interest in the prudent management of CVP facilities and resources. SMUD has concerns when projects, policies and programs proposed by the Bureau of Reclamation (Reclamation) may modify the operations, management and physical facilities of the CVP.

SMUD appreciates the opportunity to provide comments during the Public scoping of the Delta-Mendota / California Aqueduct Intertie Project, August 2006.

SMUD supports the actions taken by this proposed project. SMUD supports the regional strategy to maximize the efficiency of water use for beneficial uses including meeting current water supply demands, allowing for the maintenance and repair of the CVP Delta export and conveyance facilities, and providing operational flexibility to respond to emergencies related to both the CVP and State Water Project. These actions should be accomplished where institutionally and financially feasible.

Please note our concerns to be addressed in upcoming environmental documentation.

The new environmental documentation should address and update any changes to the operation scenarios developed from the Delta Mendota / California Aqueduct Intertie Draft Environmental assessment / Initial Study (September 2004). Include operational impacts where appropriate.

Please note that in the September 2004 Environmental assessment, an environmental consequence of the proposed project was the increase of CVP project use energy calculated at 1.1% and 1.8% over the 2001 and 2002 baseline. In the new environmental documentation please recalculate the increased in CVP Project Use energy given the

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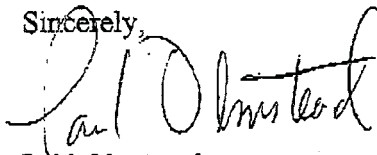
2004 and 2005 baseline. The previous EA stated any increase over 10% was considered a significant impact. Please give the justification for the 10% level of significance. SMUD would like Reclamation to consider any increase over 5% to be the level of significance. Please include for the readers a definition of project power.

Of specific concern to the Preference Power customers are the allocation of project costs. Please clarify and assure that all water used in the proposed scenarios will be CVP water. Note any situations where Warren Act water may be included in the proposed operation. The Warren Act stipulates that any entity wishing to use Reclamation facilities to transfer non-project water may do so, subject to certain conditions. These conditions include the provision that there is excess capacity available in the system to affect the transfer and the entity provides the necessary power to move the water. For any action in the future that may require the movement of non-CVP water, the project proponents should be responsible for acquiring the power supply necessary to accomplish the proposed action.

SMUD agrees that conflicts regarding the use of water must be reduced, be equitable to all, be affordable, be long lasting, be implementable, and have no significant redirected impacts. SMUD will continue to support these actions as long as the benefactors of the project bring their own power for the necessary pumping that will be required for project purposes.

Thank you for the opportunity to comment.

Sincerely,



Paul Olmstead
Water & Power Resources Specialist
Sacramento Municipal Utility District
(916) 732-5716

cc: Sharon McHale
Bureau of Reclamation

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

BUREAU OF RECLAMATION OFFICIAL FILE COPY RECEIVED		
SEP 08 2006		
CODE	ACTION	SIGNATURE & DATE
1380	975	8/11/06

August 31, 2006

Ms. Sammie Cervantes
Bureau of Reclamation,
2800 Cottage Way, MP-730,
Sacramento, CA 95825

Dear Ms. Cervantes:

The Environmental Protection Agency (EPA) has reviewed the Notice of Intent to prepare an environmental impact statement (EIS) for the **Delta-Mendota Canal/California Aqueduct Intertie, Alameda County, California**. Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

EPA has no formal comments on the Notice of Intent at this time. Please send one hard copy and two CD ROM copies of the Draft EIS (DEIS) to this office at the same time it is officially filed with our Washington D.C. Office. If you have any questions, please call me at (415) 972-3852.

Sincerely,

Laura Fujii
Environmental Review Office
Communities and Ecosystems Division

Classification	ENM 020
Project	5437
Control No.	06011089
Folder I.C.	70215
Date Input & Initials	7-8-06 LF



DELTA-MENDOTA CANAL/CALIFORNIA AQUEDUCT INTERTIE PROJECT

— Comment Card —

COMMENTS MUST BE RECEIVED BY TUESDAY, SEPTEMBER 5, 2006

PLEASE PRINT

Name: David Hurley Title (if applicable): _____

Telephone: (209) 610-1600 Fax: _____

Organization/Business (if applicable): California Striped Bass Association

E-mail: hurleyjacks@aol.com Address: 1121 W. Flora Street

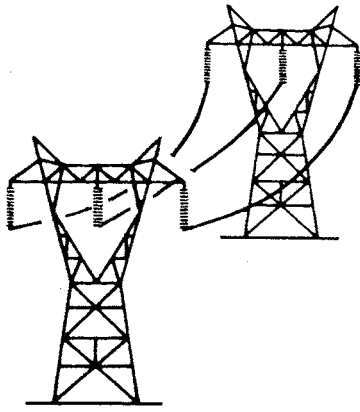
City: Stockton State: CA Zip: 95203

The Bureau of Reclamation is seeking public input on the Delta-Mendota Canal/California Aqueduct Intertie Project. Your input on the scope of the project is greatly appreciated. Please write legibly.

The Intertie Project has the potential for additional pumping to meet water supply demands. This project should not move forward until an answer and viable solution has been developed to address the Saline Organics decline in the Delta. Until answers and solutions to this situation occur, no additional means of drawing water from the Delta should be developed.

D.H.

(Use reverse side for further comments)



TRANSMISSION AGENCY OF NORTHERN CALIFORNIA

P.O. Box 15129, Sacramento, CA 95851-0129 (916) 852-1673

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SEP 06 2006		
CODE	ACTION	SURNAME & DATE
730	<input checked="" type="checkbox"/>	cy/kl/9-6-06

August 31, 2006

Ms. Sammie Cervantes
Bureau of Reclamation
2800 Cottage Way
MP-730
Sacramento, CA 95825

Subject: Scope of the Environmental Impact Statement for the Delta-Mendota Canal/California Aqueduct Intertie, Alameda County, California

Dear Ms. Cervantes:

The Transmission Agency of Northern California (TANC), a California joint powers agency, is submitting these comments in response to the Bureau of Reclamation's (Reclamation's) notice of intent to prepare an environmental impact statement (EIS) for the Delta-Mendota Canal/California Aqueduct Intertie (Intertie Project) proposed for construction in Alameda County, California as published in the Federal Register on July 12, 2006 (FR 71; 39355).

TANC is submitting these comments in its capacity as an owner and the Project Manager of the California-Oregon Transmission Project (COTP), an existing 500-kilovolt (kV) transmission line extending from near Malin, Oregon south to the Tracy Area located in central California. The location proposed by Reclamation for the Intertie Project in part underlies the 500-kV conductors of the COTP.

We understand that Reclamation has already spent considerable time and budget in designing and evaluating the currently proposed site for the Intertie Project. However, we urge Reclamation to take a "hard look" at alternative locations for the Project because of the potentially significant direct and indirect environmental consequences that could result from its construction and operation directly underneath the COTP.

These comments begin by characterizing the potentially significant direct and indirect environmental consequences that could result from construction and operation of the Intertie Project beneath the COTP, and then explain TANC's view that such consequences can not be reduced to a less than significant level through the implementation of conventional safety precautions during its construction, operation, and maintenance. We then identify two alternative Intertie Project locations that would avoid the environmental consequences of concern, and explain how, when objectively

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Project	3437
Control No.	06016040
Folder ID	70215
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District	Ukiah

A Public Entity whose Members include:
Alameda, Biggs, Gridley, Healdsburg, Lodi, Lompoc, Modesto Irrigation District,
Palo Alto, Plumas-Sierra Rural Electric Cooperative, Redding, Roseburg,
Sacramento Municipal Utility District, Santa Clara, Turlock Irrigation District, Ukiah

compared, neither of these alternatives would have greater impacts on the natural environment than the Preferred Alternative. We believe that the benefits of avoiding the potential direct human health and safety effects and indirect economic and human health and safety consequences that could result from power grid outages caused by Intertie Project construction, operation, and maintenance outweigh the potential costs of relocating the project to an alternative location safely outside the COTP right of way.

Work under the 500-kV energized lines must be performed with the greatest care and skill, and has the potential for inducing currents and static charges without any physical contact. The proposed construction activities could cause electric arcs that could electrocute workers and bystanders, damage equipment and cause fires, and ground out the circuit with the potential to collapse the high-voltage electric grid in the Western region. The death, injury to persons, and damage to property that might result could be considerable.

Potentially Significant Environmental Consequences of Intertie Project Construction—Direct Effects; Potential Human Injuries and Fatalities

The direct environmental effects of concern are the induced electrical currents and static electrical charges that are predictable physical effects of constructing, operating, and maintaining the Intertie Project beneath the COTP transmission conductors. The potential direct consequences of such currents and charges are human injury, or even death, and property damage.

The National Institute for Occupational Safety and Health (NIOSH) maintains a database of traumatic occupational injuries, and classifies potential electrical injuries as consisting of four main types: electrocution (fatal), electric shock, burns, and falls caused as a result of contact with electrical energy. The NIOSH has conducted several investigations of these injuries and fatalities through documentation of the facts supporting each death or human injury investigated. In cooperation with the NIOSH investigations, individual states also actively develop fact-based Fatality Assessment and Control Evaluations (FACE) information.¹ We believe that the facts supporting several human fatality and injuries substantiated through these NIOSH and FACE investigations are similar to fact situations that could arise during construction of the Intertie Project directly beneath the COTP. For example, the following NIOSH and FACE investigations, hereby incorporated by reference into this comment letter, include the following types of construction-related accidents:

¹ FACE is an occupational fatality investigation and surveillance program of the *National Institute for Occupational Safety and Health* (NIOSH). The purpose of FACE is to identify all occupational fatalities in the participating states, conduct in depth investigations on specific types of fatalities, and make recommendations regarding prevention. NIOSH collects this information nationally and publishes reports and Alerts, which are disseminated widely to the involved industries. NIOSH FACE publications are available from the NIOSH Distribution Center (1-800-35NIOSH).

- Two Well Drillers Electrocuted when Their Truck-Mounted Boom Contacts Overhead Power Lines in California (California FACE Investigation 96CA006)
- Construction Worker Electrocuted When Boom Forklift Contacted Power Lines (Iowa Case Report # 03IA055)
- Construction Worker Electrocuted When Crane Boom Contacts 13,800 Volt Power Line in Arizona (NIOSH FACE # 85-14)
- Electrocution Resulting from Crane Cable Contact with Power Line (NIOSH FACE # 82-03)
- Crew Foreman Dies Due to Electric Arc from Power Line (NIOSH FACE # 85-04)
- Two Workers Electrocuted by 23,000 Volt Power Line While Erecting a Steel Support Structure (NIOSH FACE # 85-07)
- Pipefitter Electrocuted When Closing Metal Gates at Construction Site in California (California FACE Investigation 92CA013)

The NIOSH website (<http://www.cdc.gov/niosh/injury/traumaelface.html>) includes several additional instances with fact situations similar to those possible during Intertie Project construction that resulted in human injury and death.

We urge Reclamation, consistent with 40 C.F.R. § 1502.22, to analyze reasonably foreseeable, potentially significant human health and safety impacts associated with construction activities beneath the 500kV COTP transmission line. The facts compiled and reported by the NIOSH and the state FACE programs provide substantial evidence supporting a fair argument that construction activities beneath the COTP could result in reasonably foreseeable, potentially catastrophic consequences. In many of the investigations conducted by the NIOSH and FACE programs, conventional safety precautions were in place, yet the injuries and fatalities nevertheless occurred. These case reviews indicate that despite the implementation of applicable safety precautions for working near energized power lines, a probability of a human injury or fatality remains. Because of this remaining probability, the implementation of safety precautions may reduce the likelihood, but does not eliminate the potential occurrence of these health and safety impacts. Avoidance of these potential impacts can only be achieved by relocating the Intertie Project outside of the COTP right of way.

Potentially Significant Environmental Consequences of Intertie Project Construction—Indirect Human Health and Injury Impacts of COTP Outages

Grounding out of the COTP circuit and a resulting power outage can result in indirect human health and injury impacts that have been well documented in previous outages. The Department of Health and Human Services Center for Disease Control and Prevention (CDC) reported that four deaths were attributed indirectly to power outages that resulted from Hurricanes Marilyn and Opal in 1995. One death resulted from

carbon monoxide poisoning associated with the use of a gas generator and three resulted from house fires started by candles (two) or a propane cooking device (one). The CDC also reports that each year in the United States, approximately 500 persons die from unintentional carbon monoxide (CO) poisoning (1), often during electric power outages caused by severe storms. Carbon monoxide (CO) poisoning was a major health consequence of a severe storm that struck the Puget Sound region of western Washington State the morning of January 20, 1993. Because of the use of alternative sources of energy for indoor cooking and home heating, the risk of exposure to CO increased for many persons. (Center for Disease Control: 53 (09); 189-192; March 12, 2004).

The Florida Power & Light website (http://www.lawyersandsettlements.com/case/florida_power_light) recognizes potential health-related hazards as follows:

The loss of electrical power has serious consequences, especially if outages are widespread and repeated.

- 1) Sick people on life support at home often become sicker or even loose their lives because of a prolonged power failure.
- 2) The typical family will loose several hundred dollars in food stored in the refrigerator or freezer if a failure exceeds 36 hours. Many people end up eating spoiled food, resulting in illness and possibly death.
- 3) Loss of water treatment due to the power failure can make normally safe water dangerous to drink due to contamination.
- 4) People with certain health conditions are at increased risk when the heat and humidity goes beyond the level their bodies can handle. This is especially true of the elderly and infirmed.
- 5) Loss of personal safety when alarm systems, lights, gates and other security systems fail due to lack of power. Loss of power to municipal agencies like the police and fire departments, which are not able to effectively respond to crimes and criminal activity.
- 6) Loss of power to the traffic light system can result in hundreds, if not thousands of auto accidents and injuries during periods of substantial power loss.
- 7) Loss of electrical power means a loss of communications in many instances, so people cannot report emergencies; people cannot contact family members and loved ones resulting in incredible stress in what is already a very stressful situation.

