Appendix 4A Reclamation NEPA Responses to 2017 Draft EIR/EIS Comments

This appendix provides Reclamation's responses to comments on the 2017 *Sites Reservoir Project Draft Environmental Impact Report/Environmental Impact Statement,* hereafter referred to as the Draft EIR/EIS (Sites Project Authority and Reclamation 2017), as required by NEPA. Pursuant to CEQA and given the full revision and recirculation of the RDEIR/SDEIS, the Authority is not responding to comments on the 2017 Draft EIR (see Volume 3, Chapter 1, *Introduction to Responses to Comments*).

4A.1 Public Participation and Comments Received

A Notice of Availability (NOA) of the Draft EIR/EIS and notice of public meetings was published in the Federal Register on August 18, 2017. The Authority, as the CEQA lead agency, also issued an NOA on August 14, 2017, and provided a summary of the project, identification of significant environmental effects and information on where to obtain the Draft EIR/EIS, how to provide comments, and the location, time, and dates for public meetings.

Electronic CD copies of the Draft EIR/EIS were made available upon request from the Authority. The Draft EIR/EIS was also made accessible online. For those lacking computer access, copies of the Draft EIR/EIS were made available at the following locations:

- Bureau of Reclamation, Regional Library, 2800 Cottage Way, Sacramento, CA 95825
- Sites Project Authority, 122 Old Highway 99 West, Maxwell, CA 95955
- Sacramento Public Library, Central Branch, 828 I Street, Sacramento, CA 95814
- Colusa County Free Library, Main Branch, 738 Market Street, Colusa, CA 95932
- Glenn County Public Library, Willows Branch, 201 N. Lassen Street, Willows, CA 95988
- Tehama County Library, Red Bluff Branch, 645 Madison Street, Red Bluff, CA 96080.

Two public meetings were held to receive oral and/or written comments regarding environmental effects:

- Tuesday, September 26, 2017, 6:00 p.m. to 8:00 p.m., Maxwell, CA
- Thursday, September 28, 2017, 1:00 p.m. to 3:00 p.m., Sacramento, CA

The Draft EIR/EIS was initially made available for public review from August 14, 2017 to November 13, 2017. This review period was ultimately extended to January 15, 2018 to accommodate additional public review and comments. During the public review period, 146

comment submittals were received in various forms including email, public meeting transcripts, public meeting comment cards, letters, and a petition. With the addition of letters received after the public comment period, a total of 150 comment submittals were received. Many of the letters include multiple comments, resulting in over 800 individual comments on the Draft EIR/EIS. The comments were sorted and categorized, and the following primary concerns were identified:

- Additional analysis is needed
- Delta flow impacts
- Terrestrial/botanical impacts
- Tribal, Indian Trust Assets (ITAs), cultural resource impacts
- Climate change and sea level rise
- Economic/financial impact (including power)
- Range of alternatives
- Bypass flows and flow reductions
- Potential Sacramento River release temperature impacts
- Baseline conditions
- Yolo and Sutter bypass impacts
- Delta fishery and water quality impacts
- Reservoir water quality and releases
- Trinity River watershed impacts

All of the comments received on the 2017 Draft EIR/EIS were taken into consideration when developing the approach and preparing the RDEIR/SDEIS.

4A.2 Regulatory Context

The Council on Environmental Quality (CEQ) requirements (40 CFR 1503.4) for agency responses to comments on an EIS are as follows:

> (a) An agency preparing a final environmental impact statement shall consider substantive comments timely submitted during the public comment period. The agency may respond to individual comments or groups of comments. In the final environmental impact statement, the agency may respond by: (1) Modifying alternatives including the proposed action, (2) Developing and evaluating alternatives not previously given serious consideration by the agency, (3) Supplementing, improving, or modifying its analyses, (4) Making factual corrections, (5) Explaining why the comments do not warrant further agency response, recognizing that agencies are not required to respond to each comment.

> (b) An agency shall append or otherwise publish all substantive comments received on the draft statement (or summaries thereof where the response has been exceptionally voluminous).
>
> (c) If changes in response to comments are minor and are confined to the responses described in paragraphs (a)(4) and (5) of this section, an agency may write any changes on errata sheets and attach the responses to the statement instead of rewriting the draft statement. In such cases, only the comments, the responses, and the changes and not the final statement need be published. The agency shall file the entire document with a new cover sheet with the U.S. Environmental Protection Agency as the final statement.

Section 8.15.2 in the Reclamation NEPA Handbook contains the aforementioned CEQ requirements and states that responses to comments must be factual and nonargumentative, should clearly address the issue(s) raised, and may acknowledge a comment if it is simply offering an opinion or if it contains advice not pertinent to the EIS. Section 8.15.2.1 discusses the format of responses to comments and indicates that when comments are repetitive, the significant comments may be summarized and consolidated to condense the volume of the responses.

Given the above, NEPA does not require Reclamation to respond to comments unrelated or no longer germane to the evaluation of potential environmental impacts contained in the RDEIR/SDEIS.

4A.3 Approach

Alternatives evaluated in the 2017 Draft EIR/EIS included varying sizes of a surface water reservoir. The reservoir would be filled using existing Sacramento River diversion facilities and/or a new Delevan Pipeline on the Sacramento River. All but one alternative involved using the Delevan Pipeline to divert Sacramento River water. The alternatives evaluated in the 2017 Draft EIR/EIS were as follows:

- **Alternative A**. This alternative involved a 1.3-MAF Sites Reservoir with the Delevan Pipeline; conveyance to and from the reservoir would have been provided by the existing TC Canal and GCID Main Canal and the Delevan Pipeline (2,000 cubic feet per second [cfs] diversion/1,500 cfs release). This alternative would also include approximately 46 miles of new paved and unpaved roads and new hydropower facilities with related overhead power line facilities.
- **Alternative B**. This alternative involved a 1.8-MAF Sites Reservoir with a release-only Delevan Pipeline; conveyance to and from the reservoir would have been provided by the existing TC Canal and GCID Main Canal and the release-only Delevan Pipeline (1,500 cfs release). This alternative also included approximately 46 miles of new paved and unpaved roads and new hydropower facilities with related overhead power line facilities.
- **Alternative C**. This alternative involved a 1.8-MAF Sites Reservoir with the Delevan Pipeline; conveyance to and from the reservoir would have been provided by the existing TC Canal and GCID Main Canal and the Delevan Pipeline (2,000 cfs diversion/1,500 cfs

release). This alternative also included approximately 46 miles of new paved and unpaved roads and new hydropower facilities with related overhead power line facilities.

- **Alternative C1**. This alternative was a variant of Alternative C. It was identical to Alternative C except that it did not include any hydropower-generating facilities or related overhead power line facilities.
- **Alternative D**. This alternative involved a 1.8-MAF Sites Reservoir with the Delevan Pipeline; conveyance to and from the reservoir would have been provided by the existing TC Canal and GCID Main Canal and the Delevan Pipeline (2,000 cfs diversion/1,500 cfs release). This alternative would include approximately 41 miles of new paved and unpaved roads, road relocations that would differ from those of the other alternatives, and an alternate alignment of an overhead power line. Alternative D would also include new hydropower facilities.

Key Project features included:

- **Sites Reservoir Complex**: Sites Reservoir Inundation Area, Golden Gate Dam, Sites Dam, Saddle Dams, Recreation Areas, South Bridge and Roads, Sites Pumping/Generating Plant and Electrical Switchyard, Sites Reservoir Inlet/Outlet Structure and associated facilities, and Maintenance Yard
- **Holthouse Reservoir Complex**: Holthouse Reservoir and Dam, breached existing Funks Dam, existing Funks Reservoir Dredging, Holthouse Spillway and Stilling Basin, Tehama-Colusa Canal Discharge Dissipater, Tehama-Colusa Canal Bypass Pipeline, and Holthouse to Tehama-Colusa Canal Pipeline
- **Terminal Regulating Reservoir (TRR) Complex**: GCID Main Canal Modifications, GCID Main Canal Connection, TRR, TRR Pumping/Generating Plant and Electrical Switchyard, and TRR Pipeline and Road
- **Overhead Power Lines and Substations**: Substations, Electrical Connections for Sites, TRR and Delevan Pumping/Generating Plants
- **Delevan Pipeline Complex**: Delevan Pipeline Intake/Discharge Facilities, Forebay, Pumping/Generating Plant, Electrical Switchyard, Maintenance and Electrical Buildings, Delevan Pipeline
- **Project Buffer**: Total land acquired for the Project beyond the facility footprints, out to the nearest existing parcel boundaries; applies to Sites Reservoir Complex, Holthouse Reservoir Complex, TRR Complex, and Delevan Complex (excluding the pipelines)

There are several differences in the facilities and operational characteristics between the current Alternatives 1, 2, and 3, as described in Volume 1, Chapter 2, Project Description and Alternatives, and the alternatives evaluated in the 2017 Draft EIR/EIS. A comparison of the current Alternatives 1, 2, and 3 to the smallest and largest reservoir alternatives evaluated in the 2017 Draft EIR/EIS (Alternatives A and D, respectively) highlights the primary differences between the alternatives evaluated in this Final EIR/EIS (see also Appendix 2B, Additional Alternatives Screening and Evaluation, Table 2B-1) and those analyzed in 2017:

- Elimination of the Delevan Facility on the Sacramento River and conveyance pipeline in Alternatives 1, 2, and 3 as compared to Alternatives A and D
- Elimination of Holthouse Reservoir and transmission line realignments in Alternatives 1, 2, and 3 as compared to Alternatives A and D
- Elimination of dedicated pump/generation hydropower facilities in Alternatives 1, 2, and 3 as compared to Alternatives A and D
- Fewer saddle dams in Alternatives 1, 2, and 3 as compared to Alternative D
- Change in location of the spillway on a saddle dam (8B) in Alternatives 1, 2, and 3 as compared to Alternatives A and D
- New conveyance facilities, including an underground Dunnigan Pipeline, for discharge into the CBD in Alternatives 1 and 3 as compared to Alternatives A and D
- New conveyance facilities, including an underground Dunnigan Pipeline and the Sacramento River discharge, from TC Canal to the Sacramento River in Alternative 2 as compared to Alternatives A and D
- New operation for Alternatives 1, 2, and 3 as compared to Alternatives A and D, including bypass flows; pulse flow protection measure to be applied to precipitation-generated pulse flow events from October through May; and Wilkins Slough bypass flow.

As described in both the RDEIR/SDEIS and this Final EIR/EIS *Executive Summary*; Chapter 1, *Introduction*; Chapter 34, *Revised Draft EIR/Supplemental Draft EIS Document Distribution*; and Appendix 2B, *Additional Alternatives Screening and Evaluation*, the environmental analysis was revised pursuant to CEQA and NEPA to reflect refinements to the Project that have occurred since the issuance of the 2017 Draft EIR/EIS. Reviewers of the RDEIR/SDEIS were encouraged to focus on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which the potentially significant impacts of the Project alternatives might be avoided or mitigated. If a commenter referenced comments they made on the 2017 document or attached comments they made on the 2017 document to their 2021/2022 comments, a standard response is provided in Volume 3, Chapter 4, Responses to Comments. Volume 3, Chapter 3 also includes the following master responses to provide responses to frequently raised topics, themes, or issues:

- Master Responses 1, CEQA and NEPA Process, Regulatory Requirements, and General Comments
- Master Response 2, Alternatives Description and Baseline
- Master Response 3, Hydrology and Hydrologic Modeling
- Master Response 4, Water Quality
- Master Response 5, Aquatic Biological Resources
- Master Response 6, Vegetation, Wetland, and Wildlife Resources
- Master Response 7, Tribal Coordination, Consultation, and Engagement

- Master Response 8, Trinity River
- Master Response 9, Alternatives Development

For the purposes of these NEPA responses to comments on the 2017 Draft EIR/EIS, all comments are addressed individually in table format, organized by letter. Where comments were made on project components that have been eliminated, the responses generally state that comments are no longer relevant and the commenter is directed to Chapter 2, *Project Description and Alternatives* and/or Master Response 2, *Alternatives Description and Baseline*. Many of the comments address the same thematic issues as those received on the RDEIR/SDEIS and the commenter is directed to the applicable master response, listed above, in Volume 3, Chapter 3. All responses direct the commenter to the revised analysis in the Final EIR/EIS, either in chapters and appendices (Volumes 1 and 2, respectively) and/or in the responses to comments.

4A.4 Indices of Commenters

The following indices list the comment letter numbers and titles of commenters, when provided, from federal agencies and elected officials; tribal governments; state agencies and elected officials; local agencies and elected officials; non-governmental organizations; and members of the public. These indices are organized by organization, commenter name, and letter number. Readers should use these indices to identify the letter number or numbers associated with their submissions and then find the comments and responses in the comment response tables that are contained in Attachment A. An asterisk (*) denotes when a commenter or organization also provided comments on the RDEIR/SDEIS.

Table 4A-1. Summary of Indices

Index No	Commenter Type
1	Federal Agencies and Elected Officials
2	State Agencies and Elected Officials
3	Local Agencies and Elected Officials
4	Tribal Governments
5	Non-Governmental Organizations
6	Individuals (Including Form Submissions)

Index 1 Federal Agencies and Elected Officials

Letter Number	First Name	Last Name	Title	Organization Name	Org Type
38*	Cathy	Marcinkevage		National Marine Fisheries Service	Federal Agency
40*	Kathleen	Martyn Goforth	Manager, Environmental Review Section	US Environmental Protection agency, Region IX	Federal Agency

Letter Number	First Name	Last Name	Title	Organization Name	Org Type
41*	Sonja A.	Anderson	Vice President of Power Marketing for Sierra Nevada Region	Western Area Power Administration	Federal Agency

Index 2 State Agencies and Elected Officials

Letter Number	First Name	Last Name	Title	Organization Name	Org Type
2	Kathryn	Lydden	Division Director	Department of Conservation, Division of Land Resource Protection	State Agency
6	Kevin	Yount	Branch Chief	California Department of Transportation, District 3	State Agency
8*	Kevin	Thomas	Acting Regional Manager	CDFW, North Central Region	State Agency
13	Jeffrey A.	Johnson	Division Chief	Department of Forestry and Fire Protection, Cal Fire - LNU	State Agency
19*	Diane	Riddle	Assistant Deputy Director	State Water Resources Control Board	State Agency
34	Cassandra	Enos-Nobriga	Deputy Executive Officer	Delta Stewardship Council	State Agency
39	Scott	Morgan	Director	State Clearinghouse and Planning Unit	State Agency
138	Jeff	Henderson	Deputy Executive Officer	Delta Stewardship Council	State Agency

Index 3 Local Agencies and Elected Officials

Letter Number	First Name	Last Name	Title	Organization Name	Org Type
6	Stephen	Arakawa	Manager, Bay-Delta Initiatives	Metropolitan Water District of Southern California	Water Association

Letter Number	First Name	Last Name	Title	Organization Name	Org Type
7	Wendy	Tylor	County Administrative Officer	County of Colusa	County Agency/Elected Official/Ass.
9	Leah	Orloff	Water Resources Manager	Contra Costa Water District	Water Association
10	Roger	Steinhoff	Fire Chief	Kanawha Fire Protection District	Regional/Other governmental agency
11*	Kenny	Cohen	Fire Chief	Maxwell Fire Protection District	Regional/Other governmental agency
18*	Gary	Evans	Chair	Colusa County Board of Supervisors	County Agency/Elected Official/Ass.
26	Ryan	Sundberg	Chair	Humboldt County Board of Supervisors	County Agency/Elected Official/Ass.
36	Tim	Busch	General Manager	Woodland Davis Clean Water Agency	Water Association
42	Jon	Olson	Director, Energy Trading & Contracts	SMUD	Regional/Other governmental agency
137	Aparo	Flores	Integrated Planning Manager	Zone 7 Water Agency	Regional/Other governmental agency

Index 4 Tribal Governments

Letter Number	First Name	Last Name	Title	Organization Name	Org Type
4	Wayne	Mitchum	Tribal Chairman	Colusa Indian Community Council	Tribal Government/Elected Official/Agency
20	Chief Caleen	Sisk	Spiritual Leader	Winnemen Wintu Tribe	Tribal Government/Elected Official/Agency
139	Russell 'Buster'	Attebery	Chairman	Karuk Tribe	Tribal Government/Elected Official/Agency

Letter Number	First Name	Last Name	Title	Organization Name	Org Type
140	Chief Caleen	Sisk	Spiritual Leader	Winnemen Wintu Tribe	Tribal Government/Elected Official/Agency
141	Chief Caleen	Sisk	Spiritual Leader	Winnemen Wintu Tribe	Tribal Government/Elected Official/Agency

Index 5 Non-Governmental Organizations

Letter Number	First Name	Last Name	Title	Organization Name	Org Type
12*	John	McManus	President	Golden Gate Salmon Association	Recreation/Conservation Organization
12*	Doug	Obegi	Senior Attorney, Water Program	Natural Resources Defense Council	Preservation/Conservation
12*	Rachel	Zwillinger		Defenders of Wildlife	Preservation/Conservation
12*	Gary	Bobker	Program Director	The Bay Institute	Preservation/Conservation
12*	Noah	Oppenheim		PCFFA	Recreation/Conservation Organization
12*	John	Rose		Center for Biological Diversity	Preservation/Conservation
17*	Barbara	Vlamis	Executive Director	AquAlliance	Preservation/Conservation
20*	M. Benjamin	Eichenberg	Staff Attorney	San Francisco Baykeeper	Preservation/Conservation
20*	Regina	Chichizola	Co-Director	Save California's Salmon	Preservation/Conservation
20*	Noah	Oppenheim		PCFFA	Recreation/Conservation Organization
20*	John	Livingston	Chairman of the Executive Committee	Sierra Club, Shasta Group, Mother Lode	Preservation/Conservation
21	Don	Hankins	President	California Indian Water Commission	Water Association
23	Carolee	Krieger	President & Executive Director	California Water Impact Network	Water Association
23*	Barbara	Vlamis	Executive Director	AquAlliance	Preservation/Conservation

Letter Number	First Name	Last Name	Title	Organization Name	Org Type
23*	Chris	Shutes	Water Rights Advocate and FERC Projects Director	California Sportfishing Protection Alliance	Recreational (non-specific)
24*	Steven	Evans	Wild Rivers Consultant	Friends of the River	Preservation/Conservation
25*	Steven	Evans	Wild Rivers Consultant	Friends of the River	Preservation/Conservation
25*	Dyane	Osorio	Chapter Director	Sierra Club, Mother Lode Chapter	Preservation/Conservation
25	Lucas	Ross-Merz	Executive Director	Sacramento River Preservation Trust	Preservation/Conservation
27	Konrad	Fisher	Executive Director	Klamath Riverkeeper	Preservation/Conservation
30	Warren V.	Truitt	Vice President	Save the American River Association	Recreation/Conservation Organization
31*	John	Livingston	Chairman of the Executive Committee	Sierra Club, Shasta Group, Mother Lode	Preservation/Conservation
37*	N/A			Save CA Salmon Petition	Preservation/Conservation Organization
116	Warren V.	Truitt	Vice President	Save the American River Association	Recreation/Conservation Organization
122*	Glen	Holstein	Botanist and State Council Delegate	California Native Plant Society, Sacramento Valley	Preservation/Conservation
132	Ellen	Wehr		Grassland Water Dist and Grassland Cons Dist	Preservation/Conservation
140*	Bill	Jennings	Executive Director/Chairman	California Sportfishing Protection Alliance	Recreational (non-specific)
140*	John	McManus	President	Golden Gate Salmon Association	Recreation/Conservation Organization
140	Conner	Everts	Facilitator	Environmental Water Caucus	Preservation/Conservation
140*	Jonas	Minton	Sr. Water Policy Advisor	Planning and Conservation League	Preservation/Conservation
140	Colin	Bailey	Executive Director	The Environmental Justice Coalition for Water	Preservation/Conservation

Letter Number	First Name	Last Name	Title	Organization Name	Org Type
140	Jean	Hays	ED Leadership Team	Women's International League for Peace and Freedom	Civic Group
140*	Ronald	Stork	Senior Policy Staff	Friends of the River	Preservation/Conservation
140*	Noah	Oppenheim		PCFFA	Recreation/Conservation Organization
140	Larry	Glass	Executive Director	Northcoast Environmental Center	Preservation/Conservation
140	Natalie	Carter	Executive Director	Butte Environmental Council	Preservation/Conservation
140*	Glen (Dr.)	Holstein	Chapter Botanist	California Native Plant Society, Sacramento Valley	Preservation/Conservation
140	Gary	Estes	Board Member	Protect American River Canyons (PARC)	Preservation/Conservation
140	Lowell	Ashbaugh	Conservation Chair	Fly Fishers of Davis	Preservation/Conservation
140	Alan	Levine	Director	Coast Action Group	Preservation/Conservation
140*	Rebecca	Wu	Volunteer	Friends of the River	Preservation/Conservation
140*	Tryg	Sletteland	Founding Director	Sacramento River Council	Preservation/Conservation
140*	Mark	Rockwell	President	Fly Fishers International, Northern California	Recreational (non-specific)
140*	Greg	Reis	Scientist	The Bay Institute	Preservation/Conservation
140	Konrad	Fisher	Director	Water Climate Trust	Preservation/Conservation
140	Mary Kay	Benson	Steering Committee Manager	Chico 350	Preservation/Conservation
140	Tom	Stokely	Water Policy Analyst	California Water Impact Network	Water Association
140	Carolee	Krieger	President & Executive Director	California Water Impact Network	Water Association

Letter Number	First Name	Last Name	Title	Organization Name	Org Type
141*	Bill	Jennings	Executive Director/Chairman	California Sportfishing Protection Alliance	Recreational (non-specific)
141*	John	McManus	President	Golden Gate Salmon Association	Recreation/Conservation Organization
141	Conner	Everts	Facilitator	Environmental Water Caucus	Preservation/Conservation
141	Colin	Bailey	Executive Director	The Environmental Justice Coalition for Water	Preservation/Conservation
141*	Ronald	Stork	Senior Policy Staff	Friends of the River	Preservation/Conservation
141*	Noah	Oppenheim		PCFFA	Recreation/Conservation Organization
141	Larry	Glass	Executive Director	Northcoast Environmental Center	Preservation/Conservation
141	Natalie	Carter	Executive Director	Butte Environmental Council	Preservation/Conservation
141*	Glen (Dr.)	Holstein	Chapter Botanist	California Native Plant Society, Sacramento Valley	Preservation/Conservation
141	Gary	Estes	Board Member	Protect American River Canyons (PARC)	Preservation/Conservation
141	Lowell	Ashbaugh	Conservation Chair	Fly Fishers of Davis	Preservation/Conservation
141	Alan	Levine	Director	Coast Action Group	Preservation/Conservation
141*	Rebecca	Wu	Volunteer	Friends of the River	Preservation/Conservation
141*	Tryg	Sletteland	Founding Director	Sacramento River Council	Preservation/Conservation
141*	Mark	Rockwell	President	Fly Fishers International, Northern California	Recreational (non-specific)
141*	Greg	Reis	Scientist	The Bay Institute	Preservation/Conservation
141	Konrad	Fisher	Director	Water Climate Trust	Preservation/Conservation

Letter Number	First Name	Last Name	Title	Organization Name	Org Type
141	Mary Kay	Benson	Steering Committee Manager	Chico 350	Preservation/Conservation
141*	Jonas	Minton	Senior Water Policy Advisor	Planning and Conservation League	Preservation/Conservation
141*	Tom	Stokely	Water Policy Analyst	California Water Impact Network	Water Association
141	Carolee	Krieger	President & Executive Director	California Water Impact Network	Water Association

Index 6 Individuals

Letter Number	First Name	Last Name	Org Type
1	Richard	Boylan	Individual
5	Elinor	Temel	Individual
14	Lady Bug	Doherty	Individual
15	Michael	McHenry	Business (affected business) or business group
16	Alex	Borel	Individual
22*	Jerry	Boles	Individual
32	Melinda	Wright	Individual
33	Stephen	Lyon	Individual
35	Leslie	Friedman	Individual
43	Jon	Wrysinski	Individual
44	Mark	Cowan	Individual (Transcript)
45	James	Murphy	Individual (Transcript)
46	Thomas	Meagher	Individual
47	Dane	Durham	Individual
48	Keith	Merson	Individual
49	Jennifer	Kardos	Individual
50	Mariquita	West	Individual
51	Kevin	Wolf	Individual
52	William	Neel	Individual
53	Charles	Hammerstead	Individual
54	Janet	Hayes	Individual

Letter Number	First Name	Last Name	Org Type
55	Kathleen	Kimberling	Individual
56	Sue	Steinberg	Individual
57	Harold	Sloane	Individual
58	Patricia	Puterbaugh	Individual
59	James	Prola	Individual
60	Kerry	Ewen	Individual
61	Caren	Quay	Individual
62	Ray	Rodney	Individual
63	John	Yost	Individual
64	Faith	Strailey	Individual
65	Dr. Dennis	Andresen	Individual
66	Richard	Lyon	Individual
67	Julie	McKee	Individual
68	Jan	Warren	Individual
69	Steve	Lasack	Individual
70	Harriet	Moss	Individual
71	Mal	Gaffney	Individual
72	Ted	Cheeseman	Individual
73	Bruce	Bowles	Individual
74	Craig	Gittings	Individual
75	Sigismund	Mo	Individual
76	David	Geisser	Individual
77	Mary Ann	Anon	Individual
78	Jay	Doane	Individual
79	Earl	Haramaki	Individual
80	Gail	Blumberg	Individual
81	Steve	Menicucci	Individual
82	Brian	Quinn	Individual
83	Jorge A.	De Cecco	Individual
84	Gale	Gallegos	Individual
85	Patricia	Davis	Individual
86	Abe	Levy	Individual
87	Chris	Reed	Individual
88	Eric	Forsman	Individual
89	William	Martin	Individual
90	Phil	Morris	Individual
91	Maggie	Coulter	Individual

Letter Number	First Name	Last Name	Org Type
92	Jennifer K.	Sallee	Individual
93	Scott	Nelson	Individual
94	Kylie	Tasker	Individual
95	Paul	Eilers	Individual
96	Martin	Lasack	Individual
97	Bruno	Pitton	Individual
98	Jason	Williams	Individual
99	Bill	Channell	Individual
100	Gary	Falxa	Individual
101	Adolph N.	Hofmann	Individual
102	Deborah	Filipelli	Individual
103	Marc	Norton	Individual
104	K. Nolan	Ahola	Individual
105	Mike	Duncan	Individual
106	Heinrich	Albert	Individual
107	Diana	Prola	Individual
108	Sheila	Toner	Individual
109	Juan	Byron	Individual
110	Nick	Deyo	Individual
111	Quinn	McKee	Individual
112	Jonathan	McClelland	Individual
113	Lucas	Giese	Individual
114	David	Adams	Individual
115	David	Karrs	Individual
117	Lonner	Holden	Individual
118	Judy	Wydick	Individual
119	Philip	Simon	Individual
120	Ernest A.	Long	Individual
121	Jennifer	Militzer-Kopperl	Individual
123	Sheila	Sandoli	Individual
124	Brett	Hoffman	Individual
125	Cherri	Burton	Individual
126	Carol	Blaney	Individual
127	Jeff	Sahl	Individual
128	Celia	Taupin	Individual
129	Kathleen	Cannuli	Individual
130*	Christopher	Lish	Individual

Letter Number	First Name	Last Name	Org Type
131	Daniel	Witte	Individual
133	Brien	Brennan	Individual
134	Rosada	Martin	Individual
135	Elissa	Wagner	Individual
136	Karlyn	Lewis	Individual
142*	Regina	Chichizola	NGO (Transcript)
143	Steve	Evans	NGO (Transcript)
144	Andrew	Meredith	Individual (Transcript)
145	Jeremy	Smith	Individual (Transcript)
146	Mark	Mulliner	Individual (Transcript)
147*	Steve	Evans	NGO (Transcript)
148	Glen	Holstein	Individual (Transcript)
149	Lucas	Merz	Individual (Transcript)
150	Jim	Brobeck	Individual (Transcript)

4A.5 Comment Tables

All comments on the 2017 Draft EIR/EIS are provided in table format, organized by letter, in Attachment A. Responses have been provided within the tables.

4A.6 References

Sites Project Authority and U.S. Department of the Interior, Bureau of Reclamation. 2017. *Sites Reservoir Project Draft Environmental Impact Report/Environmental Impact Statement*. August 2017. Available: https://sitesproject.org/resources/environmental-review/draft-environmental-impact-report-environmental-impact-statement/.

Sites Letter No	Com-ment No	Action Code	Comment	Response
1	1	31000	The Sites Project Draft EIR/EIS is woefully inadequate. It must be done over or completely revised. A key failing is the failure to list truly alternative strategies for increasing California's water stprage. All the Draft EIS/EIR does is list several "alternatives to the project," which consist basically of varying water storage amounts/levels. Note that a No Dam Alternative is not the same thing as a No Project Alternative! A truly adequate Environmental Review will examine, and list as Project Alternatives, the various well-recognized, environmentally-sound non-dam strategies 1) to naturally increase water retention conditions where rainfall/snowfall occurs, and 2) to delay/slow water runoff at or near the water sites of origin, so that water supplies are available gradually throughout California's dry Summers and Autumns. Dam Storage is not the only way to increase dry season river flows. DWR has a civic, legal and moral responsibility to honestly engage these other strategies, and to transparently catalogue them in any EIR/EIS worth its name. If DWR engineers need assistance with accessing these non-dam alternative strategies, they can approach (among her sources) the RAND Corporation, which did a sterling water-strategies-consultant report for El Dorado Irrigation District about a decade ago. Thank you for making this environmental review process excellent and complete.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment and responses to those comments are included in Volume 3, Chapter 4. Please refer to Chapter 2, *Project Description and Alternatives* for a description of the revised project analyzed in the Final EIR/EIS as well as Master Response 2, *Alternatives Description and Baseline* which describes project refinements that have occurred since the RDEIR/SDEIS. Please see Appendix 2B, *Additional Alternatives Screening and Evaluation* for further discussion of the extensive alternative development and review process.

Letter No	Com-ment No	Action Code	Comment	Response
2	2	52600	The EIR states that the Sites Reservoir Project has the potential to permanently impact up to 216 acres of Important Farmland as classified by the Department of Conservation's Farmland Mapping and Monitoring Program and goes on to state that there are no feasible mitigation measures to minimize this impact. The project also has the potential to impact more than 340 parcels currently under Williamson Act contracts. Impacts to Williamson Act contracted land would be adequately mitigated with the implementation of mitigation measures, Land-7a and Land-7b. These mitigation measure propose the termination of contracts through the use of eminent domain, cancellation of contracts through the Williamson Act cancellation process, or rescission and reentering into new open space contracts or open space easements. Department Comments If a project's impacts are deemed significant, CEQA requires lead agencies to describe and consider feasible mitigation measures to avoid or minimize the projects significant effects. The conversion of agricultural land represents a permanent reduction in the State's agricultural land resources. As such, the Department advises the use of permanent agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. Conservation easements are an available mitigation tool and considered a standard practice in many areas of the State. Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with CEQA Guideline § 15370. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment and responses to those comments are included in Volume 3, Chapter 4. Please refer to Chapter 2, *Project Description and Alternatives* for a description of the revised project analyzed in the Final EIR/EIS as well as Master Response 2, *Alternatives Description and Baseline* which describes project refinements that have occurred since the RDEIR/SDEIS. Please see Appendix 2B, *Additional Alternatives Screening and Evaluation* for further discussion of the extensive alternative development and review process. Due to changes to the Project footprint, the analysis of impacts to agricultural land has been updated; please see Chapter 15 of the RDEIR/SDEIS, which addresses the use of agricultural conservation easements to mitigate Project Impacts to agriculture.

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			and because it follows an established rationale similar to that of wildlife habitat mitigation. Although direct conversion of agricultural land is often an unavoidable impact under CEQA analysis, mitigation measures must be considered. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation under CEQA. Rather, the criterion is feasible mitigation that lessens a project's impacts. A Statement of Overriding Considerations is not a substitute for the requirement to prepare findings (CEQA Guidelines § 15091) [Footnote 1: 2015 CEQA Statute and Guidelines. Palm Desert: Association of Environmental Professionals, 2015. 158-159. Print.]. CEQA states that the Lead Agency shall describe the specific reasons for rejecting identified mitigation measures. All mitigation measures that are potentially feasible should be included in the EIR. A measure brought to the attention of the Lead Agency should not be left out unless it is infeasible based on its elements. Because agricultural conservation easements are an available mitigation tool, they should always be considered. Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least	

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			regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area but should include agricultural land of similar quality. A source that has proven helpful is the California Council of Land Trusts. They provide helpful insight into farmland mitigation policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at: http://www.calandtrusts.org/resources/conserving-californias-harvest/ Another source is the Division's California Farmland Conservancy Program (CFCP), which has participated in bringing about conservation easements throughout the State of California involving many California land trusts. Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.	
2	3	20000	Thank you for giving us the opportunity to comment on the Draft Environmental Impact Report for the Sites Reservoir Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Environmental Planner at (916) 324-7347 or via email at Farl. Grundy@conservation.ca.gov.	The Authority and Reclamation appreciate your review and comments.

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3	1	21500	Once these alterations are made, they will not be "unmade." It is urgent that a scientifically adequate environmental review be done before drastic and alarming changes be made.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment and responses to those comments are included in Volume 3, Chapter 4. Please refer to Chapter 2, *Project Description and Alternatives* for a description of the revised project analyzed in the Final EIR/EIS as well as Master Response 2, *Alternatives Description and Baseline* which describes project refinements that have occurred since the RDEIR/SDEIS. Please see Appendix 2B, *Additional Alternatives Screening and Evaluation* for further discussion of the extensive alternative development and review process. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that opposed or supported the Project but did not raise any issues related to the adequacy of the environmental impact analysis. Also refer to Chapter 32, *Other Required Analyses,* specifically Section 32.4 for a discussion of irreversible or irretrievable resource commitments. Some of the materials that would be used for the Project are nonrenewable resources and are considered irretrievably and irreversibly committed because reuse is either not possible or is highly unlikely. The Project would also result in a long-term commitment of lands for Project purposes, which would commit future generations to these proposed uses at the Project facility sites.

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4	1	20000	The Cachil Dehe Band of Wintun Indians for which the Colusa Indian Community Council (CICC) is the governing body would like to thank the Sites Project Authority (SPA) for the opportunity to provide comments on the Sites Reservoir Project DRAFT Environmental Impact Report/Environmental Impact Statement (EIR/EIS). As has been discussed in the past with the SPA and the Bureau of Reclamation (BOR) through government-to-government consultation, the CICC has several concerns regarding the Sites Reservoir Project. The Tribal Community and Indian Trust Assets will be greatly impacted by the proposed project as the CICC is directly downstream of the proposed Sites Reservoir Project Delevan Pipeline Intake/Discharge Facility.	Thank you for your comments. Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement. The proposed Project and alternatives no longer include the Delevan Pipeline Intake/Discharge Facility. Instead, existing infrastructure will be used to divert unregulated and unappropriated flow from the Sacramento River at Red Bluff and Hamilton City. However, the Authority and Reclamation will continue to coordinate with all tribal interests related to potential impacts to tribal lands, residences, and resources. Please refer to Chapter 2, *Project Description and Alternatives* for a description of the revised Project analyzed in the Final EIR/EIS as well as Master Response 2, Alternatives Description and Baseline which describes project refinements that have occurred since the RDEIR/SDEIS. Please see Appendix 2B, *Additional Alternatives Screening and Evaluation* for further discussion of the extensive alternative development and review process.
4	2	52300	The CICC Tribal Trust Lands and several Fee Simple Lands owned by the Tribe are located downstream of the proposed location that will be utilized for the construction of the Delevan Pipeline Intake/Discharge Facility. These lands are used for housing Tribal members, agriculture, a tribal cemetery, hunt club, and various other Tribal business enterprises. The Sites Reservoir project will have a direct impact on the Indian Trust Assets of the CICC as trust land, hunting and fishing rights and water rights will be impacted by the project. FEDERALLY RESERVED INDIAN WATER RIGHT/WATER SUPPLY The CICC has several trust and fee properties located downstream of the Delevan Pipeline Intake/Discharge Facility and the project needs to ensure that water supplies to these Tribal Assets are not impacted. The SPA and the BOR need to	Indian Trust Assets (ITAs) are addressed in Chapter 29, *Indian Trust Assets* and the analysis concludes that the Project would not impact ITAs either from construction or operations.

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			ensure water availability to meet Tribal water demands. This issue could be resolved if the BOR supplies water to the CICC to meet its water demands through the Sites Reservoir project. In addition, the BOR could also provide funding to the Tribe to address water supply impacts to the Tribe as a result of construction of the Sites Reservoir project. The BOR has a federal trust responsibility to protect all Federally Recognized Indian Tribes. The CICC has not quantified their Federal Reserved Indian Water Right but the SPA and the BOR must assure the CICC that the Tribe's Federal Reserved Indian Water Right will not be impacted by this project. The CICC to date has not pursued settling or negotiating their Federal Reserved Indian Water Right but may choose to do so in the near future. Historically, settling or negotiating Tribal water rights has been an expensive and time consuming process for those Tribes who have attempted the process.	
4	3	52000	The Delevan Pipeline Intake/Discharge Facility will lead to increased erosion downstream of the diversion structure due to the introduction of new flows and a new hard point on the Sacramento River. Downstream erosion increased significantly after the construction of the Maxwell Irrigation District pump station was constructed in 1994 and the westerly bank of the Sacramento River has continued to recede ever since as shown in historical aerial photographs. Typically, when riprap or other erosion protection measures are implemented, the area immediately upstream and downstream of the protected area experiences a significant increase in erosion, which would impact Tribal Water Diversions located downstream. The construction of a large pumping plant and associated fish screen required for the Sites Reservoir project will increase erosion downstream of the Delevan Pipeline Intake/Discharge Facility on the Sacramento River even further, thus impacting CICC Indian Trust Assets. The increased erosion will also lead to increased sedimentation. The additional sedimentation will increase the operation and maintenance costs for the CICC as the increase in sedimentation will increase the wear and tear on the pumps and	The potential for the Project to result in erosion and water quality impacts is addressed in Chapter 6, Surface Water Quality and Chapter 7, *Fluvial Geomorphology*. Mitigation measures are proposed to minimize Project impacts.

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			infrastructure along with the water quality issues attributed to the increased sedimentation. The Sites Reservoir project will promote pump damage due to the increase in sedimentation. Sedimentation is already an issue and can be seen in canals throughout the CICC irrigation system. The SPA and the BOR need to assure the CICC that geomorphology changes downstream of the project will not impact Indian Trust Assets through increased erosion and will need to implement erosion prevention measures to ensure bank stabilization/protection downstream to protect the CICC's water supplies, Indian Trust Assets, Trust Land, Fee Land, CICC water diversions, etc.	
4	4	52200	The Tribe has great concern over cultural resources that could be impacted during construction of the project including Indian burial mounds within the reservoir footprint and excavation work along the Sacramento River that could uncover burial mounds and/or artifacts. Historically, the Tribe moved up and down the Sacramento River thus there are burial sites with human remains all along the Sacramento River within close proximity to the Delevan Pipeline Intake/Discharge Facility. When the levee was created to protect the area from flooding, the levee was constructed over many of these burial sites. The likelihood of tribal remains located under the levee and near the parcel where the Delevan Pipeline Intake/Discharge Facility will be constructed is very high. The Delevan Pipeline Intake/Discharge Facility will require a huge excavation effort that will most likely uncover human remains and artifacts. Mitigation measures will need to be put in place and cultural resource monitors will need to be onsite during construction.	Please refer to Chapter 22, *Cultural Resources* for the analysis of Project impacts to cultural resources and mitigation to minimize impacts. The Authority will contract with local Tribes to ensure Native American monitors are present during relevant ground disturbing activities.
4	5	52300	The proposed construction of the Delevan Pipeline will require traffic to be diverted from Highway 45 that will impact Tribal Fee Land and will put Tribal agricultural lands out of production. Mitigation measures/compensation will need to be negotiated beforehand.	As noted above, the Delevan Pipeline has been eliminated and this comment is no longer applicable to the Project. However, traffic impact analysis of the revised Project can be found in Chapter 18, *Navigation, Transportation, and Traffic*. A Traffic Management Plan will be implemented to minimize impacts to local residences and businesses during construction.

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4	6	32000	The proposed powerline alignment for Alternative D along Highway 45 will directly impact Tribal Trust and Fee Land. The current design could deter visitors from the Colusa Casino Resort which would negatively impact the resources made available to assist the Tribal members and the Tribal community. The Tribe recommends that the powerline be constructed parallel to the Delevan Diversion pipeline to minimize impacts to the Tribe and all landowners along Highway 45. If the alignment along Highway 45 is continued to be promoted the Tribe recommends that the powerline be buried underground to minimize impacts.	Please refer to Chapter 2, *Project Description and Alternatives*. The revised Project proposes to connect to existing WAPA or PG&E transmission lines north of the proposed Terminal Regulating Reservoir and will not affect Highway 45.
4	7	20000	Additional construction impacts may arise as the project design is finalized and will need to be discussed once additional information is received regarding construction/alignment of the project.	This comment is noted. Project design is ongoing and will be subject to CEQA and NEPA reviews for consistency with the EIR/EIS and/or need for additional environmental review.
4	8	52000	Chapter 3: Description of the Sites Reservoir Project Alternatives, Page 3-107, Section 3.3.1.4: Under the Releases from Sites Reservoir section and several other places it says: "A maximum of up to 2,500 cfs could be released from the Delevan Pipeline to meet downstream needs." The Delevan Pipeline Discharge Facility is designed for a discharge capacity of 1,500 cfs. If flows are released at a greater capacity than what the facility is designed for, the Tribe and anyone downstream could be negatively impacted. Will the project be built with room for expansion? If so increased flows from those discussed in this EIR/EIS could increase erosion downstream and impact the CICC's Indian Trust Assets.	As noted above, the Delevan Pipeline has been eliminated and this comment is no longer applicable to the Project. However, as described in Chapter 2, maximum release from the proposed Dunnigan Pipeline to the Colusa Basin Drain, located in Yolo County, is 1,000 cfs.
4	9	51200	Chapter 8: Fluvial Geomorphology and Riparian Habitat: - The addition of a new hard point like the Delevan Pipeline Intake/Discharge Facility on the Sacramento River will change the geomorphology of the Sacramento River downstream and potentially jeopardize a tribal cemetery, pump stations and fish screens located downstream. Historical aerials show extensive erosion and river meandering after the Maxwell Irrigation District Intake Facility was installed and the Delevan Pipeline Intake/Discharge Facility will be adding a much larger/longer hard point on the river that will impact the Tribe.	The potential for the Project to result in erosion and water quality impacts is addressed in Chapter 6, *Surface Water Quality* and Chapter 7, *Fluvial Geomorphology*. Mitigation measures are proposed to minimize Project impacts.

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4	10	51200	Chapter 8: Fluvial Geomorphology and Riparian Habitat: Please add a figure like Figure 8-2 that shows river meandering downstream from the proposed Sacramento River Intake to see the effects of river meandering on Tribal Trust Land.	As noted previously, the Delevan Intake/Discharge facility is no longer proposed. Existing infrastructure will be used to divert unregulated and unappropriated flow from the Sacramento River at Red Bluff and Hamilton City.
4	11	51200	Chapter 8: Fluvial Geomorphology and Riparian Habitat, page 8-21: says that "The installation of the fish screen at the proposed Delevan Pipeline Intake/Discharge Facilities vvould be functionally equivalent to (installing) bank protection, and may affect meandering downstream of the diversion." This action could impact a Tribal water diversion on the Sacramento River which is approximately 1,000 feet downstream and additional Tribal facilities downstream. Mitigation measures need to be put in place to remediate any potential impacts.	As noted above, the Delevan Pipeline has been eliminated and this comment is no longer applicable to the Project. However, as described in Chapter 2, the Project will release water to a proposed Dunnigan Pipeline to the Colusa Basin Drain, which is located approximately 40 miles downstream from Tribal facilities.
4	12	51600	Chapter 12: Aquatic Biological Resources, page 12-116: The CICC disagrees with the reintroduction of instream woody material into the Sacramento River. This is not a favorable action as there is plenty of woody material debris within the Sacramento River that already impact pump stations and fish screens. Reintroduction of woody material would impact the Tribes downstream diversions.	The revised Project does not propose the addition of instream woody material. Please see Chapter 11, *Aquatic Biological Resources* for the analysis of instream impacts. Very small and isolated removal of riparian and stream-side vegetation would occur during construction.
4	13	52200	Chapter 18: Cultural/Tribal Cultural Resources, page 18-24, Table 18-2: Please change CICC contact to Wayne R. Mitchum, Chairman.	Comment noted; however, the CCIC contact has changed since this comment. The Authority and Reclamation continue to coordinate and consult with the CCIC and will do so throughout the life of the Project.
4	14	10000	Chapter 18: Cultural/Tribal Cultural Resources, page 18-34: Please provide the CICC with a PDF copy of the Cultural Resources survey conducted by White in 2003. Chapter 18: Cultural/Tribal Cultural Resources: Please provide the CICC with a PDF - copy of the following studies that are referenced in Chapter 18: a. Westwood, L. M., and G. G. White. 2005. NODOS- Sites Reservoir Cultural Resources Investigation of the New Canal	As noted in Chapter 23, *Tribal Cultural Resources*, On January 3, 2017, the Cachil Dehe Band of Wintun Indians submitted to the Authority a written request for formal notice of and information on proposed projects for which the Authority will serve as lead CEQA agency. Since that time, the Authority has had ongoing coordination and consultation with the Tribe, including a number of calls and meetings, and shared geographic information system data as well as updated information on the Project.

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			Conveyance Alternative. Prepared for the California Department of Water Resources, Northern District, Red Bluff, CA. b. Offermann, J., 2013. North-of the-Delta Offstream Storage Project, Draft Archeological Inventory 22 Report. URS Corporation. Submitted to the Bureau of Reclamation, Mid-Pacific Region, 23 Sacramento, CA. c. Jimenez, C. 2013. North-of the-Delta Offstream Storage Project, Draft Built Environment Identification 12 and Evaluation Technical Report. URS Corporation. Submitted to the Bureau of Reclamation, 13 Mid-Pacific Region, Sacramento, CA.	
4	15	52200	Chapter 18: Cultural/Tribal Cultural Resources; pages 18-38, Section 18.3.2.1 Assumptions: The CICC recommends that channel stabilization downstream be added as discussed in Appendix Chapter 8A to protect the Tribal Cemetery, Tribal Water Diversions and all Tribal facilities. Additional mitigation may be needed to protect Tribal Water Diversions. Chapter 18: Cultural/Tribal Cultural Resources, page 18-47: As discussed in the Impact Cul-1 paragraph: The potential for burial sites along the Sacramento River is very high. The Tribe traditionally moved up and down the Sacramento River and the potential for unmarked burials during construction of the Delevan Pipeline Intake/Discharge Facility is very high. The primary area of concern will be under the levees as that area has been undisturbed since the levees were constructed.	As noted above, the Delevan Pipeline has been eliminated and this comment is no longer applicable to the Project. The Authority and Reclamation have initiated consultation with local Tribes, including the Cachil Dehe Band of Wintun Indians. The EIR/EIS addresses potential impacts to cultural and tribal cultural resources in Chapters 22 and 23. Mitigation has been proposed to address potential impacts including Mitigation Measure CUL-3.2: Avoid, Protect, and Treat Human Burials which requires that the Authority will avoid and protect any human remains encountered during pre-construction, construction, post-construction, operations, and maintenance.
4	16	51200	Chapter 19: Indian Trust Assets, page 8, Section 19.4.2.1, Assumptions: One of the assumptions says that no additional channel stabilization is required upstream of the Delevan Pipeline? What about downstream of the Delevan Pipeline? Appendix Chapter 8A shows erosion downstream of the discharge facility that could impact Tribal Trust Land and shows riprap installed along the banks of the Reservation and Rancheria.	As noted above, the Delevan Pipeline has been eliminated and this comment is no longer applicable to the Project. However, the potential for the revised Project to result in erosion and water quality impacts is addressed in chapter 6, *Surface Water Quality* and Chapter 7, *Fluvial Geomorphology*. Mitigation measures are proposed to minimize Project impacts.

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4	17	52300	Chapter 19: Indian Trust Assets, page 19-9, 19.4.4.3: The CICC strongly disagrees that no Indian Trust Assets are within or adjacent to the Primary Study Area. The CICC trust land is approximately two miles downstream of the proposed Delevan Pipeline Intake/Discharge Facility and a Tribal cemetery is located within ¾ of a mile of the facility. The proposed Alternative D overhead powerline along Highway 45 will also directly impact Tribal Trust land. Chapter 19 needs to be updated per the new Alternative D and the proposed powerline alignment along Highway 45.	The information provided in this comment is noted and has been taken into consideration in the revised project design, which eliminates the Delevan Intake/Discharge facility.
4	18	50000	Appendix 8A: Sedimentation and River Hydraulics Modeling, page 59: One of the conclusions says that the channel will migrate to the right (looking downstream) this will impact Tribal Fee Simple lands, Tribal water diversion facilities and fish screens. Rip rap needs to be added in this area to protect Tribal assets. Appendix 8A: Sedimentation and River Hydraulics Modeling, Appendix A, Map 14, page 76 of the PDF shows river meandering just upstream of river mile 151 which would impact Tribal homes and trust land if the bank is jeopardize. Appendix 8A: Sedimentation and River Hydraulics Modeling, Appendix B shows several locations where riprap and geo fabric are installed to prevent erosion. Will those be installed as part of this project? The project needs to install riprap as shown on Maps 13 and 14 on pages 91 and 92 to protect Indian Trust Assets.	As noted above, the Delevan Pipeline has been eliminated and this comment is no longer applicable to the Project. Discharge to the Sacramento River will occur indirectly through the proposed Dunnigan Pipeline to the CBD. Any necessary bank stabilization and erosion control measures will be installed prior to and after construction, as needed.

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5	1		Great Valley Earthquake Fault As you know this area where you plan to build a dam will be on the "Great Valley Earthquake Fault". The earth under it was found to be "shale". It is known after a dam is put it there is always more earthquakes afterwards in that area. With a land fill dam and being on an earthquake fault with shale rock as a bed, which was said would always leak, it seems to me there should be a great concern for the residents below the dam if it should fail and flood every thing. The people wouldn't have a chance to escape the wall of water. Flood insurance doesn't save lives!	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment and responses to those comments are included in Volume 3, Chapter 4. Please refer to Chapter 2, *Project Description and Alternatives* for a description of the revised Project analyzed in the Final EIR/EIS as well as Master Response 2, *Alternatives Description and Baseline* which describes Project refinements that have occurred since the RDEIR/SDEIS. Please see Appendix 2B, *Additional Alternatives Screening and Evaluation* for further discussion of the extensive alternative development and review process. Please refer to Chapter 12, *Geology and Soils* for discussion of the potential impacts of earthquake faults and seismicity, specifically Section 12.2.2.1, which discusses the Great Valley fault.
5	2		Salt + Oil As you already know there are large "salt beds" in this area which it most definitely will contaminate the water going back into the Sacramento River. Oil is known to bubble on top of the ground in certain areas. This will also contaminate the water. Is there no consideration for the aquatic and fish life!	Please refer to Chapter 6, *Surface Water Quality* as well as Master Response 4, *Water Quality,* which discuss concerns about water contamination and adequacy of mitigation.
5	3		Roads It is going to have great damage to the roads in the area with so many heavy trucks constantly taking equiptment and fill dirt etc. right thru the main street of Maxwell, which is the only street (road) going to sites. What few stores that are still doing business are on this one street. We have no mail delivery here so <u>everyone</u> has to go to the post office to pick up their mail. Also the High School is on this road. The problems all this traffic will cause and danger to trying to cross the street will be terrific.	Please refer to Chapter 18, *Navigation, Transportation, and Traffic* of the RDEIR/SDEIS for the impacts on local roads from both construction and operation of the Project. A Transportation Management Plan will be required for the Project.

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5	4		Historical Areas The town of Sites was built in the times when there were only horses for traveling. The "Swifts Stone Corral" – the "Sites Quarry" The "Prehistoric Indians Burial Sites" – Sites Cemetery. These are areas which should be set aside as historical sites and preserved.	Please refer to Chapter 22, *Cultural Resources* and Chapter 23. *Tribal Cultural Resources* of the RDEIR/SDEIS for a discussion of impacts on historically and culturally significant areas. A series of mitigation measures are required but the EIR/EIS concludes that impacts would be significant and unavoidable
5	5		As I see it, the reason you chose this site to put this project in was because you only have a few ranchers to deal with and the land is cheaper than anywhere else. As you have said yourselves water to fill it will have to be pumped out of the Sacramento River and piped 14 miles thru Delevan and up to the project area and returned back the same way when it then will be sent down south in bigger tunnels and put in aquafers until it will then be sold to the ones using it. All this pumping and tunneling will be devistating to the salmon and trout species. They need to swim the river themselves to get the imprint of once they get to the ocean on how to again get back as the rivers to where they were born so they can lay their egg how nature has meant them to do. It was said if this goes thru all the salmon and trout will be extinct in the Sacramento River within 100 yrs! I feel no matter how many dams or reservoirs that are put in, in time as long as people are able to expand down South there will always need for more water from up here. If they can't get water there don't let them settle there it's as simple as that!	Please refer to Master Response 1, Responses to General Comments, which discusses comments that raise an environmental issue in a general manner but did not provide supporting information. Also, please note the Project no longer includes the Delevan pipeline.

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6	1	20000	The Metropolitan Water District of Southern California (Metropolitan) is the primary wholesale water purveyor for Southern California and is comprised of 26 member agencies, which provide water to nearly 19 million Southern California residents. Metropolitan has a service territory that spans through six counties within a 5,200-square-mile-area. Additionally, Southern California has an important stake in the Delta region and its existing infrastructure. As a State Water Project (SWP) contractor, Metropolitan has invested and will continue to invest significantly in the SWP, encourage efforts to restore sensitive fish populations in the Delta watershed, and promote scientific research into the causes of decline in fish native to the Delta. Even with the diversification of its supply sources and water use efficiency and conservation efforts, the SWP remains a critical source of water supply for Metropolitan's service area.	Thank you for your comments on the 2017 Draft EIR/EIS, including the background information regarding the Metropolitan Water District. Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment and responses to those comments are included in Volume 3, Chapter 4. Please refer to Chapter 2, *Project Description and Alternatives* for a description of the revised Project analyzed in the Final EIR/EIS as well as Master Response 2, *Alternatives Description and Baseline* which describes Project refinements that have occurred since the RDEIR/SDEIS. Please see Appendix 2B, *Additional Alternatives Screening and Evaluation* for further discussion of the extensive alternative development and review process.
6	2	20000	On April 11, 2017, Metropolitan's Board of Directors approved an appropriation of $1.5 million and authorized Metropolitan to enter into a project agreement with the Sites Project Authority for participation in the Sites Reservoir Phase 1 (project) process, including the preparation of the Sites Project Draft Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS).	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments providing introductory and background information.
6	3	32000	The project would be located about 10 miles west of the town of Maxwell in Northern California and would consist of a 1.8 million acre-foot, off-stream reservoir. This water supply storage facility would receive water from the Sacramento River during high flow events using existing facilities on the river at Red Bluff and north of Hamilton City. Water from these diversions would be ferried through the existing Tehama-Colusa and the Glen-Colusa canals to the project reservoir.	Please refer to Master Response 1, regarding comments quoting or paraphrasing the RDEIR/SDEIS. Please note, the Project has changed since the information was provided in this comment, please see Master Response 2, *Alternatives Description and Baseline* for a description of Project design refinements.

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6	4	40000	[A] third river diversion and pipeline would be constructed north of Colusa. Based on modeling analyses, the Sites Project Authority (as the lead agency under the California Environmental Quality Act [CEQA]) is using 500,000 acre-feet as the estimated long-term annual yield of the project.	Please refer to Master Response 1, regarding comments quoting or paraphrasing the RDERI/SDEIS. Please note, the Project has changed since details provided in this comment, please see Master Response 2 for a description of Project design refinements. A third river diversion is no longer part of the Project.
6	5	10000	As a responsible agency under CEQA, Metropolitan has participated in the development of the project, review of the administrative Draft EIR/EIS, and other related activities in this first phase of project development.	Thank you for your participation and review.
6	6	30000	Metropolitan supports the project's critical and important goal of securing long-term water sustainability in California. The project would provide a modem and innovative water storage facility that would provide water supply and flood protection by adding flexibility-and generating a much-needed new water source-for seasonal fish flows, improved water quality, water cool enough to sustain salmon, climate change and drought relief.	Please refer to Master Response 1, regarding comments that opposed or supported the Project but did not raise any issues related to the adequacy of the environmental impact analysis.
6	7	11000	Careful planning has and will continue to ensure that the operations of this proposed project, the existing SWP facilities, and the approved California WaterFix Project by the California Department of Water Resources would be implemented in ways to further the state's co-equal goals (water supply reliability and Delta ecosystem restoration) as mandated by the Delta Reform Act of 2009.	Please refer to Master Response 1, regarding comments that opposed or supported the Project but did not raise any issues related to the adequacy of the environmental impact analysis.

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7	1	20000	• Throughout document check for spelling of Glenn (ensure 2"n") and Stonyford (no "e")(specifically noted in Table 21-3 and following pages. • Throughout document check for spelling of Sheriff (one "r" two "f") • Table 3-1, page 3-7 – Consistently identify the power line to the Delevan Pumping station as 230Kv or 115kV as they vary on Alternative A and Alternative D. • Page 3-79, Table 3-13 – Saddle Dam #6 elevation is increased 60 feet when all other dams are increased by 40 ft.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment and responses to those comments are included in Volume 3, Chapter 4. Please refer to Chapter 2, *Project Description and Alternatives* for a description of the revised project analyzed in the Final EIR/EIS as well as Master Response 2, *Alternatives Description and Baseline* which describes project refinements that have occurred since the RDEIR/SDEIS. Please see Appendix 2B, *Additional Alternatives Screening and Evaluation* for further discussion of the extensive alternative development and review process. References to typographical and other errors are no longer relevant due to the publication of the RDEIR/SDEIS, which revised the text of the Draft EIR/EIS in its entirety.
7	2	32000	• Figure 3-8. – Some Alternative D roads are shown on Alternative A incorrectly • Figure 3-9a – Alternatives A-D should be discussed independently of each other, having their own section within the document to avoid confusion. • Page 3-73 – Omit reference to the Delevan pipeline crossing Hunter Creek as this does not occur.	See the response above and note that the proposed Project and alternatives no longer include the Delevan Pipeline Intake/Discharge Facility. Instead, existing infrastructure will be used to divert unregulated and unappropriated flow from the Sacramento River at Red Bluff and Hamilton City.
7	3	20000	Page 3-77. – Livestock waste will not be prevented from running into the reservoir. Also – delete the reference to 3-strand barbed wire. That is insufficient to restrict cattle movement.	See responses above. The configuration of any fencing will be determined during later design phases.
7	4	32000	• Pg. 3-87. – Construction, Operations and Maintenance. The reference to Alternative C is incorrect. Please provide the correct reference to Alternative A or Alternative B as applicable. • Pg. 3-88. – Reference to "Appendix D" should be "Alternative D". • Pg. 3-91. – TRR and Delevan Pipeline discussions. The reference to Alternative C is incorrect. Please provide the correct reference to Alternative A or Alternative B as applicable.	See responses above.

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7	5	51000	Pg. 6-31, Section 6.2.6. – References to sections 6.2.4.1 through 6.2.4.5 are incorrect; should be 6.2.6.1 through 6.2.6.5.	See response to Comment 7-1, above.
7	6	51300	Pg. 9-30. – Confirm dam elevation and maximum water elevations and make consistent with the discussion in Section 3. See page 3-13.	See responses above. Updated design details can be found in Chapter 2, *Project Description and Alternatives*, of the Final EIR/EIS.
7	7	32000	Pg. 20-18 – This page states the project buffer would be the same for the 3 project alternatives. There are more than 3 alternatives. Pg. 20-22 – There is no reference to Alternative D when discussing Delevan and TRR pipeline and ground disturbance.	The Project still proposes a buffer. As noted in Chapter 2 "The Authority would acquire and maintain a buffer encompassing the lands beyond the facility footprints. The buffer width would be 100 feet around the Sites Reservoir and related facilities, all buildings, most aboveground components, and recreation areas." The buffer would be the same for all alternatives but vary in overall size and configuration based on reservoir size.
7	8	20000	Pg 26-7. – Sacramento Deep Water Channel is in Yolo County not Yuba County. Pg. 26-9 – Hamilton City is not an incorporated City. It is a community in unincorporated Glenn County.	Thank you for the clarification. As noted above, references to typographical and other errors are no longer relevant due to the publication of the RDEIR/SDEIS which revised the text of the Draft EIR/EIS in its entirety.
7	9	53000	Pg. 26-16. – Maxwell Sites Road segments in Table 26-12 are not consistent with segments in Table 26-16.	See Response 7-8, above.
7	10	53000	Pg. 26-39. – The discussion of overhead powerlines and substation incorrectly references the powerline commencing at the intersection of Delevan Road and Highway 45. Delevan Road does not interest with Highway 45. The reference should be to the intersection of the Maxwell Irrigation District Canal/Right-of-Way and Highway 45.	See Response 7-8, above.

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8	1	51620	The proposed inlet/outlet structure for Sites Reservoir would consist of a low-level inlet/outlet structure for emergency drawdown releases, a multi-level inlet/outlet structure tower, two fixed wheel gates to isolate the tunnel, a tower access bridge, and various valves and operators to regulate flows into and out of the reservoir. The DEIR/DEIS assumes that the reservoir outlet structures would allow withdrawal of water from the reservoir over a range of depths to manage release temperatures to match Sacramento River temperatures to the extent possible. However, more information is necessary regarding how the proposed Project operations will impact reservoir water surface elevations and volumetric estimates of cold water pool storage. Without this information, it is not possible to understand how those storage levels interact with the water release locations of the proposed outlet structure tower. CDFW also recommends the inclusion of data that summarize how much water can be released at each port and/or level along the structure tower. Collectively, this information is vital to understanding how or if reservoir release temperatures could be managed to match Sacramento River water temperatures and if the proposed outlet structure is appropriately designed to accomplish this task. To inform the analysis of impacts to aquatic biological resources, the Project Description should include a thorough qualitative discussion of when and from what sources the Project generally acquires (diverts) water throughout the year. This should include a discussion of Sacramento River diversions, capture of flows in the Funks and Stone Corral watersheds, and agricultural return flows otherwise flowing to the Colusa Basin drain.	Appendix 2B, *Additional Alternatives Screening and Evaluation* describes the process undertaken to identify additional or revised alternatives, including design and operational refinements. In May 2019, the Authority initiated a series of focused discussions with the California Natural Resources Agency regarding Project planning and intended operations. The purpose of these discussions was to address the effects of the Project on the State's public trust resources and further refine the Project facilities and operational characteristics consistent with what would be affordable for member participants and also to meet applicable permitting requirements. The Authority met with the aquatics and terrestrial technical teams from the California Department of Fish and Wildlife (CDFW) several times between May and September 2019 to explore refinements to Project operations and facilities. During and following this process, the Authority revised the Project operational components and eliminated or modified previously proposed facilities to ensure an affordable Project capable of providing a sufficient and reliable water supply and dedicated ecosystem benefits. These revised components include revised 2019 operational scenarios/criteria, proposed conservation measures, and a science and adaptive management strategy. It also included removing the Delevan Intake, revisions to the operational criteria and less water being pumped from the Sacramento River on average, as well as reducing the footprint of the reservoir from a maximum of 1.8 MAF to 1.5 MAF. Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in the extensive review of additional alternatives and revised modeling to further refine the Project. A Revised Draft Environmental Impact Report/Supplemental Draft Impact Statement (RDEIR/SDEIS) was released in 2021 and CDFW has provided comments that supersede those submitted on the 2017 Draft EIR/EIS due to Project changes. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 4, *Water Quality* regarding the I/O tower.

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8	2	53500	The DEIR/DEIS lists "flexible hydropower generation to support the integration of renewable energy sources" as a secondary objective for the Project and includes hydropower generation in three of the five alternatives for the Project. Specifically, Alternatives A, B, and C all include new hydropower facilities with related overhead power line facilities. Alternative D could include new hydropower facilities with related overhead power line facilities; however, these facilities may not be included in the final implementation of Alternative D. Alterative C [subscript 1] is identical to Alternative C with respect to facilities and operational assumptions, but assumes no hydropower generation or delayed construction of hydropower facilities to account for potential future power market conditions and anticipated permitting processes. CDFW believes it is reasonably likely that the Authority would install hydropower facilities with related overhead power lines at the Project. As the appropriate State fish and wildlife agency for resource consultation and Federal Power Act Section 10{j) (16 U.S.C. section 803 (j)) purposes, CDFW strongly recommends the DEIR/DEIS describe the potential hydropower facilities in detail to ensure adequate analysis of the impacts of the Projects related to hydropower generation and associated facilities. Additionally, if the Authority intends to pursue hydropower facilities, CDFW recommends the Authority initiate the process to obtain an original license from the Federal Energy Regulatory Commission (FERC) to construct, operate, and maintain a hydroelectric project.	Appendix 2B of the EIR/EIS addresses changes to project alternatives since the release of the 2017 Draft EIR/EIS, including the elimination of dedicated pump/generation hydropower facilities. Instead, incidental power generation of up to 40 megawatts each will occur at the Funks PGP and the TRR PGP including dedicated pump/generation facilities with an afterbay/forebay of 6,500 acre-feet allowing more than 30 hours per week of uninterrupted operation and generation. As noted in Chapter 4, Table 4-1 "Federal Permits, Approvals, Reviews, and Consultation Requirements," FERC preliminarily determined that the proposed Funks Energy Recovery Project and proposed Terminal Regulating Reservoir Energy Recovery Project will not alter the primary purpose of the conduit, which is for irrigation, municipal water supply, and other uses, and thereby meet the criteria established by the Federal Power Act for the Qualifying Conduit Hydropower Facility exemption. Through Notices of Preliminary Determination, FERC solicited public comments and motions to intervene for a period of 30 days from the March 8, 2023, publication date of the Notices.
8	3	51600	Chapter 3 of the DEIR/DEIS describes the Sites Pumping/Generating Plant that would pump water from the proposed Holthouse Reservoir into the proposed Sites Reservoir and generate electricity during the release of water from Sites Reservoir to Holthouse Reservoir. CDFW is concerned about the potential entrainment of reservoir fish between the two reservoirs during the pumping and release of water. Although the proposed pumps are "fish-friendly" Francis turbines, these pumps do not guarantee survival of all fish that travel through the pumps. Additionally, fish that do survive the turbines may become injured, disoriented, or stressed when they emerge from	Please refer to the updated Chapter 11, Aquatic Biological Resources, and Master Response 5, *Aquatic Biological Resources,* which references impacts and mitigation measures for special-status fish species. Chapter 11 also addresses fish that would occur within the future reservoir, stating that "It is expected that Sites Reservoir would contain predatory species that are the result of either planned fish stocking (Chapter 2) or future potential introductions of nonnative predators or competitors through the transfer of water or accidental or deliberate introductions. Considering the physical and operational characteristics of the reservoir and the expected presence of predatory fish species, the reservoir may not provide

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			the turbines and exhibit irregular behavior and be more susceptible to predation or further injury. Chapter 12 of the DEIR/DEIS states that an impact analysis for reservoir fisheries was not completed since no reservoir fishery exists under the Existing Conditions/No Project/No Action Condition. However, the Project proposes to develop and fill the reservoir and develop recreational fishing opportunities, and its diversions from the Sacramento River may result in fish being located in the reservoir. Operation of pumps for hydropower is a part of Project operations and thus the environmental document for the Project must disclose and analyze impacts from those activities. CDFW recommends the Authority include an impact analysis of pump operations in relation to potential entrainment of reservoir fish and consider screening as a mitigation measure to avoid the entrainment and transfer of fish between the two reservoirs during hydropower generation.	suitable habitat for native fish species. Although existing stream habitat in the inundation area would be lost, native fish populations would be expected to continue to persist in Funks Creek and Stone Corral Creek above the inundation area and in stream reaches downstream of Sites Dam and Golden Gate Dam provided that tailwater releases below the dams provide suitable temperature and habitat conditions for native species, such as hitch (Moyle et al. 2015:3). See Impact FISH-11 for further discussion of operations effects on native minnows downstream of the dams and the steps that would be taken by the Authority to maintain fish in good condition in these stream reaches consistent with California Fish and Game Code Section 5937."
8	4	21100	The environmental setting - a description of the physical environmental conditions existing in the vicinity of the Project at the time the notice of preparation is published - will normally constitute the baseline by which a lead agency considers the significance of an environmental impact. (CEQA Guidelines, § 15125, subd. (a).) The existing conditions baseline is the norm from which a deviation should be justified, and caselaw recognizes that complicated modeling introduces inherent uncertainty and makes an analysis less accessible to decision makers and the public. (Neighbors for Smart Rail v. Exposition Metro Line Construction Authority (2013) 57 Cal. 4th 439, 454-456.) CDFW recognizes that a lead agency must decide how to most realistically measure existing conditions. However, a hypothetical "maximum permitted operational levels" baseline may be misleading as a basis for comparison, where it is not a realistic assumption. (Communities for a Better Environment v. South Coast Air Quality Management Dist. (2010). 48 Cal. 4th 310. 322.) CDFW is concerned that the analytical approach in the DEIR/DEIS, which relies heavily on 2030 projected conditions, does not present the most realistic measurement of existing	Please refer to the updated Chapter 3, Environmental Analysis, and Master Response 2, *Alternatives Description and Baseline* which discusses the CEQA and NEPA purpose, and use of, the existing conditions baseline and no project/no action alternative. The revised analysis does not make use of a "maximum permitted operational levels" baseline.

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			conditions and could have misleading or confusing results. The same baseline is not used across all models and analyses, which compounds the potential problems. The DEIR/DEIS assumes Existing Conditions and the No Project/No Action Alternatives to be the same and, refers to them collectively as the "Existing Conditions/No Project/No Action Condition" throughout the document and does not distinguish between them for the impact analyses. Consequently, the impact analyses compare all Project alternatives to projected future water demands through 2030. These projections also assume Central Valley Project (CVP) and State Water Project (SWP) contractors would use their total contract amounts and that senior water rights users would fully use their water rights - an assumption that does not reflect current conditions. CDFW is concerned that an environmental baseline that relies on future water demands may obscure the severity of the Project's water operations impacts when compared to actual existing conditions. In addition, the DEIR/DEIS discloses that the CALSIM II, Delta Simulation Model (DSM2), and American River diversion assumptions vary between the Existing Conditions Assumption and the No Action Alternative Assumption. These shifting assumptions prevent a comprehensive and stable understanding of potential Project impacts. CDFW recommends that the DEIR/DEIS provide separate and independent impact analyses of the Existing Conditions and the No Project/No Action Alternatives, and that the Existing Conditions should constitute existing water rights and contract amounts along with existing hydrologic conditions at the time of the release of the Notice of Preparation (NOP) in March 2017. For example, the Project's environmental baseline is more clearly defined in the 2009 National Marine Fisheries Service Biological Opinion and Conference Opinion on the Long-term Operations of the Central Valley Project and the State Water Project.	
8	5	31000	As a means of reducing significant environmental impacts of a project, CEQA requires that an EIR must contain feasible mitigation measures as well as feasible project alternatives that	Please refer to the updated Chapter 2, Project Description, and Master Response 9, *Alternatives Development* which discusses application of the objectives and purpose and need for the Project

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			could avoid or substantially lessen the project's significant environmental effects. (Pub. Res. Code, § 21002, 21100(b)(4).) As described by the CEQA Guidelines, an EIR must describe "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." (Cal.Code Regs., tit. 14, § 15126.6(a).) The DEIR/DEIS includes Project features and alternatives that maximize the Project's objectives; however, the DEIR/DEIS does not include potentially feasible alternatives that would avoid or substantially lessen the Project's significant environmental impacts. CDFW continues to recommend that the DEIR/DEIS should include a more robust range of operational alternatives, as discussed in its comments to the NOP, provided on March 21, 2017. Of the five alternatives in the DEIR/DEIS, many of them are similar with respect to water operations (e.g. diversions, bypass criteria, deliveries are the same across alternatives.) CDFW recommends that alternatives should be split into two or more alternatives that encompass the entire range of possible water operations scenarios, including an alternative that minimizes operational impacts through more restrictive bypass flows and diversion criteria.	to develop a reasonable range of feasible alternatives. Alternatives now include more restrictive bypass flows and diversion criteria.
8	6	32000	[T]o the extent there are distinctions among the five alternatives, the document uses a comparative approach that makes it difficult for the reader to understand in absolute terms the impacts of the Project. For example, the document frequently discusses the similarities between Alternatives C[subscript 1] and C, and Alternatives C and D, and often considers them to be the same for the impact analyses. CDFW recommends that a complete assessment of the Project's potential impacts be provided to better understand the ability of Project alternatives to avoid or substantially lessen the Project's potential significant environmental impacts.	See Response to Comment 8-1, above. Please note that Project alternatives have changed since the 2017 Draft EIR/EIS. Appendix 2B, *Additional Alternatives Screening and Evaluation* addresses to further identify alternatives, including design and operational refinements.

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8	7	51000	The DEIR/DEIS characterizes Project impacts to surface water resources broadly as increased, reduced, or similar when compared to the Existing Conditions/No Project/No Action Condition in Chapter 6. The Project proposes modifications to CVP/SWP operations throughout the Sacramento River watershed and Sacramento-San Joaquin Delta. Generalizations in the analyses make it difficult to understand how the Project will impact surface water resource management, such as cold water storage and the quantities of water that may be released out of reservoir outlets, and the consequent impacts to biological resources. The generalities result because water quantities and Project-generated changes are not disclosed for Existing Conditions, the Action Alternatives and the No Project/No Action Condition for any of the reservoirs, tributaries, or the Delta in the secondary or extended study areas. (See DEIR/DEIS, section 6.3.3.2.) These values are summarized only for CVP and SWP deliveries, Sites Reservoir storage, and inflows at the Delevan pipeline. (See DEIR/DEIS, sections 6.3.3.1 and 6.3.3.3). To enable meaningful review of the Project's impacts to reservoir and tributary management, CDFW recommends that the DEIR/DEIS disclose and analyze water quantity values and the corresponding Project-generated changes for all reservoirs and tributaries in the primary, secondary, and extended study areas under the Existing Conditions, all Action Alternatives, and the No Project/No Action Condition in Chapter 6. CDFW recommends a reporting structure similar to that of Table 6-8, with a caveat that the Existing Conditions and the No Project/No Action Condition should be separated and analyzed independently, as suggested previously. These data summaries will allow the reader to compare Project impacts to surface water resources between the Existing Conditions, all Action Alternatives, and the No Project/No Action Condition.	The analysis of surface water impacts has been revised based on changes to the Project and the approach to the analysis and is addressed in Chapter 5, *Surface Water Resources*.
8	8	31000	The DEIR/DEIS surface water resources analysis shows potentially significant impacts to aquatic biological resources because of flow reductions when fish species are present. Specifically, in Dry and Critical water years, flows in the Sacramento River would decrease as a result of the Project in Alternatives A, B, C, and D	See Response to Comment 8-7, above. Please also see the updated Chapter 2, *Project Description* and Chapter 11, *Aquatic Biological Resources*.

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			as compared to the Existing Conditions/No Project/No Action Condition. These decreases would occur: (1) from March through June and in October downstream of Keswick Reservoir; (2) from February through June downstream of the Tehama-Colusa Canal Authority (TCCA) Intake near Red Bluff; (3) from February through April (and March through May in other water years) downstream of Glenn-Colusa Irrigation District (GCID) Main Canal Intake near Hamilton City; and (4) from January through March downstream of Delevan Pipeline Intake/Discharge Facilities. Flows during the springtime (March - May) are critical for juvenile salmonid emigration in the Sacramento River, and especially so in dry and critical years when flows are already low. Decreased flows during this time period as proposed in the Project alternatives will lead to decreased juvenile salmonid survival. In addition, the Project proposes that in all water year types, reservoir releases would generally increase flows in July (and in some reaches June through November) when fish species of concern are least likely to be utilizing that habitat and flows are opposite of the natural hydrology. CDFW recommends evaluation and analysis of an alternative under which operations provide for flows to increase in the Sacramento River in the winter and spring when juvenile salmonids are present.	
8	9	51600	The DEIR/DEIS states that modeling for the Project's alternatives restricted diversions to limit impacts on out-migrating juvenile fish as a "surrogate" for likely permit conditions. The DEIR/DEIS identifies this diversion limitation as Mitigation Measure Fish 1f in Chapter 12. However, the DEIR/DEIS never evaluates the Project's potential impacts, in comparison to the DEIR/DEIS significance thresholds, without this mitigation measure in place. Further, CDFW does not consider the short-term and limited pulse flow protections to adequately reduce impacts to migrating juvenile fish.	Please refer to the updated Chapter 11, *Aquatic Biological Resources*, and Master Response 5, *Aquatic Biological Resources* regarding flow impacts and mitigation measures.
8	10	51100	Similar to surface water resources, it is difficult to understand how the Project will impact surface water quality because the values and corresponding Project-related changes are rarely reported under the Action Alternatives, the Existing Conditions, and the No Project/No Action Condition for reservoirs,	Please refer to the updated Chapter 6, *Surface Water Quality*, and Master Response 3, *Hydrology and Hydrologic Modeling* regarding the presentation of results.

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			tributaries, or the Delta in the primary, secondary and extended study areas in Chapter 7. CDFW recommends that the DEIR/DEIS disclose and analyze water quality values and the corresponding Project-generated changes for all reservoirs and tributaries in the primary, secondary, and extended study areas under the Existing Conditions, the Action Alternatives, and the No Project/No Action Condition in Chapter 7. The reporting structure for each constituent should include a summary by location, water year, and month for the Existing Conditions and corresponding changes to the No Project/No Action Condition and all Action Alternatives.	
8	11	51100	Water quality analyses depend on models that rely on CALSIM II, for which the output is on a monthly time step. However, daily and weekly changes to water quality can often have lethal or sub lethal effects on aquatic resources, which a monthly time step cannot capture. For full disclosure and analysis of potentially significant impacts, CDFW recommends that the analyses include a daily time series analysis.	Please refer to Chapter 5, *Surface Water Resources* and Master Response 3, *Hydrology and Hydrologic Modeling* which discuss the use of CALSIM II and the modeling time step.
8	12	51100	Model limitations may also obscure the severity of the Project's temperature impacts to the Sacramento River. The Sites Reservoir discharge temperature model assumes Sites Reservoir is a vertically segmented reservoir with respect to temperature and derives Sites Reservoir inflow temperatures from three intakes; the TCCA Intake, the GCID Intake, and the Delevan Pipeline Intake. The model excludes potential changes in water temperatures within the Delevan Pipeline between Sites Reservoir and the Sacramento river because the DEIR/DEIS assumes significant warming will not occur within the buried Delevan Pipeline. The model also fails to take agricultural runoff into consideration, which may increase the solar radiation potential of the discharged water (Turek 1990). This has the potential to impact water quality in the reservoir and the associated discharge into the Sacramento River (i.e. increased turbidity and water temperatures). Because of the considerable distance from the intakes to Sites Reservoir, CDFW recommends that the model incorporates water residence times and seasonal ambient warming from the	Please refer to the updated Chapter 5, *Surface Water Resources*, and Master Response 3, *Hydrology and Hydrologic Modeling* which discusses modeling limitations and revised modeling results.

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			intakes to Sites Reservoir to calculate the Sites Reservoir inflow temperatures. CDFW also recommends water temperatures between the Sites Reservoir outlet and the Sacramento river be included in the model and that the model account for possible thermal effects from power generation at three facilities, pump-back operations, and varying residence times within the Holthouse Reservoir Complex, the Terminal Regulating Reservoir, and over the 13.5 mile pipeline. The refined model should be used for an impact analysis that evaluates all Action Alternatives, not just Alternatives C and D, regardless of their perceived similarities or differences.	
8	13	51100	The underlying assumption that the Sites Reservoir will become stratified because of warming within the upper layer of the reservoir in the summer months, similar to other large reservoirs in the California Central Valley, warrants additional analysis. Most large reservoirs in the Central Valley receive runoff from snowpack, which is largely absent in the Funks and Stone Corral watersheds. In addition, the proposed Sites Reservoir will be located in a shallow canyon, which will create a wide reservoir with a large surface area making it more vulnerable to mixing from high winds. CDFW recommends further analysis on the stratification potential for Sites Reservoir. Seasonal temperature profiles from nearby reservoirs that lack significant snowpack may be useful for this analysis. In addition, the analysis should consider the effects of highly regulated pumping-generating plants on the development of a thermocline, as discussed under the Project Description subheading, above.	Please refer to Chapter 6, *Water Quality* and Master Response 4, *Water Quality* for the revised water temperature analysis based on current proposed alternatives.
8	14	51610	CDFW considers bypass flow and other fish protection criteria identified in the Project alternatives to be insufficient to reduce potentially significant impacts to less-than-significant levels. At the diversions from the Sacramento river, the DEIR/DEIS proposes bypass flow criteria of 3,250 cfs (Red Bluff), 4,000 cfs (Hamilton City), and 5,000 cfs (Wilkins Slough). Population trends of native anadromous and pelagic fish are steadily declining under existing regulatory conditions and the additional extraction of water at the proposed bypass flow rates would exacerbate the problem. Reduced flow affects habitat use, as	See Response to Comment 8-1, above. Also refer to Chapter 2, *Project Description and Alternatives* and Master Response 2, *Alternatives Description and Baseline* that describe the proposed operations and diversion criteria that have been developed in coordination with CDFW and others since release of the 2017 Draft EIR/EIS.

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			indicated by salmon models used in the DEIR/DEIS, but the timing and quantity of flow also influences migration events, predator evasion, and ultimately survival (del Rosario et al. 2013; Michel et al. 2013; Perry et al. 2015; Perry et al. 2016; Johnson et al. 2017). When velocities along migratory corridors are reduced, juvenile outmigration takes longer and smolts face increased predation risk (Anderson et al. 2005; Muthukumarana et al. 2008; Cavallo et al. 2013). The effects of flow on survival from travel time and predation risk are not incorporated into the salmon models used for the DEIR/DEIS and the DEIR/DEIS analysis should disclose and address these effects. Based on a preliminary review of existing juvenile Chinook survival studies, the correlation between increased juvenile survival and flows at Bend Bridge begins to decline at around 13,000 cfs (Michel et al. 2015, Michel 2016). As a mitigation measure for the Project's potentially significant impacts to fish migration, the DEIR/DEIS identifies short-duration pulse flow protections, limited to only one per month regardless of natural conditions. In light of the best available science regarding juvenile survival and flows, the proposed bypass flows for a short duration pulse flow, representing the sole mitigation measure for this significant impact, is not adequate to mitigate for the substantial loss of emigrating fish during non-pulse flow periods [Footnote 2: Juvenile monitoring data suggests that increases in emigration towards the Delta occur at every pulse in river flow, even where the 3-day average flows are less than 15,000 cfs, and regardless if a pulse has previously occurred in the calendar month. These lower peak flow events typically occur in the October and November months when winter-run are present in the system and identified at current rotary screw trap monitoring locations. Additionally, during pulse events with 3-day average flows near 25,000 cfs, any further flow increases produced by storm events have also resulted in increased rotary screw trap catch, contradicting the DEIR/EIS's claim of decreased migration rates at flows above 25,000 cfs]. CDFW recommends the Project proponents revise the bypass flow requirement to	

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			maintain at least 13,000 cfs past all diversion facilities prior to the diversion of water to reduce impacts on out-migrating juvenile salmonids.	
8	15	51610	The Project does not include any protective bypass flow rates for Delta outflow, but the Project is likely to affect Delta outflow significantly, with resulting impacts to aquatic biological resources. The DEIR/DEIS should propose Delta outflow requirements, in addition to bypass flow requirements, to adequately minimize the Project's impacts to downstream fisheries prior to diverting water from the Sacramento river.	See Response to Comment 8-14, above.
8	16	51600	The DEIR/DEIS identifies the elimination of fish passage at the Sites Reservoir dams as a less than significant impact because the extent to which fish species may move through this area is unknown and movement of these species is not considered an essential behavioral component of their life cycles. Yet, endemic species often reproduce in habitat dissimilar to rearing habitat (e.g. Sacramento splittail (Pogonichthys macrolepidotus)) and demonstrate the ability to move throughout an aquatic environment to access a variety of habitats. CDFW recommends a thorough review of existing scientific literature and studies related to the presence and life-history characteristics of endemic species in streams that would be blocked by the Sites Reservoir dams and/or nearby streams having similar attributes. Aquatic biological studies may also need to be performed to better understand which species are present and possibly impacted by the Project.	Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses planned adaptability in managing operations and additional studies to address current uncertainties.
8	17	51610	During operation of the Project, the DEIR/DEIS states that releases from Sites and Golden Gate dams would maintain flows of up to 10 cfs from October through May in Stone Corral and Funks creeks, respectively. The DEIR/DEIS anticipates these flows would be maintained close to natural levels, and therefore, the operational impacts to fish and aquatic habitats and fish passage in Funks and Stone Corral creeks below Sites and Golden Gate dams would be less than significant. This contradicts statements made in the DEIR/DEIS Chapter 6 section 6.2.6.1 and 6.2.6.2 that peak winter flows of approximately 2,000 cfs are common in Funks Creek and Stone Corral Creek may provide flows ranging	See Response to Comment 8-1, above. Also refer to Chapter 2, *Project Description and Alternatives* and Master Response 2, *Alternatives Description and Baseline* that describe the proposed operations and diversion criteria that have been developed in coordination with CDFW and others since release of the 2017 Draft EIR/EIS.

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			from 600 to 2,000 cfs in December through April during wet water years. Therefore, maintaining flows of up to 10 cfs from October through May will not sufficiently mimic the variability of the hydrograph for Stone Corral and Funks creeks and will not provide the same amount of aquatic habitat or adequate protection for fish passage. In addition, these creeks are impacted by water diversions within their watersheds and the habitat being described as ephemeral may be due to anthropogenic degradation where natural flows would be more perennial in nature. To the extent the Project could exacerbate already degraded conditions in those creeks, the DEIR/DEIS should consider the potential impact to the hydrological regime of these streams. In order to maintain fish in good condition as required by Fish and Game Code section 5937, base flows outside of the "October through May" period below reservoirs may need to have a perennial regime to support fisheries downstream.	
8	18	51600	Through its coordination with CVP facilities, the DEIR/DEIS identifies potential impacts of the Project to Central Valley steelhead (Oncorhynchus mykiss irideus) in the American river, but the impacts are generalized as less than significant under all of the Action Alternatives. However, lower flows and higher probabilities of temperature exceedances would occur in the summer months under all of the Action Alternatives. Water temperature is a major stressor to juvenile steelhead over the summer months in the American river. The 2009 National Marine Fisheries Service Biological Opinion and Conference Opinion on the Long-term Operations of the Central Valley Project and the State Water Project identifies flow and temperature criteria applicable to the U.S. Bureau of Reclamation's operations of Folsom Dam. CDFW recommends the Project's proposed operations avoid lower flows and higher probabilities of temperature exceedances in the American river, particularly over the summer, or that the DEIR/EIS identifies this impact as significant and subsequently identifies mitigation measures.	Please refer to Chapter 11, *Aquatic Biological Resources* for revised analysis of Project impacts to aquatic biological resources.
8	19	51610	The DEIR/DEIS analysis of winter-spring outflow effects on longfin smelt (Spirinchus thaleichthys) does not reflect the basic	Please refer to the updated Chapter 11, *Aquatic Biological Resources*, and Master Response 5, *Aquatic Biological Resources* which discusses

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			construct of Project operations. The Project description states that diversions are proposed to occur at any time in the year, so long as bypass flows at upstream diversion locations are met. Additionally, Chapter 3.3.1.3 and page 10 of the Executive Summary identify the Projects ability to capture up to 1.8 Million Acre Feet (MAF) of the identified 3 MAF of water produced by unregulated Sacramento River tributaries (i.e. unregulated surface flow during the December - June time period). This capture of flows, in the higher-flow winter and spring months, would significantly reduce Delta outflow. Longfin smelt abundance correlates to Delta outflows in January through June. Yet, the DEIR/DEIS modeled proportional changes to longfin smelt populations of less than 0.1 % between all alternatives and all water year types. This implies the Project would have virtually no effect on winter-spring outflow across all water year types, a conclusion that is not consistent with the proposed operations and assumed diversions. CDFW recommends the DEIR/DEIS be revised to contain a more thorough analysis of the proposed outflow impacts to longfin smelt.	longfin smelt impact analyses and associated mitigation measures.
8	20	51610	The fall abiotic habitat analysis for Delta smelt demonstrates additional inconsistencies between operational assumptions and abilities and the resulting analysis. The DEIR/DEIS concludes it would provide average improvements to X2 through the fall for all water year types. The implication is that Project operations are improving fall conditions enough to change the average position of X2 by half a kilometer or more for the entire September - December period. A change in fall habitat of this magnitude would require a considerable amount of water, likely more than could be released through Project facilities. The ability of the Project to acquire such a large quantity of water for the benefit of fall abiotic habitat is inconsistent with the conclusion that there would be virtually no change to winter-spring outflows based on the aforementioned longfin smelt analysis. CDFW recommends the DEIR/DEIS explicitly analyze the direct relationship between Project diversions and Delta outflow. This analysis should be accompanied by a qualitative discussion	Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses delta smelt impact analyses and associated mitigation measures.

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			identifying when water would generally be acquired (diverted) throughout the year.	
8	21	51630	By diverting flows from the Sacramento River, the Project has the potential to reduce spill events at the Tisdale and Fremont Weirs, and consequent flooding of the Sutter and Yolo Bypasses. Reductions in spills could prevent fish from accessing high quality habitat, reduce the amount of time fish have access to the habitat, or reduce the extent of habitat. Therefore, a meaningful and thorough analysis of this potential impact is crucial. However, there are several limitations in the current analysis that prevented meaningful review. The DEIR/EIS includes Yolo Bypass flow and Sutter Weir spill analyses that are based on the number of years where there is at least one spill event over the weirs into the bypasses of varying amounts (0, 2,000, 4,000, 6,000, 8,000, and 10,000 cfs) with a duration of 0-10 days, 11-20 days, 21-30 days, 31-45 days, and greater than 45 days. These analyses are limited to the months of October through April, when juvenile salmonids and spawning splittail are anticipated to be present in the bypasses. However, Chinook salmon, Sacramento splittail, and other native fish species have been observed using the bypasses during the months of May and June. It is important to note that a reduction in high flow events may delay the timing of fish entering and exiting the bypasses. Therefore, the analysis should include the months of May and June. In addition, by focusing on only whether a given year includes a spill or not, the analysis identically treats a year with one spill event versus ten. By not analyzing the total number of spill events, the analysis does not consider migration behavior of fish entering and exiting the bypasses, and the full suite of months which native fish may utilize these critical habitats. CDFW recommends the analyses be based on the total number of spill events, instead of the number of years with one event or more. Finally, the analysis should include additional inundation amounts of 20,000 and 30,000 cfs to account for the migration timing and behavior of fish entering and exiting the bypasses due to a rapid increase in the	See Response to Comment 8-1, above. Also refer to Chapter 2, *Project Description and Alternatives* and Master Response 2, *Alternatives Description and Baseline* that describe the proposed operations and diversion criteria that have been developed in coordination with CDFW and others since release of the 2017 Draft EIR/EIS.

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			inundated area in the Yolo Bypass when flows increase up to 40,000 cfs. Evaluation of the Project's potential to reduce these high spill events would provide essential context to the analysis, given the high benefits to habitat and species from these events.	
8	22	51640	The effects of the proposed Project operations on entrainment and impingement of juvenile fish species at the Delevan Pipeline Intake/Discharge Facilities are identified as potentially significant (Impact Fish-1e). However, the DEIR/DEIS does not identify the specific species impacted. CDFW recommends providing further clarity as to which fish species and life stages are impacted so appropriate avoidance or mitigation measures can be developed. Specifically, the current proposed fish screen design criteria may not provide adequate protection for larval or juvenile fish less than 30-mm in length. For example, a study at Red Bluff Diversion Dam (Borthwick and Corwin 2001) concluded actual fish mortality due to the screens is probably less than 5%. The study did not report larval fish (<30mm) due to the mesh size of the nets used. However, larval fish were frequently observed during the study, particularly during the spring months. This indicates that the study's conclusions on screen efficacy did not consider larval fish, despite their being present in the area. Furthermore, sturgeon spawning is expected to take place on the Sacramento River during times when water diversions at all three intakes will be increased and Sacramento River flows will be reduced from Red Bluff to Delevan Pipeline under all Action Alternatives. Newly hatched green and white sturgeon larvae are subject to impingement on screened diversions, if the diversions are located near areas where adults are spawning.	See Response to Comment 8-1, above. Also refer to Chapter 2, *Project Description and Alternatives* and Master Response 2, *Alternatives Description and Baseline* that describe the proposed operations and diversion criteria that have been developed in coordination with CDFW and others since release of the 2017 Draft EIR/EIS. The revised analysis of entrainment based on the refined project is included throughout Chapter 11, *Aquatic Biological Resources*.
8	23	51600	The DEIR/DEIS identified effects of Project operations on entrainment and impingement at the TCCA Intake and the GCID Intake as potentially significant for Chinook salmon and steelhead but provided no evaluation of this impact for green sturgeon, white sturgeon, hardhead (Mylopharodon conocephalus), river lamprey (Lampetra ayresii), Pacific lamprey {Lampetra tridentata), and Sacramento splittail, all of which may be present in the vicinity of the diversions. In addition, the	See Response to Comment 8-1, above. Also refer to Chapter 2, *Project Description and Alternatives* and Master Response 2, *Alternatives Description and Baseline* that describe the proposed operations and diversion criteria that have been developed in coordination with CDFW and others since release of the 2017 Draft EIR/EIS. Please refer to the updated Chapter 11, *Aquatic Biological Resources* for discussion of entrainment and impingement and for revisions to the Project analysis, impacts and mitigation measures.

