

Appendix E
Responses to Comments on the Lake Casitas RMP/EIS

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E.1 INTRODUCTION

In July 2008, the U.S. Bureau of Reclamation (Reclamation) circulated a Draft Environmental Impact Statement (EIS) that was prepared to describe the potential environmental impacts of the implementing the Lake Casitas Resource Management Plan (RMP). The purpose of the RMP is to establish management objectives, guidelines, and actions for the Lake Casitas Recreation Area (Park) and the 3,500 acres of Open Space Lands north of the Park, which together comprise the Plan Area. The RMP, which will have a planning horizon of 25 years, will address the following needs:

- Ensure safe storage and timely delivery of high-quality water to users while enhancing natural resources and recreational opportunities.
- Protect natural resources while educating the public about the value of the resources and good stewardship.
- Provide recreational opportunities to meet the demands of a growing, diverse population.
- Ensure recreational diversity and the quality of the recreational experience.
- Provide the framework for establishing new management agreement(s) with the managing partner(s).

The RMP was developed and combined in this volume with the EIS to comply with the National Environmental Policy Act (NEPA).

E.1.1 Public Comment Period

The public comment period for the Draft EIS began on July 28, 2008, and was initially set to end on September 25, 2008. In response to public requests, the comment period was extended through October 31, 2008.

During the comment period, the Draft EIS was available for review at the Reclamation Mid-Pacific Regional Library in Sacramento, CA; Reclamation South-Central California Area Office in Fresno, CA; Ojai Ranger District Station in Ojai; E.P. Foster Public Library in Ventura, CA; Reclamation Denver Office Library, Denver, CO; Natural Resources Library, U.S. Department of the Interior, Washington, DC; and the project website (http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=792).

Written comments on the Draft EIS were submitted by a federal agency, regional and local agencies, and organizations and individuals. The comments, along with responses from Reclamation, are presented in Sections E.2 through E.5 of this appendix.

E.1.2 Public Hearing

A public hearing for the Draft EIS was held on Thursday, August 28, 2008, from 6:30 to 9 PM at the Oak View Community Center, 18 Valley Road, Oak View, CA. The hearing was advertised by public notices in the *Ventura County Star* and *Ojai Valley News*. Reclamation also sent notices to people who had signed attendance sheets at previous public meetings about the project (described in Section 2.2.4 of the RMP) or requested notification in writing.

The purpose of the hearing was to inform the public of the proposed actions and alternatives for the RMP and to receive public comments. A slideshow was presented to summarize the RMP and the NEPA process. Information stations staffed by personnel from Reclamation and their consultant URS were provided to describe the study area and WROS designations for each alternative, management actions for each alternative, and impacts for each alternative.

Forty-nine people registered on the sign-in sheet for the hearing. Written comments received from the public hearing are presented and responded to in Section E.5 of this appendix. Spoken comments received during the hearing are summarized and responded to in Section E.6.

E.2 COMMENTS FROM FEDERAL AGENCIES

F-1 U.S. Environmental Protection Agency, Kathleen M. Goforth



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Robert Epperson
Bureau of Reclamation
U.S. Department of Interior
1243 N Street
Fresno, CA 93721

VENTURA PROJECT

Subject: Draft Environmental Impact Statement for the Lake Casitas Resource Management Plan, Ventura County, CA. (CEQ# 20080297)

Dear Mr. Epperson:

The Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the above project. Our review and comments are pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

The Lake Casitas Resource Management Plan (RMP) will establish management objectives, guidelines, and actions for the Lake Casitas Recreation Area for the next 25 years. EPA supports the development of a comprehensive RMP to guide future management actions. EPA commends the efforts by the Bureau of Reclamation (Reclamation) to address key resource management issues such as (1) the increasing demand for use of trails, campsites, facilities, and the lake, and (2) the presence of unique vegetation and wildlife, including special-status species. We acknowledge Reclamation's commitment to avoid and minimize impacts to rare plants and oak trees, when possible, and to implement specific mitigation measures. We encourage prompt development of the proposed activity-specific management plans.

Although there are beneficial management actions proposed in the RMP, we have rated the DEIS as Environmental Concerns – Insufficient Information (EC-2) (see enclosed "Summary of Rating Definitions") due to the need for additional information regarding air quality, naturally occurring asbestos, water resources, biological resources, climate change, funding, and enforcement. While we recognize the programmatic nature of this DEIS, we recommend the final environmental impact statement (FEIS) provide additional data and more specific information regarding these matters to ensure all relevant issues and effects are considered during development of the RMP. Our detailed comments are enclosed.

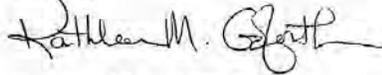
VENTURA PROJECT

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We appreciate the opportunity to review this DEIS. When the FEIS is released for public review, please send one hard copy to the address above (mail code: CED-2). If you have any questions, please contact Laura Fujii, the lead reviewer for this project, at (415) 972-3852 or fujii.laura@epa.gov, or me at (415) 972-3521.

Sincerely,



Kathleen M. Goforth, Manager
Environmental Review Office

Enclosures: *red*
Summary of EPA Rating Definitions
Detailed Comments

cc: Casitas Municipal Water District

SUMMARY OF EPA RATING DEFINITIONS

This rating system was developed as a means to summarize EPA's level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the EIS.

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

ADEQUACY OF THE IMPACT STATEMENT

Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

US EPA DETAILED COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT
STATEMENT FOR THE LAKE CASITAS RESOURCE MANAGEMENT PLAN, VENTURA
COUNTY, CA, OCTOBER 31, 2008

Air Quality

Demonstrate general conformity to the applicable State Implementation Plan. Lake Casitas Recreation Area is located within the South Central Coast Air Basin which is classified as “nonattainment” for federal and state 1-hour and 8-hour ozone and particulate matter 10 microns or less in diameter (PM10)(p. 3-16). Proposed actions include allowing body contact water sports, such as water skiing, and increased boating capacity (p. 4-60), trail use, camping, and other recreational activities; including an associated increase in traffic. The draft environmental impact statement (DEIS) does not appear to evaluate whether the direct and indirect emissions from the federal actions conform to the applicable State Implementation Plan (SIP) as required by the General Conformity Rule (40 CFR 93.150).

F-1-1

Recommendation:

Include in the final environmental impact statement (FEIS) a description of the General Conformity regulatory framework and how it applies to the proposed RMP. If analysis of general conformity to the SIP is more appropriate at the project-specific level, we recommend the FEIS include a specific commitment to future project-specific general conformity analysis.

Describe and commit to aggressive air quality mitigation measures during future project-specific construction. The Lake Casitas Recreation Area is located in a nonattainment area for ozone and fine particulate matter (p. 3-16). Future construction-related emissions of nitrogen oxides (NOx), a precursor for ozone, and particulate matter less than 10 and 2.5 microns in diameter (PM10 and PM2.5) could exacerbate nonattainment of air quality standards and contribute to adverse cumulative air quality impacts. Mitigation measures will be necessary to reduce these construction emissions.

Recommendation:

In addition to meeting all applicable local, state, or federal requirements, we recommend the FEIS include in an appendix a list of mitigation measures to consider when designing specific construction projects. Possible measures to include are:

F-1-2

Fugitive Dust Source Controls:

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

F-1-2,
Cont.

Mobile and Stationary Source Controls:

- Minimize use, trips, and unnecessary idling of heavy equipment.
- Distribute material hauling and disposal to minimize haulage miles.
- Maintain and tune engines per manufacturer's specifications to perform at EPA certification levels and, if engines have been modified, to perform at verified standards applicable to retrofit technologies. Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications.
- Prohibit any tampering with engines and require continuing adherence to manufacturer's recommendations.
- If practicable, lease new, clean equipment meeting the most stringent of applicable Federal or State Standards. In general, only Tier 2 or newer engines should be employed in the construction phase.
- Utilize EPA-registered particulate traps and other appropriate controls where suitable to reduce emissions of diesel particulate matter and other pollutants at the construction site.
- Use electrical power for all stationary equipment.
- Use the most recent pollution control equipment for all off-road equipment.
- Utilize the cleanest available fuel engines in construction equipment and identify opportunities for electrification. Use ultra low sulfur fuel (diesel with 15 parts per million or less) in engines where alternative fuels such as biodiesel and natural gas are not possible.

Administrative controls:

- Identify all commitments to reduce construction emissions, and update the air quality analysis to reflect additional air quality improvements that would result from adopting specific air quality measures.
- Identify where implementation of mitigation measures is rejected based on economic infeasibility.
- Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking. (Suitability of control devices is based on: whether there is reduced normal availability of the construction equipment due to increased downtime and/or power output, whether there may be significant damage caused to the construction equipment engine, or whether there may be a significant risk to nearby workers or the public.)
- Develop a construction traffic and parking management plan that minimizes traffic interference and maintains traffic flow.
- Identify sensitive receptors in the project area, such as children, elderly, and infirm, and specify the means by which you will minimize impacts to these populations. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.
- Identify available air quality emission credits.

F-1-2,
Cont.

- Schedule and sequence work so there is not a significant overlap with other activities that contribute to air quality emissions.

F-1-3

Provide a description and impact analysis of air emissions from the expanded marina and increased number of boats and boating activity. Action alternatives, especially Alternative 3 – Recreation Expansion, would allow for a significant increase in boating and recreational activity. Marinas and boats are significant sources contributing to ozone or carbon monoxide (CO) nonattainment.¹ Part of the emissions are aromatic hydrocarbons, including polyaromatic hydrocarbons, which, as a group, are considered to be the most toxic component of petroleum products. Aromatic hydrocarbons are also associated with chronic and carcinogenic effects. The proposed increased use of boats could increase pollutant emissions in locations that may have inversion conditions and periods of poor air dispersion; contributing to the existing nonattainment for ozone.

Recommendations:

The FEIS should provide a description and impact analysis of the potential accumulation of hazardous pollutants and ozone from the expanded marina and increased number of boats and boating activity. Of specific concern are potential increases of emissions in use areas subject to inversion conditions.

Naturally Occurring Asbestos

Provide information on the presence of naturally occurring asbestos (NOA) on trails and roads and the potential effects on recreation. Asbestos-bearing ultramafic rocks are found in at least 44 of California's 58 counties. Disturbance of rocks and soils that contain NOA can result in the release of asbestos fibers to the air and exposure to the public. Asbestos is a known human carcinogen and represents a potential human health risk for those exposed while using roads or trails where it occurs. For information on the occurrence of NOA and health impacts, see EPA's NOA webpage at <http://www.epa.gov/asbestos/pubs/clean.html>. The Draft EIS does not indicate whether NOA has been identified in the Plan Area. Nor does it evaluate potential risks to current and future visitors who may be exposed to NOA on existing and proposed trails and roads through recreational activities.

F-1-4

Recommendations:

Determine whether or not NOA is present on trails or roads within the Plan Area. Assess the potential for exposure to elevated levels of NOA from common activities such as hiking, mountain biking, camping, and patrols and road maintenance activities. Provide information in the FEIS.

If NOA is found to be present, review the California Air Resources Board (CARB) regulations and guidance at <http://www.arb.ca.gov/toxics/asbestos/asbestos.htm>, which address California's Asbestos Airborne Toxic Control Measures for Surfacing Applications that apply to unpaved roads. Additional road surfacing recommendations are available in the

¹ EPA Fact Sheets on Spark-Ignition Engines, Equipment, and Vessels; Snowmobiles, Dirt Bikes, and ATVs; and Marinas/Boating. <http://www.epa.gov/OWOW/NPS/marinas.html>.

F-1-4,
Cont.

Department of Toxic Substances Control report "Study of Airborne Asbestos From A Serpentine Road in Garden Valley, California" (April 2005) at: [http://www.dtsc.ca.gov/loader.cfm?url=/commonspot/security/getfile.cfm&pageid=33546](http://www.dtsc.ca.gov/loader.cfm?url=/commonsspot/security/getfile.cfm&pageid=33546).

Evaluate existing trails and roads for sediment production and drainage in areas where NOA is likely to be present.

If appropriate, post signs informing visitors that NOA is present, what the risks are, and how visitors can avoid exposure. EPA will be happy to assist your office in developing signage for these areas.

If appropriate, these measures should be incorporated into the Preferred Alternative in the FEIS and committed to in the Record of Decision (ROD).

Water Resources

F-1-5

Provide an estimate of two-stroke engines used on the lake and consider rapid phase-out of these engines. The use of carbureted two-stroke engines in boats and personal watercraft has resulted in measurable water quality degradation due to their elevated levels of hydrocarbon emissions (p. 3-3). Although personal watercraft are not allowed on Lake Casitas and boat rentals are four-stroke engines, older boats with carbureted two-stroke engines would still be used on the lake (p. 3-4). The DEIS does not appear to describe or evaluate the potential water quality effects of these remaining two-stroke engines, which is a concern given the potential significant increase in the number of boats and boating activity.

Recommendations:

We recommend the FEIS provide an estimate of the current and projected number of two-stroke engines used on Lake Casitas. EPA supports phase-out of these two-stroke engines as soon as feasible because of the significant air and water quality benefits.

Biological Resources

F-1-6

Provide description and evaluation of potential effects on habitat fragmentation or the disruption of wildlife corridors. There does not appear to be an evaluation of potential impacts on habitat fragmentation or the disruption of wildlife corridors from increased recreational activity and associated infrastructure construction. EPA is concerned with potential impacts to biological resources from increased noise, human presence and activities, habitat fragmentation, and disruption of wildlife corridors.

Recommendations:

The FEIS should provide a description and evaluation of potential effects on habitat fragmentation and the disruption of wildlife corridors. We also recommend summarizing studies and data regarding the noise and human presence level of tolerance of typical wildlife species such as deer, coyote, bald eagles, other raptors, bobcats, mountain lions, and black bear.

Climate Change

Discuss climate change and its effects on the Lake Casitas Recreation Area, RMP and proposed actions. A number of studies specific to California have indicated the potential for significant environmental impacts as a result of changing temperatures and precipitation.² The discussions of cumulative effects in the DEIS does not appear to address the effects of climate change on the project area or on the implementation of the proposed RMP.

The Government Accountability Office (GAO) recently released a report entitled, "Climate Change: Agencies Should Develop Guidance for Addressing the Effects on Federal Land and Water Resources" (August 2007). According to the GAO report, federal land and water resources are vulnerable to a wide range of effects from climate change, some of which are already occurring.

F-1-7

We believe a discussion of climate change and its potential effects on the project area, RMP, and proposed actions would better serve long-term management planning for the Lake Casitas Recreation Area.