- 8) Millions of dollars in economic losses occur with even a single day's loss of power if enough people are affected. When businesses close, they lose critical revenues and employees go without work - unpaid in most cases. If the power failure lasts long enough, the business can fail, putting employees out of work. The repercussions of this on both the economic and human scale are incalculable.
- 9) Millions of dollars worth of electronic equipment are damaged and destroyed by repeated power outages, brownouts and the surges that accompany them.

We believe these estimates provide substantial evidence supporting a fair argument that reasonably foreseeable substantial human health and injury impacts could result from a grid system outage triggered by the grounding out of the COTP caused by Intertie Project construction, operation, and/or maintenance activities. Avoidance of the potential causes of these impacts can only be achieved through relocation of the Intertie Project to a location safely outside of the COTP right of way.

Potentially Significant Environmental Consequences of Intertie Project Construction-Indirect Economic Impacts of COTP Outages

Many of the activities that can be anticipated during construction, operation, and maintenance of the Intertie Project have the potential to ground out the COTP circuit. For example, review of the engineering plans and specifications provided by Reclamation in December 2005 indicate that large cranes will likely be needed to move pipe sections and other heavy machinery and equipment in place during construction. The proximity of these cranes, machinery, and equipment to the conductors poses a danger of arcing across the air gap and actual physical contact with the conductors, either of which could ground out the line and possibly result in injury and/or death to construction workers and bystanders. Moreover, if the COTP trips out of service, it could take hours to restore service, resulting in significant economic impacts.

Several federal and state-sponsored studies estimate the economic impacts of electric power system outages. Outage impacts can be widespread and substantial. For example, the following economic impact estimates have been made by federal agencies:

- The U.S. Department of Energy (DOE) published a total cost estimate of about \$6 billion for the August 14, 2003 Blackout, which resulted in the loss of 61,800 MW of electric load that served more than 50 million people².
- The economic impact assessment of the 1977 New York City blackout was estimated (in 1977 dollars) at approximately \$55 million of direct losses associated with food spoilage, lost wages, and effects to the securities and banking industries, and over \$290 million in indirect losses.³

² Transforming the Grid to Revolutionize Electric Power in North America," Bill Parks, U.S. Department of Energy, Edison Electric Institute's Fall 2003 Transmission, Distribution and Metering Conference, October 13, 2003.

³ Impact Assessment of the 1977 New York City Blackout, SCI Project 5236-100, Final Report, Prepared for the U.S. Department of Energy, July 1978, pp. 2-4.

In a separate study completed shortly after August 14, the Ohio Manufacturers Association (OMA) estimated the direct costs of the blackout on Ohio manufacturers to be \$1.08 billion⁴.

The Combined Heat & Power website, (http://www.chpcentermw.org/03-00_chp.html) estimates that economic losses due to power outages in the U.S. have cost American businesses billions of dollars. The following table from that website estimates the economic impact of power outages on some industries on a dollar per hour basis.

Industry	Average Cost of Power Outage (\$/hr)
Brokerage Operations	6,480,000
Credit Card Operations	2,580,000
Airline Reservations	90,000
Telephone Ticket Sales	72,000
Cellular Communications	41,000

The 1977 New York City blackout and the Blackout of 2003 were considerably more extensive than the blackout that could result from a grid failure triggered by a grounding of the COTP. However, the economic impacts of a COTP outage and subsequent grid failure could still be significant on a per-user basis, and would be expected to be similar to those previously estimated. Preliminary findings of a 2003 study of the Blackout of 2003, based on the responses of 129 executive-level managers of businesses and organizations in Ohio, New York, Pennsylvania, Michigan, Wisconsin, and Southern Canada affected by the blackout, indicated that:

- Almost a quarter of the businesses surveyed (24 percent) lost more than \$50,000 per hour of downtime -- meaning at least \$400,000 for an 8-hour day.
- Approximately 4 percent of businesses lost more than \$1 million for each hour of downtime.
- Nearly half of the businesses surveyed (46 percent) said lost employee productivity was the largest contributor to losses suffered due to the blackout.

The Electric Power Research Institute (EPRI) 2007 website for electric grid planning states that a major blackout can cost the affected region more than a billion dollars, due to direct costs and social and economic impacts. Reducing the incidence of major cascading outages by even a fraction therefore translates into substantial savings.

In 2004 Kristina Hamachi LaCommare and Joseph H. Eto of the Ernest Orlando Lawrence Berkeley National Laboratory University of California Berkeley prepared a

⁴ Ohio Manufacturers' Association, August 29, 2003

report titled "*Understanding the Cost of Power Interruptions to U.S. Electricity Consumers.*"⁵ The report estimated the cost of a sustained outage to each California residential, commercial, and industrial customer would be approximately \$2.99, \$1,067, and \$4,227, respectively.

We believe these estimates provide substantial evidence supporting a fair argument that reasonably foreseeable substantial economic impacts could result from a grid system outage triggered by the grounding out of the COTP caused by Intertie Project construction, operation, and/or maintenance activities. Avoidance of the potential causes of these impacts can only be achieved through relocation of the Intertie Project to a location safely outside of the COTP right of way.

Proposed Alternative Locations for the Intertie Project

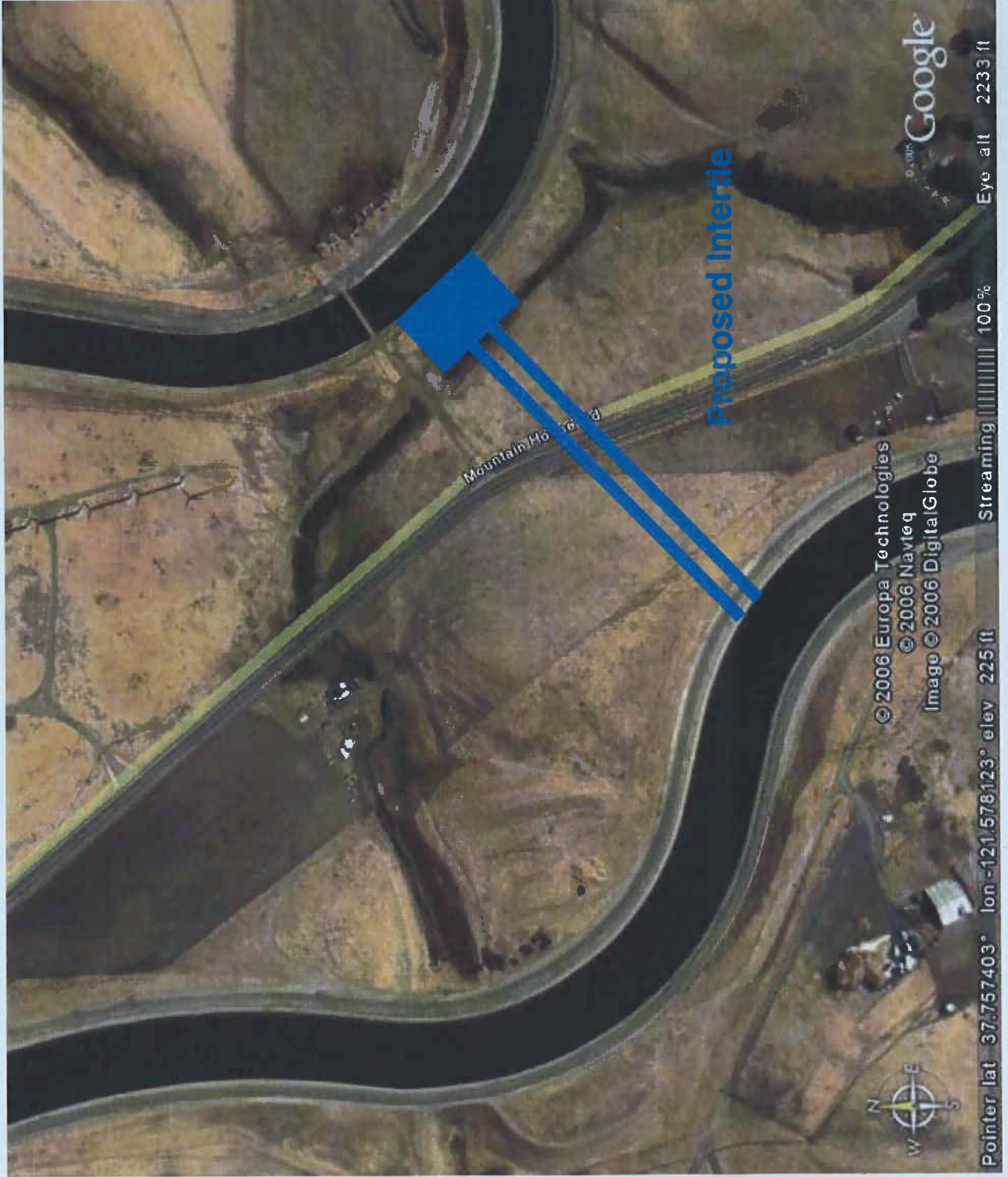
We request that Reclamation consider the two alternative locations for the Intertie Project shown on Figures 1 through 4. COTP Engineering staff has identified two locations outside of the COTP right of way where the proximity of the Delta-Mendota Canal and the California Aqueduct is comparable to their proximity Reclamation's proposed location..

Reclamation's Notice of Intent to prepare an EIS for the Intertie Project states that:

"A primary purpose of the Intertie is to allow for operation and maintenance activities on the Tracy pumping plant and fish facility, the Delta-Mendota Canal, and the O'Neill pumping plant and intake canal.... The Intertie consists of constructing and operating a pumping plant and pipeline connection between the Delta Mendota Canal (DMC) and the California Aqueduct. The Intertie would be used in a number of ways to achieve multiple benefits, including meeting current water supply demands, allowing for the maintenance and repair of the Central Valley Project (CVP) Delta export and conveyance facilities, and providing operational flexibility to respond to emergencies related to both the CVP and State Water Project (SWP)."

⁵ This work described in that paper was funded by the Office of Electric Transmission and Distribution, Energy Storage Program and by the Assistant Secretary for Energy Efficiency and Renewable Energy, Office of Planning, Budget, and Analysis of the U.S. Department of Energy under Contract No. DE-AC03-76F00098.