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			DEIR/DEIS identified no mitigation for the potentially significant impact to Chinook salmon and steelhead or other species at these facilities. CDFW recommends that the DEIR/DEIS disclose effects of green sturgeon, white sturgeon, hardhead, river lamprey, and Pacific lamprey entrainment and impingement at the TCCA and GCID intakes. CDFW also recommends appropriate avoidance and/or mitigation measures be proposed for each of the species impacted.	
8	24	51610	During dry and critical water years, the DEIR/DEIS shows that the Project operations would enable increased CVP/SWP exports from south Delta pumping plants and consequently increase Old and Middle River (OMR) reverse flows during the months of August, September, November, and January under all Action Alternatives. Although the DEIR/DEIS estimated increased entrainment losses for Delta smelt, the document does not address prescreen losses. For Delta smelt, prescreen losses that occur in waterways leading to the diversion facilities appear to be where most mortality occurs (Castillo et al. 2012). The impact analysis used for longfin smelt only relies on the winter-spring outflow model (Kimmerer et al. 2008) and does not analyze effects on entrainment and pre-screen loss relative to CVP/SWP exports for all longfin smelt life stages. Potential prescreen losses for Delta smelt and longfin smelt are reasonably foreseeable indirect impacts of the Project and should be included in the smelt impact analyses. Longfin smelt analysis should address entrainment losses and include variables such as OMR reverse flows and CVP/SWP exports. CDFW also recommends using the DSM2's Particle Tracking Model (DSM2-PTM) to analyze CVP/SWP entrainment effects on larval Delta and longfin smelt, using similar assumptions described in the Effects Analysis: State Water Project Effects on Longfin Smelt, prepared by CDFW in February 2009.	See Response to Comment 8-1, above. Also refer to Chapter 2, *Project Description and Alternatives* and Master Response 2, *Alternatives Description and Baseline* that describe the proposed operations and diversion criteria that have been developed in coordination with CDFW and others since release of the 2017 Draft EIR/EIS. Please also refer to the updated Chapter 11, *Aquatic Biological Resources* for updated analyses on Delta and longfin smelt.
8	25	51650	The DEIR/DEIS identifies potentially significant stranding, impingement, and entrainment impacts at the Delevan Facilities (Impact Fish-1e) broadly for juvenile fish species of management concern, and proposes mitigation measures Fish-1f (Sites Project Diversion Restrictions) and Fish-1e (Fish Salvage and Rescue	See Response to Comment 8-1, above. The Delevan Pipeline is no longer part of the Project.

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			Plan) to reduce the impacts to less than significant. However, mitigation measure Fish-1f appears to have been developed to minimize impacts on Chinook salmon and steelhead and does not address green sturgeon, white sturgeon, hardhead, river lamprey, and Pacific lamprey, all of which are fish species of management concern. In addition, many of the details of mitigation measures Fish-1f and Fish-1e are deferred to the future, without adequate performance criteria to ensure impacts are minimized. Lastly, as discussed previously in terms of habitat impacts, the pulse flow protection events that were simulated for the impact analyses are far too limited to mitigate the Project impacts on stranding, impingement and entrainment to less than significant levels. Juvenile outmigration monitoring data on the Sacramento River shows increased movement of juvenile salmon not only during a pulse flow event, but frequently on the leeward side of the hydrograph as well. Based on the criteria used for "qualified" events, the Project would not impose the proposed restrictions during many dry water years when juvenile and larval fish are vulnerable. The DEIR/DEIS analysis shows that based on the past seven years of flow data at Bend Bridge this restriction would apply to less than 2% of all days during that time period. CDFW recommends the DEIR/DEIS include improved mitigation measures that address all of the juvenile fish species impacted and describe how the mitigation will avoid or reduce impacts to less than significant. If it is not possible to include details of the mitigation measures, the mitigation measures should establish performance standards to evaluate the success of the proposed mitigation, provide a range of options to achieve the performance standards, describe under what circumstances the measure will be implemented, and explain why the measure is feasible.	
8	26	51650	Additionally, Impact Fish-1f (Modification of Pulse Flows and Entrainment during Diversions at the Delevan Facilities) was never identified or analyzed in Chapter 12, but is listed as a significant impact in Table 12-8, despite being partially discussed in Chapter 6 in relation to a modeling assumption and	See Response to Comment 8-1, above. Please also refer to the updated Chapter 11, *Aquatic Biological Resources* for updated impact analyses and mitigation measures.

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			Mitigation Measure Fish 1-f. Thus, there is no analysis in the DEIR/DEIS to support the less-than-significant statement in Table 12-8. CDFW recommends a review and/or modification of Chapter 12 to ensure the DEIR/DEIS thoroughly and accurately discloses, analyzes, and identifies feasible mitigation measures for all potential impacts of the Project.	
8	27	51200	CDFW recommends the DEIR/DEIS analyze the potential impacts to fluvial geomorphology and riparian habitat within the primary study area related to Funks and Stone Corral creeks as well as unnamed streams and associated riparian habitat impacted by the Project.	See the updated Chapter 7, *Fluvial Geomorphology* and Chapter 9, *Vegetation and Wetlands Resources* for updated impact analyses.
8	28	44000	Section 8.1 states that "Impacts along the Feather, and American rivers were also evaluated and discussed qualitatively because the numerical model used for the Sacramento River did not address these rivers." Changes in operations of Shasta Lake, Trinity Lake, Lake Oroviiie, and Folsom Lake proposed by the Project could change stream flow in the rivers downstream of these reservoirs. This would include both the American and the Feather rivers. CDFW recommends impacts to both the Feather and American rivers be included in the numeric model and the DEIR/DEIS analyzes potential impacts. At a minimum, the reduced flows will have impacts related to changes in geomorphology at the confluence with each of these rivers.	See Response to Comment 8-1, above. Also refer to Chapter 2, *Project Description and Alternatives*, Chapter 11, Aquatic Biological Resources, and Master Response 2, *Alternatives Description and Baseline* that describe the proposed operations and diversion criteria that have been developed in coordination with CDFW and others since release of the 2017 Draft EIR/EIS.
8	29	51200	The DEIR/DEIS identifies on pages 8-10 to 8-11 that "[a] grade control structure (with riprap on both banks) to decrease bank erosion susceptibility was created during construction of the new GCID Main Canal Intake, and suspended sediment deposits in the GCID canal Facilities and bedload deposits in the meander loop are removed periodically." Additional and exacerbated erosion and sedimentation issues at these locations are a potential consequence of the Project, and CDFW recommends the DEIR/DEIS discuss the cause of the deposition, the frequency of dredging, and the impacts of dredging. The DEIR/DEIS should also include a discussion of the potential impacts of proposed increased withdrawals from the Sacramento River on the carrying capacity of the river. Increased surface water intake could reduce the rivers carrying capacity and therefore increase	Please refer to the updated Chapter 6, *Surface Water Quality*, and Master Response 4, *Water Quality* which addresses shoreline erosion.

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			deposition at each location where surface water intake is increased.	
8	30	40000	The DEIR/DEIS used a calibrated SRH-Meander model that relied on the Upper Sacramento River Daily Operations Model (USRDOM) daily flows from 1980 to 2010 to predict channel meandering from 2010 to 2030. (DEIR/DEIS, section 8.3.2.2.) Thus, the model was calculated using flows from 1980 - 2010. The severity of the 2012-2017 drought indicates it is likely that we will experience periods of more extreme drought followed by periods of extreme flood events. The DEIR/DEIS does not include any discussion of how the Project will function under those conditions and how impacts may change. In addition, the CALSIM II includes data only through 2003, omitting 15 years of operations that are highly relevant to understanding the potential impacts of the Project. CDFW recommends the DEIR/DEIS include a discussion of how 15 years of omitted data may have affected the modeled results as well as how the Project will function under extreme drought and flood conditions.	Please refer to the updated Chapter 5, *Surface Water Resources* and Master Response 3, *Hydrology and Hydrologic Modeling* which discusses modeling modifications and revised modeling results, and the modeling period.
8	31	51200	The DEIR/DEIS assumes that because water and sediment are both already being diverted at the Delevan Pipeline, the concentration of the sediment in the river would remain unchanged, and therefore, concludes the Project, under each alternative, will have a less than signification impact on sediment concentration. This assumes there is a one to one relationship that holds true regardless of the reduced flow. The CDFW recommends the DEIR/DEIS include the additional scientific data necessary to support this assumption.	The Project no longer includes the previously proposed Delevan Pipeline.
8	32	14000	The DEIR/DEIS refers to a regulatory definition of a stream in California Code of Regulations, title 14, section 1.72. CDFW does not rely on this definition of stream for purposes of Fish and Game Code section 1602, and as a matter of law, section 1.72 does not define "stream" for the purpose of Fish and Game Code section 1602. In addition, the applicability of section 1602 of Fish and Game Code to altered or artificial waterways is not solely based on the value of those waterways to fish and wildlife resources but also natural history of such waterways, the	The Authority and Reclamation appreciate this clarification.

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			hydrologic conditions, the resources they support, and other similar values.	
8	33	14000	Section 4.2.5 summarizes the process for obtaining a consistency determination under Fish and Game Code section 2080.1, but it does not include discussion of take authorization under section 2081, subdivision (b) of the Fish and Game Code. CDFW recommends that the DEIR/DEIS include discussion of the incidental take permit process in addition to the consistency determination process. Section 4.4.2 identifies "consultation" with CDFW regarding California Endangered Species Act as an anticipated State permit or authorization. "Consultation" applies to federal Endangered Species Act. CDFW recommends revising the DEIR/DEIS to identify that the Project will acquire appropriate take authorization under Fish and Game Code sections 2080.1 and 2081, subdivision (b). Similarly, Table 4-1 lists Section 2081 Management Agreement as a type of permit or approval for take of State-listed species. Please clarify the intended method for obtaining incidental take authorization for State-listed endangered, threatened, and candidate species or rare plants pursuant to current State law.	The Authority and Reclamation appreciate this clarification.
8	34	14000	The DEIR/DEIS identifies various CESA-protected species with the potential to occur within the Project site and may be affected by the Project. Take of species that are listed as endangered or threatened under CESA, or designated as candidates for such listing, is prohibited without appropriate authorization. (Fish & G. Code § 2080, 2085.) Take is defined as "hunt, pursue, catch, capture or kill or attempt to hunt, pursue, catch, capture or kill." (Fish & G. Code § 86.) CESA take authorization, should be obtained if the proposed Project has the potential to result in take of a State-listed threatened, endangered, or candidate species, or rare plants. Issuance of a CESA permit by CDFW is subject to CEQA; therefore the CEQA document must specify impacts, mitigation	The Authority and Reclamation appreciate this clarification of “take” and the CESA process.

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			measures, and a mitigation monitoring and reporting program. If the proposed Project would impact CESA listed species, CDFW encourages the Authority to engage in early consultation, because significant modification to the proposed Project and mitigation measures may be required in order to obtain a CESA permit. A CESA permit may only be obtained if the impacts of the authorized take of the species are minimized and fully mitigated and adequate funding has been ensured to implement the mitigation measures. In addition, CDFW may only issue a CESA permit if the CDFW determines that issuance of the permit does not jeopardize the continued existence of the species. CDFW will make this determination based on the best scientific information available, and include consideration of the species' capability to survive and reproduce, including the species known population trends and known threats to the species.	
8	35	51800	CEQA Guidelines section 15126.4, subdivision (a)(1)(B) states that formulation of mitigation measures should not be deferred until some future time. The DEIR/DEIS lists a number of mitigation measures for biological resources that rely on future approvals or agreements as a means of bringing identified significant environmental effects to below a level of significance. For example, Mitigation Measures Wild-1a and 1b states that appropriately timed surveys shall be conducted for species as necessary in coordination with United States Fish and Wildlife Service (USFWS) and CDFW, and acreages of habitat loss shall be determined and compensated for in consultation with USFWS, CDFW, and the United States Army Corps of Engineers (USACE). As stated above because there is no guarantee these approvals or cooperation with all of the involved entities will ultimately occur or what measures they would contain, they should not be considered sufficient measures to reduce impacts to less than significant. The DEIR/DEIS must identify enforceable measures that will reduce the impacts to biological resources to a less-than-significant level. CEQA requires that any activity resulting in loss of habitat, decreased reproductive success, or other negative effects on population levels of special-status species should be addressed	See Response to Comment 8-1, above. Measures have been identified to mitigate Project impacts to biological species, consistent with CEQA. As noted in Master Response 6, *Vegetation, Wetland, and Wildlife Resources,* "The mitigation measures, which require the surveys, will be in place upon certification of the Final EIR/EIS and prior to an activity's adverse effect on the environment. These surveys will confirm the scope of the impacts, which will be used to calculate the amount of required mitigation using established ratios and performance standards in the mitigation measures. This does not constitute deferred mitigation."

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			in the DEIR/DEIS. There should be a clear impact assessment that outlines the temporary and permanent effects of the Project on all biological resources within and surrounding the Project site. If it is not possible to avoid impacts to special-status species, the DEIR/DEIS must identify feasible mitigation that reduces project impacts to a less-than-significant level. Where it is infeasible to define mitigation measures with specificity, the DEIR/DEIS should establish performance standards to evaluate the success of the proposed mitigation, provide a range of options to achieve the performance standards, and commit the lead agency to successful completion of the mitigation. Mitigation measures should describe when the mitigation measure will be implemented, and explain why the measure is feasible. As discussed above, Mitigation Measures Wild-1a and 1b, and others, do not meet these requirements. Therefore, CDFW recommends the DEIR/DEIS include measures that are enforceable and do not defer the details of the mitigation to the future.	
8	36	51800	The DEIR/DIES identifies multiple State fully protected species that have the potential to occur within the Project area. Take of fully protected species is unlawful and subject to enforcement under the Fish and Game Code. The only way for a project to obtain incidental take authorization for any fully protected species is through the development of a Natural Community Conservation Plan (NCCP) (Fish and G. Code, § 2800 et seq.). CDFW recommends the DEIR/DEIS include a discussion of potential for take of fully protected species, and identify measures to completely avoid take of these species.	The Authority and Reclamation appreciate this clarification of "take" and the CESA process.
8	37	51800	All measures to protect nesting birds should be performance-based, meaning that they will be implemented in a way to ensure they reduce impacts and avoid take under potentially changing circumstances and depending on the individual species present. While some birds may tolerate disturbance within 250 feet of construction activities, other birds may have a different disturbance threshold and "take" could occur if the temporary disturbance buffers are not designed to reduce stress to an individual pair. CDFW recommends including	Measures have been identified in Chapter 10, *Wildlife Resources* to mitigate impacts to birds. The Authority and Reclamation appreciate this clarification of "take" and the CESA process.

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			performance-based protection measures for avoiding all nests protected under the Migratory Bird Treaty Act and Fish and Game Code sections 3503, and 3513. A 250-foot exclusion buffer may be sufficient; however, a buffer may need to be increased based on the birds' tolerance level to the disturbance. Below is an example of a performance-based protection measure: Should construction activities cause the nesting bird or raptor to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer will be increased such that activities are far enough from the nest to stop the agitated behavior. The exclusionary buffer should remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.	
8	38	51800	The DEIR/DEIS states that the giant garter snake (Thamnophos gigas) has potential to occur within the Project site and may be affected by the Project. Giant garter snake is listed as a threated species under CESA and as such it is afforded full protection under the Act. The Project would have a substantial adverse effect on giant garter snake because the construction of the Project would require direct alteration of known giant garter snake habitat specifically during the construction of the Delevan Pipeline. The giant garter snake is a highly aquatic, wetland obligate species endemic to California. Historic habitat was largely in tule marshes in the Central Valley, ranging from Kern County to Butte County (Hansen and Brode 1980). Giant garter snakes typically occur in slow-moving, warm aquatic environments like marshes, sloughs, and ponds. They have adapted to using irrigation canals and rice fields as natural wetlands have been reduced in the Central Valley (Halstead et al. 2010). Small mammal burrows in upland habitat are generally used for cover and retreat during the active season and for refuge from flood waters during the dormant season (Halstead et al. 2015). Causes of decline are largely related to habitat loss and fragmentation of wetland habitat. Up to 98 percent of historic giant garter snake habitat in the Central Valley has been lost to development, including agricultural lands (Ellis 1987).	Although the Delevan Pipeline is no longer proposed, the Dunnigan Pipeline will affect giant garter snake. Measures have been identified in Chapter 10, *Wildlife Resources* to mitigate impacts to giant garter snake. The Authority and Reclamation appreciate this clarification of "take" and the CESA process.

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			Mechanical vegetation management along canal banks such as disking, mowing, and dredging of canals can result in direct mortalities and destruction of basking vegetation and burrows used for refugia. Rodent control along canal or levee banks including burrow grouting can also contribute to loss of habitat and direct mortality. Based on the foregoing, CDFW considers that Project impacts on giant garter snake would be significant. Due to the likely significant adverse effects to giant garter snake, the Department recommends obtaining take coverage through an incidental take permit which will likely include habitat replacement at a CDFW approved mitigation bank with available giant garter snake credits, or through land acquisition in fee or with a conservation easement to protect managed marsh habitat.	
8	39	51800	The Project has the potential to impact birds by increasing their exposure to electrical transmission lines and mortality from electrocution or striking the lines. This is of concern given the Project's location in relation to key resident and migratory bird habitat. The Project is located fewer than five miles from the Sacramento National Wildlife Refuge Complex (SNWR Complex), which is comprised of five National Wildlife Refuges (NWR; Sacramento, Delevan, Colusa, Sutter, and Sacramento River), located between Interstate 5 and Highway 99 in Tehama, Glenn, Butte, Colusa, and Sutter Counties. The proposed transmission line alignment runs approximately one mile south of the Sacramento NWR, along the northern edge of Delevan NWR, and fewer than five miles south of the Sacramento River NWR. The SNWR Complex provides nearly 70,000 acres of wetland, grassland, and riparian habitats for a wide variety of resident and migratory birds, including waterfowl, shorebirds, raptors, waterbirds, and songbirds. The SNWR Complex supports nearly 300 species of birds, many of which are State and/or federally protected, including, but not limited to: bald eagle (Haliaeetus leucocephalus), Swainson's hawk (Buteo swainsoni), white-tailed kite (Elanus leucurus), greater sandhill crane (Grus canadensis tabida), western yellow-billed cuckoo (Coccyzus americanus occidentalis willow flycatcher (Empidonax traillii), and bank	Measures have been identified in Chapter 10, *Wildlife Resources* to mitigate impacts to birds. The Authority and Reclamation appreciate this clarification of “take” and the CESA process.

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			swallow (Riparia riparia). The SNWR Complex is located within the Pacific Flyway and provides wintering habitat and breeding grounds for thousands of waterfowl. Additionally, the SNWR complex provides recreational opportunities including bird and wildlife watching, auto tours, hiking, hunting, photography, biking, geocaching, fishing, and environmental education. Utility structures such as transmission lines pose electrocution and collision risks to raptors and other birds (APLIC and USFWS 2005). Powerlines may kill hundreds of thousands of birds annually due to electrocution (Manville 2005). Electrocution has been documented as the cause of death of many raptor species in the United States, with eagles and hawks (of the Genus Buteo) typically at greatest risk (APLIC and USFWS 2005). Raptors such as golden eagles (Aquila chrysaetos), red-tailed hawks {Buteo jamaicensis), osprey {Pandion haliaetus), and great-horned owls (Bubo virginianus) are especially at risk for electrocution due to their large wingspans (APLIC and USFWS 2005). Eagles are the most commonly reported electrocuted birds, with golden eagles reported by Harness (1997) 2.3 times more frequently than bald eagles (Haliaeetus leucocephalus) in the western United States (Manville 2005). Red-tailed hawks and great-horned owls are the most commonly reported electrocuted hawk and owl species as reported by Harness (1997) and Harness and Wilson (2001) (Manville 2005). Additionally, birds other than raptors, such as corvids, small flocking birds, and wading birds, can also be electrocuted (APLIC and USFWS 2005). As many as 175 million birds may be killed annually due to collisions with powerlines (Manville 2005). Some studies have shown that waterbirds (e.g., waterfowl, gulls, shorebirds, etc.) are most susceptible to collisions near wetlands and raptors and passerines are most susceptible to collisions in upland habitats away from wetlands (Erickson, Johnson, and Young 2005). CDFW is concerned the Project transmission line would pose an electrocution and collision risk to resident and migratory birds, including State and federally protected species, within the Project area. To reduce the risk of Project-induced electrocution and collision to birds, CDFW recommends the Project design	

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			and construct all transmission lines and associated facilities in accordance with the current Avian Power Line Interaction Committee (APLIC) guidelines: Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006 and Reducing Avian Collisions with Power Lines: The State of the Art in 2012 and revise the DEIR/DEIS as appropriate.	
8	40	51800	Throughout the Botanical Resources chapter of the DEIR/DIES the current California Rare Plant Ranks are referred to by "California Native Plant Society (CNPS) Rare Plant" lists, which is no longer the standard terminology. Additionally, some of these rankings are either incorrect, out of date, or missing threat ranks. CDFW recommends a review and/or modifications of this section to use current California Rare Plant Ranks terminology and correct rankings. Page 13-15 of the Botanical Resources chapter indicates that land was not surveyed on properties for which authorized access was not obtained, private residences and yards, cemeteries, agricultural fields, and some bedrock stream channels and vertical slopes. This comprises a potentially large area within the Project area that may be impacted by Project activities and may contain populations of rare plants. CDFW recommends completing an encompassing survey of all lands that could be impacted by the Project. Botanical surveys were conducted in 1998 and 1999 within the reservoir footprint, and in 2000 through 2003 for potential conveyance routes, recreation areas, and road relocations. These surveys are out of date. CDFW recommends resurveying all areas associated within the Project area that would be impacted. Botanical surveys should be conducted over multiple years and multiple seasons/year to accurately document the species composition of a site. Some plants to do not emerge every year, and it would be easy to miss these plants if only one survey is conducted. CDFW's recommends conducting surveys consistent with Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2009).	See Response to Comment 8-1, above. The terminology and analysis have been updated in Chapter 9, *Vegetation and Wetlands Resources*. Potential wildlife resources in the study area were evaluated by reviewing existing information and identifying potentially suitable habitat with geographic information system (GIS) modeling. Please see Mitigation Measure VEG-1.1: Conduct Appropriately Timed Surveys for Special-Status Plant Species Prior to Construction Activities, and Mitigation Measure VEG-2.1: Conduct Surveys for Sensitive Natural Communities and Oak Woodlands in the Project Area Prior to Construction Activities for the specifics on the plan to survey lands that could be impacted by the Project.

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8	41	51800	The mitigation measure Bot-1a for "Impact Bot-1" states that compensatory mitigation measures for vegetation community impacts will be implemented in coordination with USFWS, CDFW, CNPS, and USACE. As stated above, this measure provides no certainty these approvals or cooperation with all of the involved entities will ultimately occur or what measures would be undertaken. Coordination should not be considered a sufficient measure to reduce impacts to less than significant. The DEIR/DEIS must identify enforceable measures that will reduce the impacts to biological resources to a less-than-significant level. Where it is infeasible to define mitigation measures with specificity, the DEIR/DEIS should establish performance standards to evaluate the success of the proposed mitigation, provide a range of options to achieve the performance standards, and commit the lead agency to successful completion of the mitigation. Mitigation measures should also describe when the mitigation measure will be implemented and explain why the measure is feasible. Therefore, the CDFW recommends the DEIR/DEIS include measures that are enforceable and do not defer the details of the mitigation to the future.	See Response to Comment 8-1, above. The terminology and analysis have been updated. Potential vegetation and other wildlife resources in the study area were evaluated by reviewing existing information and identifying potentially suitable habitat with geographic information system (GIS) modeling. As noted in Master Response 6, *Vegetation, Wetland, and Wildlife Resources,* "The mitigation measures, which require the surveys, will be in place upon certification of the Final EIR/EIS and prior to an activity's adverse effect on the environment. These surveys will confirm the scope of the impacts, which will be used to calculate the amount of required mitigation using established ratios and performance standards in the mitigation measures. This does not constitute deferred mitigation."
8	42	52500	Section 21.1 states "Recreation is one of several benefits typically provided by public and private water supply projects." "Popular recreation activities in California fall into two categories: (1) water-dependent activities, such as boating, waterskiing, swimming, and fishing; and (2) water-enhanced activities, such as wildlife viewing, camping, hiking, and hunting." However, the analysis in the DEIR/DEIS focuses solely on boat ramp accessibility, without analyzing potential impacts to these other recreational resources. CDFW recommends that the DEIR/DEIS discuss potential impacts to these water-enhanced activities in addition to the operations-related recreational activities that were evaluated. Section 21.3.2.2 states the analysis only evaluated the operational portion of recreation-day value, meaning that the analysis did not consider the development of a recreational fishery, or a plan to create a sustainable fishery for recreation. The section states the guidelines used are intended to express	See Response to Comment 8-1, above. Chapter 16, *Recreational Resources* notes that "Water-enhanced activities are more dependent on the level of facility development than on water levels in streams or reservoirs." There are currently no detailed plans for recreational development other than boating and the future development of camping areas. Recreational uses at the reservoir are addressed within various chapters of the RDEIR/SDEIS and Final EIR/EIS including potential impacts to air quality, greenhouse gases, traffic, water quality and biological resources. The development and implementation of a Recreation Management Plan is described in Chapter 2D.

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			the net benefit of a reservoir to a recreationist in terms of two equally weighted factors: (1) variety and quality of recreation, and (2) aesthetic qualities of the site. CDFW recommends providing an explanation as to why only some components of recreational activities were evaluated. As cited in DEIR/DEIS, Table 12-5, several gamefish have been documented in the creeks within the inundation area including largemouth bass (Micropterus salmoides), redear sunfish (Lepomis microlophus), bluegill (Lepomis macrochirus), green sunfish (Lepomis cyanellus), Chinook salmon and Sacramento pikeminnow (Ptychocheilus grandis). The DEIR/DEIS also states that there are several stock ponds that likely hold gamefish and children have been observed fishing in the area. There is very little data on what recreational value the existing fisheries provide. The inundation area has the potential to provide quality recreational fisheries with the appropriate foresight. CDFW recommends a fisheries development plan outlining target species composition for Sites Reservoir including stocking strategy, habitat enhancement measures, and monitoring efforts to be included. The DEIR/DEIS states that five recreation areas are possible but only three will be constructed. CDFW recommends including a detailed discussion of the methods to be used to prioritize the potential recreation areas to be constructed. CDFW recommends that any potential recreation areas within drawdown areas be prioritized for wildlife oriented recreation. In addition, CDFW recommends the DEIR\DEIS include a discussion of all recreational uses that will be provided by Sites Reservoir. Within this discussion, the document should include hunting as a compatible use in the recreation areas and lands surrounding the proposed reservoir.	
8	43	60100	Cumulative Impacts The DEIR/DEIS concludes that, across all impact areas, there will be no cumulative impacts resulting from the Project. Based on population trends of native anadromous and pelagic fish that are steadily declining under existing regulatory conditions, CDFW considers that the additional extraction of water at the	The Project cumulative analysis has also been revised and is included in Chapter 31, *Cumulative Impacts*. Impacts on blue oak woodland would remain significant after mitigation and would cause an incremental impact that would be significant when added to the impacts on blue oak woodland from other past, present, and reasonably foreseeable future actions. The Project would cause an

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			proposed bypass flow rates would exacerbate concerns and generate cumulatively considerable impacts. Table 35-1 provides a summary of present and foreseeable actions included in the cumulative impact analysis, but it appears to exclude a number of significant activities affecting fish and wildlife resources in the Project area. CDFW recommends that a list of relevant cumulative projects be provided with each resource section and the lead agency review for completeness. Some of the programs, plans, and policies missing include: the lower American River Modified Flow Management Standard, the State Water Project Contract Extension, the Agricultural Drainage Selenium Management Program, the West Sacramento Levee Improvements Program, the Central Valley Flood Protection Plan, FloodSAFE California, the Lower Yo!o Restoration Project, the Contra Costa Water District Intake and Pump Station (Alternative Intake Project), 2009 National Marine Fisheries Service Biological Opinion and Conference Opinion for the Coordinated Long-Term Operation of the CVP/SWP, the 2008 United States Fish and Wildlife Service Biological Opinion for Delta smelt for the Coordinated Long-Term Operation of the CVP/SWP, the Central Valley Flood Management Program, the San Joaquin River Restoration Program, the Recovery Plan for Sacramento-San Joaquin Delta Native Fishes, the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Implementation Plan, the Delta Plan, the California Water Action Plan, California EcoRestore, and the Davis-Woodland Water Supply Project.	incremental impact that would be significant when added to the impacts on wildlife movement and habitat connectivity because of the substantial barrier to wildlife movement and habitat connectivity created by Sites Reservoir from other past, present, and reasonably foreseeable future actions. The Project would cause an incremental impact that would be significant when added to the impacts on designated Important Farmland and would result in an incremental contribution to impacts on lands under Williamson Act contracts because of the permanent removal of land from Williamson Act contracts and/or would result in remnant parcels of land that may be too small to remain under Williamson Act contract, even with mitigation. Because nitrogen oxides and particle matter (PM)10 emissions would be above the thresholds even with the purchase of offsets, the Project would result in a cumulative effect regarding regional ozone precursor and criteria pollutant emissions during construction. Because reactive organic gas emissions would be above the thresholds, the Project would result in a cumulative effect regarding regional ozone precursor and criteria pollutant emissions during operation. The Project would also result in a significant cumulative effect regarding existing pollutant concentrations, because there would be new exceedances of the California Ambient Air Quality Standards and National Ambient Air Quality Standards.
8	44	20000	CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNNDB field survey form can be found at the following link: http://www.dfq.ca.qov/bioqeodata/cnddb/pdfs/CNDDB FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDB at the following email address:	This comment is noted.

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			CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/plants and animals.asp.	
8	45	10000	Pursuant to Public Resources Code §21092 and §21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed Project. Written notifications should be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670.	The Authority will provide CDFW with notice as required.

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9	1	51100	We appreciate that the Draft EIR/EIS included an analysis of the water quality impacts at CCWD's water intakes in the Delta. However, the data provided in the document were not sufficient to determine the existence or extent of net impacts to CCWD's water supply, water quality, and operational costs. The long-term average and average by water year type and the probability of exceedance plots provided useful information on how the Project would impact the salinity at CCWD's water intakes.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment and responses to those comments are included in Volume 3, Chapter 4. Please refer to Chapter 2, *Project Description and Alternatives* for a description of the revised Project analyzed in the Final EIR/EIS as well as Master Response 2, *Alternatives Description and Baseline* which describes Project refinements that have occurred since the RDEIR/SDEIS. Please see Appendix 2B, *Additional Alternatives Screening and Evaluation* for further discussion of the extensive alternative development and review process. Please refer to Chapter 6, *Surface Water Quality* and the evaluation of whether there would be any significant adverse effects on Delta salinity due to seawater intrusion and movement of saline water towards the export pumps. It also considers whether there would be substantial degradation of water quality in the Sacramento River due to increases in salinity. Compliance with Delta salinity objectives and changes in Delta salinity were evaluated with Delta Simulation Model II (DSM2) using CALSIM results for Delta inflows and exports. Effects of Sites Reservoir operations on Sacramento River salinity were evaluated by quantitative and qualitative consideration of salt inputs to Sites Reservoir, evapoconcentration in Sites Reservoir, Sacramento River salinity, and salinity objectives. Based on the evaluation of DSM2 results for compliance with water quality objectives, attainment of numeric salinity and chloride objectives in the Delta, including X2, is not expected to be reduced by the Project. Small increases in seawater intrusion could occur, but these increases would occur during the time of year when salinity is lower because more water is moving through the Delta. Please also refer to responses to CCWD's January 2022 comments on the RDEIR/SDEIS, Letter 90, which can be located in Volume 3, through Chapter 2, Indices of Commenters and Index of Form Masters.

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9	2	10000	To quantify the operational and financial impacts to CCWD, the full 82-year time series of the salinity at CCWD's intakes as well as certain hydraulic conditions in the Delta are required but were not provided. CCWD requests the modeling tools and output listed in the Attachment so that the full impacts of the Project can be analyzed.	See Response to Comment 9-1, above.
9	3	51100	Based on the analysis included in the Draft EIR/EIS, salinity at CCWD's intakes at Rock Slough and Old River would be increased by up to 17.5% during the winter and spring in some water year types. An increase in salinity of this magnitude would increase the cost of providing water to customers, reduce the quality of water delivered to customers, reduce the volume of water stored in Los Vaqueros Reservoir, and reduce CCWD's water supply by reducing the opportunities to divert under our Los Vaqueros water right. These impacts may be balanced by water quality improvements in other times, but without access to the data listed [in] the Attachment we are unable to determine whether this is the case.	See Response to Comment 9-1, above.
9	4	51100	In the absence of the appropriate modeling information, CCWD does not concur with the conclusions in Draft EIR/EIS that changes in water quality due to the Project would not result in significant impacts (Chapter 7.3) and would not require mitigation (Chapter 7.4). The Project could have significant impacts on CCWD' s water supply and water quality even in the absence of standards violations.	See Response to Comment 9-1, above.
9	5	60200	The incremental effects of the Project could also contribute to significant cumulative impacts to water quality at CCWD's intakes.	See Response to Comment 9-1, above. Please also refer to *Chapter 31, Cumulative Impacts,* which states that "the elements of the various impact assessments (e.g., surface water quality, aquatic biological resources, recreation) that relied on the hydrologic impact assessment for their respective analyses are also cumulative in nature". Cumulative impacts to water quality are addressed in more depth in Section 31.3.1.

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9	6	32000	Project impacts and benefits depend strongly on Project operations. To ensure that the degradation of water quality at CCWD's intakes will not exceed a significant level, CCWD would like to better understand the Project's operations. As you move toward a final analysis we would like to work collaboratively with you to minimize and, where necessary, mitigate impacts to less than significant levels.	See Response to Comment 9-1, above.
9	7	10000	CCWD believes that the thoughtful development of innovative off-stream storage facilities is a very important part of the state's future water supply. CCWD appreciated the opportunity to work with you and several other storage project proponents on the development of the 2017 Storage Integration Study prepared by the Association of California Water Agencies that demonstrated the value of coordinated operations. CCWD would be happy to work with you as you continue to develop your Project operations to identify ways to avoid impacts to CCWD' s water supply and Delta water quality. Furthermore, we look forward to future opportunities to work together to determine how the Project could be operated in coordination with the Los Vaqueros Reservoir Expansion Project and other existing and planned water projects to avoid impacts and provide state-wide benefits. If you have any questions about this letter, please call me at 925-688-8083 or call Maureen Martin at 925-688-8323.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements and General Comments,* which addresses comments providing background or introductory information.
9	8	40000	[Att1]: Modeling Information Requested	See Response to Comment 9-1, above.

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10	1		Please note, that until a couple of weeks ago, when the Maxwell fire chief called me, I was unaware that a portion of our district was in the Sites Reservoir plan. At this time, I am unsure of our accessibility to the area- it will more then likely be a cross country endeavor. There will definitely be a delayed response time, due to the distance from our station on County Rd. D. Unlike Maxwell, we are an all volunteer fire department. The whereabouts and availability of the volunteers makes for varying response times, as opposed to an immediate dispatch from a paid department. Not being able to see into the future, I can only say that we will deal with emergencies to the best of our capabilities.	Please refer to Chapter 26, *Public Services of the RDEIR/SDEIS,* which provides an update analysis of fire protection services based on the revised Project alternatives and ongoing discussions with local agencies. As noted in Chapter 2, *Project Description and Alternatives*, prefabricated structures for storing equipment and materials to assist emergency services personnel may be placed within the footprint of the recreation areas for police and fire emergency response.

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11	1		Notice of concerns for Sites reservoir project The Maxwell Fire Protection District provides emergency response services for the proposed Sites reservoir. Some of the concerns during the construction phase that we have from a fire and EMS side of the project are access to the area, time of response, places to land a helicopter should one be needed. Regular meeting with contractors will be needed to insure safety for the crews and to insure that we can get to them should there be an emergency. Proposed routes of the construction crews to job sites will need to be addressed. Looking ahead to when the sites reservoir is completed there will be a need to continue to provide emergency services to the reservoir due to the recreational use of the lake. Access to all areas of the lake will be crucial. Being able to provide emergency services in a timely manner is our number one concern. The increase of traffic flow during and after construction. Along with the added call volume our operating cost will increase and the source of funding to offset these increases will need to be addressed. This is just a list of immediate concerns of the Maxwell Fire Protection District. I'm sure more will come up as the project moves forward. We look forward to working with you in the future.	Please see Response to Comment 10-1, above. Please refer to Chapter 26, *Public Services of the RDEIR/SDEIS,* which discusses fire protection and other emergency services and Chapter 18, *Navigation Transportation and Traffic* which addresses construction-related traffic and routes.

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12	1	21500	To evaluate the potential impacts and benefits of this project, it is essential that the DEIS/DEIR provides a meaningful and accurate assessment of the project's potential effects. After reviewing the DEIS/DIER, however, we are concerned that the document suffers from several flaws that substantially undermine its informational value for decision makers and the public. Among other problems, the DEIS/DEIR fails to consider a reasonable range of alternatives, uses an inaccurate environmental baseline, and does not adequately assess climate change impacts. It also fails to adequately analyze impacts to aquatic species like Chinook salmon, Delta smelt, and longfin smelt, and terrestrial species like giant garter snakes and migratory birds, fails to disclose significant impacts of the project to these and other species, and inappropriately defers the formulation of mitigation measures. Because the modifications necessary to remedy these and other flaws are substantial and the revised document will include significant new information, the revised DEIS/DEIR should be recirculated in order to provide the public with a more meaningful opportunity to assess the project's impacts and submit comments.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in the extensive review of additional alternatives and revised modeling to further define the Project. Appendix 2B, *Additional Alternatives Screening and Evaluation* addresses addresses the process undertaken to further identify alternatives, including design and operational refinements. In May 2019, the Authority initiated a series of focused discussions with the California Natural Resources Agency regarding Project planning and intended operations. The purpose of these discussions was to address the effects of the Project on the State's public trust resources and further refine the Project facilities and operational characteristics consistent with what would be affordable for member participants and also to meet applicable permitting requirements. The Authority met with the aquatics and terrestrial technical teams from the California Department of Fish and Wildlife (CDFW) several times between May and September 2019 to explore refinements to Project operations and facilities. During and following this process, the Authority revised the Project operational components and eliminated or modified previously proposed facilities to ensure an affordable Project capable of providing a sufficient and reliable water supply and dedicated ecosystem benefits. These revised components include revised 2019 operational scenarios/criteria, proposed conservation measures, and a science and adaptive management strategy. It also included removing the Delevan Intake, revisions to the operational criteria and less water being pumped from the Sacramento River on average, as well as reducing the footprint of the reservoir from a maximum of 1.8 MAF to 1.5 MAF. A Revised Draft Environmental Impact Report/Supplemental Draft Impact Statement (RDEIR/SDEIS) was released in 2021 and CDFW has provided comments that address the current project and are assumed to supersede those submitted on the 2017 Draft EIR/EIS due to project changes. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS.

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				Please refer to Chapter 2, *Project Description and Alternatives* and Master Response 2, *Alternatives Description and Baseline* for refinements to the Project. Please refer to Master Response 4, *Water Quality* regarding the I/O tower. Please refer to Master Response 9, *Alternatives Development*, regarding a reasonable range of feasible alternatives. Please refer to Master Response 2, *Alternatives Description and Baseline* regarding the existing conditions environmental baseline. Please refer to Master Response 5, *Aquatic Biological Resources* regarding special-status fish species. Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources* regarding adequacy of analysis for terrestrial resources, and regarding the adequacy and suitability of the mitigation measures.
12	2	31000	The California Environmental Quality Act ("CEQA") and the National Environmental Policy Act ("NEPA") require that the DEIS/DEIR consider a reasonable range of alternatives. Cal. Pub. Res. Code §§ 21002, 21061, 21100; tit. 14, Cal. Code Regs. ("CEQA Guidelines") § 15126.6; 42 U.S.C. § 4332; 40 C.F.R. §§ 1502.1, 1502.14, 1508.25(b). However, the DEIS/DEIR fails to consider a reasonable range of alternatives because it only considers a single operational alternative, whereas other operational alternatives could reduce or avoid adverse environmental impacts. The failure to include any operational alternatives that could reduce or avoid adverse environmental impacts violates NEPA and CEQA. See, e.g., Citizens of Goleta Valley v. Board of Supervisors, 52 Cal.3d 553, 566 (1990) (EIR must consider a reasonable range of alternatives that offer substantial environmental benefits and may feasibly be accomplished); Muckleshoot Indian Tribe v. U.S. Forest Serv., 177 F.3d 800, 813 (9th Cir. 1999) (NEPA analysis failed to consider reasonable range of alternatives where it "considered only a no action alternative along with two virtually identical alternatives"); Natural Res. Def. Council v. U.S. Forest Serv., 421 F.3d 797, 813 (9th Cir. 2005). Alternatives that result in comparatively reduced water diversions from the Sacramento River (particularly during all but Wet water year types and during periods of moderate and low	Please refer to Response to Comment 12-1, above and Master Response 9, *Alternatives Development* regarding a reasonable range of feasible alternatives.

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			flows) are reasonable and feasible, would result in reduced adverse effects on native fish and wildlife in the Sacramento River and Bay-Delta estuary, and should have been evaluated in the DEIS/DEIR. The best available science shows that increased flows in the Sacramento River during the winter-spring period and increased Delta outflows are necessary to protect and restore native fish and wildlife populations and their habitats and comply with state and federal law. Several commenters, including NRDC et al and the California Department of Fish and Wildlife ("CDFW"), submitted NEPA/CEQA scoping comments specifically stating that the DEIS/DEIR must analyze more than one operational alternative in order to identify alternatives that would minimize or avoid adverse environmental impacts of the project. NRDC et al's scoping comments stated that the DEIS/DEIR should evaluate one or more operational scenarios that do not result in substantial reductions in Delta outflow during the winter and spring months, as well as one or more operational alternatives that result in increased Delta outflow during these months. CDFW's scoping comments directed that several operational scenarios should be analyzed, including one that was consistent with the water operational requirements being proposed for the California WaterFix project [Footnote 3: For instance, the final California Endangered Species Act ("CESA") permit for the California WaterFix project prohibits diversions from the Delta when Delta outflows are less than 44,500cfs during the months of March, April and May, and the CESA permit and NMFS biological opinion require cessation of diversions from the North Delta when salmon are migrating in the lower Sacramento River and flows in the lower Sacramento River are less than 35,000 cfs] and another that would fully minimize operational impacts. Moreover, in 2016 and 2017, CDFW submitted potential operational criteria to the project proponents that included Sacramento River bypass flows and Delta outflow requirements that were designed to reduce adverse environmental impacts of the project on salmon, sturgeon, longfin smelt, Delta smelt, and other native fish species. See Exhibit A [Attachment 1]. [Footnote 4: The	

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			documents provided by CDFW that are included as Exhibit A [Attachment 1] were obtained pursuant to a California Public Records Act request filed by NRDC in 2017.] However, none of these proposed operational criteria were evaluated in the DEIS/DEIR. Instead, the DEIS/DEIR only analyzes a single operational scenario in the alternatives that are analyzed. See, e.g., DEIS/DEIR at 3-102, 105-107. As discussed on the pages that follow, that operational scenario results in significant adverse environmental impacts and could not lawfully be permitted by state and federal agencies. As a result, the DEIS/DEIR violates NEPA and CEQA because it fails to consider a reasonable range of alternatives. In addition, NRDC et al and others submitted NEPA/CEQA scoping comments stating that the DEIS/DEIR must consider one or more alternatives that did not include a surface water reservoir and instead relied on groundwater storage, conjunctive use, and/or reoperation of reservoirs to improve water supplies and ecosystem protection. Such an alternative would likely cost dramatically less money to construct and operate, and could result in lower environmental impacts, making it a potentially feasible and reasonable alternative. However, the DEIS/DEIR failed to consider such an alternative, in violation of NEPA and CEQA.	
12	3	11000	The DEIS/DEIR improperly claims that it tiers off of the 2000 CALFED ROD. See DEIS/DEIR at 1-10. This is improper because the CALFED program was superseded by other entities nearly a decade ago, and the programmatic environmental review of CALFED is outdated and inconsistent with more recent scientific information. Reliance on the eighteen-year old CALFED ROD and programmatic EIS/EIR is inappropriate.	The RDEIR/SDEIS does not suggest tiering off the 2000 CALFED ROD but does identify that document as part of the alternatives vetting process.
12	4	31000	As the DEIS/DEIR mentions, the State Water Resources Control Board ("SWRCB") is updating the Bay-Delta Water Quality Control Plan, and the SWRCB's 2016 draft scientific basis report recommends increasing Sacramento River flows and Delta outflow to protect native fish and wildlife. See DEIS/DEIR at 2-12. The SWRCB's final scientific basis report was peer reviewed and released to the public in October 2017, and it also recommends	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements and General Comments* which addresses comments providing background information.

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			increased Delta outflow to protect fish and wildlife. The DEIS/DEIR should evaluate one or more operational alternatives that are consistent with the flow recommendations in the final scientific basis report, such as an alternative that requires Sacramento River flows and Delta outflows that are 65 percent and 75 percent of unimpaired flow (while meeting existing summer/fall outflow requirements of D-1641, and the 2008 Delta Smelt biological opinion).	
12	5	11000	The Fish and Wildlife Coordination Act ("FWCA") requires that the Bureau of Reclamation consult with and fully consider recommendations from the U.S. Fish and Wildlife Service ("FWS"), National Marine Fisheries Service ("NMFS"), and CDFW regarding potential project alternatives and mitigation measures that could reduce or mitigate adverse environmental impacts. 16 U.S.C. §§ 661 et seq. The FWCA also requires the Bureau of Reclamation to include the mandatory FWCA report as part of the DEIS/DEIR. Id. § 662. The FWCA report must estimate wildlife benefits and losses from the potential project, id. § 662(f), and must include proposed measures to reduce or avoid such impacts, id. § 662(a)-(b). The DEIS/DEIR acknowledges the duty to consult with state and federal fish and wildlife agencies pursuant to the FWCA. DEIS/DEIR at 4-11. However, the DEIS/DEIR does not include the mandatory FWCA report, fails to consider the recommendations of CDFW, see Exhibit A, and fails to demonstrate that the Bureau of Reclamation consulted with FWS and NMFS as required by the FWCA. Indeed, the DEIS/DEIR states that, "FWS will coordinate with CDFW and NMFS and solicit recommendations for the action agency to consider for the conservation or improvement of fish and wildlife habitat for any or all species during the life of the project." DEIS/DEIR at 4-11. If the Bureau of Reclamation had consulted with NMFS as required by the Fish and Wildlife Coordination Act, the DEIS/DEIR could have evaluated the Sacramento River flow criteria that NMFS has prepared in order to reduce or avoid impacts to salmon. See Exhibit B [Att2]. [Footnote 5: The presentation from NMFS that is included as Exhibit B was obtained pursuant to a Freedom of Information Act request filed	Reclamation is in the process of coordinating with all of the agencies listed on the FWCA process.

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			by NRDC in 2017.] In preparing the DEIS/DEIR, the Bureau of Reclamation has violated the FWCA by failing to include the mandatory FWCA report, failing to demonstrate consultation with federal fish and wildlife agencies, and by failing to meaningfully consider the recommendations of CDFW. In order to comply with the FWCA, the DEIS/DEIR must be revised to meaningfully consider the recommendations of state and federal wildlife agencies and to include the mandatory FWCA report. Because the Bureau of Reclamation has deprived the public of the opportunity to review the FWCA report during the public comment period on the DEIS, Reclamation must reopen the public comment period upon release of the required report.	
12	6	21100	The DEIS/DEIR Fails to Use an Accurate Environmental Baseline to Evaluate Potential Environmental Impacts of the Proposed Project Under both NEPA and CEQA, the DEIS/DEIR must evaluate the potential environmental impacts of the project as compared to the existing environmental conditions (the "environmental baseline"), so that the Project's environmental impacts can be meaningfully analyzed and compared to alternatives. 40 C.F.R. § 1502.15; CEQA Guidelines § 15125(a); see County of Amador v. El Dorado County Water Agency, 76 Cal.App.4th 931, 952 (1999); Neighbors for Smart Rail v. LA County Metropolitan Transit Authority, 57 Cal. 4th 310, 315 (2013). In general, the environmental conditions at the time the Notice of Preparation ("NOP") are issued constitute the environmental baseline. CEQA Guidelines § 15125(a). However, when an analysis based on existing conditions would be misleading to the public, CEQA requires use of a different baseline in order to give the public and decision makers the most accurate analysis of the project's likely impacts. Neighbors for Smart Rail, 57 Cal. 4th at 449, 457. In particular, when environmental conditions will be improved in the near future as compared to existing conditions, the use of the existing conditions baseline would be misleading and contrary to CEQA. Id. at 453, fn. 5.	Please refer to Master Response 2, *Alternatives Description and Baseline* regarding the existing conditions environmental baseline.

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			In this instance, substantial evidence demonstrates that the use of the existing baseline conditions, which excludes mandatory permit conditions imposed to protect the environment, misleads the public and decision makers as to the actual environmental impacts, and that in this case the environmental impacts should be assessed against an environmental baseline that includes these regulatory requirements. See Communities for a Better Environment v. South Coast Air Management District, 48 Cal.4th 310, 322-326, 328 (2010); Neighbors for Smart Rail, 57 Cal. 4th at 451-453. The environmental baseline used in the DEIS/DEIR fails to include several existing permit requirements that were imposed before issuance of the NOP, and which will be implemented before the proposed project could be constructed and operational in 2030.	
12	7	21100	Most importantly, the environmental baseline in the DEIS/DEIR fails to include the proposed amendment to Action Suite I.2 of the Reasonable and Prudent Alternative in the 2009 NMFS biological opinion ("Revised Shasta RPA"). [Footnote 6: The Revised Shasta RPA is available online at: http://www.westcoast.fisheries.noaa.gov/publications/Central_Valley/Water%20Operations/nmfs_s_draft_proposed_2017_rpa_amendment_-_january_19__2017.pdf and is incorporated by reference. The Revised Shasta RPA was adopted because the best available science showed that the existing RPA actions were failing to prevent Central Valley Project ("CVP") operations from jeopardizing the continued existence of Endangered Species Act ("ESA")-listed salmon and did not use the best available science. The Revised Shasta RPA makes significant changes in CVP operations at Shasta Dam, including requirements that the Bureau of Reclamation maintain higher storage in Shasta reservoir (imposing minimum water storage requirements for the end of April and end of September), as well as colder water temperature requirements in the Sacramento River necessary to protect winter run Chinook salmon. The Revised Shasta RPA was issued by NMFS on January 19, 2017, and the NOP for the Sites Reservoir project was issued on January 23, 2017. However, the DEIS/DEIR fails to include compliance with the Revised Shasta	Please refer to Master Response 2, *Alternatives Description and Baseline* regarding the existing conditions environmental baseline.

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			RPA in the environmental baseline. See DEIS/DEIR, Appendix 6A, at 6A-1. As compared to the modeling in the DEIS/DEIR, the Revised Shasta RPA would result in significantly higher reservoir storage in Shasta Reservoir, would maintain a greater volume of cold water for salmonids, and would result in colder water in the Sacramento River during the summer and fall months. See, e.g., NMFS-Reclamation Stakeholder Workshop #3, Shasta RPA Draft Proposed Amendment, June 22, 2017, attached as Exhibit C [Att3]. Modeling in the DEIS/DEIR shows that baseline conditions and alternatives would not achieve the minimum Shasta reservoir storage requirements under the Revised Shasta RPA. See, e.g., DEIS/DEIR, Appendix 6B, at Table SW-07-3a. Implementation of the Revised Shasta RPA may also result in lower Sacramento River flows during some years, and the proposed project could cause environmental impacts by further reducing flows in the Sacramento River. Because the DEIS/DEIR fails to include these updated permit conditions in the environmental baseline, the DEIS/DEIR misleads the public and decision makers of the potential environmental impacts of the Sites Reservoir project.	
12	8	21100	The environmental baseline in the DEIS/DEIR fails to include compliance with the Shasta RPA action in the NMFS 2009 biological opinion. See DEIS/DEIR, Appendix 6A, at 6A-8. The RPA action in the 2009 biological opinion is a mandatory permit condition that provides substantial environmental benefits for salmon, even if the RPA action (prior to the 2017 amendment) was insufficient to prevent CVP/State Water Project ("SWP") operations from jeopardizing the continued existence of winter run Chinook salmon. As a result, modeling of Shasta Reservoir water storage levels and Sacramento River water temperatures in the DEIS/DEIR fail to comply with the requirements of the 2009 Shasta RPA action. See, e.g., DEIS/DEIR, Appendix 6B, at Table SW-07-3a. By failing to ensure that the environmental baseline in the DEIS/DEIR includes existing permit terms and conditions, the DEIS/DEIR fails to adequately assess environmental impacts of the proposed project and fails to disclose potentially significant adverse impacts.	Please refer to Master Response 2, *Alternatives Description and Baseline* regarding the existing conditions environmental baseline.

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12	9	21100	Third, the environmental baseline in the DEIS/DEIR appears to omit compliance with the permit obligation of the CVP and SWP to restore floodplain habitat in the Yolo Bypass, including modifications to the Fremont Weir to increase the frequency of inundation, pursuant to the 2009 NMFS biological opinion. The federal Notice of Intent for this project was published in the Federal Register on March 4, 2013, and in December 2017 the Bureau of Reclamation and California Department of Water Resources released a DEIS/DEIR for the Yolo Bypass Salmonid Habitat Restoration & Fish Passage project. [Footnote 7: That DEIS/DEIR is available online at: https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=30484 and is incorporated by reference.] Appendix 12N of the DEIS/DEIR evaluates potential changes to the extent and frequency of inundating floodplain habitat in the Yolo Bypass. However, as the table below demonstrates, the data presented in Appendix 12N is inconsistent with data on the frequency and extent of inundation of the Yolo Bypass that the Bureau of Reclamation prepared as part of the California WaterFix project (the latter assumes completion of the Yolo Bypass restoration project as required by the 2009 NMFS biological opinion). Compare DEIS/DEIR, Appendix 12N, at Table SF-1a with California WaterFix draft biological assessment, June 2017, Appendix 5A, Attachment 4, at Table 5.A.A.4-5. [Footnote 8: That biological assessment is available online at: http://cms.capitoltechsolutions.com/ClientData/CaliforniaWaterFix/uploads/App_5.A_CALSIM.pdf and is incorporated by reference.] Because the DEIS/DEIR appears to exclude the notched weir, it fails to accurately assess the frequency, duration and extent of floodplain inundation in the Yolo Bypass under no action alternatives as well as under the proposed project and action alternatives. As discussed supra, reductions in floodplain inundation as a result of the project are likely to cause significant adverse effects on salmon. The DEIS/DEIR therefore	Please refer to Master Response 2, *Alternatives Description and Baseline* regarding the existing conditions environmental baseline.

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			fails to provide the public and decisionmakers with accurate information about the effect of the proposed project on floodplain inundation in the Yolo Bypass.	
12	10	21100	[Exhibit 1:] Table showing data difference between Sites and WaterFix.	Please refer to Response to Comment 12-9
12	11	41000	The DEIS/DEIR uses a flawed environmental baseline because it fails to accurately model compliance with the Fall X2 action in the 2008 Delta Smelt biological opinion. The Fall X2 action requires that the CVP and SWP "provide sufficient Delta outflow to maintain average X2 for September and October no greater (more eastward) than 74 km in the fall following wet years and 81km in the fall following above normal years." 2008 FWS biological opinion at 369. [Footnote 9: In general, the monthly Delta outflow necessary to achieve these X2 requirements is approximately 11,400 cfs (wet) and 7,100 cfs (above normal), although the specific amounts of outflow necessary will depend on multiple factors including antecedent conditions (the location of X2 prior to imposition of the Fall X2 RPA action).] The biological opinion requires that "[t]he monthly average X2 must be maintained at or seaward of these values for each individual month and not averaged over the two month period."Id. However, the modeling of the environmental baseline and alternatives in the DEIS/DEIR fails to achieve the Fall X2 requirements in the month of October. See, e.g., DEIS/DEIR, Appendix 6B at Table SW-30-3a; DEIS/DEIR, Appendix 12G at 12G-2.	Please refer to Master Response 3, *Hydrology and Hydrologic Modeling* regarding hydrology and existing conditions baseline, and modeling modifications and revised modeling results.
12	12	21100	The DEIS/DEIR uses a flawed environmental baseline because it assumes full contract deliveries to Sacramento River Settlement Contractors, resulting in higher diversions from the Sacramento River. To our knowledge, the Sacramento River Settlement Contractors have never utilized their full contract amounts, and have diverted significantly less water than the full contract amounts. Data from the Bureau of Reclamation indicates that during 2009-2014, these contractors never diverted more than 75 percent of their full contract amounts. See Bureau of Reclamation, Water Delivered 2009-2014, available online at: https://www.usbr.gov/mp/cvpwater/ docs/cvp-water-	Please refer to Master Response 2, *Alternatives Description and Baseline* which addresses appropriate CEQA and NEPA use of the existing conditions baseline and the No Project Alternative/No Action Alternative.

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			deliveries.pdf. Yet the DEIS/DEIR assumes full contract demands by these contractors, and it provides no explanation why it would make this assumption, which is inconsistent with the historical record. See DEIS/DEIR, Appendix 6A, at 6A-4.	
12	13	21100	CEQA and NEPA both require that the analysis of potential environmental impacts address the full duration of the project, not just the environmental impacts at the very beginning of the project. The CEQA Guidelines explicitly require the consideration of "both the short-term and long-term effects." 14 Cal. Code Regs. § 15126.2(a). In Neighbors for Smart Rail, the California Supreme Court reiterated that an EIR must evaluate both the near term and long term environmental impacts of a proposed project. 57 Cal. 4th at 455. However, the DEIS/DEIR fails to evaluate the long term environmental impacts of the proposed project, because it only analyzes environmental impacts based on anticipated conditions in the year 2030. See, e.g., DEIS/DEIR Appendix 6A at 6A-1, 6A-2. As a result, the DEIS/DEIR fails to consider the longer term environmental impacts in a future with climate change, violating NEPA and CEQA. Climate change is anticipated to significantly increase air temperatures, increase the severity of droughts and frequency of floods, and alter precipitation patterns and amounts. See, e.g., DEIS/DEIR at 25-30 to 25-31. The adverse effects of climate change are expected to be more severe in the coming decades than in the near future. See, e.g., DEIS/DEIR at 25-30. This is anticipated to significantly alter hydrologic conditions and stress aquatic resources. However, despite acknowledging these likely effects, see, e.g., DEIS/DEIR Appendix 25B at 25B-1, 25B- 2, the DEIS/DEIR only examines potential environmental impacts in the year 2030. See, e.g., DEIS/DEIR Appendix 6A at 6A-1, 6A-2. If approved, the Sites Reservoir project is anticipated to be under construction until the year 2030, and would operate for many decades thereafter. Moreover, the analysis of conditions in 2030 does not consider the likely effects of climate change. See DEIS/DEIR at 2-8 to 2-9. However, CALSIM modeling exists that incorporates the effects of climate change in the year 2030 and in the year 2070, and has	Please refer to Master Response 2, *Alternatives Description and Baseline* regarding the adequacy and timing of the completion of the NEPA and CEQA analysis. Please also refer to the analysis in Chapter 28, *Climate Change*.

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			been used for multiple analyses, including the CEQA/NEPA analysis of the California WaterFix project, the sensitivity analysis described in DEIS/DEIR Appendix 25A, and water storage project modeling and analysis for the California Water Commission summarized in DEIS/DEIR Appendix 25B. Appendix 25B's conclusion that incremental changes in stream flows and Delta outflows due to the project "could increase if the updated climate change assumptions were used in the CALSIM II model simulations presented in Appendix 25A" is correct, and highlights the importance of incorporating climate change impacts in the assessment of environmental impacts in the DEIS/DEIR (rather than relegating this analysis to an appendix). For instance, the assumption in Appendix 25A that the greatest adverse impacts would be under current climate conditions is false, particularly when compared to the LLT Q2 scenario results. See DEIS/DEIR Appendix 25A at 25A-1, 25A-4. Similarly, under the climate sensitivity analysis, the DEIS/DEIR predicts that the project would eliminate many of the purported ecosystem benefits, including providing no Delta outflow for Delta smelt habitat improvement or Sacramento River fall flow stabilization under ELT and LLT climate scenarios, and no Sacramento River flows for temperature control under LLT. See DEIS/DEIR Appendix 25A at 25A-19. These results demonstrate that climate change is likely to cause significant changes in the project and to the effects of the project, and that the DEIS/DEIR must be revised to incorporate the projected effects of climate change in the assessment of potential impacts. Appendix 25A inappropriately states that the sensitivity analysis should not be used for detailed evaluation, and provides a recommendation for a multiagency review. See DEIS/DEIR Appendix 25A at 25A-20. The failure to assess potential impacts over the duration of the project, deferring the analysis to a multiagency review at some unspecified date, significantly understates the likely environmental impacts of the proposed project over the longer-term period that it would be in operation and fails to accurately assess environmental impacts under NEPA and CEQA.	
12	14	40000	The DEIS/DEIR acknowledges that it uses an outdated version of	Please refer to Master Response 3, *Hydrology and Hydrologic*

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			the CALSIM model, despite the availability of a more recent model. Using the more recent model would likely address several of the flaws identified in this comment letter, including the failure to include certain regulatory requirements in the environmental baseline and the exclusion of the effects of climate change from the analysis. Moreover, on July 28, 2014, several members of the Sites JPA submitted comments to the State of California regarding the use of the 2010 CALSIM model in DEIS/DEIR for the Bay Delta Conservation Plan, stating that, ["]the errors inherent in the use of the 2010 CalSim II model mean that the BDCP modeling analysis fails to satisfy the demands of CEQA Guidelines section 15151. In that regard, the use of the 2010 CalSim II model is like the use of outdated emissions information in Berkeley Keep Jets Over the Bay. (91 Cal.App.4th at p. 1367.) Consequently, it is improper for the DEIR/EIS to rely on the modeling contained in that document; instead, the modeling must be redone and the DEIR/EIS revised to reflect the correct methodology and results, and recirculated for public review.["] North State Water Alliance (NSWA) comments on the Draft Bay Delta Conservation Plan, EIS/EIR, and Implementing Agreement, July 28, 2014, at 41; see id. at Exhibit A (list of Commenting Parties). The sensitivity analysis conducted comparing the 2010 and 2015 versions of the model in Appendix 6D shows major differences in the model output. Table 6D-1 shows average Delta outflow in Alternative D is 21,507 cfs in the 2010 model and 25,592 cfs in the 2015 model. See DEIS/DEIR Appendix 6D at 6D-6. This difference of over 4,000 cfs in average outflow—a 19% difference—far exceeds the 5 percent threshold for results to be considered "similar" and described as "model noise" in the comparative results within a model version. See DEIS/DEIR at 25-38. The DEIS/DEIR should be revised to use updated CALSIM modeling to ensure that the document accurately assesses environmental impacts.	*Modeling,* which discusses the use of CALSIM II.
12	15	40000	A. Because it uses arbitrary thresholds of significance, the DEIS/DEIR fails to disclose the likely significant adverse impacts of the proposed project on aquatic resources	Please refer to Master Response 5 *Aquatic Biological Resources,* which discusses the thresholds and criteria used in analyses of aquatic biological resources. As noted in Master Response 5, the

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			The DEIS/DEIR fails to accurately assess potential adverse impacts to aquatic resources because it assumes that flow changes of 5 percent or less are similar to existing conditions. See, e.g., DEIS/DEIR at 5-14, 6-13. In other cases the DEIS/DEIR asserts that only flow changes greater than 10 percent constitute "a potentially meaningful difference." DEIS/DEIR at 12-58. However, these 5 percent and 10 percent thresholds of significance are arbitrary, inconsistent with other NEPA/CEQA documents prepared by the Bureau of Reclamation, and not supported by substantial evidence. As a result, the DEIS/DEIR fails to disclose significant adverse effects on aquatic species of the proposed project and alternatives. First, the DEIS/DEIR fails to justify using these thresholds. While the DEIS/DEIR provides some explanation for the 5 percent threshold, the document wholly fails to provide any justification why flow changes must be greater than 10 percent to constitute a meaningful difference. See, e.g., DEIS/DEIR at 12-58. Moreover, the justification for the 5 percent threshold is arbitrary and capricious. The DEIS/DEIR claims to justify the 5 percent threshold because CALSIM modeling uses a monthly time step. Id. However, even if this threshold were justified for flow or water storage results at the daily time step, it does not justify using this threshold for monthly or seasonal CALSIM modeling results, including changes in monthly or seasonal flows or storage levels and resulting analysis of effects on aquatic resources. In addition, because CALSIM modeling is used in a comparative manner, and is used to model conditions under both the environmental baseline and action alternatives, there is no need for the 5 percent (or 10 percent) threshold(s). Importantly, there is no basis to conclude that Sacramento River flow reductions due to diversions to storage under the proposed project are an illusory modeling artifact; instead, reduced flow is an effect of the proposed project in the real world. While the CALSIM model does have significant flaws, failing to disclose changes in flow that are 5 percent or less as a significant impact misleads the public and decisionmakers.	"results of many aquatic biological resource analyses in the RDEIR/SDEIS in Chapter 11, Aquatic Biological Resources, and associated appendices, including water temperature, river flow, habitat WUA, redd dewatering, and juvenile stranding, used threshold values to flag differences between the Project alternatives and the NAA. The flagged differences were typically provided in tables of results for each Project alternative. The most often used threshold value was 5% because for most of the results most differences between the NAA and the Project alternatives are less than 5%. For other results, threshold values of 2% or 10% were used." Chapter 11 also provides the analysis of longfin smelt: "Quantitative methods and supplementary results used in the operational impact analyses of delta smelt and longfin smelt include: the Eurytemora affinis–X2 analysis for smelt prey, the Delta outflow–longfin smelt abundance analysis (based on Nobriga and Rosenfield 2016), the X2–longfin smelt abundance index analysis, and tidal habitat restoration mitigation calculations for longfin smelt. Additional information is located in Appendix 11F, Smelt Analysis."

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			Equally important, reductions in flow that are less than 5 percent can and will have significant adverse effects on aquatic resources. For instance, the modeling shows that Alternative A would reduce the abundance of longfin smelt, a species listed as threatened under CESA, by approximately 2.4 percent. See DEIS/DEIR, Appendix 12G, at Table AQ-12-3c. [Footnote 10: In addition, Table AQ-12-3c of the DEIS/DEIR incorrectly states this is a 0.0% reduction in abundance. The actual reduction is 2.4%, based on comparing the abundance estimates in this table for the No Action Alternative and Alternative A. Similar errors occur on the Tables AQ- 12-5c (reported as 0.0%, actual reduction in abundance is 2.8%), Table AQ-12-7c (reported as 0.0%, actual reduction in abundance is 3.2%), and Table AQ-12-9c (reported as 0.0%, actual reduction in abundance is 3.0%).] Yet CDFW determined that a reduction of longfin smelt abundance greater than 0 percent would be inconsistent with the requirements of CESA, in CDFW's CESA findings for the California WaterFix project. [Footnote 11: See California Department of Fish and Wildlife, Findings of Fact of the California Department of Fish and Wildlife Under the California Endangered Species Act (Fish & G. Code § 2050 et seq.) for the project proposed by the California Department of Water Resources in reliance on and regarding the Construction and Operation of Dual Conveyance Facilities of the State Water Project (California WaterFix) and the Bay Delta Conservation Plan/California WaterFix Final Environmental Impact Report / Environmental Impact Statement, Incidental Take Permit No. 2081-2016-055-03, July 2017, at 327, available online at: https://ftp.waterboards.ca.gov/NRDC TBI DOW/NRDC-20.pdf. This document is incorporated by reference.] By using the 5 percent threshold, the DEIS/DEIR claims that the project and alternatives would have no effect on longfin smelt, even though this same effect would violate CESA because it would further reduce the abundance of longfin smelt, which have experienced record or near-record low population levels under recent conditions. Indeed, any reduction in abundance of longfin smelt would cause the population of longfin smelt to drop further below self-sustaining levels, which	

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			constitutes a mandatory finding of significance under CEQA. See CEQA Guidelines § 15065(a)(1), (c). Second, numerous other CEQA/NEPA documents that use CALSIM modeling do not use a 5 percent or 10 percent thresholds for determining whether changes in flow or storage constitute significant effects. For instance, the CEQA/NEPA documents for the California WaterFix project do not use these thresholds. It is unclear what would distinguish the DEIS/DEIR's use of CALSIM modeling results with these arbitrary thresholds from these other CEQA/NEPA documents that used CALSIM modeling without these arbitrary thresholds. Further, the DEIS/DEIR inappropriately applies the 5 percent threshold of significance to averaged modeling results instead of operational criteria. This leaves exceedances of the 5 percent threshold unidentified in the DEIS/DEIR. For example, Funks to Sites exceedances imply that in January, at times 2,000-3,000 cfs could be diverted out of a total 15,000 cfs in the river, or 15 to 20 percent of the river's flow. This far exceeds the arbitrary 5 percent threshold of significance. The recirculated DEIS/DEIR should not use these 5 percent and 10 percent thresholds of significance. [Footnote 12: However, to the extent that the DEIS/DEIR assumes that flow changes less than 5 percent are not significant, this should be applied to the actual river flows whenever flows are less than unimpaired. For example, a diversion of 5,000 cfs would only be allowed when Delta outflow exceeds 100,000 cfs (<5 percent impact), a 1,000 cfs diversion could be allowed when flows exceed 20,000 cfs, and 500 cfs could be allowed when flows exceed 10,000 cfs, assuming no other thresholds were impacted. The 5 percent limit would almost never apply to July- September diversions, because flow in the Sacramento River during that time typically exceeds 100 percent of unimpaired flow, however October through June diversions usually would have to comply with the limitation.] By using the 5 percent and 10 percent thresholds of significance, the DEIS/DEIR fails to disclose significant adverse	

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			effects on aquatic resources. The DEIS/DEIR must be revised to eliminate the use of these thresholds in determining what constitutes significant adverse effects on aquatic resources as a result of changes in river flows or reservoir storage levels.	
12	16	51610	The DEIS/DEIR fails to accurately assess impacts to salmon because it ignores the effects of reduced Sacramento River flows on salmon survival The DEIS/DEIR fails to accurately assess impacts to migrating salmon because it fails to quantitatively analyze the effect of reduced Sacramento River flows on survival of migrating salmon. Numerous scientific studies have documented that reduced flow in the upper Sacramento River results in reduced survival of salmon. See, e.g., Michel et al 2015; Klimley et al 2017; Notch 2017. The DEIS/DEIR wholly ignores these studies, and fails to use these models and analyses in the DEIS/DEIR to evaluate impacts on salmon from Sites Reservoir diversions that reduce flow in the Sacramento River. See, e.g., DEIS/DEIR, Appendix 12B, at 12B-7 (no analysis of the effects of reduced flows on survival). In recent years NMFS and CDFW have demonstrated that the survival of acoustically tagged salmon is strongly correlated with Sacramento River flows, and that survival of migrating salmon is lower when flows are less than 20,000 cfs, with a more significant reduction in survival when flows are less than 12,000 cfs. As a result, NMFS has recommended minimum base Sacramento River flows during the winter months (4,500 to 8,000 cfs, depending on water year type) and spring months (10,000 cfs to 14,000 cfs, depending on water year type) to protect salmon, as well as additional functional flows during these months. See Exhibit 2. More specifically with respect to potential operations of Sites Reservoir, CDFW has identified potential flow thresholds in the upper Sacramento River necessary to reduce or minimize impacts to migrating salmon, including minimum bypass flows of approximately 12,000 - 15,000 cfs at Wilkins Slough, before diversions to Sites could occur. See Exhibit 1. However, the DEIS/DEIR entirely fails to consider these studies and analyses, and fails to analyze the effects of reduced flows on salmon survival in the upper Sacramento River. While the	Please refer to Master Response 5, *Aquatic Biological Resources* regarding use of best available tools, thresholds and criteria used in analysis, and uncertainty.

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			document makes qualitative statements about the effects of potential increases in flow during low flow conditions, the DEIS/DEIR ignores the effects on salmon from water diversions to Sites reducing flows in the Sacramento River during higher flow conditions. Similarly, studies have shown that reduced flow in the lower Sacramento River results in the reduced survival of migrating salmon. For instance, NMFS' biological opinion for the California WaterFix project demonstrates that in the lower Sacramento River, salmon survival is reduced when flows are less than approximately 35,000 cfs. NMFS 2017; see Perry et al 2017. As with the effect of reduced flow upstream, the DEIS/DEIR wholly fails to analyze the effects of reduced flows on salmon survival in the lower Sacramento River, caused by water diversions to Sites Reservoir. The DEIS/DEIR must be revised to include the likely adverse effects of Sacramento River diversions to Sites Reservoir when flows are less than 22,000 cfs (upper Sacramento River) or less than 35,000 cfs (lower Sacramento River). Reductions in Sacramento River flows below these thresholds have been demonstrated to reduce salmon survival, yet the DEIS/DEIR wholly ignores these adverse impacts, fails to acknowledge that proposed operations likely will cause significant impacts, and fails to consider feasible mitigation measures to address these impacts. To avoid and/or mitigate significant impacts to imperiled salmon, the recirculated DEIS/DEIR should evaluate mitigations measures that provide for minimum flows of 22,000 cfs (upper Sacramento River) and 35,000 cfs (lower Sacramento River) from November to May.	
12	17	51640	The DEIS/DEIR fails to accurately assess impacts to salmon because it ignores increased predation and impingement as a result of the new Sacramento River water diversion facility The DEIS/DEIR improperly concludes that there will be no adverse impacts from increased predation at the new diversion facilities (or from reduced flow) or as a result of impingement on fish screens as a result of the proposed project, as long as the fish screen meets sweeping and approach velocity requirements.	Please refer to Response to Comment 12-1, regarding changes to the Project and revised operations. Please refer to Master Response 5, *Aquatic Biological Resources* regarding use of best available tools and uncertainty.

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			See DEIS/DEIR, Chapter 12, at 12-71. However, the 2017 NMFS biological opinion for the WaterFix Project concludes that even when fish screens are operated to meet sweeping and approach velocity requirements, 3-5 percent of migrating salmon would suffer adverse impacts from injury or mortality on a single fish screen. NMFS 2017 at 588. The biological opinion also estimates that increased predation at the fish screens could result in a range of impacts from 0.3 percent to 5 percent mortality, with the latter estimate based on predation mortality studies at the GCID fish screen. Id. at 593. The DEIS/DEIR must be revised to consider the likely reductions in survival from increased predation and impingement on fish screens for the new Sacramento River intake.	
12	18	51630	The DEIS/DEIR fails to accurately assess impacts to salmon because it inaccurately assesses reduced floodplain inundation and ignores the effects of reduced floodplain inundation on salmon survival The DEIS/DEIR fails to adequately assess the adverse effects of reduced floodplain inundation on salmon. The DEIS/DEIR appropriately acknowledges that salmon that rear on floodplains are larger and are assumed to have improved survival. However, the DEIS/DEIR's analysis of the extent to which proposed operations reduce inundation of floodplains is flawed, and the DEIS/DEIR improperly concludes that these reductions in inundation would be less than significant. The analysis in the DEIS/DEIR appropriately looks at a range of inundation periods, but it only looks at the effects on inundation at flows less than 10,000 cfs, despite acknowledging that floodplain inundation increases rapidly at flows up to 40,000 cfs. See DEIS/DEIR at 12-63. [Footnote 13: The DEIS/DEIR also does not appear to quantitatively analyze potential effects of operations on the frequency and magnitude of Tisdale Weir spills that result in floodplain inundation. In contrast, CDFW recommended specific bypass criteria to ensure that proposed operations would not reduce Tisdale Weir spills up to 5,000 cfs. See Exhibit 1. The DEIS/DEIR should be revised to analyze Tisdale Weir flows and floodplain inundation frequency and extent, as part of its	Please refer to Response to Comment 12-1, regarding changes to the Project and revised operations. Please also refer to Master Response 5, *Aquatic Biological Resources* regarding use of best available tools and uncertainty.

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			analysis of effects on salmon.] Even at the flow levels that are analyzed, the DEIS/DEIR demonstrates that proposed operations will reduce the frequency of Fremont Weir spills; for instance, Table SF-1a shows that Alternative A would reduce Fremont Weir spills of 10,000 cfs that last more than 10 days by more than 10 percent, and would reduce Fremont Weir spills of 10,000 cfs that last more than 20 days by approximately 10 percent. DEIS/DEIR, Appendix 12N, at Table SF-1a. Alternative A also results in reductions in the frequency of Fremont Weir spills at lower flow levels as well. Id. Alternative A also results in a reduction in Sutter Bypass Flows, which would also harm salmon. DEIS/DEIR, Appendix 12N, at Table SF-1e. However, the DEIS/DEIR fails to acknowledge that the reduction in the frequency and magnitude of Fremont Weir spills that inundate floodplain habitat would cause a significant adverse impact on salmon. The DEIS/DEIR should be revised to acknowledge this significant impact and to consider feasible mitigation measures that would ensure that the proposed project and alternatives would not reduce the frequency and magnitude of floodplain inundation as a result of Fremont Weir spills.	
12	19	51650	The proposed mitigation measure in the DEIS/DEIR (Pulse Flows) are inadequate to mitigate impacts on salmon from proposed operations The proposed mitigation measure (pulse flows) are inadequate to mitigate these impacts to a less than significant level. Pulse flows can improve survival of those salmon that migrate during the pulse flow event, assuming the pulse flow is of sufficient duration and magnitude. However, salmon that migrate during non-pulse flow events would suffer reduced survival as a result of flow reductions due to diversions to Sites Reservoir storage. NMFS demonstrated that the first storm event of approximately 15,000-20,000 cfs at Wilkins Slough triggers the migration of approximately 50 percent of the population of winter run Chinook salmon. See Del Rosario 2013. However, the remaining proportion of this endangered salmon run would not be protected by the proposed pulse flows, id.; see also SWRCB 2017, and reduced Sacramento River flow as a result of	Please refer to Master Response 5, *Aquatic Biological Resources* regarding flow impacts and mitigation measures, and use of best available tools.

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			diversions to Sites reservoir would reduce salmon survival as shown above. Equally important, because only those fish expressing the life history trait of migrating on the first storm pulse, this proposed mitigation measure would cause a reduction in life history diversity of salmon, which is one of the critical factors in ensuring viable salmonid populations.	
12	20	51620	The DEIS/DEIR fails to accurately assess impacts to salmon because it uses flawed temperature thresholds and flawed models Finally, the DEIS/DEIR generally relies on outdated, inaccurate models to assess impacts to salmon, and fails to utilize more accurate and updated models, particularly with respect to the adverse effects of water temperature on salmon. For instance, the DEIS/DEIR relies on flawed temperature thresholds and models analyzing potential effects of water temperature on egg and juvenile salmon survival, which have been shown to be highly inaccurate. While the DEIS/DEIR uses Reclamation models to assess temperature impacts on salmon, see DEIS/DEIR at 12B-10, NMFS' 2017 WaterFix Biological Opinion states that the Reclamation Egg Mortality Model "is based on a relationship between temperature and Chinook salmon egg mortality that likely substantially underestimates actual mortality in the field." NMFS 2017 at 450. The biological opinion rejects use of that model to assess potential temperature impacts to winter run Chinook salmon, spring run Chinook salmon, or fall run Chinook salmon, and only uses it to assess potential impacts to late fall run Chinook salmon because results from more accurate models (the Southwest Fishery Science Center's temperature-dependent egg mortality model) were not available. Id.; see NMFS 2017 (Revised Shasta RPA, documenting significant flaws with Reclamation temperature mortality models and showing estimated temperature dependent mortality by year, which is significantly higher than that estimated in the DEIS/DEIR using the Reclamation models). The DEIS/DEIR should be revised to use the Southwest Fishery Science Center's temperature-dependent egg mortality model to assess temperature effects on salmon.	Revised temperature modeling is addressed in Chapter 6, Water Quality and in corresponding chapters: "The HEC5Q water temperature model was used to simulate daily reservoir and riverine temperature effects in Shasta Lake, the Sacramento River, Folsom Lake, and the American River based on the results of the CALSIM II model. The Reclamation Temperature Model was used to simulate monthly temperatures in Lake Oroville and the Feather River. These models (HEC5Q and Reclamation Temperature Model) have been jointly developed by Reclamation and DWR over many years. These models are useful for planning purposes to compare different alternatives. The flow and reservoir storage inputs to these models are monthly values from CALSIM and the Reclamation Temperature Model is a monthly model. The HEC5Q model has a smaller time step. Meteorological inputs for the HEC5Q model are on a 6-hour time step. The 6-hour time step for meteorological conditions helps the model capture the daily and sub-daily variations in water temperature. These models and model results are described in detail in Appendix 6C, River Temperature Modeling Results. Water temperature in the proposed Sites Reservoir was modeled using CE-QUAL-W2. Model flow and storage inputs came from the Upper Sacramento River Daily Operations Model (USRDOM). Some flexibility in reservoir release temperatures is provided by selective use of the multiple tiers in the I/O tower (centerlines at 340, 370, 390-, 410-, 430-, and 450-feet elevation, with an additional outlet at 470 feet for Alternatives 1 and 3) and at the low-level intake with centerline at 311 feet. The selection of release ports for water temperature modeling followed the protocols described in the Reservoir Management Plan (RMP) (Appendix 2D, Section 2D.3, Reservoir Management Plan), with tier selection based on meeting a reservoir release temperature objective of 65°F during the rice growing season. A description of the Sites Reservoir temperature

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				modeling and its results are provided in Appendix 6D, Sites Reservoir Discharge Temperature Modeling."
12	21	51600	The DEIS/DEIR relies on flawed temperature thresholds to assess impacts to salmon. Compare DEIS/DEIR, Appendix 12D, at 12D-5 (using 56, 58, 60 and 62 degree temperature thresholds for impacts on salmon spawning and egg incubation) with NMFS 2017 (Revised Shasta RPA, using Martin et al 2017 temperature threshold of 53.7 degrees). The DEIS/DEIR must be revised to use accurate temperature thresholds and models in order to accurately assess potential impacts to salmon.	Please refer to Master Response 5, *Aquatic Biological Resources* regarding thresholds and criteria used in analysis.
12	22	31200	The DEIS/DEIR must be revised to consider feasible mitigation measures to address the significant adverse impacts from proposed operations Taken together, proposed operations analyzed in the DEIS/DEIR will have significant, adverse effects on fall run Chinook salmon, spring run Chinook salmon, winter run Chinook salmon, and other salmonids. The proposed operations will reduce Sacramento River flows in ways that will reduce survival of salmon, will reduce inundation of floodplains that will harm salmon, and will increase predation and impingement mortality that harms salmon. Even if each of these effects individually only reduces survival by a few percentage points, cumulatively they result in a significant reduction in survival, which could be fatal for several salmon runs that are at high risk of extinction. The DEIS/DEIR must consider alternative operational scenarios that include the base flows and bypass flows recommended by CDFW and NMFS, including minimum bypass flows of 14,000 cfs at Wilkins Slough during the months of November to May. Because proposed operations would reduce survival of salmon, causing a significant adverse impact to species listed under CESA, the DEIS/DEIR must consider feasible mitigation measures, including these minimum bypass flows.	Please refer to Master Response 5, *Aquatic Biological Resources* regarding special-status fish species and CEQA and NEPA requirements, and flow impacts and mitigation measures.
12	23	51650	The DEIS/DEIR fails to accurately assess environmental impacts to longfin smelt The DEIS/DEIR improperly concludes that proposed operations will not cause a significant adverse effect to longfin smelt because it assumes that changes less than 5 percent are not	Please refer to Master Response 5, *Aquatic Biological Resources* regarding longfin smelt impact analysis and mitigation.

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			significant. However, as discussed above, this arbitrary threshold results in the DEIS/DEIR failing to identify an impact that constitutes a mandatory finding of significance under CEQA, because the modeling used in the DEIS/DEIR demonstrates that proposed operations will reduce the abundance of this CESA-listed species below self-sustaining levels.	
12	24	51600	The analysis of impacts to longfin smelt in the DEIS/DEIR is flawed because: (1) it fails to consider existing life cycle models that more accurately assess impacts, and which consider the effects of prior stock abundance in assessing the effects of flow; and (2) it fails to consider the effects of reduced outflow on meeting flow thresholds necessary to achieve a 50 percent chance of positive population growth. The DEIS/DEIR also fails to consider feasible mitigation measures that would avoid or reduce these significant impacts. First, reliance on the Kimmerer 2009 equation to analyze impacts to longfin smelt from reduced flow underestimates adverse impacts to longfin smelt from reduced Delta outflow during the winter and spring months. Because it does not consider the effects of prior stock abundance, the Kimmerer et al. (2009) regression relationships will show that years with the same winter-spring X2 produce the same estimate of longfin smelt abundance, regardless of the abundance in previous years. However, more recent published scientific studies demonstrate that prior stock abundance has a significant effect on abundance in subsequent years (stock-recruit effect). See Nobriga and Rosenfield 2016. Because longfin smelt population size in any given year is affected by both Delta outflow and abundance of the previous generation, the sequence of annual winter-spring Delta outflow conditions has a large impact on population abundance – for example, several dry years in a row can produce abundance declines that cannot be reversed by occasional wet years. The Kimmerer 2009 regression therefore leads to overestimation of longfin smelt abundance when wet years follow dry years and underestimates environmental impacts of the alternatives on longfin smelt. As a result, the DEIS/DEIR significantly underestimates the adverse effects on abundance	Please refer to Master Response 5, *Aquatic Biological Resources* regarding longfin smelt impact analysis and mitigation.

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			from reduced Delta outflow caused by proposed operations. Given that longfin smelt abundance has already declined by 99 percent over the past several decades, further declines in the abundance of the species would cause a mandatory finding of significance and are inconsistent with the requirements of CESA. As a result, CDFW recently concluded that WaterFix must not result in any reduction in abundance of this species, and prohibited that project from reducing Delta outflow during the months of March to May, unless Delta outflows exceeds 44,500 cfs. See supra note 11. [Footnote 14: Unfortunately, CDFW's CESA findings demonstrate that WaterFix will reduce the abundance of longfin smelt, in large part because WaterFix will reduce Delta outflow during the winter months. Separately, CDFW has submitted written comments to the SWRCB confirming that Delta outflow during the January to June period is the appropriate time period to analyze impacts to longfin smelt and to ensure adequate Delta outflows to protect the species.] CDFW recommended a similar mitigation measure for Sites Reservoir operation. See Exhibit 1. Similarly, the SWRCB's final scientific basis report for the Phase 2 update of the Bay-Delta Water Quality Control Plan concluded that average Delta outflow of 42,800 cfs during the January to June time period is necessary to achieve a 50 percent chance of positive population growth, and determined that such flows would be protective of longfin smelt. SWRCB 2017 at 3-56, 3-60. The DEIS/DEIR should be revised to analyze whether proposed operations would reduce the frequency of achieving this flow threshold.	
12	25	51600	Because the proposed operations would result in significant adverse impacts on longfin smelt, the DEIS/DEIR must consider feasible mitigation measures. The DEIS/DEIR should be revised to consider a mitigation measure that would only allow diversions to storage when Delta outflows are in excess of 42,800 cfs during the months of January, February and June, and in excess of 44,500 cfs during the March through May time period. This proposed mitigation measure would also provide significant benefits to other species, including salmon and	Please refer to Master Response 5, *Aquatic Biological Resources* regarding longfin smelt impact analysis and mitigation.

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			sturgeon, whose survival and abundance is dependent on Sacramento River flows and/or Delta outflows.	
12	26	51600	The DEIS/DEIR fails to accurately assess environmental impacts to Delta smelt The DEIS/DEIR fails to accurately assess potential impacts of operations on Delta smelt because it fails to consider the effects of reduced Delta outflow during the winter and spring months on the survival and abundance of Delta smelt. The DEIS/DEIR appropriately acknowledges that increases in outflow during the summer and fall months benefit Delta Smelt [Footnote 15: However, while the DEIS/DEIR claims that shifting X2 0.5 or 1 km east during the winter or spring would not have an effect on longfin smelt, due to the arbitrary 5 percent and 10 percent thresholds, the DEIS/DEIR concludes that shifts in X2 of 0.5 or 1 km west could have a beneficial effect on Delta Smelt], as recent scientific information from CDFW, FWS, and the Interagency Ecological Program have shown. However, the DEIS/DEIR does not analyze how reductions in Delta outflow during the spring, summer or fall, as a result of proposed operations, would reduce the survival and abundance of Delta Smelt, despite recent scientific information from FWS and other agencies documenting this effect. [Footnote 16: See, e.g., Interagency Ecological Program, Management, Analysis, and Synthesis Team: An Updated Conceptual Model of Delta Smelt Biology 2015, available online at: http://www.water.ca.gov/iep/docs/Delta_Smelt_MAST_Synthesis_Report_January%202015.pdf; email from Leo Polansky to Doug Obegi dated September 29, 2017, available online at: https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/docs/NRDC_TBI_DOW/NRDC-37.pdf. These documents are incorporated by reference.] The DEIS/DEIR should be revised to consider these studies and evaluate whether the proposed operations would reduce spring Delta outflow, thereby harming delta smelt.	Please refer to Master Response 5, *Aquatic Biological Resources* regarding delta smelt impact analysis and mitigation.
12	27	51800	The DEIS/DEIR Fails to Accurately Assess Environmental Impacts to Terrestrial Biological Resources	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources* regarding CEQA and NEPA mitigation requirements and

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			The DEIS/DEIR inappropriately defers formulation of mitigation measures and fails to adequately describe mitigation for potentially significant impacts to terrestrial species The DEIS/DEIR makes clear that proposed project is likely to have significant, negative impacts on a substantial number of terrestrial species, including golden eagles, bald eagles, Western pond turtles, and giant garter snakes, among many others. Because the impacts to these species are potentially significant, the EIS/EIR must describe feasible mitigation measures that could minimize the significant adverse impacts. CEQA Guidelines § 15126.4(a)(1). Generally, the formulation of mitigation measures may not be deferred until a later time. Id. § 15126.4(a)(1)(B). If an agency chooses to defer formulation of specific measures in a CEQA document, it must "commit itself to specific performance criteria for evaluating the efficacy of the measures implemented." POET, LLC v. California Air Res. Bd., 217 Cal. App. 4th 1214, 737-38 (2013). As explained further below, the DEIS/DEIR fails to meet these standards because it provides vague descriptions of mitigation measures with a promise of future formulation, but fails to include any performance criteria for the ultimate evaluation of those measures. The general mitigation measure ("Mitigation Measure Wild-1b") suffers from precisely this flaw. Instead of providing a specific mitigation plan, it merely promises future consultation with specific state and federal agencies, and indicates that compensation ratios will follow "appropriate protocols": For unavoidable Project footprint impacts, suitable habitat shall be identified in coordination and consultation with USFWS, CDFW, and the USACE and appropriate actions/agreements developed ranging from on-site restoration, enhancement, acquisition of conservation easements, land purchases, or mitigation bank credit acquisition. Compensation of such habitat lands shall occur per all appropriate protocols (including replacement ratios) for each such species. DEIS/DEIR at 14-128 to 129. This vague promise of future formulation is insufficient to provide the public with any reasonable assurance that the proposed project's significant	the adequacy and suitability of the mitigation measures and mitigation ratios.