Recommendations:

The FEIS should include a discussion of climate change and its potential effects on the Lake Casitas Recreation Area, implementation of the RMP, and impacts of proposed actions.³ Of specific interest are potential effects on Lake Casitas water levels, recreational carrying capacity, fire and invasive species management, and ability to operate consistent with the primary purpose of Lake Casitas for water supply.

We recommend the discussion include a short summary of applicable climate change studies, including their findings on potential environmental and water supply effects and their recommendations for addressing these effects.

Funding

Include a description of funding and management resources to ensure implementation of RMP priority actions. The DEIS does not appear to provide a list of proposed actions, the responsible Agency/Group, or an estimated implementation timeframe. Nor does the DEIS describe funding sources and resources to support implementation of these actions or to address the consequences of not meeting RMP objectives and guidelines.

F-1-8

Recommendations:

The FEIS should include a list of proposed actions, the responsible Agency/Group, and an estimated implementation schedule, if feasible at this time. We recommend including a brief description of funding and management

² For example: Our Changing Climate: Assessing the Risks to California, A Summary Report from the California Climate Change Center, July 2006; Climate Change and California Water Resources, Brandt, Alf W.; committee on Water, Parks & Wildlife, California State Assembly, March 2007.

³ We recommend reviewing "Addressing Global Warming (Climate Change) in CEQA and NEPA Documents in Post AB 32 Regulatory Environment, Jones & Stokes for Climate Change Focus Group, January 1, 2007.

F-1-8,
Cont.

resources available to support implementation of the high priority proposed actions. The FEIS should also describe the consequences of not implementing high priority actions, especially if sensitive or valuable resources may be at risk.

F-1-9

Enforcement

Describe measures to enforce RMP guidelines. The DEIS describes activity-specific management plans (e.g., boating management plan) and the potential need for additional staff to monitor and enforce RMP requirements (p.4-63). EPA remains concerned with the ability to adequately enforce RMP requirements.

Recommendation:

The FEIS should describe in more detail the enforcement program to ensure implementation and compliance with RMP regulations.

F-1-10

General Comments

Evaluate the effects of pets and their management. The DEIS does not appear to address the management of pets of recreational users or from adjacent developments.

Recommendation:

Describe and evaluate in the FEIS the potential effects of pets, and RMP measures to manage these animals.

F-1-11

Consider promoting mass transportation to provide access to Lake Casitas Recreation Area. There is no current public transportation to Lake Casitas provided by the nearby City of Ventura or City of Ojai (p. 3-80).

Recommendation:

Given the projected increase in visitation (p. 3-77), consider promoting mass transportation to provide access to Lake Casitas Recreation Area. Electric or hybrid shuttles could be a valuable service for park visitors and reduce air pollution. At a minimum, include information on why mass transportation is not feasible.

F-1-12

Provide more details on the size, energy usage, and features of the expanded water park. The action alternatives would expand the existing water park (p. 2-15). The scope of this expansion is not clear.

Recommendations:

Describe the scope of the proposed water park expansion. At a minimum, describe the anticipated expansion size and energy usage. EPA supports the use of green building practices, where feasible, including designing for energy efficiency and incorporating recycled materials into building design. We recommend considering practices recommend by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) program.

Responses to Comment F-1

F-1-1

A description of General Conformity and how it applies to the Resource Management Plan (RMP) is provided below.

See also changes to text in Sections 3.2.3.1 and 4.2.3.1.

General Conformity

The Clean Air Act requires that non-attainment and maintenance areas (with respect to the National Ambient Air Quality Standards) prepare State Implementation Plans (SIPs) to achieve the standards. Federal actions need to demonstrate conformity to any SIPs for the regional air basin. The applicable SIP in Ventura County is the most recent *Ventura County Air Quality Management Plan* (AQMP) approved by the United States Environmental Protection Agency (USEPA) plus all Ventura County Air Pollution Control District (VCAPCD) rules and regulations approved by the USEPA.

The General Conformity Rule (GCR) (Title 40 CFR Part 51.853) requires that the responsible federal agency of an undertaking make a determination of conformity with the SIP. Each action must be reviewed to determine whether it: (1) qualifies for an exemption listed in the GCR, (2) results in emissions that are below GCR de minimis emissions thresholds, or (3) would produce emissions above the GCR de minimis thresholds applicable to the specific area, requiring a detailed air quality conformity analysis.

Ventura County has been designated as “serious” non-attainment for the federal 8-hour ozone standard. Therefore, the GCR de minimis thresholds for the Lake Casitas Area are:

- VOC 50 tons per year
- NO_x 50 tons per year
- CO Not applicable because the project area is in attainment of federal carbon monoxide (CO) standards
- PM₁₀ Not applicable because the project area is in attainment of federal PM₁₀ standards.

Boat and vehicle emissions from visitors to Lake Casitas are summarized below and added to the RMP/EIS text as Table 4.2-1. Boat emissions were estimated as described under Response to Comment F-1-3 for comparison to the GCR de minimis emissions thresholds. In addition, visitor vehicle emissions were also estimated. The average number of vehicles over the last 10 years is 184,445, obtained from Table 3.10-1 in the RMP/EIS. The vehicles travel from various cities around Lake Casitas as was listed in Table 3.10-2, sorted by county and average percentage use from each county.

The California Air Resources Board (CARB) EMFAC2007 on-road emissions model was used to estimate passenger vehicle criteria pollutant emissions based on vehicle travel estimates from Table 3.10-1 in the RMP/EIS.

Future vehicle usage and boat usage is difficult to estimate due to the fluctuation in the annual vehicle counts in recent years. For the purpose of estimating emissions in Table 4.2-1, we have assumed a 22 percent increase in population growth between 2000 and 2020. This represents the growth rate projected for Ventura County (2004, State of California). Note that the population

growth rate for Los Angeles County, which is responsible for an average of about 33 percent of visitors, is somewhat lower at only 14 percent (Section 3.10.2). We have further assumed visitation (including vehicle and boat use) would be in proportion to population increase.

Table 4.2-1
Future Vehicle and Boat Emissions from Lake Casitas RMP (tons/year)

	ROG	CO	NOx	PM₁₀	PM_{2.5}	SO₂	CO₂
Vehicle Emissions	1.78	12.39	0.93	0.37	0.222	0.039	4028.69
Boat Emissions	2.72	3.49	0.46	0.98	N/A	0.002	107.23
TOTAL	4.49	15.88	1.39	1.35	0.222	0.040	4135.92
GCR De Minimis Thresholds	50	NA	50	NA	NA	NA	NA

NA = not applicable

As reported in Table 4.2-1, with the assumptions listed above, emission rates are well below de minimis thresholds. Assuming visitation would be double or triple the expected population growth, emission rates would still be well under de minimis thresholds.

F-1-2

Construction Mitigation

The Lake Casitas RMP is a program-level document, and no information about individual projects is available to quantify construction emissions. However, construction mitigation measures will be implemented on site to minimize dust and exhaust emissions.

Section 4.2.3.2 has been modified to state that all construction activities would comply with VCAPCD Rule 55, Fugitive Dust, Rule 51, Nuisance, and Rule 50, Noise. In addition, the following mitigation measures contained in the VCAPCD Air Quality Assessment Guidelines will be implemented: Certain construction and maintenance mitigation measures are laid out in Section 4.2 Mitigation Measure AQ-1. These construction and mitigation measures would be considered as the basis of a mitigation program until more specific construction and maintenance activities are developed.

F-1-3

In addition to this response, see changes to text in Section 4.2.3.1.

Ozone Precursors and Toxic Air Contaminant Emissions from Boats and Boating Activities

Ozone is a secondary pollutant that is formed in the atmosphere by a series of complex chemical reactions and transformations in the presence of sunlight. Nitrogen Oxides (NOx) and reactive organic compounds (ROCs) are precursors to the formation of ozone. Presently, ozone is the major air pollutant of concern in Ventura County. Ventura County is in non-attainment for the federal 8-hour ozone standard, and non-attainment for the state 1-hour ozone standard. The majority of sources of ozone precursors and toxic air contaminants (TACs) are found in urbanized areas.

Ozone precursors NO_x and ROCs and TACs from boats and boating activities were estimated using CARB emission factors. Annual emissions were calculated for boats currently in use at Lake Casitas and estimated for the planning horizon. The annual average number of boats using the lake over the last 10 years, obtained from Table 3.10-1 in the RMP/EIS, is 31,049.

Emission factors were obtained from the CARB Off-Road model, which is an emissions estimation model for many classes of off-road vehicles including construction, mining, agricultural, and recreational equipment. The Off-Road model calculates criteria pollutants, greenhouse gas, and TAC emissions.

All boats were assumed to be gasoline-fueled, with engines between 50 and 100 horsepower. The emission factors in the Off-Road model are based on the inventory of vehicles or equipment for a given county, air basin, or statewide, and incorporate all adopted regulations affecting the emissions. When the Off-Road model is run for future years, for example, the emissions would reflect the requirement that boats with engines newer than model year 2000 meet lower NO_x and hydrocarbon emissions.

It is not clear what the future boat usage level would be, since there has been some fluctuation in usage over the recent years, as can be seen in Table 3.10-1. Future boat usage is estimated in a manner similar to the way the future vehicle usage was estimated. That is, the increase in boat use is assumed to be proportional to population growth. It should be noted that this provides what is likely to be an overestimation of boat use because the Preferred Alternative (Alternative 2) would be managed for boat capacities similar to the current Water Recreation Opportunity Spectrum (WROS) classifications.

Therefore, a worst-case future boat usage projection was used to estimate emissions that would likely never be exceeded under the RMP Preferred Alternative (Alternative 2). Projected NO_x, ROG, and TAC emissions from future boat use are summarized in Table 4.2-2 below.

Table 4.2-2
ROG, NO_x, and TAC Emissions from Boats – Lake Casitas RMP

		Boat Emissions – Horizon Year (tons/year)
Nitrogen Oxides		0.46
Reactive Organic Gases		2.72
Acetaldehyde		1.34
Acrolein		0.32
Benzene		7.08
1,3-Butadiene		1.48
Chromium		3.64E-03
Formaldehyde		5.58
Manganese		3.64E-03
Nickel		3.64E-03
Styrene		0.24

F-1-4

No naturally occurring asbestos or ultramafic rock has been identified in the vicinity of Lake Casitas (CARB 2000).

F-1-5

Portions of this response have been added to the text in Sections 3.2.3.1, 3.2.3.2, and 3.1.2.1.

The Most Recent EPA and CARB Regulations for Boats

Both the U.S. Environmental Protection Agency (EPA) and California Air Resources Board (CARB) have instituted regulations for reducing hydrocarbons (HC) and nitrogen oxides (NO_x) emitted from recreational marine engines. HC and NO_x are precursors to ozone (smog) formation, and recreational watercraft can contribute substantial emissions of ozone precursors.

The EPA rule “Final Rule: Control of Emissions from Nonroad Spark-Ignition Engines and Equipment” (EPA 2008) has new air quality emission standards for HC, NO_x, and carbon monoxide (CO) for 2010 and newer outboard engines. By 2030, implementation of the new EPA requirements is expected to reduce volatile organic compounds (VOC) emissions for marine engines by 70 percent and reduce CO emissions by 19 percent. The new EPA regulations are expected to achieve more than a 60 percent reduction from 2006 EPA standards for the HC and NO_x emissions (www.epa.gov/oms/regs/nonroad/marines-i-equip/420f08013.htm). The latest EPA emission standards for NO_x and HC are consistent with the 2008 CARB exhaust emission standards.

CARB proposed air quality emission standards for marine outboard engines that were adopted in 1998 but were implemented in three stages in separate time frames – 2001, 2004, and 2008. The latest CARB regulations (2008 CARB exhaust emission standards) require 2008 and newer engines to meet strict HC and NO_x emission standards.

(<http://www.arb.ca.gov/msprog/offroad/recmarine/recmarine.htm>).

Even the 2001 CARB exhaust emission standards required use of direct injection two-stroke and four-stroke engines for compliance. All three stages (i.e., 2001, 2004, and 2008) will be considered compliant engines in the RMP Preferred Alternative (Alternative 2). To implement these emission standards, CARB requires that each new engine be provided with a label that features one to three stars. The number of stars indicates the exhaust emission standards the engine complies with. One-star engines comply with 2001 exhaust emission standards, while three-star engines comply with the 2008 exhaust emission standards (Appendix A: Proposed Regulation Order, <http://www.arb.ca.gov/regact/2008/marine08/marine08.htm>).

The 2008 EPA emission standards (EPA 2008) and 2008 CARB exhaust emissions standards restrict air quality emissions from recreational marine engines. Although these standards are specifically protective of air quality, they also indirectly protect water quality. In other words, by requiring use of the recreational marine engines that comply with the latest air quality standards, the emissions standards will also protect water quality because the older two-stroke engines had an the adverse effect on water quality.

A CARB study “Outboard Engine and Personal Watercraft Emissions to Air and Water: A Laboratory Study” was published in January 2001. The study demonstrates that a direct injection two-stroke engine will reduce BTEX emissions emitted into the water by 75 percent when compared to a similar two-stroke carbureted engine. Similarly, the study demonstrated that a four-stroke engine will reduce BTEX emissions emitted into the water by 94 to 96 percent when

compared to a similar two-stroke carbureted engine. This study was conducted to support the CARB regulatory effort adopted in 1998 for 2001 and newer engines (2001 CARB exhaust emission standards).

To protect water and air quality, an additional management action has been added to the Final RMP/EIS (see Section 4.1.7 and Section 4.2.3.1) and Table 2-2. At the end of a 3-year phase-out period from the Record of Decision, all marine outboard engines allowed on Lake Casitas must be compliant. That is, they must be 2001, 2004, or 2008 CARB-compliant as indicated by a one-, two- or three-star CARB label. This will result in all non-compliant engines being replaced with compliant engines by the end of the 3-year phase-out period.

F-1-6

RMP/EIS Section 4.4.3.2 has been revised to include discussions of potential impacts on wildlife caused by expansion of camping and day-use facilities, including potential impacts related to habitat fragmentation and disruption of wildlife corridors. The impact discussion in Section 4.4.5.2 under the “Trail Use” subheading also incorporates a discussion of potential effects on habitat fragmentation and wildlife corridors.

F-1-7

See also changes to text in Sections 3.2.3.2 and 4.2.3.4.

Climate Change and Greenhouse Gases

This discussion presents some regulatory and policy background on greenhouse gas (GHG) emissions and climate change, followed by a presentation of the projected GHG emissions from the proposed project to disclose potential impacts from the project.

Assembly Bill 32

In September 2006, Governor Arnold Schwarzenegger signed AB 32, the California Climate Solutions Act of 2006. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. This reduction will be accomplished through an enforceable statewide cap on GHG emissions that will be phased in starting in 2012.