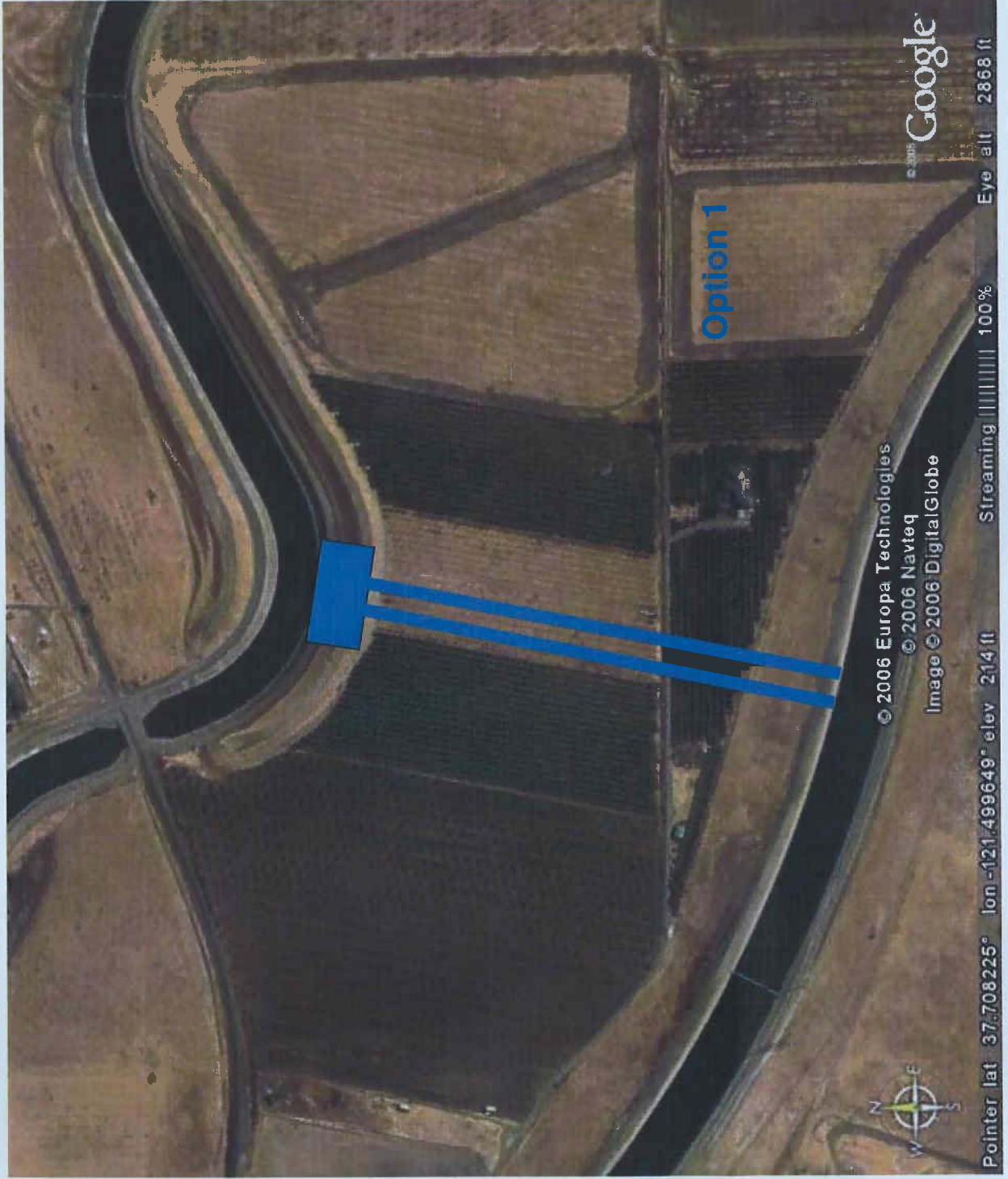
Proposed Intertie

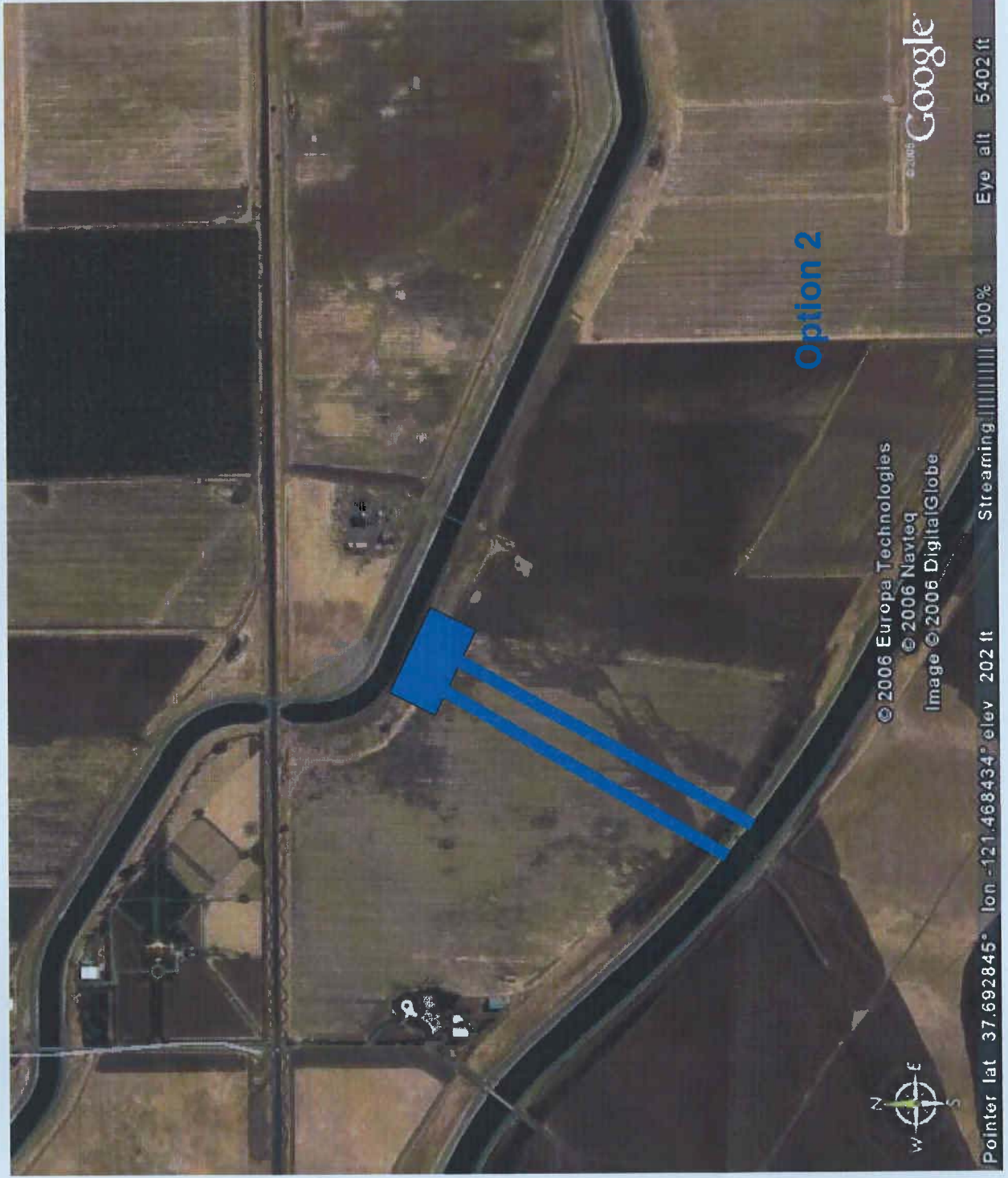


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Google

Pointer lat 37.757403° lon -121.578123° elev 225 ft
Streaming 100%
Eye alt 2233 ft





Each of the two alternative locations proposed as Options 1 and 2, above, can fulfill these stated purposes and needs, and therefore merit full evaluation in the EIS, consistent with 40 C.F.R. §1502.14.

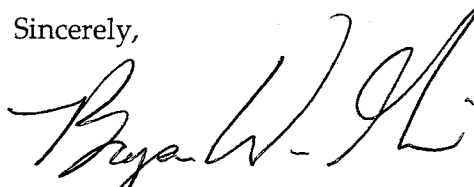
Cost-Benefit Analysis

We request that Reclamation conduct a cost-benefit analysis as part of its comparison of the proposed Intertie Project location and Options 1 and 2, consistent with 40 C.F.R. § 1502.23. We understand that Reclamation has already incurred considerable costs in designing the Intertie Project at its currently planned site, in preparing its previous Environmental Assessment for the proposed Intertie Project, and in securing permits and property interests for the proposed Intertie Project, and that additional costs would be incurred by modifying the project design, permits, and property interests for a new site. However, the potential benefits of avoiding such additional costs are tempered by the potential catastrophic costs that may result from proceeding with the Intertie Project at Reclamation's proposed location. We request that Reclamation undertake a full and transparent examination of these trade-offs.

We anticipate that such analysis will demonstrate that the benefits of avoiding these potentially catastrophic human injuries and fatalities and economic damages would greatly outweigh the costs of relocating the project away from the COTP right of way.

We appreciate your serious consideration of these comments and alternatives, and look forward to working with Reclamation and other interested parties in taking a long-term perspective towards locating the proposed Intertie Project on a site that fulfills its purpose and need while avoiding potentially catastrophic consequences to the public we serve.

Sincerely,



Bryan W. Griess
Assistant General Manager
Transmission Agency of Northern California

President
John Van De Kamp

President Emeritus
Sage Sweetwood

Senior Vice President
Kevin Johnson

Secretary/Treasurer
Bill Center



Regional Vice Presidents
Elisabeth Brown
Jan Chatten-Brown
Dorothy Green
Phyllis Faber
Rick Hawley
Doug Linney
David Mogavero
Lynn Sadler
Teresa Villegas

September 5, 2006

Ms. Sammie Cervantes
Bureau of Reclamation
2800 Cottage Way, MP-730
Sacramento, CA 95825

RE: Scoping comments for the Delta-Mendota Canal/California Aqueduct Intertie draft Environmental Impact Statement.

Dear Ms. Cervantes,

This letter is submitted as the comments of the Planning and Conservation League regarding preparation of the draft Environmental Impact Statement (EIS) for the Delta-Mendota Canal/California Aqueduct Intertie. Specifically, we are concerned that the project proposes to increase water pumping from the Delta at the same time federal and state scientists are discovering that existing pumping levels are negatively affecting threatened and endangered fish populations.

We recommend that the Bureau of Reclamation address the following issues in the draft EIS:

- 1.) Address the flaws in environmental analysis of the Finding of No Significant Impact issued by the Bureau in May 2005. The comments submitted by PCL on the original FONSI are attached. The new EIS should address the issues raised in those comments. In addition, several aspects of the original Intertie FONSI were demonstrated to be legally inadequate in arguments presented in *Planning and Conservation League v. United States Bureau of Reclamation*, C 05-3527 (N.D. Cal). Specifically, use and application of CALSIM II, cumulative impacts analysis, EWA analysis, and fisheries impacts analysis did were not adequate. The draft EIS should address these issues to ensure the EIS will meet the standard of NEPA review.
- 2.) Fully analyze impacts of the Intertie given the new information from studies conducted under the State and federal Pelagic Organism Decline studies. Specifically, the draft EIS should address the degree to which the Intertie will contribute to the negative impacts on Delta ebb tides, and the resulting negative impacts to fisheries. (As part of the POD study, recent USGS findings have discovered that the ebb tide in the Delta is altered due to high pumping rates from the State and federal water projects in the Delta. The EIS must address how the Intertie will contribute to altered ebb tides.)
- 3.) The draft EIS should fully analyze the Intertie impacts given the estimated impacts of climate change. The Department of Water Resources released, "Progress on Incorporating Climate Change into Management of California's Water Resources" in July 2006. That report included information on how climate change is likely to affect Delta and upstream



resources, as well as water supply. According the DWR report, climate change will result in reduce water available to the environment, and an increase the temperature of those waters. The EIS should incorporate this information, as well as other studies on climate change and California.¹ The EIS must address how the Intertie operations including increased pumping from the Delta will impact fisheries under the already stressful climate change conditions. The EIS should also analyze the degree to which the Intertie will impact the availability of water, and in particular cold water, for fisheries given the impacts of climate change.

4.) Fully evaluate upstream impacts of Intertie project operations, including changed operations at upstream reservoirs and any resulting change in the availability of cold water for fisheries.

5.) Fully evaluate downstream impacts of project operations, including increase drainage produced through the increased delivery of Delta waters to drainage impacted San Joaquin valley lands.

6.) Fully evaluate whether Intertie operations will prevent the restoration of endangered species, including Delta smelt and salmon, as well as the greater ecosystem of the Delta. The EIS should explicitly state how the Intertie would be operated to meet the fish doubling goals of the CVPIA.

7.) Fully analyze an alternative that includes reduced Delta exports and increased implementation of water conservation, water recycling and groundwater treatment. This alternative should address the information included in the California Water Plan 2005, released by the Department of Water Resources in April 2006.

8.) Fully analyze the demand for water south of the Delta. Specifically, the EIS should include an alternative based on California Water Plan Update demand projections that estimate a reduced water demand south of Delta.

Recently, the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Fish & Wildlife Association announced that each agency will reinitiate consultation on the OCAP Biological Opinions. PCL strongly urges the Bureau of Reclamation to delay preparation of the EIS until NOAA and the USFWS have prepared and issued the new biological opinions for the OCAP and the Intertie.

PCL remains concerned that construction and operation of the Intertie will compound the ecological problems that are now apparent in the Delta. We strongly urge the Bureau of Reclamation to pursue operations that will decrease stress on the Bay Delta Estuary and allow recovery of salmon, smelt and other Delta dependent species.

Sincerely,

Mindy McIntyre, Water Program Manager
Planning and Conservation League

ⁱ Many studies have been conducted that estimate the impacts of climate change on California water resources. These studies include:

Documentation of Inputs to Macroeconomic Assessment of the 2006 Climate Action Team Report to the Governor and Legislature, Final Version. Posted: March 24, 2006.

Learning From State Action on Climate Change. Pew Center On Global Climate Change, November 2005 Update, reprinted with permission. Posted: December 8, 2005.

Scenarios of Climate Change in California: An Overview. **FINAL** report from California Energy Commission, Public Interest Energy Research (PIER) Program, California Climate Change Center, publication # CEC-500-2005-186-SF, posted: February 27, 2006.

An Assessment of Impacts of Future CO₂ and Climate on Agriculture.

FINAL white paper from California Climate Change Center, publication # CEC-500-2005-187-SF, posted: March 15, 2006.

Analysis of Climate Effects on Agricultural Systems. **FINAL** white paper from California Climate Change Center, publication # CEC-500-2005-188-SF, posted: February 27, 2006.

Climate Change: Challenges and Solutions for California Agricultural Landscape.

FINAL white paper from California Climate Change Center, publication # CEC-500-2005-189-SF, posted: February 27, 2006.

Climate Change and Wildfire In and Around California: Fire Modeling and Loss Modeling.

FINAL white paper from California Climate Change Center, publication # CEC-500-2005-190-SF, posted: February 27, 2006.

The Response of Vegetation Distribution, Ecosystem Productivity, and Fire in California to Future Climate Scenarios Simulated by the MC1 Dynamic Vegetation Model.

FINAL white paper from California Climate Change Center, publication # CEC-500-2005-191-SF, posted: February 27, 2006.

Fire and Sustainability: Considerations for California's Altered Future Climate.

FINAL white paper from California Climate Change Center, publication # CEC-500-2005-192-SF, posted: February 27, 2006.

Climate Change Impact on Forest Resources.

FINAL white paper from California Climate Change Center, publication # CEC-500-2005-193-SF, posted: March 16, 2006.

Climate Change Impacts on Water for Agriculture in California: A Case Study in the Sacramento Valley.

FINAL white paper from California Climate Change Center, publication # CEC-500-2005-194-SF, posted: March 15, 2006.

Climate Warming and Water Supply Management in California, **FINAL** white paper from California Climate Change Center, publication # CEC-500-2005-195-SF. March 16, 2006.

Predicting the Effect of Climate Change on Wildfire Severity and Outcomes in California: A Preliminary Analysis,

FINAL white paper from California Climate Change Center, publication # CEC-500-2005-196-SF, posted: March 22, 2006.

Public Health-Related Impacts of Climate Change in California, **FINAL** white paper from California Climate Change Center, publication # CEC-500-2005-197-SF, posted: March 22, 2006.

Preparing for the Impacts of Climate Change in California: Opportunities and Constraints for Adaption, **FINAL** white paper from California Climate Change Center, publication # CEC-500-2005-198-SF, posted: March 22, 2006.

Climate Change Impacts on High Elevation Hydropower Generation in California's Sierra Nevada: A Case Study in the Upper American River, **FINAL** white paper from California Climate Change Center, publication # CEC-500-2005-199-SF, posted: March 22, 2006.