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			wildlife impacts will be properly mitigated because it lacks specific performance criteria or other measures that could be used to evaluate the mitigation measures' efficacy. While the DEIS/DEIR proposes additional mitigation measures for some species, several animals, like the western pond turtle, are entirely dependent on Mitigation Measure Wild-1b. See DEIS/DEIR at 14-138 (describing avoidance measures and stating "[l]oss of western pond turtle habitat would be compensated for with through the implementation of Mitigation Measure Wild-1b identified above"); see also, e.g., DEIS/DEIR at 14-138 (mitigation for western yellow-billed cuckoo provided exclusively under Mitigation Measure Wild-1b); DEIS/DEIR at 14-137 (mitigation for loss of grassland habitat for western burrowing owls provided exclusively under Mitigation Measure Wild-1b). Further, while USFWS and CDFW may have clearly-defined mitigation protocols for some species, we do not believe such protocols exist for all species that the project will impact. If agencies have multiple, potentially conflicting guidelines, it is unclear which protocols they would follow. Because Mitigation Measure Wild-1b defers formulation of specific mitigation measures for admittedly significant impacts and lacks meaningful performance criteria, it is unlawful and must be substantially modified in the revised and recirculated DEIS/DEIR. Several of the species-specific mitigation measures also unlawfully defer formulation of mitigation measures, creating concern that the project's significant wildlife impacts will not be adequately mitigated. For example, for giant garter snakes, the DEIS/DEIR states that "[p]ermanent loss of GGS habitat will be compensated at a ratio and at a manner agreed upon in consultation with the USFWS. Compensation may include preservation and enhancement of existing populations, restoration or creation of suitable habitat, or purchase of credits at a regulatory agency approved mitigation bank in a sufficient quantity to compensate for the effect." DEIS/DEIR at 14-134. The mitigation measure fails to define what "a sufficient quantity to compensate" for the impacts means, and does not provide any performance standards. Further, formulating mitigation based	

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			on consultation with only USFWS is inadequate because giant garter snakes are also listed under CESA, and the state law includes a more stringent standard—i.e., minimize and fully mitigate—than the federal ESA. The DEIS/DEIR similarly defers mitigation for golden eagle habitat loss, fails to provide any performance standards, and fails to include a requirement for consultation with CDFW. DEIS/DEIR at 14-135 ("The specific methods for mitigating the loss of the annual grassland habitat shall be determined in consultation with USFWS."). This is legally inadequate and must be remedied in the revised DEIS/DEIR. Similar problems exist for other species-specific mitigation measures. See, e.g., DEIS/DEIR at 14-137 (burrowing owl mitigation "will include the creation of artificial burrows in adjacent suitable habitat as determined appropriate by a qualified biologist in consultation and coordination with CDFW and USFWS"). The DEIS/DEIR also inappropriately defers formulation of mitigation for impacts to giant garter snakes caused by modifications to the GCID main canal. The giant garter snake mitigation measure—Mitigation Measure Wild-2d—states that "[c]onstruction activity within giant garter snake habitat shall be conducted between May 1 and October 1. If work outside of this time period is necessary, USFWS's Sacramento Fish and Wildlife Office shall be contacted to determine if additional protection measures are necessary." DEIS/DEIR at 14-133. Conducting work between May 1 and October 1 is important because giant garter snakes are active during that period, and therefore more likely to move away from construction equipment. However, the DEIS/DEIR states that "[t]he GCID Main Canal is typically out of service each year between early January 7 and late February for maintenance. Construction activities would be scheduled during this maintenance period whenever possible." DEIS/DEIR at 3-64. The project description thus indicates that, in contrast to the time period specified in Mitigation Measure Wild-2d, modifications to the GCID main canal would occur during the giant garter snake's inactive season. This is particularly problematic because the proposed modifications include lining	

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			the earthen canal, and the earthen canal is likely to include burrows used by giant garter snakes during their winter inactive period. All modifications to the GCID canal should occur during the time period prescribed in the giant garter snake mitigation measure—between May 1 and October 1. If that is not possible, it is not appropriate to defer formulation of mitigation measures related to construction during the inactive season because construction during that time is foreseeable based on the project description. Rather, Mitigation Measure Wild-2d should be modified to specify avoidance, minimization, and mitigation measures appropriate for significant impacts to giant garter snakes caused by construction during the snakes' inactive period. Proposed mitigation measures for temporary impacts to giant garter snake habitat are also inadequate. According to the DEIS/DEIR, giant garter snakes are known to use rice fields within the construction disturbance area, and construction of the Delevan Pipeline will cause temporary impacts to 1,358.9 acres of rice habitat. DEIS/DEIR at 14-96, 14-99. The DEIS/DEIR acknowledges that "[f]allowing of rice fields would not only temporarily remove giant garter snake habitat, but could also have adverse effects on the reproduction, recruitment, and survival of the species that could continue beyond the 2-year construction schedule." DEIS/DEIR at 14- 99. The document concludes that loss of fresh emergent wetland habitat along with "the extensive temporary loss of rice habitat" will have a potentially significant impact on giant garter snakes. DEIS/DEIR at 14-99. In spite of these admittedly significant impacts, the DEIS/DEIR fails to include adequate mitigation measures. First, the document relies on inappropriate mitigation guidelines. It states that "[p]rotective actions and mitigation measures shall comply with the USFWS's Programmatic Biological Opinion (USFWS, 1997), or USFWS mitigation guidelines current at the time of the surveys." DEIS/DEIR at 14-132. However, the referenced biological opinion states that it is intended to be used for projects "with relatively small effects on the giant garter snake	

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			and its habitat," including "permanent impacts of less than 3.00 acres (1.21 hectares) and temporary impacts of less than 20.00 acres (8.09 hectares) of giant garter snake habitat." [Footnote 17: U.S. Fish and Wildlife Service, 1997 Programmatic Formal Consultation for U.S. Army Corps of Engineers 404 Permitted Projects with Relatively Small Effects on the Giant Garter Snake within Butte, Colusa, Glenn, Fresno, Merced, Sacramento, San Joaquin, Solano, Stanislaus, Sutter, and Yolo Counties, at p. 1, available at http://www.water.ca.gov/fishpassage/docs/butte/butte_app_K.pdf.] Here, in contrast, construction of the Delevan Pipeline is expected to cause temporary impacts to more than 1,358 acres of giant garter snake habitat and permanent impacts to additional habitat acreage. Reliance the 1997 Programmatic Biological Opinion is clearly improper, and the DEIS/DEIR's reference to other "USFWS mitigation guidelines current at the time of the surveys" does not cure the problem because it fails to allow for any assessment of the appropriateness of whatever mitigation guidelines may be used in the future. Further, because giant garter snakes are listed under both CESA and the federal ESA, an exclusive focus on USFWS mitigation guidelines is inappropriate and CDFW should also play a role in formulating appropriate mitigation. Second, the DEIS/DEIR does not clearly indicate how temporary loss of rice habitat will be compensated. [Footnote 18: Though this discussion focuses on mitigation for impacts to giant garter snakes, the DEIS/DEIR indicates that up to 196 species may be found within rice habitat in the Extended Study Area. DEIS/DEIR at 14-3. Many of these species will be impacted by fallowing and construction associated with the Delevan Pipeline, and significant impacts to all of these species must be mitigated.] In light of the extent of temporary habitat loss (more than 1,358 acres), the substantial duration of the loss (at least two years), and the seriousness of the impacts (adverse effects on reproduction, recruitment, and survival), the temporary impacts must be fully mitigated. However, Mitigation Measure Wild-2d only explicitly discusses compensation with respect to	

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			permanent impacts. See DEIS/DEIR at 14-133 ("Permanent loss of GGS habitat will be compensated at a ratio and at a manner agreed upon in consultation with the USFWS."). The DEIS/DEIR's one statement regarding compensation for lost rice habitat is inadequate and confusing. It states that "[m]itigation for rice habitat would already be partially compensated for by implementation of the mitigation measures for loss of wildlife habitat types described above." DEIS/DEIR at 14-133. To the extent this statement means that loss of rice habitat will be compensated for by implementation of the avoidance and minimization measures discussed in the bullet points that precede the statement, it is incorrect because those measures do not include any compensation for the lost habitat. To the extent it means that loss off rice habitat will be compensated by mitigation already being provided for the loss of other habitat types, the statement improperly suggests that mitigation acres will be double counted. The final EIS/EIR must clearly explain how impacts to giant garter snakes from a two-year loss of rice habitat will be fully mitigated, including appropriate compensation. [Footnote 19: As a point of reference, the inappropriately relied upon 1997 Programmatic Biological Opinion indicates that temporary impacts to giant garter snake habitat lasting two seasons should be compensated by restoration plus 1:1 replacement. For temporary impacts lasting more than two seasons, compensation must be restoration plus 2:1 replacement. See http://www.water.ca.gov/fishpassage/docs/butte/butte_app_K.pdf at p. 7.	
12	28	51800	The DEIS/DEIR's reliance on old information renders its assessment of impacts to terrestrial species unreliable Field surveys are critical for understanding the presence and distribution of wildlife within the project area, and for determining whether the proposed project is likely to impact terrestrial species. Yet the DEIS/DEIR relies upon extremely dated survey information. The document explains that "[i]nitial field surveys were conducted within the Primary Study Area from 1998 to 2004 at all Project facility locations, then again in 2010	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources* regarding baseline conditions, special-status species surveys, and habitat modeling, and wetland and non-wetland water survey data.

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			to 2011 at newly proposed Project facility locations." DEIS/DEIR at 14-16. This means that for the inundation area and other large swaths of land, field surveys that the impacts analysis relies upon are between 14 and 20 years old. Particularly in light of climate change, there is a substantial risk that the information regarding species' presence and distribution derived from the survey data is no longer accurate. [Footnote 20: Field survey information regarding the presence of wetlands and other waters within the Primary Study Area is similarly outdated. According to the DEIS/DEIR, wetlands and other waters within the inundation area were surveyed during 1998 and 1999. DEIS/DEIR at 15-5. Because of changing hydrology and land use, there is a substantial risk that this old survey data no longer provides accurate information regarding the distribution of wetlands and other waters within the project area.] The DEIS/DEIR's discussion of bald eagles illustrates the problem. According to the document, "[d]uring initial field surveys, no nests, adult pairs, or nesting behavior were observed at any Project facility location. However, during subsequent visit to the Primary Study Area a nesting pair of bald eagles was observed at the proposed Golden Gate Dam site." DEIS/DEIR at 14-26. While the species was absent during the initial surveys, it was later found to be present within the project area. As this example suggests, the old survey data is not reliable. Particularly for smaller, more elusive species like California red-legged frogs, California tiger salamanders, giant garter snakes, vernal pool fairy shrimp, vernal pool tadpole shrimp, and ringtails, reliance on decades old survey data likely creates an unrealistic picture of their presence and distribution, and an inaccurate assessment of the project's impacts. [Footnote 21: In addition to relying on old field survey data, the DEIS/DEIR makes unsubstantiated assertions about the quality of some habitat types within the Primary Study Area. For example, with respect to habitat for conservancy fairy shrimp, vernal pool tadpole shrimp, and vernal pool fairy shrimp, the DEIS/DEIR states that "[t]he quality of potential habitat found within the proposed reservoir footprint is marginal. Many of the pools do not remain ponded for entire	

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			seasons, and some potential habitats do not pond at all." DEIS/EIR at 14-24. The revised and recirculated DEIS/DEIR should include source information for this and similar assertions, and to the extent the conclusions regarding habitat quality are based on old field survey information, the lead agencies should conduct additional follow-up field studies.] The DEIS/DEIR recognizes that the survey data may not accurately represent species presence and distribution, but fails to remedy the problem. According to the document, "[i]t is recognized that [t]he distribution of special-status species or important habitat features (e.g., nest sites) may change during the period prior to construction, which could influence the location and extent of mitigation. Accordingly prior to construction, additional special-status species surveys will be conducted as necessary in consultation with USFWS and CDFW." DEIS/DEIR at 14-17; see also Mitigation Measure Wild-1a (requiring preconstruction surveys). While it is helpful that the DEIS/DEIR recognizes the need to update information regarding species presence and distribution prior to construction, deferring additional survey work until after the EIS/EIR is finalized significantly undermines the accuracy and informational value of the environmental document, and makes it difficult for the public to assess and compare the environmental impacts of the proposed alternatives. Accordingly, to ensure the EIS/EIR's analysis of impacts to terrestrial species is accurate and meaningful, we recommend that the lead agencies conduct additional field surveys and make the information from the additional field surveys available in the revised and recirculated DEIS/DEIR. Additional field surveys are particularly important for species like California redlegged frogs and California tiger salamanders, which have potentially suitable habitat within the Primary Study Area, but which were not found during the initial field surveys. Without additional field surveys for these and other species, conclusions regarding the absence of significant impacts are unsubstantiated and unreliable.	
12	29	51000	The DEIS/DEIR's assessment of impacts to wildlife refuges is inadequate	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources* regarding adequacy of mitigation.

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			Wildlife refuges in the Central Valley provide some of the region's last-remaining wetland habitats, and are essential for the health of Pacific Flyway birds, ESA-listed species like giant garter snakes, and many other creatures. We are concerned about several flaws in the DEIS/DEIR's analysis of impacts to Central Valley refuges. The DEIS/DEIR states that "[t]he project would replace at least some volume of Level 4 water supplies with a more reliable water supply than interim water transfers, but would not change the volume of water delivered to the refuges under either Level 2 or Level 4." DEIS/DEIR at 14-52. However, the Water Storage Investment Project ("WSIP") application for the Sites Reservoir project indicates that the project will provide 19,000 acre feet of Level 4 refuge water in drier years, and 33,000 acre feet of Level 4 refuge water in average years. [Footnote 22: See Sites WSIP Application Executive Summary at p. 4, available at https://cms.capitoltechsolutions.com/ClientData/SitesProject/Uploads/SitesExecutiveSummary_Final_August2017.pdf.] This is a major inconsistency that raises questions about both the accuracy of the water supply related information in the DEIS/DEIR, and the project's ability to provide the Level 4 water supplies proposed in the project's WSIP application.	
12	30	51800	The DEIS/DEIR fails to adequately assess the risks to wildlife from siting overhead power lines along the northern edge of Delevan National Wildlife Refuge ("Delevan NWR"). For its assessment of Alternative A, which proposes to site the power lines adjacent to Delevan NWR, the DEIS/DEIR merely states that "[t]he eastern end of the Sites/Delevan Overhead Power Line would be located adjacent to the Delevan NWR, and could, therefore, disrupt a migratory corridor by causing collisions." DEIS/DEIR at 14-103. This cursory analysis fails to answer many critical questions. For example, how many birds utilize Delevan NWR each year and how many could be impacted by the proposed power lines? What species are likely to be impacted? Are collisions likely to cause mortality? Are there particular risks for birds traveling between Delevan NWR and Sacramento NWR,	Please refer to Response to Comment 12-1, above.

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			and how frequent is such travel? Are there risks to birds that make daily trips between Delevan NWR and other wildlife refuges in the Sacramento Valley and nearby rice fields? Without answers to these and other questions, it is impossible for the public to understand the impacts that Alternative A could have to migratory and resident birds that utilize Delevan NWR and other nearby refuges. This shortcoming is particularly problematic because other alternatives propose different configurations for overhead power lines that could reduce the likelihood of bird strikes, but without an adequate assessment of the potential impacts from Alternative A, the public and decision makers will be unable to assess the comparative benefits of the other proposed alternatives. We believe an adequate assessment of potential impacts to birds from the Sites/Delevan Overhead Power Line will reveal that siting the power lines away from Delevan NWR and along existing power line corridors, as appears to be proposed in Alternative D, will substantially reduce wildlife impacts, and we urge the lead agencies to include such an assessment in the revised DEIS/DEIR.	
12	31	51800	The DEIS/DEIR contains almost no information regarding the possibility of construction-related impacts to wildlife that reside within and migrate to and from Delevan NWR. This omission is surprising and problematic given that construction of the Delevan Pipeline is expected to take two years and will occur along the entire northern edge of the refuge. The DEIS/DEIR acknowledges, for example, that there is suitable nesting habitat for tricolored blackbirds within Delevan NWR along the proposed Delevan Pipeline route, but fails to discuss the impacts that noise and other aspects of pipeline construction could have on tricolored blackbirds within the refuge. See DEIS/DEIR at 14-28 and 14-95 to 100. The revised DEIS/DEIR should provide substantially more information regarding potential impacts to Delevan NWR from construction of the Delevan Pipeline, the Sites/Delevan Overhead Power Line, and associated project facilities. Among other information, the expended discussion should address potential impacts to the area in the northern part of Delevan NWR that serves as a sanctuary from hunting. It	Please refer to Response to Comment 12-1, above. The Delevan Pipeline is no longer part of the Project.

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			should also address how construction will be timed to minimize disturbance at the refuge, particularly with respect to the hunting season when sanctuary areas in the northern part of the refuge are critical for Pacific Flyway birds.	
12	32	51900	The DEIS/DEIR fails to discuss potential impacts to private lands surrounding Sacramento Valley wildlife refuges that are enrolled in USFWS and NRCS easement programs. According to the final recovery plan for the giant garter snake, "about 2,226 hectares (5,500 acres) of private lands are enrolled in our wetland easement program in the area north and south of Delevan NWR." [Footnote 23: FWS Recovery Plan for the Giant Garter Snake (2017) at II-5, available at https://ecos.fws.gov/docs/recovery_plan/20170928_Signed%20Final_GGS_Recovery_Plan.pdf.] Several important NRCS wetland easements also exist within the project area. Impacts to these lands could cause significant impacts to sensitive wildlife, and must be disclosed and analyzed in the revised and recirculated DEIS/DEIR. Among other things, the final EIS/EIR must identify wetland easements in the Primary Study Area, describe any construction-related impacts to those properties, and analyze potential impacts to birds that must cross new power lines to move to and from refuges and easement properties.	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources* regarding special-status species surveys.
12	33	51000	The list of wildlife refuges on page 15-2 of the DEIS/DEIR is incomplete. Among other omissions, the list fails to include Sutter NWR and Colusa NWR, both of which are located near the proposed new reservoir in the Sacramento Valley. Including a meaningful discussion of potential water supply impacts to Sutter NWR is particularly important because this Sacramento Valley refuge continues to struggle from inadequate water supplies, particularly during dry years.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements and General Comments,* which addresses comments providing background information.
12	34	51800	The DEIS/DEIR's analysis of impacts to giant garter snakes is inadequate On September 28, 2017, USFWS finalized a recovery plan for the threatened giant garter snake. The DEIS/DEIR includes information from the 1999 draft recovery plan and must be updated to reflect information included in the final recovery plan. See DEIS/DEIR at 14-13. Importantly, the Primary Study	Please refer to Response to Comment 12-1, above. Chapter 10, *Wildlife Resources* references 2015 and 2017 updated recovery plans for giant garter snake

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			Area lies within the Colusa Basin Recovery Unit, and the recovery plan describes specific recovery criteria for that unit. See Final GGS Recovery Plan at II-15 to 16. The revised DEIS/DEIR should describe how the proposed project could impede recovery efforts, and also explain how mitigation for giant garter snake impacts will advance the goals that the final recovery plan establishes.	
12	35	51800	There are several additional problems with the DEIS/DEIR's analysis of impacts to giant garter snakes that need to be remedied. First, the DEIS/DEIR indicates that the proposed modifications to the GCID Main Canal Facilities would temporarily disturb 3.1 acres within the existing canal. DEIS/DEIR at 14-91. However, the proposed modification includes lining 200 feet of earthen canal that currently provides habitat for giant garter snakes, which will permanently eliminate burrows and other habitat that is suitable for use during the snake's dormant period. Accordingly, this impact must be considered permanent and must be mitigated accordingly.	Please refer to Chapter 10, *Wildlife Resources*; see Mitigation Measure WILD-1.21. Please also refer to Master Response 6, *Vegetation, Wetland, and Wildlife resources* regarding adequacy of mitigation.
12	36	51800	Second, there appear to be impacts to giant garter snake habitat that are not accounted for in Chapter 14. In particular, Chapter 15 describes the possibility of significant impacts to agricultural ditches and canals: ["}A total of approximately 42 acres (24 miles) of waters could be permanently lost or adversely affected through construction of the buried pipelines and other activities associated with construction of the Delevan and TRR pipelines, TRR Pipeline Road, and Delevan Pipeline Electrical Switchyard. All affected waters consist of agricultural ditches and canals between 3 and 30 feet in width. If the water was not redirected back into the farmers' irrigation systems so that the water would still be available for surrounding fields, temporary or permanent disruption of most of these canal waters by the pipelines would represent a hydrological interruption and would be a potentially significant impact . . . .["] DEIS/DEIR at 15-36 to 37. To the extent these agricultural ditches and canal are associated with rice fields, they are likely to provide habitat for giant garter snakes, and we were unable to	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources* regarding the adequacy of the description of baseline conditions for vegetation, wetlands, and wildlife; survey data; and adequacy of species habitat modeling.

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			identify a discussion of these potential impacts in Chapter 14. If these impacts are already addressed within Chapter 14, we request that you identify the relevant discussion. If the impacts are not discussed in Chapter 14, we request that you address these potentially significant impacts to giant garter snakes in Chapter 14, including a discussion of appropriate mitigation.	
12	37	51800	Third, the DEIS/DEIR fails to discuss potentially significant impacts to giant garter snakes from possible construction of a temporary bypass channel for the GCID main canal. As a part of the project description, the DEIS/DEIR explains that: [“]If construction activities are required outside of the maintenance period, a temporary bypass channel would be built around the constructions site to allow diversion water to flow past and maintain regular canal operation. The temporary bypass channel would be constructed within the existing GCID right-of-way using a combination of excavation, earth embankment, and sheetpile walls to isolate the construction site from the canal. After completion of construction, the temporary bypass would be filled in, earthen embankments and sheetpile walls would be removed, and the area would be restored to preconstruction conditions.[”] DEIS/DEIR at 3-64. As discussed above, it is likely that construction on the GCID main canal will have to occur outside of the winter maintenance period because of increased likelihood of giant garter snake impacts during this time. It therefore seems likely that the briefly referenced temporary bypass channel may be constructed, and the channel’s potentially significant impacts to giant garter snakes and other species must be identified and fully mitigated.	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources* regarding the adequacy of the description of baseline conditions for vegetation, wetlands, and wildlife; survey data; and adequacy of species habitat modeling.
12	38	51800	The DEIS/DEIR inappropriately concludes that there will be no impacts to special status species from construction of the proposed Terminal Regulating Reservoir (“TRR”) and related facilities. The document explains that construction of the TRR and associated facilities would result in permanent loss of 120.9 acres of rice habitat and temporary disturbance of 13.6 acres of rice habitat. DEIS/DEIR at 14-93. Yet it concludes that there will not be significant impacts to special status wildlife because “[n]o	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources* regarding the adequacy of the description of baseline conditions for vegetation, wetlands, and wildlife; survey data; and adequacy of species habitat modeling.

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			special status species were observed within the vicinity of the proposed construction footprint of the TRR or associated facilities." DEIS/DEIR at 14-94. Giant garter snakes, however, are known to inhabit rice fields throughout the project area, and the lack of observation of this elusive species does not indicate its absence. The DEIS/DEIR must discuss impacts to giant garter snakes from the permanent loss and temporary disturbance of rice habitat within in the footprint of the TRR and related facilities, and must propose appropriate mitigation for this significant impact.	
12	39	40000	Finally, Chapter 35 of the DEIS/DEIR fails to adequately analyze cumulative impacts because it fails to consider the cumulative reductions in Sacramento River flows and Delta outflows that would result from the proposed project, California WaterFix, and several other water storage and diversion projects that the Bureau of Reclamation is currently evaluating. It completely ignores the fact that the Bureau of Reclamation has finalized NEPA analysis, including CALSIM modeling, for the California WaterFix project and Shasta Lake Water Resources Investigation, and has prepared draft NEPA analysis including CALSIM modeling for other proposed water storage projects. The failure to quantitatively consider the cumulative effect of these projects, using the existing CALSIM modeling, is inappropriate and violates NEPA and CEQA. These projects cumulatively would significantly reduce flows in the Sacramento River and significantly reduce Delta outflow, harming longfin smelt, Delta smelt, spring run Chinook salmon, winter run Chinook salmon, fall run Chinook salmon, and other species. Moreover, MBK engineers has prepared CALSIM modeling of a suite of water storage projects and the California WaterFix project, which also shows these projects have the potential to significantly reduce Delta outflow and significantly reduce Sacramento river flows. [Footnote 24: This study is available online at: https://www.acwa.com/wp-content/uploads/2017/06/2017- 06-05-ACWA-Integrated-Storage-Final-Report.pdf and is incorporated by reference. Figure 6 estimates that these projects would reduce Sacramento River flows by 0.9 million acre feet per	Please see Response to Comment 12-1, above and Chapter 31, *Cumulative Impacts* for the analysis of cumulative effects, consistent with CEQA.

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			year on average, including reduced flows in dry (0.5 MAF) and critical years (0.1 MAF).] However, the DEIS/DEIR ignores all of this modeling and instead assumes that certain other planning processes will result in increased flows that offset or mitigate these impacts. See DEIS/DEIR at 35-22 to 35-23. This is improper. At a minimum, Chapter 35 of the DEIS/DEIR should be revised to include modeling of the cumulative effects of the action alternatives with the California WaterFix project and Shasta Lake Water Resources Investigation on Sacramento River flows and Delta outflows.	
12	40	40000	The DEIS/DEIR's Presentation of Information is Flawed and Obscures Potentially Significant Environmental Impacts The DEIS/DEIR labels results for "existing conditions" in a confusing, inconsistent and misleading manner Chapter 2 reveals no differences between NAA and baseline, and defines them as equal to each other. It is therefore confusing when differences appear elsewhere in the DEIS/DEIR. Appendix 12F is one section of the DEIS/DEIR where this change between Existing Conditions/Baseline and NAA is evident, but poorly labeled. The methodology in this section is inadequately described, since there is no description of what the alternatives are being compared to in the first table for each reservoir (Tables 12F-1a, 12F-2a, 12F-3a, 12F-4a, 12F-5a), or what the assumptions for the baseline are. The first tables for each reservoir in Appendix 12F show changes in the NAA, but nowhere does it describe changes from what. For example, the NAA itself causes reservoirs to be 6 feet lower (than baseline) in many years, usually in May and June. For June, the percentage of time that the reservoirs are six or more feet lower (than baseline): Trinity 25%, Shasta 83%, Oroville 55%, Folsom 21%. San Luis is more than six feet lower almost all the time (96-99% of time) April-June. Big April-June drawdowns appear to be planned for San Luis under NAA, and the proposed Sites Reservoir project doesn't appear to change that. Similarly, Appendix 6A tables showing "existing condition" in comparison to the NAA are confusing, since no explanation of "Existing Conditions" is given. Each table caption reminds the	Please refer to Master Response 2, *Alternatives Description and Baseline*, regarding CEQA and NEPA purpose, and use of, the existing conditions baseline and the No Project/No Action Alternative.

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			reader that the NAA represents "Existing Conditions/No Project/No Action Condition" in the DEIS/DEIR, but fails to describe the existing condition shown by the tables. If the term "existing condition," when not referring to the NAA, is describing the Existing Conditions under the administrative draft EIR, or under CALSIM II modeling, then the text should be modified to read "Existing Condition-NODOS" or "Existing Condition-CALSIM 2010" or in some similar way identify that these tables refer to modeling assumptions from a former Administrative Draft EIR. Appendix 6D is another location where Existing Conditions are described for model results. Since results for existing conditions exist, that condition should be compared to all the alternatives so as not to hide cumulative impacts, and to avoid confusion.	
12	41	45000	Page 6-50: States September-June Delta outflow would be similar to NAA, and increase in July-August. This is misleading because it implies an overall increase in Delta outflow would occur, yet this is not the case. The only decrease described is January-March in Dry and Critical years, however this text contradicts the SW-33-7 tables/figures with modeling results that show December-March reductions in median years, reductions in some months of all year types, and reductions in all months at times outside of June-August. In addition to these averages, the exceedance tables show reductions in Delta outflow in all months at certain times.	Please refer to Master Response 2, *Alternatives Description and Baseline* regarding CEQA and NEPA purpose, and use of, the existing conditions baseline and the No Project/No Action Alternative.
12	42	45000	Pages 6-50 and 6-51: State that OMR Reverse flows would be larger September-November of all years and November, January, August-September of Dry and Critical years with Sites, but compliant with regulatory criteria. This is inaccurate and should be revised to reflect the modeling results in tables/figures SW-35-7, which show more negative OMR in July-November of most years. Also, as we state elsewhere, regulatory criteria are changing, and compliance with current inadequate regulations does not necessarily indicate a lack of impact.	Please see Response to Comment 12-1, above.
12	43	51000	Table 7-4: Should say "< 56" and "< 68" (less than), instead of > (greater than).	This correction is no longer needed given changes to the Project and the revised analysis.
12	44	51100	Page 7-44: Salinity at Rock Slough in AN years November-December would increase up to 16.5 percent, however this	This correction is no longer needed given changes to the Project and the revised analysis.

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			impact is not identified as significant. This fails to use the DEIS/DEIR's own criteria of >10 percent changes being significant.	
12	45	45000	Chapter 7: Under the action alternatives, X2 is described as similar to NAA, however model results in the exceedance tables in Appendix 6B show increases up to 5 km. In the driest February, X2 increasing from 83 km to 87 km would result in a significant impact on estuarine habitat that must be mitigated.	This correction is no longer needed given changes to the Project and the revised analysis.
12	46	40000	Appendix 6B: Monthly results sorted by exceedance probability showing differences between the NAA and the alternatives may be mixing years and hiding larger variation in year to year results. While the display of total amounts is helpful, the proper way to display the absolute difference would be to subtract the results sorted by year prior to ordering by exceedance. In this way, the differences in each year can be evaluated.	This correction is no longer needed given changes to the Project and the revised analysis.
12	47	51000	Page 6-38: The last paragraph is difficult to understand. Why would the delivery of water from Sites Reservoir to SOD users cause San Luis Reservoir storage to decrease June-December?	This correction is no longer needed given changes to the Project and the revised analysis.
12	48	51000	Page 6-44: Why are there Clear Creek flow increases in July?	This correction is no longer needed given changes to the Project and the revised analysis.
12	49	51000	Page 6-46: The short phrases explaining increases/decreases in flow are generally inadequate. For example, downstream of Delevan Pipeline, "[i]n July through November under Alternatives A, B, C, and D flows would increase as compared to the Existing Conditions/No Project/No Action Condition due to increased Shasta Lake releases to stabilize flows." The location where flows need stabilizing and the reason flow stabilization would result in flow increases from Shasta is never explained.	This correction is no longer needed given changes to the Project and the revised analysis.
12	50	51000	Appendix 6B: Results labeled "Funks" should be changed to "Holthouse" to avoid confusion.	This correction is no longer needed given changes to the Project and the revised analysis.
12	51	51000	Appendix 6C-1: Mentions the concept of "excess flow." This term should be defined in terms of flow that is in excess of that needed to maintain downstream ecosystems, and not in terms of current regulations, as existing regulations result in instream flows that demonstrably fail to adequately protect fish and wildlife.	Excess flow has been addressed in revisions included in the RDEIR/SDEIS and Final EIR/EIS.
12	52	51000	Page 25-41: Cites a 12-41 inch sea level rise, but doesn't say	This correction is no longer needed given changes to the Project

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			what period the sea level rise is projected over.	and the revised analysis.
12	53	32000	The modeling results make clear that proposed operations would result in ecosystem degradation and omits consideration of opportunities to improve environmental conditions Sites Reservoir is touted as a project that would provide public benefits, however the priority operations on 6A-15 are water supply-focused and would cause significant impacts to fish, wildlife and aquatic ecosystems. The operations criteria on page 6A-23 only show releases to the river in summer given one-way operation of the pipeline. This is a missed opportunity. For instance, the reservoir could be used to improve the Sacramento River hydrograph if releases in other months were considered. Table 3-24 as well as model results in Appendix 6B indicate an operation with limited ecosystem benefits and a missed opportunity. Decreases in Sacramento River flows in the winter/spring, and increased flows from June-October, are generally inconsistent with reducing the impairment of the Sacramento River hydrograph, which would generally require reducing summer flows and increasing winter/spring flows. Improving the spring-summer hydrograph to be more reflective of unimpaired runoff patterns (high flows in early spring declining through early summer) could deliver significant benefits to the riparian systems of the Sacramento River. Currently, the spring-summer hydrograph in the Sacramento River is reversed, with April-May flows rising instead of falling; combined with Army Corps and private riprap projects, this has prevented riparian growth and regeneration since about 1974. For instance, a 2002 study by The Nature Conservancy showed that providing adequate flows to restore riparian growth and regeneration near Hamilton City would take little or no additional water in wet years, 6 percent on average, and would mainly require reshaping the hydrograph to fix these problems. [Footnote 25: Pilot Investigation of Cottonwood Recruitment On The Sacramento River M. D. Roberts, D. R. Peterson, D. E. Jukkola, V. L. Snowden, The Nature Conservancy, Sacramento River Project, May 2002, available at http://www.sacramentoriver.org/forum/scripts/library/file.php?fil	Please see Response to Comment 21-1, above.

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			e_id=36.] June-September Delevan pipeline flows would augment an already augmented summer period in the Sacramento River, potentially worsening ecological conditions in a river ecosystem adapted to lower flows during these months. [Footnote 26: While increased Delta outflow during the summer would benefit Delta smelt, increased flows in the Sacramento River appear unlikely to provide benefits for native fish species in the riverine environment.] At the TCC Intake at Red Bluff, diversions exceeding 1,000 cfs in up to 60 percent of Januaries and Februaries in Alternative A (and 2000 cfs in January-March for Alternative B) would cause a significant impact in Below Normal year types, reducing Sacramento River flows when higher flows are needed to help outmigrating salmon and higher Delta outflows are needed for maintaining the health of the estuary. At the GCC Intake at Hamilton City, large diversions April-May also miss the opportunity to lessen the impairment of the hydrograph in the spring months. While the diversions in the driest years are reduced compared to the NAA (although not in April in Alternative B), the operation of Sites Reservoir could be used to improve this further by focusing diversions on the augmented flows of the July-September period, when upstream reservoir releases almost always cause flows to be well above what the natural flows would be. Sites Reservoir end of month storage for Alternative A shows October-March increases in storage to over 1 MAF almost independent of year type in Above Critical water years. For Alternatives A and B the greatest increases in storage are in Dry years. November to March diversions on the Sacramento River are already at an ecological tipping point, with river flows at Ord Ferry currently averaging near 75 percent of unimpaired flow. Below 75 percent of unimpaired flow, ecosystem impacts generally increase. [Footnote 27: Richter, B. D., M. M. Davis, C. Apse, and C. Konrad. 2011. A presumptive standard for environmental flow protection. River Research and Applications	

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			28:1312-1321. See also State Water Resources Control Board. 2010. Development of Flow Criteria for the Sacramento- San Joaquin Delta Ecosystem. Prepared Pursuant to the Sacramento-San Joaquin Delta Reform Act of 2009, available at http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/deltaflow/docs/final_rpt080310.pdf. Increasing diversions in drier water year types runs counter to the goal of benefitting the ecosystem.] Increased diversions from the already-reduced December-March period are very problematic except under very high flow conditions, both in the Sacramento River and in terms of reduced Delta outflows December-March. These will result in significant impacts that could be addressed with more beneficial operations.	
12	54	31000	[Attachment 1:] Preliminary Assessment of CDFW's Proposed Bypass Flow Criteria for the Sites Reservoir Project, June 2017.	Thank you for the added references.
12	55	11000	[Attachment 2:] Sacramento River Ecological Flow Thresholds for Salmonids Workshop NCAA Fisheries September 29, 2016.	Thank you for the added references.
12	56	21000	[Attachment 3:] NMFS--Reclamation Stakeholder Workshop #3 Shasta RPA Draft Proposed Amendment June 22, 2017.	Thank you for the added references.

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13	1		The California Department of Forestry and Fire Protection (CAL FIRE) hereby submits the following comments and considerations regarding the Draft EIR for the Sites Reservoir Project. We will be working closely with the other Federal, State and Local Government First Responders and Cooperators. Our Goal would be to have open communication and dialog with you in drafting a comprehensive plan that meets the needs for not only the construction, but the long term needs for the Sites Reservoir Project. The California Department of Forestry and Fire Protection (CAL FIRE) Mission is to Serve and Safeguard the People and Protects the Property and Resources of California. The primary goals are to protect lives, property and the environment. We are an All-Risk Fire Department that provides responses to EMS (Medical Emergencies), Fire (Structural, Vehicle and Wildland, Traffic Collisions, Hazardous Materials, Flooding, Confined Space Rescue, Public Assistance and a variety of other Emergency and Non-Emergency Calls. With this in mind here is a broad base look at some of the items we would like the developers and project managers to consider.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment and responses to those comments are included in Volume 3, Chapter 4. Please refer to Chapter 2, *Project Description and Alternatives* for a description of the revised Project analyzed in the Final EIR/EIS as well as Master Response 2, *Alternatives Description and Baseline,* which describes Project refinements that have occurred since the RDEIR/SDEIS. Please see Appendix 2B, *Additional Alternatives Screening and Evaluation* for further discussion of the extensive alternative development and review process. Please refer to Chapter 26, *Public Services,* which discusses fire protection and other emergency services.
13	2		The routes of ingress / egress or access to the area by highway, roadway, boat, helicopter, fixed wing aircraft. Maintain an adequate means to get in and render services as needed or provide for safe and efficient evacuation of the area. Roadways should meet the requirements within the 2016 State Fire Marshals Regulations and any other applicable Codes.	Please refer to Chapter 26, *Public Services,* which discusses fire protection and other emergency services.
13	3		Adequate Staff / Personnel and Equipment (First Responders) to staff and respond to the area for 911 emergency calls for service to meet the standard response times for life safety. This to include Private Ambulance providers and/or Medical Helicopters. This would be all inclusive for Fire, Police/Sheriff, other Local, City, County, State or Federal Response Agencies.	Please refer to Chapter 26, *Public Services,* which discusses fire protection and other emergency services.
13	4		Emergency contact information related to the site and printed Pre-plans & Maps or other info for First Responders or available electronically for anyone who would be responding from outside the area.	Please refer to Chapter 26, *Public Services,* which discusses fire protection and other emergency services.

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13	5		Provide for adequate Communication Services such as Cell Towers and Radio Repeater Sites for safety and communication covering the entire area of the project.	Please refer to Chapter 26, *Public Services,* which discusses fire protection and other Emergency services.
13	6		Training to be provided for emergency first responders on the operation and special equipment being utilized for construction or during the operation of the project. This should be an on-going item as things change throughout the project.	Please refer to Chapter 26, *Public Services,* which discusses fire protection and other Emergency services.

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14	1		The following are my questions in how the dam will affect me: How will I reach my home if Mathis does not want me to cross their property from east to west?	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to Chapter 18, *Navigation, Transportation, and Traffic,* which discusses traffic and changes to road alignments.
14	2		Why do you need the north end of my property? It is high and won't be covered with water. It will affect my income by further causing me to decrease my herd.	The Authority will work to accommodate and/or compensate landowners affected by the Project.
14	3		Will I be able to use the water to irrigate my lands that are flat?	The Authority will work to accommodate and/or compensate landowners affected by the Project.
14	4		Who will be buying the water for which the Sites Dam is being built ?	Please see Chapter 1, *Introduction,* which states: "Twenty-three public water agencies currently comprise the Authority's Reservoir Committee. Reservoir Committee members would provide funding for the Project's construction and operations and would receive water supply benefits from the Project. Reclamation is a nonvoting member of the Reservoir Committee and may provide funding for the Project and receive water supply benefits dedicated to specific purposes such as environmental enhancement and wildlife refuges. DWR, who which manages the State Water Project (SWP) on behalf of the State of California, is also a nonvoting member of the Reservoir Committee. The State of California would provide Water Storage Investment Program (WSIP) funding through the California Water Commission (CWC) for the Project and receive ecosystem, recreation, and flood control benefits from the Project."
14	5		Where in the states budget will the money go?	This question is unrelated to the RDEIR/SDEIS analysis.
14	6		If you put a new road in for me to reach my home, who will maintain it?	Road maintenance will be dependent on ownership with public roads maintained by the local agencies.

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15	1	53300	As owner of 515 ac. of rice ground between Sac. Refuge and Deleran Refuge I'm concerned oIf proposed overhead power lines. The pipeline would go East and West 1 1/2 miles through my property. Having several duck hunting leases on this property, an overhead power line would be a huge hinderance to our leases. Not to mention the waterfowl casualities during fog events. Being in line between Sac. And Deleran R. you are probably going to have problems with bird watchers, hunter, and refuge managers. Serious thought should be given to underground power supply for above reasons.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement. The Project footprint has changed and may no longer cross your property. Also, the Delevan Pipeline is no longer proposed. Please refer to Chapter 26, *Public Services and Utilities* for a discussion of the expected electric transmission infrastructure.

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16	1	32000	Over 1000 acres of our ranch at the south end will be in Sites. We want to graze to the water line. This 1000 acres will not be under water all the time. Cattle will take care of weeds and grass.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. The Authority will work with local landowners that are affected by the Project to accommodate, as necessary.
16	2	52900	Facts: Sites Reservoir will increase temps by 10 degrees and the humidity with fog.	Please refer to Master Response 1, *CEQA and NEPA Process*, Regulatory Requirements, and General Comments, regarding comments that raise an environmental issue but did not provide supporting information.
16	3	10000	I would like to receive a list of all property owners of the site.	Please refer to Master Response 1, *CEQA and NEPA Process*, Regulatory Requirements, and General Comments, regarding comments that do not raise issues on the adequacy of the environmental analysis.

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17	1	21500	The DEIS/EIR has numerous deficiencies and should be withdrawn. The absence of disclosure and analysis of significant direct, indirect, and cumulative water quality impacts alone renders the DEIS/EIR seriously deficient. For this and other reasons, the Lead Agencies must recirculate the DEIS/EIR for public review and comment before a final Project EIS/EIR could possibly be considered. I. The EIS/EIR State Lead Agency Should be DWR, not the JPA The JPA is not the proper Lead Agency for the Project. California Environmental Quality Act (CEQA) Guidelines sections 15367 and 15051 require that the California Department of Water Resources (DWR), as the operator of the California Aqueduct and who has responsibility to protect the public health and safety and the financial security of bondholders with respect to the aqueduct, is the more appropriate lead agency. In PCL v DWR, the court found that DWR's attempt to delegate lead agency authority impermissibly insulated the department from public awareness and possible reaction to the individual members' environmental and economic values. [footnote 1: Planning and Conservation League et al. v Department of Water Resources (2000) 83 Cal.App.4th 892, 907, citing Kleist v. City of Glendale (1976) 56 Cal. App. 3d 770, 779.] Pursuant to CEQA, lead agency means the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment. (Public Res. Code § 21067.) As such, the lead agency must have authority to require imposition of alternatives and mitigation measures to reduce or avoid significant project effects, and must have the authority to disapprove of the project altogether. Here, the DWR clearly fits this description. As the DEIS/EIR states, The proposed dam would be under the jurisdiction of the California Department of Water Resources, Division of Safety of Dams (DSOD). [footnote 2: JPA and Bureau, 2017. Sites Reservoir DEIS/EIR. p. 17-14]. It also goes on to state that, The action alternatives would be fully integrated with the CVP and SWP systems. Consequently, the action alternatives	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in the extensive review of additional alternatives and revised modeling to further refine the Project. A Revised Draft Environmental Impact Report/Supplemental Draft Impact Statement (RDEIR/SDEIS) was released in 2021. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. The Final EIR/EIS also includes chapters and appendices that have been updated based on revised modeling results and minor corrections and clarifications resulting from comments received on the RDEIR/SDEIS. Please refer to Appendix 2B, *Additional Alternatives Screening and Evaluation* which describes the process undertaken since 2017 to identify additional or revised alternatives, including design and operational refinements. In May 2019, the Authority initiated a series of focused discussions with the California Natural Resources Agency regarding Project planning and intended operations. The purpose of these discussions was to address the effects of the Project on the State's public trust resources and further refine the Project facilities and operational characteristics consistent with what would be affordable for member participants and also to meet applicable permitting requirements. The Authority met with the aquatics and terrestrial technical teams from the California Department of Fish and Wildlife (CDFW) several times between May and September 2019 to explore refinements to Project operations and facilities. During and following this process, the Authority revised the Project operational components and eliminated or modified previously proposed facilities to ensure an affordable Project capable of providing a sufficient and reliable water supply and dedicated ecosystem benefits. These revised components include revised 2019 operational scenarios/criteria, proposed conservation measures, and a science and adaptive management strategy. It also included removing the Delevan Intake, revisions to the operational criteria and less water being pumped from the Sacramento River on average, as well as reducing the footprint of the reservoir from a maximum of 1.8 MAF to 1.5 MAF.

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			would affect operations and resultant storage, flows, and diversions associated with the CVP and SWP systems and respective streams and waterways.[footnote 3: (Id.) p. 6-38] The stated integration is further explained on page 6-23: Annual operations are conducted for multi-year carryover. The current methodology is to retain half of the Lake Oroville [State Water Project] storage above a specific level for subsequent years. That level has been established at 1 MAF; however, this does not limit drawdown of the reservoir below that level. If hydrology is drier than expected, or requirements greater than expected, additional water would be released from Lake Oroville. The operations plan is updated regularly to reflect changes in hydrology and downstream operations. Project operations are directly constrained by downstream operational constraints and flood management criteria. Clearly, DWR should be the CEQA lead agency for the DEIS/EIR.	
17	2	32000	II. The DEIS/EIR Contains an Inadequate Project Description A finite project description is indispensable to an informative, legally adequate EIR. County of Inyo v. City of Los Angeles (1977) 71 Cal.App.3d 185, 192. CEQA defines a project to include the whole of an action that may result in adverse environmental change. CEQA Guidelines § 15378. A project may not be split into component parts each subject to separate environmental review. See, e.g., Orinda Ass'n v. Board of Supervisors (1986) 182 Cal.App.3d 1145, 1171; Riverwatch v. County of San Diego (1999) 76 Cal.App.4th 1428. Without a complete and accurate description of the project and all of its components, an accurate environmental analysis is not possible. See, e.g., Santiago County Water Dist. V. County of Orange (1981) 118 Cal.App.3d 818, 829; Sierra Club v. City of Orange (2008) 163 Cal.App.4th 523, 533; City of Santee v. County of San Diego (1989)214 Cal.App.3d 1438, 1450; Blue Mountains Biodiversity Project v. United States Forest Service, 161 F.3d 1208, 1215 (9th Cir. 2008). The National Environmental Policy Act (NEPA) requires an accurate and consistent project description in order to fulfill its purpose of allowing informed decision-making. 43 u.s.c. s 4332(2)©. Without a complete and accurate description of the	Please refer to Master Response 2, *Alternatives Development and Baseline,* which discusses the adequacy of the Project description. Please see the updated *Chapter 2, Project Description* for an updated, complete Project Description.

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			project and all of its components, an accurate environmental analysis is not possible. See, e.g., Blue Mountains Biodiversity Project v. United States Forest Service, 161 F.3d 1208, 1215 (9th Cir. 2008).	
17	3	21500	The DEIS/EIR fails to comport with these standards in such basic areas as the description of the environmental setting, evaluation of potentially significant impacts, and formulation of mitigation measures, among other issues. All are rendered unduly imprecise, deferred, and incomplete, subject to theoretical choices taking shape at some, unknown, future time.	Please refer to Response to Comment 17-2.
17	4	13000	The source water for the Project is not identified. It is insufficient to refer to the Sacramento River as the source of the water for the proposed Project without explaining how the water will be available. The unimpaired runoff of the Sacramento River basin is 21.6 MAF, but the consumptive use claims are an extraordinary 120.6 MAF 5.6 times more claims than there is available water. [footnote 4: California Water Impact Network, AquAlliance, and California Sportfishing Protection Alliance 2012. Testimony on Water Availability Analysis for Trinity, Sacramento, and San Joaquin River Basins Tributary to the Bay-Delta Estuary.] Additionally, it is completely inadequate to reference a future water right. The Authority intends to apply for water rights consistent with the application filed on September 30, 1977 (#25517). This application is under the control of the SWRCB and is expected to be treated as a 'State Filing' under California Water Code 10500. [footnote 5: JPA and Bureau 2017 Sites Reservoir Project DEIS/EIR. P. 4-15]. In a recirculated DEIS/EIR, the Lead Agencies must move far beyond this simplistic and vague assertion by providing at a minimum the details of the 1977 application, how it applies to the proposed Project, the exact origin of the water, what volume of water is involved, and how it would impact other surface and ground water users in the area of origin.	Please see Chapter 2, *Project Description and Alternatives*. The Authority filed its water right application for the Project with the State Water Board in May 2022 (application number A025517X01). The application identifies the Sacramento River as the source of water and includes two proposed points of diversion on the Sacramento River: 1) the RBPP and 2) diversions at Hamilton City.
17	5	31000	Statewide demand for water from the Sacramento River Watershed is not identified. As noted above, there are extraordinary consumptive claims on	As noted in Master Response 2, Alternatives Description and Baseline, "the Project would only divert water during the time of the year when the Sacramento River is not fully appropriated, which is

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			water from the Sacramento River basin that exceed the unimpaired runoff by 5.6 times. However, the sources of these claims are not disclosed or considered in the formulation of Project alternatives. Understanding the location and type of demand would have provided significant opportunities for alternative development that could be far more cost-effective and less detrimental to the over-subscribed Sacramento River watershed.	from September 1 to June 14. Further, the Project would only divert water when the Delta is in "excess conditions" as determined by Reclamation and California Department of Water Resources (DWR) and as defined in the 2018 Addendum to the Coordinated Operation Agreement. The term "excess conditions" identifies when there is water in the system in excess of the needs of the SWP and CVP. This term is not intended to imply that there is "excess water" or water is being wasted to the ocean. Finally, diversions to Sites Reservoir would only occur when there are flows available above those needed to meet applicable laws, regulations, biological opinions (BiOps), incidental take permits (ITPs), existing water rights, and court orders in place at the time of diversion. It should also be noted that the Authority's water right application was submitted to the State Water Resources Control Board (State Water Board) Division of Water Rights on May 11, 2022 (application number A025517X01) and included a water availability analysis that demonstrates that there is a reasonable expectation of water available for the Project.
17	6	51100	Water quality impairment impacts are missing The risks to surface water quality is minimized in the DEIS/EIR. This significant deficiency leads to the conclusions that, Because no potentially significant direct water quality impacts were identified, no mitigation is required or recommended. [footnote 6: JPA and Bureau 2017 Sites Reservoir Project DEIS/EIR. p. 7-84]. However, there are significant minerals in question such as sodium salt, mercury, chromium, boron and selenium. These substances are common in the geological setting that is the western edge of the Central Valley. The Sites DEIS/EIR certainly describes some existing concentrations of these substances in the creeks that flow out of the primary area, but fails to analyze how inundation with high winter Sacramento River flows combined with evaporative enrichment can cause elevated concentrations in terminal water bodies like the proposed reservoir, downstream ecosystems, and irrigated landscapes.	Please refer to Master Response 3, *Water Quality* regarding adequacy of mitigation. Additionally, the updated *Chapter 6, Surface Water Quality* discusses impacts to water quality and associated mitigation measures in depth.
17	7	51400	Groundwater conditions in the source watershed are lacking The DEIS/EIR should disclose current groundwater conditions (see Table 1). Additionally, the DEIS/EIR assumption that the	Please refer to Chapter 8, *Groundwater Resources* for a description of existing groundwater conditions and the Project effects on groundwater.

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			proposed Project will satiate the demand for water and therefore stem the decline of groundwater is unsupported by history or fact. The deficit in information regarding groundwater impacts should be addressed.	
17	8	51400	Exhibit 1 [Change in groundwater conditions for Butte, Colusa, Glenn and Tahoma counties 2004 - 2015/2016]	Thank you for providing this reference.
17	9	50000	Reservoir creation and operation always result in denuding the acres of inundation. Chapter 33 mentions that the vegetated landscape would be converted without disclosing the obvious: total elimination of vegetation that currently serves to reduce storm runoff erosion. [footnote 7: JPA and Bureau 2017 Sites Reservoir Project DEIS/EIR. p. 33-3. Implementation of any of the Project's action alternatives would result in a change in the existing landscape character of the areas surrounding each Project facility site. The permanent conversion of a vegetated landscape to the Project and its associated facilities would be a major change to the landscape.] The analysis failed to disclose the inevitable increase in erosion of soils that are exposed during the filling and re-filling of the reservoir. The DEIs/EIR failed to disclose the toxic mineral contents of soils in the footprint of the reservoir that will be exposed to repeated and unmitigated storm runoff erosion. The most significant minerals in question are sodium salt, mercury, chromium, boron and selenium. [footnote 8: Regional Water Quality Control Board 1988. Water Quality Survey for Selenium in the Sacramento River and Its Major Tributaries. Historical data on selenium concentrations in surface water of the Sacramento River Basin indicated periods of elevated selenium levels, especially from areas originating in the western portion of the basin. p. 8. http://www.waterboards.ca.gov/rwqcb5/water_issues/swamp/historic_reports_and_faq_sheets/bckgrnd_selenium/wq_survey_sacrvr_tribs_88.pdf]	Please refer to Master Response 5, *Aquatic Biological Resources*, regarding flow impacts and mitigation measures. Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources* regarding adequacy of mitigation. Please refer to *Chapter 6, Surface Water Quality* for a discussion of the effect of mineral content of the soils on water quality.
17	10	11000	As discussed throughout these comments, the proposed Project does not exist in a vacuum, but rather is part of a number of plans and programs, such as the Sacrament Valley Water Management Agreement (aka Phase 8 of the Bay-Delta Water Rights Proceeding) [footnote 9: Attachment 1: Exhibit A - 2001.	Please refer to Response to Comment 17-1.

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			The Sacramento Valley Water Management Agreement. "The workplans will identify a palette of voluntary water management measures that will lead to an integrated water management program. The program will include the coordinated use of storage facilities, management and recovery of tailwater through major drains, water conservation, conjunctive management of surface water and groundwater, and transfers and exchanges among Sacramento Valley water users and other water users in the state. Furthermore, the Agreement contains a commitment to implement Sites Reservoir as an integral component of the water management and water supply development program for the Sacramento Valley." p. 8.] and the now defunct CalFed effort. [footnote 10: http://calwater.ca.gov/] 1. The Sacramento Valley Water Management Agreement Lurks Behind the Project. The proposed Project is, in fact, just one project piece required to implement the Sacramento Valley Water Management Agreement ("SVWMA")(Exhibit A). The Bureau has publically stated the need to prepare programmatic environmental review for the SVWMA for over a 14 years, and the present DEIS/EIR covers a significant portion of the program agreed to under the SVWMA. In 2003, the Bureau published an NOI/NOP for a "Short-term Sacramento Valley Water Management Program EIS/EIR." (68 Federal Register 46218 (Aug 5, 2003).) The Short-term Sacramento Valley Water Management Program EIS/EIR was never published, but a summary is found on the Bureau's current web site: The Short-term phase of the SVWM Program resolves water quality and water rights issues arising from the need to meet the flow-related water quality objectives of the 1995 Bay-Delta Water Quality Control Plan and the State Water Resources Control Board's Phase 8 Water Rights Hearing process, and would promote better water management in the Sacramento Valley and develop additional water supplies through a cooperative water management partnership. Program participants include Reclamation, DWR, Northern California	

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			Water Association, San Luis & Delta-Mendota Water Authority, some Sacramento Valley water users, and Central Valley Project and State Water Project contractors. SVWM Program actions would be locally-proposed projects and actions that include the development of groundwater to substitute for surface supplies, conjunctive use of groundwater and surface water, refurbish existing groundwater extraction wells, install groundwater monitoring stations, install new groundwater extraction wells, reservoir reoperation, system improvements such as canal lining, tailwater recovery, and improved operations, or surface and groundwater planning studies. These short-term projects and actions would be implemented for a period of 10 years in areas of Shasta, Butte, Sutter, Glenn, Tehama, Colusa, Sacramento, Placer, and Yolo counties. [footnote 11: http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=788]	
17	11	21200	The resounding parallels between the SVWMA NOI/NOP and the presently proposed project are not merely coincidence: they are a piece of the same program. In fact, the SVWMA specifically discloses the Sites Reservoir project. [footnote 12: 2001. The Sacramento Valley Water Management Agreement. pp. 8, 12, etc.] "Role of Sites Reservoir. The Parties recognize that new off-stream surface storage is an essential part of the long-term water management program, and agree that Sites Reservoir is a potentially significant off-stream surface-water storage project that could help meet the goals and objectives of this Agreement, including providing capacity to increase the reliability of water supplies for Upstream and Export Water Users, flexibility during critical fish migration periods on the Sacramento River, and storage benefits for other CALFED programs. Work being undertaken pursuant to CALFED's Sites MOU will be integrated into this Agreement and the Parties will work with CALFED to accelerate feasibility studies and completion of appropriate environmental and permitting processes for the reservoir." [footnote 13: (Id.) p. 12.] The SVWMA continues: "Management Tools for this Agreement.	As described in Chapter 2, Project Description and Alternatives, the Sites Reservoir Project would rely on existing TCCA and GCID facilities and operate in coordination with the CVP and SWP. However, the Sites Reservoir Project will be constructed and operated by the Sites Reservoir Authority.

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			A key to accomplishing the goals of this Agreement will be the identification and implementation of a "palette" of voluntary water management measures (including cost and yield data) that could be implemented to develop increased water supply, reliability, and operational flexibility. Some of the measures that may be included in the palette are: "…(v) Transfers and exchanges among Upstream Water Users and with the CVP and SWP water contractors, either for water from specific reservoirs, or by substituting groundwater for surface water; [footnote 14: (Id.)] (vi) Substitution of water from potential north of Delta reservoirs, such as Sites Reservoir, for groundwater, or river diversions, or maintaining water quality in the Delta…"15[footnote 15: (Id.)] It is abundantly clear that the Lead Agencies are proposing a project through the DEIS/EIR to implement management tools as required by the SVWMA. Nevertheless neither CEQA nor NEPA permit this approach of segmenting and piecemealing review of the whole of a project down to its component parts. The proposed Sites Reservoir will directly advance SVWMA implementation, and the Bureau and DWR must complete environmental review of the whole of the program, as first promised in 2003, but long since abandoned.	
17	12	52100	The DEIS/EIR fails to analyze the potential for seismic activity. The project area has numerous existing structures that could be impacted by the proposed Project's construction and operation. The DEIS/EIR acknowledges this in Chapter 17, yet defers proposing mitigation and monitoring to a future "project design" stage. [footnote 16: JPA and Bureau, 2017. Sites Reservoir Project DEIS/EIR pp. 17-27 to 17-31.] Although the seismicity in the Sacramento Valley is lower than many areas of California, it is still significant. The potential for the proposed reservoir to cause seismic activity is revealed at length in section 17.2.3.5 Reservoir-triggered Seismicity, however analysis is lacking. This omission throughout the Primary Study Area for Impact Seis-1: Exposure of People or	Please refer to Chapter 12, *Geology and Soils* which addresses seismicity.

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			Structures to Fault Rupture, Seismic Ground Shaking, Seismic-related Ground Failure, Liquefaction, or Landslides leads to a repeated conclusion that, "[t]here would be a less-than-significant impact when compared to the Existing Conditions/No Project/No Action Condition" because "[d]esign specifications[would] be sufficient to mitigate an impact related to this slip," "[P]roject design would account for the potential for localized slumping (i.e., landslides or trench wall failure) and liquefaction due to seismic shaking," "Project design would address the potential for such instability." Therefore, the DEIS/EIR proposes no mitigation or monitoring for known, and even disclosed, potential seismic activity. Deference to a design phase of a project to some future date does not comport with what CEQA requires of a lead agency, which is to consider and adopt feasible mitigation measures that could reduce a project's adverse impacts to less than significant levels. Pub. Resources Code §§ 21002, 21002.1(a), 21100(b)(3), 21151, 22081(a). An adequate environmental analysis in the DEIS/EIR itself is a prerequisite to evaluating proper mitigation measures: this analysis cannot be deferred to the mitigation measure itself. See, e.g., Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova (2007) 40 Cal.4th 412. A mitigation measure is inadequate if it allows significant impacts to occur before the mitigation measure takes effect. POET, LLC v. State Air Resources Board (2013) 218 Cal.App.4th 681, 740. An agency may not propose a list of measures that are "nonexclusive, undefined, untested and of unknown efficacy." Communities for a Better Environment v. City of Richmond (2010) 184 Cal.App.4th 70, 95. Formulation of mitigation measure should generally not be deferred. CEQA Guidelines § 15126.4(a)(1)(B). If deferred, however, mitigation measure must offer precise measures, criteria, and performance standards for mitigation measures that have been evaluated as feasible in the EIR, and which can be compared to established thresholds of significance. E.g., POET, LLC v. State Air Resources Board (2013) 218 Cal.App.4th 681; Preserve Wild Santee v. City	

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			of Santee (2012) 210 Cal.App.4th 260; Sacramento Old City Association v. City Council (1991) 229 Cal.App.3d 1011; CEQA Guidelines § 15126.4(a)(1)(B); Defend the Bay v. City of Irvine (2004) 119 Cal.App.4th 1261, 1275. Economic compensation alone does not mitigate a significant environmental impact. See CEQA Guidelines § 15370; Gray v. County of Madera (2008) 167 Cal.App.4th 1099, 1122. Where the effectiveness of a mitigation measure is uncertain, the lead agency must conclude the impact will be significant. Citizens for Open Govt. v. City of Lodi (2012) 70 Cal.App.4th 296, 322; Fairview Neighbors v. County of Ventura (1999) 70 Cal.App.4th 238, 242. An EIR must not only mitigate direct effects, but also must mitigate cumulative impacts. CEQA Guidelines § 15130(b)(3). The DEIS/EIR fails in this regard. Under NEPA, "all relevant, reasonable mitigation measures that could improve the project are to be identified," including those outside the agency's jurisdiction, [footnote 17: http://ceq.hss.doe.gov/nepa/regs/40/40p3.htm] and including those for adverse impacts determined to be less-than-significant (40 C.F.R. § 1502.16(h)). Again, this is not done in the DEIS/EIR.	
17	13	51400	The EIS/EIR also fails to inform the public through any analysis of the potential effects excessive groundwater pumping in the study areas may have on the numerous known earthquake faults running through and about the north Delta area, and into other regions of Northern California. As recently detailed in a paper published by a well-respected British scientific journal, "[u]plift and seismicity driven by groundwater depletion in central California," excessive pumping of groundwater from the Central Valley might be affecting the frequency of earthquakes along the San Andreas Fault, and raising the elevation of local mountain belts. The research posits that removal of groundwater lessens the weight and pressure on the Earth's upper crust, which allows the crust to move upward, releasing pressure on faults, and rendering them closer to failure. There are significant existing groundwater conditions that should be disclosed as well as the 2015-2024 Water Transfer Program's volume of groundwater that will be extracted, as farmers are able to pump	Please refer to Chapter 12, *Geology and Soils* which addresses seismicity.

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			and then forego surface water in exchange for money.	
17	14	52200	The DEIS/EIR defers comprehensive surveys and regulatory requirements for historic and cultural resources. Impacts to Cultural/Tribal Cultural Resources have not been fully investigated in the DEIS/EIR. Archaeological surveys are incomplete, consultation with involved tribes are not completed, and assessment of the project's potential Adverse Effects have not been analyzed. Cultural/tribal impacts have not been completed according to the requirements of NEPA and the National Historic Preservation Act ("NHPA"). After decades of proposals for the Project, the following has not been done: completed archaeological surveys with eligibility determinations, interviews of Native American Elders regarding possible Traditional Cultural Properties in the Project area, completed Section 106 consultations (NHPA) for the DEIS, and completed AB 52 consultations for the DEIR, with the results stated in the DEIR/EIS.	Please refer to Master Response 7, *Tribal Coordination, Consultation, and Engagement* which addresses the Authority and Reclamation's consultation and engagement with Tribes, as well as Reclamation's fulfilment of federal trust obligations. Please also refer to the updated *Chapter 22, Cultural Resources* and *Chapter 23, Tribal Cultural Resources* for a discussion of cultural and tribal impacts as well as Section 106 and AB 52 consultation efforts.
17	15	51900	The DEIS/EIR defers comprehensive surveys and regulatory requirements for wetlands Table 15-6, Acre Summary of Wetlands and Other Waters in the Primary Study Area, acknowledges in a footnote, "Total acreage does not include acreage associated with the Project Buffer, which has not been surveyed or mapped." Chapter 15 goes on to state that, "Total potential impacts, particularly with respect to feature length are conservative and would need to be delineated and evaluated as part of Project implementation." In addition, the DEIS/EIR confirms that, "It should be noted that all waters and wetlands identified as being potentially adversely affected by the construction of various Project facilities have been identified as jurisdictional wetland types in a preliminary wetland delineation study [emphasis added]. All potential jurisdictional features anticipated to be impacted by Project facilities shall be field-delineated, and waters and wetland delineations verified by the USACE." [footnote 18: JPA and Bureau, 2017. Sites Reservoir Project DEIS/EIR. p. 15-53.] Delaying thorough studies and surveys for wetlands circumvents	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources* which addresses the adequacy of the description of baseline conditions, and the use of wetland field survey data and reliance on aerial imagery interpretation. As the commenter has noted, the Project assumes a conservative estimate for potential impacts. Deferred mitigation does not apply "when a public agency has evaluated the potentially significant impacts of a project and has identified measures that will mitigate those impacts, the agency does not have to commit to any particular mitigation measure in the EIR, as long as it commits to mitigation of the significant impacts of the project… The details of exactly how the mitigation will be achieved under the identified measure can be deferred pending completion of a further study." California Native Plant Society v. City of Rancho Cordova (2009) 172 Cal.App.4th 603, 621 (2009) citing Sacramento Old City Assn. v. City Council 229 Cal.App.3d 1011 (1991). Also as noted in Master Response 6, *Vegetation, Wetland, and Wildlife Resources*, "The mitigation measures, which require the surveys, will be in place upon certification of the Final EIR/EIS and

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			CEQA's requirement that the lead agency consider and adopt feasible mitigation measures that could reduce a project's adverse impacts to less than significant levels. Pub. Resources Code §§ 21002, 21002.1(a), 21100(b)(3), 21151, 22081(a). An adequate environmental analysis in the DEIS/EIR itself is a prerequisite to evaluating proper mitigation measures: this analysis cannot be deferred to the mitigation measure itself. See, e.g., Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova (2007) 40 Cal.4th 412.	prior to an activity's adverse effect on the environment. These surveys will confirm the scope of the impacts, which will be used to calculate the amount of required mitigation using established ratios and performance standards in the mitigation measures. This does not constitute deferred mitigation."
17	16	30000	The Project Description Contains an Inadequate Statement of Objectives, Purpose, and Need. The lack of a stable project description/proposed alternative, as discussed, above, further obfuscates the need for the Project. Further, without programmatic criteria regarding the source of the water for the Project and disclosure of the potential beneficiaries, the public is not provided with even a basic understanding of the need for the Project. The glorified wish list on pages ES-4 to ES-5 appears to be an echo of the CalFed goals in the 1990s and the SVWMA, which is not disclosed anywhere in the DEIS/EIR. As discussed above, the proposed Project is a component of the SVWMA that failed to produce programmatic NEPA and CEQA review. The importance of this section in a NEPA document cannot be overstated. "It establishes why the agency is proposing to spend large amounts of taxpayers' money while at the same time causing significant environmental impacts… As importantly, the project purpose and need drives the process for alternatives consideration, in-depth analysis, and ultimate selection. The Council on Environmental Quality (CEQ) regulations require that the EIS address the "no-action" alternative and "rigorously explore and objectively evaluate all reasonable alternatives." Furthermore, a well justified purpose and need is vital to meeting the requirements of Section 4(f) (49 U.S.C. 303) and the Executive Orders on Wetlands (E.O. 11990) and Floodplains (E.O. 11988) and the Section 404(b)(1) Guidelines. Without a well-defined, well-established and well-justified purpose and need, it	Please refer to Master Response 9, *Alternatives Development* which addresses CEQA and NEPA requirements related to the development of the objectives and purpose and need of a project, respectively. Please refer to *Chapter 1, Introduction*. Section 1.4, CEQA Objectives and NEPA Purpose and Need contains a statement of CEQA objectives and NEPA purpose and need.

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			will be difficult to determine which alternatives are reasonable, prudent and practicable, and it may be impossible to dismiss the no-build alternative" [footnote 19: Federal Transportation and Highway Administration, 1990. NEPA and Transportation Decision making: The Importance of Purpose and Need in Environmental Documents. Http://www.environment.fhwa.dot.gov/projdev/tdmneed.asp]	
17	17	51100	Water Quality The project DDEIS/EIR downplays the evidence and the risk to surface water quality that is likely to occur upon execution of the Project. This significant deficiency leads to the conclusions that, "Because no potentially significant direct water quality impacts were identified, no mitigation is required or recommended." [footnote 20: JPA and USBR, 2017. Sites DEIS/EIR 2017. p. 7-84.] However, there are significant minerals in question such as sodium salt, mercury, chromium, boron and selenium. These substances are common in the geological setting that is the Western edge of the Central Valley. The Sites DEIS/EIR certainly describes some existing concentrations of these substances in the creeks that flow out of the primary area, but fails to analyze how inundation and evaporative enrichment can cause elevated concentrations in terminal water bodies like the proposed reservoir, downstream ecosystems, and irrigated landscapes.	Please refer to Master Response 4, *Water Quality* which addresses concerns about shoreline erosion and salinity, metals and metalloids other than mercury associated with high inflow concentrations, and evapoconcentrations. Please also refer to the updated *Chapter 6, Surface Water Quality,* which discusses impacts and associated mitigation measures in depth.
17	18	51100	Selenium The Sites Reservoir planners surely must be aware of the potential for diminished water quality from naturally occurring selenium in the region they plan to inundate. A survey done by the Regional Water Quality Control Board ("RWQCB") in 1988 demonstrated that Sacramento River water generally met water quality standards for selenium with the exception of streams that flowed into the valley draining the coast range. While the RWQCB survey did not directly measure selenium concentrations in the streams that drain the Antelope Valley, it did measure streams on both sides of the project. The survey indicated that precipitation events mobilize selenium in the watersheds of the Sites region to unsafe levels for fish, humans and agriculture. [footnote 21: Regional Water Quality Control	Please refer to Master Response 4, *Water Quality* which addresses concerns about metalloids associated with high inflow concentrations. Please also refer to the updated *Chapter 6, Surface Water Quality,* which discusses selenium in Section 6.3.2.1, "The Delta is impaired by elevated selenium, but selenium is not included in the evaluation because the Project would not affect the major sources of Delta selenium" and explaining in further detail.

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			Board, Central Valley Region 1988. Water Quality Survey for Selenium in the Sacramento River and its Major Tributaries. "Historical data on selenium concentrations in surface water of the Sacramento River Basin indicated periods of elevated selenium levels, especially from areas originating in the western portion of the basin. Selenium concentrations as high as 390 ug/L were recorded in surface water in the Sacramento River Basin. This concentration is similar to the levels found in agricultural drainage water entering Kesterson Reservoir via the San Luis Drain (USGS, 1985). Because of the concern over the effects that these selenium levels may have on aquatic life in both the River Basin and the Delta, a program of water quality monitoring was initiated to help define the sources of selenium and whether further assessment of waste discharge regulation was needed." pdf p. 12; "Of the samples taken prior to 1984, the highest reported selenium concentration occurred principally along the western half of the basin. Samples taken in the Stony Creek Watershed and the Clear Lake area showed consistently high values. Between 1980 and 1981, DWR conducted a trace element survey in the Stony Creek area in conjunction with the Thomes-Newville water storage project study (DWR Files). Total selenium concentrations regularly exceeded the 10 ug/L standard with the highest reported selenium at 240 ug/L. Samples taken in the Clear Lake area have shown concentrations reaching 80 ug/L for total selenium. The Colusa Basin Drain which receives runoff from the westside streams, as well as a significant amount of irrigation return flow, showed the highest concentration at 390 ug/L total selenium in 1981." Pdf p. 18 "A special survey in Black Butte Reservoir which included composite sediment sampling was conducted in October 1986 to verify historical data that showed high [selenium] values in the reservoir discharge. "In October 1986, sediment and water samples were taken from the Black Butte Reservoir area, to verify historical data reporting selenium levels up to 240 ug/L (DWR files) and in response to selenium levels ranging from 0.7 mg/Kg to 1.9 mg/Kg detected	

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			in fish livers by the California Department of Fish and Game during 1984 and 1985." pdf p. 20 http://www.waterboards.ca.gov/rwqcb5/water_issues/swamp/historic_reports_and_faq_sheets/bckgrnd_selenium/wq_survey_sacrvr_tribs_88.pdf] The Sites DEIS/EIR fails to mention the local impacts that are likely to occur if the land is flooded. The Sites DEIS/EIR chapter 7 on surface water quality dismiss the topic: "7.3.3 Topics Eliminated from Further Analytical Consideration The major sources of selenium in the surface water bodies in the Extended, Secondary, and Primary study areas are from natural sources, related agricultural practices on the San Joaquin River, and from industries in the San Francisco Bay Area. … The action alternatives also would not result in changes in generation of selenium from natural sources or San Francisco Bay Area industrial operations as compared to the Existing Conditions/No Project/No Action Condition. Therefore, the impact analyses related to selenium are not analyzed further in this EIR/EIS."	
17	19	50000	According to USGS research, "Evaporative enrichment can cause elevated selenium concentrations in terminal water bodies" (p. 24) and "…selenium can be transported from source areas in mountains to irrigated areas in adjacent valleys" (p. 27). [footnote 22: Ralph L. Seiler, et.al. 1999. Areas Susceptible to Irrigation-Induced Selenium Contamination of Water and Biota in the Western United States U.S. GEOLOGICAL SURVEY CIRCULAR 1180 https://www.fws.gov/mountain-prairie/contaminants/papers/circ1180.pdf. Therefore, the DEIS/EIR must survey the Antelope Valley watershed to determine the amount of selenium that is likely to dissolve into the stored water. Furthermore, the analysis must determine if evaporative enrichment would exacerbate any environmental or agricultural problems associated with excessive selenium concentrations.	Please refer to Response to Comment 17-18.
17	20	51100	Mercury On page 28 of Chapter 7 the DDEIS/EIR recognizes the existing problem with mercury contamination in the watershed, but fails to identify the source that is mobilized upslope: "The Colusa	Please refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality* which address water quality impacts, including mercury. Mitigation has been identified to reduce the Project's impacts. In addition, a Reservoir Management Plan will be

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			Basin Drain was placed on the Section 303(d) list because of mercury contamination that exceeded the USEPA fish tissue residue criterion for methylmercury in fish (SWRCB, 2011). The Colusa Basin Drain contributed 3.3 percent of total mercury inputs to the Sacramento Basin between 1984 and 2003 (CVRWQCB, 2010)." However, the Sites DEIS/EIR failed to survey the project areto determine the presence or absence of mercury and describe how the project might mobilize and methylate mercury deposits that occur in this region. To demonstrate the depth of existing knowledge regarding mercury in the Project's region, AquAlliance relied on previous documents for the Project, such as the NORTH-OF-THE-DELTA OFFSTREAM STORAGE PROJECT DEIS/EIR PRELIMINARY ADMINISTRATIVE DRAFT DECEMBER 2013. According to Chapter 7, Surface Water Quality, "The Sacramento River watershed is the major source of total mercury to the Delta, contributing approximately 90 percent of the total mercury loads (SRWP, 2004). In particular, the Cache Creek watershed is the major source of mercury to the Delta," (p.8).[footnote 23: http://water.ca.gov/storage/docs/NODOS%20Project%20Docs/NODOS_Prelim_Admin_Draft_EIR/16-GMSP_prelim_admin_draft_Dec2013_w_figures.pdf] Additionally, documentation by the U.S. Environmental Protection Agency ("USEPA") should have led the Lead Agencies to conduct vital surveys with which to analyze the probable impacts and propose mitigation in the DEIS/EIR. According to USEPA: "Pollutant Sources – The Cache Creek watershed lies within a region naturally enriched in mercury. Historic mercury mining activities are a major source of current and historic total mercury loads to the creeks (all mines are now inactive). Most of the historic loading is now distributed in the creek beds and floodplains downstream of the various mines, while mine waste from historic mine sites is an ongoing source. In addition to mine sites and contaminated creek sediment downstream of the mines, other sources of mercury include natural and	developed to address water quality monitoring and compliance during the life of the Project (see Appendix 2D).

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			anthropogenic erosion of soils with naturally occurring mercury, natural and altered geothermal springs, and atmospheric deposition. Activities in the watershed and near the creek channels can cause mobilization of mercury deposits (whether they are natural sources of mercury or anthropogenic sources). These activities, which include road maintenance, grazing, and timber, can cause erosion, which contributes mercury loads if the soil has elevated mercury levels.	
17	21	53200	"In addition, conditions that cause the methylation of total mercury are important factors influencing methylmercury levels. Methylmercury is produced in surface sediments by bacteria. The chemicals cycle and they also flux between the water column and deposition to the sediment. The methylated mercury is bioavailable to organisms in the food chain, so the active sediment layer is also an important source of methylmercury. Wetlands and marshes have higher rates of methylation, so loads of total mercury (that are available to be converted to methylmercury) and processes affecting methylation in these waterbodies are important considerations." [footnote 24: USEPA 2015. Water Quality Progress Report (updated 6/15/2015), p. 3. https://www.epa.gov/sites/production/files/2015-07/documents/11-cache-bear-sulphur-harley-mercury-tmdlimplementation-report-2015-06-15.pdf]	Please refer to Response to Comment 17-20.
17	22	51100	The Lead Agencies must withdraw the inadequate DEIS/EIR and conduct surveys in the Project's footprint and watershed to determine the presence or absence of mercury and describe how the Project might mobilize and methylate mercury deposits that occur in this region. After completing these tasks, the proponents may propose mitigation and monitoring, if that is even appropriate, and then recirculate a revised DEIS/EIR.	See Master Response 6, *Vegetation, Wetland, and Wildlife Resources* which addresses: • Baseline Conditions, Special-Status Species Surveys, and Habitat Modeling—the adequacy of the description of baseline conditions for vegetation, wetlands, and wildlife; survey data; and adequacy of species habitat modeling. • Wetland and Non-Wetland Water Survey Data—the use of wetland field survey data and reliance on aerial imagery interpretation.
17	23	53200	Man Made Chemicals	Please see Chapter 27, *Public Health and Environmental Hazards*

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			The Sites DEIS/EIR Appendix 28C has added to our concerns by describing numerous man-made hazardous material dumpsites and storage facilities that exist in the project area. Page 36 of the DEIS/EIR, Appendix 28C (Environmental Records Searches) [footnote 25: JPA and Bureau 2017. Sites Reservoir Project DEIS/EIR. Appendix 28C Environmental Records Searches http://cms.capitoltechsolutions.com/clientData/SitesProject/uploads/28-APP_28C_SitesDraftEIR-EIS_August2017.pdf], attempts to identify the locations of 10 hazardous waste sites that exist in the project area. The assessment admits that the spill sites mentioned consist only of those sites that have operating permits, leaving the public to assume there are probably spill sites that have not been permitted or reported. Even some of the permitted sites lack specific locations. The list of sites includes numerous underground storage tanks, dump sites containing such items as inorganic solid waste, hydrocarbon solvents, unspecified solvent mixture, waste oil and mixed oil, unspecified oil waste, latex waste, Off-spec, aged or surplus org, unspecified organic liquid mixture, paint sludge and PCB spill sites. The PG&E PCB sites are mentioned without explaining how many sites there are, where they are located, and how much toxic material was dumped. On page 49 of the Appendix 28C there is an admission that the analysis makes "…no claims as to the completeness or accuracy of the referenced government sources or the completeness of the search. Our records are frequently updated but only as current as their publishing date and may not represent the entire field of known or potential hazardous waste or contaminated sites." At a minimum, the DEIS/EIR should describe in detail how these hazardous sites might interact with Project construction and operation, how these sites might contaminate impounded water, and what mitigation and monitoring is planned for impacted water quality.	which identifies potential hazards and mitigation to reduce impacts.
17	24	51100	Salts The Surface Water Quality section states, "The proposed Sites Reservoir would impound Stone Corral and Funks creeks, as well as inundate Salt Lake" [footnote 26: Sites DEIS/EIR 2017. Chapter 7, p. 26] and continues with, "Saline water has been	See Chapter 6, *Surface Water Quality* for a discussion of the presence of salt and potential impacts.

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			observed to seep from underground salt springs in the vicinity of the Salt Lake fault along the slopes above the valley and along the valley floor within the proposed inundation area of Sites Reservoir. "These areas are generally located in the Funks Creek watershed. The water from the underground springs accumulates along the trough of the valley and forms Salt Lake (USGS, 1915). The size of Salt Lake and adjacent seasonal brackish wetlands varies with time. The wetted area appears to vary from 0 to 30 acres. The deeper water appears to be approximately 15 acres based on observations in 2017. The depth of the water has not been monitored."[footnote 27: (Id.)] Chapter 7 also admits that saline water will increase the salinity of the water in storage and introduces a gross estimate on the impacts by assuming the volume of the Salt Lake and the amount of salt that is springing from the ground under current un-inundated conditions. [footnote 28: (Id.) pdf p. 53.] Not only have the proponents failed to accurately survey the depth or hydrodynamics of Salt Lake, they fail to imagine how much more active the saline springs would be if the reservoir was inundated. Proponents are willing to admit the saline damage is worth investing money and effort into grouting the salt springs that fill the Salt Lake but they admit their efforts may be ineffective: "Introduction of Saline Water into Sites Reservoir from Salt Lake As described in Chapter 3 Description of the Sites Reservoir Alternatives, the springs that provide water to the Salt Lake would be grouted to reduce the amount of highly saline water from entering Sites Reservoir. However, the effectiveness of the grouting measures is not known at this time. Therefore, the water quality impact analysis for Sites Reservoir includes the following worst-case evaluation, assuming that salt water continues to enter the reservoir in a similar manner as historical seepage.	

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			"Based upon observations of the Salt Lake in 2017, it appears that the main body of Salt Lake is approximately 15 acres and could be 5 to 10 feet deep. These dimensions would result in a volume of 150 acre-feet. Evaporation rates for fresh water near Sites is approximately 5 feet/year, and saline water evaporates more slowly than fresh water." [footnote 29: (Id.) pdf p. 50.] The optimistic but short sighted analysis of how much salinity would be introduced into the Sacramento River Basin if Sites Reservoir is filled is insufficient and must be reconsidered in a recirculated DEIS/EIR so as not to repeat the problems with high salinity discharges to natural waters and irrigation to agricultural land. Other Toxic Minerals That Require More Detailed Analysis a) 7.2.4.3 Salt Lake "The EC value on one occasion reached 194,100 micromhos per centimeter. The TDS measurement at this time was 258,000 mg/L. EC, TDS, sodium, and boron [in the salt lake] exceeded all Central Valley Basin Plan criteria. A few metals also were noted at very high concentrations (aluminum, iron, and manganese) and exceeded all criteria, and a few others exceeded some criteria (arsenic, copper, lead, and nickel). Levels of ammonia and orthophosphate also were noted at high levels and exceeded criteria." [footnote 30: (Id.) pp.7- 26-28.] b) 7.2.4.5 Stone Corral Creek "Stone Corral Creek originates at approximately 700 feet elevation in the foothills west of Antelope Valley. As the intermittent stream flows into the grasslands of Antelope Valley, the channel is narrow and the banks eroded. The much larger Antelope Creek flows into Stone Corral Creek from the south near the town of Sites. Stone Corral Creek flows through the gap in the foothills and into the western Sacramento Valley. "DWR observed aluminum, arsenic, copper, iron, manganese, nickel, and phosphorus during intermittent sampling in Stone Corral Creek near Sites	

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			station during intermittent water quality sampling. The concentrations appeared to be higher during and immediately following storm events."[footnote 31: (Id.) p. 7-27.] c) 7.2.4.4 Funks Creek "Funks Creek originates at approximately 850 feet elevation in the foothills west of Antelope Valley. DWR observed aluminum, arsenic, copper, iron, manganese, mercury, nickel, and phosphorus in Funks Creek at the Glenn-Colusa Irrigation District (GCID) Main Canal station during intermittent water quality sampling. The concentrations appeared to be higher during and immediately following storm events."32[footnote 32: (Id.)]	
17	25	51900	B. Wetlands There are significant wetlands losses from the Project: 185.3 acres. However, Table 15-6 has a footnote stating, "Total acreage does not include acreage associated with the Project Buffer, which has not been surveyed or mapped."[footnote 33: Sites DEIS/EIR 2017. Chapter 7,: p. 15-8.] Therefore, AquAlliance asserts once again that additional surveys must be completed and included in a recirculated DEIS/EIR.	Please refer to Master Response 6: *Vegetation, Wetland, and Wildlife Resources*, which discusses the use of wetland field survey data and reliance on aerial imagery interpretation.
17	26	51700	In addition, although salinity is a problem with many ecosystems, there are unique, rare and precious plants and animals that take advantage of these salty environments. AquAlliance places a high value on these rare aquatic habitats. Destruction of the Alkaline Wetlands and the Salt Lake Pond will result in a potentially significant environmental impact by eliminating what was once an abundant wetland type that existed on the western edge of the Great Central Valley.34 [footnote 34: Sites DEIS/EIR 2017. Chapter 7, pp. 15-22, 15-31] The DEIS/EIR fails to adequately analyze the value of these intentionally extirpated ecosystems.	Please refer to Master Response 6: *Vegetation, Wetland, and Wildlife Resources*, which discusses adequacy of mitigation for protected species. As noted in Master Response 6, "The mitigation measures, which require the surveys, will be in place upon certification of the Final EIR/EIS and prior to an activity's adverse effect on the environment. These surveys will confirm the scope of the impacts, which will be used to calculate the amount of required mitigation using established ratios and performance standards in the mitigation measures. This does not constitute deferred mitigation."
17	27	51900	The proposed mitigation for all wetland types identified in the DEIS/EIR is suspended to future federal and state permitting	Please refer to Master Response 6: *Vegetation, Wetland, and Wildlife Resources*, which discusses adequacy of mitigation.

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			processes under the Clean Water Act.35 [footnote 35: Sites DEIS/EIR 2017. Chapter 7, p. 15-55.] Deferring mitigation and monitoring to some future date is not consistent with what CEQA requires of a lead agency, which is to consider and adopt feasible mitigation measures that could reduce a project's adverse impacts to less than significant levels. Pub. Resources Code §§ 21002, 21002.1(a), 21100(b)(3), 21151, 22081(a). An adequate environmental analysis in the DEIS/EIR itself is a prerequisite to evaluating proper mitigation measures: this analysis cannot be deferred to the mitigation measure itself. See, e.g., Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova (2007) 40 Cal.4th 412.	
17	28	21100	Significant Past, Present, and Future Streamflow Depletion is Not Disclosed Streamflow depletion is not mentioned in the DEIS/EIR. This deficiency strikes at the core of our critique, which views the CVP and the SWP as once operating within the law, albeit with more water on paper than could ever be available, until the limits of hydrology caused the Agencies and some of their contractors to look for tools to game the law – and the hydrology - of California. The CVP and SWP have extended water far from the areas of origin for agricultural, urban, and industrial uses. In so doing, particularly with paper water, the state and federal governments have facilitated a destructively unrealistic demand for water.	The effects of past, present and future projects and plans are addressed in Chapter 31, *Cumulative Impacts* which identifies the following projects that could affect water supply: Water storage projects (e.g., Los Vaqueros Reservoir Expansion, San Luis Reservoir Expansion, Shasta Lake Water Resources Investigation, and Upper San Joaquin River Basin Storage Investigation); Water supply projects (e.g., Davis-Woodland Water Supply Project and El Dorado Supplemental Water Rights Project); Regulatory projects (e.g., Bay-Delta Water Quality Control Plan Update, ROC ON LTO BiOps, SWP ITP, and ongoing implementation of Sustainable Groundwater Management Act). Chapter 31 also addresses the Project's potential contribution to cumulative impacts on surface water resources.
17	29	51400	Ever willing to destroy natural systems to meet demand for profit, the San Joaquin River dried up and subsidence caused by groundwater depletion in the San Joaquin Valley is even cracking water conveyance facilities. [footnote 36: Sneed, et al., 2012. Abstract: Renewed Rapid Subsidence in the San Joaquin Valley, California. "The location and magnitude of land subsidence during 2006–10 in parts of the SJV were determined by using an integration of Interferometric Synthetic Aperture Radar (InSAR), Global Positioning System (GPS), and borehole extensometer techniques. Results of the InSAR measurements indicate that a 3,200-km2 area was affected by at least 20 mm of subsidence during 2008–10, with a localized maximum	Thank you for this reference. As noted in Chapter 8, *Groundwater*, the Project would provide a more reliable surface water supply for agricultural use, lowering dependency on groundwater pumping for crop irrigation in the Sacramento Valley and the San Joaquin Valley for Storage Partners which could also reduce land subsidence.

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			subsidence of at least 540 mm. Furthermore, InSAR results indicate subsidence rates doubled during 2008. Results of a comparison of GPS, extensometer, and groundwaterlevel data suggest that most of the compaction occurred in the deep aquifer system, that the critical head in some parts of the deep system was exceeded in 2008, and that the subsidence measured during 2008–10 was largely permanent." Conference presentation at Water for Seven Generations: Will California Prepare For It?, Chico, CA.] Enter conjunctive use where the Agencies facilitate and their contractors implement river water sales and pump groundwater to continue crop production. The continual, long-term groundwater overdraft in the San Joaquin Valley, the expansion of new permanent crops in both the San Joaquin and Sacramento valleys, and groundwater substitution transfers by CVP and SWP contractors all cause streamflow depletion.	
17	30	21100	Failing to disclose how the CVP and SWP cause streamflow depletion is a major omission as is the current state of streamflow depletion in the Sacramento River, the stated source for Project water (Exhibit B). [footnote 37: ATTMT 2 Exhibit B. Custis, 2014. Graph for AquAlliance, Comparison of Ground Water Pumping and Accretion, Sacramento Valley 1920-2009] This must be corrected and included in a recirculated DEIS/EIR.	See response to comment 17-28, above.
17	31	11000	IV. Significant Historical Deficiencies The DEIS/EIR and Draft Feasibility Report ("DFS") ("Project Documents") do their best to spin a positive from a negative. Just one example opens the door to serious deficiencies in the documents and the historic operations and management of the Central Valley Project ("CVP") and the State Water Project ("SWP") ("Projects"). In addition to a need for better temperature management, there is also a need to improve flows for anadromous fish migration. In 2009, NMFS released a proposed Central Valley Salmon and Steelhead Recovery Plan (NMFS 2014). The proposed recovery strategy has many components, including the need to restore ecological flows throughout the Sacramento River Basin. There is	Please refer to Master Response 3: *Aquatic Biological Resources*, which discusses special-status fish species and CEQA/NEPA requirements, and flow impacts and mitigation measures. Needs response

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			a particular need to stabilize fall flows in the reach of the Sacramento River between Keswick Dam and RBPP to minimize dewatering of fall-run Chinook salmon redds, particularly during fall months. By exchanging water in NODOS for water in Lake Shasta, fall flows could be augmented in the portion of the Sacramento River downstream from Keswick Dam.38[footnote 38: USBR 2017. North-of-the-Delta Offstream Storage Investigation Draft Feasibility Report, p. 2-14.] How is it that the Bureau, DWR, and member water districts in the JPA finds themselves in a position to need more water to protect an ever-dwindling number of fish? AquAlliance will try to jog the memories of the Lead Agencies to assist in correcting the major omissions in the Project Documents. • Gaming the Legal System. The Projects' joint operations in 2014 and 2015 operated outside state and federal laws as presented in the Temporary Urgency Change Petitions sought by the Agencies. Fish were decimated while the Bureau and the Department of Water Resources (DWR") ("Agencies") operated outside water quality and flow requirements with the approval of the State Water Resources Control Board ("SWRCB").39[footnote 39: California Sportfishing Protection Alliance et al., 2015.Protest Objection Petition for Reconsideration Petition for a Hearing, (p. 3).e] • Ignoring Fish Agencies. Reasonable and Prudent Alternatives ("RPAs") from the Biological Opinions ("Bos") were intended to protect species, but instead they are tipping into extinction due to the mismanagement of the Projects and the consistent waiver of requirements that have been sought by the Agencies and approved by the SWRCB.40 [footnote 40: C-WIN et al. 2011. Complaint, California Water Impact Network, AquAlliance, and California Sportfishing Protection Alliance v. SWRCB, DWR and Respondent Bureau of Reclamation.] 41[footnote 41 The Bay Institute, 2015. Appendix to Temporary Urgency Change Protest, February 2015.]	
17	32	13000	• Denying Over-Appropriation of Limited Water. The avoidance in the DEIS/EIR of existing water right claims in the Central Valley	Please see Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* which notes the following:

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			including the junior claims of the Bureau and DWR must be corrected. Without this foundational background, the reviewer is unable to understand the Project and the claimed benefits that will theoretically accrue to the public and struggling species that have yet to see past permits and projects do anything of the kind. Essential information needed would include the response to inquiries from the Governor's Delta Vision Task Force where the SWRCB acknowledged that while average runoff in the Delta watershed between 1921 and 2003 was 29 million acre-feet annually, the 6,300 active water right permits issued by the SWRCB is approximately 245 million acre-feet [footnote 42 SWRCB, 2008. Water Rights Within the Bay Delta Watershed. pp. 2-3.] By this analysis, water rights on paper are 8.4 times greater than the real water in California's Central Valley rivers and streams diverted to supply those rights on an average annual basis. And the SWRCB acknowledges that this 'water bubble' does not even take account of the higher priority rights to divert held by pre-1914 appropriators and riparian water right holders.43 [footnote 43: (Id.) p. 1.][emphasis added]	"Many actions related to water management at the local, regional, state, and federal level are needed to comprehensively address water resource challenges in California. Comprehensively addressing all of the state's water management needs is outside of the Authority and Reclamation's purview and is beyond the scope of the analysis in the RDEIR/SDEIS. The State Water Board and the nine regional water quality control boards (collectively, the Boards) are charged with the comprehensive planning and allocation of water resources in California (Robie 2012)."
17	33	21100	A recirculated DEIS/EIR would also include more current research that reveals that the average annual unimpaired flow in the Sacramento River basin is 21.6 MAF, but the consumptive use claims are an extraordinary 120.6 MAF – 5.6 times more claims than there is available water. 44 [footnote 44: California Water Impact Network, AquAlliance, and California Sportfishing Protection Alliance 2012. Testimony on Water Availability Analysis for Trinity, Sacramento, and San Joaquin River Basins Tributary to the Bay-Delta Estuary.] The public and the California Water Commission are owed full disclosure of these disparate water rights claims and their priority since close to half of the Project's costs are sought from public bonds. Without it, the public and decision makers have insufficient information on which to support and make informed choices.	Please see Response to Comment 17-1, above. The RDEIR/SDEIS was recirculated for public review and comment in November 2021.
17	34	30000	The Lead Agencies positive assertions for environmental benefit ring very hollow. History and past behavior are greater indicators of future behavior. No number of promises or lofty goals may polish such a tarnished legacy that required the weak-kneed	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* which addresses general comments that do not raise any issues related to the adequacy of the environmental impact analysis.