To effectively implement the cap, AB 32 directs CARB to develop and implement regulations to reduce statewide GHG emissions from stationary sources. AB 32 also specifies that regulations adopted in response to AB 1493, which called for CARB to develop and implement regulations to reduce GHGs emitted from passenger vehicles, be used to address vehicular GHG emissions. However, AB 32 also includes language stating that if the AB 1493 regulations cannot be implemented, then CARB should develop new regulations to control vehicle GHG emissions under the authorization of AB 32.

AB 32 requires that CARB adopt a quantified cap on GHG emissions representing 1990 emissions levels and disclose how it arrives at the cap; institute a schedule to meet the emissions cap; and develop tracking, reporting, and enforcement mechanisms to ensure that the state achieves the reductions in GHG emissions necessary to meet the cap. AB 32 also includes guidance to institute emissions reductions in an economically efficient manner and conditions to ensure that businesses and consumers are not unfairly affected by the reductions.

Scoping Plans

CARB is the lead agency for implementing AB 32, which set the major milestones for establishing the program. AB 32 requires the CARB to prepare a Scoping Plan containing the main strategies that will be used to achieve reductions in GHG emissions in California. On June 26, 2008, CARB staff presented the initial draft of the AB 32 Scoping Plan to its Board for review. CARB has been revising this draft Scoping Plan based on continuing analysis and public input, which resulted in the development of the Proposed Scoping Plan, released in November 2008. The measures in the Proposed Scoping Plan will be developed over the next 3 years and be in place by 2012.

Climate Change

GHG emissions are now being considered as a relatively new issue in documents because of their impacts to climate change. Currently no standard, widely used methodologies or significance criteria exist to address climate change impacts from GHG emissions. Air districts have generally provided guidance on analysis methodologies and significance criteria for criteria pollutant and toxic air contaminant impacts, but they have not yet established guidelines for GHG emissions and their impacts.

Recently, CARB prepared proposed draft GHG significance thresholds, which are sector-specific in terms of what types of activities generate the GHG emissions. Included in the proposed draft document are industrial sources and commercial/residential sources. The CARB is still conducting workshops and soliciting comments regarding the proposed thresholds for these two sectors.

Impacts from the Proposed Project

Carbon dioxide (CO₂, a GHG) emissions from boats and vehicles were estimated using the CARB Off-Road model and EMFAC2007 emission factors, as discussed above for criteria pollutant emissions. The following table shows estimated emissions for boats and vehicles based on peak-use levels and assuming that future visitor use is proportional to estimated population growth. The emissions are presented on an annual basis. As discussed above for Table 4.2-2, this is likely an overestimate based on the WROS zone boat capacities included in the Preferred Alternative (Alternative 2).

**Present and Future Vehicle and Boat GHG Emissions from
Lake Casitas RMP (CO₂ tons/year)**

	Present GHG	Future GHG
Vehicle Emissions	3326.82	4028.69
Boat Emissions	87.89	107.23
TOTAL	3414.71	4135.92
GCR De Minimis Thresholds	NA	NA

NA = not applicable

As a general approach for many projects, contributions to cumulative impacts from a project are considered significant, since climate change is a global problem and all activities together around

the globe that emit greenhouse gases are contributing to the significant impact of climate change. However, without significance thresholds, evaluating whether or not one project itself will contribute significantly to climate change is speculative. As such, it cannot be concluded whether or not project impacts are significant.

Global Climate Change and RMP Future Conditions

California water planners are concerned about climate change and its potential effects on the state's water resources. There are many potential ways in which climate change can affect the water resources, including changes to precipitation as well as increases in extreme wet and dry conditions, decreased snowpack; variability in annual runoff, sea-level rises, and ecosystem challenges.

These changes will increase the vulnerability of California's water resources and might require changes to the current operations procedures. The California Department of Water Resources (DWR) is currently addressing the issues of global climate change and the impacts it will have on water resources, in accordance with Executive Order S-3-05. The Executive Order established GHG emissions targets for California and required biennial reports on potential climate change effects in several areas, including water resources. The DWR released the state's *California Water Plan Update 2005* that examined potential climate changes impacts to California's water management systems, and presented resource management strategies to deal with the potential impacts. The DWR released the public draft of the *California Water Plan Update 2009* in January 2009. This draft plan looks at emerging effects of climate change on the state's water resources and builds upon the managements strategies laid out in the *California Water Plan Update 2005*.

The DWR released a technical memorandum report called *Progress on Incorporating Climate Change into Management of California's Water Resources* in July 2006. The technical memorandum examined the present progress and future directions for the topic. It focused on assessment methodologies and preliminary study results. The technical memorandum primarily focused on the potential effects of climate change in the Central Valley water management systems. The available data at this time are insufficient to estimate the effects of global climate change on the water levels, recreational carrying capacity, changes to the ecosystem, and water supply needs at Lake Casitas. However, the technical memorandum looks at overall trends in regions of California close to Lake Casitas.

Three potential climate change effects could affect water availability and future ecosystem conditions at Lake Casitas:

- Changes in precipitation and runoff
- Increased future demand for drinking water and agricultural needs
- Possible effects to the aquatic ecosystem and endangered species

The technical memorandum lays out direct correlations between decreased snowpack and global climate change. However, because the inflow of water into Lake Casitas is not the result of snowpack, this effect will not be an issue at Lake Casitas.

Changes in precipitation and runoff

The technical memorandum presented various climate studies that analyzed the trends in total annual precipitation in the western United States. The National Weather Service's Climate Prediction Center provided data showing that the annual precipitation has increased in much of California, the Colorado Basin, and the West since the mid-1960s. The technical memorandum also analyzed data collected by former state climatologist James Goodridge. The technical memorandum looked at statewide annual average precipitation from 1890-2002.

It appears that there may have been an upward trend in the state's precipitation over the last 50 years. However, when the data are sorted into three regions by latitude as follows: North (from California-Oregon border to 39 degrees latitude; Central (39 to 35 degrees latitude and South (from 35 degrees latitude to the California-Mexico border), the data analysis shows that the annual precipitation tends to decrease with decreasing latitude. Therefore, precipitation in the central and the southern portion of the State appear to have slightly decreasing trends from 1890 to 2002. According to this analysis, Lake Casitas would fall into the southern portion based on its latitude, and would have experienced decreasing precipitation in recent years.

Additional predictions about the effects of climate change on California's water resources typically consider periods on the order of 40 to 50 years. According to an October 2008 DWR report, "Based upon historical data and modeling, DWR projects that the Sierra snowpack will experience a 25 to 40 percent reduction from its historic average by 2050" (DWR 2008a). These projections are over 40 years in the future and represent a wide percentage range for snowpack reduction. Another DWR document, the April 2008 *Climate Change Adaption White Paper*, states: "The climate patterns that these systems were based upon are different now – and continue to change at an accelerated pace. Global climate change has resulted in less predictable precipitation and runoff patterns" (DWR 2008b).

While the Sierra Nevada contains the snowpack that most of California depends on, the predictions apply to a very large area. In a third study, two model scenarios project both wetter and drier conditions relative to current climate. In regard to the model scenarios, the study states: "Impacts under either projection case cannot be regarded as more likely than the other. The range of assessed impacts is too broad to guide selection of mitigation projects" (Brekke et al. 2004).

With predictions on such large scales, and with such high levels of uncertainty, the relative size of the activities and facilities envisioned under the RMP is too small and the planning horizon of the RMP is too short to make predictions that would be accurate enough to apply to water inflow in the RMP planning horizon.

Future Water Demand

California's water supply future will be determined by two principal factors, the conditions of the state's water resources and water demand. Water demand factors that would be directly affected by climate change would be potential changes in evapotranspiration, and environmental water demand in California. Evapotranspiration refers to the vaporization of water from soil and plant surfaces (i.e., evaporation) and vaporization that occurs in plants leaves with water diffusing through pores to the ambient air (i.e., transpiration). The technical memorandum stated that increased temperatures will increase the evapotranspiration rates and related water demand where other factors remain unchanged. Since the water from Lake Casitas is used partly for agricultural purposes, an increase in evapotranspiration could mean an increase in agricultural water demand.

In addition, the technical memorandum states that the domestic water use typically increases with increasing temperature. The water at Lake Casitas is used for drinking water purposes. Global climate might cause an increase in drinking water demand, thereby possibly affecting the water demand and related levels at Lake Casitas.

Aquatic Ecosystem Changes

The DWR 2006 technical memorandum estimates that increased air temperatures as the result of climate change will likely cause increases in water temperatures at California's lakes and waterways. Increased water temperatures might affect the aquatic ecosystem, especially for aquatic species that are sensitive to changes in water temperature. Increases in water temperature might also cause a decrease in dissolved oxygen demand concentrations, which would likely increase production of algae and some aquatic weeds. According to the technical memorandum, when the water source does not come from snowpack, the water temperature will likely be warmer in the dry season than at present. Climate change could make the waters too warm for fish acclimated to cooler temperatures in the summer. The increase in water temperatures might make it difficult for the fish to survive.

The future effect of global climate change on Lake Casitas cannot be predicted with any accuracy. The potential effects listed above may occur, but it is not possible at this time to estimate when they might occur or whether they would occur within the planning horizon of this RMP. The Fisheries Management Plan will be updated as necessary to include adaptive management as future conditions dictate.

Fire Management

In a manner similar to predictions for water resources, predictions have been made for the effect of Climate Change on California's vegetative communities. These projections are over large areas and habitat types. In a document published by Cal Fire in 2003 titled "Forests and Climate Change," predictions were made about the future distribution and health of California's forests: "Evaluations of these potential impacts of climate change are based on modeled scenarios and therefore contain significant uncertainties in quantification and relationship of variables. However, the basic premise is that climate change can alter both the function of forests and other natural processes." (Cal Fire 2003) While computer models can aid in predicting future forest patterns based on climate, the predictions carry a certain amount of error and the predictions cover the entire State of California. "When we run the models for 100 years out into the future, we get woody expansion in the West and increased fire," says Neilson" (USFF 2004).

With predictions on such large scales as discussed for water resources, the relative size of this project is too small and the time period in which it would take place is too short to make predictions for the Plan Area. However, while the impacts from climate change on the Plan Area may be too difficult to predict on such a small time scale and in such a small area, adaptive management will be employed. Adaptive management by definition is the linking of new data to actions and measures to achieve the overall project goals. The Lake Casitas RMP will incorporate multiple adaptive management plans such as the adaptive vegetation management plan.

Reduction in Boat Emissions

At the end of a 3-year phase out, all boats will be required to comply with recent CARB regulations for lowering recreational watercraft emissions. These CARB regulations require

engine manufacturers building 2001 and newer engines to meet lower emissions limits. An engine meeting this emission regulation, for example a new direct injection two-stroke engine, will normally have a label sticker (with one to three stars) on its engine cover indicating that it meets CARB emission regulations for 2001, 2004, and 2008 for vessel engine manufacturers (www.dbw.ca.gov/environmental/twostroke, accessed 1/12/09). The 3-year phase out of non-compliant engines will be implemented at Lake Casitas. Any engine that has a one-, two- or three-star label will be considered compliant.

The new regulations and phase out will also likely result in lower CO₂ emissions, and at Lake Casitas this will take effect almost immediately rather than an eventual phase-in of the new, clean engines as the older boats are slowly replaced by newer ones at lakes without such restrictions.

Additional Potential Greenhouse Gas Mitigation Measures

The following lists present some examples of feasible measures that could be implemented to reduce CO₂ emissions from vehicles and boats. The measures are categorized into groups of boating, passenger vehicles, and park maintenance and infrastructure. These measures would be evaluated for applicability as each project gets funded and planned, and could be included as mitigation at the project-level analysis.

Boating

- Comply with Boating Management plan, which will monitor speed limits and traffic patterns, and compatibility with WROS zones.

Passenger Vehicles

- Limit trailhead access by vehicle
- Limit parking expansion to the existing parking areas
- Prohibit motorized dirt bikes
- Give reservation preference to visitors with hybrid or high fuel economy vehicles
- Improve vehicle access/alleviate congestion near park entrances
- Add dedicated lane for existing campers returning to camp

Park Maintenance and Infrastructure

- Compact fluorescent lighting
- Tank-less water heaters
- Solar panels for power
- Clean park maintenance fleet vehicles (electric vehicles, golf carts, or CNG)
- Use electric-powered landscaping/maintenance equipment

If funding is available, several energy-saving measures currently in use in “green” buildings and housing could be implemented in the park infrastructure to reduce GHG emissions. Compact fluorescent lighting could replace incandescent bulbs, tank-less water heaters would reduce

energy loss from conventional hot water tanks, and solar panels could be constructed for power needs within the park.

In addition, park maintenance vehicles could be electric, use compressed natural gas fuel, or at least be hybrid.

F-1-8

The proposed management actions are included in Table 2-2. Specifically, refer to Alternative 2, which is the Preferred Alternative. Reclamation is the lead federal agency, and the local land managing partner(s) for Plan Implementation have not yet been identified. The local managing partner(s) will be identified in the Management Agreement that will define management and fiscal responsibilities for Reclamation and the local partner(s).

Demand and available funding will dictate which proposed actions in the Preferred Alternative (Alternative 2) will be implemented. The funding of these potential actions will include recreation fees generated on site, additional federal funds as available, and other state and local funds. The proposed actions contained in this Tier 1 programmatic document would be implemented: when there is sufficient demand/need for the proposed action and when potential impacts, as identified in a future Tier 2, project level, environmental analysis, can be mitigated when mitigation is necessary. Funding will include the funds necessary for mitigation measures.

F-1-9

Measures to enforce RMP guidelines will be provided in the Management Agreement(s) to be negotiated in accordance with the RMP/EIS. The Agreements would require the local managing partner to provide compliance and implementation of Reclamation-approved guidelines. Such compliance issues will be included in the Tier 2 environmental documents that will be required before implementation of a major activity. If the project is approved, then the local manager has the responsibility to comply with the RMP guidelines and requirements of the Tier 2 environmental analysis.

F-1-10

Pets brought into the park have the potential to disrupt the experience of other visitors through unmanaged behavior, including attacks on other pets and humans, threatening behavior, chasing, causing property damage, creating excessive noise, dumping trash cans, and leaving waste. All dog owners are subject to leash and nuisance laws and are legally required to pick up after their pets. Violation of these or any other Ventura County Animal regulations can result in fines and/or misdemeanor charges to the owners. These regulations will be included in interpretive information provided to the public.

F-1-11

The acquisition and management of these vehicles would require coordination with a local transit agency. Further analysis of passenger demand that may result from an action contained in the RMP would need to be assessed to determine feasibility of such a service. This would be evaluated in a Tier 2 document.