Predictions of Climate Change Impacts on California Water Resources Using CALSIM-II: A Technical Note, **FINAL** white paper from California Climate Change Center, publication # CEC-500-2005-200-SF, posted: February 27, 2006.

Climate Change and Electricity Demand in California, **FINAL** white paper from California Climate Change Center, publication # CEC-500-2005-201-SF, posted: February 27, 2006.

Projecting Future Sea Level, **FINAL** white paper from California Climate Change Center, publication # CEC-500-2005-202-SF, posted: March 15, 2006.

Climate Scenarios for California, **FINAL** white paper from California Climate Change Center, publication # CEC-500-2005-203-SF, posted: March 15, 2006.

Climate Change Projected Santa Ana Fire Weather Occurrence, **FINAL** white paper from California Climate Change Center, publication # CEC-500-2005-204-SF, posted: February 27, 2006.

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Bay Area
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Los Angeles

PLANNING AND CONSERVATION LEAGUE

December 28, 2004

Ms. Patricia Roberson
Bureau of Reclamation
2800 Cottage Way
MP-720
Sacramento, Ca 95825

Re: Comments on the Draft EA/IS for the Delta-Mendota Canal (DMC) and California Aqueduct Intertie Proposed Finding of No Significant Impact (FONSI)/Negative Declaration (ND).

Ms. Roberson,

The Planning and Conservation League submits the following comments regarding the Draft Environmental Assessment/ Initial Study (EA/IS) for the Delta-Mendota Canal (DMC) and California Aqueduct (CA) Intertie. We request full consideration of these comments, and emphasize at the outset our strong concern that the wrong state lead agency is conducting this environmental review.

We strongly urge the Bureau of Reclamation to withdraw the proposed Draft EA/IS for the DMC/CA Intertie and the proposed FONSI/ND. The EA/IS was prepared by the wrong state lead agency; reaches facially insupportable conclusions; is inconsistent with the analysis of expert federal agencies; mischaracterizes the significance of impacts; does not perform an adequate cumulative impacts analysis; misuses modeling; fails to properly analyze growth-inducing impacts; and does not account for the effects of global warming. If the project is to proceed, the EA/IS and the Finding of No Significant Impact/Negative Declaration (FONSI) must be withdrawn, and a legally adequate EIS/EIR must be prepared.

PCL requests consideration of the following specific comments:

1. The Wrong State Lead Agency Prepared the EA/IS



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It is inappropriate for the San Luis and Delta-Mendota Water Authority to act as the lead agency for CEQA compliance. The Intertie, as the EA/IS repeatedly acknowledges, creates a connection between the federal Delta-Mendota Canal and the state-run California Aqueduct, and exists solely for the purpose of further integrating the operations of the Central Valley Project (CVP) and State Water Project (SWP). Both the California Aqueduct, which is a component of the SWP, and the State Water Project as a whole are operated by the California State Department of Water Resources (DWR).

As established by law and expressly stated by the Court of Appeal in the Monterey Amendments litigation, DWR is the “state agency charged with the statewide responsibility to build, maintain and operate” the SWP. (*Planning and Conservation League v. Department of Water Resources* (2000) 83 Cal.App.4th 893, 906; see also Water Code, §§ 12930, *et seq.*) As in that decision, it is “incongruous to assert that any of the regional contractors,” or a local joint powers authority with no statewide responsibility, could lawfully act as lead agency for such a project. (*Ibid.*) Indeed, the lead agency problem is in some respects worse in the present case; to the best of our knowledge, all but one of the 32 member agencies in the San Luis and Delta-Mendota Water Authority (the Santa Clara Valley Water District) are *federal* rather than state water contractors.

As *Planning and Conservation League* illustrates, the preparation of environmental review by the wrong lead agency is a foundational CEQA defect that can prejudice the entirety of that assessment. Failure to honor the lead agency rule in the present project review would also run counter to the settlement agreement PCL and other plaintiffs ultimately reached with DWR and SWP contractors in the Monterey Amendments litigation, which expressly reaffirms DWR’s duties as the state agency responsible for administration and operation of the SWP. To avoid this clear error, the Draft EA/IS must be withdrawn and, if the project is to proceed, a draft EIS/EIR must be prepared with DWR as the state lead agency.

2. The Study’s Conclusion is Facially Irrational

A FONSI/ND is appropriate only where there is not even a fair argument that significant impacts may occur. This FONSI/ND therefore is proper only if the proposed project is virtually certain to cause no significant impacts on the environment, including flow, fisheries, or habitat of the Delta, and if no substantial evidence in the record would support a contrary conclusion.

Despite the EA/IS’s nominal conclusions, that virtual certainty does not exist here. The proposed project would facilitate “a substantial change in CVP pumping capability.” (Draft EA/IS p. 78). The CVP is an enormous irrigation project, and the Delta is one of California’s most stressed ecosystems. It is populated, as the EA/IS acknowledges, by numerous threatened or endangered species. Water quality problems in the Delta are almost constant, and studies by the National Marine Fisheries Service clearly connect many of the environmental ills of the Delta with the enormous amount of water moved by the CVP’s and SWP’s South Delta pumps. Diversion rates were cut five times during the winter and spring of 2003 to reduce the numbers of fish killed at the state and federal export pumps. Even so, the Endangered Species Act “take limit” for spring-run Chinook



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salmon was exceeded twice. (The Bay Institute Ecological Scorecard, 2004 <http://www.bay.org/Scorecard/Year%20in%20Water/YiWExSum>). Any project that represents a “substantial change in CVP pumping capability” therefore poses an unmistakable risk of significant environmental effects, and the EA/IS’s conclusion that there is not even a fair argument that such effects will occur lacks any rational basis.

3. The Study’s Conclusion is Inconsistent with the Analysis of an Expert Agency

The Draft EA/IS states that project construction and operation will have no significant impacts on the environment, including fisheries, compared to current operations. However, the Biological Opinion on the Long-Term Central Valley Project and State Water Project Operations Criteria and Plan issued by the National Marine Fisheries Service in October 2004 (Biological Opinion) found that the Intertie would have multiple and significant impacts on fisheries of the Delta system.¹ NMFS stated that increased pumping facilitated by the Intertie would alter the Delta flow regime, leading to—among other environmental effects—increased habitat impacts and fish entrainment. NMFS also stated that existing mitigation measures would not mitigate the effects of proposed increased pumping.

The Biological Opinion states that the Intertie operations would result in increased entrainment of several salmonid species. That Opinion indicates a need for a fully functional EWA to mitigate for these impacts. Currently there is not a fully functioning long term EWA. The future existence of such an EWA is uncertain, and the EWA is not a component of the action studied by this draft EA/IS. The Biological Opinion states the following regarding the impacts associated with the Intertie operations:

The Intertie allows Tracy pumping to increase from 4200 cfs to the full design capacity of 4600 cfs with or without the SDIP being implemented (formal consultation CALSIM studies 4a and 5a). Pumping at Tracy would increase in the future condition from November through February when listed salmon and steelhead typically are present in the Delta. This increase in winter-time pumping results in a corresponding increase in entrainment of winter-run Chinook salmon, spring-run Chinook salmon, and steelhead during these months. In early consultation study 5, the use of EWA reduces Tracy

¹ The Biological Opinion concluded that those impacts would not jeopardize the continued existence of listed species. That conclusion is in error, for it is unsupported by, and indeed is irreconcilable with, the analysis within the Biological Opinion. If a final EA/IS purports to rely on those no-jeopardy determinations, it will be relying upon legally flawed and clearly erroneous conclusions.

PCL also notes that the EA/IS provides no indication that the report authors have even reviewed either the NMFS or FWS biological opinions. They are described as forthcoming, even though they were already released prior to the release of the Draft EA/IS, and the list of documents reviewed does not include either of the biological opinions. While the nominal conclusions of these documents are legally flawed, their substantive analyses demonstrate the fallacy of the EA/IS’s conclusions, and they should be included within the record to be reviewed here.



pumping back to 4200 cfs from November through February. Therefore, the effect of the Intertie on listed salmonids is dependent on whether a long-term EWA becomes fully functional.

(Biological Opinion, p 140)

The EA/IS does not properly acknowledge, or propose any mitigation for, these impacts. Similarly, it does not acknowledge the other ways in which the Intertie's alteration of Delta flows would lead to adverse environmental impacts. Moreover, the only potential mitigation identified by the Biological Opinion—operation of the long-term EWA—is not a part of the proposed Intertie project. The EA/IS's conclusion that the project will have no significant environmental effects is therefore directly contrary to the substantive analyses of the expert agency that has previously addressed the intertie.

USBR and the DMC therefore cannot possibly conclude that there is no fair argument that the project would cause significant environmental impacts. With another agency's analysis clearly documenting impacts that would qualify, under any reasonable analysis, as significant, a FONSI/Negative Declaration would be inappropriate.

4. The Study Uses the Wrong Standard of Significance

The EA/IS concludes that the project will not cause significant environmental impacts partly because project-induced mortality of salmonid species will be increased only by a small percentage. The prediction of only a small percentage increase is of dubious credibility; the Biological Opinion states that actual mortality is difficult to determine, and the models the EA/IS used provide no basis for such definitive predictions. However, even if the EA/IS does provide accurate numbers, the conclusion that such increases are insignificant is contrary to both common sense and applicable law.

CEQA's guidelines expressly state that a project's effects must be found significant if the project "has the potential to... cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare or threatened species." (CEQA Guidelines, § 15065). Likewise, the Endangered Species Act requires agencies to engage in efforts to *recover* populations of threatened and endangered species, and the Central Valley Project Improvement Act requires USBR and DWR to *double* certain fisheries populations.

These requirements, coupled with the scale of the affected project, preclude the EA/IS from characterizing even a 1% increase in the mortality of protected species as insignificant. The CVP is a major source of salmonid mortality, and even a 1% increase in project-caused mortality would represent a large number of dead fish. Those fish already stand on the brink of elimination, and any actions that increase threats to those species represent steps in an environmentally damaging and legally precluded direction. Indeed, merely compensating for such increases in fish mortality could require a host of other



PLANNING AND CONSERVATION LEAGUE

environmental improvement projects, and the EA/IS includes no such mitigation. To characterize the project's adverse effects on fisheries as unarguably insignificant is therefore clearly erroneous and inconsistent with applicable law.

5. The Study Fails to Properly Analyze Alternatives

A complete EIR/EIS must analyze project alternatives, including the least environmentally damaging practicable alternative for meeting the identified needs. It also should define its purpose in a non-tautological manner, and cannot merely state that the project itself is the project purpose. Stating that the project purpose as improving water supply reliability, water quality, or environmental restoration is therefore appropriate, but defining the project purpose as increasing system integration or allowing increased pumping is not.

The EA/IS, however, analyzes only an unreasonably narrow set of alternatives, all of which, other than the no-project alternative, closely resemble the intertie, and all of which are directed toward the purpose of increasing pumping and project integration. It does not even address how conservation, recycling, and groundwater treatment could meet South-of-Delta needs and improve reliability and flexibility of water supplies. Such alternatives clearly do exist, as is illustrated by the attached *Investment Strategy for California Water*, November 18, 2004, (Attachment 1) and must be addressed by a proper EIS/EIR.

6. The Study Fails to Properly Analyze Cumulative Impacts

An EA/IS must analyze the cumulative impacts of the proposed project, but the EA/IS fails to properly do so. This failure is symptomatic of a larger problem; for the last two years, DWR and USBR have been engaged in a systematic effort to revise operations of the CVP and SWP, yet they have consistently declined to perform any cohesive NEPA/CEQA analysis of these changes. (See November 30, 2004 letters from Rossmann and Moore to Lester Snow and Kirk Rodgers, Attachment 2.) Instead, USBR and DWR appear to be engaged in a coherent strategy to conduct only partial and piecemeal analysis, with some aspects of revised operations analyzed only in artificial isolation, other aspects never analyzed at all, and the composite whole never addressed by a comprehensive NEPA/CEQA study. The absence of any proper cumulative impacts analysis in the EA/IS perpetuates this unfortunate and illegal trend.

A cumulative impacts analysis must address project impacts that, while not significant when viewed in isolation, are significant when considered along with the impacts of other reasonably foreseeable actions. The EA/IS simply does not perform this analysis. It declines to quantitatively analyze the effects of numerous other concurrent and reasonably foreseeable projects, describing the effects of those projects as too speculative to analyze. In other correspondence and public documents, however, DWR and USBR have repeatedly described those projects as part of their concrete plans for the future. Indeed, some of the cumulative effects of those same actions already have been studied—both qualitatively and quantitatively—by DWR, USBR, and the federal wildlife agencies through the ESA



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consultation process, and DWR and USBR are currently engaged in NEPA/CEQA studies of several of the actions, including the South Delta Improvements Project (SDIP) which will further increase pumping, that the draft EA/IS characterizes as too speculative to rigorously study.

That the SDIP constitutes reasonably foreseeable agency action is now evident from a variety of sources, ranging from the CALFED Record of Decision, recent authorizations of the Bay Delta Authority, and a recent DWR workshop addressing that anticipated project. The California Department of Water Resources' "Fact Sheet on South Delta Improvements Program clearly discloses that, "The Department of Water Resources (DWR) and the Bureau of Reclamation (Reclamation) are preparing a joint Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the South Delta Improvements Program (SDIP). (See Attachment 3, "Facts: South Delta Improvements Program," California Department of Water Resources, August, 2004.) The claim that those projects cannot be analyzed therefore is simply not credible.

The EA/IS does provide a qualitative "analysis" of some impacts to some resources, but those analyses are so terse, speculative, conclusory, and vague that they hardly constitute a hard look at actual environmental effects. Moreover, the conclusions of these "analyses"—that some other unspecified projects may, in combination, improve environmental conditions—are blatantly inconsistent with the analyses of the agencies that have actually studied these projects. For other potential impacts, including power and growth-inducing impacts, the EA/IS provides no cumulative impacts analysis at all.