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			admission above that there is, "[a] need to improve flows for anadromous fish migration."	
17	35	52200	Cultural Resources Impacts to Cultural/Tribal Cultural Resources have not been fully investigated in the EIS/EIR. Archaeological surveys are incomplete, consultation with involved tribes have not been completed, and assessment of the project's potential Adverse Effects have not been analyzed. Cultural/tribal impacts have not been completed according to the requirements of NEPA and NHPA. After decades of proposals for the Project, the following has not been done: completed archaeological surveys with eligibility determinations, interviews of Native American Elders regarding possible Traditional Cultural Properties in the Project area, completed Section 106 consultations (NHPA) for the DEIS, and completed AB 52 consultations for the DEIR, with the results stated in the DEIS/EIR. The DEIS/EIR states that there are many archaeological sites in the Project areas, with the Primary Study Area containing "habitation or village sites, temporary campsites, bedrock milling features, lithic scatters, and isolated artifacts, such as projectile points, ground stone implements, cores or core tools, and flakes (White et al., 2009)... Prehistoric archaeological resources may exist in portions of the Sites Reservoir Inundation Area and at some of the appurtenant facility locations that remain to be surveyed. These may include resources that are visible, as well as those that are completely buried and, therefore, invisible on the ground surface. Unmarked burials or cemeteries may be similarly present. As a result, areas that have not yet been studied would be surveyed prior to Project implementation. Furthermore, all prehistoric archaeological resources that are identified would be evaluated for NRHP/CRHR eligibility, and mitigation measures would be applied, as appropriate."45 [footnote] Eligibility determinations, and mitigation measures, need to be completed before project approval. Cultural resources may be forever destroyed if the Project is approved. The NO PROJECT Alternative must remain a viable alternative if it is the only	Please refer to Master Response 7, *Tribal Coordination*, Consultation, and Engagement, which addresses the Authority and Reclamation's consultation and engagement with Tribes, as well as Reclamation's fulfilment of federal trust obligations. Please also refer to the updated Chapter 28, *Tribal Cultural Resources*, and Chapter 22, *Cultural Resources*, which discuss the status of referenced NEPA and NHPA requirements.

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			choice that protects priceless cultural resources from destruction. Apparently, all the required studies are to be completed after Project approval! Because of this, no one knows the true environmental and cultural impacts of the Project. Yet a decision is supposed to be made by the lead agencies with an incomplete, and thus inadequate DEIS/EIR. This negates the whole purpose of Environmental Impact Statements and Environmental Impact Reports: • NEPA regulations, 40 CFR 1500.1(b): "NEPA procedures must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The information must be of high quality... [emphasis added] • California Environmental Quality Act (CEQA) Guidelines, 21061: The purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project." [emphasis added] Instead of writing EIRs and EISs as originally intended, the Sites Project Lead Agencies are making EIRs and EISs absolutely worthless as informational documents. On p. 18-23 it is stated, "Once an action alternative is selected, additional cultural resources investigations, studies, and consultations would be required to comply fully with federal and State requirements." If this is allowed, then what is the point of these informational documents? What if the impacts to an actual Traditional Cultural Property (TCP) in the Project Area (documented from interviews with Native American Elders) is so great that the potential "significant and unavoidable" determination of this DEIS/EIR for traditional cultural properties logically and humanely requires a "No Project" decision?	

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			A hypothetical "significant and unavoidable" impact on a hypothetical TCP, while implicitly implying Project approval, means nothing compared to the real, published findings of "significant and unavoidable" impacts before Project approval, so all can see the actual Project impacts. A. SIGNIFICANT AND UNAVOIDABLE IMPACTS TO CULTURAL RESOURCES 1. Cumulative Impacts—potentially significant and unavoidable The DEIS/EIR does not clearly and fully state even the potential "significant and unavoidable" impacts to cultural resources. In the Cumulative Impacts Chapter, it states: "35.3.13 Cultural/Tribal Cultural Resources Impact Cul-CI-1: The project alternatives would not result in a cumulatively considerable contribution to significant adverse cumulative effects on cultural resources" (p. 35-27). Yet this is contradicted on p. 35-28 when it is stated: "Impact Significance after Mitigation: The level of significance would be reduced due to the mitigation measures; however, some impacts could be potentially significant and unavoidable." [Significance added]. Impacts could be the destruction of significant cultural resources eligible for listing on the National Register, and the destruction of sacred sites. These potential impacts need to be fully analyzed after an ethnographic study for the Project area, a Impact Cul-1: A Substantial Adverse Change in the Significance of an Archaeological Resource. "Construction of the proposed Sites Reservoir and dams would impact 57 known archaeological sites and 197 archaeological isolates, primarily through clearing and grubbing, and filling the reservoir...None of the recorded sites have yet been evaluated for eligibility to the CRHR or the NRHP. Until these studies are completed, it is expected that the construction, operation, and maintenance of the Sites Reservoir Complex elements would result in a potentially significant impact on archaeological sites." [emphasis added]. pp. 18-42 to 18-43. 12. Potentially significant and unavoidable impacts to a	

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			Traditional Cultural Propertyor a Tribal Cultural Resource. "Impact Cul-3: Disturb a Traditional Cultural Property or a Tribal CulturalResource As Defined in PRC Section 21074. No TCPs/TCRs have been identified within the proposed Sites Reservoir Complex area, to date. Ethnographic studies and tribal consultations pursuant to PRC Section 21080.3.1 have not yet been undertaken and have the potential to identify TCPs/TCRs. The construction, operation, and maintenance of the 1.3-MAF Sites Reservoir and dams could result in a potentially significant impact on TCPs/TCRs, when compared to the Existing Conditions/No Project/No Action Condition." [emphasis added] p. 18-43. In summary, the DEIS/EIR is incomplete in its analysis of the Project's impacts on cultural resources. A thorough DEIS/EIR would require recirculation of these documents after the completed studies. However, there is enough evidence in the DEIS/EIR to conclude that there are significant and unavoidable impacts to cultural/tribal cultural resources according to CEQA, NEPA, and the NHPA. Rather than recirculation of the EIR/EIS, choosing the No Project Alternative would be the best solution for protecting cultural/tribal resources, among many other significant environmental impacts	
17	36	60000	The EIS/EIR Fails to Adequately Analyze Numerous Cumulative Impacts. The Ninth Circuit Court makes clear that NEPA mandates "a useful analysis of the cumulative impacts of past, present and future projects." Muckleshoot Indian Tribe v. U.S. Forest Service, 177 F.3d 800, 810 (9th Cir. 1999). "Detail is required in describing the cumulative effects of a proposed action with other proposed actions." Id. CEQA further states that assessment of the project's incremental effects must be "viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." (CEQA Guidelines § 15065(a)(3).) "[A] cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts."	Please refer to Chapter 31, *Cumulative Impacts* which addresses cumulative impacts of the Project.

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			(CEQA Guidelines § 15065(a)(3).) An EIR must discuss significant cumulative impacts. CEQA Guidelines §15130(a). Cumulative impacts are defined as two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. CEQA Guidelines § 15355(a). "[I]ndividual effects may be changes resulting from a single project or a number of separate projects. CEQA Guidelines § 15355(a). A legally adequate cumulative impacts analysis views a particular project over time and in conjunction with other related past, present, and reasonably foreseeable future projects whose impacts might compound or interrelate with those of the project at hand. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. CEQA Guidelines § 15355(b). The cumulative impacts concept recognizes that "[t]he full environmental impact of a proposed… action cannot be gauged in a vacuum." Whitman v. Board of Supervisors (1979) 88 Cal. App. 3d 397, 408 (internal quotation omitted). In assessing the significance of a project's impact, the Bureau must consider "[c]umulative actions, which when viewed with other proposed actions have cumulatively significant impacts and should therefore be discussed in the same impact statement." 40 C.F.R. §1508.25(a)(2). A "cumulative impact" includes "the impact on the environment which results from the incremental impact of the action when added to other past, present and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions." Id. §1508.7. The regulations warn that "[s]ignificance cannot be avoided by terming an action temporary or by breaking it down into small component parts." Id. §1508.27(b)(7). An environmental impact statement should also consider "[c]onnected actions." Id. §1508.25(a)(1). Actions are connected	

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			where they "[a]re interdependent parts of a larger action and depend on the larger action for their justification." Id. §1508.25(a)(1)(iii). Further, an environmental impact statement should consider "[s]imilar actions, which when viewed together with other reasonably foreseeable or proposed agency actions, have similarities that provide a basis for evaluating their environmental consequences together, such as common timing or geography." Id. §1508.25(a)(3) (emphasis added). As discussed, below, the DEIS/EIR fails to comport with these standards for cumulative impacts upon surface and groundwater supplies, vegetation, and biological resources; and, the baseline and modeling data relied upon by the DEIS/EIR that do not account for related transfer projects in the last 14 years.	
17	37	40000	Recent Past Transfers. Because the groundwater modeling effort didn't include the most recent 14 years record (1961- 2003) [footnote 46: JPA and Bureau 2017. Sites Reservoir Project DEIS/EIR. p. 10-28.], it appears to have missed simulating the most recent periods of groundwater substitution transfer pumping and other groundwater impacting events, such as recent changes in groundwater elevations and groundwater storage (DWR, 2014b), and the reduced recharge due to the recent periods of drought. Without taking the hydrologic conditions during the recent 14 years into account, the results of the Central Valley Hydrologic Model ("CVHM") simulation may not accurately depict the current conditions or predict the cumulative effects from the proposed groundwater substitution transfer pumping during the 2015-2024 Water Transfer Program and additional transfer programs such as the Yuba County Water Agency's. Below is a list of transfers from the recent past that should have been considered in the DEIS/EIR. 1. In 2009, the Bureau approved a one-year water transfer program under which a number of transfers were made. Regarding NEPA, the Bureau issued a FONSI based on an EA. 2. In 2010, the Bureau approved a two-year water transfer program (for 2010 and 2011). No actual transfers were made	Please refer to Chapter 31, *Cumulative Impacts* which addresses cumulative impacts of the Project.

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			under this approval. Regarding NEPA, the Bureau again issued a FONSI based on an EA. 3. The Bureau planned 2012 water transfers of 76,000 AF of CVP water all through groundwater substitution. [footnote 47: USBR 2012. Memo to the Deputy Assistant Supervisor, Endangered Species Division, Fish and Wildlife Office, Sacramento, California regarding Section 7 Consultation.] 4. In 2013, the Bureau approved a one-year water transfer program, again issuing a FONSI based on an EA. The EA incorporated by reference the environmental analysis in the 2010-2011 EA. 5. The Bureau and SLDMWA's 2014 Water Transfer Program proposed transferring up to 91,313 AF under current hydrologic conditions and up to 195,126 under improved conditions. This was straight forward, however, when attempting to determine how much water may come from fallowing or groundwater substitution during two different time periods, April-June and July-September, the reader was left to guess. [footnote 48: The 2014 Water Transfer Program's EA/MND was deficient in presenting accurate transfer numbers and types of transfers. The numbers in the "totals" row of Table 2-2 presumably should add up to 91,313. Instead, they add up to 110, 789. The numbers in the "totals" row of Table 2-3 presumably should add up to 195,126. Instead, they add up to 249,997. Both Tables 2-2 and 2-3 have a footnote stating: "These totals cannot be added together. Agencies could make water available through groundwater substitution, cropland idling, or a combination of the two; however, they will not make the full quantity available through both methods. Table 2-1 reflects the total upper limit for each agency."]	
17	38	60200	These closely related projects impact the same resources, are not accounted for in the environmental baseline, and must be considered as cumulative impacts. Additionally, the DEIS/EIR's treatment of transfers is to "assume" that there will not be impacts – a dangerous position without substantive support.49 [footnote 49: JPA and Bureau 2017. Sites Reservoir Project DEIS/EIR. p. 35-12. "[i]t is assumed in the cumulative impact	Please refer to Chapter 31, *Cumulative Impacts* which addresses cumulative impacts of the Project.

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			analysis that water transfers that result in significant adverse impacts would not continue."] Exhibit B discussed above demonstrates the significant and long-term trend toward groundwater depletion and therefore river and stream depletion as the surface waters attempt to fill the voids underground. The DEIS/EIR's assertion that "Therefore, it is assumed in the cumulative impact analysis that water transfers that result in significant adverse impacts would not continue," at least tacitly admits that there have been consequential impacts from water transfers, particularly groundwater substitution transfers.50 [footnote 50: (Id.)] An additional and relevant point is that the 2015-2024 Water Transfer Program's FEIS/EIR is currently before the eastern district court in Fresno. A ruling may say a great deal about how secure future water transfers will be.	
17	39	60100	Yuba Accord The relationship between the federal and state Agencies, and the very demanding San Luis Delta Mendota Water Authority that constantly seeks more NorthState water for its water districts, is not found in the DEIS/EIR, but is illuminated in a 2013 Environmental Assessment. "The Lower Yuba River Accord (Yuba Accord) provides supplemental dry year water supplies to state and Federal water contractors under a Water Purchase Agreement between the Yuba County Water Agency and the California Department of Water Resources (DWR). Subsequent to the execution of the Yuba Accord Water Purchase Agreement, DWR and The San Luis & Delta- Mendota Water Authority (Authority) entered into an agreement for the supply and conveyance of Yuba Accord water, to benefit nine of the Authority's member districts (Member Districts) that are SOD [south of Delta] CVP water service contractors." 51[footnote 51: Bureau of Reclamation, 2013. Storage, Conveyance, or Exchange of Yuba Accord Water in Federal Facilities for South of Delta Central Valley Project Contractors.] In a Fact Sheet produced by the Bureau, it provides some numerical context and more of DWR's involvement by stating, "Under the Lower Yuba River Accord, up to 70,000 acre-feet can	Please refer to Chapter 31, *Cumulative Impacts* which addresses cumulative impacts of the Project.

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			be purchased by SLDMWA members annually from DWR. This water must be conveyed through the federal and/or state pumping plants in coordination with Reclamation and DWR. Because of conveyance losses, the amount of Yuba Accord water delivered to SLDMWA members is reduced by approximately 25 percent to approximately 52,500 acre-feet. Although Reclamation is not a signatory to the Yuba Accord, water conveyed to CVP contractors is treated as if it were Project water." 52 [footnote 52: Bureau of Reclamation, 2013. Central Valley Project (CVP) Water Transfer Program Fact Sheet.] However, the Yuba County Water Agency ("YCWA") may transfer up to 200,000 under Corrected Order WR 2008-0014 for Long-Term Transfer and, "In any year, up to 120,000 af of the potential 200,000 af transfer total may consist of groundwater substitution. (YCWA-1, Appendix B, p. B-97.)." 53 [footnote 53: State Water Resources Control Board, 2008. ORDER WR 2008 - 0025] Potential cumulative impacts from the Project and the YCWA Long-Term Transfer Program from 2008 - 2025 are not disclosed or analyzed in the DEIS/EIR. The 2015-2024 Water Transfer Program could transfer up to 600,000 AF per year through the same period that the YCWA Long-Term Transfers are potentially sending 200,000 AF into and south of the Delta. How these two projects operate simultaneously could have a very significant impact on the environment and economy of the Feather River and Yuba River's watersheds and counties as well as the Delta. The involvement of Browns Valley Irrigation District and Cordua Irrigation District in both long-term programs must also be considered. This must be analyzed and presented to the public in a revised draft EIS/EIR.	
17	40	60200	Also not available in the DEIS/EIR is disclosure of any issues associated with the YCWA transfers that have usually been touted as a model of success. The YCWA transfers have encountered troubling trends for over a decade that, according to the draft Environmental Water Account ("EWA") EIS/EIR, are mitigated by deepening domestic wells (2003 p. 6-81). While	Please refer to Chapter 31, *Cumulative Impacts* which addresses cumulative impacts of the Project.

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			digging deeper wells is at least a response to an impact, it hardly serves as a proactive measure to avoid impacts. Additional information finds that it may take 3-4 years to recover from groundwater substitution in the south sub-basin [footnote 54: 2012. The Yuba Accord, GW Substitutions and the Yuba Basin. Presentation to the Accord Technical Committee. (pp. 21, 22).] although YCWA's own analysis fails to determine how much river water is sacrificed to achieve the multi-year recharge rate. None of this is found in the Project DEIS/EIR. What was found in the 2015-2024 Water Transfer Program's environmental review is that even the inadequate SACFEM2013 modeling reveals that it could take more than six years in the Cordua ID area to recover from multi-year transfer events, although recovery was not defined (pp, 3.3-69 to 3.3-70). This is a very significant impact that is not addressed cumulatively in the DEIS/EIR.	
17	41	60100	Biggs-West Gridley The Biggs-West Gridley Water District Gray Lodge Wildlife Area Water Supply Project, a Bureau project, is not mentioned anywhere in the Vegetation and Wildlife or Cumulative Impacts sections. [footnote 55: http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=15381] This water supply project is located in southern Butte County where Western Canal WD, Richvale ID, Biggs-West Gridley WD, and Butte Water District actively sell water on a regular basis, yet impacts to GGS from this project are not disclosed. This is a serious omission that must be remedied in a recirculated draft EIS/EIR. Other Projects Court settlement discussions between the Bureau and Westlands Water District over provisions of drainage service Case # CV-F-88-634-LJO/DLB will further strain the already over allocated Central Valley Project with the following conditions: 1. A permanent CVP contract for 890,000 acre-feet of water a year exempt from acreage limitations.	Please refer to Chapter 31, *Cumulative Impacts* which addresses cumulative impacts of the Project.

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			2. Minimal land retirement consisting of 100,000 acres; the amount of land Westlands claims it has already retired (115,000 acres) will be credited to this final figure. Worse, the federal government stated it would be satisfied with 100,000 acres of "permanent" land retirement. 3. Forgiveness of nearly $400 million owed by Westlands to the federal government for capital repayment of Central Valley Project debt. 4. Five-Year Warren Act Contracts for Conveyance of Groundwater in the Tehama- Colusa and Corning Canals – Contract Years 2013 through 2017 (March 1, 2013, through February 28, 2018). Additional projects with cumulative impacts upon groundwater and surface water resources affected by the proposed project: 1. The DWR Dry Year Purchase Agreement for Yuba County Water Agency water transfers from 2015-2025 to SLDMWA. [footnote56: SLDMWA Resolution # 2014 386 http://www.sldmwa.org/OHTDocs/pdf_documents/Meetings/Board/Prepacket/2014_1106_Board_PrePacket.pdf] 2. GCID's Stony Creek Fan Aquifer Performance Testing Plan to install seven production wells in 2009 to extract 26,530 AF of groundwater as an experiment that was subject to litigation due to GCID's use of CEQAs exemption for research. 3. Installation of numerous production wells by water districts that sell water, many with the use of public funds such as Butte Water District, [footnote57 Prop 13. Ground water storage program: 2003-2004 Develop two production wells and a monitoring program to track changes in ground] GCID, Anderson Cottonwood Irrigation District [footnote 58: "The ACID Groundwater Production Element Project includes the installation of two groundwater wells to supplement existing district surface water and groundwater supplies." http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=8081e] RD108, and Yuba County Water Authority [footnote 59: Prop 13. Ground water storage program 2000-2001: Install eight wells in the Yuba-South Basin to improve water supply reliability	

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			for in-basin needs and provide greater flexibility in the operation of the surface water management facilities. $1,500,00;] among others. 4. The Western Canal Water District and Richvale Irrigation District Water Transfers from 2018 to 2022.	
17	42	11000	Reduced reliance on water from the Delta Water Code Section 85021 requires that all regions of California reduce their dependence on water imported from the Delta: "The policy of the State of California is to reduce reliance on the Delta in meeting California's future water supply needs through a statewide strategy of investing in improved regional supplies, conservation, and water use efficiency. Each region that depends on water from the Delta watershed shall improve its regional self-reliance for water through investment in water use efficiency, water recycling, advanced water technologies, local and regional water supply projects, and improved regional coordination of local and regional water supply efforts." How will the proposed Project adhere to this requirement?	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments which are informational.
17	43	21600	The DEIS/EIR is unfriendly to the reader. The Lead agencies have inhibited ease of review for the reader with the electronic files they provided. • The online and CD versions of the DEIS/EIR and its many appendices are only found as separate files. Navigating over 2,000 pages in the DEIS/EIR, not including the appendices, is onerous for the reader. • When opened, the separate chapter and appendix files do not display the title of the chapter or appendix in the Acrobat title bar, but instead they all read "Sites Reservoir Project Public Draft EIR/EIS." • The appendix files fail to provide the name of the appendix even in the unopened file, but instead they only provide the number of the appendix, such as "01-APP_1A_SitesDraftEIREIS_August2017."	Please see Response to Comment 17-1, the Draft EIR/EIS was completely revised and circulated for public review. An ADA compliant document was made available on Reclamation and the Authority's websites.
17	44	21500	Conclusion The Lead Agencies careless treatment of the serious issues enumerated above and DWR's specious avoidance of the CEQA lead agency role leave the proposed Project woefully adequate.	Please see Response to Comment 17-1.

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			In so doing, this deprives decision makers and the public of their ability to evaluate the potential environmental effects of this Project and violates the full-disclosure purposes and methods of both NEPA and CEQA. For each of the foregoing reasons, at a minimum, we urge the Lead Agencies to withdraw the environmental review document for this Project. If you choose to move forward, the Project Documents must be substantially revised and recirculated for public and agency review and comment.	
17	45	11000	[ATT 1]: The Sacramento Valley Water Management Agreement.	Thank you for this reference.
17	46	51400	[ATT 2]: AquAlliance Defending Nothern California Waters Comparison of Ground Water Pumping and Accretion Sacramento Valley 1920's to 2009.	Thank you for this reference.

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18	1	53300	Chapter 29 (Public Services and Utilities) of the Draft EIR/EIS analyzes public services including police protection and emergency response. We believe the presence of 200,000 recreationists per year at Sites Reservoir is a significant number (nine times the total population of the County [Colusa County]), well beyond the capacity of current public safety personnel. This increased seasonal visitation will impact law enforcement presence and response times to the Reservoir and the remainder of the County. Additionally there will be a need for on-site storage of patrol watercraft.	Thank you for your comments on the 2017 Draft EIR/EIS. Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a RDEIR/SDEIS and this Final EIR/EIS. Comments on specific text and other corrections are no longer relevant due to the publication of the RDEIR/SDEIS, which revised the text of the Draft EIR/EIS in its entirety. Please refer to Chapter 26, *Public Services of the RDEIR/SDEIS* which provides an update analysis of fire protection services based on the revised project alternatives and ongoing discussions with local agencies. As noted in Chapter 2, *Project Description and Alternatives*, prefabricated structures for storing equipment and materials to assist emergency services personnel may be placed within the footprint of the recreation areas for police and fire emergency response. Please refer to Chapter 18, *Navigation Transportation and Traffic,* which addresses traffic circulation including construction-related traffic and routes as well as permanent access.
18	2	53300	The South Bridge is the County's [Colusa County] preferred alternative for most effective emergency response times to the communities of Lodoga and Stonyford, as well as the Mendocino National Forest and East Park Reservoir.	The South Bridge is included in Alternative 3, which is the preferred alternative; please see Chapter 2, *Project Description and Alternatives*.
18	3	53300	An Emergency Response Plan should be developed in coordination with local agencies, and should ensure implementation of Reverse 911 system for downstream emergency notifications.	An emergency response plan is proposed as part of the Recreation Management Plan; please see Appendix 2D.
18	4	52400	Land Use Chapter 20 (Land Use) of the Draft EIR/EIS analyzes the potential land use and agricultural impacts of the proposed project and its alternatives. As stated in the Draft EIR/EIS, the Colusa County General Plan Land Use Element provides for the creation of Sites Reservoir and the General Plan Land Use Map and Zoning Map have also already identified the proposed Sites Reservoir as a study area. However, when Colusa County adopted its new General Plan in 2012 and Zoning Code in 2014, the County did not adopt specific land use designations to reflect the Sites Reservoir because of the uncertainty, at that	Please see Response to Comment 13-1, above.

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			time. Rather, the County in its General Plan and Zoning Code anticipated that it would most likely subsequently modify the applicable General Plan and Zoning designations in the future. While Colusa County's General Plan and Zoning Ordinance allow for some and/or anticipated some of the uses envisioned with the Sites Reservoir (for example, public parks, campgrounds, or boat ramps) in order for the reservoir to be fully consistent with the Colusa County General Plan and Zoning Ordinance, it is anticipated that Colusa County would need to process a General Plan Amendment and Zoning Amendment to address the full breadth of proposed changes to land use that the necessary and desired infrastructure would bring. During this process creation of Community Services and Facilities Districts for long term management of the above-referenced facilities shall be required. The Draft EIR/EIS addresses changes in the physical environment related to the proposed Project. As such, the Draft EIR/EIS can be used to support any required General Plan or Zoning land use designation changes in the future to ensure that the Sites Reservoir project is completely consistent with the County's land use requirements. As noted in the Draft EIR/EIS, additional environmental analysis may be necessary for certain projects, such as a use permit for a recreational facility, if application was not fully considered in the Draft EIR/EIS. County staff would make that determination in the future upon receipt of such an application. Chapter 3 of the Draft EIR/EIS states that up to five recreation areas may be developed, although a total of three recreation areas are anticipated to ultimately be constructed. The recreational opportunities would include boating, camping, picnicking, fishing, swimming, and hiking. In addition, depending on the recreation area, proposed facilities could include boat launch sites, trails, designated swimming and fishing access, picnic tables, shaded canopies, campfire rings/barbeques, vault toilets, parking areas, and dumpsters. The Draft EIR/EIS should include a discussion regarding the applicability and necessity for county land use approvals from either Glenn or Colusa counties. Further, a description of the facilities needed to provide potable	

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			water and power to the recreation areas on the west side of the reservoir are needed in the instance that the south bypass road and/or the bridge are not selected as project alternatives. The role of Reclamation in the General Plan, Zoning and Williamson Act issues within Colusa County requires clarification.	
18	5	14000	Chapter 3 of the Draft EIR/EIS states that Chapter 4 (Environmental Compliance and Permit Summary) of the Draft EIR/EIS recognizes that certain aspects of the Project may necessitate a building permit issued by Colusa County. Tables 1-1 (Primary Anticipated Permits, Approvals, and Authorizations for the Sites Reservoir Project) and 4-1 (Applicable Federal, State, and Local Permits and Approvals) identifies building permits as the responsibility of the Colusa County Public Works Department. Building permits in Colusa County are the responsibility of the Colusa County Building Unit of the Community Development Department. As such, Tables 1-1 and 4-1 should be corrected to reflect the correct responsible agency for building permits in Colusa County is the Building Unit of the Community Development Department.	Chapter 4 has been revised in the Final EIR/EIS.
18	6	53200	Chapter 28 (Public Health and Environmental Hazards) of the Draft EIR/EIS discusses the potential use of hazardous materials (such as fuels, oils, grease, and lubricants) but concludes that "Implementation of environmental commitments identified in Chapter 3 Description of the Sites Reservoir Project Alternatives specifically related to spill prevention and hazardous materials management, implementation of a Worker Environmental Awareness Program, and performing an environmental site assessment would reduce the potential release of hazardous materials during construction, operation, or maintenance activities to a less-than-significant impact when compared to the Existing Conditions/No Project/No Action Condition." Chapter 3 then discusses that the hazardous materials and hazardous wastes including fuels, oils, grease, and lubricants that would be used and stored for construction, operation, and maintenance of the proposed Project would be used, stored, and disposed of in accordance with applicable regulations (Chapter 4 Regulatory Requirements and Permit Summary and Chapter 28	Please refer to Chapter 27, *Public Health and Environmental Hazards* for the revised analysis of this topic.

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			Public Health and Environmental Hazards). Neither Chapter 4 nor Chapter 28 discuss the role that the Colusa Environmental Health Division of the Community Development Department has in regulating hazardous materials acting as the designated Certified Unified Program Agency (CUPA) by CalEPA. Table 1 -1 assigns the annual permitting for the use and storage of hazardous materials and the development of Hazardous Material Business Plans to the "Fire Departments." At a minimum, Tables 1-1 and 4-1 should be amended to reflect that the Colusa County Environmental Health Division acting as the Colusa CUPA is the responsible agency for issuing permits including but not limited to Hazardous Materials Business Plans (HMBP) associated with the use of regulated amounts of hazardous materials in Colusa County.	
18	7	32000	Chapter 6 (Surface Water Resources) describes the ex1stmg conditions and project related changes to surface water resources. Diversions from Stony Creek should be addressed as a potential source. Should the water management regulations on this watershed be modified in the future, used allocated water maybe appropriate for storage by the Sites Project.	Please see Chapter 5, *Surface Water Resources* for the revised analysis of this topic.
18	8	51500	Chapter 10 (Groundwater Resources) of the Draft EIR/EIS discusses groundwater resources. Page 10-27 states " ... within the Primary Study Area, it is anticipated that the No Project/No Action Alternative would not entail material changes in conditions as compared to the existing conditions baseline." The No Project/No Action Alternative should clearly address the potential loss of beneficial impacts and the need for the Project to provide surface water storage north of the Delta in order to: (1) Enhance water management flexibility in the Sacramento Valley; (2) Increase reliability of California water supplies; and (3) Provide storage and operational benefits for programs to enhance water supply reliability, both locally and State-wide, benefit Delta water quality, and improve ecosystems.	Please see Chapter 8, *Groundwater Resources* for the revised analysis of this topic.
18	9	51400	Tables 10-2, 10-4, 10-5, and 10-6 of Chapter 10 are missing a significant amount of well data. For those wells that are included in the Draft EIR/EIS, all well data should be provided. Well construction information can be found on well completion	Please see Chapter 8, *Groundwater Resources* for the revised analysis of this topic.

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			reports obtained from the California Department of Water Resources (DWR). Groundwater level data from monitoring wells are compiled by DWR, USBR and the applicable water districts. If specific well data is not available, then those wells should not be included in the Draft EIR/EIS because it gives a false impression of the breadth of the available well data and it does not provide useful information.	
18	10	51400	In September of 2014, Governor Brown signed a three-bill package known as the Sustainable Groundwater Management Act (SGMA). The Sustainable Groundwater Management Act requires that a Groundwater Sustainability Plan (GSP) be adopted for all high and medium priority groundwater basins in California, establishes basic requirements for these Groundwater Sustainability Plans, and empowers local agencies to manage basins sustainably. While the proposed location of the Sites Reservoir is outside the defined Colusa sub-basin for which a GSP is required, portions of the proposed pipeline and other project facilities are within the Colusa sub-basin, and the reservoir will have a positive impact on groundwater resources within the sub-basin.	Please see Chapter 8, Section 8.3.2.1. *Implementation of the Sustainable Groundwater Management Act*.
18	11	51400	With the onset of the SGMA, there are specific groundwater management activities related to the Sites Reservoir project that should be considered and discussed in the Draft EIR/EIS: There is potential for Sites Reservoir to provide significant beneficial impacts to groundwater resources if Sites water can be made available for groundwater recharge projects in groundwater-stressed areas. This is an important potential beneficial impact that should be discussed in the project benefits section of Chapter 10.	Please see Chapter 8, *Groundwater Resources* for the revised analysis of this topic.
18	12	51400	With the onset of the SGMA, there are specific groundwater management activities related to the Sites Reservoir project that should be considered and discussed in the Draft EIR/EIS: The County's [Colusa County] Water Resources Division currently manages a groundwater monitoring program and serves as the support staff for the Colusa Groundwater Authority (CGA); a JPA formed to implement the provisions of SGMA within Colusa County. Consideration should be given to development of a	Please see Chapter 8, *Groundwater Resources* for the revised analysis of this topic.

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			long-term groundwater monitoring program, in coordination with the Colusa Groundwater Authority (CGA). The County network of monitoring wells is under review by a consultant team as part of a Proposition 1 grant-funded project, and plans will be developed to upgrade the network over the next few years as the Groundwater Sustainability Plan is developed for the Colusa sub-basin. By including wells to specifically monitor for impacts from the Sites project, we could provide relevant real-time data in the primary, secondary and extended study areas. This would enhance SGMA monitoring efforts in the areas within the Colusa sub-basin, and also help to quantify any beneficial impacts to the groundwater basins from the Sites project.	
18	13	52800	Chapter 24 (Air Quality) analyzes air quality impacts for all project alternatives. Specifically, Tables 24-7, 24-1 0, 24-11 estimate average daily unmitigated emissions. During construction, some of these emissions exceed daily significance threshold limits. This could be mitigated by lease of emission offsets. The County [Colusa County] does not foresee any issues with the Sites Dam after completion of the construction portion of the project, thus the need to purchase offsets would not be applicable.	See Chapter 20, *Air Quality*. Mitigation Measure AQ-1.1 would require that construction contractors use zero emission or near-zero emission technology for construction vehicles and equipment to the maximum extent feasible and Mitigation Measure AQ-1.2 would partially mitigate remaining NOx and PM10 emissions through offsets.
18	14	51300	Chapter 9 (Flood Control and Management): It is acknowledged that the Sites Project would reduce or eliminate the flood that occurred in 2017 that inundated major portions of Maxwell and closed Interstate 5 by intercepting flood events on Stone Corral and Funks Creeks. This would increase flood safety to certain portions of the County [Colusa County] subject to storm events that could hypothetically cause concerns about dam safety (please see the discussion of the credible maximum earthquake in the EIR/S and Federal Feasibility Report), the Sites Project may be required to rapidly reduce the volume stored behind the two major dams and saddle dams. The routing of this rapid release of water (most likely by way of the Stone Corral, Funds and Hunter Creek watersheds) and the emergency plans for the people and property within Colusa and Glenn Counties should be explored more fully and the development of detailed plans	Please see Chapter 5, *Surface Water Resources,* which addresses flood impacts.

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			be part of the efforts following approval of the Project. While we have not confirmed the calculation and the performance of the dams designs as part of this review, we support the use of the type of embankment dam structures proposed (as opposed to other more ridged but less expensive potential dam structures) and trust that the relevant State and federal agencies tasked with such a review will concur with this opinion and adjust details of the design to protect the lives of our residents and their property. Judging by the probability of the hypothetical and highly unlikely event and the design of the dams, the impact analysis (Chapter 9) should not focus on a total dam failure and the unrealistic instantaneous releases of the water stored in the dam but should concentrate on the unlikely but regulatorily required rapid but controlled release consistent with the State safety of dam regulations. Likewise, it is our understanding that should the dams be subjected to and fail from the listed ground acceleration, embankment dams would not catastrophically release the reservoir contents at the listed rate but a much lower amount. The calculation of the 2 million cfs discharge is dubious at best. Please confirm these calculations in the FEIR/S.	
18	15	51300	Should the focus remain on dam failures, the figure showing the potential inundation area needs further analysis as there are many structures in the buffer area that would be inundated. Additionally the buffer zone needs further definition, i.e. next adjoining parcel, or distance.	Please see Chapter 5, *Surface Water Resources,* which addresses flood impacts.
18	16	32000	The elevation of the outlet structure and saddle dam 6 referenced in Alternatives C and D cannot be as described in Alternative A due to the increased storage capacity of Alternatives C and D.	Please see Chapter 2, *Project Description and Alternatives* for the updated description of the Project.
18	17	53500	With respect to pump back storage potential (ie Proposed Holthouse reservoir) alterative configurations/locations should be pursued that do not conflict with existing powerline and TCCA operations.	Please see Chapter 2, *Project Description and Alternatives* for the updated description of the Project. Holthouse Reservoir is no longer included as a component of the Project.

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18	18	10000	Coordination with local agencies, including the current Colusa County Floodplain Administrator should be ongoing during operation/maintenance of the dam, especially during major events and large releases.	The Authority has and will continue to engage local agencies in the planning and operation of the Project.
18	19	53000	Roadways: We [Colusa County Board of Supervisors] observed (and concur) that several decisions regarding our local roadways in the region of the Sites Project will require modification to 1) support the construction of the Project 2) allow for access to local residents to their land, 3) provide access to the Project and its and facilities, and 4) allow those traveling through the area a reasonable route. We also note that several decisions regarding the modifications to our existing roadways appear to have been made and the factors considered are summarized in Chapter 3 (Project Description) and/or in the resource analysis. While these summaries may help the readers, they do not provide sufficient detail to allow our concurrence on the decisions, and eliminates potentially reasonable options from the EIR/S. For example, we fully support the inclusion of the South Bridge as the Preferred Project Alternative to traverse the reservoir and connect the communities of Lodoga and Maxwell. Yet, we believe the bridge as proposed provides an excess of freeboard with no explanation.	Please refer to Chapter 18, *Navigation Transportation and Traffic,* which addresses traffic circulation including construction-related traffic and routes as well as permanent access.
18	20	31200	We [Colusa County Board of Supervisors] suggest that the Authority include the following 'revised southern road option' (described in more detail below) in one of the alternatives in the Final EIS. We acknowledge the 'revised southern road option' may increase travel time and degrade emergency response time between Maxwell and Lodoga. It will also result in increased potential for impacts to archaeological and biological resources. We also believe that this option will: 1) Ensure adequate access to privately-owned property who have lost access as a result of the Project 2) Provide a rural highway quality road (similar that the current road crossing Antelope Valley, between Maxwell and Lodoga) 3) Relieve maintenance calls for rock and snow removal Guidelines for the description of the Revised Southern Road • Develop a road consistent with the County's rural highway	Please refer to Chapter 18, *Navigation Transportation and Traffic,* which addresses traffic circulation including construction-related traffic and routes as well as permanent access. The southern road option is part of the preferred alternative.

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			standards • Follow existing paved and unpaved alignments as shown in the attached figure (Attachment "A") • Provide equal quality access to private property isolated by the Project • Roadway surface should not exceed 8% grade • Roadway cuts should be graded to a 45% slope and include adequate drainage control features We suggest the Authority consider an alignment as shown on the attached map [Attachment 1], in each location in the document where a southern route is discussed. We note that the proposed connection of Huffmaster Road to Leesville Road is not required for this project.	
18	21	53000	With regard to temporary access during construction, Table 3-7 does not appear to adequately address access for all property owners within the project footprint. There is no roadway proposed that will provide access to those property owners on the south end of the project area.	Please refer to Chapter 18, *Navigation Transportation and Traffic,* which addresses traffic circulation including construction-related traffic and routes as well as permanent access.
18	22	53000	The County [Colusa County] questions the necessity of the proposed North Bypass Road continuing from the saddle dams west to Sites Lodoga Road.	Please refer to Chapter 18, *Navigation Transportation and Traffic,* which addresses traffic circulation including construction-related traffic and routes as well as permanent access.
18	23	32000	Chapter 3 of the Draft EIR/EIS should reflect that the spread of the spoils from the pipeline trench will be done in accordance with the US Army Corps of Engineers, local flood control district, as well as in compliance with the grading permit issued by the Colusa County Department of Public Works.	Please see Chapter 2, *Project Description and Alternatives* for the updated description of the Project.
18	24	53000	Railways: While the West Valley Line of the California Northern Railroad operates between Tehama and Davis, it should be noted within the document that rail service exists between the terminus in Davis and the Port of West Sacramento as well as Suisun Bay. The potential for railway usage during construction, would lead us [Colusa County Board of Supervisors] to believe this clarification should be made to the document.	Please refer to Chapter 18, *Navigation Transportation and Traffic,* which addresses traffic circulation including construction-related traffic and routes as well as permanent access.

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18	25	52500	Chapter 21 (Recreation Resources) provides information concerning potential recreational settings and opportunities as a result of the project. These additional recreational opportunities (such as equine centric facilities) will relieve pressure at other facilities across the northern portion of the state. To that end the County [Colusa County] would like to see included within the document a more in-depth discussion on the impacts to recreation from increased surface water as identified is Alternative D.	Please refer to Chapter 16, *Recreation Resources* for the revised analysis of recreational resource impacts.
18	26	52500	Chapter 18, (Cultural/Tribal Cultural Resources) discusses the cultural and tribal resources now known and likely to be discovered during project construction. As a mitigation measure, it is discussed that the Authority shall consult with the appropriate entity concerning relocation of specific cultural resources, i.e. cemeteries. The County [Colusa County] believes this relocation effort should be expanded to include creation of a visitor's center to include sheriffs facilities, public events space, and the re-located Sites Cemetery or other relocated remains.	Please see Chapter 22, *Cultural Resources* and Chapter 23, *Tribal Cultural Resources* for revised mitigation measures.
18	27	31200	[Attachment 1:] County of Colusa Department of Public Works Revised Southern Road Option "Attachment A"	Thank you for providing this document.

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19	1	20000	The Sites Project will require both water right and water quality approvals from the State Water Board and Central Valley Regional Board (collectively Water Boards). Accordingly, the Water Boards are responsible agencies for the project pursuant to the California Environmental Quality Act (CEQA). As responsible agencies under CEQA, the Water Boards must review and consider the environmental effects of the project identified in the EIR/EIS that are within their purview and reach their own conclusions on whether and how to approve the project. (Cal. Code Regs. Tit. 14 section 15096, subd. (a).) Accordingly, the Water Boards submit these joint comments.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in the extensive review of additional alternatives and revised modeling to further refine the Project. A Revised Draft Environmental Impact Report/Supplemental Draft Impact Statement (RDEIR/SDEIS) was released in 2021. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. The Final EIR/EIS also includes chapters and appendices that have been updated based on revised modeling results and minor corrections and clarifications resulting from comments received on the RDEIR/SDEIS. Please refer to Appendix 2B, *Additional Alternatives Screening and Evaluation*, which describes the process undertaken since 2017 to identify additional or revised alternatives, including design and operational refinements. In May 2019, the Authority initiated a series of focused discussions with the California Natural Resources Agency regarding Project planning and intended operations. The purpose of these discussions was to address the effects of the Project on the State's public trust resources and further refine the Project facilities and operational characteristics consistent with what would be affordable for member participants and also to meet applicable permitting requirements. The Authority met with the aquatics and terrestrial technical teams from the California Department of Fish and Wildlife (CDFW) several times between May and September 2019 to explore refinements to Project operations and facilities. During and following this process, the Authority revised the Project operational components and eliminated or modified previously proposed facilities to ensure an affordable Project capable of providing a sufficient and reliable water supply and dedicated ecosystem benefits. These revised components include revised 2019 operational scenarios/criteria, proposed conservation measures, and a science and adaptive management strategy. It also included removing the Delevan Intake, revisions to the operational criteria and less water being pumped from the Sacramento River on average, as well as reducing the footprint of the reservoir from a maximum of 1.8 MAF to 1.5 MAF.

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				Please refer to Master Response 1: Responses to General Comments, regarding introductory or background information.
19	2	51100	Permits and Certifications Needed for the Project from the Water Boards The Sites Project will require various approvals from the Water Boards, including water right and water quality approvals. To facilitate these approvals, the CEQA document must analyze the impacts of the project on water quality and beneficial uses and identify feasible alternatives and appropriate mitigation measures. The Sites Project Authority (Authority) should fully evaluate the need for approvals for the project from the Water Boards and begin the application process early as the permits are often time consuming to acquire. Permits that may be required are discussed below. A well written and thorough CEQA document that includes specific mitigation measures and monitoring and evaluation provisions will be needed for these permitting processes.	Chapter 4, *Regulatory and Environmental Compliance: Project Permits, Approvals, and Consultation Requirements* provides and overview of the required approvals needed for the Project.
19	3	13000	Water Rights The draft EIR/EIS states that Sites Reservoir will be filled entirely with Sacramento River water diverted at two to three locations, depending on the project alternative under consideration. The draft EIR/EIS further states that the Authority intends to file an application to appropriate water by permit with the State Water Board to seek authorization for these proposed diversions, and that any application filed would likely be consistent with the project described in State Water Right Filing A025517. Two initial findings are required before a permit can be issued: (1) unappropriated water is available to supply the applicant, and (2) the applicant's appropriation is in the public interest. If the proposed appropriation does not meet these criteria, conditions may be imposed to ensure they are satisfied or the application may be denied. A permit may only allow diversion and use of that amount of water that the applicant has demonstrated is necessary for the proposed purpose for as long a time as the project is deemed reasonable and is diligently	Please see Chapter 2, *Project Description and Alternatives*. The Authority filed its water right application for the Project with the State Water Board in May 2022 (application number A025517X01). The application identifies the Sacramento River as the source of water and includes two proposed points of diversion on the Sacramento River: 1) the RBPP and 2) diversions at Hamilton City. Also see Master Response 2, *Alternatives Description and Baseline* which clarifies that "the Project would only divert water during the time of the year when the Sacramento River is not fully appropriated, which is from September 1 to June 14. Further, the Project would only divert water when the Delta is in "excess conditions" as determined by Reclamation and California Department of Water Resources (DWR) and as defined in the 2018 Addendum to the Coordinated Operation Agreement. The term "excess conditions" identifies when there is water in the system in excess of the needs of the SWP and CVP. This term is not intended to imply that there is "excess water" or water is being wasted to the ocean. Finally, diversions to Sites Reservoir would only occur when

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			pursued. For State Water Right Filings, the board must also make other findings related to consistency with the original intention of the state filed application and determine that the diversion is not in conflict with water quality objectives. A water right hearing is also required for State Water Right Filings and to resolve unresolved protests against water right applications. In all likelihood, the Sites Project water right permitting process will require an evidentiary State Water Board hearing. The water right hearing process can be very time consuming depending on the number of parties and issues and the other hearing proceedings currently before the board. A thorough environmental analysis with appropriate mitigation and monitoring will be essential to that process.	there are flows available above those needed to meet applicable laws, regulations, biological opinions (BiOps), incidental take permits (ITPs), existing water rights, and court orders in place at the time of diversion." Please also refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements and General Comments* for an overview of the water rights process.
19	4	20000	Water Availability The draft EIR/EIS estimates that the amount of Sacramento River water available for appropriation by the proposed project each year would range from zero in critical and dry years to 1 million acre-feet (MAF) in wetter years, with the average annual diversion amount ranging from 480 to over 540 thousand acre-feet (TAF). The draft EIR/EIS states that these estimates are based on historic hydrologic data, senior water right demands, existing regulatory flow requirements, and certain assumptions regarding proposed project operations and associated diversion limitations necessary to maintain and protect anadromous fish and water quality in the San Francisco Bay and Sacramento-San Joaquin Delta (Bay-Delta).	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements and General Comments* regarding comments which re-state information presented in the RDEIR/SDEIS.
19	5	13000	State Water Board staff will consider the hydrologic analyses, diversion limitations, and water availability findings included in the final EIR/EIS when processing any water right application filed for the proposed project. However, the State Water Board is required to make its own, independent findings on the availability of unappropriated water to supply the proposed project as a prerequisite to any water right permitting decision. In determining the amount of water available for appropriation, the State Water Board must take into consideration the public interest and the amounts of water required for recreation, preservation and enhancement of fish and wildlife resources,	Please refer to Master Response 2, *Alternatives Description and Baseline* which addresses the Sites water right application, including the following: "It should also be noted that the Authority's water right application was submitted to the State Water Resources Control Board (State Water Board) Division of Water Rights on May 11, 2022 (application number A025517X01) and included a water availability analysis that demonstrates that "there is a reasonable expectation of water available for the Project."

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			and water quality. Additional hydrologic analysis may be required during the water right permitting process to inform and support these findings per the below comments related to necessary bypass flows for the project. The additional analysis may ultimately lead to water availability findings and associated diversion restrictions that differ from those presented in the draft EIR/EIS.	
19	6	14000	Clean Water Act (CWA) Section 401, Water Quality Certification Discharge of dredged or fill material to waters of the United States requires a Clean Water Act (CWA) Section 401 Water Quality Certification (Water Quality Certification). Typical activities include any modifications to these waters, such as stream crossings, stream bank modifications, filling wetlands, etc. Water Quality Certifications are issued in combination with CWA Section 404 Permits issued by the United States Army Corps of Engineers. Both the Section 404 Permit and Water Quality Certification must be obtained prior to site disturbance, because this project involves a water right activity, the application for a Water Quality Certification should be submitted to the State Water Board who will coordinate with the Regional Board on its processing. Isolated Wetlands and Other Waters Not Covered by the Federal Clean Water Act Some wetlands and other waters are considered "geographically isolated" from navigable waters and are not within the jurisdiction of the CWA (e.g., isolated wetlands, vernal pools, or stream banks above the ordinary high water mark). Discharge of dredged or fill material to these waters may require either individual or general waste discharge requirements from the Regional Board. If the U.S. Army Corps of Engineers determines that isolated wetlands or other waters exist at the project site, and the project impacts, or has the potential to impact, these non-jurisdictional waters, a Report of Waste Discharge and filing fee must be submitted to the Regional Board. The Regional Board will consider the information provided and either issue or waive Waste Discharge Requirements.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements and General Comments* for comments providing information but that do not address the adequacy of the EIR/EIS analysis.

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			Any person discharging dredge or fill materials to waters of the State must file a report of waste discharge pursuant to Sections 13376 and 13260 of the California Water Code. Both the requirements to submit a report of waste discharge and apply for a Water Quality Certification may be met using the same application form, found at: http://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/wqc_application.pdf General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (CGP) Construction activity, including demolition, resulting in a land disturbance of one acre or more must obtain coverage under the CGP. The Sites Reservoir Project must be conditioned to implement storm water pollution controls during construction and post-construction as required by the CGP. To apply for coverage under the CGP the property owner must submit Permit Registration Documents electronically prior to construction. Detailed information on the CGP can be found on the State Water Board website: http://www.waterboards.ca.gov/water_issues/programs/stormwater/gen_const.shtml	
19	7	53300	Wastewater Application/Report of Waste Discharge The current project design includes a number of potential recreational areas which may require onsite sewage treatment and disposal systems.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements and General Comments* for comments providing information but that do not address the adequacy of the EIR/EIS analysis.
19	8	14000	[T]he project proposes the construction of one or more power generation facilities associated with the construction of dams. CWC Section 13260 requires that, anyone who initiates a discharge of waste that could affect the quality of waters of the state must submit a report of waste discharge to the Regional Board. The discharges of wastes from sewage systems and power generation facilities including but not limited to floor drains, sumps, and turbine lubrication infrastructure to surface water(s) or land may require a permit (Waste Discharge	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements and General Comments* for comments providing information but that do not address the adequacy of the EIR/EIS analysis.

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			Requirements, or WDRs) from the Regional Board. A complete application for WDRs (referred to as a Report of Waste Discharge, or ROWD) must be submitted at least 140 days prior to discharging waste. The applicant should contact Regional Board staff to discuss this process.	
19	9	20000	Bypass Flows and Diversion Rates The draft EIR/EIS indicates that diversions from the Sacramento River for the Sites Project could occur during any month of the year but would occur most frequently between December and March of wet and above normal years. The maximum proposed diversion rate is 5,900 cubic-feet per second (cfs) with an annual average diversion amount of about half a MAF. These diversions would result in a corresponding decrease in Sacramento River inflow and Delta outflow in winter and spring (Appendix 12C). The draft EIR/EIS identifies proposed Sacramento River bypass flows at Red Bluff, Hamilton City, and Wilkins Slough based on existing minimum flow requirements. The draft EIR/EIS also identified proposed bypass flows at Freeport on the Sacramento River based on month that range between 11,000 and 15,000 cfs that the EIR/EIS indicates "were designed to protect and maintain existing downstream water uses and water quality in the Delta" (page 3-106). As part of the Phase II update to the Water Quality Control Plan for the San Francisco/Sacramento-San Joaquin Delta (Bay-Delta Plan), the State Water Board is currently considering new and modified Sacramento River inflow, Delta outflow, and cold water habitat objectives, as well as other requirements to ensure the reasonable protection of fish and wildlife beneficial uses. In support of this effort, the State Water Board released a final science report identifying the science upon which Phase II changes to the Bay-Delta Plan will be based, as well as the conceptual basis for those changes this fall. The final science report is available at: https://www.waterboards.ca.gov/water_issues/programs/peer_review/docs/scientific_basis_phase_ii/201710_bdphaseII_sciencereport.pdf.	Please refer to Response to Comment 19-1 which addresses changes to the Project since the 2017 Draft EIR/EIS. Please also refer to the updated *Chapter 11, Aquatic Biological Resources,* which discusses impacts and associated mitigation measures.

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19	10	32400	While the State Water Board has not completed the update to the Bay-Delta Plan, and its findings may ultimately differ from the conclusions in the science report, the timing and volume of bypass flows are an important issue in the Bay-Delta Plan and other regulatory processes. Thus, it would be prudent for the draft EIR/EIS to include a broader range of bypass flows so that it can be used for future permits and other regulatory approvals.	Please refer to Response to Comment 19-1, which addresses changes to the Project since the 2017 Draft EIR/EIS.
19	11	20000	The science report documents the current ecological crisis in the Bay-Delta watershed and the associated population declines of multiple native aquatic species to historic low levels. The science report concludes that present Sacramento River inflow, Delta outflow, and cold water habitat management requirements are inadequate for the protection of these species. In particular, on average, annual outflow from the Delta into the Bay has been reduced by more than half and sometimes by much greater quantities at critical times for native species, according to the report. Additionally, because existing Bay-Delta Plan flow requirements are far below current flow levels most of the time, the report indicates that additional regulatory requirements are needed to prevent flows from being substantially reduced in the future. The report states that the January to June time period is one of the most impaired seasons with current median Delta inflow and outflow being less than half of unimpaired flows. Loss of functional flows in this winter and spring time period reduces potential recruitment opportunities and the viability of native aquatic species communities, including listed species. The report concludes that higher winter and spring Sacramento River inflow and Delta outflow requirements are necessary to increase the recruitment of these species. Higher Sacramento inflows also increase the magnitude, duration and frequency of flooding in the Yolo and Sutter Bypasses, important habitat for juvenile salmonids and Sacramento splittail.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements and General Comments* for comments providing information but that do not address the adequacy of the EIR/EIS analysis.

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19	12	32400	The proposed Sites Reservoir Project Freeport bypass flows are lower than existing median flow levels during the sensitive winter and spring period and substantially less than existing flows from January through March (see science report page 2-22). The proposed bypass flows are also less than the flows that the Phase II science report indicates are needed for the restoration of native fish and wildlife (see science report page 3-48). Accordingly, we recommend that the draft EIR/EIS include a detailed justification for the proposed Freeport and upstream bypass flows (including the magnitude and timing). In addition, in order to inform the State Water Board's future decisions related to this project, the draft EIR/EIS should analyze a range of bypass flows and lower diversion rates that are consistent with the Phase II science report regarding needed measures for the protection of fish and wildlife. Further, specific pulse flows that improve migration conditions for native species, natural geomorphic processes and other important ecological functions should also be evaluated and proposed.	Please refer to Response to Comment 19-1 which addresses changes to the Project since the 2017 Draft EIR/EIS. Please refer to Chapter 5, *Surface Water Resources* for revised analysis and impact determinations. Please also refer to the updated *Chapter 11, Aquatic Biological Resources,* which discusses impacts and associated mitigation measures.
19	13	51600	Delta Smelt and Other Important Native Fish and Invertebrate Species in the Bay-Delta Estuary The 2015 Interagency Ecological Program Delta Smelt Management Analysis and Synthesis Team (MAST) report found that there was a positive relationship between Delta outflow in February-June and the index (20 - millimeter) of larval Delta smelt after 2003. The outflow abundance relationship became statistically stronger when the index was standardized by the number of sub-adult smelt in the previous year's fall midwater trawl index suggesting that the number of available spawners (stock recruitment index) and the magnitude of spring outflow are both important for determining larval abundance. Yet the draft EIR/EIS states that there is no known correlation between Delta outflow and Delta smelt abundance (Appendix 12B-13). The Sites Project will reduce baseline Delta outflows between January and March (Appendix 12C), which could negatively impact Delta smelt. This potential impact should be evaluated and any appropriate mitigation should be identified. In addition, the draft EIR/EIS did not evaluate the impact of the	Please refer to Response to Comment 19-1, which addresses changes to the Project since the 2017 Draft EIR/EIS. Also see Chapter 11, *Aquatic Biological Resources* for the analysis of impact based on the revised Project.

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			project on Starry flounder, California bay shrimp, and important zooplankton food species for native juvenile fish species, including Neomysis mercedis, Eurytemora affinis and Pseudodiatpomous forbesi. Decreases in these zooplankton species are likely to result in decreases in recruitment of native larval fish. The abundance of all three zooplankton species and Starry flounder increase with increasing Delta outflow in winter and spring. The EIR/EIS should evaluate the impacts of the project on Starry flounder and the three zooplankton species and the effect of the reduction in secondary zooplankton production on recruitment of native fish and propose any appropriate mitigation measures.	
19	14	51640	Entrainment Losses of Native Fish The Sites Project will increase the amount of water available for export at the Central Valley Project and State Water Project (Project) pumping facilities. The Project facilities divert water from the southern Delta causing reverse flows on Old and Middle Rivers (OMR). The magnitude of reverse OMR flows is affected by the magnitude of Project pumping. OMR reverse flows result in the entrainment of multiple native species into the southern Delta. The U.S. Fish and Wildlife Service (USFWS) has determined that entrainment at the Project facilities remains a significant ongoing threat to the Delta smelt population. The draft EIR/EIS used the Kimmerer regression model (see Appendix 12G-1) to estimate Delta smelt entrainment losses; however, the regression model does not include prescreen losses in southern Delta channels. The draft EIR/EIS also did not evaluate Project-induced entrainment losses for white and green sturgeon and Sacramento splittail. All three species are salvaged at Project facilities. The EIR/EIS should evaluate these potential impacts and propose any appropriate mitigation measures.	Please refer to Response to Comment 19-1, which addresses changes to the Project since the 2017 Draft EIR/EIS. Also see Chapter 11, *Aquatic Biological Resources* for the analysis of impact based on the revised Project.
19	15	51640	Fish Screens The Sites Project will divert most of its water during the winter and spring when smaller weaker swimming juvenile emigrating salmonids will be in the Sacramento River rather than during the late spring and summer when agricultural diversions currently occur at the existing points of diversion. The effectiveness of the	Please refer to Response to Comment 19-1, which addresses changes to the Project since the 2017 Draft EIR/EIS. Also see Chapter 11, *Aquatic Biological Resources* for the analysis of impact based on the revised Project.

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			fish screens that are part of the project at avoiding entrainment of these sensitive life stages of native species should be evaluated, including the direct loss of larval fish that might pass through the louvers and be entrained into Sites Reservoir or the indirect loss of fish that are impinged on the screens, disoriented, and later consumed by predators. The EIR/EIS should also evaluate the potential for the diversion facility to become a predator hotspot and propose any appropriate mitigation.	
19	16	32000	Funks Creek and Stone Corral Creek Diversions and Associated Instream Flow Releases The draft EIR/EIS initially states that Sites Reservoir will be filled entirely with water from points of diversion on the Sacramento River, but goes on to describe how water would also be diverted to Sites Reservoir from Funks and Stone Corral Creeks via the proposed Golden Gate Dam (Stone Corral Creek) and Sites Dam (Funks Creek) (Page 6-51). Text on Pages 6-51 and 9-20 seems to suggest that water diverted at these locations would be held in Sites Reservoir for the sole purpose of flood control, and not for storage and beneficial use at a later date pursuant to an appropriative water right. Ultimately, the intent of these diversions is not clear. The EIR/EIS should clarify the intent of the proposed diversions at Funks and Stone Corral Creeks and the proposed instream flow releases for these creeks below Sites Reservoir including the rate, timing, duration, and amount of proposed minimum instream flow releases as well as the underlying basis and/or supporting rationale for each. - On Page 6-51, the draft EIR/EIS states that a minimum instream flow release of up to 10 cfs would be maintained in both streams year-round. No rationale or scientific basis for this instream flow prescription is provided, although text on Page 3-52 indicates that it is based on a recommendation from the California Department of Fish and Wildlife and is intended to replace existing seepage flow from Funks Dam. - On Page 15-21, the draft EIR/EIS states that it would operate Sites and Golden Gate Dams to release stream maintenance flows of up to 10 cfs from October through May to mimic the	Please refer to Master Response 5, *Aquatic Biological Resources,* which addresses planned adaptability in managing operations and additional studies to address current uncertainties regarding Funks and Stone Corral Creeks. Please also refer to the updated *Chapter 11, Aquatic Biological Resources,* which discusses impacts and associated mitigation measures.

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			ephemeral nature of Funks and Stone Corral Creeks. Again, no rational or scientific basis for this 10 cfs instream flow prescription is provided, and the proposed October-May release period is different than the year-round release period described above. - On Page 9-20, the draft EIR/EIS states that Sites and Golden Gate Dams would be operated to match pre-project flows (other than flood flows) through the reservoir inlet/outlet works. This is different than the minimum instream flow and maintenance flow prescriptions described above (10 cfs) in that historic flow data presented on Page 6-32 indicates that (non-flood) flows in Stone Corral Creek and Funks Creek typically exceed 10 cfs during the winter and early spring.	
19	17	52000	Diversions on Funks and Stone Corral Creeks The draft EIR/EIS does not address the effects of the proposed Funks Creek (Golden Gate Dam) and Stone Corral Creek (Sites Dam) diversions on geomorphic conditions and processes downstream of Sites Reservoir (e.g., gravel recruitment and channel maintenance).	Please refer to Master Response 5, *Aquatic Biological Resources,* which addresses planned adaptability in managing operations and additional studies to address current uncertainties regarding Funks and Stone Corral Creeks. Please also refer to Chapter 7, *Fluvial Geomorphology* for a discussion of relevant geomorphic conditions.
19	18	51650	The associated environmental impact analysis for aquatic resources also does not fully evaluate the potential effects of these diversions on special status species known to exist in both waterbodies. The analysis is limited to fish passage (Page 12-86), and concludes that the diversions on Funks Creek and Stone Corral Creek would have a less-than-significant impact on fish movement without providing information on fish migration under existing conditions or the fish passage conditions that would exist under the post-construction instream flow regime that would be controlled almost entirely by flow releases from Sites and Golden Gate Dams. The report also does not provide information on spawning and rearing opportunities before and after construction of the facility. Chapter 8 (Geomorphology) and Chapter 12 (Aquatic Resources) of the EIR/EIS should include a thorough description of existing conditions in these stream reaches, and the conditions that would exist under the proposed post-construction instream flow regime and propose any appropriate mitigation for potential impacts.	Please refer to Response to Comment 19-1, which addresses changes to the Project since the 2017 Draft EIR/EIS. Also see Chapter 11, *Aquatic Biological Resources* for the analysis of impact based on the revised Project.

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19	19	51650	Methylmercury Production and Bioaccumulation New impoundments often develop elevated levels of methylmercury in water and fish tissue after construction as naturally occurring terrestrial vegetation decays in the reservoir. In addition, methylmercury will be in water released from the reservoirs. Mercury sources to reservoirs include source water, atmospheric deposition, mercury mines in the watershed, and geologic formations. Elevated methylmercury in fish tissue poses a health risk for people and wildlife consuming the fish. Fish in the lower Sacramento River and Delta are already impaired by methylmercury and additional methylmercury loads from the Sites Reservoir Project may increase methylmercury levels in these fish. Black Butte Reservoir, Stony Gorge Reservoir, East Park Reservoir, Indian Valley Reservoir and Colusa Basin Drain are near the proposed Sites Reservoir and have fish advisories recommending limited human consumption of fish and are also on the 303(d) list for mercury. These water bodies, like Sites Reservoir, receive coast range runoff and/or Sacramento River water. The EIR/EIS should evaluate the potential for the construction and operation of the Sites Reservoir Project to methylate mercury and its subsequent bioaccumulation in reservoir fish. In addition, the EIS/EIR should evaluate potential increases in fish methylmercury levels in the Sacramento River and Delta due to methylmercury in reservoir water releases. Since these may be significant impacts, the EIS/EIR should propose mitigation measures and methylmercury monitoring in water and fish to monitor the Project's effects both within and downstream of the reservoir.	Please refer to Master Response 4, *Water Quality,* which discusses the effect methylmercury has on fish consumption. Please also refer to the updated *Chapter 6, Surface Water Quality*, which addresses methylmercury and its associated impacts and mitigation.
19	20	51100	Cyanobacterial Blooms Cyanobacterial blooms can release toxins that are hazardous for human and wildlife health. Other shallow nearby coast range impoundments including Clear Lake and Black Butte Reservoir regularly experience cyanobacteria blooms. Cyanobacteria cells have also been observed in nearby Stony Gorge Reservoir and East Park Reservoir although concentrations were not at toxic levels. The frequency and magnitude of cyanobacterial blooms are expected to increase in California with global warming.	Please refer to Master Response 4, *Water Quality,* which discusses the use of the I/O tower to control releases of cyanotoxins. Please also refer to the updated *Chapter 6, Surface Water Quality*, which addresses harmful algal blooms.

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19	21	53200	Diverted storm-water flows from the Sacramento River will carry elevated concentrations of nitrogen, phosphorous and other nutrients into Sites Reservoir. When these waters warm in summer they may produce algal blooms, including cyanobacteria and associated toxins. The EIR/EIS should evaluate the potential for blue green algal blooms and hazardous levels of toxins to occur in Sites Reservoir and propose any appropriate mitigation. Due to the increased risk of cyanobacterial blooms and potential impacts, mitigation, monitoring and public response procedures for ensuring protection of public health and minimization of environmental impacts must be considered in the EIR/EIS. Regional Board staff is available to share the most recent reservoir monitoring data and discuss successful monitoring and remediation strategies.	Please refer to Chapter 6, *Surface Water Quality,* which addresses the potential impacts of blue green algae blooms.
19	22	51650	Temperature Effects The EIR/EIS states that: "The design of the reservoir facility would include the ability to release water from proposed outlet structures at nine depths. This operation would pull water from various levels of the reservoir (it is assumed that the reservoir would become stratified like all larger reservoirs throughout the Central Valley), with warming in the upper layer of the reservoir occurring in the summer months. Given the Project's operational objective of matching the temperature of released water at the Delevan Pipeline Intake/Discharge Facilities to temperatures in the Sacramento River, or otherwise using the release to protect downstream water temperature for aquatic species, operations of the Delevan Pipeline Intake/Discharge Facilities would involve withdrawing water at suitable depths to manage temperatures" (page 3-102). Given that the reservoir would be constructed on the Valley floor where temperatures are warmer and the reservoir would not be filled with snowmelt runoff like other Central Valley reservoirs and the effects of climate change, it is not clear that such operations would be possible. The basis for assuming that such operations are possible should be explained. Appropriate monitoring and mitigation should also be proposed to ensure that temperature impacts do not result from the project, including appropriate temperature modeling to guide	Please refer to Master Response 4, *Water Quality,* which discusses the use of the I/O tower to control water temperature effects. Please also refer to the updated *Chapter 11, Aquatic Biological Resources,* which discusses impacts and associated mitigation measures.

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			reservoir operations. A thorough description of how the project would operate in conjunction with Shasta Reservoir and other reservoirs to provide the indicated temperature benefits and avoid impacts should also be provided. Benefit of Temperature Control The draft EIR/EIS states: "The CALSIM II model results are used as inputs to the water temperature models, including the Upper Sacramento River Water Quality Model (USRWQM), Reclamation's Temperature Model, the Folsom Reservoir CE-QUAL-W2 Temperature Model, and the Sites Reservoir Discharge Temperature Model…it was determined that incremental changes of 0.5° F in mean monthly water temperatures would be within model uncertainty…changes of 0.5° F or less are considered to be not substantially different, or "similar" in this comparative analysis." However, throughout the draft EIR/EIS and the modeling Appendices there are indicated temperature benefits that average 0.38 degrees that are within the stated confidence limits of the models. It is not clear that these benefits should be indicated given the uncertainty of the modeling. This issue should be clarified.	

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20	1	20000	Thank you for the opportunity to comment on the Sites Project EIR/EIS ("project"). These comments are submitted on behalf of the Pacific Coast Federation of Fisheries Associations, Institute for Fisheries Resources, Save California Salmon, the Winnemem Wintu Tribe, and San Francisco Baykeeper. The Pacific Coast Federation of Fishermen's Associations (PCFFA) is the largest trade association of commercial fishermen on the West Coast and the other signatories to this letter are Indian Tribes and environmental organizations in the state of California. For forty years, PCFFA has led the industry in assuring the rights of individual fishermen and fighting for long-term survival of commercial fishing as a productive livelihood and way of life. As PCFFA's sister organization, the Institute for Fisheries Resources (IFR) is dedicated to the protection and restoration of fish resources and the human economies that depend on them. PCFFA and IFR members are economically dependent on the fish runs in the Sacramento, Feather, American, Trinity, and Klamath Rivers and will be negatively impacted by this project. We hereby incorporate by reference the comments of the California Sportfishing Protection Alliance, Friends of the River, Defenders of Wildlife, the Klamath Riverkeeper, the Natural Resources Defense Council, and the Bay Institute.	Thank you for your comments. Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment and responses to those comments are included in Volume 3, Chapter 4. Please refer to Chapter 2, *Project Description and Alternatives* for a description of the revised project analyzed in the Final EIR/EIS as well as Master Response 2, *Alternatives Description and Baseline,* which describes project refinements that have occurred since the RDEIR/SDEIS. Please see Appendix 2B, *Additional Alternatives Screening and Evaluation* for further discussion of the extensive alternative development and review process.
20	1	20000	The proposed Sites Reservoir Project would consist of a new offstream storage reservoir with a capacity of approximately 1.8 million acre feet (MAF). The Sites Reservoir would be approximately 12,000 - 14,000 acres in size and would be created by inundating the area around the unincorporated community of Sites, California, which is referred to locally as Antelope Valley. Up to eleven dams would be needed to create the proposed Sites Reservoir. There would be two main dams: the Golden Gate Dam on Funks Creek, and the Sites Dam on Stone Corral Creek. The Sites Reservoir Project also would include an inlet/outlet structure; a pumping plant, electrical switchyard and overhead power lines; and a tunnel approximately 4,030 feet in length connecting the pumping plant to the reservoir.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments which re-state information presented in the RDEIR/SDIES. Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in the extensive review of additional alternatives and revised modeling to further refine the Project. A Revised Draft Environmental Impact Report/Supplemental Draft Impact Statement (RDEIR/SDEIS) was released in 2021. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. The Final EIR/EIS also includes chapters and appendices that have been updated based on revised modeling results and minor corrections and clarifications resulting from comments received on the RDEIR/SDEIS.

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				Please refer to Appendix 2B, *Additional Alternatives Screening and Evaluation*, which describes the process undertaken since 2017 to identify additional or revised alternatives, including design and operational refinements. In May 2019, the Authority initiated a series of focused discussions with the California Natural Resources Agency regarding Project planning and intended operations. The purpose of these discussions was to address the effects of the Project on the State's public trust resources and further refine the Project facilities and operational characteristics consistent with what would be affordable for member participants and also to meet applicable permitting requirements. The Authority met with the aquatics and terrestrial technical teams from the California Department of Fish and Wildlife (CDFW) several times between May and September 2019 to explore refinements to Project operations and facilities. During and following this process, the Authority revised the Project operational components and eliminated or modified previously proposed facilities to ensure an affordable Project capable of providing a sufficient and reliable water supply and dedicated ecosystem benefits. These revised components include revised 2019 operational scenarios/criteria, proposed conservation measures, and a science and adaptive management strategy. It also included removing the Delevan Intake, revisions to the operational criteria and less water being pumped from the Sacramento River on average, as well as reducing the footprint of the reservoir from a maximum of 1.8 MAF to 1.5 MAF.
20	2	32000	This project is a major action that will greatly impact the Sacramento River watershed and increase water diversions during crucial times of year for anadromous fish. Although under limited circumstances the project could possibly offer limited environmental benefit to the Delta during certain times of the year and in some water year types, it would greatly reduce overall inflow into the Delta and flows in the Sacramento and Feather Rivers during significant periods and over its lifetime.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments which raised an environmental issue in a general manner but did not provide supporting information.
20	3	21500	Many of the direct impacts of the project are uncertain, unclear, or indecipherable due to major deficiencies found within the	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments reg*arding

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			DEIR/EIS. We feel that this analysis is premature as it is lacking much of information and related documentation that are required for the public and decision makers to approve it. Some of the omissions appear intentional.	comments which questioned the adequacy of the environmental impact analysis.
20	4	53500	For instance, a FERC license application is necessary if power generation is to be incorporated into the project, but the timeline for such an application is not mentioned and is not included in the summary of necessary permits. An Operations Plan is necessary for the analysis to be anything but theoretical, yet Authority staff state that such a plan will be developed at a later date.	Please see Chapter 2, *Project Description and Alternatives*, The project does not propose a hydropower facility subject to a FERC license; however, incidental power generation of up to 40 megawatts each would occur at the proposed Funks and TRR Pumping Generating Plants.
20	5	11300	Similarly, the Sites water rights application is not referenced or available to the public, nor are the Biological Assessment or water diversion plan referenced or included in this DEIR/EIS.	Please see Chapter 2, *Project Description and Alternatives*. The Authority filed its water right application for the Project with the State Water Board in May 2022 (application number A025517X01). The application identifies the Sacramento River as the source of water and includes two proposed points of diversion on the Sacramento River: 1) the RBPP and 2) diversions at Hamilton City. The draft Biological Assessment is currently under review.
20	6	51600	The fisheries analysis that is in the DEIS is not specific, makes assertions that are not supported in the document, and many of the details are contradictory.	Please see Chapter 11, *Aquatic Biological Resources* for an updated analysis which identifies the effects of the Project to fisheries and provides mitigation, where appropriate.
20	7	21300	We believe this document and the environmental analysis it reflects does not meet the standards for disclosure required by the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA).	Please refer to Master Response 2: Alternatives Description and Baseline, regarding the adequacy and timing of the completion of the NEPA and CEQA analysis.
20	8	21300	The document does not adequately quantify or evaluate environmental impacts of the project or the current state of the science and regulatory processes in the Sacramento, Feather, Trinity, and American Rivers and the Bay-Delta estuary.	Please see Response to Comment 20-1, the analysis has been updated in the RDEIR/SDEIS based on new alternatives.
20	9	21500	Without a completed analysis, we have trouble commenting on certain aspects of this DEIR/DEIS because we do not know how comparisons are made, what the modeling inputs are, and how current legal requirements, flows, and water quality will be impacted by the project.	Please see Response to Comment 20-1, the analysis has been updated in the RDEIR/SDEIS based on new alternatives.
20	10	21500	For these reasons, we urge the rejection of the DEIR/EIS and issuance of a Supplemental EIR/EIS that is in compliance with legal, environmental, and regulatory requirements of NEPA and	Please see Response to Comment 20-1, the analysis has been updated in the RDEIR/SDEIS based on new alternatives.

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			CEQA.	
20	11	21500	The Sites Project DEIR/EIS appears to serve as a means to mask environmental impacts and skirt important public processes and disclosures rather than to take a hard look at the project as required by law. As stated above we believe this DEIR/EIS is insufficient, illegal, and premature. Furthermore, the DEIR/EIS should actually be accompanied by a Federal Energy Regulatory Commission license application due to the hydropower components of the project, a Biological Assessment due to the project's significant deleterious impacts to fisheries, a water quality analysis of impacts to beneficial uses, an economic analysis of recreational and commercial fisheries impacts, a Water Rights Application, and a water rights analysis. It is disingenuous to seek regulatory approval and taxpayer funding for a water storage project and then pursue a FERC application, or to wait until after the DEIR/EIS processes to disclose operations and impacts.	Please see Response to Comment 20-1, the analysis has been updated in the RDEIR/SDEIS based on new alternatives. Appendix 2B of the EIR/EIS addresses changes to project alternatives since the release of the 2017 Draft EIR/EIS, including the elimination of dedicated pump/generation hydropower facilities. Instead, incidental power generation of up to 40 megawatts each will occur at the Funks PGP and the TRR PGP including dedicated pump/generation facilities with a afterbay/forebay of 6,500 acre-feet allowing more than 30 hours per week of uninterrupted operation and generation. Chapter 4 summarizes the federal (Table 4-1), state (Table 4-2) and local (Table 4-3) permits, approvals and consultation processes that are potentially applicable to the Project and agencies that are anticipated to rely on this EIR/EIS for decision-making and implementation. As noted in Chapter 4, Table 4-1 "Federal Permits, Approvals, Reviews, and Consultation Requirements" FERC preliminarily determined that the proposed Funks Energy Recovery Project and proposed Terminal Regulating Reservoir Energy Recovery Project will not alter the primary purpose of the conduit, which is for irrigation, municipal water supply, and other uses, and thereby meet the criteria established by the Federal Power Act for the Qualifying Conduit Hydropower Facility exemption. Through Notices of Preliminary Determination, FERC solicited public comments and motions to intervene for a period of 30 days from the March 8, 2023, publication date of the Notices.
20	12	11000	The DEIR/EIS also fails to evaluate the project's obligations under other state and federal laws including the Bay Delta Plan, CVPIA, Porter Cologne, the Clean Water Act, Federal Energy Regulatory Commission regulations, Tribal Trust obligations, permitting requirements, regulations for building hydropower dams, and the Endangered Species Act. At this point it appears	Please see Chapter 4, *Regulatory and Environmental Compliance: Project Permits, Approvals, and Consultation Requirements*, and Appendix 4A, *Regulatory Requirements*, which discuss the project's obligations under state and federal laws.

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			that the project would violate each of these laws and processes.	
20	13	21300	Additionally, the DEIR/EIS does not constitute a 'hard look' as impacts are generalized and statements are not supported by facts or data.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* for responses to general comments including those that make conclusory statements but did not provide supporting information.
20	14	32300	First, the no action alternative assumes increased water deliveries and demands despite laws that require reduced reliance on the Delta for California's Water system, the new California Water Plan, Delta Plan updates that would restore flows, and endangered species and water quality regulations. DWR has projected future water demands through 2030 conditions that assume the vast majority of CVP and SWP water contractors would use their total contract amounts, and that most senior water rights users also would fully use most of their water rights. This increased demand, in addition to the projects currently under construction and those that have received approvals and permits at the time of preparation of the EIR/EIS, would constitute the No Project/No Action Condition. (Sites EIS at page 12-55). The purpose of a no action alternative it to present actual conditions, not the conditions that would exist without environmental laws or regulations. The current no action alternative biases the entire EIR/EIS and guarantees the alternative that allows the most water to stay in the river is not presented as the environmentally preferred alternative, it also allows CEQA requirement for mitigation measures to be skirted.	Please refer to Chapter 3, *Environmental Analysis*, Section 3.1.1 for a detailed discussion of Existing Conditions and No Project Alternative/No Action Alternative and Master Response 2, *Alternatives Description and Baseline,* which also addresses the CEQA and NEPA purpose, and use of the existing conditions baseline and the No Project/No Action Alternative and activities included or excluded.
20	15	32100	Second, the DEIS/EIR does not include an operations plan, or a preferred alternative despite the fact that the Bureau of Reclamation's Feasibility Report discloses that the preferred alternative is alternative D and includes an attempt at addressing the need for an Operations Plan. It is impossible to assess the information without an Operations Plan and diversion schedule.	Please see Response to Comment 20-1 and Master Response 2, *Project Description and Alternatives,* which addresses the Reservoir Operation Plan: "As described in the Operations and Management Plans section of Chapter 2, *Project Description and Alternatives*, the Authority has developed Version 1 of a Reservoir Operations Plan in parallel to the development of the RDEIR/SDEIS. The purpose of the Reservoir Operations Plan is to compile operations-related items from other documents in one location. The contents of the Reservoir Operations Plan are primarily pulled from the RDEIR/SDEIS and the

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				Authority's Principles of Storage. The Authority anticipates continued work with permitting and regulatory agencies regarding future versions of the Reservoir Operations Plan. As Project operations are refined, the Reservoir Operations Plan will be updated and is considered a "living" document.
20	16	41000	Third, the EIS/EIR does not disclose the information behind its baseline or where it's information comes from. This is especially problematic because it appears that much of the information used for analysis and modeling is skewed due to the use of old information in the modeling for the project, the use of an outdated and insufficient model, and the incorrect and unsupported assumptions in the no action alternative.	Please refer to Chapter 3, *Environmental Analysis* and Master Response 2, *Alternatives Description and Baseline,* which discuss the CEQA and NEPA purpose, and use of, the existing conditions baseline and the No Project/No Action Alternative and activities included or excluded.
20	17	21500	Fourth, this EIS does not disclose or analyze many of the most important issues related to CEQA and NEPA. This includes failure to discuss growth inducing impacts, failure to disclose impacts to water quality, failure to analysis impacts the state's drinking water supply, failure to disclose actual fisheries numbers and impacts, failure to disclose impacts to state and federally listed endangered species, failure to provide a discussion of the current state of the science and scientific controversies related to the proposal, failure to discuss relevant regulatory processes, and failure to choose an environmentally preferred alternative.	Please refer to Master Response 2, *Alternatives Description and Baseline* regarding the adequacy and timing of the completion of the NEPA and CEQA analysis. Please also see Chapter 32, *Other Required Analyses* for a discussion of growth-inducing impacts; Chapter 6, *Surface Water Quality* for a discussion of impacts to water quality; Chapter 5, *Surface Water Resources* and Chapter 8, *Groundwater Resources* for a discussion of impacts to water supply; Chapter 11, *Aquatic Biological Resources* for a discussion of impacts to fisheries; Chapter 9, *Vegetation and Wetlands Resources* Chapter 10, *Wildlife Resources* for a discussion of state and federally listed endangered species; and Chapter 4, *Regulatory and Environmental Compliance: Project Permits, Approvals, and Consultation Requirements* for a discussion of relevant regulatory processes. Master Response 1, also addresses the Per the Code of Federal Regulations section 1505.2(b), under NEPA the environmentally preferred alternative is not required to be identified until the Record of Decision.
20	18	60000	A Cumulative Impacts Analysis is not only a requirement of NEPA, it is possibly the most important tool used to assess the impacts of a proposed action. Despite this fact, the Sites DEIR/EIS does not include a real Cumulative Impact Analysis despite the massive number of upcoming and recent decisions related to the health of the Delta, Sacramento River watershed,	Please refer to Chapter 31, *Cumulative Impacts* for a discussion of cumulative projects and the Project's contribution to cumulative impacts.

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			the Trinity River, and multiple FERC relicensing processes.	
20	19	72000	The communities and industries that rely on Northern California rivers and fisheries are experiencing extreme economic hardships at this time due to poor salmon returns and degrading water quality, and deserve to see how the project will impact their jobs and water supply when considered with other relevant actions.	Please refer to the updated Chapter 35, Environmental Justice and Socioeconomics for a discussion of economic impacts.
20	20	21500	Flow issues are the single most important factor leading to these problems, yet they are not discussed or disclosed in the DEIR/EIS.	Please refer to the updated analysis in Chapter 11, *Aquatic Biological Resources* and Master Response 5, *Aquatic Biological Resources,* which discusses flow impacts and mitigation measures.
20	21	60100	The discussion of cumulative impacts in the DEIR/EIS only consists of a small chart that mentions a few restoration projects and omits the most important processes that have recently occurred, or are occurring, in California and the Delta specifically, including the Delta Tunnels Proposal, the Temperance Flat Dam proposal, the proposed raising of Shasta Dam, CV-Salts' Final Nitrate and Salt Management Plan, TMDL listings and implementation, Clean Water Act and 303(d) list and TMDL updates and action plans, the Draft Environmental Impact Statement for Revisions to the Coordinated Long-Term Operation of the Central Valley Project and State Water Project, and Related Facilities, Phase 1 and 2 of the revisions to the Delta Plan related to flow standards, the Long Term Plan for the Lower Klamath River, recent water rights and instream flow decisions in a wide variety of watersheds and waterways, updates to the Central Valley Water Quality Control Plan, the new Biological Assessment and NOAA Fisheries consultation regarding the State and Federal Water Projects, The Trinity River Record of Decision, plans for reestablishment of fish passage at Shasta Reservoir, recent and upcoming FERC and fish passage decisions on all impacted watersheds, California's Sacramento Valley Salmon Resiliency Strategy, Prop. 1 projects, Yolo Bypass recovery, toxin remediation projects, and the state and federal recovery plans for Delta Smelt, Winter Run Salmon, and Spring Chinook Salmon. This project will have cumulative impacts with, and impact, all of these processes and plans and appears to directly counter or impede the environmental quality and	Please refer to Chapter 31, *Cumulative Impacts* for a discussion of projects considered in the cumulative analysis and the Project's contribution to cumulative impacts.

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			condition goals of many of these proposals and initiatives. The Sites DEIR/EIS must evaluate cumulative impacts to environmental integrity while contemplating each of these projects and initiatives.	
20	22	70000	3. Economic Impacts The California salmon fishing industry is in a state of extraordinary and persistent decline. Abundance indices for Sacramento River Fall Run Chinook, the stock on which the vast majority of commercial and recreational fishing effort is focused, declined from 652,000 in 2015 to around 300,000 in 2016 and the projection is even lower this year. The number of salmon permitted vessels has declined from approximately 5000 in 1980 to approximately 1100 today. In 2015, only 585 vessels actually landed salmon in California and the numbers for 2017 and 2018 promise to be more dire. In fact some speculate that in the San Francisco area at least 80% of the ocean commercial fishing fleet has been lost in the last 20 years. Fishermen will bear the majority of the significant financial burden resulting from the project's environmental impacts, which in many cases would occur in contravention of the law, past settlements, and management plans. The state of the San Joaquin and Sacramento Rivers are of paramount economic importance to our industry and all the other industries and communities we support. Fisheries and fishery-dependent coastal communities are suffering through back-to-back resource crises, with poor salmon seasons in 2015, 2016, and 2017. We are also facing the prospect of another poor salmon season this year. It is more appropriate to describe Sacramento Fall run chinook as depleted than overfished. The fall run's declines in abundance are driven chiefly by declines in river productivity, which in turn are caused by red dewatering, excessive thermal regimes, inadequate flushing flows, habitat degradation, the presence of toxic chemicals at mutagenic and lethal	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* for responses to general comments including those that do not raise issues related to the adequacy of the environmental impact analysis. Please note that both the CEQA Project objectives and the NEPA Project purpose and need include benefits to fisheries, as outlined in Chapter 1, Introduction: • OBJ-2: Provide public benefits consistent with Proposition 1 of 2014 and use WSIP funds to improve statewide surface water supply reliability and flexibility to enhance opportunities for habitat and fisheries management for the public benefit through a designated long-term av • erage annual water supply. • OBJ-3: Provide public benefits consistent with the WIIN Act by using federal funds, if available, provided by Reclamation to improve CVP operational flexibility in meeting CVP environmental and contractual water supply needs and improving cold-water pool management in Shasta Lake to benefit anadromous fish. • OBJ-4: Provide surface water to convey biomass from the floodplain to the Delta to enhance the Delta ecosystem for the benefit of pelagic fishes in the north Delta (e.g., Cache Slough). The NEPA purpose of the Project includes: • Increased water supply and improved reliability of water deliveries Increased CVP operational flexibility • Benefits to anadromous fish by improving CVP operations consistent with the laws, regulations, and requirements in effect at the time of operation • Incremental Level 4 water supply for CVP Improvement Act refuges • Delta ecosystem enhancement by providing water to convey

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			concentrations, and many other factors. Fishermen bear the financial burdens of these impacts, which in many cases occur in contravention of the law, past settlements, and management plans. Furthermore, our industry serves as the backbone of the entire economy of many areas of the coast of California, the loss of which has extreme consequences for communities in relation to diet, drug use, and mental health. A Southwick and Associates study into the benefits of a restored fishery in California found the commercial benefits of a restored fishery to be "$4.83 billion Income impacts (salaries/wages/benefits, sole proprietor earnings): $2.51 billion Employment (full and part time): 88,672" (Calculation of the Projected Economics and Jobs Impact of Salmon Recovery in California. 06/24/2009 Southwick Associations). Southwick and Associates went on to predict what a restored recreational fishery would be worth: "Total sales impacts (total sales that occur in the CA economy): $845.8 million Value added impacts (salaries/wages/benefits, proprietors & property income, dividends, excise & sales taxes): $442.7 million Employment (full and part time)."-	food resources
20	23	40000	4. DEIR/EIS Quantitative Modeling is Problematic The Sites DEIR/EIS proposes monthly modeling time steps to evaluate fisheries impacts. However, monthly modeling is not sufficient for addressing fisheries needs. Additionally, the information on which the model is based on is not clear and the version of the model used to evaluate impacts is likely outdated. The model ignores significant changes to aggregate and daily flows, which could lead to the dewatering of areas surrounding diversions or low lotic flows during critical times in the salmon runs or salmon life cycles. This is not the proper model to use. Given that the CALSIM II model uses a monthly time step, incremental flow and storage changes of 5 percent or less are generally considered within the standard range of uncertainty associated with model processing; therefore, flow changes of 5	Please refer to Master Response 3, *Hydrology and Hydrologic Modeling,* which discusses modeling modifications, modeling time step, and the use of CALSIM II.

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			percent or less were considered to be similar to the Existing Conditions/No Project/No Action Condition flow levels in the comparative analyses using CALSIM II conducted in this EIR/EIS. Changes in flow exceeding 10 percent were considered to represent a potentially meaningful difference. (Sites EIR/EIS pp. 12-58). Not only is the CALSIM II model not sufficient and monthly modeling not appropriate for flow alternatives in salmon habitat, but the Sites Authority is using an outdated version of the model and outdated information to calibrate the model. A more recently updated model would likely include certain regulatory requirements in the environmental baseline effects of climate change. Moreover, on July 28, 2014, several members of the Sites JPA submitted comments to the State of California regarding the use of the 2010 CALSIM model in the DEIS/DEIR for the Bay Delta Conservation Plan, stating that, "the errors inherent in the use of the 2010 CalSim II model mean that the BDCP modeling analysis fails to satisfy the demands of CEQA Guidelines section 15151. In that regard, the use of the 2010 CalSim II model is like the use of outdated emissions information in Berkeley Keep Jets Over the Bay. (91 Cal.App.4th at p. 1367.) Consequently, it is improper for the DEIR/EIS to rely on the modeling contained in that document; instead, the modeling must be redone and the DEIR/EIS revised to reflect the correct methodology and results, and recirculated for public review." Monthly modelling time steps remains highly inappropriate. Under monthly modeling scenarios the Sites Authority could arbitrarily allow extremely low flows during certain times as long as they are made up for at other times of the month. A slightly more appropriate time step would be two weeks, as reflected in the Winter Run salmon biological opinion for the operation of the Central Valley Project, although even this level of temporal	

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			resolution is biologically questionable. The Sites project and its diversions are located in the last strongholds for several endangered fish species that are highly dependent on cold-water flows and cannot take this type of management. Recent studies question if even daily models are appropriate for salmon management, yet the Authority defends the use of an outdated monthly model that could allow complete dewatering as long as it is temporary.	
20	24	51620	The study indicates that the commonly used degree-day accumulation model is not sufficient to predict how organisms respond to stream temperature. Changes in how the degree days are delivered have the potential to alter the timing of life history transitions in Chinook salmon and other organisms. Emerging from the gravel a few days earlier or later could directly affect their survival due to changes in available food resources, competition for feeding grounds, or strong currents. (Stream Temperature Variability: Why It Matters to Salmon; https://www.fs.fed.us/pnw/sciencef/scifi163.pdf). The key findings of this study related to modeling in salmon habitat are: Early Chinook salmon life stages can be altered—with potential long-term biological and ecological consequences—by stream temperature variations, even when the daily mean temperature remains relatively unchanged and fluctuations are within established thresholds, Emergence timing in Chinook salmon could be changed by nearly a week simply as a result of changes in temperature fluctuations., Traditional degree-day accumulation models alone are insufficient to predict stream temperature suitability for aquatic species. Decision Making about habitat suitability and future species distributions are likely incomplete when managers consider only mean or maximum temperatures. (Stream Temperature Variability: Why It Matters to Salmon; https://www.fs.fed.us/pnw/sciencef/scifi163.pdf). Regardless of the serious issues associated with a daily modeling framework, it is still a more appropriate tool than a monthly	Please refer to Master Response 3, *Hydrology and Hydrologic Modeling,* which discusses modeling modifications and the modeling time step. Please also refer to the updated analysis in Chapter 11, *Aquatic Biological Resources* regarding impacts to Chinook salmon.

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			model. We suggest the Sites Authority and BOR work with scientists and agencies to find the best available model for assessing flows and fisheries impacts and update the modeling information. It is extremely important that modeling is accurate and provides the best possible information on the projected impacts from the project.	
20	25	11000	5. DEIS discloses impacts of from current water management but not how they will be impacted by the project The Sites DEIR/EIS discusses impacts from past flow management but not the impacts of this project, which will do more of the same. It also does not discuss how this project is actually an impediment to state efforts to address the new science around water management and to recover endangered species. Flow management in the Delta has created stress on aquatic resources by (1) changing aspects of the historical flow regime (timing, magnitude, duration) that affect water quality parameters such as water temperature, turbidity and salinity that support life history traits of native species; (2) limiting access to or quality of habitat; (3) contributing to conditions better suited to invasive, nonnative species (reduced spring flows, increased summer inflows and exports, and low- and less-variable interior Delta salinity [Moyle and Bennett, 2008]); and (4) causing reverse flows in channels leading to project export facilities that can entrain fish (Mount et al., 2012). Native species of the Delta are adapted to and depend on variable flow conditions at multiple scales as influenced by the region's dramatic seasonal and interannual climatic variation. In particular, most native fishes evolved reproductive or out-migration timing associated with historical peak flows during spring (Moyle, 2002). DEIR/EIS 12-36.	Response to Comment 20-2 regarding revisions to Project operations since 2017 and Master Response 5, *Aquatic Biological Resources*, which discusses flow impacts and mitigation measures. Please also refer to the updated analysis in Chapter 11, *Aquatic Biological Resources* regarding impacts to aquatic resources.
20	26	30000	6. Benefits of Winter and Spring Flows and Best Available Science is Omitted from the DEIR/EIS	Please see Response to Comment 20-2 regarding revisions to Project operations since 2017 and Master Response 5, *Aquatic Biological Resources*, which discusses flow impacts and mitigation

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			Poff and Zimmerman (2010) and Richter et al. (2011) concluded that alterations greater than 20 percent will likely result in moderate to major changes in natural structure and ecosystem functions, with greater risk associated with greater levels of alteration in daily flow. Studies of river- delta- estuary ecosystems in Europe and Asia concluded that water quality and fish resources deteriorate beyond their ability to recover when spring and annual water withdrawals exceed 30 and 40 0 percent of unimpaired flow, respectively (Rozengurt et al. 1987). Winter and spring flows are not wasted water. High flows have many benefits for salmon. High flows inundated floodplains, help out migrating salmon, scour out sediments and algae, move spawning gravel, and reduce fish diseases, all of which greatly increase salmon numbers. Multiple years of low flows often lead to extremely poor returns of salmon like we see now with endangered winter run and threatened spring chinook salmon in the Sacramento River. Even the DEIR/EIS discloses the importance of high flows however it only proposes to allow for flushing flows under very narrow criteria. "Sampling showed that juvenile Chinook salmon do migrate past the site in the summer (August), but are most abundant during the winter months (December to February). Chinook salmon juveniles were most abundant during periods of high flow. Abundance decreased as flows receded. The abundance of fish passing the site also appeared to increase during periods of high turbidity (associated with relatively small increases in flow" (Sites DEIS 12-51). The proposal is not based on modern scientific understanding of Sacramento River hydrology and downplays the importance of the timing of the flows, instead proposing higher flows during periods where high flows are not natural or when they will mainly benefit filling the reservoir.	measures. Please also refer to the updated analysis in Chapter 11, *Aquatic Biological Resources* regarding impacts to aquatic resources.
20	27	11000	Further, it proposes a continuation of the flatline management methodology that the state of California is trying to move away	Response to Comment 20-2 regarding revisions to Project operations since 2017 and Master Response 5, *Aquatic Biological*

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			from. California is proceeding with efforts to restore a more natural flow regime in the Sacramento through the Bay Delta Phase 2 plan updates. The Sites project and associated water rights application for undammed and regulations flows in the key habitat in the Sacramento River is a direct threat to this process and goes against existing science on the need for higher winter and fall flows in the Sacramento and Trinity Rivers. In the sections of rivers where flows from the Shasta Reservoir are increased in December and January it appears as if this water will be then diverted to the Sites reservoir instead of remaining in the system for environmental purposes. These types of fluctuations of flows have been proven to be very harmful to fisheries and diversity. More natural flow regimes support the various life history characteristics of native aquatic organisms that are adapted to the natural flow regime (Bunn and Arthington 2002; ing et al. 2003; Lytle and Poff 2004). For example, most fish species native to California in general, and the Bay- Delta in particular, have evolved to spawn during the spring or otherwise use spring flows to access spawning and rearing habitat (Moyle 2002. Phase II Update of the 2006 Bay- Delta Plan 3- 3 Final Scientific Basis Report).	*Resources,* which discusses flow impacts and mitigation measures.
20	28	51630	7. Impacts to Floodplains and Salmon Habitat Are Not Adequately Addressed Lack of floodplains and degradation of essential fish habitat are some of the most important impediments to salmonid recovery in the Sacramento River. Floodplains provide important feeding and rearing areas, which lead to increased growth and health for salmon and other species. The need for floodplain inundation is extraordinarily important, and the restoration of flows into the Yolo Bypass have been held up as one of the most important actions that can be taken to increase fish production in the Sacramento River. Even though the Sites Authority speaks publicly about how the project could benefit the Yolo and Sutter Bypasses, the DEIR/EIS does not demonstrate how the project	Response to Comment 20-2 regarding revisions to Project operations since 2017 and Master Response 5, *Aquatic Biological Resources,* which discusses flow impacts and mitigation measures.