F-1-12

The scope and size of the water park has not yet been determined. A tier 2 document would be necessary to address this level of detail.

E.3 COMMENTS FROM REGIONAL AGENCIES

R-1 *Casitas Municipal Water District, James W. Word*



October 27, 2008

Mr. Jack Collins
Resource Specialist
Bureau of Reclamation
1243 'N' Street
Fresno, CA 93721

RE: Draft Lake Casitas Resource Management Plan/Environmental Impact Statement - June 2008

Dear Mr. Collins:

The Casitas Municipal Water District would like to express its appreciation and recognition of the cooperative efforts expended over the past ten years to develop the Resource Management Plan. It has been envisioned by Casitas and the Bureau that this Plan would provide guidance to the management of Open Space lands in such a manner that would continue to protect the local water supply. The more recent approach by the Bureau has been to also address recreational land uses in the Ventura River Project lands. Casitas is providing the following comments regarding the Bureau of Reclamation's Lake Casitas Resource Management Plan/Environmental Impact Statement ("RMP/EIS"), June 2008 draft, with the intent to contribute to the final document such that the final RMP/EIS will be the source for future cooperation in the management of these critical lands.

MAJOR POINTS OF CONSIDERATION

There are several key areas of the RMP/EIS content that Casitas recommends for further consideration by the Bureau.

R-1-1

1) Casitas and the Bureau have been partners in managing the Ventura River Project and lands, and expect to continue the direct relationship in the future. There are several areas in the RMP/EIS in which there are opinions expressed that do not benefit the RMP/EIS nor the future users of the RMP/EIS. These opinions need to be removed from the final document and better clarity of current agreements provided where noted.

R-1-2

2) The Casitas Board of Directors established in 1978 its Resolution 77-8, with regard to not allowing the development of the Open Space lands, citing the highest priority as the protection of the water quality from this watershed and Lake Casitas. To that end, there

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are many proposed projects in the RMP/EIS that are contrary to Casitas' direction and the intent of Congressional action as described in Title IV that should be reconsidered before releasing the final RMP/EIS. Such proposed projects include, but are not limited to:

- Assignment of a federal manager to the Open Space lands
- Retaining homes on the Open Space lands for other uses
- Providing public access to lands without strict consideration of impacts that would result in the watershed

R-1-3

3) There are specific projects which Casitas believes should be set aside as considered in the RMP/EIS but not consistent with the management objectives of the RMP/EIS. Such projects include:

- Main Island Use
- Southwest Shore Recreation/Borrow Area
- Body Contact/Swimming Areas Within the Lake
- Lake Perimeter Trail
- Hiking, Cycling, Equestrian Use of Open Space Lands

It is recommended that these projects be considered and rejected due to their potential negative impacts on water quality.

R-1-4

4) Nearly all of the subsections within the "Environmental Consequences" chapter of the EIS are filled with conclusory statements that are not supported by factual evidence. The vague and conclusory nature of the analysis throughout Section 4 is largely a result of the vague nature of the alternative descriptions. In a general sense, the analysis fails to meet NEPA's intent of providing meaningful information that will help the public and decision makers distinguish among the alternatives being considered as it does not provide sufficient detail about the nature of the alternatives and potential impacts associated with individual components of each alternative to enable the reader to understand the environmental implications of the various alternatives.

DOCUMENT SECTION REVIEW

R-1-5

Page 1-1, 1.1 Background

This section does not contain statements of fact regarding the Repayment Contract between USA and Ventura River Municipal Water District (now Casitas Municipal Water District). This is the setting of the Lake Casitas Recreation Area which the Bureau has avoided in this document and made assertions against the District's management of the LCRA.

Further, this section fails to outline the recreational benefits described in the Ventura River Project Feasibility Report to the Regional Director, June 1954, pages 146 – 149. This document should be referenced in Section 5 of the RMP/EIS.

There is no description of the US Forest Service's Casitas Fire Station and the agreements that are in place for this station to exist on Ventura River Project Lands and Open Space lands.

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R-1-6 Page 1-2, 3rd paragraph. *"CMWD currently manages the Plan Area pursuant to the 1956 agreement for the Ventura River Project, which did not consider the current level of recreation activity the Plan Area now serves. Under new long-term management agreement(s), the managing partner for the Open Space Lands may be different than the managing partner for the Park."*

First, the 1954 Feasibility Report that was prepared by the Bureau of Reclamation does outline the level of recreation activity that the Plan Area was anticipated to serve and is representative of the level of service that presently exists at the Lake Casitas Recreation Area. As stated in the Bureau's own website reference, *"The resulting feasibility report dated December 1954, House Document 222, 84th Congress, 1st session was used as a basis for authorization of the project."* Refer to page 149 thru 150, *"Recreational benefits"*. The last paragraph of this section states *"Substantial recreational benefits are expected to accrue to the public through use of facilities at the proposed Casitas reservoir. These benefits are estimated conservatively to approximate 647,000 annually."* The vision which was presented to the decision makers in 1956 does not match the viewpoint expressed in the RMP/EIS by today's Bureau staff. The RMP/EIS statement *"did not consider the current level of recreation"* is incorrect and should be removed from the RMP/EIS.

Secondly, this statement appears to be a direct criticism of Casitas' current operation of the Park, which leads one to believe that such a bad job was done in one location, but not to be allowed to occur in another location or in the future. This is an inaccurate and unfair characterization in this document which should be reconsidered before finalization of the RMP/EIS.

The Casitas Municipal Water District and the Bureau of Reclamation have had a 50-year relationship in the management of the Ventura River Project, which includes the Lake Casitas Recreation Area, and a 30-year relationship in the management of the Open Space lands. As with any relationship, issues arise and are brought to conclusion. The Casitas Municipal Water District does have a continuing responsibility to protect the watershed of Lake Casitas. It is further recommended that the Bureau reference Title IV, in its entirety, when proposing changes for managing partner.

R-1-7 Page 2-8 2.4.2 Roles and responsibilities of Reclamation and Managing Partner(s)
Reclamation will negotiate a long-term agreement with the managing partner(s)....may consist of one or more entities.

The Casitas Municipal Water District and the Bureau of Reclamation do need to come to an understanding on the condition of existing agreements and work toward understandings on future management efforts. Casitas has a significant interest in the management of both the Open Space lands and the Ventura River Project, and desires to continue with its coordination with the Bureau of Reclamation. Where there might be other federal interests that could provide elements that may be beneficial to the overall management of federal lands, there is a need to coordinate those elements with the primary management objectives stated in the RMP. As stated in the past and present, Casitas does not desire the RMP to result in a change of the terms of the Repayment Contract.

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- R-1-7, Cont. *... The RMP will provide the overall resource and recreation management direction and framework for the Plan Area. Hence, it will be a guidance document for the managing partner(s) for its day-to-day operations and long-range planning.*
- The RMP does not provide day-to-day operations guidance. Instead, the contents moves toward direction for the three alternatives that describe a variety of projects and improvements that have been suggested by various interested entities.
- R-1-8 **Page 2-9 Section 2.4.3.1 Allowable Land Uses**
This section provides for discretion of the managing partner, with Bureau oversight, to implement the designated uses. Casitas views this as prudent and reasonable, given all improvements are limited to available funding sources and they are protective of the watershed and water quality of Lake Casitas. Reference to Page 4.9.3, Recreation, Impacts Common to All Alternatives, where there appears to be a contrary approach to this discretionary provision on Page 2-9 and 2-11, to what appears to be more of a mandatory funding of such elements through the Capital Improvement Plan.
- R-1-9 **Page 2-10, Section 2.4.3.3 Amendments to the RMP.**
This section states that "Reclamation can amend the RMP at any time if the need arises." It is recommended that such amending of the RMP be in coordination with the managing partner(s).
- R-1-10 **Page 2-12, Section 2.5.4 Natural and Cultural Resource Management and Protection (Alternative 1)**
Reference to "Prescribed burns will be evaluated annually to address the feasibility of reducing vegetative fuel for fire." This proposal by the US Forest Service needs to be further justified as an improvement to the watershed for water supply and water quality. Reference in Section 3.8.3.5 that Casitas is open to evidence that vegetation management serves water quality and supply. Casitas has been interested in such management since the 1985 Wheeler Fire, but the approach by the USFS to burn because of fire danger has minimal concern for water quality aspects considered in the vegetation management plan. Nothing provided in this RMP/EIS provides any supporting facts or mitigation measures for prescribed burning of the watershed that comply with the management objectives of the RMP.
- R-1-11 **Page 2-13 Section 2.6.2 Open Space Lands (Alternative 1)**
Reference to day-use hiking on existing improved roads. To the best of Casitas' knowledge, the improved roads in the Open Space lands are owned and maintained by the County of Ventura. To Casitas' knowledge, all other roads are not open to public day-use hiking. This position recently (July 2008) caused concern over a sudden USBR and USFS decision to allow public access to the Open Space lands, noticed to the public through the USFS Ojai office, without any notice to Casitas. This decision to open access was made without consideration of the impacts to watershed, water quality, or assignment of resources to monitor and/or mitigate impacts. The decision has since been re-qualified to limit certain access. There is clearly a need for better communication and decision-making in regard to Open Space lands.

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Cont.

Reference to helipads – does not reference the existing easements for specific helipad areas. Does the current USBR Staff know what has been provided in the way of easements and/or use permits for the USFS? Records are available. There may also be a need to describe fire response activities on Open Space lands, those that are permitted and those activities that have occurred.

For each of the above references, there needs to be a clear definition of each item referred to in the RMP and the policy by which it is to be managed. This section fails to clearly define either the item or current policy.

Page 2-13, Section 2.6.4 Infrastructure, Services/Facility Upgrades(Alternative 1)

This section does not address the need to maintain and replace existing infrastructure. The RMP should provide for replacement of existing infrastructure in all alternatives.

R-1-12

The description of improved roads is unclear. The roads need to be defined and identify where they exist in each area (Lake Casitas and Open Space). As already shown by the USBR and USFS, there is an unclear direction under the current rules concerning public access to Open Space lands, and should therefore be clarified at this point.

There is no description of helipads, area for fire hand-crew training and incident command activities in this document. Define and reference to existing contracts and easements.

Page 2-13 Section 2.7.2 Open Space Lands (Alternative 2)

The proposal for trail systems in the open space has several impacts that need to be overcome, as both the Los Padres National Forest (USFS) and Ojai Land Conservancy have experienced (i.e., animal wastes, vandalism, illegal dumping, trespass, homeless encampments). This proposal needs to consider the potential for land and waterway contamination (trash and wastes) that would impact water quality and resolve the question of who is the party that bears the expenses for building, maintenance, and liability coverage, for the trails. Opening the trails without direct oversight and adequate resources could place the water quality of Lake Casitas in jeopardy.

R-1-13

Relocation of the Forest Service fire station and helipads needs further clarification with regard to existing capacity and proposed capacity of relocation, location alternatives provided, and inclusion of any other Project areas to be designated for fire assistance. There is no statement of removing the current fire station and restoring the area to original condition (reference current agreement). The RMP/EIS does not adequately address the description of the relocation and the associated impacts of the relocation project; therefore it is difficult to determine if this project should be included in Alternative 2 or 3.

R-1-14

Page 2-14 Section 2.7.3 Lake Recreation (Alternative 2)

The second paragraph of this section is actually what occurs under existing management of Lake Casitas and therefore should be included in Alternative 1.

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- R-1-14, Cont. Last paragraph, last sentence - Relocation of the air strip, change “would” to “could” be relocated.
- R-1-15 **Page 2-16, Section 2.8.3 Lake Recreation (Alternative 3)**
3rd paragraph – The allowance of body contact is contrary to the management objectives of the RMP (Section 1). Question whether Alternative 3 items are consistent with the management objectives of the RMP or provided due to public input without regard to those objectives, thereby making all or parts of Alternative 3 unacceptable under the RMP.
- R-1-16 **Page 2-16, Section 2.8.4 Infrastructure, Service/Facility Upgrades (Alternative 3)**
The conversion of Park campsites should be considered in Alternative 2, based on public demand for these facilities and the ability to finance the upgrade of campsites. Recommend moving the conversion of Park campsites to Alternative 2.
- R-1-17 **Existing Conditions Page 3-2, Section 3.1.1.2 Water Resources - Regulatory background and Watershed Delineation**
The 4th paragraph indicates Bureau responsibilities for the Ventura River Project, but ignores its contract and assignment of responsibilities to the Casitas Municipal Water District. The Repayment Contract for the Ventura River Project, Contract No. 14-06-200-5257, should be referenced and the RMP/EIS should state the current relationship between Casitas and the Bureau.

The 6th paragraph lacks information with regard to USBR and Casitas MWD relationship and that Casitas MWD holds the water rights license for water that is impounded behind Casitas Dam. Further, there needs to be a statement in this paragraph that the present filtration plant is predicated on the quality of the watershed and Lake Casitas water quality, and that it is recognized that changes to either the watershed or Lake Casitas water quality can result in significant changes to the treatment system and a resulting cost to the water users. The resulting cost to water users could directly impact the environmental setting of local communities that are dependent upon an affordable water supply. Without this information, it is difficult to reach to conclusions provided in later assessing impacts from project.
- R-1-18 **Page 3-33 Ponds**
There is no note of the jurisdiction which these ponds fall under (State Dam Safety) and the history of requirements for Selby and North (Anola) Ponds that had been provided by the State. Ponds 2 and 3 were developed by the Bureau in 2000 during the Casitas Dam Seismic Retrofit Project as sediment trap ponds to protect Lake Casitas water quality from barren lands of the borrow area. These ponds are usually dry and are limited in expected life span.
- R-1-19 **Page 3-56 Table 3.5-1 Previously Recorded Cultural Resources**
Note that none of the houses in the watershed are eligible for listing on the National Register of Historic Places and/or California Register of Historical Resources at the time of the evaluation. There is a question as to authenticity and meaning of the landmark plaque that has recently been

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placed on one home in the watershed. There should be discussion on the intent to fulfill the removal of these houses in accordance with the Title IV direction that has been followed until recently by the Bureau.

R-1-20

Page 3-61 Section 3.8.3.2 Open Space

2nd paragraph – the proposed continued use of Fraser house and Voyce house is contrary to the intent of Title IV and management objectives stated in this RMP/EIS. This also raises the question of relocation of the USFS Fire Station and potential for expansion without being forthright with the intent of Bureau and USFS. The human occupation of these residences continues into the future the potential for water quality impacts to Lake Casitas. The evidence for this potential water quality impact can be found in the document entitled *Project Report for Ventura County Planning Department and Casitas Municipal Water District on Watershed Development Impact on Lake Casitas*, dated March 1972, prepared by Montgomery Research Inc., Pasadena, California. This document may be 36 years old but the science in the report is still correct and vital.