Finally, for some types of impacts, the EA/IS concludes that because the Intertie will have only small effects, there will be no cumulative effects. This reasoning undermines the entire purpose of a cumulative impacts analysis. A cumulative impacts analysis addresses impacts that are insignificant only when considered in isolation, and the conclusion that the action alone does not have significant effects therefore must be the starting point of the analysis, not the end.

Indeed, the agencies that have actually addressed cumulative impacts have provided analysis that flatly contradicts the EA/IS's significance finding. In its Biological Opinion, NMFS states that the cumulative impacts of the Intertie project and the proposed increased pumping to 8500 cubic feet per second at the Banks pumping facility would result in negative and significant impacts on Delta and upstream fisheries. The Biological Opinion states:

These studies all suggest that the increased mortality associated with the indirect effects of moving water and fish across the interior of the Delta can range from 4 to 40 percent of the juvenile population entering the Delta, using winter-run Chinook salmon juveniles as an example. For other listed species such as steelhead, mortality is expected to be greater for those fish emigrating through the Delta from the San Joaquin River, since a greater portion of that river's flow is exported at the Delta pumping facilities. Operation of the proposed Project under the early consultation is expected to increase mortality up to the upper range of thresholds established in previous biological opinions as being



significant (*i.e.*, past incidental take levels), or in the case for steelhead surpass the threshold and have an effect on the population as well.

(Biological Opinion, p.178.)

The Biological Opinion also states that

...large numbers of juvenile winter-run Chinook salmon, spring-run Chinook salmon, and steelhead are expected to be drawn into the Central and South Delta as a result of operations of the DCC and the CVP/SWP pumps, where they may be killed through direct entrainment in Project diversions, other unscreened diversions, or otherwise experience lower survival compared to individuals remaining in the mainstem Sacramento and San Joaquin Rivers (see *Assumptions Underlying this Assessment*, below). The habitat impacts are likely to harm, harass, or kill winter-run Chinook salmon, spring-run Chinook salmon, and steelhead by impacting food availability, feeding and growth rates, movement within and among habitats, competitive and predatory interactions, energy expenditures, egg production, ability to find a mate, and spawning success. NOAA Fisheries anticipates that these impacts will occur continually at the levels described at least until the year 2020, the endpoint of this analysis. Some impacts are reduced as a result of adaptive management of DCC gates and temperature control in the upstream areas and under early consultation from the construction of permanent barriers in the South Delta.

(Biological Opinion, p 108.)

These statements are thoroughly inconsistent with the EA/IS's conclusion that the project will have no significant cumulative environmental impacts. In actuality, this project is part of a larger action plan that will have highly significant adverse impacts upon the Sacramento/San Joaquin ecosystem. Those effects must be properly analyzed, both in this project and elsewhere, and the absence of such analysis in the EA/IS renders it legally inadequate.

7. The Study Uses Modeling Inappropriately

The EA/IS supports its insignificance conclusions almost entirely on the basis of modeling. While the models DMC and USBR have used may be useful tools, this complete dependence upon modeling is inappropriate, for the models are not capable of providing the certainty that a FONSI/ND requires.

In order for a FONSI/ND to be appropriate, there must be no fair argument that project could produce significant environmental effects. In other words, the agencies must be able to show, with virtual certainty, that significant environmental effects will not occur, and that no substantial evidence in the record suggests otherwise.



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The models the agencies have used, however, are highly uncertain tools. CALSIM II, for example, while a sophisticated model, has been criticized by a panel of expert reviewers for several weaknesses, including its lack of amenability to proper calibration. (See A. Close, *et al.*, *A Strategic Review of CALSIM II and its Use for Water Planning, Management and Operations in Central California* submitted to California Bay Delta Authority Science Program, December 4, 2003. (See Attachment 4).) In addition, CALSIM II predicts water movements on a *monthly* basis, and is therefore particularly ill-suited for modeling the effects of the short-term fluctuations the Intertie will create. It is the environment of short-term fluctuations, rather than of monthly averages, that actually exists, and CALSIM II's more general predictions of monthly changes may not reflect reality. Additionally, the EA/IS expressly acknowledges that CALSIM II cannot address the costs or benefits of operational changes during maintenance periods, and facilitating operations during those maintenance periods is one of the primary purposes of developing the Intertie.

Furthermore a recent analysis has revealed additional flaws in the statistical basis for CALSIM II. (See Attachment 5, "Analysis of CALSIM's Statistical Basis," by Arve Sjøvold, December 28, 2004.)

As a consequence, the CALSIM II analyses fail to address one of the primary changes the Intertie will facilitate. These limitations indicate that CALSIM II does not provide a proper basis for making certain predictions about the environmental effects of future actions.

Models' predictions also can be no more accurate than their input data, and those input data depend upon numerous assumptions about future conditions. Here, those assumptions may be wrong; indeed, as the following section discusses, the EA/IS's assumption that future water flow patterns will be similar to those that have occurred in the past is inconsistent with the ample literature on the substantial effects of global warming on California water flows. Similarly, the Biological Opinion provides extensive discussion of the difficulties in determining how pumping increases correlate with increased fish mortality, and states that mortality is likely to be far higher than data gathered only at fish diversion facilities would suggest. These input data errors and uncertainties further undermine the ability of the EA/IS's modeling analysis to make the kind of predictions necessary to support a FONSI/Negative Declaration.

Finally, the EA/IS's presentation of modeling results is flawed. Throughout the EA/IS, modeled predictions—for example, statements that salmonid mortality will increase by a certain percentage—are presented as though certain, and discussion of possible error or of ranges of possible outcomes is almost entirely absent. The models used cannot possibly produce such certainty, however; at best, they can predict, given a certain set of data and assumptions, a range of possible outcomes, with some outcomes potentially more probable than others, and with all predictions limited by both known and unknown sources of error. An accurate discussion of the EA/IS's modeling results therefore cannot provide certain predictions, and instead should show the range of possible outcomes. By omitting both possible sources of error and potential outcome ranges, the EA/IS projects a false certainty that the impacts of the



project will be relatively small. Indeed, if the modeling results were properly presented, with ranges of outcomes fully described, the study might show that the models actually predict that significantly larger impacts are entirely capable of occurring.

PCL does not argue that models should never have been used to inform the analysis in the EA/IS. But the models used cannot possibly provide a near-certain conclusion that significant environmental effects will not occur, especially when both common sense, existing knowledge of the Delta system, and the analyses of other agencies all indicate the extremely high likelihood of such impacts. Indeed, PCL believes that if modeling results were properly reported, they would indicate the reasonable likelihood of impacts that even the EA/IS authors would describe as significant.

8. The Study Inappropriately Fails to Account for Global Warming

In recent years, numerous studies have consistently affirmed that global warming is occurring and that it will cause major changes in precipitation and flow patterns in California. California has passed major legislation aiming to curb global warming, and other agencies have factored global-warming-induced changes in hydrological flows into their planning. (Attachment 6.)

In June, 2004, the National Academy of Sciences (NAS) released a study assessing the likely impacts of climate change on California's water supply.ⁱ The NAS study found that precipitation patterns in California are likely to change, with more precipitation falling in the form of rain instead of snow. This change in precipitation could result in a 30%-90% reduction in Sierra snowpack before the end of the century. The report also found that spring and summer stream flow, could be reduced by 40-55% by the end of the century. In addition, the report found that the frequency and severity of dry or drought years could increase from the historic frequency of 32% to 50-64%.ⁱⁱ The NAS study states that these impacts, "could fundamentally disrupt California's water rights system."ⁱⁱⁱ Dr. Michael Hanemann, a researcher involved in the NAS study, noted that the conclusions in the NAS study are likely to be conservative because the results do not include impacts on the Delta from sea level rise, or increased water demand due to population increase.^{iv}

The Draft California Water Plan Update prepared by the California Department of Water Resources states:

Global climate change and other complex factors will likely change California's hydrology as recorded over the past century. While many uncertainties remain—primarily on the degree and timing of change— it is likely there will be reduction in the Sierra snowpack, an earlier snowmelt, and a rise in sea level. These changes have major implications for water supply, flood management, and ecosystem health.

Evidence continues to accumulate that global climate will have significant effects on water resources in California. Climate changes have occurred during the 20th century.



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Consensus in the scientific community is that measurable warming and other changes caused by human activities are already being observed. The prospects of significant changes warrant examination of how California's water infrastructure and natural systems can accommodate or adapt and whether more needs to be done to detect, evaluate, and respond to water resource system effects.^v

In addition, there are numerous other scientific reports on the effects that global climate change will have on California's water supplies,^{vi} as well as new tools available to analyze the potential effects of climate change on State Water Project supplies.^{vii}

In spite of this overwhelming evidence that global warming is occurring and will have major effects on the flow of water through California, the EA/IS completely fails to address global warming's effects. Its modeling analysis expressly assumes that past flow patterns will be repeated in the future, and even its "future baseline" assumes that global-warming induced flow changes will not exist. These assumptions are unreasonable; while we may not know exactly what flow regime the future will bring, numerous studies have documented the changes that will occur, and we know that past patterns will not be repeated.

This failure to address global warming-induced flow changes means that the EA/IS is thoroughly permeated with a major false assumption. Both its no-project and project alternatives are based upon a fictional reality, and its modeling input data all are predicated on the insupportable assumption that an existing and growing problem will somehow disappear. A proper EIS/EIR must correct that false assumption, and must factor global warming into its analysis.

9. The EA/IS Fails to Address Growth-Inducing Impacts

CEQA requires agencies to study the ways in which their projects may induce, foster, or remove obstacles to growth. The EA/IS fails to properly perform such analysis.

The entire purpose of the proposed project is to increase both the amount and reliability of water delivered by the CVP south of the San Joaquin Delta. California's courts have repeatedly affirmed, in the Monterey Amendments litigation and elsewhere, that such changes have the potential to induce growth and that the impacts of such growth must be analyzed.

The EA/IS attempts to circumvent those legal requirements by stating that the increased deliveries will still be less than total contract amounts, that the deliveries will be used only on already-irrigated agricultural lands, and that the deliveries will be relatively small. The first assertion is irrelevant; California's courts have already held that replacing paper water with actual water can affect local planning and therefore induce growth. The second assertion is unsupported speculation; although the deliveries may be promised to agricultural users, those users may transfer water to urban areas. The final assertion also does not remove the need for analysis; a "small" percentage increase in the deliveries

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of a project the scale of the CVP still represents a large amount of water, and creates a commensurately large potential for induced growth. Moreover, if properly analyzed along with other concurrent projects also designed to increase delivery capacity, the increases associated with the Intertie could not be characterized as insignificant.

A proper EIS/EIR therefore must properly analyze, not deny, the growth-inducing impacts of the Intertie. It also must analyze the cumulative growth-inducing impacts of the Intertie and related projects.

Conclusion

Both on its own and in conjunction with other related projects, the Intertie will have major and significant environmental effects. Those effects require proper study and mitigation. If the project is to proceed, we urge the Bureau and San Luis & Delta Mendota Water Authority to withdraw the proposed FONSI/ND and complete a full EIR/EIS on the DMC/CA Intertie.

Respectfully,

Mindy McIntyre
Water Policy Specialist
Planning and Conservation League

Attachments

cc:

Lester Snow, Director
California Department of Water Resources

Michael Chrisman, Secretary
Resources Agency

William Lockyer, Attorney General
State of California Department of Justice

Dan Nelson, General Manager
San Luis Delta Mendota Water Users Association

Antonio Rossmann, Roger B. Moore, David R. Owen
Rossmann and Moore, LLP



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ⁱ Emissions pathways, climate change, and impacts on California. June 23, 2004.

<http://www.pnas.org/cgi/reprint/101/34/12422.pdf>

ⁱⁱ Emissions pathways, climate change, and impacts on California. June 23, 2004.

<http://www.pnas.org/cgi/reprint/101/34/12422.pdf>

ⁱⁱⁱ Emissions pathways, climate change, and impacts on California. June 23, 2004.

<http://www.pnas.org/cgi/reprint/101/34/12422.pdf>

^{iv} Notes On The PNAS Paper On Climate Change Impacts In California 8/17/04, Michael Hanemann

^v Draft California Water Plan Update 2003, California Dept. of Water Resources, June 7, 2004 Volume 1, Chapter 3, p 6.

<http://www.waterplan.water.ca.gov/bl60/workgroups/chapterreviewgroup.htm>

^{vi} Intergovernmental Panel on Climate Change 2001; Summary for Policymakers

http://www.grida.no/climate/ipcc_tar/wg1/008.htm

The Effects of Climate Change on Water Resources in the West: Introduction and Overview

pp. 1-11 Tim Barnett, Robert Malone, William Pennell, Detlet Stammer, Bert Semtner, Warren Washington

Draft of paper: <http://cirrus.ucsd.edu/~pierce/crd/globalwarming/ACPI-ClimaticChange.12-12-02.pdf>

Mid-Century Ensemble Regional Climate Change Scenarios for the Western United States

pp. 75-113 L. Ruby Leung, Yun Qian, Xindi Bian, Warren M. Washington, Jongil Han, John O. Roads

http://www.pnl.gov/atmos_sciences/Lrl/Leung-3.pdf

Changes in Snowmelt Runoff Timing in Western North America under a 'Business as Usual' Climate Change Scenario pp.