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			will accomplish this objective nor what amount of water will be dedicated for this purpose. However, the DEIR/EIS does disclose that the project threatens the bypasses by stopping small scale flood events and the natural inundation of floodplains. The project also threatens floodplains that are directly attached to the river. Flow from the Sacramento River spills into the Sutter and Yolo bypasses during high flow events. The bypasses form a floodplain corridor that is an important part of the flood control system, but also provides an important floodplain function for juvenile salmon, steelhead and other native fish. Fish enter the bypasses through flood relief structures and weirs, where fish such as Sacramento splittail rear and spawn during periods when floodwater is present. Increasingly, studies have shown that inundated floodplains play a major role in the life cycle of several aquatic species of concern in the Sacramento River system. The importance of the habitat within the bypasses is heightened because nearly two-thirds of the floodplain that was historically inundated have been isolated from rivers by levees, and dams and diversions have substantially reduced the inundation of floodplain that remains connected to rivers (DWR, 2012). (Chapter 12: Aquatic Biological Resources Sites Reservoir Project DEIR/EIS pp. 12-17). The DEIR/EIS also states: From November through January under Alternatives A, C, and D, flows in the Yolo Bypass would decrease as compared to the Existing Conditions/No Project/No Action Condition due to diversions from the Sacramento River into Sites Reservoir. In March and April under Alternative B, flows in the Yolo Bypass would decrease as compared to the Existing Conditions/No Project/No Action Condition due to diversions from the Sacramento River into Sites Reservoir. (Sites EIR/EIS 6-49). The DEIR/EIS also states it will reduce flows to the Sutter Bypass	

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			but does not address any other impacts to floodplains or what this reduction of flows will do to fish production and water quality. This omission needs to be remedied.	
20	29	51100	8. The EIS does not take hard look at Water Quality and Beneficial Use Impacts We are very concerned about the water quality impacts to the Sacramento River and Bay Delta from this proposed project. High winter flows not only provide significant benefits to fisheries habitat and juvenile migration, but also to overall water quality as they flush chemicals, sediments, nutrients, salts and algae out of the system and increase levels of Dissolved Oxygen. All of these water quality parameters heavily impact assimilative capacity, connectivity, temperature and toxic algae production.	Please refer to the updated Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discuss water quality and effects on beneficial uses.
20	30	51650	Under scenarios proposed in the DEIR/EIS, decreased flows from Shasta Reservoir, a high elevation reservoir with colder inflows, for much of the year will have a detrimental impact to downstream river conditions, which already suffer in places from temperature impacts and poor water quality. This is especially true in the Knights Landing reach of the Sacramento River, in which the project will increase water temperatures due to a new diversion and increased diversions upstream to feed Sites Reservoir. This area is experiencing extreme temperature problems. This project will exacerbate these issues by reducing flow and releasing warm reservoir water. The Colusa Basin Drain would, therefore, change from an unregulated sporadic flow that is responsive to local storms to a regulated low maintenance flow resulting from the reduced drainage from Funks, Stone Corral, Grapevine, and Antelope creeks once Sites Reservoir becomes operational. (Sites EIS/R at 6-52).	Please refer to the updated analysis in Chapter 11, *Aquatic Biological Resources* and Master Response 5, *Aquatic Biological Resources,* which discuss flow impacts and mitigation measures.
20	31	51100	The proposed reduced flows from Keswick could also impact assimilative capacity for the Sacramento River and Delta, which are already suffering from mercury, cadmium, methylmercury, copper, zinc, salts, selenium, and pesticide impairments. Many of these issues cannot be remediated except by increases in flows	Please refer to Master Response 5, *Aquatic Biological Resources* which, discusses flow impacts and mitigation measures. Please also refer to the updated analysis in Chapter 6, *Surface Water Quality* for an updated water quality impacts analysis.

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			or releases of clean water, such as the water in Shasta Reservoir for dilution. Furthermore, this project will lead to less cold and fresh water reaching the Delta which will lead to saltier water and more pollution in the Delta through temperature, salt, selenium and, Dissolved Oxygen, and algae impairments. Off channel reservoirs inherently cause many water quality problems, especially if they are situated in low elevation, high temperature areas. Water temperature, dissolved oxygen, algal toxicity, and other reservoir water quality issues are caused by impoundments and are well documented; however, water quality impacts from the transfers of water and the reservoir itself are not analyzed or disclosed in this DEIS/DEIR. Instead, it is assumed that reservoir discharges will consist of high quality water. We are skeptical that reservoir discharges will be free of salinity and water quality issues because "saline water has been observed to seep from underground salt springs in the vicinity of the Salt Lake fault along the slopes above the valley and along the valley floor within the proposed inundation area of Sites Reservoir. These areas are generally located in the Funks Creek watershed. The water from the underground springs accumulates along the trough of the valley in several locations, including Salt Lake (USGS, 1915; DWR, 2000). The size of Salt Lake and adjacent seasonal brackish wetlands varies with time and was observed in the late 1990s to extend over approximately 28 acres." (Sites DEIR/EIS pp. 6-28). It seems that the project will take high quality water from high elevation impoundments and the Sacramento River and create warmer, more polluted water from it. This plan will also lower flows and thus impact water quality in the most important salmon spawning and rearing areas on the river. There are some mitigations available for reservoir related water quality issues but they are expensive and largely experimental.	

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20	32	50000	Will Sites have an aeration system in place to help with water quality issues in the reservoir such as low DO, temperature impacts, and toxic algae? Will there be a reservoir management plan? How much salt will using a site with saline ground and surface water add to the Sacramento system? How does this impact the Salt and Nitrate Plan for the Sacramento River? What will the impact to groundwater in the reservoir area be? All these issues need to be answered in the DEIR/EIS but are not.	Please refer to the updated analysis in Chapter 6, Surface Water Quality, which discusses low Dissolved Oxygen, temperature impacts, algae, and salinity. Chapter 2, Project Description contains information on the development of a Reservoir Management Plan which will address long term management of water quality. Chapter 8, Groundwater Resources contains updated analysis for groundwater impacts.
20	33	52900	9. The DEIS does not address the issue of Climate Change Impacts to water flows, water quality, reservoir conditions and fisheries in relation to climate change are not addressed in this DEIR/EIS despite NEPA and CEQA requirements. We request this issue be analyzed and a plan be adopted to deal with climate change impacts to flow and fisheries, and that this plan and relevant findings be included in an Operations Plan. Continuing to support those adaptations of genetic and life-history diversity through providing more naturally variable flows is an important management strategy in addressing climate change effects. This is particularly important for salmonid species, but also applies to the aquatic ecosystem as a whole, including the food web and other native warm and cold water fish communities. Phase II Update of the 2006 Bay- Delta Plan 3-3 Final Scientific Basis Report.	Please refer to Chapter 28, *Climate Change* for a revised analysis of climate change impacts.
20	34	51650	There are more than 2,200 diversions in the Delta (Herren and Kawasaki, 2001). These irrigation diversion pipes are shore-based, typically small (30- to 60-centimeter pipe diameter), and operated via pumps or gravity flow; most lack fish screens. These diversions increase total fish entrainment and losses, and alter local fish movement patterns (Kimmerer and Nobriga, 2008). The Sites DEIR/EIS does not constitute a hard look at fisheries impacts, does not evaluate cumulative impacts or the state of commercial and recreational salmon fisheries, and does not represent the best available science with respect to fisheries. It is lacking in many respects. First there is no actual analysis of the	Please refer to the updated analysis in Chapter 11, *Aquatic Biological Resources* and Master Response 5, *Aquatic Biological Resources,* which discusses aquatic biological resource impacts based on revised diversion criteria and measures to mitigate impacts.

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			current state of the fisheries of the Delta or Sacramento, Feather, American, or Trinity Rivers, or of the long-term impacts of new diversions. The only actual information on reduction or improvements of salmon populations is located in in Appendix 12 of the DEIR/EIS, but there is no adequate description of how these numbers are derived. Furthermore, there are unsubstantiated statements in the Appendices regarding salmonid population impacts, including claims that the plan will lead to an 8% reduction is fish production in high water years but a 11% increase in normal years. These statements do not appear to be derived from a quantitative analysis nor do they disclose the demographic scale abundance estimates or impacts. As the Sites Authority is aware, the differences in fish production during a high water and low water years is dramatic and can represent the difference of several hundred thousand fish.	
20	35	70000	There is also no economic analysis to be found within the DEIR/EIS regarding whether these small gains are the best use of over a billion dollars in public investment. The good years are the only thing keeping the fishing industry from certain death and we rely on wet year returns years and cannot support an 8% reduction in production in these years. This analysis does not use actual predicted numbers, or a clear methodology for comparison, and therefore it is like comparing apples and oranges. The DEIR/EIS should address how the project would impact different salmon runs and commercial and recreational catch rates. Without this analysis, it is difficult to understand the project's impacts to commercial and recreational fisheries.	Please refer to Reclamation's Feasibility Report for information related to economic feasibility. Please also refer to the updated analysis included in Chapter 11, *Aquatic Biological Resources*, which addresses Project impacts to salmonids and Master Response 5 which provides a more focused discussion on Project benefits to fisheries. Environmental benefits from the Project are achieved through a number of different mechanisms, including: Exchanges with Storage Partners, as described in Chapter 2, Project Description and Alternatives, of the EIR/EIS (section titled Operations and Maintenance Common to Alternatives 1, 2, and 3), which provide enhanced operational flexibility and coordination opportunities between the Project, regulatory agencies, the CVP, and the SWP for achieving species benefits; and direct releases from Sites Reservoir either through the CBD and Yolo Bypass (all three alternatives) or directly into the Sacramento River approximately 10.5 river miles upstream of Knights Landing via a pipeline from the terminus of the TC Canal at Dunnigan (Alternative 2).
20	36	32000	We know that this project proposes to obtain water rights to high volumes of much needed water from key tributaries and proposes to divert this water from the main stem of the Sacramento River during key times of salmon spawning and	Please see Chapter 2, *Project Description and Alternatives*. The Authority filed its water right application for the Project with the State Water Board in May 2022 (application number A025517X01). The application identifies the Sacramento River as the source of

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			migration. This project states it will lead to better cold water storage in the Shasta Reservoir but does not address if that water released would be diverted into Sites or if the releases from Sites would provide needed cold water, or warm water and when exactly these releases would come. In fact it seems as if the diversions to Sites and Shasta releases that are proposed would likely lead to a situation where flows are high in certain times of year until Red Bluff and then low and warm below Red Bluff and the new Develin Diversion. In other times of year, the flows may be artificially high during summer months cuing early migration of fall run salmon, which would then run into low flows above the delta and compromise the genetic integrity of threatened spring run salmon.	water and includes two proposed points of diversion on the Sacramento River: 1) the RBPP and 2) diversions at Hamilton City. The application includes a water availability analysis that demonstrates that there is a reasonable expectation of water available for the Project. Please see Master Response 2, *Alternatives Description and Baseline* which clarifies that "the Project would only divert water during the time of the year when the Sacramento River is not fully appropriated, which is from September 1 to June 14. Further, the Project would only divert water when the Delta is in "excess conditions" as determined by Reclamation and California Department of Water Resources (DWR) and as defined in the 2018 Addendum to the Coordinated Operation Agreement. The term "excess conditions" identifies when there is water in the system in excess of the needs of the SWP and CVP. This term is not intended to imply that there is "excess water" or water is being wasted to the ocean. Finally, diversions to Sites Reservoir would only occur when there are flows available above those needed to meet applicable laws, regulations, biological opinions (BiOps), incidental take permits (ITPs), existing water rights, and court orders in place at the time of diversion."
20	37	11000	This DEIR/EIS is also in violation of the Central Valley Improvement Act Salmon Doubling Standard and California Fish and Game Code Section 6902: The Central Valley Project Improvement Act (CVPIA) was enacted in 1992 and has mandated changes in the management of the CVP, particularly for the protection, restoration and enhancement of fish and wildlife. The CVPIA established the Anadromous Fish Restoration Program (AFRP) to implement a program which makes all reasonable efforts to ensure that, by the year 2002, natural production of anadromous fish in Central Valley Rivers and streams will be sustainable, on a long-term basis, at levels not less than twice the average levels attained during the period of 1967- 1991. This mandate included doubling the natural production for each Chinook salmon run (Table 3.4- 3). The Salmon Protection Objective in the Bay- Delta	Please see Response to Comment 20-36, above. Enacted by the U.S. Congress in 1992, the CVPIA requires improvements to water management to protect fish and wildlife, including achieving the state and federal doubling goal for Central Valley Chinook salmon natural production, relative to 1967-1991 levels. As noted in Chapter 11, *Aquatic Biological Resources*, "In 2008, Reclamation began implementing floodplain and spawning habitat restoration projects in the American River to assist in meeting the requirements of the 1992 CVPIA, Section 3406 (b)(13). Spawning and rearing habitat enhancement projects have occurred each year since 2008 and they are planned to continue."

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			Plan and D- 1641 is similar, and provides that water quality conditions shall be maintained together with other measures in the watershed sufficient to achieve a doubling of natural production of Chinook salmon from average production of 1967- 1991, consistent with the provisions of State and Federal law. (Phase II Update of the 2006 Bay- Delta Plan Scientific Basis Report, 3- 21).	
20	38	51600	11. Impacts to Klamath and Trinity River Salmon Populations Are Not Properly Analyzed Implementation of the alternatives could potentially alter instream flow and seasonal water temperatures in the Trinity River below Lewiston Lake and adversely affect Trinity River fish species. (Sites Project DEIS 12-59). We are concerned with potential impacts to the Trinity and Klamath River from the Sites Project and the apparent lack of analysis regarding the project's impacts to the Trinity and cumulative impacts from the Sites project when coupled with the Twin Tunnels proposal, and new BOR plan to maximize Central Valley water delivery. The 1955 law authorizing dams on the Trinity River specifically stated that fish and wildlife were to be protected in the Trinity River and that only surplus water would be diverted for the state and federal water projects. It also granted a water contract for 50,000 acre feet per year to Humboldt County. Despite these legal stipulations, over 80% of the water was diverted from the Trinity River until the Central Valley Improvement Act authorized a flow study that led to the Trinity River Record of Decision (ROD) and the restoration of some of the Trinity River's natural flows in 2000. Recent decisions such as the Lower Klamath Long Temp Plan ROD also now regulate the Trinity River flow. The Sites Project DEIS not only does not analyze any of these water decisions, it used outdated modeling information from 1999 and does not explain	Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses special-status fish species and CEQA/NEPA requirements. Please also refer to the updated analysis in Chapter 6, *Surface Water Quality* and Chapter 11, *Aquatic Biological Resources* for a discussion on water temperatures and their impact on aquatic biological resources. Please refer to Master Response 8, *Trinity River* for an overview of the regulations pertaining to the Trinity River, including the provisions of the Trinity River Division CVP Act of 1955, Reclamation's water rights on the Trinity River, the 2000 Trinity River Record of Decision (ROD), and the 2017 ROD for the Long-Term Plan for the Lower Klamath River.

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			its conclusions or baseline.	
20	39	32000	The Sites DEIR/EIS does not mention the history or laws pertaining to the Trinity River, but it does propose to lower flows during most water years, including during critical winter and springtime periods in above average and below-average water years. For instance, the DEIS predicts the project will provide; "similar long-term average monthly flows during the evaluation period, and equivalent or slightly higher average monthly flows during most water year types, except during above normal and below normal water years, when flows would be reduced by 31.2 and 33.6 percent during March and February, respectively". APP12C-87 at http://cms.capitoltechsolutions.com/clientData/SitesProject/uploads/12-APP_12C_SitesDraftEIR-EIS_August2017.pdf).	Please refer to Master Response 8, *Trinity River* for an overview of the regulations pertaining to the Trinity River, including the provisions of the Trinity River Division CVP Act of 1955, Reclamation's water rights on the Trinity River, the 2000 Trinity River Record of Decision (ROD), and the 2017 ROD for the Long-Term Plan for the Lower Klamath River. The Project would not divert Trinity River origin water (i.e., water originating from the Trinity River) into Sites Reservoir. The Authority filed its water right application for the Project with the State Water Board in May 2022 (application number A025517X01). The application identifies the Sacramento River as the source of water and includes two proposed points of diversion on the Sacramento River: 1) the RBPP and 2) diversions at Hamilton City. There are no points of diversion proposed on the Trinity River nor is the Trinity River identified as a source of water in the Project water right application. The Project is not seeking a water right to divert Trinity River water into Sites Reservoir, nor is this included as part of the Project as described in Chapter 2, Project Description and Alternatives, of the RDEIR/SDEIS. The Project would instead use existing infrastructure to divert unregulated and unappropriated flow from the Sacramento River.
20	40	60100	As stated above some of the key legal decisions that have occurred since the Trinity River ROD include; Key legal decisions pertaining to flows in the Trinity River, include the recent decisions to approve the Klamath River Long Term Plan https://www.usbr.gov/mp/nepa/nepa_project_details.php?Project_ID=22021 , and a Solicitor Opinion on Trinity River Division Authorization's 50,000 Acre-Foot Proviso and the 1959 Contract between the Bureau of Reclamation and Humboldt County https://www.doi.gov/sites/doi.opengov.ibmcloud.com/files/uploads/M-37030.pdf. These are not factored into the proposed Sites Reservoir EIR/EIS or into a Cumulative Impacts Analysis. Compliance with North Coast Basin Plan Temperature standards for the Trinity River, carry over storage needs for Trinity	See Response to Comment 20-39, above.

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			Reservoir, and a current proposal to restore winter flows in the Trinity River are also not analyzed or disclosed in the EIS/EIR beyond charts that show little change to carry over storage in the Trinity River. These charts do not reveal a baseline, do not factor in recent decisions, climate change or proposals to restore winter flows in the Trinity to increase fish production.	
20	41	51600	The DEIR/EIS fails to disclose how often the different alternatives will meet North Coast Basin Plan Temperature Objectives for the Trinity River or the requirements of Water Right Order 90- 05. Furthermore, this plan impacts temperature and diversions below Clear Creek on the Sacramento River. This could cause problems for the Trinity River. Sacramento River water diversions significantly impact the Trinity River, as Trinity water is often transferred to the Sacramento for temperature management and water deliveries without planning for carryover storage in Trinity Reservoir.	See Response to Comment 20-39, above.
20	42	40000	More troubling still is the fact that much of the data from the Trinity used to parameterize DEIR/EIS operational models was collected prior to the year 2000 when the Trinity ROD was signed, and the No Action (i.e., no project construction) alternative assumes increased water diversions and deliveries, an assumption that cannot legally happen in relation to the Trinity River. This leaves many questions of how Sites would impact the Trinity Record of Decision and how climate conditions and carryover storage for the Trinity River are accounted for.	See Response to Comment 20-39 above. Please refer to Master Response 3, *Hydrology and Hydrologic Modeling,* which discusses modeling modifications and uncertainty.
20	43	50000	This proposal also comes at a time when higher winter and spring flows to aid salmon are being considered for both the Trinity and Sacramento River. Higher flows are needed on the Trinity River during certain times of year for main stem Trinity River restoration project and fish production goals to be successful. High flows inundate floodplains, aid migrating salmon, scour sediments and algae, assist with spawning gravel turnover, and reduce the incidence of fish diseases, all of which greatly increase salmon populations and environmental health and function generally. Multiple years of low flows often lead to salmon crises like those	See Response to Comment 20-39, above. Please refer to Master Response 3, *Aquatic Biological Resources,* which discusses flow impacts and mitigation measures.

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			we experience now on the Klamath River.	
20	44	51600	This proposal could take high water events and flushing flows from the Trinity River system and threatens flows that stop the spread of fish diseases in the Klamath Rive during the fall. It could also increase temperatures in the Trinity River by depleting Trinity Reservoir cold water storage, which it in turn is used to control temperatures and flow in the Lower Klamath during late summer and fall. The project could negatively impact spring chinook and fall chinook salmon, along with ESA listed Coho Salmon on the Klamath and Trinity River. Therefore this project could impact the commercial and Tribal subsistence fishing in the Klamath Management Zone in the Ocean along with in river catch. Therefore, the Pacific Fisheries Management Council and Yurok and Hoopa Valley Tribes should be consulted on this project and Tribal Trust issues should be analyzed.	See Response to Comment 20-39, above. Please also refer to the updated analysis in Chapter 6, *Surface Water Quality*, Chapter 11, *Aquatic Biological Resources*, Chapter 23, *Tribal Cultural Resources*, Chapter 27, *Public Health and Environmental Hazards*, Chapter 29, *Indian Trust Assets*, and Chapter 30, *Environmental Justice and Socioeconomics* for analysis of impacts to subsistence fishing.
20	45	32000	We request that all of these needs and factors are addressed in a Supplemental EIS/EIR that takes a hard looks at impacts to the Trinity and Klamath River. We request that an operations plan and final or supplemental EIR/EIS include protections for the Trinity River reservoirs carry over storage, North Coast Basin Plan temperature objectives, winter flows, and Humboldt County's 50,000 acre-foot water contract. That would include water right changes to Reclamation's Trinity River water permits to reflect Trinity ROD flows, compliance with North Coast Basin Plan Temperature Objectives and assurance of adequate cold water storage in Trinity Reservoir to meet temperature objectives.	See Response to Comment 20-39, above.
20	46	20000	12. Sacramento River/Bay Delta Fisheries Impacts Are Not Properly Analyzed The largest and most productive estuary system on the west coast of North and South America – the Sacramento-San Joaquin River Delta – is collapsing for two principal reasons. First, the Central Valley Project ("CVP") and the State Water Project ("SWP") have diverted too much of the Delta's fresh water flows. Second, agricultural diverters have discharged and continue to discharge too much contaminated agricultural runoff and return flows into the Delta.	Please refer to Chapter 11, *Aquatic Biological Resources* and associated appendices for the revised analysis of aquatic impacts since the 2017 Draft EIR/EIS. Also refer to Master Response 3, *Aquatic Biological Resources,* which discusses flow impacts and mitigation measures. Please also refer to the updated Chapter 6, *Surface Water Quality,* which discusses water quality impacts. The ESA consultation will occur as required to identify, avoid, and minimize effects to ESA species and designated critical habitat.

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			These unsustainable levels of diversions and polluted discharges greatly decrease fresh water flows while increasing water temperature and salinity and the concentrating herbicides, pesticides, and toxic agricultural runoff in the Delta. These two threats to the Delta's health have grown steadily over the past five decades, and the resulting environmental devastation has pushed the Delta's imperiled fisheries to the brink of extinction. Several species of fish endemic to the Delta have already gone extinct; just twelve indigenous species remain. Critical habitat for the endangered Sacramento River winter run chinook salmon, Central Valley steelhead and spring run chinook, the Delta smelt, and the Southern Distinct Population Segment ("DPS") of the Northern American green sturgeon suffers progressively accelerating degradation. As a consequence of worsening habitat degradation, winter run chinook salmon were declared threatened under the federal Endangered Species Act ("ESA") in 1990 (55 Fed.Reg 46515). Due to continuing population declines, they were declared endangered in 2005 (70Fed.Reg 37160). Their critical habitat in the Sacramento River and its tributaries was designated in 1993. (58 Fed.Reg. 33212). Spring run chinook salmon were declared threatened, and their critical habitat was designated under the ESA, in 2005. 70 Fed.Reg. 37160, 52488. Central Valley steelhead were declared threatened in 2000 (65 Fed.Reg. 52084) and their critical habitat was designated in 2005 (70 Fed.Reg 52488). The Southern DPS of North American green sturgeon was declared threatened in 2006 (71 Fed.Reg 17757) and its critical habitat was designated in 2008 (73 Fed.Reg 52084). Delta smelt were declared endangered in 1993 (58Fed.Reg. 12854) and their critical habitat was designated in 1994 (59 Fed.Reg. 65256). The designated critical habitat for the Central Valley spring-run Chinook Salmon ESU is in the following counties: Tehama, Butte, Glenn, Shasta, Yolo, Sacramento, Solano, Colusa, Yuba, Sutter,	

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			Trinity, Alameda, San Joaquin, and Contra Costa. The approximate quantity of habitat areas designated as critical habitat includes 1,158 miles of stream habitat in the Sacramento River Basin, and 254 square miles of estuary habitat in the San F rancisco-San Pablo-Suisun Bay complex (70 FR 52488). The PCEs that are essential for conservation of Central Valley spring run Chinook Salmon are similar to the Sacramento River winter-run Chinook Salmon PCEs described above. (BOR Sites Feasibility Report at F-5). The tributaries that are the most important to the Spring Chinook and that provide key Fall Chinook habitat in the upper Sacramento River include: Butte Creek, Clear Creek, Mill Creek Deer Creek, Big Chico Creek and Antelope Creek. Furthermore, a recent study has shown that winter-run also use tributaries at a much higher rate then was once thought. "The surprising finding was that, in their youth, around half the successful winter run adults had wandered beyond their natal reach of the Sacramento River to feed and grow before continuing their journey to the ocean. These alternative "non-natal" habitats included Deer, Mill, Battle Creeks, the Delta, Feather and American Rivers, most of which is not designated as critical habitat under the ESA." https://californiawaterblog.com/2018/01/07/new-paths-to-survival-forendangered-winter-run-chinook-salmon/. These creeks have varying levels of habitat and water quality, however almost all of these have issues with temperature and sediment, and some also have Dissolved Oxygen, PH and turbidity impairments. Because of the importance of these creeks the California Department of Fish and Wildlife recently announced a new strategy to protect and restore some of these watersheds. "The Strategy focuses special attention on streams that drain to the Sacramento River from Mount Lassen, Mt Shasta, and nearby	

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			volcanic peaks. Fed by snowmelt and springs, these streams stay cooler longer than most and offer refuge to winter-run Chinook salmon that evolved to use the spring-fed McCLoud and Pit rivers north of Redding. There, icy waters kept eggs and young fish alive through summer. Today winter-run are forced to spawn 30 miles south, below Shasta Dam. In drought years their eggs and newly hatched fish have not survived due to limited cold-water reserves behind the dam." (http://resources.ca.gov/wp-content/uploads/2017/06/State-Launches-Aggressive-Strategy-to-Aid-Salmon-Steelhead-in-the-Sacramento-Valley.pdf).	
20	47	51600	Many of these tributaries that are highlighted for the preservation and recovery of salmon are the same tributaries that the Sites project is eyeing for water rights, however a discussion of the importance of these creeks, an analysis of their production and use, and their input into the Sacramento River is not discussed at all in the analysis. We are concerned that these flows are targeted during the most important times for fisheries production by this proposal. Adult migration of late fall-run Chinook Salmon through the Delta generally begins in October, peaks in December, and ends in April (Moyle 2002) during a period of typically high, fluctuating flows. Spawning occurs upstream of the Delta from January to March, although it may extend into April in dry years. Late fall-run Chinook Salmon juveniles emigrate from their spawning and rearing areas to the Delta from October through March (Taylor and Wise 2008) F-6 | North of- the-Delta Offstream Storage Investigation Draft Feasibility Report. As we stated early in our comments winter and spring flows are not wasted but essential to the survival of salmon species. Furthermore, releasing and diverting water through different sections of the river for the purpose of diversions will have severe impacts on all species of salmon. Though winter run and spring run are not commercial species and are not currently	Please refer to Chapter 11, *Aquatic Biological Resources* and associated appendices for the revised analysis of aquatic impacts since the 2017 Draft EIR/EIS. Also refer to Master Response 5, *Aquatic Biological Resources,* which discusses special-status fish species and CEQA/NEPA requirements.

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			used for Tribal subsistence, if they were not listed as endangered they would be and their listing and continued hybridizations with fall run have caused limited fishing opportunities and have changes the timing of salmon runs and fishing seasons. Both Winter and Spring run are teetering at the edge of extinction. In fact a new report shows that most of the district fish specifies in California are facing extinction in the next 100 years.	
20	48	20000	"At the current rate, California stands to lose 45% of its remaining native salmonids, including 11 of 21 anadromous species and 3 of 10 of its inland species, in the next 50 years unless significant actions are taken to stem the decline. (Figure 3). Under present conditions, 23 of the remaining 31 species (74%) are likely to be extinct in the next 100 years." (SOS II: Fish in Hot Water http://www.capradio.org/media/8795686/sos2.pdf). Spring Chinook numbers are currently at a low of about 722 fish in Deer, Antelope, Mill, Cottonwood, Battle and Clear Creek. These creeks represent almost all of the remaining Sacramento River Spring Chinook beyond Butte Creek. Temperature is a major limiting factor for all of these creek and sediment and DO are also issues within several. These record low Spring Chinook numbers mean that it is highly likely that the Spring Run will be updated to endangered rather that threatened in the state and possibly federally. This is especially concerning due to new information on the fragile nature of the Spring Run Chinook and Summer Run of Steelhead. A recent study from the University of California Davis shows that the gene that created the Spring Run of Salmon evolved in a single event, and that the spring run is genetically distinct from the fall run. Other studies have shown that changes to habitat and water quality have led to changes in run timing, which has led to changed genetics which favor fall run salmon. In short, these species are interbreeding due to water quality and habitat issues and creating an earlier run of Fall Chinook that eventually	Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses special-status fish species and CEQA/NEPA requirements.

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			loses the Spring Chinook gene and is even more susceptible to water quality impairments. https://www.ucdavis.edu/news/study-reveals-evolutionary-history-imperiled-salmon-stocks.	
20	49	51600	The most imperiled salmon species is without a doubt the Winter Run Salmon. Sites project shows major impacts to winter run salmon, which are in immediate danger of extinction and are the subject of expensive restoration efforts. Without revealing operations the EIR/EIS disclosed that the project will lead to impacts to winter run. Similar adult immigration and holding conditions, based on modeling results indicating: (1) similar or higher long-term average monthly flows generally occurring during the early months of the evaluation period, December through February, but similar or lower long-term average monthly flows occurring during the late part of the evaluation period, March through July, and lower average monthly flows in drier water years occurring during March through June at Keswick Dam; (2) similar or lower long-term average monthly flows during most months below RBDD, particularly in drier water year types; (3) similar long-term average monthly flows during most months with potential flow reductions in drier water year types at Verona, Freeport, and Rio Vista; (4) similar, or slightly higher (particularly during April) or slightly lower (particularly during May through July) average monthly probabilities of exceeding specified water temperature index values. 12C-9. Spring Run and Winter Run Salmon are not the only species that will be harmed by the Sites reservoirs and related new diversions. Fall run salmon, the last staple of the salmon fishing industry will also be harmed. The DEIS/EIS shows "Similar or less suitable juvenile rearing and out migration conditions based on modeling results indicating: (1) similar or reduced long-term average monthly flows and average monthly	Please refer to the updated Chapter 11, *Aquatic Biological Resources* and associated appendices for the revised operational details and analysis of aquatic impacts since the 2017 Draft EIR/EIS. Also refer to Master Response 5, *Aquatic Biological Resources*, which discusses special-status fish species and CEQA/NEPA requirements.

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			flows by water year type from January through May below the RBDD; (2) similar or reduced average monthly flows from January through May, particularly in drier water year types in the lower Sacramento River; (3) similar or reduced fry rearing habitat availability (WUA) and similar juvenile rearing habitat availability (WUA) in the upper Sacramento River." (Sites DIER/EIS pp. 12C-13 and 14).	
20	50	51650	The project would also result in increased reverse flows in the Old Middle River in the Delta and would decrease Delta inflows, which is a significant biological and water management issue. However, instead of the DEIR/EIS taking a hard look at Delta impacts, they are quickly glossed over. This is a violation of NEPA, CEQA and the Endangered Species Act. From January through March, Delta outflow under Alternatives A, B, C, and D would decrease as compared to the Existing Conditions/No Project/No Action Condition. (DEIR/EIS p. 6-50). OMR flows indicate that the reverse flows would become larger under Alternatives A, B, C, and D as compared to the Existing Conditions/No Project/No Action Condition because Delta exports would increase in these months. However, the increased reverse flows would be compliant with the regulatory criteria. (DEIR/EIS p. 6-50). We request the a Supplemental EIR/EIS take a hard and detailed look at impacts to fisheries in the Delta.	Please refer to Chapter 5, *Surface Water Resources* for updated modeling and analysis based on the revised alternatives addressed in the RDEIR/SDEIS and the Final EIR/EIS as well as Chapter 11, *Aquatic Biological Resources* and associated appendices for the revised analysis of aquatic impacts since the 2017 Draft EIR/EIS.
20	51	51600	13. Sites Project will Encourage the Propagation of Non-Native Fish Species The Sites Project will not only harm salmon species directly through the lowering of flows, degradation of water quality and limitation of habitat, but also through creating water quality conditions that encourage predation from non-native species and cause direct harm and avoidance by native fisheries. Many studies document that poor water conditions, flow fluctuations and lack of scouring and high winter flows encourage non-	Please refer to Chapter 11, *Aquatic Biological Resources* and associated appendices for the revised analysis of aquatic impacts since the 2017 Draft EIR/EIS.

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			native species and predation. Predation is a serious issue in the Sacramento River and the increases in predator species from flow modifications is well document. This analysis does not speak to this issue at all in violation of NEPA and CEQA. An assessment of streams across the conterminous U.S. shows a strong correlation between simplified or diminished streamflows and impaired biological communities including fish (Carlisle et al. 2011). In addition, when streams are dammed and flow regimes are simplified by dam releases, stream fish communities tend to become simplified and more predictable, usually dominated by species that thrive in simplified and less variable habitats (Brown and Bauer 2009; Kiernan et al. 2012). This has been found to be the case in the Bay- Delta watershed, where native fish and other aquatic organisms have been increasingly replaced by nonnative species (Feyrer and Healey 2003; Brown and May 2006; Brown and Michniuk 2007; Brown and Bauer 2009; Mahardja et al. 2017). Within the watershed, the regions of greatest flow alteration are the most dominated by nonnative species (Brown and May 2006; Brown and Michniuk 2007), where the altered hydrology likely creates conditions more favorable for spawning and rearing of nonnatives than natives (Brown and Bauer 2009) (Phase II Update of the 2006 Bay- Delta Plan 3- 2 Final Scientific Basis Report. https://www.waterboards.ca.gov/water_issues/programs/peer_review/docs/scientific_basis_phase_ii/201710_bdphaseII_sciencereport.pdf).	
20	52	51100	The DEIR/EIS fails to disclose that water and salmon are public trust resources in the state of California (https://lawreview.law.ucdavis.edu/issues/45/3/Topic/45-3_Frank.pdf), and that California has established Cultural Beneficial Use and Subsistence Fishing Beneficial Uses as part of water quality standards, which can be found at https://www.waterboards.ca.gov/about_us/public_participation/tribal_affairs/docs/bu_outreach.pdf. Furthermore, the federal government has Tribal Trust and consultation responsibilities whenever there is a significant action that could impact tribal	See Response to Comment 20-2, above. See the updated Chapter 23, *Tribal Cultural Resources* and 29, *Indian Trust Assets* for a summary of the ongoing consultation efforts.

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			people [https://www.usbr.gov/native/policy/protocol_guidelines.pdf].	
20	53	52200	Salmon are a Tribal Trust species and several recognized and unrecognized tribes would be directly impacted by the project. Furthermore, the Winnemem Wintu Tribe, along with supporters, are working with the federal government to reintroduce salmon and restore fish passage above the Shasta Dam. Passage at Shasta is federally mandated in the reasonable and prudent measures as part of the current Biologically Opinion for the Operation of the State and Federal Water Projects [https://www.fws.gov/sfbaydelta/CVP-SWP/index.htm], however this mandate and the efforts of the Winnemem Wintu Tribe are not discussed in this DEIR/DEIS despite the impact this project will have on fish migration and water resources. Each of the issues identified above, as well as how the project would impact them, should have been analyzed as part of this DEIR/EIS. The DEIR/DEIS does not adequately evaluate how this project will benefit or harm public trust resources, nor does it even mention Tribal Trust or consultations beyond stating that it will inundate native graveyards. Over the past twenty years that state and federal governments have taken many actions to restore the flows and fisheries in the Sacramento and Trinity Rivers as part of their public and tribal trust responsibilities. The fact that this DEIR/EIS does not mention any of this history or issues is illegal and immoral.	Commenters on the RDEIR/SDEIS (see Volume 3, Chapter 4) state that the Project would affect "Tribal trust fisheries such as salmon, trout and lamprey" and that "Tribes have identified... salmon as a Trust species." To the extent the commenters state that the Project would adversely affect culturally important species such as Chinook salmon (*Oncorhynchus tshawytscha*), Chapter 11, *Aquatic Biological Resources*, describes how the Alternatives would not substantially affect fish habitat or survival. Furthermore, both the Wilkins Slough bypass flow criteria (now up to 10,700 cubic feet per second [cfs] from October to June 15 and 5,000 cfs in September with no diversions from June 15 to August 31) and Bend Bridge Pulse Protection criteria (now entirely triggered by forecasted flows) have been revised for the Final EIR/EIS, offering additional protection to fish species.
20	53	21500	We [Save California Salmon, et al.] believe this issue [minimum bypass flows for the Sacramento River] must be fully and adequately analyzed in the DEIS/EIR, prior to any water rights hearing or other permitting process that will rely on the information in the DEIS/EIR. Based on the inadequacies identified in the attached letter, we encourage you to strongly recommend that the Sites Project Authority prepare a recirculated Draft EIS/EIR.	Please refer to Response to Comment 20-2 regarding the revisions to the project and recirculation of the RDEIR/SDEIS.
20	54	21500	In closing, despite the dire state of California's commercial, tribal and recreational fisheries, the DEIS/DEIR provides no solid	Please see responses to comments, above.

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			operations plan, no Cumulative Impacts Analysis, no real analysis of alternatives or impacts, nor a statement of actual impacts to fisheries besides for stating that the plan would decrease flows most of the time and increase reverse flows in the Delta sometimes. As stakeholders who are potentially significantly impacted by the project, we have no basis upon which to confidently evaluate any putative positive environmental benefits the project could provide. Instead, we are left with uncertainty, incomplete analyses, and a failure to address concerns we have voiced for years.	
20	55	51610	We feel that many of the environmental benefits or neutral impacts that are claimed in this document are undermined either in the paragraphs directly under the claims, or are contraindicated in Appendix 12C of the EIR/EIS, which goes further into impacts but does not provide any information on how the conclusions are being drawn. While the environmental benefits are not clear from review of this document, it is clear the Sites Project will reduce flows in most months and in most year types.	Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses special-status fish species and benefits.
20	56	30000	There are few environmental issues that are as well documented as the demise of salmon and smelt in the Delta due to water diversions. Every single study released on the subject states that the Sacramento River and Delta need more water and habitat during every season if salmon are to survive. As representatives of the fishing industry, tribal communities, and the public, we do not only want survival of the salmon, but also the recovery of fisheries and a harvestable surplus. We want salmon on our tables. This plan runs contrary to this goal. We request the project either be dropped or a supplemental EIS/EIR be issued to address the multiple insufficiencies in the DEIR/EIS.	Please refer to Response to Comment 20-2, above. Taking into consideration comments from the public and agencies, the Authority and Reclamation have refined the Project to be more protective of fisheries and recirculated a RDEIR/SDEIS that analyzes the revised project. Responses to comments on the RDEIR/SDEIS are addressed in Volume 3, Chapter 4 of this Final EIR/EIS.

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21	1		This transmits comments regarding the Sites Reservoir DEIR/DEIS and Draft Feasibility Report on behalf of the California Indian Water Commission (CIWC), a tribal self-determination organization. The CIWC was unable to access the DEIR/DEIS (document) from the links provided in the federal register notice, and via links provided by BOR. A set of disks was provided with less than one week to review. We requested an extension of comments based on these circumstances, and the agency representative did not provide a response. These comments are based on our brief review of the materials provided.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in the extensive review of additional alternatives and revised modeling to further refine the Project. A Revised Draft Environmental Impact Report/Supplemental Draft Impact Statement (RDEIR/SDEIS) was released in 2021. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. The Final EIR/EIS also includes chapters and appendices that have been updated based on revised modeling results and minor corrections and clarifications resulting from comments received on the RDEIR/SDEIS.
21	2		First and foremost, we support the no project alternative. The development of the Sites project is counterintuitive to the laws of nature, and will continue to adversely affect trust resources, for which the involved agencies share responsibilities for on behalf of tribes, tribal individuals, and tribal organizations pursuant to federal and state laws including PL 93-638 and executive order B-10-11. The lack of understanding of these matters is evident in the discussion of Indian Trust Assets in the document, which does not reflect the full scope of the Bureau and other agencies, including state, trust responsibilities to tribes, tribal individuals, and tribal organizations. Trust responsibilities extend to all transitory resources (e.g., fish, wildlife, water), and other cultural properties including sacred sites, gathering sites, etc. In regards to water, prior legal precedence demonstrates that our preeminent rights to surface and ground water (see Winters v. United States and Agua Caliente v. Coachella Valley Water District & Desert Water Agency). However, local, state, and federal projects past and present have failed to acknowledge this fact, and have failed to achieve implementation of actions to make the systems sustainable and resilient to social and environmental change. We encourage the agencies to further their responsibilities to not only to trust resources, but also the recovery of species (e.g., Delta smelt, green sturgeon, Chinook salmon) pursuant to the endangered species act. Such actions would include seeking restoration of the natural basins and sinks throughout	Please refer to Master Response 7, *Tribal Coordination, Consultation, and Engagement*, as well as Chapter 23, *Tribal Cultural Resources of the RDEIR/SDEIS*, which discuss the Authority and Reclamation's consultation and engagement with Tribes, as well as Reclamation's fulfilment of federal trust obligations. Please also refer to Chapter 29, Indian Trust Assets, which discusses the affected environment, methods of analysis, and environmental consequences for Indian trust assets in the study area. Master Response 9, *Alternatives Development* provides an overview of the alternatives screening analysis conducted and presented in the EIR/EIS to identify a reasonable range of feasible alternatives. This includes an extensive screening process conducted through multiple water resource planning efforts spanning decades that considered a wide variety of factors, including potentially significant environmental effects, to develop the range of alternatives ultimately evaluated in the EIR/EIS. In addition, Appendix 2A, *Alternatives Screening and Evaluation* describes the following: • The background of the development of alternatives to provide additional water storage in the western Sacramento Valley prior to the CALFED Bay-Delta Program (CALFED) process. • The range of water storage concepts considered as part of

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			the Central Valley as a means to provide surface storage and groundwater recharge amongst other functions and services the natural system provides. This could be achieved via land retirement of lands formerly "reclaimed" pursuant to acts including the Swamp Lands Act, which have compromised the natural function of many regional ecosystems. In consideration of land retirement and restoration, we strongly encourage BOR and the SPA to work with Tribes as receivers for such land-based actions including project mitigation.	the CALFED alternatives screening process between 1995 and 2000 and the results of the preliminary alternatives evaluation completed under the CALFED Integrated Storage Investigation and the CALFED EIS/EIR. • Results of the evaluation of alternatives completed under the California Department of Water Resources (DWR) and Reclamation Surface Water Storage Investigation process starting in 2001, which resulted in the selection of the Project for further evaluation in the EIR/EIS.
21	3		Ecocultural effects of the project have been inadequately analyzed. We suggest consulting with tribes, traditional cultural practitioners, and tribal organizations to better determine project effects, alternatives, and mitigation. To understand the environmental setting requires an assessment which begins at the top of the contributing watersheds and extends through the ocean. Furthermore, there are some aspects of the environment such as spiritual or metaphysical parameters, which are not currently assessed in any environmental impact review. We recommend analysis of such impacts through the use of the Mauri-o-meter http://mauriometer.com). The Mauri-o-meter assesses impacts to the environment, cultural wellbeing (inclusive of metaphysical aspects), social wellbeing, and economic wellbeing using a series of questions that are filtered through a heuristic model.	Please refer to Master Response 7, *Tribal Coordination, Consultation, and Engagement* as well as Chapter 23, *Tribal Cultural Resources of the RDEIR/SDEIS,* which discuss the Authority and Reclamation's consultation and engagement with Tribes, as well as Reclamation's fulfilment of federal trust obligations. We appreciate the recommendation to use the Mauri-o-meter, which has been developed and used in the context of the Māori culture in New Zealand. However, this would be outside the purview of a typical CEQA/NEPA analysis.

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22	1	51100	The draft EIR/EIS fails to discuss the high concentrations of a number of metals in the source waters to the proposed project, and, even more important, does not discuss water quality in the proposed reservoir. Water quality in the proposed reservoir will mimic that of the source waters, and hence the reservoir will have concentrations of a large number of metals that exceed many water quality criteria and standards. The high concentrations of metals likely to occur in the proposed reservoir will impact most, if not all, beneficial uses of the proposed project, including agricultural water supply, wildlife and fisheries, and drinking water supplies for communities that divert water from the Sacramento River, making the project potentially infeasible. The water quality section (Chapter 7) must be completely rewritten with an objective analysis of the data and potential adverse impacts to water quality both within the reservoir and to downstream resources in the Sacramento River.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in the extensive review of additional alternatives and revised modeling to further refine the Project. A Revised Draft Environmental Impact Report/Supplemental Draft Impact Statement (RDEIR/SDEIS) was released in 2021. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. The Final EIR/EIS also includes chapters and appendices that have been updated based on revised modeling results and minor corrections and clarifications resulting from comments received on the RDEIR/SDEIS. Please refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury.
22	2	50000	Subsequently, the aquatic biological resources (chapter 12), terrestrial biological resources (chapter 14), recreation resources (chapter 21), public health and environmental hazards (chapter 28), and cumulative impacts (chapter 35) sections of the draft EIR/EIS must reassess impacts from the adverse water quality expected from the proposed project.	Please refer to Master Response 4, *Water Quality,* which discusses concerns about water quality and adequacy of mitigation. Please also refer to the updated analysis in Chapter 9, *Vegetation and Wetlands Resources*, Chapter 10, *Wildlife Resources*, Chapter 11, *Aquatic Biological Resources*, Chapter 16, *Recreation Resources*, Chapter 27, *Public Health and Environmental Hazards*, and Chapter 31, *Cumulative Impacts*.
22	3	21500	Following these re-analyses, re-circulation of the draft EIR/EIS is necessary with appropriate disclosure information about the potential impacts from metals to water quality and its effects on agricultural water supply, wildlife and fisheries, and drinking water supplies.	See Response to Comment 22-1, recirculation took place with the RDEIR/SDEIS.
22	4	51100	Section 7 – Surface Water Quality does not disclose potential significant adverse issues which have serious ramifications for the viability of the proposed project, but rather ignores or misconstrues available data and reports to incorrectly conclude that there are no significant water quality impacts associated with the proposed project. The EIR claims to have evaluated post-project impacts to the Sacramento River, but there are no analyses provided that indicate that this was done. It is apparent that the preparers of the EIR failed to examine or simply ignored	Please refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality* which provide an updated analysis of the Project's impacts to water quality.

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			the available data that would show potential significant adverse impacts from the proposed project. The analyses in Section 7 completely left out any evaluation or projection of water quality that may result in Sites Reservoir from diverting high winter flows from the Sacramento River. The EIR fails to point out that due to metals loads in the various source waters, water in the proposed reservoir may not be suitable for the beneficial uses stated for the proposed project, including enhanced water management flexibility, agricultural and urban water supply, water quality improvement, and ecosystem improvement for fish protection, habitat management, and other environmental needs. A factual evaluation of the available data is presented below, which shows significant potential adverse impacts associated with the proposed project. Some comments on specific sections of Chapter 7 of the EIR are also presented. Available Data The EIR cites the DWR Water Data Library (WDL) online database as the source for water quality data used to determine impacts from the proposed project. However, very limited data from the WDL are available for evaluating water quality in source waters for the proposed project. The major source water for the proposed project is the Sacramento River, with potential diversion occurring at the Tehama-Colusa Canal, Glenn-Colusa Irrigation District Main Canal, and at Moulton Weir. The Sacramento River below the Red Bluff Diversion Dam monitoring station of DWR provides information on the quality of water that would be diverted to the proposed project through the Tehama-Colusa Canal. Metals data are available in the WDL for the Sacramento River below the Red Bluff Diversion Dam beginning in February 2006 (Table 1) [Exhibit 1]. However, only 33 samples have been collected since 2006, and only nine of	

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			these were from the months in which higher flows most typically occur (December through March) and from which diversions to the proposed project would occur. Cottonwood Creek contributes the most significant input to the Sacramento River during high runoff events. The Chico-Enterprise Record in an editorial published December 28, 2016 underscored the impact of tributaries on water quality in the Sacramento River. The newspaper stated that of the 100,000 cfs flowing in the river earlier in the month, only 5,000 cfs was coming from Keswick Dam below Shasta Dam – the rest of the 100,000 cfs (95,000 cfs) was coming from tributaries downstream from Keswick Dam, of which Cottonwood Creek provides the dominant flows. Data from Cottonwood Creek near Cottonwood are even more sporadic than those for the Sacramento River. Data are available for this station in WDL beginning in October 2004, with only seven samples collected from the Cottonwood Creek monitoring station since 2006, and only four of which were collected during the months of expected higher flows of December through March (Table 2) [Exhibit 2]. Data available in the WDL show that only one sample was collected (March 2006) during the same period from both Cottonwood Creek and the Sacramento River below the Red Bluff Diversion Dam since 2006. This one sample shows that metal loads in the Sacramento River are similar to those found in Cottonwood Creek, showing that Cottonwood Creek significantly affects water quality in the Sacramento River. Water quality in Cottonwood Creek will have a significant impact on diversions to the proposed reservoir and water quality data from Cottonwood Creek can be used to approximate and supplement data from the Sacramento River, though the total number of samples from both sites combined are still exceptionally low for a project of this magnitude and potential for adverse effects. The water quality monitoring station on the Sacramento River at	

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			Hamilton City is just downstream from the GCID Main Canal. Data from the WDL is somewhat more extensive at the Hamilton City monitoring site, with metals data available in the WDL beginning in late 2003 to early 2017, though still sporadic with only 78 samples collected in the span of a little more than 13 years (159 months), and only 23 of those collected sometime during the months of expected higher flows of December through March (Table 3) [Exhibit 3]. Samples were collected in each of these months only twice, with the rest of the samples during these months only collected in February months each year since 2008. The WDL shows that metals data are available for the Sacramento River opposite Moulton Weir monitoring station from mid 2003 to early 2011, for a total of 80 samples, with 27 of those from the expected higher flow months (Table 4) [Exhibit 4]. Water quality sampling during the expected months of higher flows of December through March did not target high flow periods (the periods during which diversions to the proposed project would occur) but were based on a rigid and fixed monthly or semimonthly schedule. Monitoring did not provide any information on the variation in concentrations of metals over the runoff hydrograph. Even higher concentrations of metals would likely occur during the higher flow periods during these months, but were not targeted by the limited monitoring. The relatively low number of samples and lack of samples targeting critical flows (i.e., high runoff events) are nonetheless sufficient to indicate potential significant adverse water quality impacts with the proposed project. These data illustrate the need to collect additional data during appropriate time periods (i.e., during the high flow periods when diversions from the Sacramento River would be occurring) and re-evaluate the potential adverse water quality impacts from the proposed project.	

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22	5	20000	Data Analyses Some of the analytical results shown in the WDL for metals are reported as "dissolved" and other results as "total" (or total recoverable). "Total" concentrations, which include both dissolved and particulate forms of an analyte, are probably a better representation for the concentrations of metals that will affect water quality in the proposed reservoir. As well, the State Water Resources Control Board makes no distinction between dissolved or total recoverable concentrations when considering whether a criterion is exceeded (SWRCB 2011). The proposed reservoir will thermally stratify and will also be biologically productive due to nutrients brought in from source waters. This in-situ productivity, as well as organic material brought in with the source waters, will result in anoxic conditions (i.e., lack of oxygen) in the hypolimnion (i.e., bottom water layer). While dissolved forms of metals are generally the most bioavailable, the particulate fraction of total recoverable forms will undergo chemical transformation to dissolved forms under the anoxic conditions expected in the hypolimnion of the proposed reservoir. Transformed metals will be mixed throughout the reservoir water column during turnover events, or released downstream with anoxic water from the lower depths during the summer months. Data from the WDL (Table 1) [Exhibit 1] show that aluminum, arsenic, cadmium, chromium, iron, lead, manganese, and mercury in water samples from the Sacramento River below the Red Bluff Diversion Dam exceed various criteria and standards established to protect beneficial uses, including drinking water, public health, taste and odor for agriculture, and freshwater organisms, which includes fish. Maximum concentrations of some of these metals are many times higher than the corresponding criteria or standard. For example, aluminum, in addition to exceeding the SWRCB Basin Plan Primary Maximum Contaminant Level (MCL) for drinking water by one and half times, also exceeds the secondary drinking water standard in the	See Response to Comment 22-4, above.

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			Basin Plan by seven times and the US Environmental Protection Agency Secondary MCL by 30 times. Even the minimum concentration of arsenic reported in WDL exceeds by more than 10 times nearly all the criteria and standards for protection of human health. The least reported concentration of cadmium from river water samples exceed by five times the incremental cancer risk for drinking water. The least concentration of chromium reported in WDL exceeds the California Public Health Goal by 16 times and incremental cancer risk for drinking water by five times. The maximum concentration of iron that was reported in WDL exceeds the secondary drinking water maximum concentration level in the Basin Plan, as well as National Recommended Water Quality Criteria for taste and odor or welfare by nearly three times. The maximum concentration of lead that was reported exceeds the California Public Health Goal and California Proposition 65 maximum allowable dose level for reproductive toxicity by over four times. The maximum reported concentration of manganese exceeds the National Recommended Water Quality Criteria for taste and odor or welfare by one and a half times. The maximum concentration reported for mercury exceeds the National Recommended Water Quality Criteria for Freshwater Aquatic Life Continuous Concentration by nearly four times, and the Freshwater Aquatic Life Maximum Concentration by two times. An additional concern with these metals is that some metals are taken up by crops (such as arsenic by rice), making the crops potentially unsuitable for consumption. Plant uptake of metals in the water supply not only affect crops grown for human consumption, but also plants grown for support of wildlife, such as in refuges. Similarly, data from the WDL for Cottonwood Creek near Cottonwood show that aluminum, arsenic, cadmium, iron, lead, manganese, and nickel exceed various criteria and standards established to protect beneficial uses (Table 2) [Exhibit 2]. Similar to the Sacramento River, maximum concentrations of some of these metals are many times higher than the corresponding	

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			criteria or standards. Aluminum concentrations exceed the Basin Plan drinking water primary standard MCL by 14 times, the secondary drinking water secondary standard MCL by 70 times, the California Public Health Goal by over 20 times, the National Academy of Sciences Health Advisory and Agriculture Water Quality Goals for taste and odor threshold by nearly three times, the National Recommended Water Quality Criteria for human health and welfare for water and fish consumption by nearly 30 times, and the National Recommended Water Quality Criteria for freshwater aquatic life maximum concentration by 20 times. As with the Sacramento River, even the minimum concentration of arsenic reported in WDL exceeds nearly all the criteria and standards for protection of human health by up to 167 times. The minimum concentration of cadmium reported exceeds the incremental cancer risk for drinking water by over three times, while the maximum concentration is over twice as high as the California Public Health Goal. As with the Sacramento River, the California Public Health Goal is exceeded by the least concentration of chromium reported by 16 times and the incremental cancer risk for drinking water by five times. Iron exceeds the Basin Plan drinking water standard secondary MCL by over five times, the Agricultural Water Quality Goals for taste and odor threshold by nearly five times, the National Recommended Water Quality Criteria for taste and odor or welfare by 78 times, and the National Recommended Water Quality Criteria for freshwater aquatic life maximum concentration by over 23 times. Reported lead concentrations are two and a half times higher than the California Public Health Goal, up to twice as high as the California Proposition 65 maximum allowable dose level for reproductive toxicity, and almost twice as high as the incremental cancer risk estimate for drinking water. Manganese concentrations reported from Cottonwood Creek exceed the Basin Plan Drinking Water Standards secondary MCL by a factor of 10, are nearly twice as high as the USEPA Health Advisory for drinking water, three times as high as the Agricultural Water Quality Goals for taste and odor threshold, and over 10 times higher than the National	

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			Recommended Water Quality Criteria for taste and odor or welfare. Reported maximum mercury concentrations exceed the National Recommended Water Quality Criteria for Freshwater Aquatic Life Continuous Concentration by nearly two times, while even the lowest reported concentration is nearly equal to the recommended criterion. Nickel exceeds the California Public Health Goal by nearly five times. The GCID Main Canal intake is slightly upstream from the Sacramento River at Hamilton City water quality monitoring station. Therefore, water quality in the GCID Main Canal will be similar to that found at the Sacramento River at Hamilton City monitoring station. Metals data for this monitoring station can be found in the WDL from November 2003 to February 2017. Similar to the upstream monitoring station on the Sacramento River below Red Bluff, the Sacramento River at Hamilton City water quality monitoring station has been identified to contain high levels of aluminum, arsenic, cadmium, chromium, copper, iron, lead, manganese, mercury, nickel, selenium, silver, and zinc (Table 3) [Exhibit 3], which exceed a large number of criteria and standards similar to those upstream at the monitoring station below the Red Bluff Diversion Dam. High levels of metals have also been identified at the water quality monitoring station opposite the Moulton Weir, including aluminum, arsenic, cadmium, chromium, copper, iron, lead, manganese, mercury, nickel, selenium, silver, and zinc (Table 4) [Exhibit 4]. As with the water quality monitoring station on the Sacramento River below the Red Bluff Diversion Dam, concentrations of metals from the Sacramento River monitoring station at the Moulton Weir exceed a large number of water quality criteria designed to protect beneficial uses.	
22	6	51100	As discussed earlier, Cottonwood Creek is the major source of water to the Sacramento River during higher flow periods, but other tributaries also contribute high levels of metals to the Sacramento River. In addition, local creeks directly tributary to the proposed reservoir, such as Funks Creek and Stone Corral	See Response to Comment 22-4, above. Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses planned adaptability in managing operations and additional studies to address current uncertainties regarding Funks and Stone Corral Creeks.

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			Creek, also carry metals concentrations that will contribute to the metals loading. Leaching from soils beneath the reservoir will also contribute additional metals, as well as nutrients. The Basin Plan lists other chemicals that adversely affect water quality in the Sacramento River, including chlorpyrifos and diazinon. The California State Water Resources Control Board lists a number of other "constituents of concern" in the study area, including chlordane, DDT, mercury, PCBs, and dieldrin. In addition, sewer outfalls from the cities of Redding and Red Bluff contribute other contaminants, such as pharmaceuticals, to the Sacramento River. No information is provided in the EIR about effects to the proposed project from these chemical contaminants. Discussion The data in the WDL for the Sacramento River and Cottonwood Creek demonstrate that high concentrations of metals can be expected during the high flow months of winter (December through March) when diversions would be occurring to the proposed Sites Reservoir. Higher concentrations of metals are likely during the higher flows that can occur during these months. Such higher flows were not targeted by the limited sampling effort presented in the WDL. The high concentrations of metals in the source water will adversely impact water quality in the proposed reservoir for most, if not all, the proposed beneficial uses of the stored water. Some metals from both the Sacramento River and Cottonwood Creek, whose concentrations did not exceed criteria in the limited sampling effort, had concentrations that nearly exceed the criteria and standards. These and other metals whose concentrations did not exceed the criteria may have higher concentrations during the higher flow periods that the proposed project would be diverting. Again, these higher flow periods were not targeted during the limited sampling effort.	

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			Even some of the minimum concentrations of metals found in the source waters exceed criteria and standards, which means that the source waters never meet these goals and standards – the criteria are always exceeded and the water is never suitable for the beneficial use or uses the criteria or standards were designed to protect. Water quality in the proposed reservoir for these parameters will exceed the criteria and standards all the time. Since water quality in the proposed reservoir will reflect that of the source waters, the reservoir will have concentrations of numerous metals, including aluminum, arsenic, cadmium, chromium, copper, iron, lead, manganese, mercury, nickel, selenium, silver, and zinc, that exceed a number of criteria and standards developed to protect beneficial uses. In addition, other metals that may not exceed criteria and standards in the source waters may adversely affect reservoir water quality due to synergistic effects. The State Water Resources Control Board (SWRCB 2011) states that "when multiple constituents have been found together in groundwater or surface waters, their combined toxicity should be evaluated" and that "theoretical risks from chemicals found together in a water body shall be considered additive for all chemicals having similar toxicologic effects or having carcinogenic effects." Thus, the adverse effects from the metals delivered to the proposed reservoir from the source waters may have an even greater adverse impact and pose an unacceptable level of risk. Beneficial uses potentially impacted by metals in the proposed reservoir include agricultural water supply (direct toxicity or uptake by crops making the crops unsuitable for use), wildlife (such as fish-eating birds), fisheries, recreation (including sport fishing and water contact activities such as swimming), and drinking water supplies for communities that divert water from the Sacramento River. Releases from the proposed reservoir would occur during the summer when metals concentrations in the Sacramento River are much lower due to the majority of flow being from Shasta	

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			Reservoir, with much better water quality, though still carrying a metals load. High metals concentrations in the proposed reservoir releases could adversely affect water quality in the Sacramento River during the summer months by increasing metals loads beyond acceptable limits and adversely impact beneficial uses.	
22	7	51100	Though high concentrations of metals that exceed water quality criteria exist in source waters to the proposed project, they cannot be regulated by governmental entities since they are natural occurrences. However, once contained artificially in a reservoir, they are subject to jurisdictional control by regulatory agencies. Any releases of water from the proposed reservoir will likely be subject to review by water quality regulatory agencies to ensure that such releases do not adversely affect downstream resources due to the heavy metals loads in the releases. The SWRCB has an antidegradation policy that prohibits discharges that would degrade water quality to a level below water quality objectives because no capacity would exist for degradation that will be caused by the next downstream or downgradient uses – the ability to beneficially use the water would have been impaired, even though water quality objectives would not yet have been exceeded (SWRCB 2011).	Please refer to Master Response 4, *Water Quality,* which discusses concerns about water quality and adequacy of mitigation.
22	8	51100	The contribution of additional metal loads from releases from the proposed Sites Reservoir during the summer could cause concentrations of metals in the Sacramento River to exceed criteria and standards or at least be subject to the antidegradation policy due to an incremental increase in metals in the Sacramento River from the proposed project. Thus, the proposed project may face prohibition of releases if stored water does not meet water quality criteria or standards or if releases can cause criteria or standards to be exceeded by downstream inputs (i.e., antidegradation policy). During dry years, the adverse impacts associated with the project can be expected to be even greater. Flows in the Sacramento River from upstream reservoirs on the Sacramento River (i.e., Shasta Reservoir, Whiskeytown Reservoir) will be	Please refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation. Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses flow impacts and mitigation measures.

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			minimized during the winter months in an effort to restore water storage levels in those reservoirs. Likewise, during wet or even normal runoff years, releases from the upstream reservoirs during the winter will be curtailed during high runoff periods to prevent downstream flooding. In any of these scenarios, tributary influences, such as Cottonwood Creek, on water quality in the Sacramento River will be much greater. The proposed project would still attempt to capture as much runoff from the Sacramento River as possible, but the water diverted to the proposed project will have even greater concentrations of metals due to the majority of flow being from tributary streams (e.g., Cottonwood Creek) during dry and possibly even wet or normal runoff years. Similarly, during the summer in dry years, releases from upstream reservoirs (i.e., Shasta Reservoir, Whiskeytown Reservoir) will be minimized. Releases to the Sacramento River from the proposed project will have a greater impact on water quality in the Sacramento River due to less dilution being available due to curtailed flows in the river from upstream reservoirs (i.e., Shasta and Whiskeytown reservoirs).	
22	9	51100	Conclusion The proposed project is, at best, premature. Little or no data have been collected to determine the metals loads in the higher flows of the Sacramento River that would be diverted to the proposed reservoir. An extremely small amount of data have been collected during the months in which higher flows can be expected (December through March), but higher flows during these months were not targeted in the water quality sampling. None the less, the limited data presented in the WDL show high concentrations of a number of metals which exceed numerous water quality criteria and standards in the source waters for the proposed reservoir. Extremely high concentrations of metals are present in the small streams in the reservoir footprint, which occur due to the nature of the soils in the area of the proposed reservoir. Sites Reservoir would inundate these soils resulting in	Please refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury. Also refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation.

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			leaching of metals and further incremental loading of metals to the proposed reservoir. There is no discussion in the EIR about the potential impacts of metals leaching from the soils that would be inundated by the proposed reservoir. Prior to moving forward with the project, much additional data are needed during the high flow periods in which diversions would occur from the Sacramento River, metals loading from the smaller tributaries that flow directly into the proposed reservoir, and effects from leaching of metals from soils inundated by the proposed reservoir.	
22	10	50000	The limited data that are available are sufficient to show that water quality in the proposed reservoir will have concentrations of a large number of metals that exceed many water quality criteria and standards, including those established for the protection of agricultural water supply, wildlife and fisheries, and drinking water. Metals bioaccumulation in the reservoir food web could produce adverse impacts to fish-eating birds and other animals, as well as humans, and adversely affect any potential recreational benefit from the project. Releases from the proposed reservoir could adversely affect downstream resources, including agricultural water supply, wildlife and fisheries, and drinking water supplies for communities that divert water from the Sacramento River.	See Response to Comment 22-9, above
22	11	51600	Also, the EIR does not discuss the physical conditions that can be expected to occur in the proposed reservoir. Like other nearby reservoirs, the proposed reservoir will thermally stratify during the summer months, with a warm upper water layer and a cooler lower water layer. The proposed reservoir will also be biologically productive due to nutrients brought in with source waters. The biological productivity will lead to anoxic conditions (i.e., lack of oxygen) in the hypolimnion (i.e., bottom water layer). Depending on the depth from which downstream releases are made from the proposed reservoir, water released will either be warm and unsupportive of cold water fisheries in the Sacramento River (i.e., migrating salmon) or cooler but devoid of oxygen. As releases from the reservoir progress during the summer, or in years in which the reservoir is not completely	See Response to Comment 22-1, above. Also refer to Master Response 4, *Water Quality,* which discusses the use of the I/O tower to control releases of constituents and temperatures.

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			filled, the reservoir will be warm from surface to bottom as the cooler lower water strata is depleted from releases or wind mixing of the upper warm water layer. Under these conditions, only warm water would be available for release from the proposed reservoir, which would not be supportive of the cold water fishery in the Sacramento River.	
22	12	21500	An EIR is a disclosure document meant to disclose pertinent project information to planners, regulatory agencies, and other interested parties and the public. This EIR did not disclose the potential impacts from metals, other contaminants, nor the physical conditions likely to exist in the proposed reservoir. The little analyses presented in the EIR misconstrues, misinterprets, and ignores water quality data that amply demonstrate significant potential adverse impacts from the proposed project. The water quality section (Chapter 7) must be completely rewritten with an objective analysis of the data and potential adverse impacts to water quality both within the reservoir and to downstream resources in the Sacramento River. Subsequently, the aquatic biological resources (chapter 12), terrestrial biological resources (chapter 14), recreation resources (chapter 21), public health and environmental hazards (chapter 28), and cumulative impacts (chapter 35) sections of the EIR must reassess impacts from the adverse water quality expected from the proposed project. Whether any of the projected beneficial uses from the proposed project can be realized, and its feasibility to meet project objectives, purpose, and need, also needs to be reconsidered in light of the potential significant adverse water quality impacts from metals. Following these reanalyses, re-circulation of the EIR is necessary with appropriate disclosure information about the potential impacts from metals to water quality and its effects on agricultural water supply, wildlife and fisheries, and drinking water supplies for communities that divert water from the Sacramento River.	Please see Response to Comment 22-1 and refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury. Also refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation.
22	13	51100	EIR Needs: • Obtain additional metals data from source waters targeting high flows from which diversions would occur	Please see Response to Comment 22-1 and refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury. Also refer to Master Response 4, *Water Quality,* which discusses

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			• Provide information on the water quality impacts from other chemical contaminants that adversely affect water quality in the Sacramento River (including chlorpyrifos, diazinon, chlordane, DDT, mercury, PCBs, and dieldrin) and contaminants in sewer outfalls (such as pharmaceuticals) and other discharges (such as industrial discharges) • Evaluate the contributions of metals from local tributaries (i.e., Funks Creek and Stone Corral Creek) to the proposed reservoir • Provide information on the contribution from leaching of metals from the inundation area of the proposed reservoir • Evaluate effects of metals to beneficial uses within the proposed reservoir o fisheries, o wildlife (including state and federal species listed as threatened or endangered), o recreation	concerns about water quality, metals and metalloids, and adequacy of mitigation. Appendix 6E, *Water Quality Data*, provides metals data from the California Department of Water Resources (DWR) Water Data Library for measurements of total concentration (i.e., not filtered) taken during 2000 through 2020 at four stations: • Sacramento River below Red Bluff, Stations A0275890 and A0275500 • Sacramento River at Hamilton City, Station A0263000 • Sacramento River above Colusa Basin Drain, Station A0223002, and • Colusa Basin Drain near Knights Landing, Station A0294710
22	14	50000	• Evaluate effects of metals to beneficial uses due to releases from the reservoir o agricultural supply water, o effects of metals on crops including incorporation of metals by crops (e.g., arsenic uptake in rice), o effects of metals on plants grown for support of wildlife (such as in wildlife refuges), o drinking water supplies, o fisheries, o wildlife (including state and federal species listed as threatened or endangered),	Please see Response to Comment 22-1 and refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury. Also refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation.
22	15	51100	• Evaluate combined toxicity of multiple metals	Please see Response to Comment 22-1 and refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury. Also refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, including the consideration of additive effects and adequacy of mitigation. Toxicity studies have been conducted to attempt to determine whether various metals (primarily heavy metals) together may have additive, antagonistic, or synergistic (greater than additive)

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				physiological effects and have been considered in the Project analysis.
22	16	51100	• Evaluate contributions of metals in reservoir releases related to the SWRCB antidegradation policy	Please refer to Chapter 6, *Surface Water Quality*, and Appendix 4A, *Regulatory Requirements*, which discuss the SWRCB Antidegradation Policy.
22	17	51600	• Evaluate impacts from mercury bioaccumulation in aquatic life (especially fish) in the proposed reservoir, and effects to wildlife that feed on fish from the reservoir and recreational opportunities (i.e., sport fishing) • Evaluate physical conditions expected in the reservoir, including thermal stratification and hypolimnetic anoxia, and effects on reservoir and downstream aquatic resources	Please refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation. Master Response 4 specifically addresses the consumption of fish by wildlife and recreational use of the reservoir. Please also see Chapter 11, Aquatic Biological Resources, which discusses impacts of mercury and reservoir thermal stratifications on aquatic biological resources.
22	18	50000	• Conduct re-analysis of impacts due to metals, other contaminants, and physical conditions in the proposed reservoir on: o water quality (chapter 7), o aquatic biological resources (chapter 12), o terrestrial biological resources (chapter 14), o recreation resources (chapter 21), o public health and environmental hazards (chapter 28), and o cumulative impacts (chapter 35).	Please refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation. Please also refer to the updated analysis in Chapter 9, *Vegetation and Wetlands Resources*, Chapter 10, Wildlife Resources, Chapter 11, Aquatic Biological Resources, Chapter 16, Recreation Resources, Chapter 27, Public Health and Environmental Hazards, and Chapter 31, Cumulative Impacts.
22	19	51100	"In addition to mercury and selenium, other heavy metals, including cadmium, copper, and zinc, impair beneficial uses of water bodies. Cadmium, copper, and zinc enter the water bodies with the sediment from eroded soils and discharges from abandoned mines, and in stormwater runoff from municipal areas (SWRCB, 2011a). The primary source in the Central Valley appears to be tailing piles located at abandoned mine sites. Many of these mines are located upstream of reservoirs; therefore, the sediment that includes the heavy metal constituents is generally captured upstream of the dam. Heavy metals appear to cause health concerns in aquatic resources and in humans that consume the fish from these water bodies." Abandoned mines, which contribute heavy metals to area streams, are also found downstream from Shasta and Keswick	Please refer to Master Response 4, *Water Quality* and the updated analysis in Chapter 6, *Surface Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation.

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			dams. In addition, natural erosion and soil leaching also contribute to metals loads found in area streams, such as Cottonwood Creek, which make up the bulk of the flow in the Sacramento River during high runoff events during which flows would be diverted to the proposed reservoir. It is not that "heavy metals appear to cause health concerns in aquatic resources and humans," it is well known that they do.	
22	20	51100	7.2.4 Primary Study Area 7.2.4.1 Overview and Methodology "DWR began monthly sampling of streams in the Primary Study Area in 1997, including physical parameters, nutrients, minerals, and metals in the water column (DWR, 2012), as well as mercury analysis of sport fish tissues collected from nearby existing reservoirs, including East Park, Stony Gorge, and Black Butte (DWR, 2007a). Routine water quality monitoring by DWR was periodically suspended due to funding limitations during portions of 2008 and 2009, and ended following the January 2010 monitoring run. Sampling results were then compared to Central Valley Basin Plan water quality criteria (CVRWQCB, 2011) (Appendix 7A California State Water Resources Control Board Constituents of Concern of Water Bodies in the Study Area) and USEPA ambient water quality criteria to prevent nuisance algal growth in streams (USEPA, 2001b)." DWR does not indicate any data for metals in its Water Data Library until 2006 for the Sacramento River below the Red Bluff Diversion Dam, and 2003 for the Sacramento River at Hamilton City and opposite the Moulton Weir, as well as Stone Corral Creek. Funding for water quality monitoring by DWR was curtailed shortly after the 1997 date indicated in the EIR, after the project manager in the Red Bluff office was informed of potential adverse impacts from metals by the then Chief of the Water Quality and Biology Section. If additional data are available, that data should be made available in the WDL so that reviewers of this EIR can verify claims about lack of water quality issues made in the EIR. However, the data that are in the WDL	Please see Response to Comment 22-1 and refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury. Also refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation.

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			adequately demonstrate significant adverse water quality issues with the proposed project. Any additional data that has not been shared will just confirm these issues. Appendix 7A - California State Water Resources Control Board Constituents of Concern of Water Bodies in the Study Area – lists a large number of parameters for which no information is contained in this EIR. For example, chlorpyrifos, diazinon, chlordane, DDT, mercury, PCBs, and dieldrin are constituents of concern from Keswick Dam to the Delta. The EIR should assess how these constituents will impact water quality in the proposed reservoir.	
22	21	51100	7.2.4 Primary Study Area 7.2.4.1 Overview and Methodology "DWR began monthly sampling of streams in the Primary Study Area in 1997, including physical parameters, nutrients, minerals, and metals in the water column (DWR, 2012), as well as mercury analysis of sport fish tissues collected from nearby existing reservoirs, including East Park, Stony Gorge, and Black Butte (DWR, 2007a). Routine water quality monitoring by DWR was periodically suspended due to funding limitations during portions of 2008 and 2009, and ended following the January 2010 monitoring run. Sampling results were then compared to Central Valley Basin Plan water quality criteria (CVRWQCB, 2011) (Appendix 7A California State Water Resources Control Board Constituents of Concern of Water Bodies in the Study Area) and USEPA ambient water quality criteria to prevent nuisance algal growth in streams (USEPA, 2001b)." DWR does not indicate any data for metals in its Water Data Library until 2006 for the Sacramento River below the Red Bluff Diversion Dam, and 2003 for the Sacramento River at Hamilton City and opposite the Moulton Weir, as well as Stone Corral Creek. Funding for water quality monitoring by DWR was curtailed shortly after the 1997 date indicated in the EIR, after the project manager in the Red Bluff office was informed of	Please see Response to Comment 22-1 and refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury. Also refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation.

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			potential adverse impacts from metals by the then Chief of the Water Quality and Biology Section. If additional data are available, that data should be made available in the WDL so that reviewers of this EIR can verify claims about lack of water quality issues made in the EIR. However, the data that are in the WDL adequately demonstrate significant adverse water quality issues with the proposed project. Any additional data that has not been shared will just confirm these issues. Appendix 7A - California State Water Resources Control Board Constituents of Concern of Water Bodies in the Study Area – lists a large number of parameters for which no information is contained in this EIR. For example, chlorpyrifos, diazinon, chlordane, DDT, mercury, PCBs, and dieldrin are constituents of concern from Keswick Dam to the Delta. The EIR should assess how these constituents will impact water quality in the proposed reservoir. 7.2.4.2 East Park and Stony Gorge Reservoirs "East Park and Stony Gorge reservoirs were sampled during the summer of 2000 to evaluate the extent of mercury contamination in fish because these reservoirs are representative of conditions that could be expected in the proposed Sites Reservoir. DWR analyses of total recoverable mercury indicate that levels in samples collected near the bottom of the water column at Stony Gorge and Black Butte reservoirs, exceeded the California Toxics Rule for protection of human health. Fish tissue samples were collected by DWR from East Park and Stony Gorge reservoirs during 2000 to 2001. Neither catfish nor bass composites collected from East Park Reservoir exceeded the OEHHA screening value or USEPA criterion, although mercury levels in the small-sized bass approached these values, and a very large channel catfish that was analyzed individually contained tissue mercury at over twice the level of the screening	

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			value and criterion limits. Mercury concentrations in tissues of channel catfish collected from Stony Gorge Reservoir contained levels less than the screening value and criterion (DWR, 2007a)." Mercury sampling in fish from East Park and Stony Gorge reservoirs was conducted to contribute to the knowledge of mercury contamination in a number of northern California lakes and reservoirs, not simply because these reservoirs are representative of conditions that could be expected in the proposed Sites Reservoir, though they well might. As noted, the bass from East Park Reservoir that were used for the composite analysis were small in size (about one foot long), yet approached the screening value and criterion. Larger fish can be expected to exceed these values since mercury is accumulated and magnified in fish tissues. The large catfish which contained mercury at over twice the screening value and criterion is probably representative of mercury concentrations that can be found in this species. The EIR fails to mention that mercury contamination exceeded the screening value and criterion in a relatively small largemouth bass collected from Stony Gorge Reservoir. Though the catfish analyzed from Stony Gorge Reservoir did not exceed the screening value and criterion, the cited report states that "larger channel catfish from Stony Gorge Reservoir, therefore, may be expected to contain mercury concentrations that exceed the screening value and criterion." Since mercury contamination in excess of criteria occurs in lakes that the EIR states are representative of conditions that could be expected in the proposed Sites Reservoir, the EIR should discuss the probability of mercury contamination in the proposed reservoir and ramifications to recreational fishing and wildlife that would consume fish from the reservoir.	
22	22	51020	7.2.4.3 Salt Lake "Saline water has been observed to seep from underground salt	Please see Response to Comment 22-1 and refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury.

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			springs in the vicinity of the Salt Lake fault along the slopes above the valley and along the valley floor within the proposed inundation area of Sites Reservoir. These areas are generally located in the Funks Creek watershed. The water from the underground springs accumulates along the trough of the valley and forms Salt Lake (USGS, 1915). The size of Salt Lake and adjacent seasonal brackish wetlands varies with time. The wetted area appears to vary from 0 to 30 acres. The deeper water appears to be approximately 15 acres based on observations in 2017. The depth of the water has not been monitored. Salt Lake was only sampled on a few occasions from 1997 to 1998. In August 1997, the Salt Lake was dry. In September 1997, the springs were bubbling and the EC was 194,100 micromhos per centimeter (µmhos/cm) as compared to 3,490 µmhos/cm for the nearby Stone Corral Creek. In January 1998, there was less than 1 cfs of flow from the springs, and the EC was 7,200 µmhos/cm as compared to 540 µmhos/cm for the nearby Stone Corral Creek. From these samples, it was found that waters from this location are extremely high in minerals. The EC value on one occasion reached 194,100 micromhos per centimeter. The TDS measurement at this time was 258,000 mg/L. EC, TDS, sodium, and boron exceeded all Central Valley Basin Plan criteria. A few metals also were noted at very high concentrations (aluminum, iron, and manganese) and exceeded all criteria, and a few others exceeded some criteria (arsenic, copper, lead, and nickel). Levels of ammonia and orthophosphate also were noted at high levels and exceeded criteria. Temperatures from this site were variable, and probably depend on seasonal conditions. Concentrations present in water from this site likely depend on the season and flow." Though the EIR states that water quality data used in the analyses are available in the WDL, data for Salt Lake could not be found. However, the EIR states that several metals (aluminum, iron, and manganese) were found in concentrations that exceed all Basin Plan criteria, while others (arsenic, copper, lead, and	Also refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation. Salinity is addressed both in the context of the Sacramento River and the proposed reservoir.

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			nickel) exceed some criteria. These metals from the springs feeding Salt Lake will add to the metals load in the proposed reservoir.	
22	23	51100	7.2.4.4 Funks Creek "Funks Creek originates at approximately 850 feet elevation in the foothills west of Antelope Valley. The banks of this intermittent stream are heavily eroded and the gravel bed is highly disturbed and compacted by cattle. Along the north end of Antelope Valley, Funks Creek receives underground drainage from Salt Lake. Funks Creek widens as it cuts through Logan Ridge and enters the western side of the Sacramento Valley, although flows are still intermittent. Approximately 1 mile downstream of Logan Ridge, Funks Creek is impounded by Funks Reservoir. This reservoir is fed mainly from waters of the Tehama-Colusa Canal. Downstream of the reservoir, Funks Creek is bordered by agricultural lands, and much of this reach is channelized before emptying into Stone Corral Creek. This portion of Funks Creek likely has some flow year round, due to leakage from the dam at Funks Reservoir. DWR observed aluminum, arsenic, copper, iron, manganese, mercury, nickel, and phosphorus in Funks Creek at the Glenn-Colusa Irrigation District (GCID) Main Canal station during intermittent water quality sampling. The concentrations appeared to be higher during and immediately following storm events." As with Salt Lake, data for Funks Creek could not be found in the WDL. The data used in the analyses in the EIR must be made available for review. It is likely that the reported metals exceed various criteria, as with Salt Lake, and thus add to the metals load in the proposed reservoir.	Please refer to Chapter 6, *Surface Water Quality,* which addresses metals and metalloids other than mercury and identifies additional studies to address current uncertainties regarding Funks and Stone Corral Creeks and the impacts of metals. Also refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation. Salinity is addressed both in the context of the Sacramento River and the proposed reservoir.
22	24	51100	7.2.4.5 Stone Corral Creek "Stone Corral Creek originates at approximately 700 feet elevation in the foothills west of Antelope Valley. As the	Please refer to Chapter 6, *Surface Water Quality,* which addresses metals and metalloids other than mercury and identifies additional studies to address current uncertainties regarding Funks and Stone Corral Creeks and the impacts of metals. Also refer to Master

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			intermittent stream flows into the grasslands of Antelope Valley, the channel is narrow and the banks eroded. The much larger Antelope Creek flows into Stone Corral Creek from the south near the town of Sites. Stone Corral Creek flows through the gap in the foothills and into the western Sacramento Valley. DWR observed aluminum, arsenic, copper, iron, manganese, nickel, and phosphorus during intermittent sampling in Stone Corral Creek near Sites station during intermittent water quality sampling. The concentrations appeared to be higher during and immediately following storm events." Data for Stone Corral Creek are available in the WDL. These data show that not only are high concentrations of aluminum, arsenic, copper, iron, manganese, and nickel present, as reported in the EIR, but also cadmium, chromium, lead, mercury, selenium, silver, and zinc, as well as boron (Table 5). The EIR does not disclose the fact that, not only are the concentrations higher during and immediately following storm events, the resulting metals concentration in Stone Corral Creek exceed a large number of criteria and standards including those to protect drinking water, public health, freshwater aquatic life, and agricultural uses. These metals will also contribute to the metals load in the proposed reservoir. The metals concentrations found in Stone Corral Creek, Salt Lake, and Funks Creek are a result of leaching from the soils through which these water bodies flow. Inundation of these soils by the proposed reservoir will result in an additional metal load to the reservoir.	Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation. Salinity is addressed both in the context of the Sacramento River and the proposed reservoir.
22	25	51100	7.2.4.6 Tehama-Colusa Canal "The intake for the Tehama-Colusa Canal occurs at the southeast end of the City of Red Bluff at River Mile (RM) 243. The intake occurs downstream of the mouth of Red Bank Creek. The Tehama-Colusa Canal is approximately 111 miles long and extends from Red Bluff in Tehama County to downstream of	Please see Response to Comment 22-1 and refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury. Also refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation.

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			Dunnigan in Yolo County. Funks Reservoir is approximately 66 canal miles downstream of the intake at the Sacramento River. DWR observed aluminum, arsenic, cadmium, and iron during intermittent sampling in the Tehama- Colusa Canal downstream of the siphon under Stony Creek during intermittent water quality sampling." The intake for the Tehama-Colusa Canal is at the Sacramento River below Red Bluff Diversion Dam water quality monitoring station. Therefore, water quality in the Tehama- Colusa Canal will be exactly that found at the Sacramento River below Red Bluff Diversion Dam monitoring station. Data for this monitoring station can be found in the WDL. This is another example where the EIR is less than forthcoming. Not only are aluminum, arsenic, cadmium, and iron present in water diverted from the river into the canal, but, as discussed earlier, so are chromium, copper, lead, manganese, mercury, nickel, selenium, and zinc (Table 1) [Exhibit 1]. The highest concentrations were found during the higher flow months (December through March). As discussed earlier, many of these metals exceed a large number of criteria and standards, including those developed to protect drinking water, public health, freshwater aquatic life, and agricultural uses. Water quality in the proposed reservoir will reflect that in the Sacramento River below the Red Bluff Diversion Dam and other source waters, and exceed many of the criteria developed to protect beneficial uses of the water.	
22	26	51100	7.2.4.7 Glenn-Colusa Irrigation District Main Canal "The intake for the GCID Main Canal is on a side channel off the Sacramento River at RM 205.5, north of the town of Hamilton City. GCID's Hamilton City pump station, located at the intake, diverts water into the GCID Main Canal from the Sacramento River for distribution within the GCID service area. The canal is an unlined earthen channel that stretches approximately 65	Please see Response to Comment 22-1 and refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury. Also refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation.

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			miles from the system diversion point near Hamilton City to its downstream southern terminus at the CBD near Williams, in Colusa County. DWR observed aluminum, arsenic, cadmium, copper, iron, mercury, manganese, and phosphorus during intermittent sampling in the GCID Main Canal intake during intermittent water quality sampling." The intake for the GCID Main Canal is slightly upstream from the Sacramento River at Hamilton City water quality monitoring station. Therefore, water quality in the GCID Main Canal will be similar to that found at the Sacramento River at Hamilton City monitoring station. Data for this monitoring station can be found in the WDL. Not only are aluminum, arsenic, cadmium, copper, iron, manganese, and mercury present in the Sacramento River in the vicinity of the diversion into the GCID Main Canal, but so are chromium, lead, nickel, selenium, silver, and zinc (Table 3) [Exhibit 3]. Aluminum, arsenic, cadmium, iron, lead, manganese, mercury, and nickel are present in concentrations that exceed various criteria and standards. The highest concentrations are generally found during the higher flow months of December through March, when the proposed project may be diverting water from this area of the Sacramento River.	
22	27	51100	7.2.4.9 Sacramento River Opposite Moulton Weir "DWR monitored water quality at the Sacramento River along the western bank opposite Moulton Weir station from 2000 to 2010. The water quality samples included aluminum, arsenic, copper, iron, mercury, manganese, lead, and phosphorus. Total aluminum levels in the Sacramento River at this location frequently exceeded aquatic life criteria during associated high flow conditions in the river, but rarely exceeded drinking water criteria and the agricultural goal. Arsenic levels exceeded human toxicity thresholds in all samples collected, and the criterion for	Please see Response to Comment 22-1 and refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury. Also refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation.

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			protection of aquatic life for cadmium was occasionally exceeded. Copper levels frequently exceeded hardness-dependent aquatic life protection criteria during high flow conditions in the river, and iron levels frequently exceeded drinking water and aquatic life protection criteria, as well as the agricultural goal during the same river conditions. Dissolved iron levels exceeded the Central Valley Basin Plan level occasionally. Mercury levels approached, but did not exceed, the CTR criterion during the highest flows in the river. Manganese levels occasionally exceeded drinking water standards and the agricultural goal, and lead levels rarely exceeded drinking water criteria. All samples contained total phosphorus at levels at or above the recommended criteria range to prevent nuisance algal growth in streams." Monitored metals also included cadmium, chromium, nickel, selenium, silver, and zinc (Table 4) [Exhibit 4]. Contrary to the statement in the EIR, aluminum concentrations frequently exceed drinking water criteria and on several occasions the agricultural goal during the high flow months of December through March. With reported concentrations up to 38 ug/L, mercury not only approached but greatly exceeded the California Toxics Rule (CTR) criterion (0.05 ug/L) for sources of drinking water as well as the National Recommended Water Quality for freshwater aquatic life continuous concentration (0.77 ug/L) and maximum concentration (1.8 ug/L). Reported lead concentrations frequently exceed the California Public Health Goal of 0.02 ug/L, and had a median value of 0.058 ug/L. Reported nickel concentrations also exceed the California Public Health Goal.	
22	28	51100	Environmental Impacts/Environmental Consequences 7.3.1 Section 303 Evaluation Criteria and Significance Thresholds "Significance criteria represent the thresholds that were used to identify whether an impact would be potentially significant. Appendix G of the CEQA Guidelines	Please see Response to Comment 22-1 and refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury. Also refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation.

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			suggests the following evaluation criteria for water quality: Would the Project: • Violate any water quality standards or waste discharge requirements? • Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? • Otherwise substantially degrade water quality? The evaluation criteria used for this impact analysis represent a combination of the Appendix G criteria and professional judgment that considers current regulations, standards, and/or consultation with agencies, knowledge of the area, and the context and intensity of the environmental effects, as required pursuant to NEPA. For the purposes of this analysis, an alternative would result in a potentially significant impact if it would cause the following: ∗ A violation of any water quality standard or waste discharge requirement, or otherwise substantially degrade water quality If a water quality constituent declines under the action alternatives as compared to the Existing Conditions/No Project/No Action Condition, the changes are not considered to be adverse. Qualitative Analysis of Constituents The qualitative analysis of changes in other constituents (e.g., mercury, selenium, nutrients) was based upon an analysis of potential changes in loadings from sources of the constituent and related changes in flows that would occur from implementation of the Project as compared to the Existing Conditions/ No Project/No Action Condition. For example, the	

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			qualitative analysis of changes in mercury is based upon changes in flow patterns from the major sources of mercury in the Sacramento River watershed (e.g., tributaries to the Sacramento River)." What the heck does this last paragraph mean? It makes absolutely no sense. The analysis of potential impacts should be based on an assessment of the expected water quality in the proposed reservoir, whether that water quality exceeds any criteria or standards, and the adverse effects that would occur if criteria or standards are exceeded, both within the reservoir and in downstream areas subject to releases from the reservoir.	
22	29	51100	7.3.4 Section 303 Impacts Associated with Alternative A Shasta Lake and Sacramento River from Shasta Lake and Keswick Reservoir to Freeport Impact SW Qual-1: A Violation of Any Water Quality Standard or Waste Discharge Requirement, or Otherwise Substantially Degrade Surface Water Quality Mercury and Other Heavy Metals "As described in Section 7.2, the sources of mercury and other heavy metals in Shasta Lake are located upstream of the lake and accumulate within Shasta Lake. Mercury in the Sacramento River downstream of Keswick Reservoir is generated along the tributaries to the Sacramento River. The generation rate and the accumulation rates of mercury and other heavy metals in Shasta Lake or along the Sacramento River would not be affected by implementation of Alternative A because there would be no new facilities constructed upstream of Shasta Lake or along the tributaries. Operations of Shasta Lake under Alternative A, as reflected by end-of-month Shasta Lake storage, would be similar to conditions under the Existing Conditions/No Project/No Action Condition, as described in Chapter 6 Surface Water Resources."	Please see Response to Comment 22-1 and refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury. Also refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation.