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Page 3-61 Section 3.8.3.3 Livestock Grazing

Note that the permit for grazing and the grazing capacity was related to the residence leases provided by the Bureau and terminated along with the leases on Open Space lands. The USFS has provided grazing leases on lands that are directly adjacent to the Open Space lands, but there has been well documented lack of oversight on the control of the grazing which has on many occasions spread to Open Space lands. USFS has recently recognized this problem, after years of objection by Casitas, and has begun to address the issue. The grazing of livestock is a water quality problem that was identified as a reason for Congress to purchase the Open Space lands. The grazing of Open Space watershed lands should not be allowed in the RMP/EIS.

R-1-22

Page 3-63 Section 3.8.3.5 Fire Management and Hazards

2nd paragraph – The statement that CMWD opposition has delayed USFS efforts to upkeep fuel breaks is not entirely correct. The USFS has been reluctant and non-responsive in the development of answers to questions Casitas has raised with regard to USFS plans to burn more than the fuel break areas. The plan by the USFS to prescribe burn in the Rice/Wills area did not address the consequences to water quality of Lake Casitas. As such, it is questioned as to whether a fire management plan at Lake Casitas would follow similar shortcomings or would consider and address water quality impacts, mitigation measures, and environmental impacts that result from such actions by the USFS. As evidenced in this section, there is more information on how a prescribed burn would occur rather than information on how the management objectives of this RMP/EIS would be met by the proposed activities. Recommend that this section consider the management objectives of the RMP during the EIS evaluation.

The USFS has recently proceeded with vegetation management by the cutting and mulching of local vegetation. The RMP/EIS should address this alternative approach to prescribed burning of the watershed lands.

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- R-1-23 **Page 3-65, Section 3.9.1 Recreation, Regional Setting**
Paragraph on the safety of dams work does not have any importance on Recreation. Request that this reference be deleted from this section.
- R-1-24 **Page 3-71, Section 3.9.2.2, Boating and Fishing**
Note that Casitas has established procedures for allowing boats on Lake Casitas while protecting from quagga mussel infestation. This procedure includes a rigorous inspection of boats, quarantine period, and the application of a security lock/tag/cable which allows boaters to re-enter into Lake Casitas. This section should be changed to reflect the current status on the proactive efforts taken by Casitas Municipal Water District to protect Lake Casitas from invasive species.
- R-1-25 **Page 3-73 Section 3.9.2.4 Day Use and Other Recreation, Open Space Lands**
Reference here again to limited day-use hiking on existing improved roads. Casitas is unclear what is being referenced here. Define these roads and the permitted use.
- R-1-26 **Page 3-75 Section 3.9.3.1 Open Space Lands**
The preparers of the RMP/EIS have an opinion that "people should not be prohibited from "walking the land". Was this something that the people have commented about or a Bureau position? This sentence may need re-phrasing to clarify the intent of the content. Is this position statement in conflict with the management objectives? Once again, there appears to be the presentation of opinion that may conflict with the management objectives. Recommend the deletion of this use of open space.
- R-1-27 **Page 4-3 and 4-4, Sections 4.1.5.1 and 4.1.6.1 Open Space Lands**
Question is raised regarding the application of Best Management Practices (BMP) to trails and the true effectiveness of the BMPs to protect water quality. There are issues with trailhead and trail debris and maintenance that are not addressed in this RMP/EIS. The RMP/EIS also lacks direct reference to best management practices effectiveness to protect such a watershed and lake. There have been similar problems experienced throughout the USFS with debris and maintenance, and the costs associated with each.
- R-1-28 **Page 4-5, Section 4.1.6.4, Body Contact (Alternative 3) and Page 4-7, WQ-4**
Should it be found that the existing treatment plant is not adequate to mitigate the proposed body contact with the Lake Casitas; the District would have to proceed with alternative treatment methods. Each alternative treatment method will have substantial costs associated with the construction and operation, which translates into a higher cost of water and will impact the ability to maintain agriculture and the rural settings of the local communities. These sections do not address the impacts to surrounding communities and environs that will result from the additional cost of alternative treatment of the water supply caused by the allowance of body contact in Lake Casitas. There is no assessment of the resulting and cumulative impacts caused by the introduction of body contact in Lake Casitas.

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- R-1-29** Page 4-7, Impact WQ-5
Stated here, "the removal of remaining private residences and subsequent septic systems in Open Space Lands would pose a long-term beneficial impact to water quality." This statement is in conflict with the proposal to leave the three remaining houses in the watershed for the purposes of USFS uses (Page 3-61 Section 3.8.3.2 Open Space). It is recommended that the Bureau reconsider its position on keeping the remaining houses.
- R-1-30** Page 4-9, Section 4.2.3.3, Short Term Combustion Emissions from Prescribed Burning
Following the comments made toward Section 3.8.3.5, there is no analysis of the impacts to water quality resulting from a prescribed burn fire management approach in Open Space Lands. But yet the RMP/EIS takes the time to present impacts to air quality. This seems to be a trend of USFS and their fire management policy to not address relevant impacts. Section 4.3.3.3, Land Management, provides the opinion that soil erosion would be lessened to minor adverse impacts with the fire management plan. There is no evidence to support the conclusion that the impact would be "minor".
- R-1-31** Page 4-16, Mitigation Measure SG-2
Finally, a discussion of the mitigation measures to limit soil erosion in areas of prescribed burns. Still, citing that the Fire Management Plan "plans for prescribed burns within the Park will be reviewed to ensure that water quality is protected." This statement does not spell out the responsible agency or action to be taken. The discussion in this section does not constitute a mitigation measure.
- R-1-32** Page 4-40, Section 4.5.7 Impacts Summary, Impact CU-1
Direct reference to cultural resources that have been "inundated with the construction of Casitas Dam and Lake Casitas." Please indicate which reference in Section 5 supports this statement. Throughout the RMP/EIS there tends not to be a citing of the reference for the statements made in this RMP/EIS.
- R-1-33** Page 4-46, Section 4.7.3, Visual Impacts, Impacts Common to all Alternatives
The last sentence of this section states "Due to the temporary and infrequent occurrences of prescribed burning activities, this would be a minor adverse impact." The effort to prescribe burn has not been defined enough for this type of determination to be made in this RMP/EIS. Please provide reference to support this determination. Further, there is no discussion on the visual impact of a burned land area resulting from a prescribed burn.
- R-1-34** Page 4-50, Section 4.8.4, Land Use, Impacts Common to All Alternatives
The last paragraph of this section refers to "two grazing permits in the Lake Casitas Watershed." The grazing permits description should reflect that the permits are issued by the US Forest Service and are located in Forest Service lands adjacent to the Plan Area. The reference to Lake Casitas Watershed is often referred to as the Teague Watershed and could be misconstrued to mean that grazing was permitted on Open Space land.

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Page 4.8.7.1, Land Use, Impact LU-1

This section states that “no mitigation is proposed” for prescribed burn activities. One key land use that is not considered in the RMP/EIS is the gathering and transport of water from the land to Lake Casitas. Further consideration of mitigation and monitoring measures should be made to provide for the protection of water quality in Lake Casitas, a management objective, against impacts resulting from prescribed burn land uses.

R-1-36

Page 4.9.3, Recreation, Impacts Common to All Alternatives

Reference to managing partner(s) having “full responsibility for implementing and funding improvements by creating a Capital Improvement Program...” There should also be consideration for Bureau of Reclamation participation in such funding of a capital improvement program through the authority of the Federal Water Recreation Act and the Reclamation Recreation Act. Otherwise, it is recommended to use a general statement of funding capital improvements as funding becomes available in lieu of being specific and limiting with the assignment of funding responsibilities in this RMP/EIS.

R-1-37

Section 5

There has been a failure to reference key documents that could assist in the RMP/EIS, as follows:

- Report to the Regional Director, Ventura River Project, Bureau of Reclamation, June 1954.
- Summary - Project Report for Ventura County Planning Dept. & CMWD on Watershed Development Impact on Lake Casitas - March 1972 - Montgomery Research Inc., Pasadena, California.
- The Reclamation Development Act of 1974, Title IV
- Ventura River Municipal Water District - Repayment Contract No. 14-06-200-5257

R-1-38

REVIEW OF ALTERNATIVES

Section 1502.14(a) of the CEQ’s NEPA Regulations indicate that EIR’s must “[r]igorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated.” In addition, Section 1502.14(b) requires agencies to “[d]evote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits” while Section 1502.14(e) requires identification of the agency’s preferred alternative.

The descriptions of the three alternatives considered in Section 2.0, Resource Management Plan and Alternatives, fail to provide basic data regarding the size and magnitude of the improvements that could occur under the alternatives. For example, the first bullet point under subsection 2.5.3 (page 2-11) indicates that all alternatives would provide “appropriate”

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improvements to Park infrastructure to accommodate future growth. Section 2.7.2 (page 2-14) suggests the relocation of a Forest Service fire station and helipads without definition of the scope of project or the impacts to the area of relocation. What are these improvements and what level of growth are they intended to accommodate? These are critical questions that have substantial bearing on the types of environmental impacts that any of the alternatives would have. Absent specifics or meaningful analysis of the potential impacts of such expansions is not possible. Finally, for Alternative 3, subsection 2.8.4 (pages 2-16 and 2-17) fails to even attempt to describe what kinds of future expansions may occur, stating that “[t]he precise number, layout, and timing of these new facilities would be determined by the managing partner through a separate planning, design, and permitting process.” Further, how can a meaningful comparison of the environmental impacts of the various alternatives be performed unless the components of the alternatives are described, at least generally? As currently described in Section 2, the alternatives studied do not provide sufficient detail to allow reviewers to compare their relative merits, and thus fail to meet the provisions of NEPA Regulations Section 1502.14(b).

Also, although it can be inferred based on the discussion that Alternative 2 is the Bureau’s “preferred alternative,” this is not explicitly stated in Section 2. Thus, the RMP/EIS fails to meet the requirements of NEPA Regulations Section 1502.14(c).

REVIEW OF ENVIRONMENTAL CONSEQUENCES

R-1-39

Nearly all of the subsections within the “Environmental Consequences” chapter of the EIS are filled with conclusory statements that are not supported by factual evidence. The vague and conclusory nature of the analysis throughout Section 4 is largely a result of the vague nature of the alternative descriptions, as discussed above. In a general sense, the analysis fails to meet NEPA’s intent of providing meaningful information that will help the public and decision makers distinguish among the alternatives being considered as it does not provide sufficient detail about the nature of the alternatives and potential impacts associated with individual components of each alternative to enable the reader to understand the environmental implications of the various alternatives.

Essentially every impact conclusion contained in Section 4 lacks supporting facts and evidence. However, we have not attempted to point out every single shortcoming in the analysis. Instead, some of the most glaring examples of this pattern for some of the key issue areas are highlighted below. Greenhouse gases is an issue not addressed at all in the RMP/EIS.

Water Resources

The discussion of water quality impacts associated with infrastructure upgrades for Alternative 2 (subsection 4.1.5.3, page 4-4) concludes that “minor to major impacts” could occur as a result of expansion of the water park, construction of an amphitheater, the addition of motorized watercraft and new septic systems, and other improvements. This conclusion may be correct, but is not supported by any factual evidence. Rather, the specific projects are simply summarized and assumed to have “minor to major impacts.” Absent any real analysis, it is impossible for the

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reader to understand how this conclusion was reached or whether impacts would truly be "major" or "minor."

The discussion of impacts for Alternative 3 is similarly vague. For example, the last sentence of subsection 4.1.6.3 (page 4-5) states "The extent of the upgrades to the existing system will determine how much water quality impact is to be expected." This statement suggests that it is not known what upgrades would occur and then, not surprisingly, what impacts may result. Absent facts about what is proposed and data and evidence to support the conclusions regarding the level of impact that might result, the analysis fails to provide meaningful information to agency decision makers or the public.

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The mitigation measures contained in subsection 4.1.7, beginning on page 4-6, are similarly vague to the point of being meaningless. For example, Measure WQ-2 states that the "implementation of BMPs during construction, maintenance and use periods would reduce storm water runoff and erosion." This sounds good, but how much will BMPs reduce runoff and erosion and what level of impact would remain? Moreover, what types of BMPs are being proposed and will such BMPs have any significant secondary effects? Again, because the discussion is completely lacking in specifics and data, it is impossible for the reader to understand the implications of the alternatives. Similarly, Measure WQ-3 simply states that "proper waste disposal" would mitigate for impacts relating to portable restrooms. Again, this sounds good, but what is "proper disposal" and what assurances are there that "proper disposal" practices will be followed?

Air Quality

Within the air quality discussion, the three alternatives are predicted to have common impacts related to vehicle emissions, dust emissions, and combustion emissions (Section 4.2.3). The analysis concludes that there would be "minor" impacts to air quality resulting from vehicle emissions (automotive and boat traffic) for each of the three alternatives since "none of the alternatives would result in levels of Park visitation high enough to create heavy and sustained traffic patterns" (Section 4.2.3.1, page 4-8). While this may be true, the analysis is not supported by any quantifiable data to substantiate the claim that traffic will not be generated at a level that will in turn produce emissions causing air quality impacts.

R-1-40

As discussed further under "Visitor Access and Circulation," the analysis fails to calculate increases in traffic patterns for any of the alternatives that could then lead to a reasonable prediction of the increase of pollutants from emissions. Without quantifiable data for individual pollutants it is impossible to determine each alternative's impact due to vehicle emissions. Further, without quantifiable data of emissions, it is impossible to determine whether an alternative would contribute to violations of state or federal standards or exceed local (VCAPCD) significance thresholds.

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Biological Resources

Alternative 1

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The discussion of Alternative 1 acknowledges the potential for increased boat use and fishing, then in a conclusory manner states that the alternative would have “no impact” on vegetation (page 4-20) and dismisses impacts to wildlife, fisheries, aquatic communities, and special-status species as “minor” (pages 4-21 and 4-22). It is not sufficient to merely provide unsubstantiated opinions regarding the severity of impacts. The discussion is completely lacking facts and analysis. What might the magnitude of the increase in boat use and fishing be and how might such increases affect aquatic resources, littoral zone plant communities, and fisheries? If, as suggested, important waterfowl areas are not protected from boaters and boating levels may increase, how can such impacts be “minor?” Again, absent such specifics, the discussion is vague and meaningless.