217-232 Iris T. Stewart, Daniel R. Cayan, Michael D. Dettinger

http://tenaya.ucsd.edu/~dettinge/stewart_acpi.pdf

Mitigating the Effects of Climate Change on the Water Resources of the Columbia River Basin

pp. 233-256 Jeffrey T. Payne, Andrew W. Wood, Alan F. Hamlet, Richard N. Palmer, Dennis P. Lettenmaier

http://www.tag.washington.edu/publications/papers/payne_CC_final_080503.pdf

Potential Implications of PCM Climate Change Scenarios for Sacramento-San Joaquin River Basin Hydrology and Water

Resources, pp. 257-281 Nathan T. VanRheenen, Andrew W. Wood, Richard N. Palmer, Dennis P. Lettenmaier

<http://www.tag.washington.edu/publications/papers/VanRheenen-etal.2004.ClimChg.62,257-281.pdf>

Simulated Hydrologic Responses to Climate Variations and Change in the Merced, Carson, and American River Basins,

Sierra Nevada, California, 1900-2099, pp. 283-317 Michael D. Dettinger, Daniel R. Cayan, Mary K. Meyer, Anne E. Jeton

http://tenaya.ucsd.edu/~dettinge/sierra_change.pdf

http://sfbay.wr.usgs.gov/access/bibliography/pdf/dettinger_2004_climate_change.pdf

Elevational Dependence of Projected Hydrologic Changes in the San Francisco Estuary and Watershed, pp. 319-336 Noah

Knowles, Daniel R. Cayan

http://sfbay.wr.usgs.gov/access/bibliography/pdf/knowles_2004_sf_estuary.pdf

The Effects of Climate Change on the Hydrology and Water Resources of the Colorado River Basin, pp. 337-363 Niklas S.

Christensen, Andrew W. Wood, Nathalie Voisin, Dennis P. Lettenmaier, Richard N. Palmer

Draft of paper: http://www.hydro.washington.edu/Lettenmaier/Publications/ACPI/Christenson_CC_final_0801.pdf

http://ftp.hydro.washington.edu/pub/niklas/paper_sep26_2.pdf

VanRheenen, N.T., Palmer, R.N., and Hahn, M.A. (2003). "Evaluating Potential Climate Change Impacts on Water

Resources Systems Operations: Case Studies of Portland, Oregon and Central Valley, California." Water Resources Update, 124, 35-50.

<http://www.tag.washington.edu/publications/papers/VanRheenen-etal.2003.WaterResourcesUpdate.124,35-50.pdf>

Spring onset in the Sierra Nevada--When is snowmelt independent of elevation?, by Lundquist, Cayan, and Dettinger,

Journal of Hydrometeorology, 5, 325-340,

http://tenaya.ucsd.edu/~dettinge/Lundquist_synchmelt.pdf

Brekke, L.D., N. L. Miller, K.E. Bashford, N.W.T. Quinn, and J.A. Dracup. 2004: Climate change impacts uncertainty for

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- water resources in the San Joaquin River Basin, California, J. Amer. Water Resources Assoc., 149-164. http://www-esd.lbl.gov/ESD_staff/miller/pubs/brekke_2004.pdf
- Miller, N.L., K.E. Bashford, E. Strem, 2003: Potential Impacts of Climate Change on California Hydrology, J. Amer. Water Resources Assoc., 771-784. http://www-esd.lbl.gov/ESD_staff/miller/pubs/miller_jawra2003.pdf
- Kim, J., T-K Kim, R W Arritt and N L Miller 2002: Impacts of increased CO2 on the hydroclimate of the western United States, J. Climate, 15, 1926-1942 http://www-esd.lbl.gov/ESD_staff/miller/pubs/kim_jclimate2002.pdf
- "The transboundary setting of California's water and hydropower systems--Linkages between the Sierra Nevada, Columbia, and Colorado hydroclimates" by Cayan, Dettinger, Redmond, McCabe, Knowles, and Peterson, 2003, book chapter, pdf. <http://tenaya.ucsd.edu/~dettinge/transboundary.pdf>
- Climate Change Sensitivity Study of California Hydrology: A Report to the California Energy Commission. LBNL Technical Report No. 49110. November 2001. Norman L. Miller and Kathy E. Bashford California Water Resources Research and Applications Center Lawrence Berkeley National Laboratory, University of California and Eric Strem
 California-Nevada River Forecast Center
 NOAA-National Weather Service
<http://www-esd.lbl.gov/RCC/outreach/Miller-Bashford-Strem.pdf>
- vii Potential Implications of PCM Climate Change Scenarios for Sacramento–San Joaquin River Basin Hydrology and Water Resources, pp. 257-281 Nathan T. VanRheenen, Andrew W. Wood, Richard N. Palmer, Dennis P. Lettenmaier
<http://www.tag.washington.edu/publications/papers/VanRheenen-etal.2004.ClimChg.62,257-281.pdf>
- Simulated Hydrologic Responses to Climate Variations and Change in the Merced, Carson, and American River Basins, Sierra Nevada, California, 1900–2099, pp. 283-317 Michael D. Dettinger, Daniel R. Cayan, Mary K. Meyer, Anne E. Jeton
http://tenaya.ucsd.edu/~dettinge/sierra_change.pdf
- The Effects of Climate Change on the Hydrology and Water Resources of the Colorado River Basin, pp. 337-363 Niklas S. Christensen, Andrew W. Wood, Nathalie Voisin, Dennis P. Lettenmaier, Richard N. Palmer
 Draft of paper: http://www.hydro.washington.edu/Lettenmaier/Publications/ACPI/Christenson_CC_final_0801.pdf

Appendix B

Federal Register Notice of Preparation

DEPARTMENT OF THE INTERIOR**Bureau of Reclamation****Delta-Mendota Canal/California Aqueduct Intertie, Alameda County, California**

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of intent to prepare an environmental impact statement (EIS) and notice of public scoping meetings.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA), the Bureau of Reclamation (Reclamation) intends to prepare an EIS for the Delta-Mendota Canal/California Aqueduct Intertie (Intertie). A primary purpose of the Intertie is to allow for operation and maintenance activities on the Tracy pumping plant and fish facility, the Delta-Mendota Canal, and the O'Neill pumping plant and intake canal. A Draft EIS is expected to be available in May 2007.

The Intertie consists of constructing and operating a pumping plant and pipeline connection between the Delta Mendota Canal (DMC) and the California Aqueduct. The Intertie would be used in a number of ways to achieve multiple benefits, including meeting current water supply demands, allowing for the maintenance and repair of the Central Valley Project (CVP) Delta export and conveyance facilities, and providing operational flexibility to respond to emergencies related to both the CVP and State Water Project (SWP).

Reclamation decided to withdraw the recently published Finding of No Significant Impact and Environmental Assessment (EA) for the Intertie and to initiate an EIS based on public challenge to the EA content and conclusions.

DATES: A series of public scoping meetings will be held to solicit public input on the alternatives, concerns, and issues to be addressed in the EIS. The meeting dates are as follows:

- Tuesday, August 1, 2006, 10 a.m. to 12 Noon, Sacramento, CA.
- Thursday, August 3, 2006, 6 to 8 p.m., Stockton, CA.

Written comments on the scope of the EIS should be mailed to Reclamation at the address below by September 4, 2006.

ADDRESSES: The public scoping meeting locations are:

- *Sacramento*—Federal Building, 2800 Cottage Way, Cafeteria Rooms C-1001 and C-1002, Sacramento, CA 95825.
- *Stockton*—Cesar Chavez Central Library, 605 North El Dorado Street,

Steward-Hazelton Room, Stockton, CA 95202.

Written comments on the scope of the EIS should be sent to: Ms. Sammie Cervantes, Bureau of Reclamation, 2800 Cottage Way, MP-730, Sacramento, CA 95825.

FOR FURTHER INFORMATION CONTACT: Ms. Sharon McHale, Reclamation Project Manager, at the above address, at 916-978-5086, TDD 916-978-5608, or via fax at 916-978-5094 or e-mail at smchale@mp.usbr.gov.

SUPPLEMENTARY INFORMATION: The project area is in an unincorporated area of the San Joaquin Valley in Alameda County, west of the city of Tracy. The site is in a rural area zoned for general agriculture and is under federal and state ownership. The Intertie would be located at milepost 7.2 of the DMC, connecting with milepost 9.1 of the California Aqueduct, where they are approximately 500 feet apart.

The Intertie would include a 450 cubic feet per second (cfs) pumping plant at the DMC that would allow up to 400 cfs to be pumped from the DMC to the California Aqueduct through an underground pipeline. Because the aqueduct is located approximately 50 feet higher in elevation than the DMC, up to 900 cfs could be conveyed from the aqueduct to the DMC using gravity flow.

The Intertie would be owned by the Federal government and operated by the San Luis and Delta Mendota Water Authority (Authority). An agreement among Reclamation, the California Department of Water Resources, and the Authority would identify the responsibilities and procedures for operating the Intertie. A permanent easement would be obtained by Reclamation where the Intertie alignment crosses state property.

If special assistance is required at the scoping meetings, please contact Ms. Sammie Cervantes at 916-978-5189, TDD 916-978-5608, or via e-mail at scervantes@mp.usbr.gov. Please notify Ms. Cervantes as far in advance of the meetings as possible to enable Reclamation to secure the needed services. If a request cannot be honored, the requestor will be notified. A telephone device for the hearing impaired (TDD) is available at 916-978-5608.

Written comments, including names and home addresses of respondents, will be made available for public review. Individual respondents may request that their home address be withheld from public disclosure, which will be honored to the extent allowable by law. There may be circumstances in

which respondent's identity may also be withheld from public disclosure, as allowable by law. If you wish to have your name and/or address withheld, you must state this prominently at the beginning of your comment. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Dated: May 10, 2006.

Frank Michny,

Regional Environmental Officer, Mid-Pacific Region.

[FR Doc. 06-6161 Filed 7-11-06; 8:45am]

BILLING CODE 4310-MN-M

INTERNATIONAL TRADE COMMISSION**Summary of Commission Practice Relating to Administrative Protective Orders**

AGENCY: U.S. International Trade Commission.

ACTION: Summary of Commission practice relating to administrative protective orders.

SUMMARY: Since February 1991, the U.S. International Trade Commission ("Commission") has issued an annual report on the status of its practice with respect to violations of its administrative protective orders ("APOs") in investigations under Title VII of the Tariff Act of 1930 in response to a direction contained in the Conference Report to the Customs and Trade Act of 1990. Over time, the Commission has added to its report discussions of APO breaches in Commission proceedings other than under Title VII and violations of the Commission's rules including the rule on bracketing business proprietary information ("BPI") (the "24-hour rule"), 19 CFR 207.3(c). There were no completed investigations of rule violations during calendar year 2005. This notice provides a summary of investigations completed during calendar year 2005 of breaches in proceedings under Title VII, section 421 of the Trade Act of 1974, as amended, section 337 of the Tariff Act of 1930, as amended, and one conducted under the procedures for imposing sanctions for violation of the provisions of a protective order issued during NAFTA dispute resolution panel and Extraordinary Challenge Committee proceedings. The Commission intends that this report inform representatives of

Appendix C

Scoping Meeting Display Ads

RECLAMATION

Managing Water in the West

Public Scoping Meetings

Delta-Mendota Canal/California Aqueduct Intertie

The Bureau of Reclamation is preparing an Environmental Impact Statement (EIS) for the Delta-Mendota Canal/California Aqueduct Intertie (Intertie). The Intertie would connect the Delta-Mendota Canal and the California Aqueduct via a new pipeline and pumping plant, which would help meet current water supply demands, allow for maintenance and repair activities, and provide the flexibility to respond to Central Valley Project and State Water Project emergencies.

Two public scoping meetings are being held to solicit public input on topics that should be addressed in the EIS, including anticipated resources, alternatives, and significant concerns and issues:

SACRAMENTO

- *Tuesday, August 1, 2006, 10 a.m. to 12 Noon,*
Bureau of Reclamation, 2800 Cottage Way,
Cafeteria Conference Rooms C-1001 and C-1002, Sacramento, CA

STOCKTON

- *Thursday, August 3, 2006, 6 to 8 p.m.,*
Cesar Chavez Central Library, 605 North El Dorado Street,
Steward-Hazelton Room, Stockton, CA

For additional information, please contact Sammie Cervantes, at **916-978-5189**, TDD **916-978-5608**, or e-mail scervantes@mp.usbr.gov.

PROOF OF PUBLICATION
NOTICE

STATE OF CALIFORNIA
COUNTY OF SAN JOAQUIN

THE UNDERSIGNED SAYS:

I am a citizen of the United States and a resident of San Joaquin County; I am over the age of 18 years and not a part to or interested in the above-entitled matter. I am the principal clerk of the printer of THE RECORD, a newspaper of general publication, printed and published daily in the City of Stockton, County of San Joaquin and which newspaper has been adjudged a newspaper of general circulation in the City of Stockton and the County of San Joaquin by the Superior Court of the County of San Joaquin, State of California, under the date of February 26, 1952, File No. 52857, San Joaquin County Records; that the notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates,

To wit: *July 31, August 1*

All in the year, 2006.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: *September 6, 2006*

In Stockton, California.

Carlette Schnell

Carlette Schnell, Legal Adv. Clerk

RECLAMATION
Managing Water in the West

Public Scoping Meetings

Delta-Mendota Canal/California Aqueduct Intertie

The Bureau of Reclamation is preparing an Environmental Impact Statement (EIS) for the Delta-Mendota Canal/California Aqueduct Intertie (Intertie). The Intertie would connect the Delta-Mendota Canal and the California Aqueduct via a new pipeline and pumping plant, which would help meet current water supply demands, allow for maintenance and repair activities, and provide the flexibility to respond to Central Valley Project and State Water Project emergencies.