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			Accumulation of mercury would indeed be affected by Alternative A (and all the other alternatives) since water from the Sacramento River, containing mercury concentrations in excess of various criteria, would be diverted into the proposed reservoir. Releases from the reservoir could adversely affect downstream resources and beneficial uses due to the mercury contained in the reservoir. In addition, fisheries, wildlife, and recreation that utilize the reservoir could be adversely affected from mercury accumulation in the reservoir food web.	
22	30	51100	Summary "Concentrations of mercury, other heavy metals, and salinity would be similar in the Sacramento River under Alternative A as compared to the Existing Conditions/No Project/No Action Condition; therefore, there would be no impact related to these constituents." Again, there are potential very significant adverse impacts associated with diverting water from the Sacramento River during higher flow periods to the proposed reservoir. The Sacramento River contains concentrations of a large number of metals, including aluminum, arsenic, cadmium, chromium, iron, lead, manganese, and mercury, that significantly exceed various criteria and standards designed to protect beneficial uses. Water in the reservoir will reflect that of the water diverted from the Sacramento River, and will also exceed a number of criteria developed to protect beneficial uses. The metals may adversely affect aquatic resources in the reservoir and terrestrial resources that may utilize the reservoir (such as fish-eating birds), as well as reservoir recreation. The metals in releases from the reservoir may adversely affect downstream resources, including drinking water supply, agricultural supply, wildlife, and fisheries, and may violate the SWRCB antidegradation policy. These are definite "impacts related to these constituents," contrary to what is stated above	Please see Response to Comment 22-1 and refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury. Also refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation.

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			in this EIR. All the alternatives suffer from the exact same significant adverse impacts due to metals in the source waters.	
22	31	51100	7.4 Mitigation Measures "Because no potentially significant direct water quality impacts were identified, no mitigation is required or recommended." The EIR failed to identify any impacts, though significant potential adverse impacts are painfully obvious. The EIR completely ignores any assessment of the proposed project – Sites Reservoir, as well as any assessment of the adverse impacts the reservoir may pose to beneficial uses within the reservoir (i.e., fisheries, wildlife, recreation) and those adverse impacts attributable to releases from the reservoir (i.e., drinking water supply, agricultural water supply, fisheries, wildlife, recreation). As shown throughout this discussion, a number of metals significantly exceed water quality criteria and standards in the water sources to the proposed reservoir. The EIR completely ignores potential chemical contaminants (such as chlorpyrifos, diazinon, chlordane, DDT, mercury, PCBs, and dieldrin). Water quality in the reservoir will reflect that of the source waters. Therefore, the reservoir will contain a number of metals, including aluminum, arsenic, cadmium, chromium, iron, lead, manganese, and mercury, and possibly other chemical contaminants that exceed a number of water quality criteria designed to protect beneficial uses. Both water resources within the reservoir and downstream resources that receive reservoir releases may be adversely affected by the metals and chemical contaminants. The EIR also fails to address the physical properties that will exist in the reservoir (such as thermal stratification and hypolimnetic anoxia), and how they will affect both reservoir and downstream resources. The EIR needs to address how these significant adverse impacts are going to be mitigated.	Please see Response to Comment 22-1 and refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids other than mercury. Also refer to Master Response 4, *Water Quality,* which discusses concerns about water quality, metals and metalloids, and adequacy of mitigation.
22	32	51100	[Exhibit 1]: Sacramento River Below Red Bluff Diversion Dam Water Quality Data	Thank you for this data
22	33	51100	[Exhibit 2]: Cottonwood Creek near Cottonwood Water Quality	Thank you for this data

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			Data	
22	34	51100	[Exhibit 3]: Sacramento River at Hamilton City Water Quality Data	Thank you for this data
22	35	51100	[Exhibit 4]: Sacramento River near Moulton Ware Water Quality Data	Thank you for this data
22	36	51100	[Exhibit 5]: Stone Corral near SI Water Quality Data	Thank you for this data

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23	1	21500	I. Summary of Comments On February 23, 2017, CSPA submitted comments on scoping for the Sites Project. CSPA's scoping comments are attached as an attachment to the present comments on the DEIR/DEIS. CSPA's scoping comments focused primarily on the need for the DEIR/DEIS to clearly describe operation of the proposed Project and to analyze the impact of this proposed operation. Unfortunately, the DEIR/DEIS did not adopt the approaches that CSPA recommended in comments on scoping. The DEIR/DEIS does not describe proposed Project operations or governance. It does not analyze alternative operational scenarios or analyze their impacts. It does not analyze operations under alternative regulatory constraints, such as constraints more stringent than existing regulatory constraints for the Sacramento River and the Bay-Delta estuary, but relies on constraints under Water Rights Decision 1641 (D-1641) and under Biological Opinions for the Long-Term Operation of the State Water Project and the Central Valley Project.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment and responses to those comments are included in Volume 3, Chapter 4. Please refer to Chapter 2, *Project Description and Alternatives* for a description of the revised Project, including operations, analyzed in the Final EIR/EIS as well as Master Response 2, *Alternatives Description and Baseline,* which describes Project refinements that have occurred since the RDEIR/SDEIS. Refinements to Project operations include storage, releases, increase in bypass flow criteria at Wilkins Slough, and coordination with SWP and CVP and exchanges. Please see Appendix 2B, *Additional Alternatives Screening and Evaluation* for further discussion of the extensive alternative development and review process. Also, as noted in Master Response 2, *Alternatives Description and Baseline*, "the Project would only divert water during the time of the year when the Sacramento River is not fully appropriated, which is from September 1 to June 14." Further, the Project would only divert water when the Delta is in "excess conditions" as determined by Reclamation and California Department of Water Resources (DWR) and as defined in the 2018 Addendum to the Coordinated Operation Agreement. The term "excess conditions" identifies when there is water in the system in excess of the needs of the SWP and CVP. This term is not intended to imply that there is "excess water" or water is being wasted to the ocean. Finally, diversions to Sites Reservoir would only occur when there are flows available above those needed to meet applicable laws, regulations, biological opinions (BiOps), incidental take permits (ITPs), existing water rights, and court orders in place at the time of diversion. It should also be noted that the Authority's water right application was submitted to the State Water Resources Control Board (State Water Board) Division of Water Rights on May 11, 2022 (application number

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				A025517X01) and included a water availability analysis that demonstrates that there is a reasonable expectation of water available for the Project. The RDEIR/SDEIS text and analysis was revised in its entirety; specific comments on the text of the 2017 Draft EIR/EIS are no longer relevant.
23	2	32000	A. The DEIR/DEIS does not describe who will operate the Project. The DEIR/DEIS does not describe who will operate the Project. It does not describe how operators will make decisions about operations, and to whom operators will be accountable. Project proponents have stated in their advocacy for the Project that the Project will allow greater flexibility for operation of the State Water Project (SWP) and Central Valley Project (CVP). However, the DEIR/DEIS does not describe how operators will integrate the operation of Sites Reservoir with the operation of the State Water Project and Central Valley Project. The DEIR/DEIS does not describe how operators of Sites Reservoir would coordinate their decisionmaking with that of SWP and CVP operators. The DEIR/DEIS does not describe whether there would be overlap in operations personnel between Sites Reservoir operators and SWP and CVP operators. The DEIR/DEIS does not propose rules by which Sites Reservoir operators and SWP and CVP operators would divide the authority to allocate water stored in Sites Reservoir. It is in fact entirely unclear whether Sites operators would have any independent ability to prioritize uses of water stored in Sites Reservoir over uses to meet regulatory requirements of the SWP and CVP. Pages 3-109 and 3-110 of the DEIR/DEIS provide a litany of potential operations and tells us that "cooperative operational strategies could improve ecosystem conditions by … [o]perating in a flexible manner to support storage and associated releases that could be adaptively managed to support operational actions found to produce the greatest benefits over time." Similar to the constructs that many proponents of Sites	See Chapter 2, *Project Description and Alternatives* which states that the Sites Reservoir would be owned and operated by the Sites Authority. Section 2.5.2.1 *Water Operations* explains operations in further detail. Master Response 2, *Alternatives Description and Baseline* describes refinements to Project operations that have occurred. Some of these refinements were made as design proceeded and some in response to comments, both comments on the 2017 Draft EIR/EIS and on the 2021 RDEIR/SDEIS. Refinements have been made to operational criteria and exchange, which are discussed in detail under Diversion Criteria for Excess Conditions, Bend Bridge Pulse Protection, Minimum Bypass Flows in the Sacramento River at Wilkins Slough, Fremont Weir Notch Protections, Releases to South-of-Delta Participants in All Year Types, Diversion Period Restrictions, Storage and Releases and Coordination with SWP and CVP and Exchanges. The Authority is currently developing an operating agreement with DWR and Reclamation such that operation of Sites Reservoir will be in coordination with the CVP and SWP. The Authority's water right would be junior to the CVP and SWP. Sites Reservoir diversions would therefore occur only after those more senior water rights of the CVP and SWP have been satisfied. Sites Reservoir operations in the Delta would also be junior to the CVP and SWP. In addition, Sites Reservoir is diverting to storage only when the Delta is in excess condition, as determined by DWR and Reclamation, and therefore would not impinge on CVP and SWP operations. Water may be released from Sites Reservoir for export through the Delta during the transfer window, July to November. As demonstrated by the modeling, releases are maximized through the Delta during Below Normal, Dry, and Critically Dry Water Years. Potential impacts

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			Reservoir have criticized in documents supporting the California WaterFix and the State Water Board's update of the Bay-Delta Water Quality Control Plan, the DEIR/DEIS relies on a vague process to be developed and staffed in the future to describe and evaluate the operations that provide alleged benefits. The DEIR/DEIS does not describe the personnel or lines of accountability of these "adaptive managers" any more than it describes them for project operators.	associated with transfers and exports are identified and described in the modeling and throughout the impact analysis.
23	3	32000	Table 3-24 in Chapter 3 of the DEIR/DEIS describes general types of project operations. These include: Providing storage to "supplement" deliveries to Tehama-Colusa Canal CVP contractors and to Glenn-Colusa Canal and RD108 Settlement Contractors. It is unclear whether this means that overall contract amounts would be increased or whether this is exclusively a matter of firming up reliability for these water users. It is also unclear whether this would facilitate water transfers by these entities. The DEIR/DEIS does not provide any rules for prioritizing this type of operation or quantification of this proposed operation (e.g. additional acre-feet delivered to different categories of water users).	Please see Response to Comment 23-2, above.
23	4	32000	Table 3-24 in Chapter 3 of the DEIR/DEIS describes general types of project operations. These include: Increasing deliveries to wildlife refuges both north and south of Delta. The DEIR/DEIS does not provide any rules for prioritizing this type of operation or any quantification of this proposed operation.	Please see Response to Comment 23-2, above.
23	5	32000	Table 3-24 in Chapter 3 of the DEIR/DEIS describes general types of project operations. These include: Increasing the water supply reliability of CVP contractors (generally) and SWP contractors. The DEIR/DEIS does not provide any rules for prioritizing this type of operation or any quantification of this proposed operation.	Please see Response to Comment 23-2, above.

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23	6	32000	Table 3-24 in Chapter 3 of the DEIR/DEIS describes general types of project operations. These include: Releasing water for Delta water quality. The DEIR/DEIS does not describe the rules by which operators of Sites Reservoir will assure that the water quality of releases made for water quality purposes will not degrade actually water quality in the Sacramento River or the Delta, thermally or in terms of biological or chemical contaminants.	Please see Response to Comment 23-2, above.
23	7	32000	The DEIR/DEIS states on p. 3-102: "Providing water to improve storage conditions in CVP and SWP facilities is a primary objective of the proposed alternatives." The DEIR/DEIS describes many of the objectives of Project operation as offsets for water otherwise delivered or not delivered by the SWP and/or the CVP. However, the DEIR/DEIS does not describe rules that will assure that those offsets assure environmental benefits under operations not within the control of the Sites project operators. For example, where a proposed benefit of the Sites project is increased carryover storage in an SWP or CVP reservoir, the DEIR does not describe the operating rules for the SWP or CVP under which this ascribed benefit will assure carryover storage and not just enable increased SWP and/or CVP deliveries north or south of Delta. The DEIR/DEIS does not describe who will compose those rules, who will enforce those rules and how that entity will enforce them, and what entity or entities will be the subject of the conditions in those rules.	Please see Response to Comment 23-2, above.
23	8	20000	Absent such rules [for operations not within the control of Sites operators that will ensure offsets provide the environmental benefits], the interaction of Project operation with the operation of SWP and CVP facilities, including Trinity, Shasta, Oroville, Folsom, and San Luis reservoirs, is completely speculative, nothing more than possible operations. The fact is that the SWP and CVP today could operate existing facilities to more consistently meet existing operational requirements or to meet more environmentally protective requirements. But the SWP and CVP do not. The objective opportunity to create environmental benefits does not in itself create those benefits. Equally, the impacts of Project operation in combination with the operation	Please see Response to Comment 23-2, above. Chapter 2, *Project Description*, also outlines environmental benefits created by the Project.

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			of SWP and CVP facilities are completely speculative and hypothetical.	
23	9	32000	Table 3-24 in Chapter 3 of the DEIR/DEIS also describes an "Ecosystem Enhancement Storage Account" and various potential environmental benefits of this construct. The DEIR/DEIS provides no rules for this concept either. Is the account one acre-foot out of two acre-feet stored? Out of ten? Out of a hundred? The DEIR/DEIS provides no clue. There is also no commitment of where the water will eventually go. For all the reader knows, the "environmental" benefit may simply a means of claiming a flow benefit incidental to moving more water south of Delta, like the previous "Environmental Water Account" that allowed north of Delta water rights holders to sell export water at subsidized rates.	Please see Response to Comment 23-1, above. The Ecosystem Enhancement Storage Account is no longer included in the revised Project. Proposition 1 gave the California Water Commission (CWC) responsibilities regarding the distribution of public funds set aside for the public benefits of water storage projects and quantification and management of those benefits. In 2018, the CWC conditionally approved funding for the Project through the Water Storage Investment Program (WSIP). The Project will provide a range of measurable water supply, ecosystem, anadromous fish, recreation and flood benefits.
23	10	32000	In the absence of rules to protect water quality in the Sacramento River and the Delta from degradation by releases from Sites Reservoir, the DEIR/DEIS falls back on averaging monthly model output, for instance for temperature: "As shown in Appendix 7F Sites Reservoir Discharge Temperature Modeling, Table ST-4a, releases from Sites Reservoir would not increase water temperatures in the Sacramento River downstream of the facility during the summer and fall in most years/months." (DEIR/DEIS, p. 12-109). Because generally on a modeled average monthly basis there is no change in temperature, the DEIR/DEIS concludes that there is no impact and no need for mitigation. By averaging away and thus understating the impact, the DEIR/DEIS eliminates the need for mitigation. The correct way to approach the impact would be to make operating rules that did not allow discharges from Sites to the Sacramento River that would degrade water quality or water temperature within defined numeric values.	Please see Response to Comment 23-1, above. Please also refer to the updated Chapter 5, *Surface Water Resources*, and Master Response 3, *Hydrology and Hydrologic Modeling*, which discuss the modeling results and time step.
23	11	51000	The averaging of thermal impacts becomes even more problematic in considering the likely need to limit pumpback power operations during hot times of year. The DEIR/DEIS informs the reader: "Potential temperature changes within conveyance features that would convey water to and from the Sites Reservoir were not taken into account when computing the	Please see Response to Comment 23-1, above. Please also refer to the updated Chapter 5, *Surface Water Resources*, and Master Response 3, *Hydrology and Hydrologic Modeling*, which discuss the modeling results and inputs.

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			inflow temperatures and the resulting blended Sacramento River temperatures." (DEIR/DEIS, p. 7F-3). Pumpback operations between Holthouse Reservoir and Sites Reservoir could have a substantial thermal effect on the water temperatures in both reservoirs. Depending on the discharge point into Sites Reservoir, pumpback operations could cause thermal mixing of water relatively deep in the reservoir that would otherwise presumably be relatively cold. It is likely that analysis of thermodynamics within Sites Reservoir, within Holthouse Reservoir, and between the two reservoirs could reveal the need to modify design and/or to limit pumpback operations. However, the analysis to support such decisions is not present in the DEIR/DEIS.	
23	12	31000	The DEIR/DEIS proposes and evaluates operation of the Project exclusively under existing flow constraints at Red Bluff (3250 cfs minimum bypass requirement), Hamilton City (4000 cfs minimum bypass requirement), and Wilkins Slough (5000 cfs minimum bypass requirement). (DEIR/DEIS, p. 3-106.) The DEIR/DEIS proposes a bypass flow requirement at Freeport "designed to protect and maintain existing downstream water uses and water quality in the Delta." (Id.) This limited evaluation does not consider more environmentally protective bypass flow requirements. This limited evaluation therefore does not provide the reader or the decision maker with sufficient information to analyze different potential flow constraints for project diversions. It also does not allow analysis of the costs and benefits of the Project under different flow constraints. Such analysis is critical to an evaluation of whether the Project is in the public interest as well as an evaluation of potential tradeoffs between developmental and public trust values.	Please see Response to Comment 23-1, above. Please also see the updated Chapter 2, *Project Description*, and Chapter 5, *Surface Water Resources*, for a discussion of revised Project flow requirements.
23	13	60000	The limited evaluation of the Project under existing flow constraints and levels of protection also renders the cumulative effects analysis inadequate. Construction of the Project based exclusively on economics and hydrology that assume existing regulatory constraints would literally cast in concrete a new rationale to maintain the existing inadequate Sacramento River and Delta flow and water quality constraints. The Project could	Please see Response to Comment 23-1, above. Please also refer to the updated Chapter 31, *Cumulative Impacts*, for a discussion of cumulative effects analysis.

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			become a partially or even fully stranded asset if flow or water quality requirements became more stringent or were more stringently enforced. This potential new economic reality would cascade into a new, multi-billion-dollar rationale for maintaining existing inadequate flow and water quality protections.	
23	14	11100	The DEIR/DEIS should have included an alternative in which the Project is constructed and operated in conjunction with the proposed Delta tunnels ("California WaterFix"). The DEIR/DEIS does not include such an alternative. The DEIR/DEIS thus fails to describe how the tunnels would affect water availability for the Project, water deliveries from the Project (amount and destination), and operation of the Project. The DEIR/DEIS does not describe how much of the Project's water supply benefits would be applied to water users south of the Delta with and without the Delta tunnels. The DEIR/DEIS also does not analyze potential conflicts with WaterFix over available water supply.	Please refer to Master Response 9, *Alternatives Development,* which discusses feasibility and applicability of other proposed alternatives identified by commenters.
23	15	52900	The DEIR/DEIS does not describe how climate change will affect Project operations and how Project operations under changed climate conditions will alter Project impacts. The DEIR/DEIS instead improperly substitutes modeling output for this analysis.	Please see Response to Comment 23-1, above. Climate change impacts are addressed in Chapter 28, *Climate Change*.
23	16	13000	The DEIR/DEIS does not adequately describe the portion of the regulatory setting that deals with water rights. The DEIR/DEIS flies past the discussion of water rights to support the Project with the perfunctory statement: "The Authority intends to apply for water rights consistent with the application filed on September 30, 1977 (#25517). This application is under the control of the SWRCB and is expected to be treated as a 'State Filing' under California Water Code 10500." (DEIR/DEIS, p. 4-15). The DEIR/DEIS does not propose any specifics for this water right, including rate of diversion, annual maximum diversion to storage, or season of diversion. Presumably, the Sites Authority would hold the water right, but the DEIR/DEIS does not specify the water right holder. The Authority discusses and appears prepared to claim priority over SWP and CVP exports pursuant to county of origin and related statutes that the DEIR/DEIS describes in general (DEIR/DEIS, p. 4-17), but the DEIR/DEIS is not specific on this point. The	Please see Response to Comment 23-1, above. Also refer to Chapter 2, *Project Description and Alternatives*. The Authority filed its water right application for the Project with the State Water Board in May 2022 (application number A025517X01), as discussed in Section 2.5.2.1 *Water Operations*. The application identifies the Sacramento River as the source of water and includes two proposed points of diversion on the Sacramento River: 1) the RBPP and 2) diversions at Hamilton City.

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			DEIR/DEIS is equally silent on how any county, area, or watershed of origin water right could be applied to storage of water for Project partners or contractors west or south of Delta, outside the area of origin.	
23	17	13000	Section 4.3.3 of the DEIR/DEIS discusses the water rights of the SWP and CVP generally, but does not discuss whether (and if so how) the Project would utilize SWP and CVP water rights. The DEIR/DEIS does not analyze whether or how the Department of Water Resources and/or the Bureau of Reclamation would modify SWP and/or CVP water rights to make use of Project facilities. The priority dates on SWP and CVP water right permits, and the enormous face value of these permits, have the potential to greatly affect the timing and amount of diversion to storage in Sites Reservoir. Understanding who holds the water rights to water stored in Sites Reservoir is also important in order to understand the timing, amount and duration of releases from Sites Reservoir. On these issues, the DEIR/DEIS is silent.	See Response to Comment 23-16, above.
23	18	32000	The DEIR/DEIS does not disclose whether the Project will store contract water for the SWP or the CVP, and if so, what the patterns of diversion and release of such contract water would be. Understanding this issue is also important in order to understand reservoir operations.	Please refer to Master Response 8, *Trinity River,* which addresses the ability to store CVP water in Sites Reservoir: "the storage of CVP water in Sites Reservoir is not included as part of the Project as described in Chapter 2 of the RDEIR/SDEIS or this Final EIR/EIS. If Reclamation were to pursue storing CVP water in Sites Reservoir in the future, additional NEPA compliance and compliance with federal law, including, but not limited to, the federal Endangered Species Act would be needed."
23	19	32000	The DEIR/DEIS does not disclose how the Project will facilitate water transfers and does not disclose the impacts of such transfers. The Project if constructed will allow the storage of water under various instruments, including water for CVP Settlement Contractors, CVP contract water, and water for Project beneficiaries out of the area pursuant to water rights or contracts that at this time are unknown. The availability of Project storage is highly likely to facilitate a net increase in the transfer of water originating in the Sacramento Valley. Rather than disclosing this facilitation and the impacts of increased water transfers, the DEIR/DEIS contains a perfunctory	See Response to Comment 23-16, above. Water transfers are addressed in Chapter 2, *Project Description and Alternatives*.

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			dismissal of the cumulative effect of water transfers: "The conditions for each water transfer would be determined on a case-by-case basis." (DEIR/DEIS, p. 35-12). The DEIR/DEIS then states existing protections will prevent impacts from groundwater substitution transfers, with no real foundation or analysis.	
23	20	50000	The DEIR/DEIS does not disclose reduction of the frequency, magnitude and duration of floodplain inundation as a significant impact and does not propose specific mitigation. Appendix 12N of the DEIR/DEIS summarizes in table form the frequency, magnitude and duration of inundation of the Sutter and Yolo bypasses, comparing the Project alternatives with the No Action Alternative. In spite of the reductions under all Project alternatives compared with the No Action Alternative, the DEIR/DEIS does not identify these reductions as a significant impact. The reduction in frequency, magnitude and duration of inundation of the Sutter and Yolo bypasses is a significant impact. The DEIR/DEIS should have identified it as such and proposed specific mitigation, such as releases from Sites Reservoir to, at minimum, maintain level of inundation equal to the levels under the No Action Alternative.	See Response to Comment 23-16, above. See Chapter 5, *Surface Water Resources,* which addresses the potential for floodplain inundation and concludes that the operation of Alternative 1, 2, or 3 would not have an adverse effect on flooding and impediment or redirection of flood flows.
23	21	32000	[Att1:] The DEIR must describe who will operate the project. It must describe how operators will make decisions about operations, and to whom operators will be accountable.	Please see Chapter 2, *Project Description and Alternatives*.
23	22	32000	[Att1:] The DEIR must describe how operators will integrate the operation of the reservoir with the operation of the State Water Project and Central Valley Project. The DEIR must analyze impacts of project operation on the operation of SWP and CVP facilities, including Trinity, Shasta, Oroville, Folsom, and San Luis Reservoirs, and describe how the project will affect storage in these facilities.	Please see Chapter 2, *Project Description and Alternatives*.
23	23	32000	[Att1:] The DEIR must describe any proposed offsets by which the project would deliver water north of Delta in lieu of deliveries from Lake Shasta, Oroville Reservoir or Folsom Reservoir.	Please see Chapter 2, *Project Description and Alternatives*.

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23	24	51020	[Att1:] To the degree that any ascribed environmental benefits of the project are the result of offsets for water otherwise delivered or not delivered by the SWP and/or the CVP, the DEIR must disclose how those offsets assure environmental benefits under operations not within the control of the Sites project operators. For example, if a proposed benefit of the Sites project is increased carryover storage in an SWP or CVP reservoir, the DEIR must describe how this ascribed benefit will assure carryover storage and not just enable increased SWP and/or CVP deliveries north or south of Delta. The DEIR must describe the rules that will assure the ascribed benefit, who will compose those rules, who will enforce those rules and how that entity will enforce them, and what entity or entities will be the subject of the conditions in those rules.	Please see Chapter 2, *Project Description and Alternatives*.
23	25	32000	[Att1:] The DEIR must not claim that the project will provide environmental benefits because it will provide the objective opportunity to create environmental benefits. It must describe the precise mechanisms by which the project will provide and assure environmental benefits. The DEIR must specifically identify any ascribed environmental benefits by location, time, and species habitat.	Please see Chapter 2, *Project Description and Alternatives* and Master Response 5, *Aquatic Biological Resources*. The benefits to anadromous fish would result from: • Enhanced opportunity for cold water pool management in Shasta Lake. • Enhanced frequency and amount of spring pulse flows in the upper Sacramento River. • Better ability to maintain stable river flows in the upper Sacramento River in the fall. • Exchanges with Shasta Lake formulated to target cold-water pool preservation and anadromous fish benefits.
23	26	32000	[Att1:] The DEIR must carefully and clearly explain how environmental benefits that proponents ascribe to the project are not existing requirements, particularly unmet requirements of the SWP and/or CVP.	Please see Response to Comment 23-25, above, and Chapter 2, *Project Description and Alternatives* and Master Response 5, *Aquatic Biological Resources*.
23	27	32000	[Att1:] The DEIR must describe operational alternatives for the project under a variety of dry, average and wet water year conditions.	Please refer to Master Response 9, *Alternatives Development,* which discusses feasibility and applicability of other proposed alternatives identified by commenters.
23	28	32000	[Att1:] The DEIR must describe how climate change will affect project operations and how project operations under changed climate conditions will alter project impacts.	Please see Chapter 28, *Climate Change*.

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23	29	32000	[Att1:] The DEIR must describe how the project will operate during high runoff conditions, and how it will manage sediment load into and through project facilities.	Please see Chapter 2, *Project Description and Alternatives*. Please also see BMP-12, which requires implementation of erosion and sediment control measures, waste management measures, non-stormwater management measures, and postconstruction stormwater management measures to prevent the discharge of sediment, wastes, and other potential pollutants from construction sites to stormwater and surface water.
23	30	32400	[Att1:] The DEIR must describe the performance (water availability, water deliveries, water for ascribed environmental benefits) of the project under multiple flow requirements both for the Sacramento River and Delta outflow, including constraints more stringent than D-1641, Water Rights Order 90-05, and other currently applicable requirements. The DEIR must clearly describe proposed bypass flow requirements for the project.	Please see Chapter 2, *Project Description and Alternatives*.
23	31	31000	[Att1:] The DEIR must analyze a reasonable range of alternatives that are sufficiently distinct from one another. We recommend that the DEIR evaluate an alternative that includes a smaller reservoir than the proposed project, water supply priority to local investors and local water delivery, and a new intake/outfall on the Sacramento River. We also recommend that the DEIR analyze a maximum environmental benefits alternative that includes limited reservoir size, limited diversions, prioritization of offstream storage for existing north of Delta irrigation over other consumptive uses, release of reservoir water to augment flows for floodplain inundation at the top of the Yolo Bypass, specific, quantified benefits to waterfowl, and other environmental benefits that project proponents may identify.	Please refer to Master Response 9, *Alternatives Development,* which discusses feasibility and applicability of other proposed alternatives identified by commenters.
23	32	11000	[Att1:] The DEIR must include an alternative in which the project is constructed and operated in conjunction with the proposed Delta tunnels. It must describe how the tunnels would affect water availability for the project, water deliveries from the project (amount and destination), and operation of the project. The DEIR must describe how much of the project's water supply benefits would be applied to water users south of the Delta and what kind of quantified net environmental benefits the project would provide with and without the Delta tunnels. The DEIR	Please refer to Master Response 9, *Alternatives Development,* which discusses feasibility and applicability of other proposed alternatives identified by commenters.

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			should analyze potential conflicts with WaterFix, especially over available water supply.	
23	33	13000	[Att1:] The DEIR must describe the water rights that will apply to the project, and who will own them. The DEIR must provide the priority date of the water rights and all sources of water. The DEIR must describe whether those rights will involve assignment of state filings and/or carry area of origin priority. The DEIR must describe how any regional priority will apply to water that is sold out of the area, particularly south or west of Delta.	Please see Chapter 2, *Project Description and Alternatives*. The Authority filed its water right application for the Project with the State Water Board in May 2022 (application number A025517X01), as discussed in Section 2.5.2.1 Water Operations.
23	34	13000	[Att1:] The DEIR must describe whether the project will store any water pursuant to CVP and/or SWP contracts, and whether the project will assume or involve additions or changes to CVP and/or SWP water rights to facilitate storage in project facilities or to facilitate CVP and/or SWP deliveries from project facilities.	Please see Chapter 2, *Project Description and Alternatives*.
23	35	32000	[Att1:] The DEIR must describe how the project will incentivize or facilitate water transfers from Sacramento Valley water rights holders or CVP and/or SWP contract holders to other entities. The DEIR must identify the likely recipients of such transfers by geographic region and by the types of water rights and/or contracts the recipients hold. The DEIR must disclose impacts of any such transfers, including impacts to Sacramento Valley groundwater.	Please see Chapter 2, *Project Description and Alternatives*. Please also see Chapter 8, *Groundwater Resources*, and its discussion of groundwater impacts. Future water transfers will be addressed when proposed and would be subject to additional environmental review. Analysis at this time would be speculative.
23	36	32000	[Att1:] The DEIR must identify the actual project investors and beneficiaries. It must describe how much the beneficiaries will contribute to project cost and how much water they will be assured on what schedule in return for their investment. The DEIR must describe how obligations to out-of-area investors will be prioritized in relation to local uses.	Please see Chapter 2, *Project Description and Alternatives*.
23	37	14000	[Att1:] The DEIR must describe the complete regulatory setting, including contingencies should a preferred regulatory approach or outcome prove infeasible. The DEIR must describe all permits and approvals necessary to complete the project and bring it on line, and how proponents will sequence proceedings to obtain such permits and approvals.	Please see Chapter 4, *Regulatory and Environmental Compliance: Project Permits, Approvals and Consultation Requirements*.
23	38	12000	[Att1:] It came to our [California Sportfishing Protection Alliance] attention during a scoping meeting that proponents are considering ownership of hydroelectric facilities by the Bureau of	Please see Response to Comment 23-1, above. The Project does not propose a hydroelectric facility subject to a FERC license.

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			Reclamation, thus avoiding the need for an operating license from the Federal Energy Regulatory Commission. The DEIR must describe the legal basis for such a scenario in which ownership of hydropower infrastructure by a federal entity, without ownership of discharging or receiving waters, qualifies for exemption from regulation by FERC, including any precedent for such a regulatory arrangement. Such analysis should consider who proponents propose will operational control of the project and who proponents propose as the financial beneficiaries of hydropower operations.	
23	39	53500	[Att1:] The DEIR must describe the hydropower component of the project, including pumping operations to fill the reservoir and pumpback operations more strictly for hydropower (pumped storage) generation.	Please see Chapter 17, *Energy*.
23	40	53500	[Att1:] The DEIR must describe the thermal impacts of pumpback operations, particular during the summer, and evaluate limitations on the season of pumpback operations.	Please see Chapter 17, *Energy*.
23	41	32400	[Att1:] The DEIR must quantify the amount of water that the project will reliably produce on an annual basis under a variety of bypass flow and other physical and regulatory scenarios.	Please see Chapter 5, *Surface Water Resources*.
23	42	51000	[Att1:] The DEIR must describe the hydrological impacts of project diversions on the Sacramento River and on Delta inflow and outflow.	Please see Chapter 5, *Surface Water Resources*.
23	43	51100	[Att1:] The DEIR must disclose the water quality impacts of the project, including impacts in the Sacramento River and the Delta resulting from diversions to storage, impacts of releases from storage, and water quality in the reservoir. The water quality analysis must pay particular attention to water temperature, algal blooms, and mercury and other heavy metals.	Please refer to the updated analysis in Chapter 6, *Surface Water Quality*, and Master Response 5, *Water Quality,* which discusses concerns about water quality, adequacy of mitigation, and use of the I/O tower to control releases.
23	44	51100	[Att1:] The DEIS must describe all release points from the proposed reservoir and describe how the project will release water for environmental or water supply benefits without adversely affecting water quality. This DEIR should break down this analysis by month and water year type.	Please refer to Master Response 5, *Water Quality,* which discusses concerns about water quality, adequacy of mitigation, and use of the I/O tower to control releases.

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23	45	51620	[Att1:] The DEIR must describe the thermal hydrodynamics of the proposed Sites reservoir, and in particular the seasonal stratification of the reservoir or absence of such stratification. The DEIR must describe how inputs and withdrawals from Sites reservoir will seasonally affect the thermal hydrodynamics of the reservoir, including the effects of pumpback hydropower operations. The DEIR must describe the thermal interaction of canal operations on the thermal hydrodynamics of all project facilities. The DEIR must describe proposed and other feasible facilities that would allow thermal management of project facilities and of discharges from them.	Please refer to Master Response 5, *Water Quality,* which discusses the use of the I/O tower to control temperature releases.
23	46	32000	[Att1:] The DEIR must describe any alternative means to remove water from the project reservoir other than the primary proposed set of pipes and pump stations. The DEIR must describe the impacts of such alternative removal, or the absence of such alternative, from the perspective of flood control, public safety, and biological impairment, as well as from the perspective of water supply and environmental benefits.	Please see Master Response 9, *Alternatives Development,* which addresses the consideration of alternatives, including a reasonable range of feasible alternatives.
23	47	32000	[Att1:] The DEIR must describe whether the project will redivert water from the Trinity River, and if so must describe the resulting impacts to the Trinity and Sacramento rivers the Shasta-Trinity Division of the CVP.	Please see Response to Comment 23-1, above. Please also refer to Master Response 8, Trinity River.
23	48	50000	[Att1:] The DEIR must assess impacts of Sacramento River diversions and other project operations on threatened and endangered species and their habitat, including winter-run and spring-run Chinook salmon, steelhead, green sturgeon, Sacramento splittail, Delta smelt, bank swallow, yellow-billed cuckoo, Swainson's hawk, valley elderberry longhorn beetle, giant garter snake, and others.	Please refer to the updated analysis in Chapter 11, *Aquatic Biological Resources*, and Master Response 5, *Aquatic Biological Resources,* which discuss special-status fish species.
23	49	51650	[Att1:] The DEIR must assess impacts of Sacramento River diversions and other project operations on non-listed species, including fall-run Chinook salmon, white sturgeon, and striped bass.	Please refer to the updated analysis in Chapter 11, *Aquatic Biological Resources*, and Master Response 5, *Aquatic Biological Resources,* which discuss special-status fish species.
23	50	50000	[Att1:] The DEIR must assess impacts on habitat and species within the footprint of the reservoir and other project facilities (dams, canals, pumps, and power lines), including impacts on the protected golden eagle, bald eagle, Swainson's hawk, giant	Please refer to the updated analysis in Chapter 10, *Wildlife Resources*, and Master Response 6, *Vegetation, Wetland, and Wildlife Resources,* which discusses special-status species and adequacy of mitigation.

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			garter snake, burrowing owl, tricolored blackbird, loggerhead shrike, western pond turtle, pallid bat, American badger, valley elderberry longhorn beetle, and at least 12 rare or sensitive native plants.	
23	51	52200	[Att1:] The DEIR must detail impacts on cultural resources in the reservoir and facility footprints, including prehistoric and historic sites.	Please refer to Chapter 22, *Cultural Resources* and Chapter 23, *Tribal Cultural Resources*.
23	52	52100	[Att1:] The DEIR must analyze the potential for reservoir-induced seismicity and must disclose public safety issues associated with reservoir-induced earthquakes on nearby unreinforced masonry structures must be examined in the report. The DEIR must also disclose the vulnerability of the project to earthquakes, including all local faults and known historical seismic activity, and must describe how project design will protect the project from failure in the event of a major earthquake in the vicinity of the project.	Please refer to Chapter 12, *Geology and Soils*.
23	53	32000	[Att1:] The DEIR must describe the zone of inundation in the event of partial or complete dam failure, and describe the impacts of such potential inundation.	Please refer to Chapter 12, *Geology and Soils*.
23	54	40000	[Att1:] The DEIR must base its analysis on transparent modeling to assess impacts on flow, water temperature, and water quality. The DEIR must employ and make available a public platform water balance model with a daily timestep to evaluate project operations and hydrological impacts.	Please refer to Master Response 3, *Hydrology and Hydrologic Modeling,* which discusses the modeling and modeling time step used.

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24	1	21500	Overall, the DEIR/S is incomplete and deficient. Much of the document appears to be boilerplate from DWR's 2013 administrative DEIR for the same project. In addition, our review discovered numerous instances were absolute mistakes have been made. Our impression is that this important document was rushed out the door for public review to meet California Water Commission funding deadlines. We believe that the Sites JPA should withdraw this inadequate DEIR/S, revise it to correct obvious mistakes and to address the many issues and concerns raised by the public, and recirculate it for further public review and comment.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in the extensive review of additional alternatives and revised modeling to further refine the Project. A Revised Draft Environmental Impact Report/Supplemental Draft Impact Statement (RDEIR/SDEIS) was released in 2021. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. The Final EIR/EIS also includes chapters and appendices that have been updated based on revised modeling results and minor corrections and clarifications resulting from comments received on the RDEIR/SDEIS. Please refer to Appendix 2B, *Additional Alternatives Screening and Evaluation,* which describes the process undertaken since 2017 to identify additional or revised alternatives, including design and operational refinements. In May 2019, the Authority initiated a series of focused discussions with the California Natural Resources Agency regarding Project planning and intended operations. The purpose of these discussions was to address the effects of the Project on the State's public trust resources and further refine the Project facilities and operational characteristics consistent with what would be affordable for member participants and also to meet applicable permitting requirements. The Authority met with the aquatics and terrestrial technical teams from the California Department of Fish and Wildlife (CDFW) several times between May and September 2019 to explore refinements to Project operations and facilities. During and following this process, the Authority revised the Project operational components and eliminated or modified previously proposed facilities to ensure an affordable Project capable of providing a sufficient and reliable water supply and dedicated ecosystem benefits. These revised components include revised 2019 operational scenarios/criteria, proposed conservation measures, and a science and adaptive management strategy. It also included removing the Delevan Intake, revisions to the operational criteria and less water being pumped from the Sacramento River on average, as well as reducing the footprint of the reservoir from a maximum of 1.8 MAF to 1.5 MAF.

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24	2	32000	I. The DEIR/S does not provide an adequate description of the project. The DEIR/S does not provide an adequate description of the project. It fails to describe how the project will be operated. Although one operation scenario is described in the accompanying Feasibility Report, it is unclear that the operation summarized in the report is encompassed by any of the DEIR/S alternatives. The Feasibility Report summarizes CVP/SWP contract deliveries and environmental water deliveries under each Alternative in Table ES-2. No similar table is found in the DEIR/S, making it difficult to determine whether the Feasibility Report is describing the same project operationally as the one in the DEIR/S.	Please refer to Chapter 2, *Project Description and Alternatives* which includes the revised description circulated with the RDEIR/SDEIS and refinements.
24	3	32100	The DEIR/S also fails to identify the preferred environmental uses of Sites water. Instead, a menu of different uses is offered but none are identified as preferable, leaving reviewers to wonder which environmental benefits the final project will provide.	Please refer to Chapter 2, *Project Description and Alternatives* which includes the identification of Alternative 3 as the preferred project. Benefits of the Project that have been demonstrated through the revised analysis included in Chapter 5, *Surface Water Resources*, Chapter 10, *Wildlife Resources*, Chapter 11, *Aquatic Biological Resources* and outlined in Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments*, Master Response 2, *Alternatives Description and Baseline*, and Master Response 5, *Aquatic Biological Resources*. Benefits include: Ecosystem Benefits • Provide incremental Level 4 Refuge water supply benefits as identified under the Water Storage Investment Program. • Provide additional flow into the Yolo Bypass to benefit delta smelt. Deliveries would increase desirable food sources in the late summer and early fall. • Exchanges and investment by Reclamation have the potential to assist the CVP and SWP in meeting their regulatory obligations, authorized purpose, and improving conditions to protect, restore and enhance fish, wildlife, and associated habitats. • Increases freshwater habitat for species such as such as bald eagle, dabbling ducks, water birds, along with gull and pelican species. • Water source for terrestrial species such as elk, deer, and

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				badger. Anadromous fish benefits • Enhanced opportunity for cold water pool management in Shasta Lake. • Enhanced frequency and amount of spring pulse flows in the upper Sacramento River. • Better ability to maintain stable river flows in the upper Sacramento River in the fall. • Exchanges with Shasta Lake would be formulated to target cold-water pool preservation and anadromous fish benefits. • Project results in an overall increase in the population of endangered winter-run Chinook salmon.
24	4	12000	The DEIR/S is also unclear as to who operates the project and who will assume the responsibility for meeting project outputs and environmental compliance.	Please refer to Chapter 2, *Project Description and Alternatives* which identifies that the Authority will construct and operate the Project.
24	5	31000	The DEIR/S quickly focuses on alternatives that maximize storage. Three of the four alternatives include a 1.8 million acre feet (MAF) alternative and one on a 1.3 MAF alternative. The .8 MAF alternative was eliminated in the preliminary evaluation without any discussion about the impacts of this alternative in comparison to the larger reservoir alternatives. Nor do the alternatives examined in detail offer a range of different environmental benefits.	Please refer to Response to Comment 24-1, above. Please refer to Master Response 9, *Alternatives Development* which discusses CEQA and NEPA requirements for developing the reasonable range of feasible alternatives for evaluation in the EIR/EIS.
24	6	31100	None of the alternatives consider outside actions such as the California Water Fix and the Water Board's Phase II program that will have substantial impact on how this project is operated.	Please refer to Master Response 9, *Alternatives Development* which discusses feasibility and applicability of other proposed alternatives identified by commenters. Chapter 31, Cumulative Impacts addresses the project's potential contribution to cumulative effects of past, present and future projects.
24	7	13000	III. The DEIR/S fails to include any meaningful information about water rights. The DEIR/S fails to include any meaningful information about water rights needed to operate the project. The project intends to use water from Sacramento River tributaries and cites a 1977 water rights application submitted by the state. But little or no information is provided on how the project will ensure that only tributary water will be diverted to Sites. Nor does it address the issue of water rights over-allocation or the Water Board's Phase	Please see Chapter 2, *Project Description and Alternatives*. The Authority filed its water right application for the Project with the State Water Board in May 2022 (application number A025517X01). The application identifies the Sacramento River as the source of water and includes two proposed points of diversion on the Sacramento River: 1) the RBPP and 2) diversions at Hamilton City.

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			II process.	
24	8	51200	IV. The DEIR/S fails to adequately consider the impacts of Sites diversions on the Sacramento River. The DEIR/S fails to adequately consider the impacts of Sites diversions on the Sacramento River and the river's flow-driven ecosystems, which support numerous sensitive, threatened, and endangered species. We are concerned that the Sacramento River, the source of water used to fill the Sites Reservoir, is considered in the DEIR/S as part of the Secondary Study Area, with the implication that this secondary area requires less rigor in the analysis. This is underscored by the fact that more pages are dedicated to assessing primary study area impacts than for the secondary study area. We believe that the DEIR/S is incorrect in asserting that impacts to the river will be less than significant. The DEIR/S does admit that project impacts on the Sacramento River's shaded riverine aquatic (SRA) habitat is unknown but fails to disclose this as a clear potentially significant impact. At the minimum, we believe the reach of the Sacramento River directly affected by Sites diversions should be included in the Primary Study Area, that SRA and other river impacts should be considered potentially significant, and further analysis is needed.	Please see Responses to Comments 24-1 and 24-2, above.
24	9	40000	Models – Much of the DEIR/S analysis depends on the use of computer models with known deficiencies, particularly CALSIM II. Particularly, CALSIM II's "daily flow disaggregation below Red Bluff Diversion Dam (RBDD) is known to be flawed…flows below RBDD are for testing and demonstration purposes only" [Footnote 1: ESSA Technologies, March 2008, SacEFT Analysis Results Appendix F, pg. F-3]. According to a National Academy of Sciences assessment, many CALSIM II users have suggested that the model's primary limitation is its monthly time step and that the model should be used primarily for comparative analysis between scenarios but its use for absolute predictions should be discouraged. This same assessment found that use of models like CALSIM II is justified despite flaws, but models do not go far enough toward an integrated analysis of reasonable and prudent alternatives, and improvements were needed	Please refer to Master Response 3, *Hydrology and Hydrologic Modeling* which discusses the use of CALSIM II and the modeling time step.

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			[Footnote 2: National Academy of Sciences 2010, A Scientific Assessment of Alternatives for Reducing Water Management Effects on Threatened and Endangered Fishes in California's Bay Delta]. Further, even USBR admits that the CALSIM II disaggregation process used to simulate daily flows for modeling water quality "results in a crude representation of flow and temperature conditions on a daily time scale" [Footnote 3: USBR, Fish and Wildlife Coordination Act Report Appendix, Shasta Lake Water Resources Investigation, June 2013]. The DEIR/S asserts that the problems with CALSIM II have been rectified with a new model, USRDOM, but no information is provided as to the provenance and accuracy of this model, or even if it has been peer reviewed. Four other models utilized to analyze various impacts on the Sacramento River are based on the CALSIM II/USRDOM models, which increases risk and uncertainty if these models are inadequate.	
24	10	21000	Environmental Standards – The DEIR/S bases is finding of no significant impact on the asserting that the project will be operated to meet existing flow standards for the Sacramento River and existing biological opinions for threatened and endangered fish in the river. But these flow standards are inadequate in that they are intended to meet water temperature targets for the river upstream of Red Bluff and ensure that a minimum amount of spawning habitat is covered. The standard that ensures the largest minimum flow of 5,000 CFS in the Sacramento River is intended to ensure commercial river traffic that no longer exists and is not even based on environmental needs. No standards have been established to ensure that flows are provided to maintain the river's complex flow-driven riparian and aquatic ecosystems. Claiming less than significant based on meeting weak and inadequate standards is a major flaw in the DEIR/S that must be rectified.	Please see Response to Comment 24-1, above. Please also refer to the updated analysis in Chapter 11, *Aquatic Biological Resources*.
24	11	51200	Flow tables in the DEIR/S appendices confirm that the project will divert water much of the year and in virtually all water years, which will increase the likelihood that river flow will be reduced	Please see Response to Comment 24-1, above. The RDEIR/SDEIS analyzed the revised Project and alternatives, providing completely new appendices which have been updated for the Final EIR/EIS

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			to minimum levels. There is little or no information available about the potential impacts to the Sacramento River associated with the project reducing river flow to minimum levels, particularly in dry and critically dry years. On average, the project will reduce flows in the Sacramento River below Red Bluff 11 months out of the year and by as much as 8.3% in March (an important month for riparian habitat regeneration). Significant flow reductions will also occur in the Sacramento River in critically dry years during March. But because the project will meet the currently inadequate minimum flow standard, the DEIR/S assumes no significant impact.	based on updated modeling undertaken in response to comments.
24	12	52400	Public Lands & Land Use – The DEIR/S admits that non-compliance with existing land use plans is a significant unavoidable impact. But the Land Use chapter primarily focuses on non-compliance with county general plans and barely acknowledges land use associated with public lands along the Sacramento River. Federal, state, and local agencies, as well as many non-governmental organizations, have spent millions of dollars to acquire lands along the Sacramento River to protect and restore riparian habitat and to provide for public recreation. At least 20,000 acres of public lands are located on the river between Red Bluff and Colusa, including units of the Sacramento River National Wildlife Refuge, the Sacramento State Wildlife Area, and three state parks. Existing and restored riparian habitat on these public lands depend on Sacramento River flows, which will be modified by the project. The presence and ecological health of these public lands, even where they are adjacent to proposed project facilities, are virtually ignored in the DEIR/S. The Land Use chapter also fails to mention the Upper Sacramento River Fisheries and Riparian Habitat Plan (aka, the S.B. 1086 plan) or its implementing entity, the Sacramento River Conservation Forum. Compliance with these impact plans must be assessed in the DEIR/S.	The Final EIR/EIS has looked at all applicable plans in the analysis, (see Chapter 2, *Project Description and Alternatives*, and Chapter 14, Land Use) consistent with CEQA and NEPA.
24	13	51100	V. The DEIR/S fails to adequately describe potential project impacts on Sacramento River water quality. The DEIR/S claim that project impacts on water quality creates a high level of concern. Sites is a relatively shallow reservoir	Please refer to Chapter 6, *Surface Water Quality* which addresses the Project's potentially water quality impacts and identifies mitigation to reduce impacts: • Mitigation Measure WQ-1.1: Methylmercury Management

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			located in a part of the Sacramento Valley known for its extreme summer temperatures. And yet the models used to assess temperature impacts associated with Sites releases into the Sacramento River suggest that temperature impacts will be minimal. This claim challenges all logic and raises concerns that the USRWQM, CALSIM II and USRDOM models are inadequate to accurately assess these impacts.	• Mitigation Measure WQ-2.1: Prevent Metals Impacts in Stone Corral Creek Associated with Sites Reservoir Discharge • Mitigation Measure WQ-2.2: Prevent Net Detrimental Metal and Pesticide Effects Associated with Moving Colusa Basin Drain Water Through the Yolo Bypass However, with this mitigation the Final EIR/EIS concludes that impacts would not be mitigated to less-than-significant levels.
24	14	11100	In addition, helping to meet water quality standards is a primary environmental benefit from Sites, and yet this benefit remains unquantified. Further documents produced by DWR and the Sites JPA suggest that the Delta water quality benefit simply disappears when the Delta tunnels are constructed. The DEIR/S fails to disclose where this environmental water goes if the tunnels become a reality.	Please refer to Chapter 31, *Cumulative Impacts* for a discussion of cumulative projects including the Delta Conveyance Project.
24	15	52100	VI. The DEIR/S fails to adequately address the potential for reservoir-triggered seismicity (RTS), particularly on local communities and structures. The DEIR/S discounts the possibility of the Sites reservoir triggering an earthquake by claiming that reservoir-triggered earthquakes are primarily associated with reservoirs deeper than Sites. But the DEIR/S fails to fully examine the role of frequent filling/emptying of Sites would play in potentially triggering earthquakes. Faults beneath the reservoir footprint are capable of producing scale 6.8-7 earthquakes. Triggering of such quakes by Sites has serious implications for unreinforced structures in communities adjacent to the reservoir. The DEIR/S discounts the possibility of Sites triggering a seismic event because the reservoir is slightly smaller than the large reservoirs typically associated with RTS and because the faults beneath the reservoir and the associated rocks are compressed and have relatively low permeability. Nevertheless, the DEIR/S does admit that smaller reservoirs have been known to create RTS and at least one of two existing reservoirs located along the same fault system has been subject to RTS.	Seismicity is addressed in Chapter 12, *Geology and Soils* under Impact GEO-2: Would the Project result in reservoir-triggered seismicity or be subject to a seiche, which was found to have a less than significant impact/no effect.
24	16	52100	The DEIR/S fails to address the fact that repeated filling and draining of Sites is an important RST factor. Protracted RTS	Chapter 12, *Geology and Soils* included the analysis of Impact GEO-2: Result in reservoir-triggered seismicity or be subject to a seiche.

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			(occurring long after a reservoir was initially filled) depends on the frequency and amplitude of lake-level changes, reservoir dimensions, and hydromechanical properties of the substratum. Earthquakes are associated with large and/or rapid lake-level rises. The relatively small Monticello Reservoir in South Carolina has been subject to protracted RTS, perhaps because, like Sites, it's a pumped storage facility. In addition, RTS seems restricted to shallow depths with pumped storage reservoirs [Footnote 4: Talwani, Pradeep. On the Nature of Reservoir-induced Seismicity. Pure and Applied Geophysics, 1997]. Located across the Coast Range west of Sites, Lake Mendocino in Mendocino County is both smaller and shallower than Sites, but it too has experienced RTS [Footnote 5: Toppozada, T.R. and C.H. Cramer, Ukiah Earthquake, 25 March 1978: Seismicity Possibly Induced by Lake Mendocino, California Geology, December 1978]. RTS at Lake Mendocino seems to be associated with the refilling of the reservoir after the 1976-77 drought. The DEIR/S needs to be provided a more robust assessment of potential RTS at Sites and its implications, particularly regarding public safety and the potential RTS threat to unreinforced buildings and structures adjacent to Sites.	
24	17	52900	VII. The DEIR/S fails to adequately address the potential for the project to increase greenhouse gases that contribute to global climate change. Most of Chapter 24. Climate Change and Greenhouse Gas Emissions focuses on the Sites project's production of greenhouse gas (GHG) emissions associated with Sites construction and pumped storage operations. The relatively brief section addressing the known effect of reservoirs passively producing GHGs (primarily CO2) concludes without any supporting information that Sites is "unlikely to produce substantial GHG emissions." This statement cites Soumis 2004 and Tremblay 2005 as the source of this conclusion. Soumis assessed Shasta, Oroville, and New Melones reservoirs in California and found that Shasta and Oroville produce GHGs. We were unable to find a free copy of Tremblay 2005 on the internet	Please refer to Chapter 21, *Greenhouse Gases*, and Chapter 28, *Climate Change*.

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			to review. But given the Soumis findings, we recommend that a revised DEIR/S World Bank's guidelines on GHG measurement, preliminary GHG assessment took, and proposal for methodology to investigate the potential for Sites to passively produce GHGs [Footnote 6: World Bank, Greenhous gas emissions related to freshwater reservoirs, January 2010].	
24	18	51200	VIII. The DEIR/S fails to adequately assess impacts on rare plants in the project reservoir footprint. The DEIR/S claims that all impacts on vegetation communities and rare plants are mitigated to less than significance. Given the uncertainty that the federally protected Keck's checkbloom is present in the primary study area until additional scientific investigation is conducted, then the impact on this specific plant should be considered potentially significant. Impacts on other rare plants present or directly adjacent to the primary study area are allegedly reduced to insignificance though compensation following USFWS, CDFW, and CNPS guidelines. However, these guidelines are not provided in the chapter or appendix, making it difficult for reviewers to determine whether full "compensation" is achieved. A revised DEIR/S should include the guidelines and provide sufficient explanation as to how following these guidelines reduce adverse impacts on rare plants to less than significant levels.	Please see Chapter 9, *Vegetation and Wetland Resources* for the updated analysis of rare plants. Section 9.5 *Impact Analysis and Mitigation Measures* references applicable BMPs and guidelines for mitigation of impacts on special-status plant species, including Keck's Checkerbloom.
24	19	22000	IX. The DEIR/S overstates potential project benefits for threatened and endangered salmonids. A major environmental benefit attributed to the Sites project in the DEIR/S is the potential for coordinated operations with Sites and existing dams and reservoirs to provide cold water suitable for threatened and endangered salmonids in the Sacramento, Feather, and American Rivers downstream of existing dams, including Shasta, Oroville, and Folsom. We do not regard this as a net environmental benefit associated with Sites.	Please refer to Master Response 5, *Aquatic Biological Resources* which discusses special-status fish species and benefits.
24	20	21400	Instead, this "benefit" is little more than using Sites to mitigate the existing impacts of these dams. It should be noted that Prop. 1 water bond funding cannot be used to mitigate environmental impacts. Such mitigation should be provided by those who directly benefit from the dam operations.	Please refer to Master Response 5, *Aquatic Biological Resources* which discusses special-status fish species and benefits, including the following: "Environmental benefits from the Project are achieved through a

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				number of different mechanisms, including: • Exchanges with Storage Partners, as described in Chapter 2, Project Description and Alternatives, of the EIR/EIS (section titled Operations and Maintenance Common to Alternatives 1, 2, and 3), which provide enhanced operational flexibility and coordination opportunities between the Project, regulatory agencies, the CVP, and the SWP for achieving species benefits. • Direct releases from Sites Reservoir either through the CBD and Yolo Bypass (all three alternatives) or directly into the Sacramento River approximately 10.5 river miles upstream of Knights Landing via a pipeline from the terminus of the TC Canal at Dunnigan (Alternative 2)."
24	21	51600	Even though the Sites JPA intends to spend millions of dollars of public Prop. 1 funds to provide salmonid survival benefits, this benefit is not quantified in the DEIR/S. USBR's draft Feasibility Report does provide some quantification of salmonid benefits. On average over the full 82-year simulation period, Alt. D will boost endangered winter run chinook salmon by a modest 3.3% and threatened spring chinook salmon by 2.4%. In dry years, winter chinook numbers are slightly less (3.2%) than the average improvement, and only slightly improved above the average in critically dry years (4.8%). There is no attempt to assess whether these modest improvements are worth the public cost, or for that matter, represent a net benefit over the more difficult to assess changes caused by Sites operation in the Sacramento River's aquatic ecosystems. It's important to note that the USFWS found that similar modest improvements in threatened and endangered salmonid survival generated by additional cold water from an enlarged Shasta Reservoir was "very limited" [Footnote 7: USFWS, Fish and Wildlife Coordination Report for the Shasta Lake Water Resources Investigation, November 2014 (revised)]. The USFWS also found that the cold water improvement was not superior to other actions such as restoring spawning and rearing habitat, improving fish passage, increasing minimum flows, and screening unscreened water diversions. The USFWS also	Please refer to Master Response 5, *Aquatic Biological Resources* which discusses special-status fish species and benefits

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			expressed concern that further water resources development on the Sacramento River would result in additional losses of salmonid rearing and riparian habitat and adversely affect the recruitment and natural success of riparian forest along the Sacramento River.	
24	22	31100	Chapter 2. Alternatives Analysis The range of alternatives considered in the DEIR/S is inadequate. Not only does the document focus on the largest possible reservoirs with maximum diversions from the Sacramento River, it fails to consider an adequate range of environmental purposes for the reservoir. Although several environmental uses are mentioned in the DEIR/S, no definitive list of environmental uses is provided by alternative. There is simply a block of water apparently dedicated to environmental use, with no attempt to identify the best environmental use of this water. Since providing water for the environment is a major purpose of the reservoir, the DEIR/S should fully incorporate this function in an adequate range of alternatives.	Please refer to Master Response 9, *Alternatives Development* which discusses CEQA and NEPA requirements related to the development of the objectives and purpose and need of a project, respectively, and appropriate application of the objectives and purpose and need for the Project to develop a reasonable range of feasible alternatives.
24	23	31100	Pg. 2-20, Table 2-4 and last paragraph: This table displays 15 alternatives – four alternatives that include an .8 MAF reservoir, five alternatives that include a 1.3 MAF reservoir, and six alternatives with a 1.8 MAF reservoir. The reservoir options are then filtered using three different combination of conveyance options. This table is heavily weighted towards the large reservoir options. The last sentence on this page implies that water supply yield was the overriding filter for formulating alternatives. Pg. 2-21, Table 2-5 and paragraph 2: The DEIR/S refers to Table 2-5 and states that it shows that "the first three reservoir storage and conveyance options…perform much better" than other options. No explanation is given to support this conclusion, leaving reviewers to conclude that first three options appear to be "much better" to the Sites proponents simply because two of the three options include the largest reservoir and the maximum number of diversions.	Please refer to Response to Comment 24-1 regarding changes to the Project and the expanded review of alternatives.
24	24	31200	The DEIR/S should more carefully consider other alternatives, such as the .8 MAF reservoir using just the new Delevan	Please refer to Master Response 9, *Alternatives Development* which discusses CEQA and NEPA requirements for developing the

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			diversion to reduce flow impacts on the upstream reach of the Sacramento River where river meander is not constrained by levees. In addition, the DEIR/S should consider an alternative that minimizes storage for consumptive water uses and focuses on providing additional water for maintaining Sacramento River meander, providing wildlife refuge water supply, and other environmental purposes.	reasonable range of feasible alternatives for evaluation in the EIR/EIS, and feasibility and applicability of other proposed alternatives identified by commenters.
24	25	11000	At least two other projects and actions are currently underway that will have serious implications for Sites operations, including the so-called "California Water Fix" (aka Delta tunnels) and the U.S. Bureau of Reclamation's (USBR) recent Notice of Intent to revise coordinated long-term operations of the CVP/SWP to maximize water deliveries. These two projects will have huge implications on the Sites project, but the Sites DEIR/S fails to even mention them.	Please refer to Chapter 31, *Cumulative Impacts* for a discussion of cumulative projects including the Delta Conveyance Project.
24	26	11000	No mention is made in this chapter of the State Water Board's (SWB) Phase II Update of the Bay-Delta Plan. The Phase II update is intended to address inflows to the Sacramento River, tributaries, and the Delta. SWB released a final Scientific Basis Report for the Update that found the Bay-Delta ecosystem to be in a state of crisis. Native fish populations have declined precipitously, "…attributed in part to flow modifications due to dams and water diversions and related operations." Upstream water diversions and exports have reduced January to June outflows by an estimated 56% in average and by more than 65% in dry years. The report stated that "flow modifications greater than 20 percent likely result in moderate to major changes in natural structure and ecosystem function." The science report proposes new inflow requirements for anadromous fish-bearing tributaries in the Sacramento River basin. The report proposes a numeric inflow objective of 35 to 75 percent of unimpaired flows [Footnote 8: State Water Resources Control Board, Scientific Basis Report in Support of New and Modified Requirements from the Sacramento River and its Tributaries and Eastside Tributaries to the Delta, Delta Outflows, Cold Water Habitat, and	Please refer to Chapter 31, *Cumulative Impacts* for a discussion of cumulative projects including the Bay-Delta Water Quality Control Plan Update.

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			Interior Delta Flows. Final 2017]. Because the Sites DEIR/S complete fails to address Phase II, the potential impacts of the Sites project on Delta inflow/outflow are undisclosed. This is a major failure of the document requiring that the DEIR/S be withdrawn and revised for public review and comment to address Phase II objectives.	
24	27	21000	This chapter also fails to address the issue that the state has granted rights to far more water than is reliably produced annually by natural run-off. Rights have been granted to approximately five times more water than produced by the state's mean annual runoff. The greatest degree of over-appropriation is in the Sacramento and San Joaquin river basins. About 155% of the Sacramento River's mean annual runoff has been appropriated [Footnote 9: Grantham, T.E., J.H. Viers, 100 years of California's water rights system: patterns, trends, and uncertainty. Environmental Research Letters, August 2014]. Water rights overallocation becomes particularly acute and obvious in drought years.	Please see Chapter 2, *Project Description and Alternatives*. The Authority filed its water right application for the Project with the State Water Board in May 2022 (application number A025517X01). The application identifies the Sacramento River as the source of water and includes two proposed points of diversion on the Sacramento River: 1) the RBPP and 2) diversions at Hamilton City. The application includes a water availability analysis that demonstrates that there is a reasonable expectation of water available for the Project.
24	28	51000	Operation of Sites Reservoir could potentially address this problem by diverting water only in high water years and releasing water in dry years. But Sites diversions are planned in every water year type, including critically dry years. Dry year diversions will only make the water rights over-allocation problem worse. According to DEIR/S Appendix 6B, critical water year diversions to Sites will reduce Sacramento River flows below the Red Bluff Diversion Dam by 11.2% in February, below Hamilton City by 13.3% in March, and below the Delevan intake by 11.8% in February. The DEIR/S should be withdrawn, revised to address the water rights over-allocation issue, and released for additional public review. Pg. 6-12, Table 6-1: This table summarizes existing CVP/SWP water contract "demands." Just as rights have been granted to more water than is produced, water contracts promise to deliver more water than is available. Water management problems will continue as long as existing but unrealistic water rights and	Please see Master Response 2, *Alternatives Description and Baseline* which clarifies that "the Project would only divert water during the time of the year when the Sacramento River is not fully appropriated, which is from September 1 to June 14. Further, the Project would only divert water when the Delta is in "excess conditions" as determined by Reclamation and California Department of Water Resources (DWR) and as defined in the 2018 Addendum to the Coordinated Operation Agreement. The term "excess conditions" identifies when there is water in the system in excess of the needs of the SWP and CVP. This term is not intended to imply that there is "excess water" or water is being wasted to the ocean. Finally, diversions to Sites Reservoir would only occur when there are flows available above those needed to meet applicable laws, regulations, biological opinions (BiOps), incidental take permits (ITPs), existing water rights, and court orders in place at the time of diversion."

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			contracts form the baseline for perceived water demands and needs.	
24	29	51200	Chapter 8. Fluvial Geomorphology The analysis in this chapter is adversely affected by the fact that the Sacramento River between Red Bluff and Colusa is considered part of the Secondary Study Area. The Sacramento River is the source of the water to fill the reservoir. To consider the affected river reach to be part of the Secondary Study Area implies that less rigor and analysis is required. Pg. 8-7, paragraph 2: The DEIR/S cites the 2000 report, Flow Regime Requirements for Habitat Restoration along the Sacramento River Between Colusa and Red Bluff (CALFED, DWR). It correctly notes that the "study indicated that the overall flow regime requirements for the Sacramento River could not be determined without further long-term studies…" Since these long-term studies have not be conducted or completed, this raises the serious concern that the DEIR/S conclusion that Sites will have a less than significant impact on Sacramento River fluvial geomorphology, riparian habitat, and river meanders is simply not supported by adequate knowledge and data.	Please see Response to Comment 24-1, above. The RDEIR/SDEIS and Final EIR/EIS do not use the "Secondary Study Area" in the approach to analysis.
24	30	40000	Pg. 8-17, paragraph 4: Using historical daily flow patterns to calculate flow projections from the monthly CALSIM II results does not provide an adequate analysis of potential impacts. This is a long-standing criticism of CALSIM II. According to Appendix 6C, the average monthly flows provided by CALSIM II are "downscaled" to provide an estimate of daily flows by another model, USRDOM. The provenance of USRDOM is unknown. It does not appear to be referenced in Chapter 37. References. An internet search found references to USRDOM in respect to this DEIR/S and background documents provided to the California Water Commission. The USRDOM model wasn't used in similar analyses, such as the 2014 Shasta Lake Water Resources Investigation. Appendix 6C does not disclose the source of the USRDOM model or whether it has been peer reviewed. Further, Appendix 6C provides no information how USRDOM "downscales" monthly flows into daily flows. Without this important background, reviewers must assume that USRDOM	Please see Chapter 5, *Surface Water Resources* and Master Response 3, *Hydrology and Hydrologic Modeling* for the revised modeling approach and results.

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			simply divides CALSIM II's monthly flow average by the number of days in the month to provide an estimate of daily flows. If this is the case, then estimating flow impacts using CALSIM II still has serious drawbacks.	
24	31	51200	Pg. 8-17, paragraph 5: Appendix 8A is cited as the source of information to determine the impact of the project on sediment transport capacity. Appendix 8A is USBR Technical Report No. SRH-2011-21, Sacramento River Migration Analysis of NODOS Alternatives. The alternatives analyzed in this 2011 technical report are not the alternatives analyzed in the 2017 Sites DEIR/S and the report's conclusions cannot be automatically incorporated into the DEIR/S without further analysis and explanation.	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.
24	32	51200	Pg. 8-18, paragraphs 2 & 5: The SRH-Meander, SRH-1DV (vegetation), and the SacEFT (ecological flows) models are cited as informing this analysis. Although not specifically cited, this discussion seems to be derived from USBR Technical Report No. SRH-2009-27, Calibration of Numerical Models for the Simulation of Sediment Transport, River Migration, and Vegetation Growth on the Sacramento River, California, NODOS Investigation Report, March 2011. This technical report cites five models analyzed, noting that: "…no single model can simulate all the interacting river processes in complete detail. The strategy applied in this investigation was to use models that focus on difference processes and different scales so that a more complete understanding of each process, and process interactions, could be understood. Five models are used to examine hydraulics, sediment transport, river meandering, and vegetation establishment and survival." Pg. vii No explanation is given as to why just three of the five models are cited in Chapter 8.	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.
24	33	51200	Pg. 8-23, last paragraph; Pg. 24, paragraphs 1-2: The DEIS states that sediment entrainment by the Tehama-Colusa Canal (TCC) under Alt. B would be "approximately 62,000 tons per years as	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.

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			compared to 40,000 tons under the Existing Conditions/No Project/No Action Condition" and cites Appendix 8A as the source of this information. We can find no such information in App. 8A. Further, as previously noted, the alternatives analyzed in the USBR technical reports that comprise up App. 8A do not appear to be the same alternatives analyzed in the DEIR/S. It's worth noting that sediment entrainment by the TCC appears to increase by 55%. The GCID diversion would increase sediment entrainment by 46%.	
24	34	51200	Pg. 8-25, paragraph 4: The DEIR/S states that "It is not certain how Alternative B would affect the shaded riverine aquatic habitat that occurs along the banks of a stream." The USFWS considers shaded riverine aquatic (SRA) habitat to be Resource Category 1 habitat that represents "one-of-a-kind areas" which "cannot be replaced" [Footnote 10: Impacts of Riprapping to Aquatic Organisms and River Function, Lower Sacramento River, California, June 2004 2nd Edition, USFWS]. This statement underscores the need to more fully analyze this impact. At the minimum, The DEIR/S must acknowledge that impacts to SRA are potentially significant.	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.
24	35	51200	Pg. 8-27, paragraphs 4-5 & 7: The DEIR/S again cites sediment entrainment numbers under Alt. C not found in App. 8A. It's again worth noting that the sediment entrainment increase at the TCC and GCID diversions amount to 20-21%. The 7th paragraph refers to Alt. A. This appears to be incorrect since this section focuses on the impacts of Alt. C.	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.
24	36	51200	Pg. 8-28: Paragraph 5 refers to Alternative B when the narrative is about Alt. C. Regarding the statement about SRA habitat in paragraph 7, please refer to our comment about the identical statement found on pg. 8-25.	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.
24	37	51200	Pg. 8-30, paragraph 1: The DEIR/S states that "Sacramento River flows and diversion flows are similar under Alternative D and Alternative A…" and yet, Alt. A creates a 1.3 million-acre-foot (MAF) reservoir and Alt. D is a 1.8 MAF reservoir, which is 38% larger. Logically, this would require longer diversions from the river and calls into question the proceeding statement that "model results are similar under Alternative D and Alternative A."	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.

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24	38	51200	Pg. 8-30, last paragraph: The DEIR/S states that "Because no potentially significant impacts were identified, no mitigation is required or recommended." This conclusion is simply incorrect, given that Chapter 8 has obvious errors, cites a document that does not include the data discussed and considers project alternatives that may be different from those analyzed in the DEIR/S, and cites another document that calls for additional study. Further, the statement concerning uncertain impacts on SRA requires a "potentially significant impact" conclusion.	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.
24	39	51800	Chapter 14. Terrestrial Biological Resources Pg. 14-23, paragraph 1: The DEIR/S states of the 15 special status wildlife species that potentially inhabit the primary study area, five species were documented in field surveys. But the species descriptions on pages 14-24 to 14-28 identify six special status species present in the primary study area, including bald eagle (active nesting site), valley elderberry longhorn beetle, greater sandhill crane, Swainson's hawk, tricolored blackbird, and giant garder snake. Please explain this discrepancy.	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.
24	40	51800	Pg. 14-29, last paragraph: The DEIR/S states that of the 45 species of concern or state fully protected species, 29 species were documented in the field surveys. But the species descriptions on pages 14-30 to 14-41 identify 28 species. Please explain this discrepancy.	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.
24	41	11000	Pg. 14-58, paragraph 4: The DEIR/S states "Operational modeling indicates that Sacramento River flows would meet or exceed the Biological Opinion for the Long-term Central Valley Project Operations Criteria and Plan requirements with or without the Project (USFWS, 2008a). USBR recently published a Notice of Intent to prepare an EIS to revise the Coordinated Long-Term Operation of the CVP and SWP. The primary purpose of this revision, as directed by Congress, is to maximize water supply delivery. The DEIR/S should analyze the effects of revised CVP/SWP operations and determine whether the "meet or exceed" statement remains true.	Please refer to Chapter 31, *Cumulative Impacts,* which includes a list of projects considered in the cumulative analysis, including Reclamation's Reinitiation of Consultation on the Coordinated Long-Term Operation of the Central Valley Project and State Water Project Biological Opinion.
24	42	51200	Pg. 14-58, paragraph 5: The DEIR/S states that modeling indicates that the Sacramento River's riparian vegetation would increase or remain the same under Alternative A. It's stated on	Please see Response to Comment 24-1, above. The alternatives been revised significantly since the 2017 Draft EIR/EIS; revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS. Please

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			pg. 14-123, that Alt. D's secondary study area impacts on Sacramento River riparian habitat will not be "substantially different" from Alts. A and C. We dispute this finding. See comments on Chapter 8. Fluvial Geomorphology. Alts. D and C include reservoirs that are 38% larger than Alt. A, which will require longer diversion times and more water overall diverted from the Sacramento River. There is a serious modeling problem if it fails to find any substantial difference in flows and flow impacts between Alt. A and Alts. D and C.	refer to Chapter 2, Project Description *and Alternatives* and Chapter 7, *Fluvial Geomorphology*.
24	43	51800	Pg. 14-126, Table 14-26: Mitigation measures that reduce nearly all impacts identified in this table to "less than significant" fail to provide sufficient information to assure the public that these serious impacts will indeed be reduced to insignificance. For example, Mitigation Measure Wild-1b requires a combination of habitat protection, enhancement, and restoration on riparian habitat and other natural communities. This mitigation measure should be tied directly to the acreages of habitat type identified in tables for each alternative. Other measures lack details. What exactly does it mean to "Implement Protective Actions" to mitigate impacts to burrowing owl to less than significant levels?	Please see Response to Comment 24-1, above. Revised analysis based on changes to the Project and updated database searches and desktop analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS. Master Response 6, *Vegetation, Wetland, and Wildlife Resources* addresses the adequacy of mitigation. As noted in Master Response 6, the EIR/EIS "employs all five of the CEQA Guidelines mitigation approaches to reduce impacts on biological resources from the Project. The general approach to mitigation for the Project is that the RDEIR/SDEIS first identifies whether the potential environmental effects of each Project alternative—whether permanent or temporary—are significant and adverse. For significant adverse impacts, the RDEIR/SDEIS then considers whether mitigation measures would lessen the effects and, if so, analyzes whether the mitigation measures would reduce the impact to less than significant levels… While NEPA requires agencies to take a "hard look" at environmental consequences, it does not impose a duty to mitigate environmental impacts. The analyses of the Project alternatives, which include mitigation measures as summarized in tables titled *Summary of Construction Impacts and Mitigation Measures for Vegetation and Wetland Resources* and *Summary of Operations Impacts and Mitigation Measures for Vegetation and Wetland Resources* in Chapter 9 and tables titled *Summary of Construction Impacts and Mitigation Measures for Wildlife Resources* and *Summary of Operation Impacts and Mitigation Measures for Wildlife Resources* in Chapter 10, are consistent with these requirements.
24	44	52000	Chapter 16. Geology, Minerals, Soils, and Paleontology There is no mention of mercury in this chapter. Mercury is	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.

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			discussed extensively in Chapter 7. Surface Water Quality, but that chapter focuses primarily on mercury from upstream sources in the Sacramento River watershed. The proposed Sites Reservoir is in California's coast range, a well-known as a source of mercury. An extensive mercury mining district was located just south of the Antelope Valley. The valley itself appears to possess the pre-requisite geology to potentially produce mercury. Mercury deposits in western California are found near a thrust fault that separates the Franciscan Assemblage and the Great Valley Sequence [Footnote 11: Mineralium Deposita 1984, Mercury Deposits of Western California: an Overview, P.A. Studemeister, University of Ottawa Geology Dept.]. The most abundant rock of the Franciscan complex is muddy, low-density sandstone where many cinnabar (mercury) deposits were found. Cinnabar was also deposited in the sandstone of the Great Valley sequence [Footnote 12: Johnston, A.S., Mercury and the Making of California, University Press of Colorado, 2013]. DEIR/S Table 16-3 on pg. 16-13 confirms that both the Franciscan formation and Great Valley rock units are found in or adjacent to the primary study area. And yet, there is no discussion about mercury naturally occurring in the rocks and soil that will be covered by the reservoir and potentially polluting any water released from the reservoir. This issue requires thorough investigation to address potential mercury pollution from the reservoir site in the DEIR/S.	Mercury is addressed in Chapter 12, Geology and Soils.
24	45	21500	XI. Conclusion For all the reasons noted above, Friends of the River requests the withdrawal of the DEIR/S, its revision, and re-release for additional public review and comment.	Please refer to Response to Comment 24-1, above.
24	46	51600	The DEIR/S must be withdrawn and revised with more information and better quantification of salmonid improvements and how these improvements could be achieved without Sites.	Please refer to Response to Comment 24-1, above.

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25	1	21500	Overall, the DEIR/S is incomplete and deficient. Much of the document appears to be boilerplate from DWR's 2013 administrative DEIR for the same project. In addition, our review discovered numerous instances were absolute mistakes have been made. Our impression is that this important document was rushed out the door for public review to meet California Water Commission funding deadlines. We believe that the Sites JPA should withdraw this inadequate DEIR/S, revise it to correct mistakes, including additional information concerning the many issues raised by the public, and recirculate it for further public review and comment.	See Response to Comment 24-1Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in the extensive review of additional alternatives and revised modeling to further refine the Project. A Revised Draft Environmental Impact Report/Supplemental Draft Impact Statement (RDEIR/SDEIS) was released in 2021. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. The Final EIR/EIS also includes chapters and appendices that have been updated based on revised modeling results and minor corrections and clarifications resulting from comments received on the RDEIR/SDEIS. Please refer to Appendix 2B, Additional Alternatives Screening and Evaluation, which describes the process undertaken since 2017 to identify additional or revised alternatives, including design and operational refinements. In May 2019, the Authority initiated a series of focused discussions with the California Natural Resources Agency regarding Project planning and intended operations. The purpose of these discussions was to address the effects of the Project on the State's public trust resources and further refine the Project facilities and operational characteristics consistent with what would be affordable for member participants and also to meet applicable permitting requirements. The Authority met with the aquatics and terrestrial technical teams from the California Department of Fish and Wildlife (CDFW) several times between May and September 2019 to explore refinements to Project operations and facilities. During and following this process, the Authority revised the Project operational components and eliminated or modified previously proposed facilities to ensure an affordable Project capable of providing a sufficient and reliable water supply and dedicated ecosystem benefits. These revised components include revised 2019 operational scenarios/criteria, proposed conservation measures, and a science and adaptive management strategy. It also included removing the Delevan Intake, revisions to the operational criteria and less water being pumped from the Sacramento River on average, as well as reducing the footprint of the reservoir from a maximum of 1.8 MAF to 1.5 MAF.

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25	2	32000	I. The DEIR/S does not provide an adequate description of the project. The DEIR/S does not provide an adequate description of the project. It fails to describe how the project will be operated. Although one operation scenario is described in the accompanying Feasibility Report, it is unclear that the operation summarized in the report is encompassed by any of the DEIR/S alternatives. The Feasibility Report summarizes CVP/SWP contract deliveries and environmental water deliveries under each Alternative in Table ES-2. No similar table is found in the DEIR/S, making it difficult to determine whether the Feasibility Report is describing the same project operationally as the one in the DEIR/S.	Please refer to Chapter 2, *Project Description and Alternatives* which includes the revised description recirculated with the RDEIR/SDEIS and refinements.
25	3	32100	The DEIR/S also fails to identify the preferred environmental uses of Sites water. Instead, a menu of different environmental uses is offered but none are identified as preferable, leaving reviewers to wonder which environmental benefits the final project will provide.	Please refer to Chapter 2, *Project Description and Alternatives* which includes the identification of Alternative 3 as the preferred project. Benefits of the Project that have been demonstrated through the revised analysis included in Chapter 5, *Surface Water Resources*, Chapter 10, *Wildlife Resources*, Chapter 11, *Aquatic Biological Resources* and outlined in Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments*, Master Response 2, *Alternatives Description and Baseline*, and Master Response 5, *Aquatic Biological Resources*. Benefits include: Ecosystem Benefits • Provide incremental Level 4 Refuge water supply benefits as identified under the Water Storage Investment Program. • Provide additional flow into the Yolo Bypass to benefit delta smelt. Deliveries would increase desirable food sources in the late summer and early fall. • Exchanges and investment by Reclamation have the potential to assist the CVP and SWP in meeting their regulatory obligations, authorized purpose, and improving conditions to protect, restore and enhance fish, wildlife, and associated habitats. • Increases freshwater habitat for species such as such as bald eagle, dabbling ducks, water birds, along with gull and pelican species. • Water source for terrestrial species such as elk, deer, and

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				badger. Anadromous fish benefits • Enhanced opportunity for cold water pool management in Shasta Lake. • Enhanced frequency and amount of spring pulse flows in the upper Sacramento River. • Better ability to maintain stable river flows in the upper Sacramento River in the fall. • Exchanges with Shasta Lake would be formulated to target cold-water pool preservation and anadromous fish benefits. Project results in an overall increase in the population of endangered winter-run Chinook salmon.
25	4	12000	The DEIR/S is also unclear as to who operates the project and who will assume the responsibility for meeting project outputs and environmental compliance.	Please refer to Chapter 2, Project Description and Alternatives which identifies that the Authority will construct and operate the Project.
25	5	31000	II. The DEIR/S does not offer an adequate range of alternatives. The DEIR/S focuses largely on alternatives that maximize storage. Three of the four retained alternatives include a 1.8 million acre feet (MAF) reservoir and one alternative on a 1.3 MAF reservoir. The .8 MAF alternative was eliminated in the preliminary evaluation without any discussion about the impacts and benefits of this alternative in comparison to the larger reservoir alternatives. The alternatives examined in detail do not offer a range of different environmental benefits.	Please refer to Response to Comment 25-1, above. Please refer to Master Response 9, *Alternatives Development,* which discusses CEQA and NEPA requirements for developing the reasonable range of feasible alternatives for evaluation in the EIR/EIS.
25	6	31100	None of the alternatives consider the potentially significant impacts of the Sites project on other concurrent actions. These include the California Water Fix, Water Board's Phase II update of the Bay-Delta Water Quality Plan, Central Valley Flood Protection Plan, Yolo Bypass Salmonid Habitat Restoration and Fish Passage Project, and other projects and actions.	Please refer to Master Response 9, *Alternatives Development,* which discusses feasibility and applicability of other proposed alternatives identified by commenters. Chapter 31, Cumulative Impacts addresses the project's potential contribution to cumulative effects of past, present and future projects.
25	7	32100	No preferred alternative is identified, leaving reviewers to assume that Alt. C or D will likely be the alternative chosen in the final EIR/S. However, USBR NEPA guidelines require evaluation of all resource management alternatives, including a preferred alternative.	See Response to Comment 25-3, above.
25	8	10000	The same guidelines also note that essential consultation with the USFWS and other agencies is usually initiated for a preferred	See Chapter 33, *Consultation and Coordination and List of Preparers*, informal and formal consultation has been ongoing with regulatory

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			alternative. The DEIR/S alternatives analysis would benefit substantially from consultation with other agencies.	agencies.
25	9	13000	III. The DEIR/S fails to include any meaningful information about water rights. The DEIR/S fails to include any meaningful information about water rights needed to operate the project. The project intends to use water from Sacramento River tributaries and cites a 1977 water rights application submitted by the state. But little or no information is provided on how the project will ensure that only tributary water will be diverted to Sites. Nor does it address the issue of water rights over-allocation or the Water Board's Phase II process.	Please see Chapter 2, Project Description and Alternatives. The Authority filed its water right application for the Project with the State Water Board in May 2022 (application number A025517X01). The application identifies the Sacramento River as the source of water and includes two proposed points of diversion on the Sacramento River: 1) the RBPP and 2) diversions at Hamilton City.
25	10	50000	IV. The DEIR/S fails to adequately consider the impacts of Sites diversions on the Sacramento River. The DEIR/S fails to adequately consider the impacts of Sites diversions on the Sacramento River and the river's flow-driven ecosystems, which support numerous sensitive, threatened, and endangered species. A major deficiency in the DEIR/S is that the Sacramento River, the source of water used to fill the Sites Reservoir, is considered part of the Secondary Study Area, with the implication that this secondary area requires less rigor in the analysis.	See Response to Comment 25-1 and 25-2, above.
25	11	51200	We believe that the DEIR/S is incorrect in asserting that impacts to the river will be less than significant. The DEIR/S does admit that project impacts on the Sacramento River's shaded riverine aquatic (SRA) habitat is unknown but fails to disclose this as a potentially significant impact. At the minimum, we believe the reach of the Sacramento River directly affected by Sites diversions should be included in the Primary Study Area, that further analysis is needed, and that impacts on the river and its SRA habitat should be considered potentially significant.	See Response to Comment 825-1 and 25-2, above.
25	12	40000	Models – Much of the DEIR/S analysis depends on the use of computer models with known deficiencies, particularly CALSIM II. CALSIM II's "daily flow disaggregation below Red Bluff Diversion Dam (RBDD) is known to be flawed…flows below RBDD are for testing and demonstration purposes only" [Footnote 1: ESSA	Please refer to Master Response 3, *Hydrology and Hydrologic Modeling,* which discusses the use of CALSIM II and the modeling time step.

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			Technologies, March 2008, SacEFT Analysis Results Appendix F, pg. F-3]. According to a National Academy of Sciences assessment, many CALSIM II users believe that the model's primary limitation is its monthly time step and that the model should be used primarily for comparative analysis between scenarios, but its use for absolute predictions should be discouraged. This same assessment found that although use of models like CALSIM II is justified despite flaws, these models do not go far enough toward an integrated analysis of reasonable and prudent alternatives, and improvements were needed [Footnote 2: National Academy of Sciences 2010, A Scientific Assessment of Alternatives for Reducing Water Management Effects on Threatened and Endangered Fishes in California's Bay Delta]. Further, even USBR admits that the CALSIM II disaggregation process used to simulate daily flows for modeling water quality "results in a crude representation of flow and temperature conditions on a daily time scale" [Footnote 3: USBR, Fish and Wildlife Coordination Act Report Appendix, Shasta Lake Water Resources Investigation, June 2013]. The DEIR/S asserts that the problems with CALSIM II have been rectified with a new model, USRDOM, but no information is provided as to the provenance and accuracy of this model, or even if it has been peer reviewed. Four other models utilized to analyze various impacts on the Sacramento River are based on the CALSIM II/USRDOM models, which increases risk and uncertainty if these models are inadequate.	
25	13	21100	Environmental Standards – The DEIR/S bases its finding of no significant impact on the assertion that the project will be operated to meet existing flow standards for the Sacramento River and existing requirements established in biological opinions for threatened and endangered fish in the river. But these flow standards are inadequate. They are intended to meet water temperature targets for the river upstream of Red Bluff and to ensure that a minimum amount of salmonid spawning habitat is covered. The	Please see Response to Comment 25-1, above. Please also refer to the updated analysis in Chapter 11, *Aquatic Biological Resources*.

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			existing minimum flows of 3,250 CFS and BiOp requirements have largely failed to prevent the continued decline of Sacramento River salmonids. The standard that ensures a minimum flow in the Sacramento River of 5,000 CFS is intended to provide for commercial river traffic that no longer exists and is not based on environmental needs. No standards have been established to ensure that flows are provided to maintain the river's complex flow-driven riparian and aquatic ecosystems. Claiming less than significant impacts based on compliance with weak and inadequate standards is a major flaw in the DEIR/S that must be rectified. Any "take" of water from an already over-allocated and stressed riverine system that supports many threatened and endangered species is, by definition, a significant impact.	
25	14	51200	Flow tables in the DEIR/S appendices confirm that the project will divert water much of the year and in virtually all water years, which will increase the likelihood that river flow will be reduced to minimum levels. There is little or no information available about the potential impacts to the Sacramento River associated with the project reducing river flow to minimum levels, particularly in dry and critically dry years. On average, the project will reduce flows in the Sacramento River downstream of Red Bluff 11 months out of the year and by as much as 8.3% in March (an important month for riparian habitat regeneration). Even more significant flow reductions will also occur in the Sacramento River in critically dry years during March. But because the project will meet the currently inadequate minimum flow standard, the DEIR/S assumes no significant impact.	Please see Response to Comment 24-1, above. The RDEIR/SDEIS analyzed the revised project and alternatives, providing completely new appendices which have been updated for the Final EIR/EIS based on updated modeling undertaken in response to comments.
25	15	52400	Public Lands & Land Use – The DEIR/S notes that non-compliance with existing land use plans is a significant unavoidable impact. But the Land Use chapter primarily focuses on non-compliance with county general plans and barely acknowledges land use associated with federal and state public lands along the Sacramento River. Federal and state agencies, as well as many non-governmental organizations, have spent millions of dollars to acquire lands	The Final EIR/EIS has looked at all applicable plans in the analysis, (see Chapter 2, *Project Description and Alternatives*, and Chapter 14, *Land Use*) consistent with CEQA and NEPA.

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			along the Sacramento River to protect and restore riparian habitat and to provide public recreation opportunities. At least 20,000 acres of public lands are located on the river between Red Bluff and Colusa, including units of the Sacramento River National Wildlife Refuge, the Sacramento State Wildlife Area, and three state parks. The presence and ecological health of these public lands, even where they are adjacent to proposed project facilities, are virtually ignored in the DEIR/S. Existing and restored riparian habitat on these public lands depend on Sacramento River flows, which will be modified by the project. The Land Use chapter also fails to recognize the Upper Sacramento River Fisheries and Riparian Habitat Plan (aka, the S.B. 1086 plan) or its implementing entity, the Sacramento River Conservation Forum as land use plans. Compliance with these impact plans must be assessed in the DEIR/S.	
25	16	51100	V. The DEIR/S fails to adequately describe potential project impacts on Sacramento River water quality. The DEIR/S claim of less than significant project impacts on water quality creates a high level of concern. Sites is a relatively shallow reservoir located in a part of the Sacramento Valley known for its extreme summer temperatures. And yet the models used to assess temperature impacts associated with Sites releases into the Sacramento River suggest that temperature impacts will be minimal (in many cases, less than 1% change in temperatures). This claim challenges all logic and raises concerns that the USRWQM, CALSIM II and USRDOM models are inadequate to accurately assess these impacts.	Please refer to Chapter 6, *Surface Water Quality,* which addresses the Project's potentially water quality impacts and identifies mitigation to reduce impacts: • Mitigation Measure WQ-1.1: Methylmercury Management • Mitigation Measure WQ-2.1: Prevent Metals Impacts in Stone Corral Creek Associated with Sites Reservoir Discharge • Mitigation Measure WQ-2.2: Prevent Net Detrimental Metal and Pesticide Effects Associated with Moving Colusa Basin Drain Water Through the Yolo Bypass However, with this mitigation the Final EIR/EIS concludes that impacts would not be mitigated to less-than-significant levels.
25	17	11100	In addition, helping to meet water quality standards is a primary environmental benefit from Sites, and yet this benefit remains unquantified. Documents produced by DWR and the Sites JPA suggest that the Delta water quality benefit simply disappears when the Delta tunnels are constructed. The DEIR/S fails to disclose where this environmental water goes if the tunnels become a reality.	Please refer to Chapter 31, *Cumulative Impacts* for a discussion of cumulative projects including the Delta Conveyance Project.
25	18	52100	VI. The DEIR/S fails to adequately address the potential for reservoir-triggered seismicity (RTS), particularly on local communities and structures.	Seismicity is addressed in Chapter 12, *Geology and Soils* under Impact GEO-2: Would the Project result in reservoir-triggered seismicity or be subject to a seiche, which was found to have a less

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			The DEIR/S discounts the possibility of the Sites reservoir triggering an earthquake. It notes that RTS earthquakes are primarily associated with reservoirs deeper than Sites. But the DEIR/S fails to fully examine the role that frequent filling and emptying of Sites would play in potentially triggering earthquakes. Faults beneath the reservoir footprint are capable of producing up to scale 7 earthquakes. Triggering of such quakes by Sites has serious implications for unreinforced structures in homes, ranches, and communities adjacent to the reservoir. The DEIR/S discounts the possibility of Sites triggering a seismic event because the reservoir is slightly smaller than the large reservoirs typically associated with RTS and because the faults beneath the reservoir and the associated rocks are compressed and have relatively low permeability. Nevertheless, the DEIR/S does admit that smaller reservoirs have been known to create RTS and at least one of two existing reservoirs located along the same fault system has been subject to RTS.	than significant impact/no effect.
25	19	52100	The DEIR/S fails to address the fact that repeated filling and draining of Sites is an important RTS factor. Protracted RTS (occurring long after a reservoir was initially filled) depends on the frequency and amplitude of lake-level changes, reservoir dimensions, and hydromechanical properties of the substratum. Earthquakes are associated with large and/or rapid lake-level rises. The Monticello Reservoir in South Carolina, which is much smaller than Sites, has experienced protracted RTS, perhaps because it's a pumped storage facility similar to Sites. In addition, RTS seems restricted to shallow depths with pumped storage reservoirs [Footnote 4: Talwani, Pradeep. On the Nature of Reservoir-induced Seismicity. Pure and Applied Geophysics, 1997]. Located across the Coast Range west of Sites, Lake Mendocino in Mendocino County is both smaller and shallower than Sites, but it too has experienced RTS associated with the refilling of the reservoir after the 1976-77 drought [Footnote 5: Toppozada, T.R. and C.H. Cramer, Ukiah Earthquake, 25 March 1978: Seismicity Possibly Induced by Lake Mendocino, California Geology, December 1978].	Chapter 12, *Geology and Soils* included the analysis of Impact GEO-2: Result in reservoir-triggered seismicity or be subject to a seiche.
25	20	52100	The DEIR/S needs to provide a more robust assessment of	See Response to Comment 25-19, above

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			potential RTS at Sites and its implications, particularly regarding public safety and the potential RTS threat to unreinforced buildings and structures adjacent to Sites.	
25	21	52900	VII. The DEIR/S fails to adequately address the potential for the project to increase greenhouse gases that contribute to global climate change. Most of Chapter 24. Climate Change and Greenhouse Gas Emissions focuses on the Sites project's production of greenhouse gas (GHG) emissions associated with construction and pumped storage operations. The relatively brief section addressing the known effect of reservoirs passively producing GHGs (primarily CO2) concludes without any information supporting the contention in the DEIR/S that Sites is "unlikely to produce substantial GHG emissions." This statement cites Soumis 2004 and Tremblay 2005 as the source of this conclusion. Soumis assessed Shasta, Oroville, and New Melones reservoirs in California and found that Shasta and Oroville produce GHGs. We were unable to find a free copy of Tremblay 2005 on the internet to review. But given the Soumis findings, we recommend that a revised DEIR/S follow the World Bank's guidelines on GHG measurement, preliminary GHG assessment took, and methodology to investigate the potential for Sites to passively produce GHGs [Footnote 6: World Bank, Greenhous gas emissions related to freshwater reservoirs, January 2010].	Please refer to Chapter 21, *Greenhouse Gases*, and Chapter 28, *Climate Change*.
25	22	51700	VIII. The DEIR/S fails to adequately assess impacts on rare plants in the project reservoir footprint. The DEIR/S claims that all impacts on vegetation communities and rare plants are mitigated to less than significance. There is uncertainty that the federally protected Keck's checkerbloom is present in the primary study area, which requires additional scientific investigation. Given this, the impact on this specific plant should be considered potentially significant. Impacts on other rare plants present or directly adjacent to the primary study area are allegedly reduced to insignificance by following USFWS, CDFW, and CNPS compensation guidelines. However, these guidelines are not provided in the chapter or appendix,	Please see Chapter 9, *Vegetation and Wetland Resources* for the updated analysis of rare plants. Section 9.5 *Impact Analysis and Mitigation Measures* references applicable BMPs and guidelines for mitigation of impacts on special-status plant species, including Keck's Checkerbloom.