Alternative 2

R-1-42

The discussion of impacts to vegetation due to camping and recreation (page 4-22) acknowledges that planned recreational facility expansions may result in increased human trampling, disturbance of native vegetation for new facilities, and spread of weeds. However, it then summarily dismisses such impacts as “minor,” concluding that “major” impacts would occur only if such actions would disturb oak trees or other sensitive habitats. Although this may be correct in a conceptual sense, the discussion is completely lacking details needed in order to know what types of impacts would actually occur. For example, the RMP/EIS preparers must have some idea where the expansion of the water park may go (presumably in areas immediately adjacent to the existing water park) so there is no reason the analysis cannot describe the types of habitats that are present adjacent to the existing water park and inform the reader in a meaningful way what resources could be affected by such an expansion. Similarly, possible locations should be identified for the amphitheater and relocated storage area and airplane strip. Then, the discussion could provide a meaningful analysis of what specific habitats might be affected by construction of these facilities. Absent such an analysis, the discussion is meaningless and frustrates the purpose of preparing a programmatic EIS (to provide sufficient information to enable the public and decision makers to understand the relative impacts of the alternatives being considered).

The discussion of trail use on pages 4-22 and 4-23 is similarly vague, again concluding that impacts could be “minor” or “major,” depending on where the trails occur. Once again, no meaningful information is provided. Where generally might the trails go and what specific habitats are present in these areas? Absent this type of information, the reader has no way to understand the implications of the project or differentiate among alternatives.

The discussions of wildlife impacts associated with increased trail use and boat use are similarly conclusory in nature. For example, the discussion states that increased human presence may cause waterfowl or nesting grebes to abandon the area depending on the locations of trails and distance from wetland vegetation along the shoreline. How far would trails need to be from these species in order to avoid such impacts? If the species do abandon the area, are other areas

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available that could support them? The discussion also states that because the increase in boat use would not be "major," impacts associated with increased boat use would be "minor." What constitutes a "major" increase in boat use? Also, the discussion acknowledges abandonment of nesting areas as a possible impact of boat use. Why is this a "major" impact with respect to construction of the amphitheater, but only a "minor" impact with respect to boat use?

The discussions of fisheries and special-status species on pages 4-24 and 4-25 suffer from the same types of ambiguities. Under "Fisheries and Aquatic Communities," impacts associated with increased runoff due to increased camping and recreation is characterized as "minor." However, wouldn't the level of impact depend upon the extent and location of facility improvements? As noted under the wildlife discussion, the magnitude of impacts associated with the amphitheater, for example, would depend upon its distance from the shoreline. Under "Special-Status Species," impacts such as "disruption of the prey base" and "degradation of wildlife habitats" are characterized as "minor." Similarly, impacts associated with increased trail use, including "unsuccessful breeding" and "reduction in the quality of foraging habitat" are characterized as "minor." How are such impacts minor? Also, how can such impacts be avoided, in at least a general sense?

Alternative 3

R-1-43

The discussion of Alternative 3 also lacks sufficient detail to provide a meaningful understanding of the alternative's impacts. For example, under "Camping and Recreation" on page 4-26, impacts associated with swim beaches on "emergent wetland vegetation" are characterized as "minor." However, once again, no indication of what constitutes "emergent wetland vegetation" or how swim beaches would affect such vegetation is provided. Also, under "Camping and Recreation" on page 4-27, the reduction in grebe breeding activity is described as "major;" however, the discussion of such impacts for Alternative 2 was described as "minor." How did this alternative cause the shift from "minor" to "major?" Absent meaningful criteria for the different characterizations, the discussion appears to merely convey the RMP/EIS preparers' unsubstantiated opinions. Finally, under "Trail Use" on pages 4-27 and 4-28, impacts to wildlife are characterized as "major." Again, what is different about the impacts associated with trails for Alternative 3 as compared to Alternative 2? And how would building a trail in the southwest portion of the lake adversely affect black bears and mountain lions, for which no impacts were identified under Alternative 2?

Visitor Access and Circulation

R-1-44

Section 4.10 of the document addresses the potential traffic impacts of the three alternatives in only a cursory manner. Although an increase in park visitation and change in the types of vehicles is acknowledged for Alternative 3, the analysis fails to even attempt to quantify such an increase or assess what impact the increase in traffic would have on the area circulation system (State Route [SR] 33, in particular). SR 33 already experiences high traffic volumes on both weekdays and weekends. In response to concerns about traffic conditions on SR 33, the County of Ventura has adopted specific level of service standards and associated policies to ensure that projects within the Ojai Valley do not exceed these standards. The Draft RMP/EIS completely

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ignores these local standards and includes only a qualitative discussion of potential impacts, failing to quantitatively address the potential increase in vehicle trips. The Draft RMP/EIS then, in a conclusory manner, determines without any supporting evidence that two mitigation measures (TR-2a and TR-2b) that would merely require posting of signs and incorporation of suggested travel times into marketing materials would reduce impacts to area circulation to a "minor" level. Absent a quantitative traffic study and supporting evidence suggesting that the proposed measures would effectively address any impacts associated with Alternative 3, there is no factual basis for the Draft RMP/EIS conclusions.

The Draft RMP/EIS also fails to even acknowledge that Alternative 2 may increase traffic to and from Lake Casitas. As noted in Section 2, Resource Management Plan and Alternatives, Alternative 2 would include expansion of the existing water park and development of a new amphitheater. Presumably, these expanded and new facilities would have the potential to draw additional visitors to the plan area and the Draft RMP/EIS simply ignores both this possibility and the potential for increased vehicle size due to the potential expansion of the marina and boat ramp capacity.

Finally, at the August 28 hearing regarding the Draft RMP/EIS, the RMP/EIS preparers indicated the document need not address traffic impacts in a quantitative manner because the document is "programmatic." The preparers suggested that such analysis would be deferred until such time as an alternative is selected and specific park improvements are proposed. The suggestion that an important regional issue such as traffic should not be addressed in a programmatic level frustrates the purpose of tiering under NEPA. As noted in Section 1508.28 of the CEQ's NEPA Guidelines, the purpose of tiering is to allow for analysis of issues that are "ripe for decision" at the time a particular action is contemplated. The suggestion that the traffic generation and the consequent impact to the area circulation system is not an important consideration that is ripe for decision with respect the RMP is clearly erroneous. To the contrary, regional issues such as traffic are precisely the types of issues that need to be considered at an early stage in the planning process prior to the selection of a final alternative.

R-1-45

Greenhouse Gases

The RMP/EIS contains no discussion of greenhouse gases (GHG) and their potential effect on global climate change. At the August 28 hearing on the Draft RMP/EIS, the RMP/EIS preparers suggested that inclusion of such a discussion is not warranted because GHGs cannot be addressed at the local level. Again, this contention is simply erroneous, particularly for a programmatic document that is specifically intended to address the broad impacts of a proposed program. It is also inconsistent with recent NEPA court cases. For example, in *Border Power Plant Working Group v. Department of Energy* (Border Power, 260 F. Supp. 2d at 1028-1029), the Southern District Court of California held that it was counter to NEPA to fail to analyze the environmental significance of a project on climate change (i.e., greenhouse gas emissions resulting from permitting of power plant transmission lines). Also, in *Friends of the Earth, Inc. v. Mosbacher*, 488 F. Supp. 2d 889 (N.D. Cal. 2007), the court rejected the argument that the connection between greenhouse gas emissions and global warming was speculative.

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SPECIFIC AREAS OF CONCERN TO BE REMOVED FROM RMP/EIS AS REVIEWED AND REJECTED BECAUSE OF SIGNIFICANT POTENTIAL IMPACTS TO WATER QUALITY IN LAKE CASITAS

The primary purpose of the Resource Management Plan is to protect water quality, water supply, and natural resources, while enhancing recreational uses at the Park. The recreational uses and land uses must be compatible with the primary obligation of Casitas Municipal Water District to operate the reservoir for storage, delivery of high-quality water, and to protect water quality in the lake.

R-1-46

With the consideration of key management objectives of the RMP to protect water quality and the entitlements and responsibilities provided to the Casitas Municipal Water District separately by the State water rights license and the Ventura River Repayment Contract, there are several projects which the Casitas recommends to be considered but rejected because of significant potential impacts to water quality, as follows:

Forest Service Use of Open Space lands

Conflicts between Section 4.1.3.1, Section 4.1.4.1, and Section 4.1.5.1. Section 4.1.3.1 states that the "removal of abandoned residences and septic tanks from the Open Space Lands will return the area to a more natural state in the coming years." The existing conditions are such that the Forest Service has occupied some of the remaining residences in the Open Space lands to the North of Highway 150. And when the last house becomes available, the USFS desires to occupy that residence as well. The human occupation of these residences continues into the future the potential for water quality impacts to Lake Casitas. The evidence for this potential water quality impact can be found in the document entitled *Project Report for Ventura County Planning Department and Casitas Municipal Water District on Watershed Development Impact on Lake Casitas*, dated March 1972, prepared by Montgomery Research Inc., Pasadena, California.

Hiking, Cycling, Equestrian Use of Open Space Lands

The added potential of impacts to water quality to Lake Casitas in Alternative 3 on the Open Space Lands includes erosion from trails utilized by hikers, cyclists, and equestrian users. The inclusion of horse manure (nutrients) in the eroded material can present the potential for algal blooms in Lake Casitas that can be powerful enough to produce fish kills.

R-1-47

The mitigation measures provided (approved BMP's and a buffer zone) do not offer form or substance to the level of impact, the residual impact, or the effectiveness of the BMP's or buffer zone to reduce impacts to a level less than significant. Therefore, the mitigation is conclusory in nature. The possibility of impacts to water quality is very much a potential, therefore, these recreational opportunities within the Open Space Lands should be removed from the Resource Management Plan and placed into a special section of the EIS for recreational opportunities reviewed and then rejected for their unacceptable impact on water quality, the primary purpose of the District, and the primary goal of the Resource Management Plan.

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R-1-48

Main Island Use

Any use of the Main Island for day use, camping, picnicking or other human occupation raises the risk of upset, liability, and contamination of the to the water in Lake Casitas. Loading and unloading passengers to the Island would be an increased risk and hazard to the visiting public. It would also present added maintenance and enforcement activities for Park staff. Fire safety on the Island would produce a high level of risk for evacuations in the event of a fire. Post fire erosion during the rainy season would produce impacts to water quality that would be difficult if not impossible to mitigate. These recreational opportunities on the Main Island should be removed from the Resource Management Plan and placed into a special section of the EIS for recreational opportunities reviewed and then rejected for their unacceptable impact on water quality, the primary purpose of the District, and the primary goal of the Resource Management Plan.

R-1-49

Southwest Shore Recreation/Borrow Area

Any use of the southwest portion of the lake shore in the borrow area for day use, camping, picnicking or other human occupation raises the risk of upset through fire and sanitation facilities, liability, and contamination to the lake water. It would also present added maintenance and enforcement activities for Park staff. Fire safety in the area would produce a high level of risk for evacuations in the event of a fire. Post fire erosion during the rainy season would produce impacts to water quality that would be difficult if not impossible to mitigate. The allowance of human entrance to areas in close proximity to areas closed by the District for security reasons would create confusion for the visiting public and increased negative customer relations for the District.

These recreational opportunities on the Southwest Shore should be removed from the Resource Management Plan and placed into a special section of the EIS for recreational opportunities reviewed and then rejected for their unacceptable impact on water quality, the primary purpose of the District, and the primary goal of the Resource Management Plan.

R-1-50

Body Contact/Swimming Areas Within the Lake

The reduction of the impact related to body contact and swimming in lake water to a minor impact by the modification of the water treatment plant is potentially correct, however, the long term change in the environment of the Ojai Valley would be driven by the cost of a multi-million dollar investment in upgrading the water treatment plant to accommodate the added pollution level from the recreational activities.

Recent studies completed by CMWD recreation staff demonstrates that more than 80% of the visiting public to the Lake Casitas Recreation Area are from outside of the District Boundaries. The cost associated with the treatment plant to accommodate recreational activities would not be completely borne by the recreating public from outside the District. The cost would largely be borne by CMWD's customer base, which includes agriculture. The added cost to the water rate could trigger a significant change in land use in the CMWD district boundary from the loss of agricultural activities being run out of business by the high cost of water. The shift from

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agriculture to urban uses would produce adverse impacts on the environment on a wide variety of issues, including but not limited to: air quality, traffic/circulation, land use, cultural and historical, biological, and water resources.

The potential for water quality impacts to Lake Casitas are not limited to introduction of *Cryptosporidium* and giardia. The increased level of nitrogen and phosphorus in the runoff to Lake Casitas can produce algal blooms that are powerful enough to produce fish kills in the Lake. This occurrence has an historical basis and the evidence for this potential water quality impact can be found in the document entitled *Project Report for Ventura County Planning Department and Casitas Municipal Water District on Watershed Development Impact on Lake Casitas*, dated March 1972, prepared by Montgomery Research Inc., Pasadena, California.

Body contact and swimming must be removed from the Resource Management Plan as recreational opportunities reviewed and rejected because of their extreme impact on the environment including water quality, the primary purpose of the District, and the primary goal of the Resource Management Plan.

Fire Management

The relocation of the Station Canyon Fire Station, the helipad, and fire hand crews to the Open Space Lands is in direct opposition to the will and adopted direction of the 88th Congress.

R-1-51

Public Law 93-493 (88 Stat.1493) was adopted by the 88th Congress on October 27, 1974 and Section 403 clearly states that "The lands will be kept in their natural state as permanent open space and may be managed by the Casitas Municipal Water District, or any other authorized non-Federal public body, as part of the Lake Casitas Recreation Area." Also, in preceding Section 401 it is stated that the primary reason for acquiring these lands was "...to provide for protection of the quality of water in Lake Casitas." For future reference, the negative impacts associated with water quality that should be avoided at all costs include, but are not limited to nitrogen loading from run-off into Lake Casitas, algae blooms, colloidal and total suspended particulates, turbidity, and eutrophication.

In August 1976, the Bureau of Reclamation's Land Management Task Force for the Casitas Reservoir Watershed published a document titled *Management Guidelines for Acquisition Groups 1, 2, and 3, Casitas Reservoir Open Space Act*. On page two of the *Management Guidelines*, the third full paragraph states:

The purpose of the Act, as stated, is to provide for the protection of the quality of water in Lake Casitas, and to provide for the preservation and enhancement of public outdoor recreation, fish and wildlife, and the environment of the area through keeping the lands in their natural state as permanent open space. Based upon our review and analysis of the background information on Public Law 93-493, it is evident that the primary purpose of the Act is to preserve and protect the quality of water in Lake Casitas. This then, becomes our most significant criteria in developing the management guidelines.