Two public scoping meetings are being held to solicit public input on topics that should be addressed in the EIS, including anticipated resources, alternatives, and significant concerns and issues:

SACRAMENTO

- *Tuesday, August 1, 2006, 10 a.m. to 12 Noon,*
Bureau of Reclamation, 2800 Cottage Way,
Cafeteria Conference Rooms C-1001 and C-1002, Sacramento, CA

STOCKTON

- *Thursday, August 3, 2006, 6 to 8 p.m.,*
Cesar Chavez Central Library, 605 North El Dorado Street,
Steward-Hazelton Room, Stockton, CA

For additional information, please contact Sammie Cervantes, at 916-978-5189, TDD 916-978-5608, or e-mail scervantes@mp.usbr.gov.

Stockton Record Run Dates:

Monday, July 31, 2006

Wednesday, August 2, 2006

RECLAMATION

Managing Water in the West

Public Scoping Meetings

Delta-Mendota Canal/California Aqueduct Intertie

The Bureau of Reclamation is preparing an Environmental Impact Statement (EIS) for the Delta-Mendota Canal/California Aqueduct Intertie (Intertie). The Intertie would connect the Delta-Mendota Canal and the California Aqueduct via a new pipeline and pumping plant, which would help meet current water supply demands, allow for maintenance and repair activities, and provide the flexibility to respond to Central Valley Project and State Water Project emergencies.

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Wave east

ed to break out of its nearly not before it caused as many damage to crops. Possibly heat-related deaths by increase came primarily from Central Valley counties of Merced struggled to keep up. ed 29 heat-related deaths. It th a year, county emergency s said. in triple-digit temperatures t records for extended heat six consecutive 110-plus with 11 consecutive triple- r, a National Weather Service

heat wave appeared to be over, turn to normal over the weekend s before you see this kind of heat g this long," said David Reynolds, ologist in Monterey. "This kind of y only occur every 20 to 25 years."

White supremacists

Gibson were the first defend- ants to stand trial in the federal racketeering case aimed at dismantling the feared Aryan Brotherhood.

They all were convicted under Racketeer Influenced and Corrupt Organizations law, and offenses known as Violent Crime In Aid of Racketeering. Mills and Bingham are eligible for the death penalty.

Mills, Bingham and Hevle also were convicted of a murder count for the killing of Arva Lee Ray, a prisoner slain at the Lompoc peniten- tiary in 1989.

Heat wave to continue for another week

A National Weather Service hazard assessment shows a band of heat covering most of the U.S. moving east for the next seven days.

High temperature, past 24 hours	70-79 F	80-89	90-99	100 and above
	21-26 C	26-32	32-37	37 and above



Extreme heat shifting east between July 30 and Aug. 4

SOURCES: NOAA, Weather Underground

AP

RECLAMATION

Managing Water in the West

Public Scoping Meetings

Delta-Mendota Canal/California Aqueduct Intertie

The Bureau of Reclamation is preparing an Environmental Impact Statement (EIS) for the Delta-Mendota Canal/California Aqueduct Intertie (Intertie). The Intertie would connect the Delta-Mendota Canal and the California Aqueduct via a new pipeline and pumping plant, which would help meet current water supply demands, allow for maintenance and repair activities, and provide the flexibility to respond to Central Valley Project and State Water Project emergencies.

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For additional information, please contact Sammie Cervantes, at 916-978-5189, TDD 916-978-5608, or e-mail scervantes@mp.usbr.gov

LEP00520

Tracy Press Run Dates:

Saturday, July 29, 2006

Wednesday, August 2, 2006

Appendix D

Additional Notifications and Publicity

**Mid-Pacific Region
Sacramento, CA**

MP-06-074

Media Contact: Jeffrey McCracken 916-978-5100
jmccracken@mp.usbr.gov

For Release On: July 20, 2006

Reclamation Schedules Public Scoping Meetings on the Delta-Mendota Canal/California Aqueduct Intertie

The Bureau of Reclamation is preparing an Environmental Impact Statement (EIS) for the Delta-Mendota Canal/California Aqueduct Intertie (Intertie). The Intertie would connect the Delta-Mendota Canal (DMC) and the California Aqueduct via a new pipeline and pumping plant. The primary purpose of the Intertie would be to allow for operation and maintenance activities at the Tracy pumping plant and fish facility, the Delta-Mendota Canal, and the O'Neill pumping plant and intake canal.

The Intertie would be used to accomplish a range of benefits, including meeting current water supply demands, maintaining and repairing Central Valley Project (CVP) Delta export and conveyance facilities, and providing operational flexibility to respond to CVP and State Water Project emergencies. The Intertie would be located in an unincorporated area of the San Joaquin Valley in Alameda County, west of the city of Tracy. The site is in a rural agricultural area that is owned by the State and Federal governments. A Draft EIS is expected to be available in May 2007.

A Notice of Intent to prepare the EIS was published in the Federal Register on Wednesday, July 12, 2006. Two public scoping meetings are being held to solicit public input on topics that will be addressed in the EIS, including anticipated resources, alternatives, and significant concerns and issues. Meeting participants will have the opportunity to interact directly with the study team. The meetings are scheduled as follows:

Sacramento

Tuesday, August 1, 2006

10 a.m. - noon

Bureau of Reclamation

2800 Cottage Way

Cafeteria Conference Rooms C-1001 and C-1002

Stockton

Thursday, August 3, 2006

6 - 8 p.m.

Cesar Chavez Central Library

605 North El Dorado Street

Steward-Hazelton Room

Written comments on the scope of the environmental document should be received by close of business Tuesday, September 5, 2006, and should be sent to Ms. Sammie Cervantes, Bureau of Reclamation, 2800 Cottage Way, Sacramento, CA 95825-1898, via e-mail at scervantes@mp.usbr.gov, or fax to 916-978-5094. For additional information, please contact Ms. Sharon McHale, Project Manager, at 916-978-5086, TDD 916-978-5608, or e-mail smchale@mp.usbr.gov.

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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 <http://www.usbr.gov>



From: water_news-admin@water.ca.gov on behalf of Parker, Annie [aparker@water.ca.gov]
Sent: Friday, July 21, 2006 9:48 AM
To: water_news@water.ca.gov
Subject: 5. DWR'S CALIFORNIA WATER NEWS: AGENCIES, PROGRAMS, PEOPLE - 7/21/06

Department of Water Resources

California Water News

A daily compilation of significant news articles and comment

July 21, 2006

5. Agencies, Programs, People

Reclamation Schedules Public Scoping Meetings on the Delta-Mendota Canal/California Aqueduct Intertie - News Release, Bureau of Reclamation

Reclamation Schedules Public Scoping Meetings on the Delta-Mendota Canal/California Aqueduct Intertie

News Release, Bureau of Reclamation – 7/20/06

Contact: Jeffery McCracken, (916) 978-5100

The Bureau of Reclamation is preparing an Environmental Impact Statement (EIS) for the Delta-Mendota Canal/California Aqueduct Intertie (Intertie). The Intertie would connect the Delta-Mendota Canal (DMC) and the California Aqueduct via a new pipeline and pumping plant.

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Appendix E

Scoping Meeting Handouts

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Managing Water in the West

DELTA-MENDOTA CANAL / CALIFORNIA AQUEDUCT INTERTIE PROJECT

PUBLIC SCOPING MEETINGS

August 1, 2006 - Sacramento

August 3, 2006 - Stockton

Thank you for your interest and participation in the public scoping process for the Delta-Mendota Canal/California Aqueduct Intertie Project (Intertie). The Intertie is a Federal action that requires the preparation of an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act. The EIS on the proposed project will provide information about potentially significant impacts, identify ways to minimize these impacts, and evaluate feasible alternatives. The scoping process is an initial step in the preparation of the Intertie EIS and will help guide the scope of issues to be studied and addressed during the environmental review process. Your written comments will help determine the scope of the Intertie project and are therefore strongly encouraged.

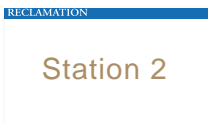
The scoping meeting format is informal open house. Project staff and technical experts are available at each station to explain the various displays and answer questions.

Program



Welcome/Sign-in

Please sign-in and collect meeting handouts at this station.



Project Objectives And Purpose

Exhibits at this station explain the purpose and need for the project and define the project area.



Engineering Overview

This station includes preliminary technical drawings that describe project components and how the proposed project could be engineered and operated to meet the project objectives.



Environmental Overview

Display boards at this station include a preliminary listing of the expected range of environmental impacts from the proposed project as well as a description and timeline of the environmental review and public participation process.



Comment Station

This is your chance to comment on what will be studied during environmental review of the proposed project! Comment cards may be filled out at the meeting and left in the designated comment box or mailed to the Bureau of Reclamation. Please feel free to take and distribute comment cards to colleagues and others who were unable to attend these scoping meetings but would be interesting in providing comment on the proposed project. **Mailed comments must be received by the Bureau of Reclamation by Tuesday, September 5, 2006.**

For More Information

Contact Sharon McHale with the Bureau of Reclamation at (916) 978-5086, TDD (916) 978-5608 or smchale@mp.usbr.gov.

Project Website

<http://www.usbr.gov/mp/intertie>

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Managing Water in the West

FACTS

August 2006

DELTA-MENDOTA CANAL / CALIFORNIA AQUEDUCT INTERTIE PROJECT

Introduction and Project Overview

The Bureau of Reclamation (Reclamation) is preparing an Environmental Impact Statement (EIS) for the Delta-Mendota Canal / California Aqueduct Intertie Project (Intertie). The Delta Mendota Canal (DMC) is part of the Central Valley Project (CVP) whereas the California Aqueduct (CA) is part of the State Water Project (SWP). The CVP and the SWP currently coordinate water storage and delivery operations. To further this coordination, the proposed project would connect the CVP and SWP via the Intertie to serve water service contractors south of the Delta. The Intertie project would provide redundancy in the water distribution system, allowing operational flexibility to respond to CVP and SWP emergencies or maintenance activities. Additionally, the Intertie would be used to meet current unmet water supply demands with deliveries to CVP water customers south of the Delta.

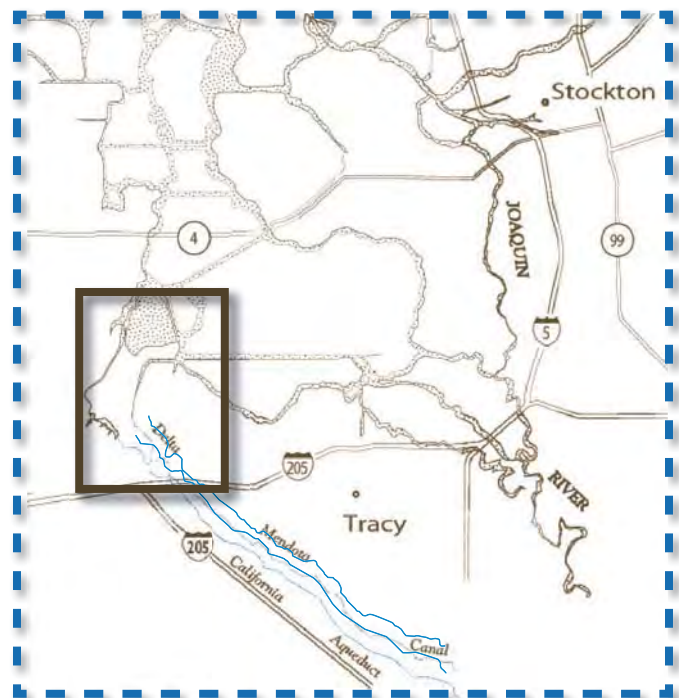


Project Components / Proposed Actions

The project area is an unincorporated area of the San Joaquin Valley in Alameda County, west of the City of Tracy. The site is in a rural area zoned for general agriculture and is under Federal and State ownership. The proposed project would address conveyance conditions on the DMC that restrict the CVP Tracy Pumping Plant to less than its authorized pumping capacity of 4,600 cubic feet per second. This would be achieved by constructing and operating a 450 cubic feet per second pumping facility and 500-foot underground pipeline that connect the two canals. The Intertie would be located at milepost 7.2 of the DMC and would connect with milepost 9.1 of the CA.

For More Information

Please contact Sharon McHale with the Bureau of Reclamation at (916) 978-5086, TDD (916) 978-5608, or e-mail smchale@mp.usbr.gov. You may also visit the project web site at: www.usbr.gov/mp/intertie



Just 500 feet separate the CVP and SWP at the proposed connection of the Intertie project.

DELTA-MENDOTA CANAL / CALIFORNIA AQUEDUCT INTERTIE PROJECT

1988

Initial Efforts

An intertie connecting the DMC and CA was studied in 1988 by Westlands Water District and Reclamation that would allow up to 600 cubic feet per second of CVP supplies to be diverted from the DMC to the CA and conveyed either to San Luis Reservoir or directly to Westlands Water District. This project was withdrawn before environmental studies were completed.

2000

CALFED Bay-Delta Program, Programmatic Record of Decision (ROD)

The DMC / CA Intertie project is a proposed action in the August 2000 CALFED Bay-Delta Program, Programmatic ROD which investigated a number of interties and bypasses in the water system to improve Sacramento-San Joaquin River Delta conveyance.

Spring 2001

Installation of Temporary Intertie

An emergency in 2001 related to damage of the canal lining of the CA required the installation of a temporary intertie to maintain water deliveries to SWP contractors over a 30-day period. Discussions have since focused on options to restore capacity in the DMC to address water delivery reductions that could occur as a result of pumping plant or conveyance outages on either the CA or the DMC.

Fall 2004

Environmental Assessment (EA) on the DMC / CA Intertie Project

In September 2004, Reclamation completed an EA on the DMC / CA Intertie project. After the EA was completed, Reclamation decided to prepare an EIS.