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			making it difficult for reviewers to determine whether full "compensation" is achieved. A revised DEIR/S should include the guidelines and provide sufficient explanation as to how following these guidelines reduce adverse impacts on rare plants to less than significant levels. In addition, the revised DEIR/S should confirm whether the endangered Keck's checkerbloom is found in the primary study area.	
25	23	22000	IX. The DEIR/S overstates potential project benefits for threatened and endangered salmonids. A major environmental benefit attributed to the Sites project in the DEIR/S is the potential for coordinated operations between Sites and the existing Shasta, Oroville, and Folsom dams to provide cold water suitable for threatened and endangered salmonids in the Sacramento, Feather, and American Rivers. We do not regard this as a net environmental benefit associated with Sites.	Please refer to Master Response 5, *Aquatic Biological Resources*, which discusses special-status fish species and benefits.
25	24	21400	Instead, this "benefit" is quite simply mitigation for the existing impacts of these dams. It should be noted that Prop. 1 water bond funding cannot be used to mitigate environmental impacts. Funding for such mitigation should be provided by those who directly benefit from the dam operations.	Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses special-status fish species and benefits, including the following: "Environmental benefits from the Project are achieved through a number of different mechanisms, including: • Exchanges with Storage Partners, as described in Chapter 2, Project Description and Alternatives, of the EIR/EIS (section titled Operations and Maintenance Common to Alternatives 1, 2, and 3), which provide enhanced operational flexibility and coordination opportunities between the Project, regulatory agencies, the CVP, and the SWP for achieving species benefits. Direct releases from Sites Reservoir either through the CBD and Yolo Bypass (all three alternatives) or directly into the Sacramento River approximately 10.5 river miles upstream of Knights Landing via a pipeline from the terminus of the TC Canal at Dunnigan (Alternative 2)."
25	25	51600	Even though the Sites JPA intends to spend millions of dollars of public Prop. 1 funds to provide supposed salmonid benefits, this benefit is not adequately quantified in the DEIR/S. USBR's draft	Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses special-status fish species and benefits

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			Feasibility Report does provide some quantification of salmonid benefits. On average over the full 82-year simulation period, Alt. D will boost endangered winter run chinook salmon by a modest 3.3% and threatened spring chinook salmon by 2.4%. In dry years, winter chinook numbers are slightly less (3.2%) than the average improvement, and only slightly improved above the average in critically dry years (4.8%). There is no attempt to assess whether these modest improvements are worth the public cost, or for that matter, represent a net benefit over the more difficult to assess changes caused by Sites operation in the Sacramento River's aquatic ecosystems. Further, there is not attempt to compare these benefits with other actions that could improve salmonid habitat and survival. It's important to note that the USFWS found that similar modest improvements in threatened and endangered salmonid survival generated by additional cold water from a proposed enlarged Shasta Reservoir was "very limited" [Footnote 7: USFWS, Fish and Wildlife Coordination Report for the Shasta Lake Water Resources Investigation, November 2014 (revised)]. The USFWS also found that the cold water improvement was not superior to other actions such as restoring spawning and rearing habitat, improving fish passage, increasing minimum flows, and screening unscreened water diversions. The USFWS also expressed concern that further water resources development on the Sacramento River would result in additional losses of salmonid rearing and riparian habitat and adversely affect the recruitment and natural succession of riparian habitat along the Sacramento River, which is much contributor to SRA habitat.	
25	26	32400	Scientific research has underscored the importance of the Sacramento River flood plain, including its flood bypasses, in providing optimum conditions for the growth and survival of young out-migrating salmon. The Sites DEIR/S proposes to boost spills into flood bypasses in a few select months and during a few select water years. But the narrative in the DEIR/S fails to acknowledge the cost of this action – reduced bypass spills over many more months and water years. There is no	Please refer to the revised analysis in Chapter 11, *Aquatic Biological Resources* and Master Response 5, *Aquatic Biological Resources,* which discusses special-status fish species, CEQA/NEPA requirements, and benefits.

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			information in the DEIR/S to quantify improved salmonid survival from the boosted spills in comparison to the reduced spills, making it impossible to determine whether this represents a "net" environmental benefit.	
25	27	21500	The DEIR/S must be withdrawn and revised with more information and better quantification of salmonid improvements and how these improvements could be achieved without Sites.	Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses special-status fish species, CEQA/NEPA requirements, and benefits.
25	28	30000	Chapter 2. Alternatives Analysis The range of alternatives considered in the DEIR/S is inadequate. Not only does the document focus on the largest possible reservoirs with maximum diversions from the Sacramento River, it fails to consider an adequate range of environmental purposes and benefits that could be provided by the reservoir. Although several environmental uses are mentioned in the DEIR/S, no definitive list of environmental uses is provided by alternative. There is simply a block of water apparently dedicated to environmental use, with no attempt to identify the best environmental use of this water. Instead, JPA staff have indicated that environmental use of this water will be determined later by the state. Since providing water for the environment is a major purpose of the reservoir, the DEIR/S should fully incorporate environmental water benefits in an adequate range of alternatives and not passively leave this up to the state.	Please refer to Master Response 9, *Alternatives Development,* which discusses CEQA and NEPA requirements related to the development of the objectives and purpose and need of a project, respectively, and appropriate application of the objectives and purpose and need for the Project to develop a reasonable range of feasible alternatives.
25	29	31100	Pg. 2-20, Table 2-4 and last paragraph: This table displays 15 alternatives – four alternatives that include an .8 MAF reservoir, five alternatives that include a 1.3 MAF reservoir, and six alternatives with a 1.8 MAF reservoir. The reservoir options are then filtered using three different combination of conveyance options. Ultimately, only five alternatives based on the two largest reservoir sizes are chosen for detailed analysis. Table 2-4 is heavily weighted towards the large reservoir options. The last sentence on this page implies that water supply yield was the overriding filter for formulating alternatives. Pg. 2-21, Table 2-5 and paragraph 2: The DEIR/S refers to Table 2-5 and states that it shows that "the first three reservoir storage and conveyance options…perform much better" than other	Please refer to Response to Comment 25-1 regarding changes to the Project and the expanded review of alternatives.

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			options. No explanation is given to support this conclusion, leaving reviewers to conclude that first three options appear to be "much better" to the Sites proponents simply because two of the three options include the largest reservoir and the maximum number of diversions.	
25	30	31200	The DEIR/S should more carefully consider other alternatives, such as the .8 MAF reservoir using just the new Delevan diversion to reduce flow impacts on the upstream reach of the Sacramento River where river meander is not constrained by levees. In addition, the DEIR/S should consider an alternative that minimizes storage for consumptive water uses and focuses on providing additional water for maintaining Sacramento River meander, providing wildlife refuge water supply, and other environmental purposes.	Please refer to Master Response 9, *Alternatives Development,* which discusses CEQA and NEPA requirements for developing the reasonable range of feasible alternatives for evaluation in the EIR/EIS, and feasibility and applicability of other proposed alternatives identified by commenters.
25	31	60100	Several other projects and actions are currently underway that will have serious implications for Sites operations, including the so-called "California Water Fix" (aka Delta tunnels) and the U.S. Bureau of Reclamation's (USBR) recent Notice of Intent to revise coordinated long-term operations of the CVP/SWP to maximize water deliveries. These two projects alone will have huge implications on the Sites project, but the Sites DEIR/S fails to even mention them. The lack of cumulative impact analysis of this project and other projects and actions that compete for Sacramento River water is a fatal flaw in the DEIR/S.	Please refer to Chapter 31, *Cumulative Impacts* for a discussion of cumulative projects including the Delta Conveyance Project.
25	32	11000	Chapter 6. Surface Water Resources No mention is made in this chapter of the State Water Board's (SWB) Phase II Update of the Bay-Delta Plan. The Phase II update is intended to address inflows to the Sacramento River, tributaries, and the Delta. SWB released a final Scientific Basis Report for the Update that found the Bay-Delta ecosystem to be in a state of crisis. Native fish populations have declined precipitously, "…attributed in part to flow modifications due to dams and water diversions and related operations." Upstream water diversions and exports have reduced January to June outflows by an estimated 56% in average and by more than 65%	Please refer to Chapter 31, *Cumulative Impacts* for a discussion of cumulative projects including the Bay-Delta Water Quality Control Plan Update.

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			in dry years. DEIR/S Appendices 6B and 6C show that Sites diversions will reduce spring flows even further, particularly in low water years. The SWB report stated that "flow modifications greater than 20 percent likely result in moderate to major changes in natural structure and ecosystem function." The science report proposes new inflow requirements for anadromous fish-bearing tributaries in the Sacramento River basin. The report proposes a numeric inflow objective of 35 to 75 percent of unimpaired flows [Footnote 8: State Water Resources Control Board, Scientific Basis Report in Support of New and Modified Requirements from the Sacramento River and its Tributaries and Eastside Tributaries to the Delta, Delta Outflows, Cold Water Habitat, and Interior Delta Flows. Final 2017]. Because the Sites DEIR/S complete fails to address Phase II, the potential impacts of the Sites project on Delta inflow/outflow are undisclosed. This is a major failure of the document requiring that the DEIR/S be withdrawn and revised for public review and comment to address Phase II objectives.	
25	33	21100	This chapter also fails to address the critical issue that the state has granted rights to far more water than is reliably produced annually by natural run-off. Rights have been granted to approximately five times more water than produced by the state's mean annual runoff. The greatest degree of over-appropriation is in the Sacramento and San Joaquin river basins. About 155% of the Sacramento River's mean annual runoff has been appropriated [Footnote 9: Grantham, T.E., J.H. Viers, 100 years of California's water rights system: patterns, trends, and uncertainty. Environmental Research Letters, August 2014]. Water rights overallocation becomes particularly acute and obvious in drought years.	Please see Chapter 2, *Project Description and Alternatives*. The Authority filed its water right application for the Project with the State Water Board in May 2022 (application number A025517X01). The application identifies the Sacramento River as the source of water and includes two proposed points of diversion on the Sacramento River: 1) the RBPP and 2) diversions at Hamilton City. The application includes a water availability analysis that demonstrates that there is a reasonable expectation of water available for the Project.
25	34	51000	Operation of Sites Reservoir could potentially address this problem by diverting water only in high water years and releasing water in dry years. But Sites diversions are planned in every water year type, including critically dry years. Dry year diversions will only make the water rights over-allocation	Please see Master Response 2, *Alternatives Description and Baseline* which clarifies that "the Project would only divert water during the time of the year when the Sacramento River is not fully appropriated, which is from September 1 to June 14. Further, the Project would only divert water when the Delta is in "excess

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			problem worse. According to DEIR/S Appendix 6B, critical water year diversions to Sites will reduce Sacramento River flows below the Red Bluff Diversion Dam by 11.2% in February, below Hamilton City by 13.3% in March, and below the Delevan intake by 11.8% in February. Pg. 6-12, Table 6-1: This table summarizes existing CVP/SWP water contract "demands." Just as rights have been granted to more water than is produced, water contracts promise to deliver more water than is available. Water management problems will continue so long as existing but unrealistic water rights and contracts form the baseline for perceived water demands and needs. Controversy over water management in California is based on the perception that there remains "unused" in the Sacramento and other river systems. This is simply not the case, in that all water, even the water that flows to the sea during above normal water uses, is fulfilling a critical environmental function. The DEIR/S should be withdrawn, revised to address the water rights over-allocation issue, and released for additional public review.	conditions" as determined by Reclamation and California Department of Water Resources (DWR) and as defined in the 2018 Addendum to the Coordinated Operation Agreement. The term "excess conditions" identifies when there is water in the system in excess of the needs of the SWP and CVP. This term is not intended to imply that there is "excess water" or water is being wasted to the ocean. Finally, diversions to Sites Reservoir would only occur when there are flows available above those needed to meet applicable laws, regulations, biological opinions (BiOps), incidental take permits (ITPs), existing water rights, and court orders in place at the time of diversion."
25	35	51200	Chapter 8. Fluvial Geomorphology The analysis in this chapter is adversely affected by the fact that the Sacramento River between Red Bluff and Colusa is considered part of the Secondary Study Area. The Sacramento River is the source of the water to fill the reservoir. To consider the affected river reach to be part of the Secondary Study Area implies that less rigor and analysis is required. Pg. 8-7, paragraph 2: The DEIR/S cites the 2000 report, Flow Regime Requirements for Habitat Restoration along the Sacramento River Between Colusa and Red Bluff (CALFED, DWR). It correctly notes that the "study indicated that the overall flow regime requirements for the Sacramento River could not be determined without further long-term studies…" Since these long-term studies have not be conducted or completed, this raises the serious concern that the DEIR/S conclusion that Sites	Please see Response to Comment 24-1, above. The RDEIR/SDEIS and Final EIR/EIS do not use the "Secondary Study Area" in the approach to analysis.

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			will have a less than significant impact on Sacramento River fluvial geomorphology, riparian habitat, and river meanders is simply not supported by adequate knowledge and data.	
25	36	40000	Pg. 8-17, paragraph 4: Using historical daily flow patterns to calculate flow projections from the monthly CALSIM II results does not provide an adequate analysis of potential impacts. This is a long-standing criticism of CALSIM II. According to Appendix 6C, the average monthly flows provided by CALSIM II are "downscaled" to provide an estimate of daily flows by another model, USRDOM. The provenance of USRDOM is unknown. It does not appear to be referenced in Reference Chapter 37. An internet search found references to USRDOM in respect to this DEIR/S and in background documents provided to the California Water Commission, but little else. The USRDOM model wasn't used in similar recent analyses, such as the 2014 Shasta Lake Water Resources Investigation. Appendix 6C does not disclose the source of the USRDOM model or whether it has been peer reviewed. Further, Appendix 6C provides no information on how USRDOM "downscales" monthly flows into daily flows. Without this important background, reviewers must assume that USRDOM simply divides CALSIM II's monthly flow average by the number of days in the month to provide an estimate of daily flows. If this is the case, then estimating flow impacts using CALSIM II still has serious drawbacks.	Please see Chapter 5, *Surface Water Resources* and Master Response 3, *Hydrology and Hydrologic Modeling* for the revised modeling approach and results.
25	37	51200	Pg. 8-17, paragraph 5: Appendix 8A is cited as the source of information to determine the impact of the project on sediment transport capacity. Appendix 8A is USBR Technical Report No. SRH-2011-21, Sacramento River Migration Analysis of NODOS Alternatives. The alternatives analyzed in this 2011 technical report do not appear to be the alternatives analyzed in the 2017 Sites DEIR/S and the report's conclusions cannot be automatically incorporated into the DEIR/S without further analysis and explanation.	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.
25	38	51200	Pg. 8-18, paragraphs 2 & 5: The SRH-Meander, SRH-1DV (vegetation), and the SacEFT (ecological flows) models are cited as informing this analysis. Although not specifically cited, this discussion seems to be derived from USBR Technical Report No.	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.

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			SRH-2009-27, Calibration of Numerical Models for the Simulation of Sediment Transport, River Migration, and Vegetation Growth on the Sacramento River, California, NODOS Investigation Report, March 2011. This technical report cites five models analyzed, noting that: "…no single model can simulate all the interacting river processes in complete detail. The strategy applied in this investigation was to use models that focus on difference processes and different scales so that a more complete understanding of each process, and process interactions, could be understood. Five models are used to examine hydraulics, sediment transport, river meandering, and vegetation establishment and survival." Pg. vii No explanation is given as to why just three of the five models are cited in Chapter 8.	
25	39	51200	Pg. 8-23, last paragraph; Pg. 24, paragraphs 1-2: The DEIS states that sediment entrainment by the Tehama-Colusa Canal (TCC) under Alt. B would be "approximately 62,000 tons per years as compared to 40,000 tons under the Existing Conditions/No Project/No Action Condition" and cites Appendix 8A as the source of this information. We can find no such information in App. 8A. Further, as previously noted, the alternatives analyzed in the USBR technical reports that comprise App. 8A do not appear to be the same alternatives analyzed in the DEIR/S. It's worth noting that sediment entrainment by the TCC appears to increase by 55%. The GCID diversion would increase sediment entrainment by 46%. This suggests significant sediment entrainment that could impact river meander and riparian succession.	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.
25	40	51200	Pg. 8-25, paragraph 4: The DEIR/S states that "It is not certain how Alternative B would affect the shaded riverine aquatic (SRA) habitat that occurs along the banks of a stream." The USFWS considers SRA habitat to be Resource Category 1, representing "one-of-a-kind areas" that "cannot be replaced" [Footnote 10: Impacts of Riprapping to Aquatic Organisms and River Function,	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.

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			Lower Sacramento River, California, June 2004 2nd Edition, USFWS]. This statement underscores the need to more fully analyze this impact. At the minimum, The DEIR/S must acknowledge that impacts to SRA are potentially significant.	
25	41	51200	Pg. 8-27, paragraphs 4-5 & 7: The DEIR/S again cites sediment entrainment numbers under Alt. C not found in App. 8A. It's again worth noting that the sediment entrainment increase at the TCC and GCID diversions amount to 20-21%, which seems substantial. The 7th paragraph refers to Alt. A. This appears to be incorrect since this section focuses on the impacts of Alt. C.	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.
25	42	51200	Pg. 8-28: Paragraph 5 refers to Alternative B when the narrative is about Alt. C. Regarding the statement about SRA habitat in paragraph 7, please refer to our comment about the identical statement found on pg. 8-25.	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.
25	43	51200	Pg. 8-30, paragraph 1: The DEIR/S states that "Sacramento River flows and diversion flows are similar under Alternative D and Alternative A…" and yet, Alt. A creates a 1.3 million-acre-foot (MAF) reservoir and Alt. D is a 1.8 MAF reservoir, which is 38% larger. Logically, this would require longer diversions from the river and calls into question the preceding statement that "model results are similar under Alternative D and Alternative A."	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.
25	44	51200	Pg. 8-30, last paragraph: The DEIR/S states that "Because no potentially significant impacts were identified, no mitigation is required or recommended." This conclusion is simply incorrect, given that Chapter 8 has obvious errors, cites a document that does not include the data discussed and considers project alternatives that may be different from those analyzed in the DEIR/S, and cites another document that calls for additional study. Further, the statement concerning uncertain impacts on SRA requires a "potentially significant impact" conclusion.	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.
25	45	51800	Chapter 14. Terrestrial Biological Resources Pg. 14-23, paragraph 1: The DEIR/S states that 15 special status wildlife species potentially inhabit the primary study area, of which five species were documented in field surveys. But the species descriptions on pages 14-24 to 14-28 identify six special status species present in or directly adjacent to the primary study area, including bald eagle (active nesting site), valley	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.

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			elderberry longhorn beetle, greater sandhill crane, Swainson's hawk, tricolored blackbird, and giant garder snake. Please explain this discrepancy.	
25	46	51800	Pg. 14-29, last paragraph: The DEIR/S states that of the 45 species of concern or state fully protected species, 29 species were documented in the field surveys. But the species descriptions on pages 14-30 to 14-41 identify 28 species. Please explain this discrepancy.	Please see Response to Comment 24-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS.
25	47	11000	Pg. 14-58, paragraph 4: The DEIR/S states "Operational modeling indicates that Sacramento River flows would meet or exceed the Biological Opinion for the Long-term Central Valley Project Operations Criteria and Plan requirements with or without the Project (USFWS, 2008a). As previously noted, this BiOp and others have failed to stop the decline of threatened and endangered salmonids and other wildlife species. USBR recently published a Notice of Intent to prepare an EIS to revise the Coordinated Long-Term Operation of the CVP and SWP. The primary purpose of this revision, as directed by Congress, is to maximize water supply delivery. This would increase threats to species already on the brink of extinction. The DEIR/S should analyze the effects of revised CVP/SWP operations and determine whether the "meet or exceed" statement remains true.	Please refer to Chapter 31, Cumulative Impacts which includes a list of project considered in the cumulative analysis, including Reclamation's Reinitiation of Consultation on the Coordinated Long-Term Operation of the Central Valley Project and State Water Project Biological Opinion.
25	48	51200	Pg. 14-58, paragraph 5: The DEIR/S states that modeling indicates that the Sacramento River's riparian vegetation would increase or remain the same under Alternative A. It's stated on pg. 14-123, that Alt. D's secondary study area impacts on Sacramento River riparian habitat will not be "substantially different" from Alts. A and C. We dispute these findings. See comments on Chapter 8. Fluvial Geomorphology. Alts. D and C include reservoirs that are 38% larger than Alt. A, which will require longer diversion times and more water overall diverted from the Sacramento River. There is a serious modeling problem if it fails to find any substantial difference in flows and flow impacts between Alt. A and Alts. D and C.	Please see Response to Comment 24-1, above. The alternatives been revised significantly since the 2017 Draft EIR/EIS; revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS. Please refer to Chapter 2, *Project Description and Alternatives* and Chapter 7, *Fluvial Geomorphology*.
25	49	51800	Pg. 14-126, Table 14-26: This table lists vague mitigation measures that reduce nearly all impacts identified in this table to	Please see Response to Comment 25-1, above. Revised analysis based on changes to the project and updated database searches

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			"less than significant" and fails to provide sufficient information to assure the public that these serious impacts will indeed be reduced to insignificance. For example, Mitigation Measure Wild-1b requires a combination of habitat protection, enhancement, and restoration for riparian habitat and other natural communities. This mitigation measure should be tied directly to the acreages of habitat type identified in tables for each alternative and how much habitat will be acquired and restored. Other measures also lack details. For example, what exactly does it mean to "Implement Protective Actions" to mitigate impacts to burrowing owl to less than significant levels?	and desktop analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS. Master Response 6, *Vegetation, Wetland, and Wildlife Resources* addresses the adequacy of mitigation. As noted in Master Response 6, the EIR/EIS "employs all five of the CEQA Guidelines mitigation approaches to reduce impacts on biological resources from the Project. The general approach to mitigation for the Project is that the RDEIR/SDEIS first identifies whether the potential environmental effects of each Project alternative—whether permanent or temporary—are significant and adverse. For significant adverse impacts, the RDEIR/SDEIS then considers whether mitigation measures would lessen the effects and, if so, analyzes whether the mitigation measures would reduce the impact to less than significant levels… While NEPA requires agencies to take a "hard look" at environmental consequences, it does not impose a duty to mitigate environmental impacts. The analyses of the Project alternatives, which include mitigation measures as summarized in tables titled *Summary of Construction Impacts and Mitigation Measures for Vegetation and Wetland Resources* and *Summary of Operations Impacts and Mitigation Measures for Vegetation and Wetland Resources* in Chapter 9 and tables titled *Summary of Construction Impacts and Mitigation Measures for Wildlife Resources* and *Summary of Operation Impacts and Mitigation Measures for Wildlife Resources* in Chapter 10, are consistent with these requirements.
25	50	52000	Chapter 16. Geology, Minerals, Soils, and Paleontology There is no mention of mercury in this chapter. Mercury is discussed extensively in Chapter 7. Surface Water Quality, but that chapter focuses primarily on mercury from upstream sources in the Sacramento River watershed. The proposed Sites Reservoir is in California's coast range, a well-known natural source of mercury. An extensive mercury mining district was located just south of the Antelope Valley. The valley itself appears to possess the pre-requisite geology to potentially produce mercury. Mercury deposits in western California are found near a thrust fault that separates the Franciscan Assemblage and the Great	Please see Response to Comment 25-1, above. Revised analysis has been included in both the RDEIR/SDEIS and this Final EIR/EIS. Mercury is addressed in Chapter 12, Geology and Soils.

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			Valley Sequence [Footnote 11: Mineralium Deposita 1984, Mercury Deposits of Western California: an Overview, P.A. Studemeister, University of Ottawa Geology Dept]. The most abundant rock of the Franciscan complex is muddy, low-density sandstone where cinnabar (mercury) deposits are found. Cinnabar was also deposited in the sandstone of the Great Valley sequence [Footnote 12: Johnston, A.S., Mercury and the Making of California, University Press of Colorado, 2013]. DEIR/S Table 16-3 on pg. 16-13 confirms that both the Franciscan formation and Great Valley rock units are found in or adjacent to the primary study area. And yet, there is no discussion about mercury naturally occurring in the rocks and soil that will be covered by the reservoir and potentially polluting any water released from the reservoir. This issue requires thorough investigation to address potential mercury pollution from the reservoir site in the DEIR/S.	
25	51	51000	Appendices 6B and 6C According to the Executive Summary, "The proposed Project would divert and store water within the Sacramento River watershed when available during high-flow events and when not meeting other environmental and water supply requirements." Our review of Appendices 6B and 6C indicates that this is not an accurate description of Sites diversions and operations. The project diverts water during high flow events, but also diverts water during all water years, even critically dry years and low flow events, when not meeting other environmental and water supply requirements. A brief review of Appendices 6B and 6C indicating some alarming flow impacts to the Sacramento River and the Sutter Bypass, including: Alt. D reduces average Sacramento River flows below: • Keswick 7 months of the year and by as much as 6.1% in April. Pg. 846 • Bend 7 months of the year and by as much as 5.6% in June. Pg. 851 • RBDD 11 months of the year and by as much as 8.3% in March. Pg. 856 • Hamilton City 10 months of the year and by as much as	Please refer to Response to Comment 25-1 regarding the revisions made to the Project and circulation of the RDEIR/SDEIS after release of the 2017 Draft EIR/EIS. Also see Chapter 2, *Project Description and Alternatives* for the revised description of Project operations and Chapter 5, *Surface Water Resources* for the revised analysis.

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			10.5% in March. • Delevan intake 6 months of the year and by as much as 10.1% in March. • Wilkin Slough 5 months of the year and by as much as 10.3% in March. • Verona 6 months of the year and by as much as 5.4% in March. • Freeport 6 months of the year and by as much as 4.6% in March. In critically dry years, Alt. D will also reduce flows below: • Keswick by as much as 11.5% in May. • Bend by as much as 9.8% in May. • RBDD by as much as 11.2% in February. • Hamilton City by as much as 13.3% in March. • Delevan Intake by as much as 11.8% in February. (App. 6B, pages 846-881) Alt. D reduces average Feather River flows below: • Thermalito 7 months of the year and by as much as 5.5% in December. • Sacramento River confluence 7 months of the year and by as much as 4% in October. • Shanghai Bend 7 months of the year and by as much as 4% in October • Sacramento River confluence 8 months of the year and by as much as 4% in October. In critically dry years, Alt. D will reduce flows below Thermalito by as much as 21.9% in June. (App. 6B, pages 906-911) Alt. D reduces average American River flows below: • Nimbus Dam 3 months of the year and by as much as 8% in July. • Watt Avenue 3 months of the year and by as much as 8.1% in July. • H Street 3 months of the year and by as much as 8.7% in July. • Sacramento River confluence 3 months of the year and by as much as 8.7% in July.	

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			In critically dry years, Alt. D will reduce flows below Nimbus by as much as 19.6% in June. (App. 6B, pages. 931-941) Alt. D reduces: • Ord Ferry spills into the Sutter Bypass for four months from January-April and by as much as 55.5% in January. • Moulton Weir spills into the Sutter Bypass in an above normal water year from January-April and by as much as 29.2% in January. • Colusa Weir spills into the Sutter Bypass for 2-7 months in all water years and by as much as 16.5% in January in an above normal, 45.9% in March in a below normal year, 62% in March in a dry year, and 84% in January in a critically dry year. • Tisdale Weir spills into the Sutter Bypass for 4-7 months in all water years and by as much as 48.5% in March in a dry water year and 100% in March in a critically dry year. Generally, the Sites project reduces bypass spills significantly in multiple months in various water years in favor of boosting spills for fewer months in fewer water year types. (App. 6C, pages 81, 86, 91, 96) The potential impacts of Sites diversions and the reduction of flows in the Sacramento River and flood bypass system during drought years is particularly troubling. 2014 was one of the three driest consecutive years in California history. And yet, DWR in a post on its web site indicated that a brief few weeks of rain in December 2014 was sufficient to boost tributary flows in the Sacramento River to allow the Sites project to divert water. If the project diversions were in place and operating at that time, the diversions would have reduced Sacramento River flows by more than half (see graph below [Exhibit 1]). This is a prime example of why existing minimum flows for the Sacramento River are insufficient.	
25	52	51000	[Exhibit 1:] Sacramento River Flow Impacts Diversions to Sites Reservoir - Dec. 9-31, 2014	Thank you for providing this reference
25	53	51000	[Exhibit 2:] Photo: Sacramento River just upstream of the Delevan Diversion site on December 18, 2017. The flow is 9,000	Please see responses to Comment 25-1, above.

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			CFS. The existing environmentally-based minimum flow of 3,250 CFS would allow Sites diversions to take nearly 2/3rds of this flow.	
25	54	21500	Friends of the River, Sacramento River Preservation Trust, and Mother Lode Chapter Sierra Club requests the withdrawal of the DEIR/S, its revision, and rerelease for additional public review and comment.	Please refer to Response to Comment 25-1. A Revised Draft EIR/Supplemental EIS was prepared and circulated for public review in November 2021.

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26	1	32000	The Humboldt County Board of Supervisors requests assurance that construction and operation of the Sites Reservoir Project will result in no additional demands for diversions of Trinity River water to the Sacramento Basin. We also request assurance that the Sites Project Authority and the Bureau of Reclamation will work with Humboldt County and other Trinity River stakeholders to identify opportunities to reduce out-of-basin transfers of Trinity River water as part of the coordinated operations of the Central Valley Project and the future Sites Reservoir Project. Humboldt County can support the proposed Sites Reservoir Project only if these assurances can be provided and are robust and binding.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and prepared a RDEIR/SDEIS in 2021. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. Chapters and appendices are included in Volumes 1 and 2 of this Final EIR/EIS. Master Response 8, *Trinity River* addresses issues raised regarding the potential for the Project to impact the Trinity River: "The Authority filed its water right application for the Project with the State Water Board in May 2022 (application number A025517X01). The application identifies the Sacramento River as the source of water and includes two proposed points of diversion on the Sacramento River: 1) the RBPP and 2) diversions at Hamilton City. There are no points of diversion proposed on the Trinity River nor is the Trinity River identified as a source of water in the Project water right application. The Project is not seeking a water right to divert Trinity River water into Sites Reservoir, nor is this included as part of the Project as described in Chapter 2, Project Description and Alternatives, of the RDEIR/SDEIS. The Project would instead use existing infrastructure to divert unregulated and unappropriated flow from the Sacramento River."
26	2	11000	Humboldt County's primary interests are protecting the commercial, recreational, and tribal fisheries that are dependent on fish produced in the Klamath-Trinity River system. Construction of the Trinity River Division of the Central Valley Project in the 1960s caused major adverse impacts to Trinity River fisheries by diverting up to 90% of the Trinity River flows. Diversions were reduced to approximately 50% after passage of the Trinity River Record of Decision (ROD) in 2000. However, populations of salmon, steelhead, and other fish and wildlife remain far below the recovery objectives. In order to achieve restoration of fish populations and alleviate the impacts on our fishing and tribal communities, the minimum annual flow volumes in the 2000 Trinity River ROD must be maintained, and retention of additional Trinity River water for in-basin needs will likely be required.	Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* discusses comments that provided background information. Please refer to the updated Chapter 11, *Aquatic Biological Resources*, which discusses impacts on fisheries and associated mitigation measures. Please also see Master Response 8, *Trinity River,* which states: "Storage of CVP water in Sites Reservoir, including Trinity River origin water, is not included as part of the Project and would not be authorized under the Sites Project's water right."

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			Humboldt County executed a contract with the Bureau of Reclamation In 1959 for not less than 50,000 acre-feet of water to be made available annually from the Trinity River Division of the Central Valley Project for the beneficial use of Humboldt County and other downstream users. Humboldt County's first-priority right to water from Trinity Reservoir, prior to out-of-basin transfers to the Sacramento River, was reaffirmed in the December 23, 2014 memorandum issued by the Office of the Solicitor for the U.S. Department of the Interior. In 2015 and 2016, the Bureau of Reclamation utilized Humboldt County's contract water to implement flow augmentation releases to reduce the risk of a fish disease outbreak affecting the fall run of Chinook salmon in the Lower Klamath River. In 2017, the Bureau of Reclamation adopted a Long-term Plan to Protect Adult Salmon in the Lower Klamath River which identified Humboldt County's contract water as the primary water source for fall flow augmentation releases when needed. Humboldt County continues to work with the Bureau of Reclamation and other stakeholders on fully utilizing the County's contract water for Trinity River needs.	
26	3	32000	Concerns have been raised that construction of the Sites Reservoir Project could result in Increased demands for export of Trinity River water into the Sacramento River basin. However, we also see opportunity for operation of the Sites Reservoir Project to strategically manage and store water during high-flow periods that could reduce demands for Trinity River water in the Central Valley. The Humboldt County Board of Supervisors requests assurances that the proposed Sites Reservoir Project will not negatively impact flows, water quality, or fishery needs in the Klamath-Trinity River system. We appreciate the Sites Project Authority's recognition of Humboldt County's interests and request a formal response clarifying how the EIR/EIS for the proposed Sites Reservoir Project addresses Humboldt County’s concerns.	Please see Response to Comment 26-1 and 26-2, above.

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27	1	32000	Compliance with CA & Federal Endangered Species Acts The DEIS/DEIR fails to demonstrate how the project would comply with the California and Federal Endangered Species Acts. According to the best available science, increased Sacramento River flows and increased outflows from the Delta are necessary to protect and restore native fish and wildlife. Specifically, the latest Bay-Delta Water Quality Control Plan, and the State Water Resources Control Board's 2016 draft scientific report recommends increasing Sacramento River flows and Delta outflows to protect native fish and wildlife. The DEIS mentions this scientific evidence, but fails to provide an operational plan consistent with it.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. Volumes 1 and 2 of the Final EIR/EIS also include chapters and appendices with minor revisions. As federal cooperating agencies, NMFS and USFWS have participated in the review of the Administrative RDEIR/SDEIS and Administrative Final EIR/EIS. Formal comments on the RDEIR/SDEIS were also submitted by NMFS. USFWS provided input through a Planning Aid Memorandum. All comments have been considered in the preparation of the Final EIR/EIS. Please refer to Chapter 2, *Project Description and Alternatives* for a description of the Project operations, including revised diversion criteria. Refer to Chapter 10, *Wildlife Resources* and Chapter 11, *Aquatic Biological Resources,* which address the ESA requirements for the Project.
27	2	32000	The DEIS also fails to provide an operational plan consistent with evolving Endangered Species Act flow requirements in the Trinity and Klamath River systems. To date, flow regimes in these river systems have failed to recover endangered Salmon populations. To prevent fish kills in the lower Klamath River, the Bureau of Reclamation has had to release emergency pulse flows from Trinity River dam. The Bureau of Reclamation is currently reviewing a long-term flow plan for the Trinity River and biological opinions that will determine long-term flow regimes for the Klamath River. The operation plans in the DEIS/DEIR fail to consider potential long-term water allocation plans that could provide less Trinity River water to the Sacramento River in order to protect and restore Klamath and Trinity River salmon populations.	Please see Master Response 2, *Alternatives Description and Baseline* for a discussion of the Authority's Reservoir Operation Plan.
27	3	11000	Compliance with California Reasonable Use Doctrine The DEIS/DEIR does not demonstrate how the project would comply with the California Reasonable Use Doctrine. California's Reasonable Use Doctrine requires reasonable use of California	California Reasonable Use Doctrine is required by water rights law. The Authority has submitted a water right application to the State Water Resources Control Board.

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			waters. Reasonableness requires evaluation of alternative water supplies to meet a given need, and evaluation of the impacts new water uses would have upon existing legal uses and users of water.	
27	4	21500	The DEIS/DEIR is inadequate on both counts [Reasonable use of CA waters and evaluation of alternative water supplies]. The DEIS/DEIR does not adequately evaluate whether alternative water supplies are available to meet the needs outlined by the project proponents. An evaluation of alternatives must include water supplies from water conservation, water recycling and groundwater recharge, and whether such alternatives are more cost effective.	See Response to Comment 27-1, above regarding expanded review of Project alternatives and operational criteria since the 2017 Draft EIR/EIS. See Response to Comment 27-3, above regarding reasonable use of California waters.
27	5	52200	The DEIS/DEIR does not adequately evaluate the impact of proposed water diversion and use upon existing instream beneficial uses of water for fish, wildlife, recreation, and Tribal subsistence fishing and cultural practices.	Please see Master Response 1, *CEQA and NEPA Process, Regulatory Requirements and General Comments,* which discusses comments which questioned the adequacy of the environmental impact analysis but did not provide any rationale or supporting information. See Chapter 11, *Aquatic Biological Resources* regarding beneficial uses of water for fisheries. See Chapter 10, *Wildlife Resources* regarding impacts on beneficial uses of water for wildlife. See Chapter 16, *Recreation Resources* regarding impacts on beneficial uses of water for recreation. See Chapter 23, *Tribal Cultural Resources* regarding impacts on beneficial uses of water for tribal subsistence fishing and cultural practices.
27	6	52300	Compliance with Public Trust Doctrine & Tribal Trust Obligations Reduced flows in the Sacramento, Trinity and Klamath Rivers resulting from this project could violate the Public Trust Doctrine and Tribal Trust responsibilities of the Federal government and California.	Please see Master Response 8, *Trinity River,* which addresses why they Project would operate without Trinity River water.
27	7	11000	The DEIS/DEIR fails to comply with the Public Trust Doctrine because it does not explain how the project would avoid unnecessary harm to fish, wildlife and recreation.	The Final EIR/EIS includes the analysis of potential impacts to fish, wildlife and recreation and measure to mitigate where necessary. This analysis can be found in Chapter 10, *Wildlife Resources*, Chapter 11, *Aquatic Biological Resources*, and Chapter 16, *Recreation Resources* of the Final EIR/EIS.

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27	8	52300	the DEIS/DEIR fails to comply with both state and Federal obligations to protect Tribal trust resources. California recognizes Tribal cultural and subsistence fishing as beneficial uses of water for purposes of developing water quality control plans. The Federal government has an obligation to protect Tribal Trust resources including harvestable quantities of salmon. The DEIS/DEIR fails to address these state and Federal legal obligations.	Please refer to Master Response 7, *Tribal Coordination, Consultation, and Engagement* as well as Chapter 23, *Tribal Cultural Resources* and Chapter 29, *Indian Trust Assets*.
27	9	13000	Final EIS / EIR must Accommodate Humboldt County's Trinity River Water Right Humboldt County holds a 50,000 acre-foot water right to Trinity River water. Humboldt County may wish to preserve its water right to augment, rather than satisfy, flows deemed necessary by federal agencies to comply with the Endangered Species Act and other laws. The DEIS/DEIR fails to account for the impact such a decision would have upon the operation of Sites Reservoir.	Please see Master Response 8, *Trinity River,* which states: "Storage of CVP water in Sites Reservoir, including Trinity River origin water, is not included as part of the Project and would not be authorized under the Sites Project's water right."
27	10	32300	Final EIS / EIR Must Fully Analyze No Project Alternative The California Environmental Quality Act and the National Environmental Policy Act require that the DEIS/DEIR consider a reasonable range of alternatives. The DEIS/DEIR violates NEPA and CEQA because it fails to include operational plans that comply with the aforementioned laws. The DEIS/DEIR also violates NEPA and CEQA because it does not evaluate how a no-project alternative could satisfy consumptive and instream water supply needs.	Please refer to Master Response 2, *Alternatives Description and Baseline,* which discusses CEQA and NEPA purpose, and use of, the existing conditions baseline and the No Project/No Action Alternative.
27	11	21500	The final EIS / EIR will violate CEQA and NEPA if it does not include an operation plan that satisfies instream flow requirements of the aforementioned laws.	As described in the Operations and Management Plans section of Chapter 2, *Project Description and Alternatives* the Authority has developed Version 1 of a Reservoir Operations Plan in parallel to the development of the RDEIR/SDEIS. The purpose of the Reservoir Operations Plan is to compile operations-related items from other documents in one location. The contents of the Reservoir Operations Plan are primarily pulled from the RDEIR/SDEIS and the Authority's Principles of Storage. The Authority anticipates continued work with permitting and regulatory agencies regarding future versions of the Reservoir Operations Plan. As Project operations are refined, the Reservoir Operations Plan will be updated and is considered a "living" document.

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27	12	41000	To the extent that instream flow requirements have not yet been quantified or enforced, the final EIS / EIR must demonstrate that future instream flow requirements will not render Sites Reservoir a "stranded asset," and thus a financial loss for investors and/or taxpayers.	Please see Chapter 2, *Project Description and Alternatives*. The Authority filed its water right application for the Project with the State Water Board in May 2022 (application number A025517X01). The application identifies the Sacramento River as the source of water and includes two proposed points of diversion on the Sacramento River: 1) the RBPP and 2) diversions at Hamilton City. The application included a water availability analysis that demonstrates that there is a "reasonable expectation of water available for the Project." Also see Master Response 2, *Alternatives Description and Baseline,* which clarifies that "the Project would only divert water during the time of the year when the Sacramento River is not fully appropriated, which is from September 1 to June 14. Further, the Project would only divert water when the Delta is in "excess conditions" as determined by Reclamation and California Department of Water Resources (DWR) and as defined in the 2018 Addendum to the Coordinated Operation Agreement. The term "excess conditions" identifies when there is water in the system in excess of the needs of the SWP and CVP. This term is not intended to imply that there is "excess water" or water is being wasted to the ocean. Finally, diversions to Sites Reservoir would only occur when there are flows available above those needed to meet applicable laws, regulations, biological opinions (BiOps), incidental take permits (ITPs), existing water rights, and court orders in place at the time of diversion." Please also refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements and General Comments* for an overview of the water rights process.
27	13	20000	We wish to incorporate by reference comment submitted by the Pacific Coast Federation of Fishermen's Associations, California Sportfishing Protection Alliance and Defenders of Wildlife.	The comments referenced are included in this appendix.

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28	1	20000	The Northern California Power Agency (NCPA) is pleased to submit the following comments on the North-of-the-Delta Offstream Storage (Sites Reservoir Project) Investigation Draft Feasibility Report (Report) that is being considered and developed by the Sites Project Authority (Authority). NCPA members are located throughout Northern and Central California and in total purchase more than 40 percent of the Central Valley Project (CVP) power that is marketed by the Western Area Power Administration (WAPA). Our members have a long-standing interest in helping to keep CVP power available and price competitive. Our members provide substantial funding for the operation and maintenance of WAPA and Reclamation activities and programs, including the Central Valley Project Improvement Act (CVPIA). We note that the City of Roseville, one of our members, is also a member of the Authority. In addition, several of our members (the Cities of Biggs, Gridley and Redding) are in close proximity to the proposed Sites Reservoir Project. We note currently that Sites Reservoir Project will be developed as a non-federal project. Nonetheless, absent clear assurances, NCPA is concerned that CVP power customers could incur direct or indirect costs associated with the project. Moreover, if at some future point federal ownership is pursued, then-in addition to assurances of cost protection-it is vitally important that the underlying project assumptions are accurate.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding responses to comments that did not raise any issues related to the adequacy of the environmental impact analysis.
28	2	72500	1. Power Costs from the Sites Reservoir Project Must Not increase CVP Power Costs We were pleased to note that the Authority has stated on Page ES-12, second paragraph, that: "All alternatives were developed on the premise that there would be no adverse impacts to the CVP, SWP or their contractors." We agree with this premise for all alternatives; however, we are concerned that the Report and the future construction and operation of the Sites Reservoir Project could still lead to	Please refer to Chapter 17, *Energy* for a discussion of Project impacts on energy resources. Electric power generation capacity and electricity consumption modeling for the CVP/SWP system, including the Project, was conducted using the LTGEN and SWP_Power models. No significant impacts were identified. Chapter 17 discusses effects of the Project on electricity consumption and electricity generation and the potential for effects to the CVP/SWP system. According to Chapter 30, *Environmental Justice and Socioeconomic*, the Directives Resulting from the Central Valley Project Power Initiative memo directs Reclamation's California–Great

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			increased costs for the CVP power contractors. Increased CVP power costs could result from the Sites Reservoir Project via increased Project Use pumping (at the Tehama-Colusa Canal for intake water deliveries to Sites Reservoir, the Jones pumping plant and perhaps other pumping stations). Project Use pumping for the CVP directly reduces the amounts of base resource energy made available to CVP power contractors, resulting in a cost increase for the remaining amounts of CVP power.	Basin Region to identify the Sites/North-of-Delta Offstream Storage (NODOS) Project impacts (costs, benefits, financial) on CVP power and to update CVP preference power customers of those impacts. The Project impacts (costs, benefits, financial) on CVP power were identified in the *North-of-the-Delta Offstream Storage Investigation Feasibility Report,* which was completed in December 2020.
28	3	70000	Increased costs to CVP power from the Sites Reservoir Project could also come from aid to irrigation costs that are paid by CVP power customers. Aid to irrigation charges, pursuant to Reclamation law, assign certain costs to power customers that are beyond the ability of CVP irrigation districts to pay. We note that the Tehama Colusa canal irrigation districts have received aid to irrigation benefits. New and increased costs from the Sites Reservoir Project might lead to similar new aid to irrigation costs that could be assigned to the CVP power customers.	See Response to Comment 28-2 above
28	4	12000	Since the Sites Reservoir Project will be a non-federal project and the Authority (not Reclamation) will own and operate Sites Reservoir Project, it will not be a CVP reservoir. It is, therefore, important that no Sites Reservoir Project power costs, either directly or indirectly, or in some redirected manner, be assigned to the CVP power contractors.	See Response to Comment 28-2 above
28	5	70000	The Report should clearly state that there will be no additional CVP Project Use power associated with the Sites Reservoir Project and its operations, including pumping for the delivery canals and at Jones for purchased water. In addition, there should be no CVP aid to irrigation costs assigned to CVP power contractors because of the Sites Reservoir Project or its operations. As well, the Report should clearly confirm that there would be no such cost increases to CVP power contractors, either directly or indirectly, from the construction and operation of the Sites Reservoir Project.	See Response to Comment 28-2 above

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28	6	12000	Due to potential for the project to be developed as a federal dam, constructed or operated by the Bureau of Reclamation (which could result in costs borne by CVP power customers), NCPA is concerned about the accuracy of the underlying project analysis.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that did not raise any issues related to the adequacy of the environmental impact analysis. See Response to Comment 28-2 above.
28	7	53510	The Report estimates that generation operations can more than offset the costs of energy for pumping operations, by selling power when prices are high and buying power for pumping when prices are low. The Report states on Page ES-31, first paragraph, that: "This energy recovery operation would offset the cost of pumping, and modeling results suggest that the revenues generated would be greater than the energy costs." Pumped storage operations typically require significantly more energy for pumping than can be produced in the generation mode when water is released. Water to fill Sites Reservoir Project will need to be pumped at several locations (the Tehama-Colusa canal intake, Sites reservoir and the forebays and other pipeline facilities). When the water is released from Sites Reservoir Project to return to the Sacramento River, significantly less energy will be produced than was used to fill the reservoir. It is therefore a highly optimistic assumption that power generation can provide more than enough revenue to cover the pumping operations. We note that the California Department of Water Resources' "incidental" analysis in Appendix H estimated substantial negative net present values for the combined Sites Reservoir Project pumping and generation operations-not a substantial annual net revenue gain for the project.	See Response to Comment 28-1 above.
28	8	72500	In Table ES-3 and Table ES-4, the Report estimates that the project would provide $20.2 Million in annual power benefits from the sale of 47 Gwh/year of power generation when water is released from Sites Reservoir Project in Alternative D. This projection assumes that the project could sell power from the Sites Reservoir Project at an annual average price of about $430/Mwh. Current average wholesale power prices in the	See Response to Comment 28-1 above.

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			California ISO NP15 market are much lower than this assumed power sales price. As a result, the $20.2 Million in annual power benefits is overstated. The estimated annual benefits should have been reduced to reflect both realistic power sales prices and the costs for purchasing power for the pumping operations. The Sites Reservoir Project will most likely be used to maximize water deliveries, not power operations. On-peak and off-peak power pricing is unlikely to dictate the operations of the Sites Reservoir Project. Furthermore, the power appendices (H Part -1 and H- Part-2) were based upon 33 percent Renewables Portfolio Standard requirements, rather than the current state law which requires utilities to meet a 50 percent requirement. Higher renewable resource development in California has been further lowering wholesale power costs in California and will likely impact power sales revenues for Sites Reservoir Project when power is generated. The power appendices need significant updating and revision. Our recommendation is that the Authority should obtain current and future market values from WAPA and then update and revise the projected power benefits for the project.	
28	9	72500	3. Future Constraints May Limit Power Pumping and Generation Operations If federal development is pursued, NCPA is also concerned that the analysis insufficiently considers operational risks. As the Authority knows, there are numerous state and federal agency proceedings that may limit the Sites Reservoir Project's pumping and generating operations. On Page ES6, the draft Feasibility Report states that "Water would be pumped into the reservoir during periods of low demand when the energy cost is reduced." While this is an important goal, whether the project can actually operate in that way will depend on a number of future regulatory matters, including, but not limited to, the biological opinions, California Water Board permits and their unimpaired	See Response to Comment 28-1 above.

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			flow decisions, the National Marine Fisheries Service decisions regarding winter run Chinook and temperature requirements in the Sacramento River, the renewal of consultation by both Reclamation and the State Water Project, and potential revisions to the Bay Delta Standards, to name just a few. As a result, in estimating power costs and benefits for Sites Reservoir Project operations, we recommend that the draft Feasibility Report be revised to use less optimistic assumptions for pumping when energy costs are low. Pumping operations may need to occur when the opportunity for water deliveries into Sites Reservoir Project occur, not necessarily when energy costs are low.	
28	10	10000	We also recommend that the Authority consult with WAPA on transmission interconnection matters for the project; it appears that these future costs may be understated.	Please refer to Chapter 17, *Energy*, which states the following: "The system impact study, planning, and permitting process conducted by WAPA or by PG&E in conjunction with CAISO for Alternative 1, 2, or 3 would ensure that interconnection between the selected alternative's electrical generating equipment, substations, and pumping equipment and the existing electrical grid would not interfere with electric power transmission and would meet WAPA or PG&E and CAISO regulations and standards for interconnection to the existing electrical grid." Chapter 17 also states "The applicant (i.e., the Authority) is typically responsible for paying for the cost of any necessary improvements to the existing grid to support the interconnection of the proposed new electric power generation project. The yet-to-be-completed system impact study for the Project in relation to either the PG&E or WAPA transmission system may show additional transmission system investments needed by the Project proponents to ensure reliable operation of the regional electric transmission system."

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29	1	20000	The Northern California Power Agency (NCPA) is pleased to submit comments to the Sites Project Authority (Authority) regarding the August 2017 Sites Reservoir Project Draft Environmental Impact Report/Environmental Impact Statement (DEIS). NCPA is a California joint action agency with 16 members located in Northern and Central California. As NCPA and its members purchase more than 40 percent of the Central Valley Project (CVP) power as marketed by the Western Area Power Administration (WAPA), we are actively following the progress of the Authority and Reclamation's work to advance the Sites Reservoir Project (Project). As noted in the DEIS, the Project, if constructed, would impact CVP water and power operations and, if Congress authorizes, become a CVP facility. Accordingly, our comments focus on the Project's potential impacts on CVP power's availability and costs which we encourage the Authority to consider as work proceeds to complete a final EIS. The NCPA member cities of Biggs, Gridley, Redding, and Roseville are within proximity of the Project, with the latter being a member of the Authority. We recently provided comments to the Authority on the draft Feasibility Report for the Project, and we request that the Authority include those comments in the record for the DEIS as they address power issues associated with the Project.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments, which addresses comments that did not raise any issues related to the adequacy of the environmental impact analysis.
29	2	53500	1. The DEIS Must Address the Environmental and Financial Impacts of Increased CVP Project Use Power to be Used for the Operation of the Sites Project The Sites Project, when constructed and operated, is proposed to utilize an unspecified amount of CVP Project Use power for pumping operations to deliver water into Sites Reservoir. On Page ES-1, and in Figures ES-1 and ES-2, the Sites Project facilities are described and would include several pumping facilities that are presently CVP Project Use power loads (i.e., the Tehama-Colusa canal intake pumps and others). Also, water deliveries from the Sites Project will increase CVP Project Use power consumption at the Jones pumping plant, the San Luis reservoir and other	Please refer to Chapter 17, *Energy* for a discussion of Proposed Project impacts on energy resources. Anticipated Project energy generation and use are identified in Chapter 17. Also refer to RDEIR/SDEIS Chapter 30, *Environmental Justice and Socioeconomics,* which states "Reclamation acknowledged the Sites Reservoir Project in a formally released public memo entitled, *Directives Resulting from the Central Valley Project Power Initiative* (Reclamation 2019). The CVP Power Initiative directs Reclamation's California–Great Basin Region to identify the Sites/North-of-Delta Offstream Storage (NODOS) Project impacts (costs, benefits, financial) on CVP power and to update CVP preference power customers of those impacts."

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			pumping facilities. In Table 31-11, the DEIS predicts that an average of 245 GWH per year would be used, long-term, for the pumping operations at the Sites Project; however, this estimate apparently excludes impacts at Jones and the San Luis reservoir. The total potential increase in CVP Project Use power consumption that would be caused by the Sites Project is very significant but not clearly specified in the DEIS.	
29	3	72500	Additional Project Use power consumption that is caused by the Sites Project will directly increase WAPA CVP base resource costs ($/MWh) for all of the preference power customers. CVP base resource power sold by WAPA has fixed annual costs that include operation and maintenance costs for both WAPA and Reclamation. Reductions in the amounts of future base resource preference power deliveries will directly increase the actual costs per MWh that all CVP preference customers experience. This outcome is because Project Use power is first deducted from the actual available CVP power generation before the remaining CVP generation is delivered to preference customers.	Please refer to Chapter 17, *Energy* for a discussion of Proposed Project impacts on energy resources. Chapter 17 states "construction and operation of Alternatives 1, 2, or 3 would not place a substantial demand on regional energy supply, require substantial additional capacity, or substantially increase peak and base period electricity demand. Construction and operations impacts would be less than significant."
29	4	72000	Increased future costs for the CVP base resource power will have adverse future environmental and financial impacts for the entire Central Valley Project. In many years, the costof CVP power is already above the wholesale power markets in California. Preference power customers have contractual off ramps in 2019, 2024 and beyond that will allow them with an option to terminate their CVP power contracts. If preference customers depart, Reclamation may be forced to sell CVP power in the CAISO market and, in many years, receive substantially less revenue than Reclamation currently receives. This outcome would jeopardize funding for the Central Valley Project Improvement Act Restoration Fund and funding by customers for the existing CVP operations and maintenance programs. These significant environmental and financial impacts caused by the Sites Project operations must be described and predicted.	See response to comments 29-2 and 29-3 above.
29	5	53510	The DEIS must describe the amounts and timing of all increases in CVP Project Use power that the Sites Project intends to utilize for pumping operations. In addition, the DEIS must consider the impacts that the reduced amounts of base resource power would	See response to comments 29-2 and 29-3 above.

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			have on all of the CVP preference power customers, including the environmental impacts that will be associated with the need for preference customers to purchase replacement power for the base resource power that may be lost due to Sites Project operations.	
29	6	72500	At times, especially in dry winter months, the actual CVP generation has difficulty in meeting the existing Project Use pumping requirements. These CVP generation shortfalls have led to the need for WAPA to actually purchase supplementary power to meet the existing Project Use power loads (while not delivering any base resource power) in those time periods. These shortfalls are paid by preference power customers. If CVP power becomes uneconomic and preference power customers exercise their option to exit the CVP Power Marketing program, the EIS must address how these power shortfalls will be purchased and repaid. The Sites Project, if it uses CVP Project Use power as proposed, would further aggravate these shortfalls. The environmental and financial impacts of these increased shortfalls also need to be predicted in the DEIS and the final EIS.	Please refer to Chapter 17, *Energy*, which states "the system impact study, planning, and permitting process conducted by WAPA or by PG&E in conjunction with CAISO for Alternative 1, 2, or 3 would ensure that interconnection between the selected alternative's electrical generating equipment, substations, and pumping equipment and the existing electrical grid would not interfere with electric power transmission and would meet WAPA or PG&E and CAISO regulations and standards for interconnection to the existing electrical grid. In the event that the Authority determines that WAPA is to be the scheduling coordinator, WAPA would purchase electric power in the electricity markets on the Project's behalf and not affect CVP power."
29	7	12000	The DEIS must explain whether Project Use power is intended to be used for a non-federal Project if the ultimate ownership of the Sites Project does not include Reclamation. Is their legal authority under Reclamation law to use Project Use power for a non-federal facility? Please provide the legal authority and citation if that is being proposed. Alternatively, if the Project is intended to use no Project Use power (assuming no Reclamation ownership of the Project) that outcome should be explained, and the alternative power source(s) that would be used for Sites Project pumping power should be identified and their environmental impacts specified.	See response to comments 29-2 and 29-3 above.
29	8	70000	2. Aid to Irrigation and Ability to Pay of CVP Irrigation Districts The DEIS must provide an explanation and description of the environmental and cost impacts that will be caused by the Sites Project through the aid to irrigation and ability to pay provisions of Reclamation law. These provisions in Reclamation law (see attachment 1 hereto [attachment not provided], from a	See response to comments 29-2 and 29-3 above.

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			Reclamation presentation in 2017) provide for Reclamation's CVP water contractors to request the ability to pay computations by Reclamation. Reclamation law then assigns the repayment of such aid to irrigation costs to power customers {and potentially municipal and industrial water contractors). The ability to pay and aid to irrigation provisions in Reclamation law, therefore, provides a mechanism for the Sites Project to shift massive future costs to the CVP preference power customers. Many of the Authority members already receive aid to irrigation benefits from Reclamation. These aid to irrigation costs are already assigned to CVP preference power costs for future repayment. WAPA has projected that CVP aid to irrigation costs will total about $80 Million by 2030 even without the Sites Project. WAPA intends to require CVP power customers to begin repaying these aid to irrigation costs as early as 2022. These WAPA projections have not included any aid to irrigation costs for the Sites Project. Our concern is that the DEIS has completely omitted the significant future potential aid to irrigation costs that the Sites Project would cause and that then would be shifted to the CVP power customers. The DEIS must identify the environmental and financial impacts that might result from such a transfer of costs. Given the multi-billion dollar future construction costs of the Project, it appears likely that CVP water contractors participating in the Project would claim aid to irrigation benefits. The ability to pay provisions in Reclamation law allow these entities to shift potentially millions of dollars to the CVP power customers, thereby likely creating an uneconomic CVP power cost. The potential impacts (both environmentally and financially) of the departure of CVP preference power customers could be substantial, as previously noted in our comments. If CVP power preference customers depart, CVP power may need to be sold in the CAISO wholesale power market and the revenues that are currently supporting the CVP operations and maintenance and CVPIA programs may well disappear.	
29	9	53500	3. Transmission Interconnection Impacts Must be Clearly Identified	Please refer to Chapter 17, *Energy*, which states "Preparation of a

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			The DEIS identifies new 230kv and 115kv transmission and substation facilities as needed for the Project (see p. ES14 and Chapters 3 and 31). However, the Sites Project has not conducted system impact studies or initiated the transmission interconnection processes at either WAPA or the CAISO. There could be very significant future costs and impacts that would be associated with the Sites Project transmission facilities if these studies require significant upgrades or curtailment and operation restrictions. New, longer transmission routes to other transmission lines may be required due to a change in power flows on the WAPA and PG&E transmission systems because of Sites pumping requirements. The PG&E 660MW Colusa power plant is located near the Sites Project and may restrict the use of the existing PG&E 230kv transmission lines near the Sites Project. Similarly, the availability of transmission service from the existing WAPA and TANC lines must also be studied before service can be confirmed. Many of these transmission lines already have obligations to deliver CVP power and power from the Pacific Northwest. Until these studies and the interconnection processes are completed, the Sites Project's true environmental and cost impacts won't be identified.	system impact study requires that the proposed electric power generation project be at 60% to 70% of complete design and takes approximately 2.5 years to complete. Based on the anticipated design and construction schedule, the system impact study would begin in spring of 2023. In the system impact study, WAPA or PG&E/CAISO would evaluate the proposed generation needs and the capacity of existing transmission facilities and equipment to accept the proposed new generation. Potential limitations of the existing grid and potential improvements to support the interconnection may be identified." Chapter 17 further states "Until a system impact study conducted either by PG&E in conjunction with CAISO or by WAPA is undertaken, it is not possible to determine whether Project proponents would be required to invest in additional electric transmission infrastructure to ensure reliable operation of the existing regional transmission system. Based on current knowledge, operation of Alternatives 1, 2, and 3 would not require substantial additional electric generation capacity." According to Chapter 17, construction and operational impacts were found to be less than significant.
29	10	32000	On page ES-13, the DEIS noted that eight existing WAPA transmission towers would need to be relocated to provide for the Holthouse Reservoir. The costs and impacts of any such relocations must be described and identified. Relocation of existing transmission towers can be both costly and environmentally impactful. Replacement power may also be required if the process of relocation leads to impacts on the existing transmission lines or the CVP power system.	The Proposed Project and alternatives in the RDEIR/SDEIS no longer include the Holthouse reservoir, and therefore, this comment is no longer applicable to the Project.
29	11	32000	What will the total Sites Project operational capacity (MW) be for both pumping and generating operations and will these facilities be greater than 30 MW? Will the sizing of these facilities comport with the California statutes that define eligible renewable energy resources?	Please refer to Chapter 2, *Project Description and Alternatives* which states "power generation at the Funks PGP and TRR PGP during operation would be limited to 40 MW nameplate capacity per fa,cility and as such, would not require a Federal Energy Regulatory Commission license per the "Qualifying Conduit Hydropower Facility" under the Hydropower Regulatory Efficiency

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				Act of 2013, as amended by America's Water Infrastructure Act of 2018." California's Renewables Portfolio Standard (RPS) Program. requires all load-serving entities in California to procure a portion of their electricity sales from eligible renewable resources. The Energy Commission certifies facilities that generate renewable energy as eligible for the RPS. RPS-eligible resources include solar, wind, geothermal, small hydroelectric, or biopower facilities. Whether the Project facilities are RPS-eligible has not been confirmed. Facilities cannot be certified until they have started commercial operations.
29	12	32000	Does the Sites Project intend to divide any of these facilities into smaller units in an attempt to qualify as a renewable energy resource and is there any precedent for such an approach to sizing?	Please refer to Chapter 2, *Project Description and Alternatives,* which states "The Project would require purchasing power to operate (i.e., power generated by the Project would not be used to operate the Project). The Project has a target of purchasing at least 60% of the Project's operations power needs from renewable, carbon-free sources from the start of operations to 2045. Starting in 2045, the Authority would target purchasing 100% of the Project's operations power needs from renewable, carbon-free sources. This target does not include any operational power needs attributable to Reclamation's participation, including the conveyance and pumping of Incremental Level 4 Refuge water supply."
29	13	32000	For the Sites Project, besides any proposed use of CVP Project Use power, what types and sources of energy will be used to support Sites Project operations?	Please refer to Chapter 2, *Project Description and Alternatives,* which states that operation of the Project would occur in coordination with the CVP/SWP system. Also refer to Chapter 17, *Energy* for an analysis of impacts on the CVP/SWP system as a result of adding the Project to the CVP/SWP system.
29	14	53500	For Sites Project water operations, will the new facilities cause any adverse impacts on other project purposes?	The Final EIR/EIS evaluates the potential environmental impacts of construction, operation, and maintenance of the Sites Reservoir Project and presents mitigation measures, if applicable, that can minimize or avoid such impacts. Chapters 5 through 27 present the impact analysis for each environmental topic as required by CEQA and NEPA.

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30	1		Please accept these comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to better assess and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint. The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species, and are inadequate to maintain the river's dynamic, flow-based ecosystems on which these species depend.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3, Chapter 4, *Responses to Comments*. Please refer to Master Response 2, *Alternatives Description and Baseline*, which discusses the use of the existing conditions baseline.
30	2		Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must prove to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits. The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources*, which discusses CEQA and NEPA mitigation requirements and the adequacy and suitability of the mitigation measures and mitigation ratios.
30	3		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. However, according to the	Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses the benefits to fisheries and aquatic biology. Please also refer to the updated analysis in Chapter 11, Aquatic Biological Resources, which discusses impacts to salmon and fisheries and associated mitigation measures.

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			DEIR/S, coordinated operations between Sites and other dams will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion.	
30	4		Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	Please refer to Master Response 5, *Aquatic Biological Resources* as well as the updated analysis in Chapter 11, *Aquatic Biological Resources*, which discuss flow impacts and mitigation measures. Climate change impacts are discussed in the updated analysis in Chapter 28. The Reservoir Operations Plan, discussed in Chapter 2, *Project Description and Alternatives* and addresses how losses and evaporation are accounted for in Sites Reservoir Storage.

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31	1	51620	1. "Page 7-68. Shasta Lake and Sacramento River from Shasta Lake and Keswick Reservoir to Freeport Impact SW Qual-1: A Violation of Any Water Quality Standard or Waste Discharge Requirement, or Otherwise Substantially Degrade Surface Water Quality "Water Temperature Water temperature modeling results under Alternative C generally are either reduced or less than 0.5°F higher than water temperatures under the Existing Conditions/No Project/No Action Condition in the Sacramento River between the Keswick Reservoir and Freeport, as shown in Appendix 7E River Temperature Modeling. However, in April and May in Below Normal, Dry, and Critical water years, water temperatures along the Sacramento River at Ball's Ferry, Jelly's Ferry, and Bend Bridge; downstream of the Tehama-Colusa Canal and GCID Main Canal intakes; and downstream of the Delevan Pipeline Intake/Discharge Facilities, temperatures under Alternative C would be 0.6 to 1°F higher as compared to the Existing Conditions/No Project/No Action Condition. "Page 12-100. Therefore, the potential impacts related to the temperature of water discharged from the Delevan Pipeline Intake/Discharge Facilities into the Sacramento River are considered to be less than significant. 7.3.1.1 Use of Numerical Models. For this monthly analysis, it was determined that incremental changes of 0.5° F in mean monthly water temperatures would be within the model uncertainty." The authors of the water temperature model appear to indicate that the reliability of the temperature model is approximately 0.5 degrees F. This could therefore mean that the temperature of the Sacramento River could increase by 1.0° F in normal years. The Sites reservoir will have extremely poor water quality which will degrade further as years go by. It is not clear if water temperature changes in conveyance canals from Sacramento River diversions and small reservoirs existing or proposed have	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. The effects of water temperature on water quality are evaluated in Chapter 6, *Surface Water Quality*. Additionally, please refer to Master Response 3, *Hydrology and Hydrologic Modeling,* which addresses the adequacy of the modeling used in Final EIR/EIS analysis.

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			been incorporated into the temperature analysis. The analysis given in Appendix 7 only modelled the largest reservoir (Alternative B, 1.8 MAF) which gives higher volumes of deeper cold water than a smaller reservoir. This indicates that the temperature modeling is not sufficient to predict the temperatures in the Sacramento River at the discharge point. The temperature model should be redone with the uncertainties above corrected for both reservoir sizes.	
31	2	52500	2. "ES.1.2.2 Develop Additional Recreational Opportunities The development of Sites Reservoir would provide new recreational areas and facilities adjacent to the reservoir to allow for and encourage water-related recreational activities such as fishing, swimming, camping, boating, and hiking." Recreation opportunities will be practically nonexistent due to very shallow lake depths, vegetation growth due to warm water temperatures, and nearly dry lakebed during warmer months of the year.	The Project would provide recreation benefits through the recreational facilities described in Chapter 2, *Project Description and Alternatives*. Refer to Chapter 16, *Recreation Resources* for an analysis of Project impacts on publicly provided recreation resources. This chapter also addresses the availability of boat ramps through consideration of operational and changes surface elevations in regional SWP and CVP reservoirs but not the Sites Reservoir itself. As noted in Chapter 5, *Surface Water Resources*, average storage levels in Sites Reservoir are expected to be greater than 1 MAF during wet conditions but could drop below 235 TAF during the fall of Critically Dry Water Years (see Table 5-17). In the analysis of evapotranspiration in Chapter 6, *Surface Water Quality*, the modeling showed that after approximately 4 years with essentially no refilling … Alternative 3 storage dropped to 38 TAF (water supply releases did not resume until the reservoir partially refilled). Low reservoir levels during successive drought years could precluded boating-related recreation uses.
31	3	32000	3. It was not possible to find in the Report the site-specific geotechnical data for the field explorations and analysis that led to the dam cross sections given the Report. This information should be provided in a supplement to the EIR/EIS to allow for public review and comment.	Please refer to Chapter 2, *Project Description and Alternatives,* which describes the range of proposed geologic, geotechnical, and geophysical investigations and testing that would be conducted prior to construction. Preliminary geotechnical investigations are currently underway to support the project design. It should also be noted that dam and spillway design is subject to California Department of Water Resources, Division of Safety of Dams review and approval.
31	4	21300	4. "Table ES-2 Summary of Environmental Effects by Resource." This table reflects the "opinion" of the writers of the Report as to whether Project impacts are significant or not. There should be a	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that fit into one or more of the following categories:

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			review by qualified professional scientists independent of the Project team to determine if the "opinion" expressed by the writers is scientifically defensible.	• Opposed or supported the Project but did not (1) provide any rationale, or (2) raise any issues related to the adequacy of the environmental impact analysis. • Raised an environmental issue in a vague, general manner but did not provide supporting information. • Questioned the adequacy of the environmental impact analysis but did not provide any rationale or supporting information. • Made other conclusory statements but did not provide any rationale or supporting information. • Made recommendations entirely without explanation, supporting information, or rationale.
31	5	32000	5. "Page 3-20. Rockfill and Riprap – The best available source of rockfill material for riprap within the Project area is fresh Venado sandstone. Sandstone quarry areas are located within the reservoir inundation area and are presented on Figure 3-6. Sufficient quantities of fresh sandstone for rockfill material could be obtained from these quarries to construct the proposed embankment dams. It is possible that one centrally located quarry would be developed for Golden Gate and Sites dams instead of developing a quarry for each dam. Note that fresh Venado sandstone was used as riprap for the existing Funks Dam and has performed well." The geology of the area does not contain sufficient good quality rock for rip rap. Sandstone weathers badly under wet/dry and freezing conditions. The Report indicated that rip rap from the project area is being used for rip rap at Funks Dam. The rock durability required for the dams and shoreline for the Project will have to be able to withstand large waves under both hot and freezing conditions. Further field investigation is needed to verify if local bedrock is suitable for the Project.	Please refer to Chapter 2, *Project Description and Alternatives,* which describes the proposed geologic, geotechnical, and geophysical investigations and testing that would be conducted prior to construction. The information gathered will be used to inform fill sources and locations.
31	6	22000	6. The 9 to 11 dams that will be required for the Project are indicative of the poor Project feasibility. If this area was a good reservoir site, it would have been developed many years ago. The poor dam sites have leaky complex rock formations, weak to poor rock quality and redesign of the dams will likely be required resulting in massive construction overruns. When the	Please refer to Chapter 12, *Geology and Soils* for a discussion of Project impacts related to faults, seismicity, and paleontology.

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			earthquake shaking potential is truly evaluated and analyzed for permitting by the California Division of Safety of Dams, the dam rock shell slopes will have to be flattened, expensive filter zones widened, foundation preparation area enlarged and core of low permeability soil will have to be widened. This will result in nearly doubling the cost of each dam.	
31	7	52600	7. The Sacramento Valley has sufficient water for responsible agriculture which minimizes use of high quality water supplies. More water needs to be used in the Sacramento/San Joaquin Delta to improve the health of the aquatic habitat and inhibit salt water intrusion in light of rising ocean levels. Agriculture is important for crops that are consumed in the United States. The large expansion of export nut and rice crops is using water that should be used to grow healthy food for domestic consumption. This export includes the water needed to grow the crops. There is no mention in the Report concerning crop usage and the future food types likely to be used in California and how this will be affected by the Project.	Please refer to Chapter 15, *Agriculture and Forestry Resources* for a discussion of the Project impacts on agriculture and forestry resources. Chapter 15 describes agricultural resources by county, summarizing trends in conversion of agricultural land, county zoning of agricultural land, and enrollment of parcels in Williamson Act and Farmland Security Zone programs.
31	8	22000	8. Funds that might go for this project should instead be used and distributed to improving the health of the Sacramento/San Joaquin Delta, repairing all dams to provide safe operation, and for balancing groundwater extraction with sustainable groundwater recharge. This is where all efforts in California should be directed over the next 50 years, not for additional dams and facilities that may never be used.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that fit into one or more of the following categories: • Opposed or supported the Project but did not (1) provide any rationale, or (2) raise any issues related to the adequacy of the environmental impact analysis. • Raised an environmental issue in a vague, general manner but did not provide supporting information. • Questioned the adequacy of the environmental impact analysis but did not provide any rationale or supporting information. • Made other conclusory statements but did not provide any rationale or supporting information. • Made recommendations entirely without explanation, supporting information, or rationale.
31	9	53500	9. "ES.1.2.1 Allow for Flexible Hydropower Generation to Support the Integration of Renewable Energy Sources. The Project would	Please refer to Chapter 2, *Project Description and Alternatives,* which describes the pumping energy requirements and power generation

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			be built with pumping/generating plants that would be capable of producing hydropower. If the hydropower component of the Project is implemented, electricity would be generated when water is released from Sites Reservoir into the proposed Holthouse Reservoir, and from the proposed Holthouse Reservoir to the proposed Terminal Regulating Reservoir (TRR) and into the Sacramento River." The statement seems contradictory and unclear if hydropower will be part of the Project. Electrical Power for all elements of the Project should come from new renewable energy sources. Additional electrical power will be required as part of construction for several years and permanent power facilities will be required for all pumping facilities and operation of valves, gates and maintenance required. All this should be powered by new renewable energy facilities developed by the Project. There is ample sun and wind power in the Project area. This will prevent loss of existing renewable power sources and discourage development of fossil fuel sources.	associated with the Project. Holthouse Reservoir and hydropower facility has been eliminated from the Project.
31	10	51100	10. No new facilities should be constructed on the Sacramento River. The outfall for the Project will be a location of rapid changes in water temperature and water quality which will adversely affect onsite and migrating fish and biological creatures. Aquatic plant parts from the Sites Reservoir and supply canals and reservoirs will get thru any screening system devised and end up in the Sacramento River and migrate to the Delta which will further aggravate the already major plant fouling that has occurred there. Once water is removed from the Sacramento River and transported long distances thru canals, held in small and medium sized warm reservoirs and then released from the reservoirs it should not be returned to the river. This project will result in disastrous impacts to the Sacramento River water quality.	Please refer to Chapter 6, *Surface Water Quality* for a discussion of Proposed Project impacts on the Sacramento River water quality. Also refer to RDEIR/SDEIS Chapter 11, *Aquatic Biological Resources* for a discussion of Project impacts on aquatic species and their habitat. Mitigation measures are proposed to minimize any significant Project impacts.
31	11	20000	11. The No Project/No Action Alternative should be selected because the Project is not feasible and not needed.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that did not raise any issues related to the adequacy of the environmental impact analysis.

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32	1	50000	I am commenting on the Sites Reservoir Project DEIR/S and Feasibility Report. The document is so basically flawed that it should be withdrawn. The assessment of impacts is based on the false assumption that current flow and water quality standards for the river are adequate, when in fact they are inadequate to stop the ongoing degradation of the river's ecosystem and the decline of at-risk fish and wildlife. Mitigation of the project's impacts on water quality downstream and on the Delta, cultural resources, and of course the natural resources that would be drowned by Sites reservoir, needs to be far better assessed than in this document.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Chapter 6, *Surface Water Quality*, Chapter 10, *Wildlife Resources*, Chapter 11, *Aquatic Biological Resources*, and Chapter 22, *Cultural Resources* for a discussion of Proposed Project impacts on water quality, wildlife resources, aquatic resources, and cultural resources, respectively. Mitigation measures are proposed to minimize any significant Project impacts.
32	2	21500	Since the Sites DEIR/S must prove that Sites will avoid adverse environmental impacts and be of net public benefit under Prop. 1, it is important that the benefits touted for the project be real, not just more political smoke. Water interests promoted past dams as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Sites promises to follow this pattern.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that did not raise any issues related to the adequacy of the environmental impact analysis.

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33	1	20000	As a local property owner in the town of Maxwell, I have a few concerns regarding the Draft EIR/EIS (Report) for the proposed Sites Reservoir Project (Project). While these concerns are specifically directed to address potential significant impacts that the proposed Project may have on the residents and property owners of the community of Maxwell, I propose that the concepts be not limited solely to the confines of the Maxwell area. Furthermore, my comments typically focus on the evaluation of impacts associated with Alternative A on the Primary Study Area; however, they should be taken as inclusive of Alternatives B, C and D where their impacts are the same as for Alternative A.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that fit into one or more of the following categories: • Opposed or supported the Project but did not (1) provide any rationale, or (2) raise any issues related to the adequacy of the environmental impact analysis. • Raised an environmental issue in a vague, general manner but did not provide supporting information. • Questioned the adequacy of the environmental impact analysis but did not provide any rationale or supporting information. • Made other conclusory statements but did not provide any rationale or supporting information. • Made recommendations entirely without explanation, supporting information, or rationale.
33	2	53000	Maintenance of existing public roads In Section 26.3.4.2, a discussion of Impact Trans-3, "Substantially Increase Hazards Due to a Design Feature or Incompatible Uses", concludes, "During construction, the use of construction equipment, such as oversize or overweight vehicles, on roadways near Project facility sites could result in unsafe conditions or damage to road surfaces. However, with the implementation of the Construction Equipment, Truck, and Traffic Management measures presented in Chapter 3 Description of the Sites Reservoir Project Alternatives, this impact would be reduced to less than significant, when compared to the Existing Conditions/No Project/No Action Condition." I believe this conclusion to be unjustified. Section 3.5.3.2 Construction Equipment, Truck, and Traffic Management states the referenced "measures", which are	Please refer to Chapter 18, *Navigation, Transportation, and Traffic* for a discussion of Project impacts to the roadways in the study area. As noted in Chapter 2, *Project Description and Alternatives*: "Approximately 46 miles of new paved and unpaved roads would provide construction and maintenance access to the facilities, as well as public access to the recreation areas. Table 2 4 identifies these roads and their purposes (i.e., construction access, local access, and maintenance access)… Local access roads that would be improved or relocated for construction purposes would provide reliable infrastructure for the traveling public, accommodate transportation needs, and be consistent with state and local design standards. These improved roads would enable construction vehicles to safely travel and pass one another. After construction of the reservoir was completed, these roads would be maintained to support the operation of the Sites Reservoir. Some of these roads would also be

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			proposed to be implemented as part of all applicable contractor specifications to minimize potential road and traffic impacts in and near the Project area, related to facility construction, access to all work sites, and hauling of necessary materials, as follows: • Identifying specific haul and access routes with all contractors when multiple facility sites are under construction concurrently, so that Project-generated construction traffic is dispersed to the extent practicable and necessary. • Installing traffic control devices, as specified in Caltrans' Manual of Traffic Controls for Construction and Maintenance Work Zones, where needed to maintain safe driving conditions, including use of signage to alert motorists of construction activities, potential hazards, and traffic detours, as well as the use of flaggers when appropriate. • Prior to construction, ensuring that the Authority or its contractors would survey and describe the pre-construction roadway conditions of all existing roads to be used for access to Project facilities. Within 30 days after construction is completed, the Authority would survey these same roadways to identify any damage that has occurred. Roads damaged by construction would be repaired to a structural condition equal to the condition that existed prior to construction activity. The first two measures are fairly basic common sense construction practices, while the third inadequately attempts to protect the public from construction-related damage to the roadways. The shortcomings are as follows: a. Independent Review The proposed measure makes no provision for the Authority and contractor to agree on the pre-construction roadway conditions, should such a discrepancy occur. Since there is a potential for such, it would be best to have such evaluation performed by an independent, unbiased, professional, expert in accurately accessing such conditions, e.g. a registered Civil Engineer experienced in road design.	available for public use. Local access roads would generally have two 12-foot-wide lanes with paved shoulders, and their postconstruction maintenance would be the responsibility of the departments for the Counties of Colusa or Glenn having jurisdiction over them." In addition, the proposed content of the Traffic Management Plan has been updated since this comment and can be found in Appendix 2D. It includes: • Coordinate haul and access routes with all contractors when multiple facility sites are under construction concurrently, so that Project-generated construction traffic is dispersed to the extent practicable and necessary (as shown in Figure 2-35). • Prohibit construction traffic in the community of Maxwell. Construction traffic, including commuting construction workers and deliveries of materials and equipment, will be prohibited on Oak Street from Old Highway 99 to Sutton Road. The Authority will work with the contractor(s) to develop a monitoring and reporting plan to ensure compliance with this measure. • Install traffic control devices, as specified in Caltrans' Manual of Traffic Controls for Construction and Maintenance Work Zones, where needed to maintain safe driving conditions, including use of signage to alert motorists and bicyclists of construction activities, potential hazards, and travel detours, and use flaggers when appropriate. • During operations and maintenance, truck and other maintenance equipment will be maintained in good working condition and will be used in accordance with all applicable federal, state, and local regulations. • The Authority will coordinate with the applicable jurisdictions, including local agencies for local roads, transit providers, and rail operators where applicable. • Provide construction notification procedures for Glenn, Colusa, Yolo, and Tehama Counties' police, public works, fire departments, and other public service providers, and cycling

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			b. Existing roadway conditions The evaluation of the pre-construction roadway conditions should consist of a thorough engineering analysis of the structural section of each proposed access road, not just a subjective opinion developed simply by a visual inspection, using vague and simplistic labels, as appears to be the case with the data indicated in Table 26-11. Such analysis should be supported by evidence obtained by a myriad of investigations. To adequately access the existing structural integrity of each road, their existing Traffic Index (T.I.) will need to be determined, the R-Value of the subgrade will need tested, and the thickness of each layer of the structural section will need to be obtained. In order to determine the T.I., axle classification traffic counts must be taken on each road, which must then be converted into Equivalent Single Axle Loads (ESALs). A Soils Engineer should be employed to test the subgrade R-Values, and to perform roadway corings to determine the thicknesses of the structural section layers. Using the Caltrans Highway Design Manual, an objective determination, based on solid evidence, could then be made by the Engineer as to the existing (pre-construction) roadway conditions. I recommend that the findings all be documented in a Roadway Evaluation Report. c. Road repairs The Report lists the anticipated haul routes to be utilized during construction, and indicates that most of the County roads currently have very low traffic volumes; however, the Project estimates that the Project will generate a total of 124,675 heavy truck trips for Alternative A, and 235,240 heavy truck trips for Alternatives B, C and D. Unless these roads have been built to withstand this volume of heavy truck traffic, and it is doubtful that they have, then these roads will most likely be severely damage, possibly even destroyed, long before the Project is completed. Yet, the measure proposes only to identify and repair any damage to the roads after construction is completed. A provision should be made to mitigate this anticipated impact	organizations, bike shops, and schools. • Inform contractors and subcontractors of work hours, modes and locations of transportation, and parking for construction workers. • Describe the procedures for construction area evacuation in the case of an emergency declared by county or other local authorities. • Identification of emergency routes available and open for county and other public emergency personnel. • Designate areas where nighttime construction will occur, if needed. • Posted information for contact in case of emergency or complaint.

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			below a level of significance throughout the life of the Project. Using the projected heavy truck volumes from the Report, future (Existing + Project) T.I.s can be calculated for each of these roads. Then, using procedures from the Caltrans Highway Design Manual, an Engineer could then determine if the existing structural sections on these roads could sustain the future T.I.s, or if they would need improvements prior to beginning the Project, e.g. an asphalt concrete (AC) overlay. d. Road Maintenance Agreement To document the responsibility of the contractor to both adequately prepare the access roads for the anticipated Project truck loads, and his responsibility to adequately maintain those roads as necessary throughout the construction period, a Road Maintenance Agreement should be secured by the Authority with the Project contractor, with penalties prescribed for noncompliance.	
33	3	53000	Congestion on existing public roads In Section 26.3.4.2, Impact Trans-1, "Conflict with an Applicable Plan, Ordinance, or Policy Establishing Measures of Effectiveness for the Performance of the Circulation System, Considering all Modes of Transportation", and Impact Trans-2, "Conflict with an Applicable Congestion Management Plan, Including, but not Limited to, Level of Service Standards and Travel Demand Measures, or Other Standards Established by the County Congestion Management Agency for Designated Roads or Highways", both relate to the performance of the circulation system, and the conclusion stated for the latter is similar to that of the former: "All of the roadways anticipated to be used to access Project facilities would continue to operate at an acceptable LOS during Project construction and operation of the reservoir. Therefore, impacts would be less than significant, when compared to the Existing Conditions/No Project/No Action Condition." I believe this conclusion to also be unjustified for the following reasons: a. Functional Classification of roadways	See response to comment 33-2, above.

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			No reference is made as to whether Colusa County has an adopted Congestion Management Plan, or whether their General Plan even officially categorizes their primary roadways by functional classification. It appears that the Report preparers chose to apply the functional description criteria adopted by Glenn County's Regional Transportation Plan (RTP), presented in Table 26-2, for classifying Colusa County roadways as well. Thirteen (13) distinct Colusa County primary road segments were determined to be used to access the Project site, and are presented in Table 26-12, along with their estimated ADT and calculated LOS values. I disagree with the assumed classification of Maxwell Sites Road. While the opening paragraph of Section 26.2.4.2 states, "All Colusa County roadways (within the Primary Study Area) are considered minor collectors", Table 26-12 proceeds to categorize all three segments of Maxwell Sites Road as being Rural Minor Arterials, Maxwell Road as a Rural Minor Collector, and all remaining County roads as Rural Local Roads. The classifications are supposedly derived from the descriptions indicated on Table 26-2, but said source does not even indicate a category or description for Rural Minor Arterial. In actuality, Maxwell Sites Road functions more accurately as an Urban Major Collector, within the unincorporated community of Maxwell, and as a Rural Minor Collector beyond said limits. b. LOS Methodology In Section 26.2.1.2, the statement is made that Colusa County uses the Level of Service (LOS) criteria as defined by the 2010 Highway Capacity Manual (Transportation Research Board, 2010) to assess the performance of its street and highway system and the capacity of roadways. It also indicates that the Colusa County General Plan, 2012, identifies LOS C as the acceptable mobility criteria. The Report correctly explains that "LOS is a qualitative assessment of the quantitative effects of such factors as traffic	

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			volume, roadway geometrics, speed, delay, and maneuverability on roadway and intersection operations", The 2010 Highway Capacity Manual (HCM) provides two distinct methodologies for assessing the LOS: the Planning-level analysis and the Operational analysis. The former method uses only volume-to-capacity (V/C) ratios as its sole criteria for determining LOS values, and is therefore typically used for just "ballpark" projections; while the latter method uses the multitude of factors previously referenced above (traffic volume, roadway geometrics, speed, delay, and maneuverability, etc.), resulting in significantly more accurate analyses. Furthermore, the V/C methodology is limited to only considering daily volumes on the roadway. Whereas problems which may not be predictable when considering the volume of traffic spread over an entire day, may very well develop at peak traffic flow periods. There is no indication as to whether Colusa County has officially adopted either method for determining LOS of its roads; but, the Report uses only the more rudimentary Planning-level method for analyzing roadway LOS (Table 26-3). c. Roadway Capacity values Without explaining how, maximum capacity values (LOS E/F) are presented in Table 26-4 for the various road classifications. There is no indication that said capacity values were derive in consideration of their existing design, i.e. how many lanes, how wide the lanes, whether it has a paved, gravel or dirt surface, the amount of passing areas, the shoulder widths, the posted speed limit, or any other roadway conditions, some of which are listed in Table 26-11, all of which have an integral impact on road capacity. Using the V/C ratios indicated in Table 26-3, Table 26-4 then proceeds to develop limiting ranges of Average Daily Traffic (ADT) volumes for each LOS. d. Intersection Analyses Most importantly, the Report limits itself to only analyzing road segments. Typically, congestion is first evident at intersections;	

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			they are the bottle-necks. Whereas poor LOS for roadways is distinguished by long travel time between destinations, the symptoms occurring at intersections is long delay time while queueing. To substantiate my opinion that the data and methodologies used to assess future roadway congestion is highly inaccurate, consider its finding for Maxwell Sites Road. Within the unincorporated community of Maxwell, this is an urban two-lane roadway running through the heart of town, adjacent to a variety of commercial uses, residences, and the local high school, and restricted to a posted speed limit of 25 MPH. The Project is anticipated to generate 2,450 construction-related vehicle trips per day (Table 26-13), resulting in as much as 1,149 additional trips per day on Maxwell Sites Road, for a total ADT of 2,961 at Peak Construction. Yet, Table 26-14 indicates that it is predicted to operate at LOS B, a "stable" condition, with "minimal delays", according to the definition in Table 26-3. I think not. (Incidentally, Table 26-14 failed to include the segment of Maxwell Sites Road, between Sutton Road and GCID Main Canal.)	
33	4	53000	Traffic and Pedestrian Safety Another aspect of Impact Trans-3, is supposed to be whether a design feature of the Project may substantially increase hazards. Again, the significant increase in traffic generated by the Project construction, especially that of dump trucks, bottom-dump trucks, concrete trucks, water trucks, and flat-bed trucks driving right through the town of Maxwell, from 7:00 a.m. to 10:00 p.m., with kids walking to and from school, seems indeed to be a hazardous scenario. It would be better to exclude at least the urban portion of Maxwell Sites Road from being an access road.	Please refer to Chapter 18, *Navigation, Transportation, and Traffic* for a discussion of Project impacts to the roadways and pedestrian facilities in the study area. Chapter 18 also includes a discussion of Project impacts related to design hazards.
33	5	51300	Flood Insurance Section 9.3.4.3, Primary Study Area, Impact Flood-3, "Expose People or Structures to a Significant Risk of Loss, Injury, or Death from Flooding, Including Flooding as a Result of the Failure of a Levee or Dam", states that a potential dam break would inundate the community of Maxwell: "The estimated flow	Please refer to Chapter 5, *Surface Water Resources* for a discussion of Project impacts related to flooding. As illustrated in Figure 5-3, *100-Year Inundation Areas Relative to Northern California's Central Valley*, much of the valley floor in the vicinity of the project are located within the existing 100-year floodplain. The Project will provide flood benefits by capturing and storing flood flows from

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			velocity at Maxwell and I-5 would be 4.5 feet per second and the maximum depth would be 10 feet." Although the Report predicts that the probability of it occurring is very small, the impact would be extremely significant. I could find no discussion regarding the potential requirement for homeowners in Maxwell to purchase Flood Insurance because of the Project. If indeed this becomes mandated by FEMA because of the Project, what provision will be made to compensate the property owners for the cost of purchasing this insurance?	local creeks. As noted in Chapter 5, "direct flood control benefits would be provided in the Stone Corral Creek and Funks Creek watersheds (including the community of Maxwell) by reducing the size of the floodplain within the region. It is estimated that the Project would reduce the 100-year floodplain by approximately 10,000 acres, representing a 9% reduction. In addition to increasing the level of protection in the Funks Creek and Stone Corral Creek watersheds, a 100-year level of protection would also be achieved for approximately 4,025 acres in the Colusa Basin located east of I-5." This could reduce the need for flood insurance.