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The intent of Congress is clear to all who read this clear and unambiguous language and the intent of Congress was clear to the Bureau of Reclamation in 1976. Nothing has changed since that time. Congress has not changed the fundamental intent that Congress previously adopted concerning the Open Space lands.

This single action proposed by the Bureau of Reclamation should be thoroughly reviewed for its environmental consequences at the earliest possible time. This would mean it should be reviewed in this Environmental Impact Statement. The impacts associated with this action on the Lake, the District, and the Ojai Valley are so enormous that they cannot wait for programmatic review. The District, and the public, deserves to have all the information before them concerning this potentially disruptive action in this plan is accepted and approved by the Bureau of Reclamation.

R-1-52

Amphitheater

During the scoping process for the RMP, an amphitheater project was described to accommodate up to 5,000 persons. For comparison, the proposed 5,000-seat amphitheater would be approximately the same size as the 5,700 seat Greek Theatre in Los Angeles and would be 500 seats larger than the Santa Barbara Bowl. This level of activity would have significant adverse and unavoidable environmental impacts. These impacts would include, but not be limited to, the attraction of 3-4,000 vehicles to sensitive areas and associated traffic impacts, noise impacts, destruction of land forms and views, disturbance to migratory nesting birds within the vicinity, light and glare including disturbance of nighttime viewing, trash and other remains entering the ecosystem and water resource. In light of these impacts due to the number of persons to be accommodated, Casitas foresees an amphitheater of smaller scope that would more appropriately fit the environment of Lake Casitas.

The multiple potential impacts, including water quality, from the commercialization of more of the shoreline of Lake Casitas and turning potentially sensitive areas into parking lots is just too great a risk to contemplate. The amphitheater as described in the scoping should be removed from the Resource Management Plan and placed into a special section of the Environmental Impact Statement for recreational opportunities reviewed and rejected for its extreme impact on the environment and inconsistency with the primary goal of the Resource Management Plan. The RMP should instead refer to a much smaller amphitheater that would more appropriately fit the environment of Lake Casitas.

R-1-53

Lake Perimeter Trail

The potential for water quality impacts from improper sanitation actions from people utilizing the trail even though Sweet Smelling Toilets may be placed along the trail, presents an enforcement problem as well as a water quality contamination risk. In addition, a perimeter trail would also cause security issues at Casitas Dam, enter into sensitive bird nesting areas, and be extremely difficult to maintain in some of the areas around Lake Casitas. This recreational opportunity should be removed from the Resource Management Plan and placed into a special

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section of the Environmental Impact Statement for recreational opportunities reviewed and rejected for its impact water quality and inconsistency with the primary goal of the Resource Management Plan.

CONCLUSION

The Casitas Municipal Water District (CMWD) has reviewed the Lake Casitas Draft Resource Management Plan / Environmental Impact Statement ("RMP/EIS"). The RMP/EIS seeks to "establish management objectives, guidelines, and actions for the Lake Casitas Recreation Area (Park) and 3,500 acres of Open Space Lands north of the Park, which together comprise the Plan Area." The stated purpose of the RMP/EIS is "to provide a program and set of policy guidelines necessary to encourage orderly use, development, and management of the surrounding lands." In fulfilling its defined purpose, the RMP/EIS encompasses a broad scope of contemplated projects and activities, without committing the Bureau to any particular project or activity or evaluating in sufficient detail environmental impacts that are likely to result from those contemplated projects and activities.

R-1-54

As stated on page 1-3 of the RMP/EIS, "[a]ny future actions that would result in new facilities, ground disturbances, or environmental impacts beyond the programmatic analysis provided would be subject to subsequent environmental review." It is the position of CMWD that because the programmatic analyses provided by the RMP/EIS address only broad planning alternatives, those analyses cannot serve as an adequate assessment under NEPA of any specific project or management activity that might ultimately be proposed by the Bureau or its managing partners. Should the Bureau officially propose any of the specific alternatives, activities or actions contained in the RMP/EIS, CMWD relies on the Bureau's assurances that those specific proposals will be subject to further NEPA and, if applicable, CEQA review and comment. Therefore, in providing the following comments to the RMP/EIS, CMWD wishes to clarify that it is only addressing the document's broad-based planning proposals, and is not waiving its right to further comment regarding any of the specific alternatives, activities or actions contained in the RMP/EIS. Further, CMWD reserves any rights it may have to require or conduct further environmental assessments related to the RMP/EIS under applicable laws, rules, and regulations.

Finally, the RMP seems to fall short of its purpose to provide a program and set of policy guidelines necessary to encourage orderly use, development, and management of the Plan Area. It is important to consider this document as a time-measured instrument for those who follow our footsteps. Casitas provides the above comments with the intent to achieve the purpose of this plan. As the interested managing partner for the Plan Area, Casitas is always available for your questions and request for assistance in reaching a final RMP/EIS.

If you have any questions in regard to this letter, please do not hesitate to call Steve Wickstrum at 805-649-2251, ext. 112.

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Sincerely,



James W. Word, President
Board of Directors
Casitas Municipal Water District

CC: Michael P. Jackson, Area Manager
Steven Kellogg, URS

Responses to Comment R-1

R-1-1

The comment is noted. Please see the responses below.

R-1-2

The commenter has expressed concerns that actions proposed in the RMP/EIS are contrary to direction in Title IV of the Reclamation Development Act of 1974. In response, several points are pertinent:

- (Sec 401) The Act included in its purpose to "provide for protection of the quality of water in Lake Casitas **and** to provide for preservation and enhancement of public outdoor recreation." The RMP is consistent with these congressionally authorized purposes.
- (Sec 403) The Open Space Lands are to be administered in accordance with Section 4 of the Federal Water Project Recreation Act of 1965 and Reclamation **may** issue licenses, permits, or leases, **or take other action as required for proper management of the Open Space Lands**. These lands **may** be managed by Casitas Municipal Water District (CMWD) or any other authorized non-federal public body. The Act provides Reclamation the discretion to determine how best to manage the lands, including allowing management by a non-federal manager. Also note that Section 4 of the Federal Water Project Recreation Act of 1965 provides for the lease of facilities and lands to non-federal public bodies, where they agree to administer Project land and water areas. At this time, there is no intent to lease Open Space Lands. In summary, there is flexibility in the language of both acts. However, as described in the Draft RMP/EIS, the selection of a manager for the Plan Area (including Open Space Lands) has not been made and is not a subject for the RMP/EIS.

- With respect to remaining homes in the open space: One of the three remaining parcels with structures is in a lifetime lease, consistent with the terms of Title IV. Two parcels are unoccupied, and one is undergoing evaluation as an historic resource. If the structures are in acceptable condition and are no longer subject to a lifetime lease, the remaining structures may be used for one or more of the following: interpretive center, visitor center, administrative center, or community/small meeting center. These uses are consistent with proper management of the Open Space Lands under Section 403 of Title IV.
- With respect to public access without consideration of impacts: Public access to Open Space Land is consistent with the stated purpose in Title IV Section 401 "provide for preservation and enhancement of **public outdoor recreation.**" Impacts related to public access to the Open Space Lands are described in Sections 4.1, 4.4, 4.5, 4.6, 4.8, 4.9, and 4.10.

In addition, Section 2.2.3 of the Final RMP/EIS has been revised to reference the Federal Water Project Recreation Act (Public Law 89-72, 89th Congress, S.1229, July 9, 1965, 79 Stat. 213, 214; as amended by Public Law 93-251, March 7, 1974, 88 Stat. 33, Sec. 77 and Public Law 102-575, October 30, 1992, 106 Stat. 4690, Title XXVIII), which states that opportunities for outdoor recreation and for fish and wildlife enhancement are approved, primary purposes of Reclamation projects.

R-1-3

The comment does not identify which of the listed 11 management objectives these projects are inconsistent with or define the nature of the inconsistency. Additional review of the Final EIS does not show inconsistency with management objectives. Each potential project under the alternatives has been evaluated for its level of impact as defined by the National Environmental Policy Act (NEPA) (Beneficial, No Impact, Minor Adverse, and Major Adverse). Each of the proposed actions is subject to funding availability and project-level environmental analysis. Also see additional responses below.

R-1-4

The Draft RMP/EIS is a programmatic document. Projects and actions implementing the Preferred Alternative will undergo future environmental analysis required by NEPA that will tier from this programmatic EIS. Tiered environmental documents will adequately provide the specific information necessary to evaluate the environmental consequences of the second-tiered project.

This document has been prepared to fully disclose the general environmental consequences of a long-term program. It presents information at a broad planning level of detail. The precise magnitude of impacts cannot be identified at this early planning stage. To make adequate determinations of project-specific consequences, additional information is required. Future NEPA documents will be prepared to handle the site-specific analysis.

R-1-5

Section 1.1 has been modified to clarify that the 1956 Repayment Contract provided for transfer to CMWD the operation and maintenance of project works, and associated property necessary for such operation and maintenance, for the delivery of water.

The report "Ventura River Project, California – A Report on the Feasibility of Water Development" (Reclamation 1954) is now referenced in Section 1.1 and a reference to

recreational benefits is included. The document is also referenced in Section 5. The recreational benefits described in the RMP address existing conditions and a 25-year planning horizon.

A description of fire protection activities and agreements has been added to Sections 2.5.3 and 2.6.2 of the RMP/EIS.

R-1-6

The discussion of the 1954 feasibility report and repayment contract in Section 1.1 has been modified as discussed in the response to Comment R-1-5. Also refer to the response to Comment R-1-2.

R-1-7

See the responses to Comments R-1-2 and R-1-6.

The words “day-to-day” have been deleted from the first paragraph of Section 2.4.2 of the Final EIS. A long-term management agreement will provide the more specific “day-to-day” measures needed to implement the Plan.

R-1-8

Changes to text in Section 4.9.3 have been made to indicate that implementation of Capital Improvement Plan provisions are subject to availability of funding, and completion of Tier 2 environmental analysis.

R-1-9

Reclamation will consider concerns raised by the managing partner(s) when amending the RMP.

R-1-10

The text in Section 2.5.4 has been changed to read, “fuel treatments such as prescribed burning will be evaluated annually to determine the feasibility of protecting the lake area from a catastrophic wildfire by proactively treating landscape fuels.”

To further describe the context for prescribed burning, language has been added to Section 3.8.3.5 emphasizing the high risk of catastrophic wildfire in the vicinity of the lake and the detrimental effects of catastrophic burns on water quality (through increased sedimentation and reduced groundwater storage capacity). Prescribed burns are explained as measures implemented to reduce the risk of catastrophic wildfires and thus protect resources such as water quality. The following best management practices (BMPs) to protect water quality during prescribed burns are now listed in Section 3.8.3.5:

- Vegetation between 15 and 20 years of age should be converted back to age zero, preferably by prescribed burning.
- A vegetated buffer should be left between all burn areas and adjacent riparian features to limit the movement of sediment and ash into waters.
- Individual burns should be kept small and cool to minimize the potential for the fire to escape or kill live trees.

R-1-11

See the changes to text in Section 2.6.2 regarding agreements pertaining to authorization of helipads and fire protection activities.

See the changes to text in Section 2.6.4 for a description of helipads and fire incident command facilities.

Limited day use hiking refers to use of existing public roads, as identified in the response to Comment R-1-25.

The comment about the need for better communication and decision making is noted.

R-1-12

Infrastructure, services, and facility upgrades are addressed under Section 2.5.3, which describes common infrastructure, operational improvements, and management actions for all alternatives, including the No Action Alternative. Public access under Section 2.6.4 for the No Action Alternative would remain the same as for current conditions. See the text changes in Section 2.6.4. Under current conditions, public access is allowed on county-maintained roads within the Open Space. Roads in the Plan Area, including Open Space Lands, are shown in Figures 2-1 through 2-4.

For additional descriptions to helipads and hand crew training, see the text changes in Sections 2.5.3 and 2.6.4.

The recent cooperative Fire Protection Agreement is referenced in Section 2.6.2.

R-1-13

See the response to Comment R-1-11, above. The manager of the Open Space Lands would also be responsible for building and maintenance of trails, consistent with Reclamation guidelines for protection of the Open Space Lands. The potential impacts from trail development are addressed in Sections 4.1.5.1 and 4.1.6.1. Potential impacts are identified as major. Mitigation measures include applying BMPs and using buffer zones to surround all drainages. See also Mitigation Measure WQ-2 in Section 4.1.7. With application of these measures, impacts would be reduced to less than major. Trails in Open Space Lands allowed under the Preferred Alternative will be open to day use only. Limitation to day use only should reduce potential for homeless encampments and other unintended uses.

The relocation of the United States Department of Agriculture Forest Service (Forest Service) fire station has been removed from the Plan for the following reasons:

- (1) No alternative sites have been identified.
- (2) Relocation may occur in phases, which may extend beyond the planning horizon of the RMP.
- (3) Funding is uncertain.

If the relocation becomes feasible within the planning horizon, a separate environmental document will be prepared.

R-1-14

The comment is correct that, with the exception of a boating management plan, all other actions are common to all alternatives. The text of Sections 2.5.2 and 2.7.2 has been revised as recommended.

R-1-15

The actions included in Alternative 3 were the result of public response and thus have been included and analyzed. In accordance with the California Health and Safety Code (body contact rule), body contact recreation is not allowed in any reservoir that supplies municipal drinking water, with exceptions for reservoirs with prior body contact or by exception. In some cases, exemption has been allowed but only granted in cases where it can be shown that water, once treated, will continue to meet state and federal water quality standards. Although Alternative 3 included body contact, Alternative 2 (with no body contact) has been identified as the Preferred Alternative.

R-1-16

The conversion of campsites for compatibility with RVs, yurts, and tents is included in Alternative 2. The distinction between Alternatives 2 and 3 regarding the converted campsites is in the numbers. Under Alternative 2 *some* campsites would be converted, and in Alternative 3 the *majority* would be.

R-1-17

See the text changes in Section 3.1.1.2.

R-1-18

Section 3.4.4 has been revised to indicate that five ponds in the Open Space Lands are under the jurisdiction of the State Dam Safety program and to describe Ponds 2 and 3.

R-1-19

See the response to Comment R-1-2.

R-1-20

See the response to Comment R-1-2.

Relocation of the fire station has been removed from the final RMP.

R-1-21

The Preferred Alternative does not allow grazing in the Open Space Lands. The draft RMP did not contain proposals under any alternatives for grazing activities.

R-1-22

A fire management plan would be developed and coordinated with Reclamation and the managing partner(s), and would include identification of water quality and other environmental impacts and mitigations consistent with the management objectives of the RMP.