Summer 2006

Notice of Intent (NOI) to Prepare an EIS on the DMC / CA Intertie Project and Notice of Public Scoping Meetings

An NOI and notice of public scoping meetings was published in the Federal Register July 2006. Public scoping meetings were held in early August 2006 to solicit input on topics to be addressed in development of an EIS for the DMC / CA Intertie project, including resources to be evaluated, alternatives to be considered and significant concerns and issues. Input received is being incorporated in the Draft EIS for the proposed project including the development of alternatives to meet the project objectives.

Spring 2007

DMC / CA Intertie Project Draft EIS

Reclamation plans to release a Draft EIS on the DMC/CA Intertie project for public review and comment in the spring of 2007 followed by a public hearing at which Reclamation will receive public comments on the adequacy of the draft environmental document.

Summer 2007

DMC / CA Intertie Project Final EIS and Decision Documents

A Final EIS is estimated to be release in the summer of 2007 followed by a ROD.

Fall 2007

Complete Environmental Documentation and Permitting

Fall 2007

Complete Design Work and Award Construction Contracts

Winter 2008

Complete DMC / CA Intertie Project Construction

If approved, construction of the DMC / CA Intertie project is estimated to be complete by the winter of 2008.



RECLAMATION

Managing Water in the West

DELTA-MENDOTA CANAL / CALIFORNIA AQUEDUCT INTERTIE PROJECT

PUBLIC SCOPING MEETINGS

August 1, 2006 - Sacramento

August 3, 2006 - Stockton

Public involvement is a vital component of the National Environmental Policy Act (NEPA) process. It serves to include the public in the decision making process and to allow full environmental disclosure. The purpose of scoping is to obtain information that will focus the Environmental Impact Statement (EIS) on significant issues. NEPA regulations define scoping as “an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to the proposed action.” Scoping gives the public and agencies the opportunity to help identify:

- ✓ Significant environmental or resource issues
- ✓ Project participants
- ✓ Potentially affected geographic area
- ✓ Resources available for the project
- ✓ Project constraints
- ✓ Reasonable alternatives to be considered, and
- ✓ Mitigation measures to be considered

Meeting Format

Welcome and introductory remarks will begin the scoping meetings. Afterwards, representatives from the Bureau of Reclamation, including project staff and technical experts, will be present at information stations to discuss elements of the Delta-Mendota Canal/California Aqueduct Intertie project, explain information displayed at the stations, and gather public comments. Comments received will be considered during the development of the Draft EIS.

Comment Timeframe

Written comments on the scope of the EIS should be received by Tuesday, September 5, 2006, and sent to the address listed below, or faxed to 916-978-5094.

Ms. Sammie Cervantes
Public Involvement Coordinator
Bureau of Reclamation
2800 Cottage Way, MP-730
Sacramento, CA 95825

For More Information

Contact Sharon McHale with the Bureau of Reclamation at (916) 978-5086, TDD (916) 978-5608 or smchale@mp.usbr.gov.

Project Website

www.usbr.gov/mp/intertie

(Comments continued)

Thank you for your comments



Ms. Sammie Cervantes
Bureau of Reclamation
2800 Cottage Way
Sacramento CA 95825-1898

PLACE
STAMP
HERE

Ms. Sammie Cervantes
Bureau of Reclamation
2800 Cottage Way
Sacramento CA 95825-1898

Appendix F

Scoping Meeting Exhibit Boards



WELCOME

to the

Delta-Mendota / California Aqueduct

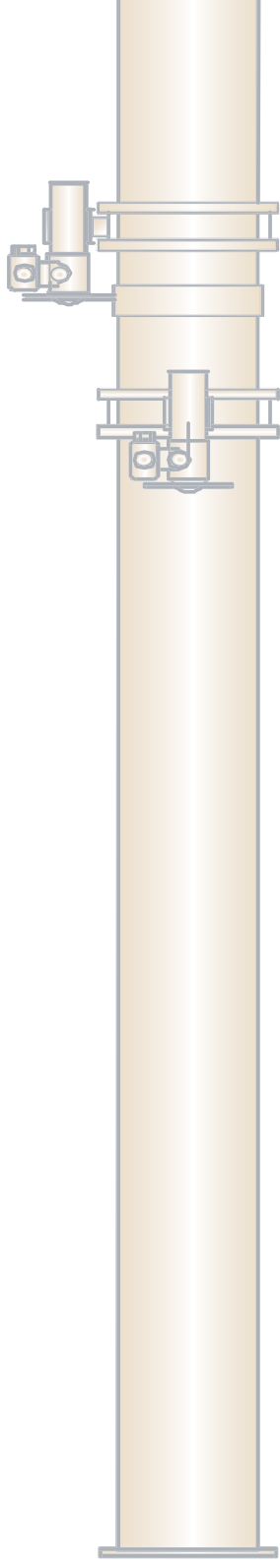
Intertie Project

Scoping Meeting

The primary purpose of the Intertie will be to allow for operation and maintenance activities at the Tracy pumping plant and fish facility, the Delta-Mendota Canal, and the O'Neill pumping plant and intake canal.

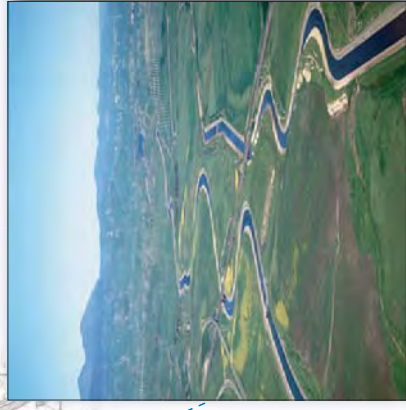
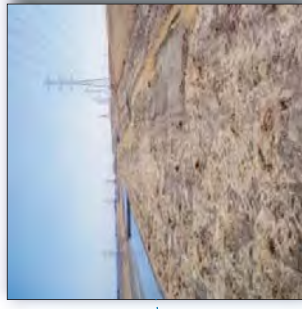
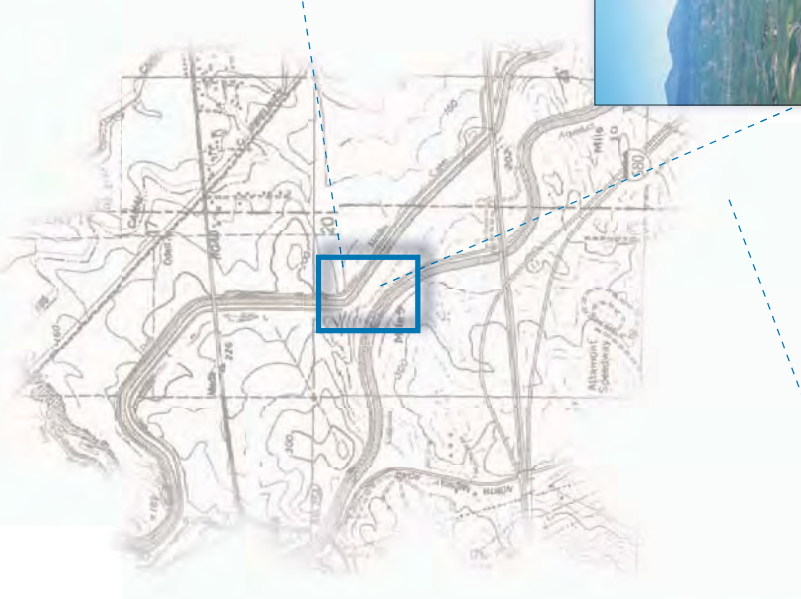
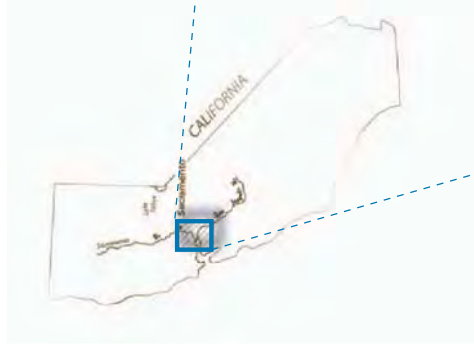
The Intertie would be used in a number of ways to accomplish the project's objectives:

- Maintaining and repairing CVP Delta export and conveyance facilities.
- Providing operational flexibility to respond to CVP and SWP emergencies.
- Meeting current water supply demands.



RECLAMATION

Managing Water in the West



PROJECT LOCATION

RECLAMATION

Managing Water in the West

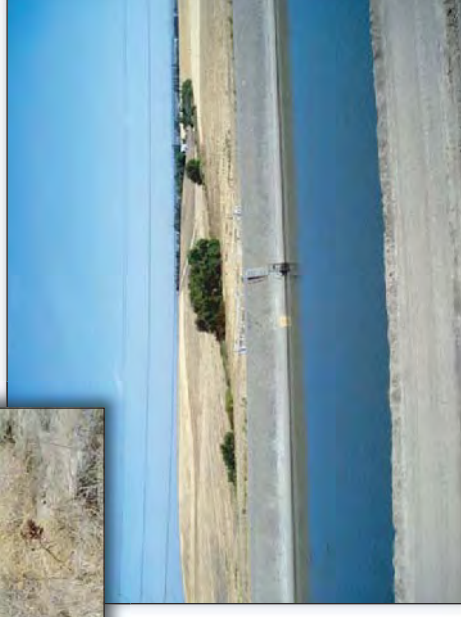


Alternatives may be developed based on the scoping process and the alternatives screening process. The EIS will analyze the environmental consequences of the project on each of the following resources that would result from alternatives, including the No Action Alternative.

- ✓ Water Quality
- ✓ Fish
- ✓ Vegetation and Wildlife
- ✓ Air Quality
- ✓ Noise
- ✓ Power Production and Energy
- ✓ Cultural Resources
- ✓ Environmental Justice
- ✓ Indian Trust Assets
- ✓ Cumulative Effects
- ✓ Others

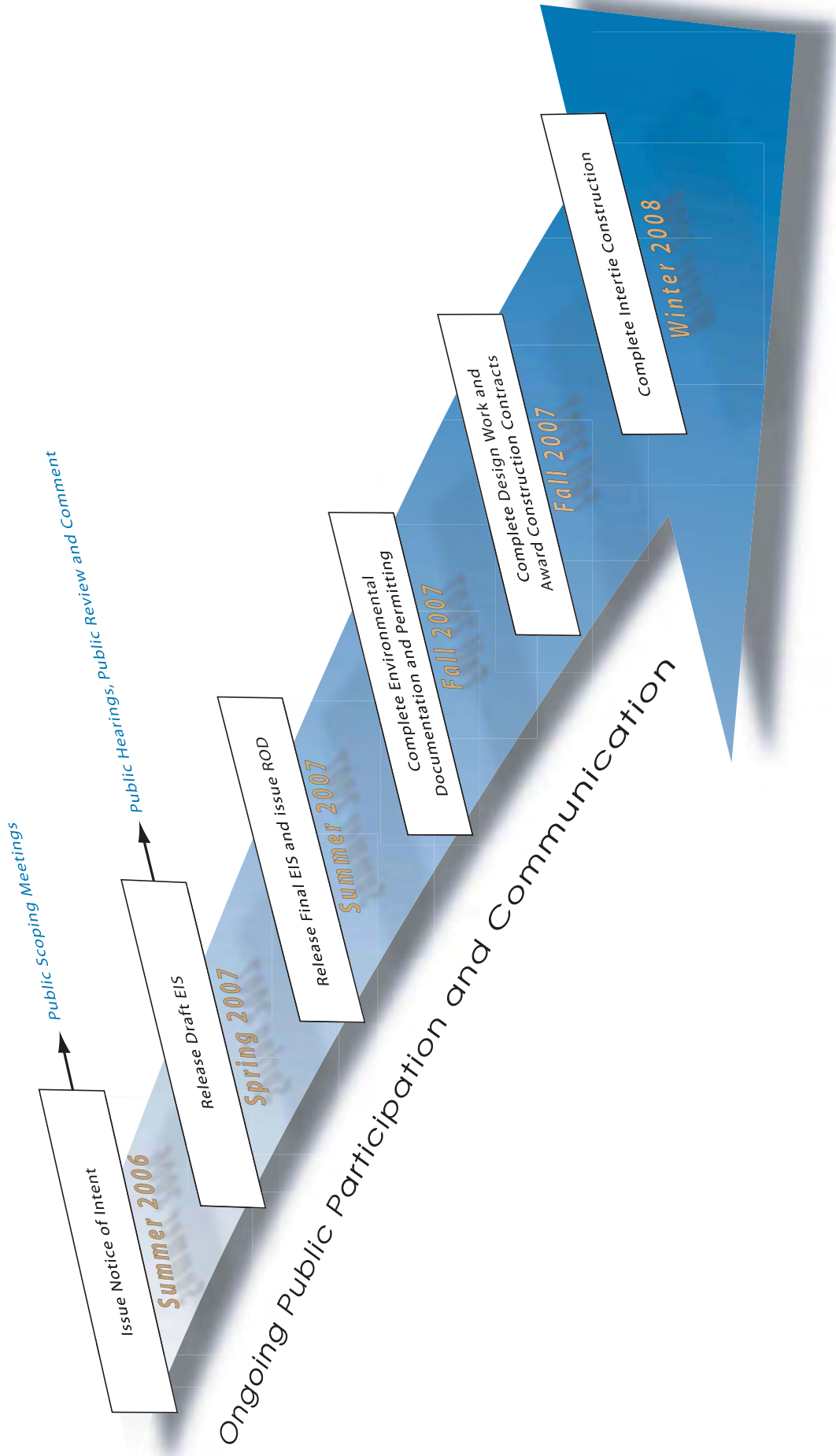
Additionally, changes in the following will be assessed and used as part of the impact analysis:

- ✓ Water Supply and Delta Water Management
- ✓ Delta Tidal Hydraulics



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Managing Water in the West



ENVIRONMENTAL IMPACT STATEMENT (EIS) PROCESS