The proposed fire management plan meets management objectives by including long-term strategies, approaches, and implementation policies to protect and manage natural resources while minimizing erosion to protect water quality. The plan also includes detailed safety and

emergency procedures and planning for public information for prescribed burns. The text in Section 3.8.3.5 has been amended as recommended to include consideration of these objectives.

Prescribed burning would be compared to mechanical treatments, such as mulching. This could be effective in reducing fire risk by redistributing the fuels closer to the ground, or by reducing the total amount of fuels. Many treatments such as mulching have been found to be unrealistically expensive or time-consuming and have limited applicability. Normally mulching is used as a one-time precursor to prescribed burning. A mulching operation is intended to break up fuels into small pieces and would require the use of specialized equipment. Surface treatments such as mulching open stands to wind and sun and the forest can become drier longer than it does with a mix of trees and bushes. After mulching the land will have more grasses and other fuels, creating a higher potential for hot, intense, and fast-moving surface fire. It is safer to suppress but still a threat to adjacent structures.

R-1-23

The paragraph on safety of dams has been moved to Section 3.3.1.

R-1-24

See text changes to Section 3.9.2.2.

R-1-25

The improved roads include Superior Road off SR 33, Chismahoo Road, and Santa Ana Road where it connects former residential streets in the Open Space Lands as well as provides access to the Lake Casitas Recreational Area.

Limited day-use hiking refers to use of existing public roads as identified in the response to Comment R-1-25, and is within the parameters of the management objectives. As such, the limited use would ensure the balance between recreational opportunities and the continued storage and delivery of high-quality water.

R-1-26

The statement cited in the comment was a summary of public input. Section 3.9.3 has been clarified to indicate that certain public comments requested some level of access to Open Space Lands. The Preferred Alternative (Alternative 2) would allow limited access to Open Space Lands, as described in Section 2.7.2, and is not in conflict with management objectives (see response to Comment R-1-2).

R-1-27

Text in Section 4.1.5.1 now includes language that addresses the application of BMPs to trail creation and maintenance from the perspective of water quality. This additional language states that all trails created in the Open Space Lands, as proposed under Alternative 2, would comply with the U.S. Forest Service's "Trail Construction and Maintenance Notebook" (2004), which includes detailed and feasible trail creation and maintenance measures that protect water quality and address debris management through sound construction of trails. Examples of trail creation and maintenance BMPs that have proven effective include:

- The construction of grade dips along the trail surface to prevent trail erosion and halt sediment transport, and

- Recommendations about trail aspect and slope intended to limit the amount of time water stays on a trail surface

Additional mitigation measures are also proposed for new trail construction and maintenance in the Open Space Lands and these include:

- Revegetation of trail sidewalls after trail construction where the area of disturbance extends beyond the edge of the trail
- Placement of all trails outside of a 50- to 150-foot buffer (larger buffer on steeper slopes) surrounding drainages in the Open Space Lands
- Regular management and repair of failing trails
- Placement of trash cans at trail heads and informational signs reminding visitors to, “pack-it-in, pack-it-out.”

Although Alternative 3 is not the Preferred Alternative, it would also include all of the above-specified BMPs and mitigation measures.

R-1-28

The financial impact to water customers, and the surrounding communities, for the upgrade of the existing filtration system would have been examined at the time the water filtration project was tiered from this programmatic document and analyzed in detail sufficient to satisfy public concern as well as NEPA policy. Because body contact is not included in the final RMP, this analysis will not be required.

R-1-29

Reclamation has already removed structures and septic systems from all but three parcels in the Open Space Lands. Refer to the response to Comment R-1-2 for discussion of the remaining structures. The Impact WQ-5 presented in the Draft RMP/EIS has been removed because it is part of the existing environment.

R-1-30

See the response to Comment R-1-10, which addresses the impacts of prescribed burning on water quality. Section 3.8.3.5 specifically now includes a discussion of the risk catastrophic wildfires pose for sediment transport and water quality, and the mitigating effect small periodic fuel treatments, such as prescribed burns, can have on the impacts associated with the larger wildfire events. Section 4.1.3.8 has been added to the RMP to address the impact of fuel treatments, including prescribed burning, on water quality. Impacts related to the use of fuel treatments are summarized in new Impact WQ-5, and Mitigation Measure WQ-5 recommends the following mitigation for potential impacts:

- Planting native vegetation
- Controlling non-native plant species with herbicides
- Actively managing adjacent fuel hazards

R-1-31

The text of the Final EIS has been revised to clarify that the responsible agency is the managing partner(s). That agency has not yet been identified. The fire management and vegetation

management plans are part of the RMP. However, within these plans, potential impacts and mitigations will be addressed as part of adaptive management.

The text of Section 4.1.5.1 has been revised to discuss actions that will be taken to protect water quality.

R-1-32

The reference has been added as recommended.

R-1-33

The last sentence in Section 4.7.3 now reads, “Due to the temporary and infrequent occurrences of prescribed burning activities and the active revegetation effort proposed for recently burned areas, the visual disruption from prescribed burning would be a minor adverse impact.”

Refer to the responses to Comments R-1-10 and R-1-30 for a more detailed discussion of prescribed burning, anticipated impacts, and proposed mitigation for those impacts. Specifically regarding the visual impact of smoke, all burning will be coordinated with the managing partner(s) and other agencies such as the U.S. Forest Service and the California Department of Forestry and Fire Protection. Mitigation measures will be implemented to reduce the duration and impact of smoke. These measures will be further detailed in the Fire Management Plan.

R-1-34

The recommended text has been added to Section 4.8.3.

R-1-35

Protection of water quality is addressed in Response R-1-30.

Impact LU-1 in Section 4.8.7.1 has been expanded to specify that BMPs to prevent soil erosion and protect water quality will include leaving a vegetated buffer around water features that feed Lake Casitas. This would eliminate the potential need for aerial fire retardant to be used in the Plan Area (see discussion of catastrophic wildfires in Section 3.8.3.5), and will protect the gathering and transport of water from land to lake during any prescribed activity.

R-1-36

See text changes in Section 4.9.3.

R-1-37

Pertinent documents are referenced in Section 1.1 and Section 5. Also, refer to Response R-1-5.

R-1-38

The RMP/EIS is a programmatic document. A range of alternatives, and range of actions under these alternatives, is provided to allow for a range of growth that could occur in the recreation area (see Sections 3.9.5.4 and 3.10.2 for estimates of growth in recreational demand). The implementation of planning actions and projects depends on what use patterns and access issues will occur in the future. The size and scale of proposed actions need to allow flexibility to accommodate unknown future trends and visitor needs.

The environmental analysis of potential future activities and facilities is specific where possible and where a footprint has been identified. Where the exact footprint of an activity or facility has not been determined, the RMP/EIS makes informed projections about what types of effects could

result from construction and operation of an action. For example, the location of the amphitheater proposed for both Action Alternatives has not been determined, but Impact R-5 identifies the foreseeable noise-related effects related to operation of the amphitheater, and Mitigation R-5 lists measures that would be implemented to reduce disturbances to Park visitors and amphitheater guests.

In some cases, information about effects and potential mitigation has been added to the Final EIS as a result of public comments. Section 4.9.7 of the Final EIS has been revised to discuss effects that could result from the conversion of tent campsites to multiple-use sites that would accommodate tents, RVs, and yurts (see Impact R-6). A corresponding mitigation measure has also been added to reduce potential impacts from tent campsite conversion. Sections 4.1.7, 4.2.7, 4.2.8, 4.3.7, 4.4.7, 4.8.7, and 4.10.7 of the Final EIS have also been amended to include clarification about potential effects and mitigation measures for proposed management actions.

The approach described above is referred to as “tiering.” Tiering is a method of gearing each EIS to the appropriate stage of development, incorporating by reference what has gone before (Section 1502.20 CEQ NEPA Regulations) (NEPA Handbook – Third Edition 2006). This programmatic document constitutes a Tier 1 document and, as stated above, is specific to the extent that the footprint and details of various actions are known.

Tier 2 documents must be prepared before implementation of any future actions that would result in new facilities, ground disturbances, or environmental impacts beyond the programmatic analysis provided in this document. Where this Tier 1 document fully evaluates site-specific impacts, the Tier 2 document would summarize the Tier 1 findings and include any additional information needed for environmental clearance of the proposed management action. Where this Tier 1 document is less specific (such as for the amphitheater or conversion of tent campsites to multiple-use sites), the Tier 2 document would have to address the impacts specific to the footprint and details of the proposed action that are not known when this Tier 1 document is prepared.

Section 1502.14(e) of the CEQ NEPA Regulations requires an agency to identify a preferred alternative in the draft statement **if** one exists. It then requires identification of the preferred alternative in the final unless another law prohibits it. In accordance with Section 1502.14(e), the Preferred Alternative (Alternative 2) is identified in the Final EIS.

R-1-39

See the response to Comment R-1-4 for a discussion of the level of detail appropriate for a Tier 1 programmatic document.

Mitigation measures in WQ-2 are those that are feasible and may be needed **beyond** BMPs that would be included in the project design.

The more specific magnitude of impacts and magnitude of impact reduction would be identified in a Tier 2 project specific document. At the programmatic level the objective for mitigation measures is to identify feasible measures that have been shown to be effective with similar types of impacts.

R-1-40

Violations of Federal, State or Local (VCAPCD) Significance Thresholds

Emissions from vehicles traveling to Lake Casitas over the last 10 years as well as projected vehicle emissions in the horizon years are calculated as described in the response to Comment F-1-1. The criteria pollutant emissions from vehicles are presented in Table 4.2-1.

Sufficient information is not available to project future vehicle use on a daily basis. Annual projections were based on average annual visitor use numbers from the last 10 years. Future annual emissions were compared to the General Conformity de minimis thresholds in the responses to Comments F-1-1 and R-4-4, as shown in Table 4.2-1. However, a daily emissions comparison to the VCAPCD significance thresholds is not possible at this time. If and when each project presented in the RMP gets funded and planned, daily emissions will be estimated and compared to the VCAPCD significance thresholds presented in Section 3.3 of the Ventura County Air Quality Assessment Guidelines.

R-1-41

Alternative 1 is the No Action Alternative. As described in Sections 4.3.4 and 4.4.4, there would be few impacts beyond existing conditions. Impacts are limited because the only new facilities would result from the Capital Improvement Plan. Otherwise, campsites, trails, and public access remain the same.

Boat use is projected to be relatively unchanged (see Section 4.9.2). Therefore, impacts beyond existing conditions are not anticipated.

R-1-42

See the response to Comment R-1-44 for discussion of the scope of a programmatic EIS. Additional responses include:

- Types of impacts are described in Section 4.4.5.1, e.g., vegetation disturbance, trampling, spread of invasive species, removal of sensitive habitat, spreading of pathogens (sudden oak death).
- Location of facilities such as an amphitheater, trails, etc. would be the subject of the Tier 2 document. Various alternative locations would be explored. The purpose of the Tier 1 programmatic document is to identify sensitive habitat and plan to avoid it in the planning process.
- Refer to Section 4.9.2 for boat use and WROS zones. Very little increase in boat use is anticipated. Thus, impacts are considered minor.
- Minor impacts due to increased runoff could only be quantified (as pointed out by the commenter) when project specifics in the Tier 2 document are known.
- Section 4.4.5.4 points out that special-status species would be further evaluated for Tier 2 documents and addressed in a Trail Management plan to avoid sensitive areas.

R-1-43

Alternative 3 is not the Preferred Alternative; therefore, swim beaches that were assumed to move the impact on grebe breeding activity from minor to major would not be constructed. The trail proposed under Alternative 3 in the southwestern portion of the lake is located in an

undeveloped portion of the Plan Area, where it is anticipated that any black bears and/or mountain lions would most likely occur. Trail construction proposed under Alternative 2 would not border the southwestern portion of the lake, but would be in the Open Space lands, which are in closer proximity to existing developed areas.

R-1-44

See the responses to Comments R-2-1 and R-2-2 for a further discussion of Mitigation Measures TR-2a and TR-2b and possible future contributions to the County Traffic Mitigation Fee. In addition, also note that the programmatic RMP/EIS is not a confirmation of, or commitment to implement projects. It is a planning document providing guidance for future management comparing three different alternatives, describing what projects would be allowable under each. These projects are included based on current use trends and public input. They may or may not be implemented, based on available funding and public demand. Moreover, there is wide flexibility in the criteria by which they may be interpreted and designed.

In a manner consistent with Section 1508.28 of the Council for Environmental Quality (CEQ) NEPA Regulations, actions (projects) would not be "ripe for discussion" unless they had been tiered from the programmatic document. The purpose of tiering is to individualize a specific and defined project for a focused environmental impact analysis, including traffic modeling and compliance with all standards and policies. It is untimely and out of the scope of this programmatic document, which serves as guidance to future management, to quantify traffic impacts for specific projects that have not yet been quantified.

R-1-45

See the response to Comment F-1-7.

R-1-46

See the response to Comment R-1-29. One of the three remaining parcels with structures and septic systems is in a lifetime lease that must remain in place under the terms of the agreement. Two of the parcels are unoccupied. The parcels are much further removed from drainages than all of the other existing recreational sources of potential contaminants.

R-1-47

See the response to Comment R-1-3. Also, see BMPs and additional mitigation that requires buffer zone restrictions around drainages in Open Space Lands (WQ-2). Day-use hiking and biking (equestrian use is not included) in the Preferred Alternative for the Final EIS would not introduce impacts any greater than already exist for recreational activities right next to the lake.

R-1-48

The Preferred Alternative includes only limited day use on primitive trails with a permit and in accordance with safety and fire restrictions that apply throughout the rest of the park.

R-1-49

Comments are noted and incorporated by reference. No recreational development at the Borrow area is included in the Final RMP/EIS.

R-1-50

Comments are noted and incorporated by reference. Some have been addressed in the Public Draft. Additional comments are noted here. The final RMP Plan does not include body contact/swimming areas.

R-1-51

See the responses to Comments R-1-13 and R-1-2. The relocation of the Station Canyon Fire Station is not included in the Preferred Alternative.

R-1-52

The size of the amphitheater has not been identified in the document. There is no reference to 5,000 person capacity. If the amphitheater becomes funded, the size may very well be much smaller than this comment indicates. As stated previously, all proposed actions are subject to available funding as well as public demand. Moreover, each project under the Preferred Alternative, forwarded for implementation, will undergo a separate and focused environmental impact analysis that will include public input. The specific size, scope, and design features of any proposed amphitheater are out of the scope of this document. However, the concept of the amphitheater remains in the RMP/EIS.

R-1-53

Comments are noted. However, please note that the lake perimeter trail is not included in the Preferred Alternative.

R-1-54

The concluding comments are noted. Specific comments are addressed in the previous responses.