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34	1		Thank you for the opportunity to review and comment on the Draft Environmental Impact Statement/Environmental Impact Report (Draft EIR/EIS) for the Sites Reservoir Project (Project) dated August 2017. In March 2017, the Council transmitted comments on the Notice of Preparation for this project. In that letter we highlighted several Delta Plan regulatory policies that are relevant to your Project and provided recommendations for your consideration. Thank you for your consideration of our comments, which are intended to assist the Sites Project Authority (Sites Authority) in preparing environmental documents that can be a foundation to use in your Delta Plan consistency certification. Below we offer information on the relevance of the Project as a covered action under the Delta Plan; listing of relevant Delta Plan Policies and our recommendations on where and how they can be addressed in the Draft EIR/EIS; and offer Council services to provide early consultation to assist Sites Authority in filing a consistency certification. Based on the Project objectives, Council staff believe your Project meets the definition of a covered action. (See Water Code section 85057.5.) Although the Project's infrastructure will be located outside the legal Delta boundary, the Project nevertheless will "occur,...in part, within the boundaries of the Delta." (See ibid.). As stated in the Project's primary objectives, the Project's proposed operations will provide, "net improvements in ecosystem conditions and water quality in the Sacramento River system and Delta", as well as, "net improvements in water supply reliability for fish protection, habitat management and other environmental water needs". Furthermore, eligibility for Prop 1 funding for which you have applied requires the Project to provide "measureable improvements to the Delta ecosystem or to the tributaries to the Delta". (See Water Code section 79752.) This requires the filing of a certification of consistency with the Delta Plan's applicable policies. (See Water Code section 85225.)	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments, which are informational in nature. As noted in their letter of May 2, 2018, "The Delta Stewardship Council (Council) previously sent a letter with comments on the Draft EIR/EIS on January 16, 2018. This letter supersedes comments previously provided by the Council on the Draft EIR/EIS. Please replace our January 16, 2018 letter with this version." The May 2, 2018 letter is included as Letter 138.

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			The Draft EIR/EIS acknowledges the Council's jurisdiction and responsibility in Table 1-1 in the Introduction of the Draft EIR/EIS. The Council recommends that the 2009 Delta Reform Act, the Delta Plan, and the consistency certification requirement also be listed under section 4.2 State Policies or Approvals under Chapter 4 Environmental Compliance and Permit Summary of the Draft EIR/EIS. The following Draft EIR/EIS chapters also offer opportunities to address relevant Delta Plan policies. Relevant Delta Plan policies are listed in parentheses next to the relevant Draft EIR/EIS chapters. Note that the Delta Plan Policy G P1 is a general policy to be addressed in the appropriate locations throughout the Draft EIR/EIS document. • Chapter 6 Surface Water Resources (WR P1) • Chapter 7 Surface Water Quality (ER P1) • Chapter 8 Fluvial Geomorphology and Riparian Habitat (ER P1 and ER P5) • Chapter 12 Aquatic Biological Resources (ER P1 and ER P5) • Chapter 15 Wetlands and Other Waters (ER P1 and ER P5)	
34	2		Delta Plan Policies and Consistency The Delta Plan includes regulatory policies that are applicable to all covered actions. Below, we have highlighted a few key regulatory policies from the Delta Plan that may be specifically relevant to the Project and a potential Delta Plan certification of consistency. **Detailed Findings to Establish Consistency with the Delta Plan**: Delta Plan Policy **G P1** (23 Cal.Code Regs section 5002) requires that ecosystem restoration and water management covered actions include adequate provisions for continued implementation of adaptive management, appropriate to the scope of the action. This requirement is satisfied through A) the development of an adaptive management plan that is consistent	

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			with the framework described in Appendix 1B of the Delta Plan (http://deltacouncil.ca.gov/sites/default/files/2015/09/Appendix%201B.pdf) and B) documentation of adequate resources to implement the proposed adaptive management plan. Funding of any monitoring, on-going mitigation, and the facilitation of the adaptive management plan needs to be identified and secure. Mitigations Measures: Delta Plan Policy G P1 requires that actions not exempt from CEQA and subject to Delta Plan regulations must include applicable feasible mitigation measures consistent with those identified in the Delta Plan Program EIR or substitute mitigation measures that are equally or more effective. Mitigation Measures in the Delta Plan's Mitigation and Monitoring Report Program is available at: (http://deltacouncil.ca.gov/sites/default/files/documents/files/Agenda%20Item%206a_attach%202.pdf) Best Available Science and Adaptive Management: Delta Plan Policy G P1 also states that actions subject to Delta Plan regulations must document use of best available science as relevant to the purpose and nature of the project. The regulatory definition of "best available science" is provided in Appendix 1A of the Delta Plan (http://deltacouncil.ca.gov/sites/default/files/2015/09/Appendix%201A.pdf). We recommend that the Project have an adaptive management strategy and plan consistent with the framework in Appendix 1B of the Delta Plan. The Delta Science Program's Adaptive Management Liaisons are available to provide further consultation and guidance to help the District with the appropriate application of best available science and adaptive management. Please contact Darcy Austin (Darcy.Austin@deltacouncil.ca.gov) of the Delta Science Program to schedule an appointment.	
34	3		Reduce Reliance on the Delta through Improved Regional Water Self-Reliance: Delta Plan Policy WR P1 (23 Cal.Code Regs section 5003) requires proposed actions to export water from, transfer water through, or use water in the Delta shall contribute to	

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			reduced reliance on the Delta and improve regional self-reliance. If this action is deemed a covered action under the Delta Plan, the Project should describe how it will reduce reliance on the Delta, in particular to export of water, by improving regional water self-reliance.	
34	4		Delta Flow Objective: Delta Plan Policy ER P1 (23 Cal.Code Regs section 5005) requires that the State Water Resources Control Board's Bay Delta Water Quality Control Plan flow objectives shall be used to determine consistency with the Delta Plan. For purposes of Water Code section 85057.5(a)(3) and section 5001(j)(1)(E) this subsection covers a proposed action that could significantly affect flow in the Delta. This policy may apply because the Draft EIR/EIS listed a Project primary objective to provide, "Net improvements in State-wide water supply reliability for agricultural and urban uses to help meet water demands during drought periods and emergencies, or to address shortages resulting from regulatory and environmental restrictions". This objective could impede and/or alter Delta flows that are subject to meeting the Bay Delta Water Quality Control Plan flow objectives. The hydrology modeling, coordinated operations, and the system wide water management proposed for the DEIR could be used to show compliance with this policy. The Project should describe how it will operate to meet the Bay Delta Water Quality Control Plan flow objectives.	
34	5		Avoid Introductions of and Habitat Improvements for Invasive Nonnative Species: Delta Plan Policy ER P5 (23 Cal.Code Regs section 5009) calls for avoiding introduction and habitat improvements for invasive, nonnative species or mitigating these potential impacts in a manner that appropriately protects the ecosystem. This policy may apply because the Draft EIR/EIS listed a Project primary objective to provide, "Net improvements in water supply reliability for fish protection, habitat management (including refuges), and other environmental water needs." This objective may change or alter the ecology of fish and plant species in the project areas, "The potential for new introductions of or improved habitat conditions for nonnative	

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			invasive species, striped bass, or bass must be fully considered and avoided or mitigated in a way that appropriately protects the ecosystem." Alternating flow through Delta channels may induce and colonize invasive plant species, such as Egeria densa (Brazilian Water Weed) and/ or water hyacinth, which could choke off Delta channels. Proposed hydrology and fisheries analysis in the DEIR would be useful for demonstrating compliance with this policy. The Project should describe how it can avoid introduction of and habitat for invasive nonnative species.	
34	6		Closing Comments Council staff look forward to continued coordination through our early consultation process and discussions of the Project applicable Delta Plan policies. I encourage you to contact my staff Anthony Navasero (Anthony.Navasero@deltacouncil.ca.gov) with your questions, comments, or concerns.	

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35	1		Please accept my comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint. Once these alterations are made, they will not be "unmade." It is urgent that a scientifically adequate environmental review be done before drastic and alarming changes be made.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3, Chapter 4, *Responses to Comments*. Please refer to Master Response 2, *Alternatives Description and Baseline*, which discusses the use of the existing conditions baseline Please also refer to the response to Comment Letter 30.
35	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must prove to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	Benefits of the Project have been demonstrated through the revised analysis included in Chapter 5, *Surface Water Resources*, Chapter 10, *Wildlife Resources*, Chapter 11, *Aquatic Biological Resources* and outlined in Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments*, Master Response 2, *Alternatives Description and Baseline*, and Master Response 5, *Aquatic Biological Resources*.
35	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources*, which discusses CEQA and NEPA mitigation requirements and the adequacy and suitability of the mitigation measures and mitigation ratios.
35	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon	Please refer to Master Response 5, *Aquatic Biological Resources* as well as the updated Chapter 11, *Aquatic Biological Resources*, which discusses flow impacts and mitigation measures.

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			downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. That is a lot of money for such nearly negligible "improvements" which come coupled with damage to air and water qualities. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This is yet another indication of the erroneous and unscientific content of the DEIR/S. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	Climate change impacts are discussed in the updated Chapter 28. The Reservoir Operations Plan, discussed in Chapter 2*, Project Description and Alternatives* and addresses how losses and evaporation are accounted for in Sites Reservoir Storage.

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36	1	20000	WDCWA generally supports the development of additional water storage capacity in the Sacramento Valley. WDCWA supports the development of the Sites Reservoir Project (the "Project"), so long as Project operations will not adversely affect the water supplies of entities like WDCWA that divert water from the Sacramento River for beneficial uses.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that did not raise any issues related to the adequacy of the environmental impact analysis.
36	2	20000	On pages ES-7 and 1-12, the DEIR/EIS states that the Project would divert and store Sacramento River water "when available and not meeting required environmental and water supply needs." We appreciate the Authority's recognition of the need for this proposed limitation on Project diversions to avoid impacts on the water supplies of entities like WDCWA.	See response to comment 36-1 above
36	3	10000	On page 3-102, the DEIR/EIS states that a final operations plan for the Project "will be refined based on the findings of the California Water Commission regarding the Sites Project WSIP application, and the defined related benefits and obligations." WDCWA requests that you provide copies of this final operations plan to WDCWA and other interested parties for their review and comments when this plan is completed.	See response to comment 36-1 above
36	4	32000	Table 3-24 on page 3-103 of the DEIR/EIS states that Project diversions would be allowed when various regulatory requirements were met, SWP Article 21 demands were satisfied, and other Delta diversions were satisfied. WDCWA requests that this text (and the corresponding text in Table 6A-3 on page 6A-19) be edited in the Final EIR/EIS so that this text also states that Project diversions will occur only when all of the demands of other diverters of Sacramento River water for beneficial uses are being met. Such edits are necessary to make this entry in this table consistent with the text on DEIR/EIS page 3-105, which states that flows available for Project diversions are river flows in	Please refer to RDEIR/SDEIS Chapter 2, *Project Description and Alternatives* for a description of the Project diversion criteria. As stated in Chapter 2, diversion would occur when senior downstream water rights, existing CVP and SWP and other water rights diversions including CVP 215 water and Article 3F water and SWP Article 21 (interruptible supply), and other more senior flow priorities (such as diversions associated with Freeport Regional Water Project and existing Los Vaqueros Reservoir) have been satisfied.

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			addition to those required to meet "[s]enior downstream rights." Under the watershed protection statute (discussed below), all of WDCWA's water rights will be senior in priority to the Project's water rights, and thus "senior downstream rights."	
36	5	32000	Subsection 3.3.12 on DEIR/EIS pages 3-105 to 3-106 lists various proposed bypass flow criteria for Project operations, including various proposed minimum flows in the Sacramento River at Freeport. WDCWA requests that text be added to the Final EIR/EIS to confirm that the Authority will ask the State Water Board to include these bypass flow criteria (which also are described as modeling assumptions on DEIR/EIS page 6A-22) as minimum flow requirements in the Authority's water-right permit for the Project.	Please refer to Chapter, *Project Description and Alternatives* for a description of the Project diversion criteria. Chapter 2 states "the Authority intends to apply for and obtain a water right permit from the State Water Resources Control Board (State Water Board) for the operations of Sites Reservoir. Actual operations would be subject to the terms and conditions of the water right permit, as well as to all applicable laws, regulations, biological opinions and incidental take permits, and court orders in place at the time."
36	6	13000	On page 4-15, the DEIR/EIS states that the Authority intends to apply "for water rights consistent with" water-right Application 25517, which was filed in 1977. We assume that this means that the Authority will file a petition with the State Water Board for assignment of this State filing. Under the Watershed Protection Act discussed on DEIR/EIS page 4-17, the water-right permit issued to the Authority for the Project should be junior in priority to water-right permits for diversions from the Sacramento River for beneficial uses in the Sacramento Valley WDCWA requests that text be added to the Final EIR/EIS stating that the Authority will ask the State Water Board to include a term in the Authority's water-right permit for the Project that will confirm this junior priority.	See response to comments 36-4 and 36-5, above.
36	7	10000	Table 6A-5 on DEIR/EIS page 6A-33 contains an entry for "Non-project" demands and water rights, which states that the CALSIM II assumptions for these demands are "[l]and use based, limited by water rights and SWRCB Decisions for Existing Facilities." WDCWA requests that the Final EIR/EIS confirm that these model assumptions include all authorized diversions under WDCWA's water rights. This appears to be the case, because the DWWSP is listed in Table B-33 on DEIR/EIS page 5A-B164 (in Attachment 6A-1), but we request confirmation of this fact.	Please refer to Appendix 5A, *Surface Water Resources Modeling of Alternatives* for a detailed description of the assumptions used in the CALSIM II model.
36	8	51000	Text on DEIR/EIS page 6B-11 states that the results in Appendix 6B include the	Please refer to Appendix 5B, *Water Resources System Modeling* for the detailed results from the CALSIM II model used in the evaluation

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			modeled parameters listed in Table 6B-2. Items 18, 19 and 20 in this table are for Sacramento River flows at Wilken (sic) Slough, Verona and Freeport. However, the model output tables in Appendix 6B do not include any of these modeled parameters. WDCW A requests that tables of these modeled parameters be included in the Final EIR/EIS.	of the alternatives in the RDEIR/SDEIS.
36	9	44000	Since the mid-1960s, the State Water Board has included its Standard Permit Term 91 in all water-right permits for diversions from the Sacramento River. WDCWA's water-right Permit 20281 contains this term (term 20 in that permit). This term prohibits diversions under water-right permits with this term whenever the satisfaction of in-basin entitlements requires the release of supplemental project water by the Central Valley Project or the State Water Project. DEIR/EIS Chapter 6 does not contain any discussion of whether Project operations would cause the diversion prohibition in Term 91 to go into effect more often, and DEIR/EIS Appendix 6 does not contain any modeling results regarding this issue. Because more-frequent Term 91 diversion prohibitions could have water-supply and associated environmental impacts, WDCW A requests that the Final EIR/EIS contain an analysis, with appropriate modeling results, of the Project's effects on the frequency of Term 91 diversion prohibitions.	Please see Chapter 2, *Project Description and Alternatives*. The Authority filed its water right application for the Project with the State Water Board in May 2022 (application number A025517X01). The application identifies the Sacramento River as the source of water and includes two proposed points of diversion on the Sacramento River: 1) the RBPP and 2) diversions at Hamilton City. Also see Master Response 2, Alternatives Description and Baseline which clarifies that "the Project would only divert water during the time of the year when the Sacramento River is not fully appropriated, which is from September 1 to June 14. Further, the Project would only divert water when the Delta is in "excess conditions" as determined by Reclamation and California Department of Water Resources (DWR) and as defined in the 2018 Addendum to the Coordinated Operation Agreement. The term "excess conditions" identifies when there is water in the system in excess of the needs of the SWP and CVP. This term is not intended to imply that there is "excess water" or water is being wasted to the ocean. Finally, diversions to Sites Reservoir would only occur when there are flows available above those needed to meet applicable laws, regulations, biological opinions (BiOps), incidental take permits (ITPs), existing water rights, and court orders in place at the time of diversion." The water right application included a water availability analysis that included Historical and CalSim II modeling to analyze water availability under the following criteria:

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				• Diversions occur outside the Fully Appropriated Stream season, which is designated as June 15 through August 31 for the Delta watershed. • The Permit includes Term 91; therefore, diversions do not occur when Term 91 curtailments are in effect. • The Delta is in Excess. • Specific Sites diversion/minimum flow requirements are met as described below. • Senior downstream water rights and other more senior flow priorities have been satisfied. • Flows are available above those needed to meet all applicable laws, regulations, Biological Opinions, and court orders in place at the time of diversion.
36	10	20000	WDCWA thanks the Authority for this opportunity to provide these comments on the DEIR/EIS. As discussed in this letter, WDCWA supports the Sites Reservoir Project, so long as there are appropriate assurances that Project operations will not adversely affect the water supplies of any Sacramento River water user, including WDCWA.	The Authority and Reclamation appreciate your review and comments. Please refer to Chapter 5, Surface Water Resources for a discussion of Project impacts related to water supply.

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37	1		Help us oppose the new 4.7 billion dollar proposals to build up to 11 new dams and two new large reservoirs on 14,000 acres off of the Sacramento River. The new Sites and Holthouse Reservoirs (from the Sites and Golden Gate Dams) in Northern California could store up to 1.8 million acre feet of water, making them almost half the size of Shasta Reservoir and twice the size of Folsom reservoir. They would be owned by the Sites Project Authority, which is made up mainly of State Water Project (SWP) water contractors and irrigation districts. The authority is already offering new water rights in watersheds where five times more water is allocated than exists to powerful water districts, such as the Metropolitan Water District. A previously filed water rights application for the Sites project asked for 3 million acre feet of water a year. MWF has stated it's reluctant to invest in Sites if it can't be assured it will be able to pull its water out of the reservoir when it wants to. This has lead many to believe the reservoirs would be used to fill Governor Brown's twin tunnels.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and prepared a RDEIR/SDEIS in 2021. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that are informational in nature.
37	2		The proposal includes inundating four creeks and building a new 2000 cfs diversion on the Sacramento River, a new 109 megawatt powerhouse, and two new diversion pumps in Red Bluff. It does not include protections for the Trinity River or Upper Sacramento River salmon, or for the Tribes and fishermen that depend on them despite the fact it will lower flows and impact water quality some years. Water rights held by Tribes and counties, and flows to advert fish kills in the Klamath River, are currently not protected in the Sites proposal. In theory these dams are supposed to mainly divert and store "surplus" water in winter and summer months, but they would also increase diversions and warm river temperatures in other times of the year. In truth, there is no "extra" water in this part of California, where up to 75% of the salmon habitat has been blocked by dams. Fisheries science has now proven that high flows during winter and spring are needed if salmon are to survive in California.	Please refer to Master Response 8, *Trinity River,* which discusses how the Project would affect the Trinity River. Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses flow impacts and mitigation measures. Please refer to Master Response 7, *Tribal Coordination* Consultation, and Engagement, which discusses the Authority and Reclamation's consultation and engagement with Tribes.

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			High flows have many benefits. Flushing flows in high water years inundate floodplains, help out migrating salmon, scour out sediments and algae, move spawning gravel, and reduce fish diseases, all of which greatly increase salmon numbers. In fact, new flow science coupled with extremely low salmon returns has led the state water board to create plans to restore winter and spring flows in the Sacramento River. In the Klamath watershed, the Trinity Management Council, which the Hoopa Valley and Yurok Tribes are members of, is recommending higher winter flows in the Trinity River and a recent lawsuit has forced higher spring flows in the Klamath River to combat the C. Shasta fish disease, which killed the majority of juvenile salmon in recent years. Steps have also been taken to use Trinity River reservoir water for fall cold water releases to prevent large scale adult fish kills in the Klamath River during droughts. Restoring flows are needed to bring back salmon. The Sites Proposal threatens all of these actions, and it could not come at a worse time. A recent report from U.C. Davis shows that over 45% of California salmon are facing extinction. Furthermore, the Klamath River is facing the worst salmon returns in history and wild Spring Chinook returns in the Klamath, Trinity and Sacramento Rivers last year numbered in the hundreds.	

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38	1	32000	While NMFS understands that Final and Annual Operations are expected to be developed following the WSIP [Water Supply Investment Program] determination, the concept of how Operations will "interface with the preparation of the annual Temperature Management Plan for the Sacramento River, consistent with WR 90-5 and applicable RPAs" (pg. 102 of Ch. 3) needs further development. An explanation of the process by which Annual Operations will be set, consistent with WR 90-5 and applicable RPAs, and how the Ecosystem Enhancement Storage Account (EESA) priorities will be determined (or modified) will be critical in an analysis of Project Operations.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. As a federal cooperating agency, NMFS has participated in the review of the Administrative RDEIR/SDEIS and Administrative Final EIR/EIS. Formal comments on the RDEIR/SDEIS were also submitted by NMFS. All comments have been considered in the preparation of the Final EIR/EIS. Any comments made on these subsequent drafts of the EIR/EIS are assumed to supersede comments made on the 2017 Draft EIR/EIS. Nonetheless, responses to comments on the 2017 Draft EIR/EIS are provided to cross-reference revised analysis and/or relevant responses to comments on the RDEIR/SDEIS. Please refer to Chapter 2, *Project Description and Alternatives* for a description of the Project operations, including diversion criteria. Chapter 2 states "As required by Water Rights Order 90-5, a minimum bypass flow in the Sacramento River at the RBPP of 3,250 cfs would continue to be in place to stabilize flows in the Sacramento River and protect salmon redds. When flow in the Sacramento River is less than 3,250 cfs at the RBPP, the Project would not divert. When flows in the Sacramento River exceed 3,250 cfs at the RBPP, diversions at the RBPP may occur and the rate of diversion at the RBPP would be controlled by and scaled to the fish screen design (Figure 2-36) until the full 2,100 cfs diversion could be achieved at flows of approximately 7,860 cfs in the Sacramento River."
38	2	21100	It will also be important to consider how baseline conditions might change based on the demands of other projects that are either under construction or have received approvals and permits.	Please refer to Master Response 2, *Alternatives Description and Baseline,* which addresses adequacy of the baseline existing conditions used in the RDEIR/SDEIS.
38	3	32400	Bypass Flows and Weir Spill Analysis NMFS recommends greater scrutiny be applied to the relative impact of reduced river flows caused by diversions along the Sacramento River so that the consultation analysis is able to	Refer to Appendix 11K, *Weighted Usable Area Analysis* for the results and discussions related to WUA.

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			answer the questions related to the biological impact of diversions and the proposed bypass flows. The SacEFT [Sacramento River Ecological Flows Tool] analysis (Appendix 8B) describes significant loss of rearing habitat in the Sacramento River, but the WUA analysis (Appendix 12L) for the Sacramento River is limited to the reach between Keswick and Battle Creek (upstream of all Sites diversions). We would like to see an assessment of the bypass flows that includes a WUA [Weighted Usable Area] analysis downstream of the diversions. For the Sutter and Yolo bypasses, a few biologically-significant metrics are acknowledged (e.g., "Sutter Bypass flows greater than 4,000 cfs for at least 21 days," and for "Yolo Bypass, there is a rapid increase in the inundated area up to around 40,000 cfs and [...] only marginal [...] increase up to modeled flows of 200,000 cfs") but it is not clear if these metrics are applied to the weir spill analysis. NMFS recommends that an additional "acre-day" analysis be conducted for the lower Sacramento River and bypasses that compares alternatives and the change in the number of acre-days of inundation. An analysis of this type can be further divided by water-year type and month. Where channel geometry information is known, inundated acres can be separated into bankfull channel and floodplain inundation, with the assumption that shallower/lower velocity habitat in the floodplain is more beneficial to salmonid rearing.	
38	4	51600	Water Quality Analysis (Temperatures) For the section 7 ESA consultation, NMFS recommends a more thorough analysis of the Project's impacts to water quality, in particular associated temperature effects. The stated assumption that only a violation of a particular water quality standard would indicate a potential water quality impact oversimplifies and discounts the extent of effect. NMFS will be concerned with the effect to water quality regardless of the magnitude relative to a water quality standard. Greater resolution and detail is needed in the modeling and assessment of temperature impacts below the new Delevan intake/outfall, as well as in the analysis of thermal changes in the GC Canal, Holthouse Reservoir, and TR Reservoir. Further, we recommend analysis of potential temperature	Please refer to the Chapter 6, *Surface Water Quality* for a discussion of Project impacts on water quality. Chapter 6 presents the results of the temperature modeling conducted to evaluate the effects of temperature on water quality. The Delevan Intake and Holthouse Reservoir have been eliminated from the RDEIR/SDEIS.

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			stratification within Sites Reservoir and assessment of the benefit of the proposed temperature-control device.	
38	5	51640	Details regarding Mitigation Measure Fish-1f are too vague to determine to what extent operations would minimize entrainment. Additional information regarding a number of operational definitions (e.g., "rapid increase in juvenile salmon [...] migration," "naturally occurring, storm-induced pulse flows," etc.), as well as the intended use of existing and new environmental data collection, will be critical in determining the efficacy of the mitigation measure. Understanding that these Project elements are intended to be developed cooperatively with CDFW and NMFS, we [NMFS]look forward to working with the Authority, Reclamation, and CDFW to help refine the proposed pulse flow protection rules and to develop the associated anadromous fish monitoring program. To that end, we suggest identifying bypass flows, not only for the pulse protections but also during periods of diversion, that are biologically supportive and specific to river reach. We provide Enclosures 2 and 3 ("Comparison of Proposed BDCP Operational Scenarios Based on Frequency of Achieving Specific Salmonid and Sturgeon Flow Needs" and the "Preliminary late-fall Chinook salmon smolt outmigration analysis for SIT team, December 2016 meeting") as examples of fisheries-agency efforts to identify Sacramento River and Delta flow criteria that are beneficial to listed species. The recommendations in these documents require review and potential updating for new information and therefore are not a final recommendation; however, they represent multi-agency approaches to evaluating flow-survival needs of species and should be useful in identifying an approach to and starting point for bypass flow criteria.	Please refer to Chapter 11, *Aquatic Biological Resources* and associated appendices for the updated analysis of Project impacts on aquatic resources. Mitigation measures are proposed to reduce any significant Project impacts.
38	6	51650	Fish Screens and Fish Screen Interactions NMFS recommends further analysis to assess the effect of fish screens and fish screen interactions. In particular, baseline information regarding the efficiency of existing screen performance under current operations will need to be contrasted with expected performance during proposed Project	Please refer to Chapter 11, *Aquatic Biological Resources* for a discussion of Project impacts on aquatic resources, including the effects related to predation and fish screens.

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			operations, which include intake use at different times of the year than is permitted for current operations. As noted in the EIR/EIS, the interaction of potential stressors, such as the interaction between fish screens and predators and the efficacy of predator refugia, will need to be assessed.	
38	7	32000	[ATT1:] WSIP [Water Storage Investment Program]: Operations presented in the WSIP proposal are described as "flexible and adaptable to meet a wide range of water supply and environmental needs" and those presented in the application have been "deemed to be most-responsive in providing water to the highest priorities." There is also acknowledgement that "over the life of the Sites Reservoir, these priorities may need to change and the Sites Project has the flexibility to adapt to a changing future," so what is the process for changing priorities and what organizations would be involved? [Page:] 6 of 26	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that do not raise issues related to the adequacy of the environmental impact analysis. Please see Chapter 2, *Project Description and Alternatives* and Appendix 2D, *Best Management Practices, Management Plans, and Technical Studies,* which outlines the Authority's commitments, including adaptive management plans. The Authority also plans involvement with technical and advisory teams (e.g., Sacramento River Temperature Task Group) that would provide opportunities to work collaboratively to achieve species benefits in the Sacramento Valley and the Delta.
38	8	32000	[ATT1:] WSIP [Water Storage Investment Program]: The Water Operations Committee will be comprised of investors and stakeholders that include "the state and federal resource agencies delegated the responsibility to have management control over the investment by the state and/or Federal government, respectively." When is that responsibility delegated and by whom? [Page:] 6 of 26	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that do not raise issues related to the adequacy of the environmental impact analysis.
38	9	32000	[ATT1:] WSIP [Water Storage Investment Program]: Further explanation of the development and timing of the annual operating plans is needed. Annual operating plans are initiated in the spring of the prior year and completed and approved no later than the Authority Board meeting in August of the prior year. Is this realistic? CVP initial allocations are developed in February should the Sites annual operating plans coordinate more closely or along similar timelines as those of the SWP & CVP? How will "Sites Project annual operating plans [...] interface with the preparation of the annual Temperature Management Plan for the Sacramento River, consistent with WR 90-5 and applicable RPAs?" [Page:] 7 of 26	A draft operations plan has been prepared and will be refined as development of the Project proceeds. Please see Master Response 2, *Alternatives Description and Baseline,* which addresses refinements to Project operations.

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38	10	40000	[ATT1:] WSIP [Water Storage Investment Program]: What are the model products and assumptions? "The operations analyses conducted for the Sites Reservoir Project utilized the model products and assumptions described in section 6004(a)(1) of the California Code of Regulations" [Page:] 9 of 26	See Master Response 3, *Hydrology and Hydrologic Modeling* for a summary of the modeling refinement undertaken for the Final EIR/EIS.
38	11	20000	[ATT1:] WSIP [Water Storage Investment Program]: Clarification: "equal proportional share" [Page:] 9 of 26	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that do not raise issues related to the adequacy of the environmental impact analysis.
38	12	44000	[ATT1:] WSIP [Water Storage Investment Program]: "Several existing and additional proposed bypass flow criteria were assumed at specified locations" What are they or where are they? [Page:] 10 of 26	Please refer to responses to comments 38-9 and 38-10, above.
38	13	44000	[ATT1:] WSIP [Water Storage Investment Program]: "Pulse flow protection period proposed from October - May. What are the criteria associated with this? [Page:] 10 of 26	Please refer to responses to comments 38-9 and 38-10, above.
38	14	30000	[ATT1:] WSIP [Water Storage Investment Program]: Unclear what is meant by "Provide (via upstream actions) incidental Delta water quality improvements in the summer and fall" [Page:] 11 of 26	This comment is no longer relevant due to revised text included in the RDEIR/SDIES. Please refer to responses to comments 38-9 and 38-10, above.
38	15	32000	[ATT1:] WSIP [Water Storage Investment Program]: "Operations in any given year will be a function of the current year hydrology, as well as a function of the system conditions resulting from the previous year's hydrology and operations." I Understand this as a concept but what is the "function?" (i.e. what is the process by which operations are developed? is that function/equation defined?) [Page:] 11 of 26	See Response to Comment 38-9, above.
38	16	32000	[ATT1:] WSIP [Water Storage Investment Program]: [T]wo public benefits are listed as possible uses of EESA water during wet years (Yolo bypass/delta outflow improvement and supply for refuges), could there be others? Also if EESA water is not used can it be "stored/banked?" are there rules for storage/banking? [Page:] 11 of 26	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that do not raise issues related to the adequacy of the environmental impact analysis. Benefits of the Project have been demonstrated through the revised analysis included in Chapter 5, *Surface Water Resources*, Chapter 10, *Wildlife Resources*, Chapter 11, *Aquatic Biological Resources* and outlined in Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments*, Master Response 2, *Alternatives Description and Baseline,*

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				and Master Response 5, *Aquatic Biological Resources*. These include water supply, ecosystem, anadromous fish, flood, and recreation benefits..There will be water dedicated to environmental purposes that would be stored in sites and used for specific benefits, but it's no longer called EESA water.
38	17	43000	[ATT1:] WSIP [Water Storage Investment Program]: [W]hy is it in above normal year types that by 2070 average diversions are expected to be greater (770 TAF) than wet year types (715 TAF)? [Page:] 12 of 26	Please refer to responses to comments 38-9 and 38-10, above.
38	18	40000	[ATT1:] WSIP [Water Storage Investment Program]: Similar to other questions about the EESA is there an average year allocation of EESA water that maximizes the benefit? Understanding that it is based on "current priorities" [Page:] 13-14 of 26	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that do not raise issues related to the adequacy of the environmental impact analysis.
38	19	32000	[ATT1:] WSIP [Water Storage Investment Program]: The "adaptive management process" is described as having 6 steps, suggest a closer association/coordination with the AM program for CVP/SWP & CWF ops and/or the DSP's nine step AM framework. [Page:] 18 of 26	Please refer to responses to comments 38-9 and 38-10, above.
38	20	32000	[ATT1:] WSIP [Water Storage Investment Program]: "monitoring is only initiated if opportunities for management change exist" that doesn't include compliance monitoring? [Page:] 19 of 26	Please refer to responses to comments 38-9 and 38-10, above.
38	21	51610	[ATT1:] WSIP [Water Storage Investment Program]: "Monitoring for 12 years is recommended to assess increase in spawning by quantifying increasing trends of the first four consecutive cohorts. Monitoring will begin immediately after completion of Sites Reservoir." For the BA NMFS would expect monitoring to begin before the completion of the reservoir to help establish baseline conditions. shouldn't be a problem because table ADF-1 doesn't propose any new monitoring? --> Conflicts with Mitigation Measure 1F which proposes additional monitoring. [Page:] 19 of 26	Comment is noted, see Response to Comment 38-1, above.
38	22	32000	[ATT1:] Universal comment. What are the bypass flows? And what are the pulse protection criteria/rules? [Page] NA. [Associated Section:]See Chapter 3 for bypass flows.	Please refer to Chapter 2, *Project Description and Alternatives* and Master Response 2, *Alternatives Description and Baseline* for a description of the Project operations, including diversion criteria.
38	23	32000	[ATT1:] EIS 1-1: In describing roles and responsibilities	Please refer to Chapter 2, *Project Description and Alternatives,* which

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			Reclamation is involved in the action to provide the "coordinated operations of the CVP" but the same responsibility is not identified for DWR and SWP? [Page:] 1&2 of 35.	states "Project operations would be coordinated with Reclamation and DWR to benefit portions of CVP and SWP operations."
38	24	32000	[ATT1:] EIS 1-2: Operating criteria are defined/explained in... Chapter 3 (?) Description of Project Alternatives [Page:] 6 of 35. [Associated Section:] Chapter 3, Sections 3.2(?), 3.3, 3.4 and 3.5(?).	Please refer to Chapter 2, *Project Description and Alternatives* and Master Response 2, *Alternatives Description and Baseline* for a description of revised Project operations criteria.
38	25	11000	[ATT1:] EIS 1-3: What is the benefit or significance of being a CALFED project? Is it only that the full development of alternatives has already been considered in the CALFED EIS/EIR and ROD? [Page:] 10 of 35. [Associated Section:] www.calwater.ca.gov/content/Documents/ROD.pdf.	Please refer to Chapter 2, *Project Description and Alternatives,* which states "following the CALFED ROD for the EIR/EIS in 2000, DWR and Reclamation continued to evaluate potential locations for a reservoir on the western side of the Sacramento Valley as part of the Surface Water Storage Investigation. The results of the investigation determined that the Sites Reservoir location was the most conducive to meeting the goals and objectives of the Surface Water Storage Investigation while minimizing environmental impacts and providing the greatest potential benefits."
38	26	11100	[ATT1:] EIS 1-4: Is WaterFix considered? "Applicable reasonably foreseeable plans, projects, programs, and policies that may be implemented in the future but that have not yet been approved, are included as part of the analysis of cumulative impacts in Chapter 35 Cumulative Impacts. Potential impacts associated with climate change are addressed separately in Chapter 25 Climate Change and Greenhouse Gas Emissions." [Page:] 15 of 35. [Associated Section:] Chapter 35, Chapter 25.	Please refer to Chapter 31, *Cumulative Impacts* for the consideration of other projects in the cumulative analysis.
38	27	21500	[ATT1:] EIS 1-5: What is (or would be) the timeline for Reclamation's ROD? This would be after ESA consultation correct? [Page:] 16 of 35.	The ROD would be issued after ESA consultation is complete, currently anticipated to be in late 2023.
38	28	32000	[ATT1:] EIS 1-6: An example of the difference between the Secondary Study area and the Extended Study Area would be useful. It is unclear the difference considering they both seem to be based on the use of CVP/SWP water? [Page:] 22 of 35.	The RDEIR/SDEIS does not include use of secondary and extended study areas. Please refer to Chapter 3, Environmental analysis for a description of the study area used in the RDEIR/SDEIS.
38	29	32000	[ATT1:] EIS 1-7: Does the "Project Area" the same as the "Primary Study Area" or is there some difference? For the ESA consultation NMFS will consider the "Action Area" which seems likely to be the Secondary Study Area. [Page:] 26 of 35.	The analysis does not include use of "Project Area" or "Primary Study Area." Please refer to Chapter 3: Environmental analysis for a description of the study area used in the RDEIR/SDEIS and Final EIR/EIS
38	30	32000	[ATT1:] EIS 3-1: Operation and efficiency of the fish screens at the RB pumping plant (TC canal) is unclear/not identified [Page:]	Please refer to Chapter 2, *Project Description and Alternatives* for a description of the project diversion and conveyance facilities,

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			54 of 118.	including the RBPP. According to Chapter 2, the RBPP has an existing fish screen that meets NMFS and CDFW fish screen criteria through which flows diverted for the Project would be screened. Additionally, please see Figure 2-36, which shows how the rate of diversion at RBPP would be controlled by and scaled to the fish screen design.
38	31	32000	[ATT1:] EIS 3-2: Is there additional information on the operation of the additional pumps at the RB pumping plant? [Page:] 54 of 118.	Please refer to Chapter 2, *Project Description and Alternatives* for a description of the project diversion and conveyance facilities, including the RBPP.
38	32	32000	[ATT1:] EIS 3-3: The GCID intake fish screen facility is expected to operate similar to current operations but year-round. What kind of analysis is there for current operations and why are the screens expected to perform the same during different periods/seasons of operations? NMFS would likely need to see baseline operations and compare them to future operations. [Page:] 64 of 118. Would need similar analysis of TC Canal fish screens operations as well.	Please refer to Chapter 2, *Project Description and Alternatives* for a description of the project diversion and conveyance facilities, including the GCID Hamilton City Pump Station. According to Chapter 2, the Hamilton City Pump Station has an existing fish screen that meets NMFS and CDFW fish screen criteria through which flows diverted for the Project would be screened. Additionally, please see Figure 2-37, which shows how the rate of diversion at Hamilton City Pump Station would be controlled by and scaled to the fish screen design.
38	33	32000	[ATT1:] EIS 3-4: unclear if dredging (outside the canal) would occur year-round? [Page:] 64 of 118.	Please refer to RDEIR/SDEIS Appendix 2C, *Construction Means, Methods, and Assumptions* for detailed construction information.
38	34	32400	[ATT1:] EIS 3-5: Bypass flow at Delevan would be 4,000 cfs. Does this conflict with Wilkins Slough navigation requirement? Page:] 71 of 118. [Note:] not listed in section 3.3.1.2.	The Delevan intake has been eliminated from the RDEIR/SDEIS, and therefore, this comment is no longer to the Project.
38	35	32000	[ATT1:] EIS 3-6: Not sure how a final operation plan will be influenced by the findings of the Water Commission (WSIP)? [Page:] 102 of 118.	Please refer to Master Response 2, *Alternatives Description and Baseline,* which addresses comments related to reservoir operations plan.
38	36	32400	[ATT1:] EIS 3-7: Section 3.3.1.1 "flow conditions needed to maintain and protect anadromous fish survival" is vague and ambiguous. Is this a new requirement? a specific existing requirement? [Page:] 105 of 118.	Please refer to Chapter 2, *Project Description and Alternatives,* which states "In October 2019, the Authority pursued a value planning process to determine if further refinements to the alternatives in the 2017 Draft EIR/EIS were warranted. Multiple alternatives were considered during the value planning process that took into consideration the public and agency comments received on the 2017 Draft EIR/EIS (Sites Project Authority 2020). The primary objectives of this process were to: • Improve water supply and water supply reliability; • Provide Incremental Level 4 water supply for refuges; • Improve the survival of anadromous fish; and

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				• Enhance the Delta ecosystem."
38	37	32400	[ATT1:] EIS 3-8: Bypass flows: 3,250 cfs @ RBDD (TCCA); 4,000cfs @ Hamilton City (GCID); 5,000cfs @ Wilkins Slough (regardless of hydro conditions???); Freeport flow of 15,000 in January, 13,000 December and Feb - June, and 11,000 all other months (July - November). Are these bypass flows adequate? Is there a timing element of operations for the different diversions? Could there be a situation where Sites is releasing water at Delevan but diverting water at TCCA and GCID? Should there be rules for that? For ESA consultation it would be important to consider what conditions these bypass flows would create. [Page:] 106 of 118.	Please refer to Chapter 2, *Project Description and Alternatives* for a description of the project diversion criteria. Also refer to Master Response 2: Alternatives Description and Baseline, which describes refinements to Project operations, including increase in bypass flow criteria at Wilkins Slough.
38	38	32000	[ATT1:] EIS 3-9: Maximum release from Delevan pipeline is 2500 cfs? It's stated elsewhere that it's only 1500 cfs? . [Page:] 107 of 118	The Delevan pipeline has been eliminated from the RDEIR/SDEIS, and therefore, this comment is no longer applicable to the Project.
38	39	32000	[ATT1:] EIS 3-10: Is there more information from the Sac River Flow Regime Tech Advisory Group? specifically about increasing the reliability of Sutter and Yolo inundation? [Page:] 110 of 118.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that do not raise issues related to the adequacy of the environmental impact analysis.
38	40	32000	[ATT1:] EIS 4-1: Would the FWCA govern the coordination and use of the EESA water? what is the process for determining how the EESA water is 'spent?' [Page:] 11 of 27.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that do not raise issues related to the adequacy of the environmental impact analysis.
38	41	13000	[ATT1:] EIS 4-2: Does the water right filing define an amount of water or is it just that water would be diverted? [Page] 15 of 27.	Please see Chapter 2, *Project Description and Alternatives*. The Authority filed its water right application for the Project with the State Water Board in May 2022 (application number A025517X01). The application identifies the Sacramento River as the source of water and includes two proposed points of diversion on the Sacramento River: 1) the RBPP and 2) diversions at Hamilton City. The application included a water availability analysis that demonstrates that there is a "reasonable expectation of water available for the Project." The Authority requested a water right for the Project that would authorize diversion of up to 1.5 million af/yr of unappropriated water to storage through Project components in Tehama, Glenn, and Colusa Counties. The right would also authorize a maximum diversion rate of 4,200 cfs and a diversion season of September 1 – June 14."

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38	42	51600	[ATT1:] EIS 4-3: The regulatory setting for aquatic Biological resources is presented in Appendix 4A "Environmental Compliance" [Associated Sections:] Appendix 4A, and Chapter 12 Aquatic Biological Resources.	Please refer to Appendix 4A, *Regulatory Requirements* for information regarding plans, policies, and regulations applicable to the impact analysis in resource chapters throughout the RDEIR/SDEIS.
38	43	51100	[ATT1:] EIS 7-1: The characterization of RPA action I.2.3 in the EIS is inaccurate where it states that "water temperatures are to be maintained at 56°F between Ball's Ferry and Bend Bridge." The RPA actually directs Reclamation to "maintain a temperature compliance point not in excess of 56 degrees". [Page] 14 of 84.	Please refer to Chapter 6, *Surface Water Quality* for a discussion of Project impacts on surface water quality.
38	44	51100	[ATT1:] EIS 7-2: On August 2, 2016, Reclamation has requested the use of the adaptive management provision of the Shasta RPA to address new science and considerations related to the RPA action where it is expected that temperature compliance will soon be managed differently (e.g. location, timing, metric and temperature). In a separate letter, also on August 2, 2016, Reclamation has requested reinitiation of consultation on the long-term operation of the CVP and SWP; meaning that additional changes will need to be considered.	See response to comment 38-43 above.
38	45	51100	[ATT1:] EIS 7-3: Table 7-4 identifies WQ objectives for temperature as being > 56 degrees when it should be < (less than). [Page] 14 of 84.	Please see the revised analysis in Chapter 6, Water Quality. This comment no longer applies.
38	46	51100	[ATT1:] EIS 7-4: Significance criteria and thresholds do not sufficiently identify the extent of environmental impact. Actions that do not violate a particular water quality standard may still have a significant impact. this is not described by the analysis. [Page] 29 of 84.	Please refer to Master Response 1: *Responses to General Comments*, which addresses adequacy of the analyses in the RDEIR/SDEIS.
38	47	51100	[ATT1:] EIS 7-5: (understanding the limitations of monthly time-steps) Quantitative changes between 5 and 10 percent are considered to be "less than significant" [Page] 30 of 84.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that do not raise issues related to the adequacy of the environmental impact analysis.
38	48	51100	[ATT1:] EIS 7-6: Existing conditions should not be assumed to be the same as the future, No Project/No Action Condition which has been stated to include the demands of projects under construction and those that have received approvals and Permits (CWF?). [Page] 33 of 84.	Please refer to the updated description of the No Project/No Action Alternatives in Chapter 2, *Project Description, and Alternatives* and Master Response 2, *Alternatives Description and Baseline*, which address Baseline, Existing Conditions/No Project Alternative/No Action Alternative.
38	49	51100	[ATT1:] EIS 7-7: Sites Reservoir Discharge Temperature Model: "Significant warming is not expected within the Delevan	Please refer to Chapter 6, *Surface Water Quality* for a description of the modeling methodology used in determining temperature-

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			Pipeline." it is unclear if the analysis of thermal changes includes changes at the GC Canal, Holthouse Reservoir, TR Reservoir, or even Sites itself? [Page] 34 of 84.	related impacts of the Proposed Project. The Delevan Pipeline and Holthouse Reservoir have been eliminated from the RDEIR/SDEIS.
38	50	51200	[ATT1:] EIS 8-1: Is there any protection of Geomorphic flows? Are high flow events protected given Sacramento River channel migration "starts" at flows in excess of 55,000 cfs. [Page] 7 of 30.	Please refer to Chapter 7, *Fluvial Geomorphology* for a discussion of Project impacts on fluvial geomorphology.
38	51	51200	[ATT1:] EIS 8-2: More detail is needed in the analysis of suspended sediment changes that were modeled at Red Bluff, Hamilton City, and Colusa. Much of the detail and potential significance is lost by making annual comparisons. Further, a description of the relative change in sediment entrainment between alternatives would reach very different conclusions. [Page] 20 of 30. [Associated Section:] Appendix 8A	See response to comment 38-50 above.
38	52	51200	[ATT1:] EIS 8-3: The average amount of suspended sediment that was modeled to be entrained at the Tehama-Colusa Canal Authority Red Bluff Pumping Plant Intake annually under the Existing Conditions/No Project/No Action Condition is 40,000 tons, however in Appendix 8A (Sedimentation and River Hydraulics Modeling) this figure is 4,000 tons/yr. [Page] 20 of 30. [Associated Section:] Appendix 8A	See response to comment 38-50 above.
38	53	51200	[ATT1:] EIS 8-4: The Reclamation meander study uses a threshold of 30,000 cfs as the threshold for "substantial geomorphic river changes." Is this inconsistent with the 1999 CalFED study that identifies 55,000 cfs as the flow where channel migration "starts?" [Page] 21 of 30. [Associated Section:] Appendix 8A	See response to comment 38-50 above.
38	54	51200	[ATT1:] EIS 8-5: More detail should be carried through from the analysis to the conclusions of the river meander study. The analysis in Appendix 8A indicates that there is large variability in the potential for river meander depending the river mile examined such that for the entirety of the river impacts may be less than significant but for certain small sections of the river there will be significant increase or decrease of erosion. [Page] 21 of 30. [Associated Section:] Appendix 8A	See response to comment 38-50 above.
38	55	51200	[ATT1:] EIS 8-6: Appendix 8A notes that reach 10 (where the new	Please refer to Appendix 7B, *Hydrodynamic Geomorphic Modeling*

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			Delevan Pipeline would be located) experiences the most notable aggradation and that periodic dredging may be required. No mention of this is mad in the conclusions regarding the maintenance impacts in the primary study area. [Page] 22 of 30. [Associated Section:] Appendix 8A	*Results* for the results of suspended sediment transport, bedload, and river meandering models that were used for the impact analysis in RDEIR/SDEIS Chapter 7: Fluvial Geomorphology.
38	56	51600	[ATT1:] EIS 12-1: Focused on Alternative D, as it was identified by Sites JPA as the preferred alternative	Please refer to Chapter 2, *Project Description and Alternatives* for a description of the proposed alternatives. The analysis presented in the resource chapters of the RDEIR/SDEIS is based on the comparison of the No Action Alternative to the performance of Alternatives 1, 2, and 3.
38	57	51600	[ATT1:] EIS 12-2: Surface water conditions are not considered upstream of Vernalis (the San Joaquin River). Could or should changes and effects be considered in the San Joaquin? Is there a reason that the use of EESA water could not or would not affect storage on the San Joaquin? Page] 2 of 118.	Please refer to Chapter 5, *Surface Water Resources* and associated appendices for the updated analysis of Project impacts on water resources. The analysis does not include the San Joaquin River since water deliveries to members south of the Delta would be subject to existing permits and regulations.
38	58	51600	[ATT1:] EIS 12-3: SR Killer Whales are identified as "species of special management concern" This should be endangered. NMFS would want clarification the status and analysis of effects to killer whales. [Page] 2 of 118.	Please refer to Chapter 11, *Aquatic Biological Resources* for a discussion of Project impacts on killer whales (Impact FISH-19).
38	59	51600	[ATT1:] EIS 12-4: What is the status of the Winter-run Shasta re-introduction? What would be the interaction with Shasta Lake conditions? [Page] 8 of 118.	The study area for Chapter 5, *Surface Water Resources* is defined as "those areas with the potential to be significantly affected by the Project and associated changes in operations. This area includes drainages in the Sites Reservoir footprint, conveyance and storage facilities for moving water to and from Sites Reservoir, Shasta Lake and the Sacramento River, Lake Oroville and the Feather River, Folsom Lake and the American River, Yolo Bypass, and the Delta." Please also refer to Chapter 11, *Aquatic Biological Resources* and associated appendices for the updated analysis of Project impacts on aquatic resources. Mitigation measures are proposed to reduce any significant Project impacts.
38	60	51610	[ATT1:] EIS 12-5: Cold water pool is essentially a function of the volume of water in the reservoir. --Reclamation has (at times) argued that this is not the case. At a minimum this is a tenuous assumption. [Page] 10 of 118.	Please refer to Chapter 11, *Aquatic Biological Resources* and associated appendices for the updated analysis of Project impacts on aquatic resources. Mitigation measures are proposed to reduce any significant Project impacts.
38	61	51640	[ATT1:] EIS 12-6: "Existing screens at the pumping plants are designed to prevent entrainment of Chinook salmon and steelhead into the canals" This does not negate effect, NMFS	Please refer to Chapter 11, *Aquatic Biological Resources* and associated appendices for the updated analysis of Project impacts on aquatic resources. Mitigation measures are proposed to reduce

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			criteria are that screens are expected to be 95% effective (this goes for existing facilities as well). For the consultation NMFS would need further analysis of the fish screens (new and existing) and the effect of operations on the screen efficiency. [Page] 50 of 118.	any significant Project impacts.
38	62	51610	[ATT1:] EIS 12-8: Pulse flow protection period is assumed Oct - May, "Further detail on the diversion limitation assumptions is included in Chapter 5 Guide to the Resource Analysis." [Page] 53 of 118. [Associated Sections:] Chapter 5, Mitigation measure 1f (pg. 117-118 of 118)	Please refer to Chapter 11, *Aquatic Biological Resources* and associated appendices for the updated analysis of Project impacts on aquatic resources. Mitigation measures are proposed to reduce any significant Project impacts.
38	63	51610	[ATT1:] EIS 12-9: A more detailed description of the rationale and indicators used to assess the potential impacts of ongoing hydrologic changes associated with SWP and CVP Operations is provided in Appendix 12B Fisheries Impact Assessment Methodology. [Page] 56 of 118. [Associated Sections:] Appendix 12B	Please refer to Appendix 11B, *Upstream Fisheries Impact Assessment Quantitative Methods* for a detailed discussion of the specific methodologies and indicators used to evaluate potential impacts due to changes in SWP and CVP operations as a result of Project implementation.
38	64	51610	[ATT1:] EIS 12-10: "flow and storage changes of 5 percent or less are generally considered within the standard range of uncertainty associated with model processing; therefore, flow changes of 5 percent or less were considered to be similar to the Existing Conditions/No Project/No Action Condition flow levels in the comparative analyses using CALSIM II conducted in this EIR/EIS. Changes in flow exceeding 10 percent were considered to represent a potentially meaningful difference." What about differences between 5% and 10%? are they "similar" or "potentially meaningful" [Page] 58 of 118.	This language has been revised in the Final EIR/EIS, please refer to Chapter 5, *Surface Water Resources*.
38	65	40000	[ATT1:] EIS 12-11: How was Sites incorporated into the models (CALSIM II, Reclamation Water Temp. ?) . [Page] 61 of 118. [Associated Sections:] Appendix 6B, Appendix 7E	Please refer to Chapter 5, *Surface Water Resources,* which describes the CALSIM II model and its use in evaluating project impacts.
38	66	51630	[ATT1:] EIS 12-12: For the Sutter and Yolo bypasses alternatives are analyzed based on the frequency of inundation flows of particular size (cfs) and duration (days). Does this analysis provide enough resolution to discern differences in alternatives? For the consultation NMFS would want to see an analysis of the 'raw' data. [Page] 62 and 63 of 118. [Associated Sections:] Appendix 12N	Please refer to Appendix 11M, *Inundated Floodplain and Side-Channel Habitat Analysis* including Yolo and Sutter Bypasses, which includes methods and results for quantifying inundated floodplain habitat in the Yolo and Sutter bypasses and inundated side-channel habitat in the Sacramento River for the No Action Alternative and Alternatives 1, 2, and 3.
38	67	51630	[ATT1:] EIS 12-13: "The frequency of events during which flows	Please refer to Chapter 11, *Aquatic Biological Resources,* which states

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			into the Sutter Bypass of greater than 4,000 cfs were maintained for at least 21 days was used as an index of floodplain habitat availability." What does this mean? or what does this index represent? [Page] 62 of 118. [Associated Sections:] Appendix 12N	"Takata et al. (2017) examined various juvenile Chinook salmon biological responses to Yolo Bypass flooding, which they defined as the number of days during January–June with daily mean flows at the downstream end of Yolo Bypass >4,000 cfs; this is the flow at which floodplain inundation occurs."
38	68	51630	[ATT1:] EIS 12-14: Recent work for the Central Valley Flood Management Planning Program (California Resources Agency and DWR, 2016) confirms that as flows increase in the Yolo Bypass, there is a rapid increase in the inundated area up to around 40,000 cfs and then the inundated area increases only marginally as flows increase up to modeled flows of 200,000 cfs. Does this mean that higher flows are less important? Does the analysis consider flows up to 40,000 cfs (don't think it does). ? [Page] 63 of 118. [Associated Sections:] Appendix 12N	See response to comment 38-66 above.
38	69	51630	[ATT1:] EIS 12-15: "Of particular importance is the frequency of events during which the floodplain is fully activated for a duration that provides rearing opportunities. Therefore, the frequency of events during which flows into (and through) the Yolo Bypass of greater than 8,000 cfs are maintained for at least 21 days was used as an index of floodplain habitat availability." What does the index represent? and does the 8,000 cfs "fully activated" conflict with "a rapid increase in the inundated area up to around 40,000 cfs" ? [Page] 63 of 118. [Associated Sections:] Appendix 12N	See response to comment 38-66 above.
38	70	51650	[ATT1:] EIS 12-16: Existing TC Canal Connections and existing GCID Main Canal Facilities are not analyzed but should they be? For the consultation NMFS would need further analysis of the fish screens (new and existing) and the effect of operations (timing and fish presence) on the screen efficiency. [Page] 65 of 118	See Appendix 2D, section 2D.6.2 *Fish Screen and Entrainment at the Red Bluff Pumping Plant and the Hamilton City Pumping Plant Study,* which addresses proposed connections to the existing TC Canal and GCID Main Canal.
38	71	51650	[ATT1:] EIS 12-17: "Because fish screens would be designed to meet NMFS and CDFW design criteria, no further evaluation of direct fish screen mortality is conducted in this EIR/EIS. However, while the fish screen associated with the Delevan Pipeline Intake/Discharge Facilities would be designed to meet all NMFS and CDFW criteria, and diversions would occur at flow rates that would allow adequate approach and sweeping velocities,	The Delevan Intake is no longer part of the Project.

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			potential indirect impacts on fish migrating past the screens could occur." Fish Screen/Predation interaction. [Page] 71 of 118. [Associated Sections:] Vogel et al. 1988.	
38	72	51630	[ATT1:] EIS 12-18: In discussions regarding bypass spill and inundation, 'how' the bypasses (particularly Yolo) are inundated is important to realizing the benefit to the species. Flows spilling from the mainstem would also transport fish on to the bypass but flows released from Colusa Basin Drain, through the Knights Landing Ridge Cut, would not provide the same transport nor the same benefit. [Page] 71 of 118.	Please refer to Chapter 11, *Aquatic Biological Resources* and associated appendices for the updated analysis of Project impacts on aquatic resources. Mitigation measures are proposed to reduce any significant Project impacts.
38	73	51620	[ATT1:] EIS 12-19: Conclusions regarding the impact of operations to (WR) salmon focus almost entirely on the potential benefit of operations, mostly in the drier year types. It is not clear that there is acknowledgement of the impact of temperatures below Delevan, changes (increases) to temperatures in the GC Canal, Holthouse Reservoir and TR Reservoir; or stratification of temperatures in Sites. [Page] 75 & 76 of 118. [Associated Sections:] Chapter 7, Surface Water Quality.	Please refer to Chapter 11, *Aquatic Biological Resources* and associated appendices for the updated analysis of Project impacts on aquatic resources. Mitigation measures are proposed to reduce any significant Project impacts.
38	74	51650	[ATT1:] EIS 12-20: It is stated that "Most Central Valley hatchery fall-run Chinook salmon are released directly into San Francisco Bay, and thus bypass potential impacts from project operations." I don't know that this is correct. [Page] 82 of 118.	Please refer to Chapter 11, *Aquatic Biological Resources* and associated appendices for the updated analysis of Project impacts on aquatic resources. Mitigation measures are proposed to reduce any significant Project impacts.
38	75	51650	[ATT1:] EIS 12-21: Further explanation of Mitigation Measure Fish 1f is needed: What monitoring is being proposed what are the specific triggers for "fish presence" [Page] 117 and 118 of 118.	Please refer to Chapter 11, *Aquatic Biological Resources* for a discussion of Project impacts on aquatic resources. Mitigation measures are proposed to reduce any significant Project impacts.
38	76	51600	ATT2: Technical Memorandum. Re: Transmission of joint agency "Comparison of Proposed BDCP Operational Scenarios Based on Frequency of Achieving Specific Salmonid and Sturgeon Flow Needs". Date: January 13, 2015	Thank you for providing this reference.
38	77	51610	ATT3: Prelimary late-fall Chinook Salmon smolt outmigration analysis for SIT team, December 2016 meeting. Prepared by Cyril Michel, UCSC/NMFS-SWFSC Santa Cruz Lab.	Thank you for providing this reference.

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39	1	20000	The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 16, 2018, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.	The Authority and Reclamation appreciate your review and comments. Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of the Final EIR/EIS.
39	2	20000	Please note that Section 21104(c) of the California Public Resources Code states that: "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation." These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.	See response to comment 39-1 above.
39	3	20000	This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.	See response to comment 39-1 above.
39	4	20000	[ATT1:] Document Details Report State Clearinghouse Data Base	See response to comment 39-1 above.

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40	1	20000	The U.S. Environmental Protection Agency has reviewed the Sites Reservoir Project Draft Environmental Impact Statement (DEIS) pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act. EPA is a cooperating agency for this DEIS and provided comments on the Administrative DEIS on May 30, 2017. According to the DEIS, the Sites Project Authority proposes to construct and operate a new off-stream surface storage reservoir ten miles west of Maxwell, California, and the Bureau of Reclamation is participating in the development of the project to consider the environmental impacts of coordinating the use of federal facilities that would be used to supply water to the reservoir. Reclamation is also examining the possibility of federally funding certain aspects of the project, such as hydropower, and utilizing Sites reservoir storage for federal conservation activities. EPA recognizes the need for additional water storage in California, and welcomes the opportunity to assist Reclamation in ensuring that federal decision making regarding new water storage facilities appropriately considers the environmental impacts associated with siting, design, construction and operation of such facilities.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and prepared a RDEIR/SDEIS in 2021. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. As a federal cooperating agency, EPA has participated in the review of the Administrative RDEIR/SDEIS and Administrative Final EIR/EIS. All comments have been considered in the preparation of the Final EIR/EIS. Any comments made on these subsequent drafts of the EIR/EIS are assumed to supersede comments made on the 2017 Draft EIR/EIS. Nonetheless, responses to comments on the 2017 Draft EIR/EIS are provided to cross-reference revised analysis and/or relevant responses to comments on the RDEIR/SDEIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that do not raise issues related to the adequacy of the environmental impact analysis.
40	2	32100	The DEIS does not identify Reclamation's Preferred Alternative. It is EPA's policy to rate each alternative when a preferred alternative is not identified. Based on our review, we are rating all the alternatives evaluated in the DEIS as Environmental Concerns- Insufficient Information (EC-2) (see enclosed "Summary of EPA Rating Definitions" [Attachment 1]). EPA is concerned about the lack of information regarding impacts to wetlands and other waters, and about water quality impacts; particularly, potential temperature impacts to beneficial uses and fishery resources in the Sacramento river. Our concerns and recommendations are discussed further in the enclosed detailed comments.	Please refer to Chapter 2, *Project Description and Alternatives,* which states that Alternative 3 is the Authority's preferred alternative and the proposed project under CEQA. Reclamation has indicated that Alternative 3 is also the preferred federal alternative.
40	3	32100	[Attachment 1:] Summary of EPA Rating Definitions	

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40	4	14000	Wetlands and Other Waters The proposed project would require a permit, under section 404 of the Clean Water Act (CWA), from the U.S. Army Corps of Engineers (Corps). A section 404 permit can only be issued for the Least Environmentally Damaging Practicable Alternative (LEDPA). The information provided in the DEIS provides an insufficient basis upon which to determine whether the project, as proposed, would satisfy the requirements for such a permit or to identify appropriate measures to mitigate the project's impacts to waters if the proposed reservoir is determined to be the LEDPA. The DEIS indicates that the wetlands and other waters in the project footprint have not been evaluated in nearly 20 years (p. 15-5). Section 15.2 of the DEIS provides qualitative assessments of wetland condition (e.g., "heavily degraded," p. 15- 9, "disturbed alkaline wetlands," p. 15-10, etc.), but does not support these assessments with empirical evidence. A verified delineation and jurisdictional determination will be needed before the CWA section 404 permitting process can proceed, and a scientifically defensible assessment of wetland conditions is needed to fully evaluate the potential impacts of the project, as well as to identify potential opportunities to mitigate such impacts.	Please refer to Chapter 4, *Regulatory and Environmental Compliance: Project Permits, Approvals, and Consultation Requirements* for a summary of federal permits, approvals and consultation processes that are applicable to the Project, including the CWA Section 404 permit. In addition, please refer to Chapter 9, *Vegetation and Wetland Resources* for a discussion of Project impacts on wetland resources.
40	5	14000	Recommendations: • In the FEIS, disclose steps taken to achieve compliance with the CWA Section 404(b)(l) Guidelines. • Work with the Corps to obtain a formal jurisdictional delineation of waters of the U.S. in the project area and include, in the FEIS, a map of the delineated waters and the anticipated impacts to those waters, to streamline future Section 404 compliance efforts.	See Response to Comment 40-4, above. The Authority has been coordinating with the Corps, including field meetings, to establish the approach to the delineation of waters of the U.S.
40	6	51900	[Recommendations:] • Conduct a formal and reproducible assessment of the aquatic resources in the project footprint, using a scientifically defensible method, such as the California Rapid Assessment Method (CRAM), and include the results in the FEIS. • In the FEIS, disclose the ecosystem functions provided by the specific wetland and other waters areas that could be	See Response to Comment 40-4, above. The Authority has been coordinating with the Corps, including field meetings, to establish the approach to the delineation of waters of the U.S. Chapter 9, *Vegetation and Wetland Resources*, includes Mitigation Measure VEG-3.2 which requires compensation for unavoidable temporary and permanent impacts on wetlands. The Authority will compensate for the loss by creation or acquisition and permanent protection of

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			impacted by the reservoir and ancillary project facilities.	suitable wetland habitat to ensure no net loss of wetland habitat functions and values.
40	7	51900	A CWA section 404 permit requires compensatory mitigation for unavoidable impacts to aquatic resource functions. The 2008 Mitigation Rule, issued jointly by the Corps and EPA (40 CPR 230.91-98), establishes a preference for compensatory mitigation based on a watershed approach, and EPA recommends that compensatory mitigation be sited appropriately to ensure that potential direct and indirect impacts of the proposed project are offset. Third-party forms of mitigation, such as mitigation bank credits and in-lieu fees, are preferred over permittee-responsible mitigation. The extent and character of the likely impacts of the proposed reservoir are such that it could be difficult to find in-kind compensatory mitigation in the Stone Corral and Funks Creek watersheds, which would be almost completely inundated, or even in the greater Sacramento River watershed. In particular, it could prove difficult to compensate for the extensive impacts to streams (148 miles in the reservoir inundation area), alkaline wetlands (19 acres) and seasonal wetlands (153 acres).	Please refer to Chapter 9, *Vegetation and Wetland Resources,* which includes compensatory mitigation for all permanent impacts and temporary impacts on wetlands that last longer than 1 year, and mitigation will be implemented immediately following temporary impacts and concurrent with or in advance of permanent impacts.
40	8	51900	Recommendations: • In the FEIS, evaluate the feasibility of providing adequate compensation for the considerable impacts to aquatic resource functions that the proposed reservoir represents, and identify specific compensatory mitigation opportunities.	See response to comment 40-7 above
40	9	51900	[Recommendations:] • Include in the FEIS and Record of Decision a commitment to implement mitigation in advance of, or concurrently with, project impacts. Clearly state that compensatory mitigation will be provided for temporary impacts lasting longer than one year.	See response to comment 40-7 above
40	10	51620	Temperature The DEIS states that the temperature in the Sacramento River downstream of Keswick and the Glenn Colusa Irrigation District (GCID) intakes, as well as downstream of the Delevan pipeline, would be between 0.6-0.9 degrees greater than current conditions under all the action Alternatives, and that this would	Please refer to Chapter 6, *Surface Water Quality* and Master Response 4, *Water Quality,* which address the method of analysis, including modeling, used to evaluate temperature effects downstream of Sites Reservoir.

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			not be a significant impact to the species described in the Aquatic Resources chapter (p. 7-41; p. 12-75). EPA is concerned that the available water volume and cold water pool may have been overestimated, which could have implications regarding whether upstream temperature targets to protect Sacramento River fish species can be met. The DEIS modeling assumes that Sites Reservoir inflow temperatures from the GCID, Tehama Colusa (TC), and Delevan canals are equivalent to Sacramento River diversion temperatures as estimated by the Upper Sacramento River Water Quality Model (Appendix 7E, 7F); however, for the GCID and TC canals, substantial warming would be expected to occur during water conveyance to the Sites Reservoir, due to the long, shallow, exposed canals and holding periods in regulating reservoirs. Thus, water delivered to Sites Reservoir could be significantly warmer than is predicted in the DEIS. In addition, the document states that Sites Reservoir, as proposed, would be considered a less-than-deep reservoir (p. 17-30), with an average carryover storage of 1275 thousand-acre-feet and average monthly storage as low as 348 TAF in some dry years (Table 6-7; p. 6- 52). It is unclear whether these numbers were incorporated into the modeling for calculating temperature of releases through the Delevan pipeline into the Sacramento River.	
40	11	51620	• Analyze how water temperature may change from the points of diversion until it is pumped into the Sites Reservoir and use these results to more accurately model the cold water pool capacity and yearly conditions in Sites Reservoir, including in drought years. • Clarify whether or not the average storage volumes presented in Table 6-7 were incorporated into the modeling for temperature of releases through the Delevan pipeline into the Sacramento River.	See Response to Comment 40-10, above.
40	12	51650	• Update the discussion of impacts to water supply and affected Sacramento River species, as needed, to reflect the updated modeling results, and update operational scenarios accordingly to reflect any limitations that warmer water releases would necessitate.	Please refer to Chapter 5, *Surface Water,* which describes the modeling methodology and results based on the proposed revised operational scenario. Chapter 10, *Wildlife Resources* and Chapter 11, *Aquatic Biological Resources,* which address the effects of the revised Project on biological species.

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40	13	51100	Salinity The Bay Delta estuary is highly impacted by multiple stressors that present challenges for federal and state water managers. The DEIS explains that Delta salinity at Rock Slough, Old River, Clifton Court Forebay, and the X2 location would be impacted by the operation of Sites Reservoir (p. 7-62) under all Alternatives, but would be consistent with the water quality standards set in the State Water Board's Water Right Decision 1641. The document notes that the increased Delta outflow in the fall that would result from the proposed operation of Sites Reservoir could lead to more suitable rearing conditions for delta smelt. While EPA acknowledges this potential benefit, we are concerned about the adverse impacts of the increased salinity that would result from reduced flows in winter months.	Please refer to Chapter 6, *Surface Water Quality* for a discussion of Project impacts on surface water quality, including impacts related to salinity.
40	14	51650	• Analyze quantitative data from the models described on page 12-64, and support the finding that the benefits from Sites Reservoir could offset the impacts associated with the expected decrease in winter freshwater flows through the estuary.	See Responses to Comments 40-1 and 40-10, above.
40	15	32000	• In the FEIS, describe the measures that would be employed to ensure that the water quality standards would always be met; for example, temporal or volumetric limitations on diversion of flows. Explain whether the Coordinated Operations Agreement between the state and federal distribution systems would need to be amended and the process for doing so.	Master Response 2, *Alternatives Description and Baseline* states that "the Project would only divert water when the Delta is in "excess conditions" as determined by Reclamation and California Department of Water Resources (DWR) and as defined in the 2018 Addendum to the Coordinated Operation Agreement."
40	16	51100	Nutrients Cyanobacteria blooms are an emerging issue in California and can be caused by numerous factors, including nutrient concentrations in reservoir source waters. Shallow reservoirs and those with fluctuating water volumes may be particularly vulnerable. Recommendation: Discuss how nutrient concentrations of the Sites Reservoir source waters may affect the potential for hazardous algae blooms in Sites Reservoir, particularly during low water conditions, and identify any design or operational measures that	Please refer to RDEIR/SDEIS Chapter 6, *Surface Water Quality,* which includes a discussion of how nutrient concentrations affect HABs. Please see the Harmful Algal Blooms section of the Reservoir Management Plan (RMP), included in Section 2D.3.1 of Appendix 2D. The RMP includes a Water Quality Monitoring component and a HABs Action Plan. Also see Appendix 4A, Section 4A.2.1.6, which describes joint efforts to monitor, manage, and respond to HABs across multiple organizations.

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			could minimize this potential.	
40	17	50000	Sacramento River Sediment Using sediment rating curves developed from U.S. Geologic Survey gaging data, the DEIS estimates that construction of the project would result in the additional annual diversion of 80,000-112,000 tons of sediment from the Sacramento River (p. 8-20, Appendix 8A). While this is estimated to represent only a 2-5% decrease in Sacramento River suspended sediment load, it could contribute to degradation of the Bay Delta, which is already experiencing a sediment deficit attributed to sediment trapping within reservoirs and deposition in flood bypasses, the impacts of which will be exacerbated by sea level rise.	See Appendix 2D.5 Sediment Monitoring Plan and Adaptive Management for Sediment Diverted from the Sacramento River
40	18	50000	EPA is concerned about the ultimate destination of diverted sediment. It remains unclear whether this large volume of sediment would remain suspended as water travels from the intakes along the Sacramento River to be stored at the Sites reservoir. The TC canal has experienced localized siltation problems at check-dams and low-gradient areas, which would likely be exacerbated by the 11- to 14- fold increase in diverted sediment. All water diverted to the proposed reservoir must pass through the proposed Holthouse forebay/afterbay, an area that already requires periodically maintenance dredging; the rate of deposition, although not analyzed in the DEIS, is likely to accelerate with increased inflows.	The Holthouse Reservoir has been eliminated from the Project; therefore, this comment is no longer applicable.
40	19	50000	Additionally, the fluvial geomorphology of the Colusa Basin Drain has been modified extensively and may be impacted by the increase in diverted sediment.	Please refer to Chapter 7, *Fluvial Geomorphology* for a discussion of Project impacts on fluvial geomorphology.
40	20	50000	The DEIS calculates that additional truck trips may be needed for dredging activities, but provides limited detail as to when and how many would be needed and why.	Please refer to RDEIR/SDEIS Appendix 2C: *Construction Means, Methods, and Assumptions* for a description of the construction considerations associated with various Project facilities.
40	21	50000	In the FEIS: • Discuss the effects of diverting sediments from the Sacramento River, as well as the fate of these sediments and how they could affect local and regional hydrology, including how the diverted sediments may affect the transport of water, sediments, and contaminants in the already impaired Colusa Basin Drain.	See Response to Comment 40-17.

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40	22	50000	• Examine the expected maintenance types and cost of sediment management in project facilities that would receive sediment, particularly within the context of developing power generation and calculation of air emissions from dredging equipment.	See Response to Comment 40-17.
40	23	51650	Impacts to Biological Resources The DEIS indicates that a reduction in the magnitude, duration, or frequency of intermediate to large flows in the Yolo Bypass would occur as a result of supplying Sites Reservoir, and concludes that this is less than significant (p. 7-71). The basis for this conclusion is unclear. Capturing more water in wet years would reduce peak flows, which are known to be highly beneficial to fish, as such flows activate floodplains and generally yield good recruitment years for anadromous fish. The reduction in flows in these years and the exposure of fish to additional low water years (as some of the water is diverted into Sites Reservoir) would likely have an adverse effect on juvenile salmonids and other species that rely on floodplain and bypass inundation for foraging.	Please refer to Chapter 5, *Surface Water,* which describes the modeling methodology and results based on the proposed revised operational scenario. Chapter 11, *Aquatic Biological Resources,* which address the effects of the revised Project on aquatic biological species.
40	24	51640	The DEIS assumes that state-of-the art fish screens would function in a way that results in minimal to zero entrainment, but provides no evidence that these screens would completely or almost completely prevent entrainment of larval, juvenile, or adult fishes. Limited details are provided regarding the design or operation of the proposed fish screens at the Delevan Pipeline (p. 3-107; p. 12-71).	The Delevan pipeline has been eliminated from the RDEIR/SDEIS, and therefore, this comment is no longer applicable to the Project. However, the Project does still employ the use of fish screens. Chapter 11, Aquatic Biological Resources discusses the risks posed by fish screens in the impact analysis section for each aquatic species.
40	25	14000	Several threatened or endangered species occur in the study area. EPA understands that Reclamation intends to initiate consultation under the Endangered Species Act.	A draft Biological Assessment has been prepared and is under review.
40	26	51600	• Identify appropriate mitigation measures that would protect biological resources, including salmon, and describe any monitoring needed to implement such measures.	Please refer to Chapter 11, Aquatic Biological Resources, which includes appropriate mitigation measures to reduce impacts on aquatic biological resources.
40	27	51200	• Describe flow regimes that would promote natural geomorphic processes necessary to restore riparian and floodplain habitat with the least negative effects.	See Responses to Comments 40-1 and 40-23, above.
40	28	51600	• Disclose and weigh the negative impacts of modifying the hydrology such that there are fewer high flow events against	See Responses to Comments 40-1 and 40-23, above.

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			the benefits of increasing cold water pool for anadromous fish and flows for Delta smelt.	
40	29	51600	• Evaluate the potential benefits of the off-stream reservoir to supply excess cold water in the context of all Reasonable and Prudent Measures, Salmon Recovery Program and the Salmon Doubling Goal.	See Responses to Comments 40-1 and 40-23, above.
40	30	51640	• Explain how the proposed fish screens would prevent entrainment of all life stages of fishes. Disclose the entrainment thresholds that would trigger reduced pumping at the Delevan intakes, and mitigation strategies for minimizing entrainment if the fish screens do not function as anticipated. Discuss the similarities and/or differences of the design criteria at the other Sacramento River intakes.	See Responses to Comments 40-1 and 40-10, above. The Delevan Intake is no longer part of the Project and the earlier analysis has been updated. See also Response to Comment 40-24.
40	31	14000	• Provide an update on the Endangered Species Act section 7 consultation process. Summarize and append any relevant documents, including the Biological Assessment and Biological Opinion. Include any additional mitigation and monitoring measures that result from the consultation. Clarify whether suitable lands are available or a previous management and conservation plan may be utilized that would provide sufficient compensatory lands for impacts to species in the project area.	The Authority and Reclamation have developed draft biological assessments for construction and operations that are currently under review with the USFWS and NMFS. Formal consultation is still pending.
40	32	32000	Project Components Still Undefined The DEIS acknowledges that much of the project remains in development and largely undefined, pending outcomes of state funding processes and other factors. For example: • "A final operations plan will be refined based on the findings of the California Water Commission regarding the Sites Project WSIP applications, and the defined related benefits and obligations" (p. 3-102). • "The operation of Sites Reservoir to provide a variety of ecosystem benefits would allow for the potential development and administration of an ecosystem enhancement storage account, which could be managed by either the Authority or the State to provide water for ecosystem and water quality purposes" (p. 3-108). • "If the Project chooses to pursue hydropower generation ... it	See Responses to Comments 40-1 and 40-10, above. The Project funding sources have been determined, facilities design is nearing 30%, and a draft operations plan has been prepared for the Project. As noted, the operations plan will continue to be refined though the life of the Project. Power generation will be limited to incidental power generation, water will be released back to the Sacramento through the Colusa Basin Drain rather than direct release.

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			would pursue the approval process required for hydropower generation" (p. 1-5) • "The ability to release water directly to the Sacramento river would allow Sites Reservoir to respond to Delta conditions, including releasing flows to repel saltwater intrusion following a Delta levee failure. This factor became one of the most important criteria in evaluating conveyance concepts" (p. 2-16). This opportunity is discussed nowhere else in the document and absent from the operations criteria.	
40	33	21300	Because even minor changes in proposed project design or operation could make a significant difference in the potential environmental impacts, it is important that the environmental impact implications of such changes be anticipated, to the extent possible, and disclosed during the NEPA process.	See Responses to Comments 40-1 and 40-23, above.
40	34	32000	• In the FEIS, fully describe the finalized operations of the proposed project and ensure that any changes from the DEIS's operations plan are reflected in the water supply, water quality, and aquatic resource environmental impact chapters.	See Responses to Comments 40-1 and 40-23, above.
40	35	50000	• Discuss the historical frequency of high-flow and low-flow events in northern Sacramento Valley, as well as anticipated future trends in flows, given climatic changes and any foreseeable changes in State Water Project and Central Valley Water Project operations; discuss how periods of drought may impact the proposed Project.	See Responses to Comments 40-1 and 40-23 above.
40	36	32000	• Discuss the possibility that excess water may not be available to divert to Sites Reservoir each year and how the reservoir water would be used in low-precipitation years, particularly if there are limited opportunities to refill the reservoir. Describe the benefits associated with the proposed Project under extreme drought conditions.	See Responses to Comments 40-1 and 40-23, above.
40	37	53500	• Describe the process necessary to obtain approval for hydropower generation in California and clarify whether this process would happen in conjunction with, or independently of, the NEP A/CEQA review for the Sites Reservoir.	Please refer to Chapter 2, *Project Description and Alternatives,* which describes why incidental power generation at the Funks PGP and TRR PGP would not require a FERC license.
40	38	52200	Cultural Resources and Tribal Consultation The DEIS describes the ongoing communications with Native American tribes in the project area (p. 18- 24), but later	The Chapter 23, Tribal Cultural Resources describes the Authority's consultation efforts with California Native American tribes. Also See Master Response 7, Tribal Coordination, Consultation, and

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			concludes that ethnographic studies and tribal consultations have not been undertaken and have potential to identify traditional cultural properties/tribal cultural resources (p. 18-43).	Engagement, which addresses the Authority and Reclamation's consultation and engagement with Tribes, as well as Reclamation's fulfilment of federal trust obligations.
40	39	52200	• Provide an update on consultation between Reclamation and tribal governments. Discuss issues that were raised, how those issues were addressed in relation to the proposed project, and how impacts to tribal or cultural resources would be avoided or mitigated, consistent with Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, Section 106 of the National Historic Preservation Act, and Executive Order 13007, Indian Sacred Sites.	See response to comment 40-38 above.
40	40	52200	• Include a draft of the Programmatic Agreement (PA) between the Native American Tribes, Reclamation, the Sites Power Authority, and the State Historic Preservation Officer that would be required to define the steps to be taken to lessen, resolve, and/or mitigate the effects on any historic or tribal properties identified as being adversely affected by the proposed project.	A Draft Programmatic Agreement is currently under review by SHPO.

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41	1		WAPA understands that the project as proposed will be financed and constructed by a non-Federal entity, so the role of the Federal government will be relatively minor. As a result, our comments will be limited to our overall impression of the economic and financial feasibility of Sites.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and prepared a RDEIR/SDEIS in 2021. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. As a federal cooperating agency, WAPA has participated in the review of the Administrative RDEIR/SDEIS and Administrative Final EIR/EIS. All comments have been considered in the preparation of the Final EIR/EIS. Any comments made on these subsequent drafts of the EIR/EIS are assumed to supersede comments made on the 2017 Draft EIR/EIS. Nonetheless, responses to comments on the 2017 Draft EIR/EIS are provided to cross-reference revised analysis and/or relevant responses to comments on the RDEIR/SDEIS.
41	2		WAPA is unsure on the methodology used by the United States Bureau of Reclamation (Reclamation) to estimate the power benefits which were used in the separable cost remaining benefits cost allocation process to assign costs to the project power function. Paragraph 1.1.3 Potential Power Generation states: "It is important to note that the Project facilities will be designed and operated first to sustain the Project's water storage and delivery objectives. The authority will then evaluate whether to proceed with the hydropower component of the Project. If the Project chooses to pursue hydropower generation that would be offered in the energy and/or ancillary markets, it would pursue the approval process required for hydropower generation." Table 8.2 assigns $20.2 million in annual costs to power while Table 10.3 states that power re-generated at the proposed off-stream reservoir site is 42 gigawatt hours. Not only is this inconsistent with Paragraph 1.1.3, but also on an annual basis this translates to a cost of $480/megawatt-hour. The current daily hour-ahead price that the California Independent System Operator (CAISO) provides to independent power producers is in the $30-35/megawatt-hour range.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that do not raise issues related to the adequacy of the environmental impact analysis.

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			Given the excess capacity and the expected deployment of additional new renewable resources expected over the next 15-20 years as a result of a mandatory 50 percent renewable portfolio standard, the day-ahead hourly price paid by the CAISO may be expected to decline rather than increase for the foreseeable future. If the Authority was planning to sell the power, recoup the investment and perhaps provide financial support to the water supply function that may not be possible. Since the California Energy Commission considers only hydropower generation plants smaller than 30 megawatts to be eligible for renewable credits, Sites will be considered large hydro and will not be capable of being included by any energy serving entity towards meeting part or all of its mandatory renewable portfolio standard requirements.	
41	3		Table 8.2 identifies only $600,000 in annual operations, maintenance, and replacement costs. Considering that Sites is an off-stream storage and that pumping energy will be required in order to fill the reservoir, the report is unclear whether energy costs were appropriately identified as part of the costs of constructing and operating Sites in the economic and financial feasibility analyses which was undertaken for Sites. Given the relatively low annual cost, WAPA believes that project energy pumping costs may need to be added to the overall cost when doing a benefit-cost comparison, including how this proposed facility is related to the overall Central Valley Project (CVP) project use pumping requirements.	Please refer to Reclamation's Feasibility Report for the Project's feasibility analysis and see Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that do not raise issues related to the adequacy of the environmental impact analysis.
41	4		Although only nine percent of the projected annual water yield of Sites is expected to be used by irrigators, when doing the cost comparison, the average annual cost of the water is around $292/acre-foot. Given that part of Site's annual yield is projected to be assigned to CVP irrigators, WAPA is concerned that given Reclamation Law's irrigators ability to pay constraints, that CVP preference power users may receive an unintended, redirected impact should any of the downstream irrigators receive an allocation of the water, but be unable to repay any of the allocated capital investment costs. WAPA believes that if	See Responses to Comment 41-1 and 41-3, above.

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			downstream CVP irrigation customers are expecting to purchase supplemental water supplies for the projected cost as shown in the report, either a financial analysis must be performed to determine the sufficiency of any proposed irrigation water contractor to avoid any irrigators' ability to pay constraints or alternatively, Sites authorization must include language that precludes the possible occurrence of such a situation.	
41	5		With respect to developing additional new water infrastructure, California is at a crossroads, and as a result, considering moving forward in a number of different directions on a number of projects all at the same time. Should an affirmative decision be made by multiple parties to move forward simultaneously on different fronts, WAPA is concerned that the beneficiaries of these projects will not have the financial ability to first finance the construction of such projects, and should they be built, to have the financial resources to be able to repay the costs for their construction and operation. Analyzing cumulative impacts of projects, including probable future projects, is a requirement of the California Environmental Quality Act process, and should be included in a feasibility report. Disregarding the need for a cumulative analysis because no individual project is guaranteed presents unnecessary risk to the California water and energy systems in the likely event that a preferred alternative of more than one of these major projects is implemented.	Please refer to Reclamation's Feasibility Report for the Project's feasibility analysis and see Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that do not raise issues related to the adequacy of the environmental impact analysis. Chapter 31, *Cumulative Impacts* provides the analysis of the cumulative impacts of the Project, consistent with CEQA.
41	6		[S]hould Sites, along with Temperance Flat, an Enlarged Shasta Dam, and some version of the proposed California Water Fix project ever be constructed, from an economic and financial feasibility perspective, WAPA believes that in total these projects are neither economically feasible nor financially affordable. As such a decision by policy makers needs to be made with respect to which project, if any, makes the most economic and financial sense. Given the relatively large uncertainties which still remain, WAPA is unsure whether the proposed project's accomplishments will even be realized. For example, the California State Water Resources Control Board is currently considering implementing new water flow standards in both the Sacramento and San Joaquin River systems. If the proposed 40	Please refer to Reclamation's Feasibility Report for the Project's feasibility analysis and see Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that do not raise issues related to the adequacy of the environmental impact analysis. Chapter 31, *Cumulative Impacts* provides the analysis of the cumulative impacts of the Project, consistent with CEQA.

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			percent unimpaired flow standard is adopted for the Sacramento River, WAPA is unclear how that will impact the ability of the Sites Dam operators to be able to fill the reservoir.	
41	7		Reclamation has also embarked on a re-consultation effort with the fish and wildlife management agencies to implement a new biological opinion governing the long-term operation of the CVP and the State Water Project. Again, WAPA is unclear to what extent the progression and conclusion of that effort will impact the proposed water and hydropower accomplishments of Sites. If for example, less hydropower and water supply output is generated, that means per unit cost will increase, thus impacting Site's proposed economic and financial feasibility.	See Responses to Comments 41-1 and 41-3, above.
41	8		Reclamation is also in the process of completing a study to reallocate the costs of the CVP facilities. The outcome of this effort could potentially affect not only the costs assigned to each authorized project purpose, but in addition, with respect to the power function, have an impact on financial feasibility since Reclamation Law allows for the reassignment of any capital investment costs which are beyond the ability of the irrigators' to repay to be reassigned for repayment to the preference power customers. Consequently, integrating any new costs associated with this new increment block, especially, if a potential for an irrigation cost reassignment opportunity exists, could add additional new financial burdens on the existing CVP preference power customer base.	See Responses to Comments 41-1 and 41-3, above. Please refer to Chapter 17, *Energy,* which describes the environmental setting, methods of analysis, and potential Project impacts on energy resources. The energy resource analysis addresses the revised Project's energy requirements for construction and operation, the potential effects of the Project on local and regional energy supplies, compliance of the Project with energy standards, and conformance of the Project to energy conservation efforts. Chapter 17 states that "The system impact study, planning, and permitting process conducted by WAPA or by PG&E in conjunction with CAISO for Alternative 1, 2, or 3 would ensure that interconnection between the selected alternative's electrical generating equipment, substations, and pumping equipment and the existing electrical grid would not interfere with electric power transmission and would meet WAPA or PG&E and CAISO regulations and standards for interconnection to the existing electrical grid. In the event that the Authority determines that WAPA is to be the scheduling coordinator, WAPA would purchase electric power in the electricity markets on the Project's behalf and not affect CVP power."
41	9		We [WAPA] understand the desire of Sites' proponents to move forward. However, as both Reclamation and the Authority finalizes its feasibility report, and moves to the next step in the process, WAPA encourages all parties to evaluate the generation requirements and financial effects, directly or indirectly, on CVP	See Responses to Comments 41-1 and 41-3, above.

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			water and power rate payers for Sites and other storage projects then include that evaluation as part of the project support. From an economic and financial affordability standpoint, not all of the proposed projects can or should be built. WAPA recommends that as all of the proposed projects begin moving forward, to avoid suboptimal decision making, that Reclamation and all water project proponents look at all of these projects in their totality and only select the ones which in the aggregate are economically efficient and financially affordable, and assign benefits and costs accordingly.	

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42	1		SMUD understands that the Sites Project will be financed and constructed by the Sites Project Authority, a non-federal utility. The Authority would own and operate Sites Reservoir, the TRR, the Delevan Pipeline, and the three new pumping/generating plants. Operation of Sites Project would require the use of the T-C Canal and Funks Reservoir, which are owned by Reclamation, for diverting water into Sites Reservoir and releasing water for deliveries. The role of the federal government in the Sites Project will be minimized (page ES-12).	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. This description of the Project noted in this comment has changed with the refinement of alternatives; please refer to Chapter 2, *Project Description and Alternatives* and Master Response 2, *Alternatives Description and Baseline* for revised descriptions of proposed facilities and operations.
42	2		SMUD would like to go on record that the CVP power contractors should not be impacted due to the future construction or operation of the Sites Project.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that do not raise issues related to the adequacy of the environmental impact analysis.
42	3		SMUD is concerned about the potential increased CVP Project Use pumping. CVP power may be used to deliver water via the Tehama - Colusa Canal or reoperation of the Jones Pumping Plant.	Please refer to Chapter 17, *Energy,* which describes the environmental setting, methods of analysis, and potential Project impacts on energy resources. The energy resource analysis addresses the revised Project's energy requirements for construction and operation, the potential effects of the Project on local and regional energy supplies, compliance of the Project with energy standards, and conformance of the Project to energy conservation efforts. As described in Chapter 2, *Project Description and Alternatives*, operation of the Project would occur in coordination with the CVP/SWP system, thus potentially affecting CVP/SWP operations, including energy consumption and energy generation. Therefore, the energy resource analysis also addresses the effects of the Project on CVP/SWP energy use and energy generation. The study area for potential impacts on the CVP/SWP electricity generation system consists of the geographic reach of CVP/SWP operations, including where CVP/SWP facilities generate and consume electricity. The electricity generation study area is applied for modeling of impacts on net electricity generation and electricity consumption of the CVP/SWP system as a result of adding the

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				Project to the CVP/SWP system.
42	4		SMUD want to assurance that no power costs related to Sites Project operation will be assigned to the CVP Power Customers.	According to Chapter 17, "The system impact study, planning, and permitting process conducted by WAPA or by PG&E in conjunction with CAISO for Alternative 1, 2, or 3 would ensure that interconnection between the selected alternative's electrical generating equipment, substations, and pumping equipment and the existing electrical grid would not interfere with electric power transmission and would meet WAPA or PG&E and CAISO regulations and standards for interconnection to the existing electrical grid. In the event that the Authority determines that WAPA is to be the scheduling coordinator, WAPA would purchase electric power in the electricity markets on the Project's behalf and not affect CVP power."
42	5		Currently CVP Project Use Pumping directly reduces the amounts of the base resource energy made available to the Western Area Power Administration and the CVP Power Customers. The less CVP power available for sale results in an increase to the remaining block of power available to the CVP power Customers.	See Response to Comment 42-4, above.
42	6		SMUD has concerns that the power benefits that are estimated from the Sites Project are overstated and possibly inaccurate. Page ES-31 of the report states that the generation operations will offset the cost of energy for the pumping operations. Basically it is assumed that the Sites Project will operate successfully by selling the power when the prices are high and buying power when prices are low. By pumping water from the Tehama Colusa Canal, the Sites reservoir forebay and other potential pipeline facilities will require more energy than what will be generate when the water is released back to the Sacramento River. This is stated in Appendix H in the DWR	See Responses to Comments 42-3 and 42-4, above.

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			analysis where DWR estimated a negative net present value of the combined Sites Project pumping and generation operation. Also please note that the increase In the California Renewables Portfolio Standard from 33 percent to 50 percent will likely lower the overall cost of wholesale power and have an impact on the potential revenue from power sales from the Sites Project.	
42	7		As the Federal Government becomes involved in the operation of the Sites Project, it is expected that existing and future regulations, biological opinions, possible unimpaired flow regulations and actions by the State Board will have impacts to operation and power costs/ benefits of the Sites Project.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which discusses comments that do not raise issues related to the adequacy of the environmental impact analysis.

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43	1		Is the "South Bridge" still the preferred road alignment to Stonyford?	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please see Table 2-1 in Chapter 2, *Project Description,* which describes the route to the west side of the Reservoir under Alternatives 1 and 3 as a "Permanent bridge crossing the reservoir and realignment of a segment of Huffmaster Road with gravel road to residents at the south end of the reservoir."
43	2		Also, is the new-proposed 115 kV powerline west of Colusa to be placed along the old Railroad right-of-way?	Note that the Project footprint has changed, including the planned layout of the powerlines. Please see Appendix 2C, *Construction Means, Methods, and Assumptions* of the RDEIR/SDEIS for further detail, including that the line will be within and parallel to the TRR pipeline for most of the corridor.

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44	1	22000	I'm an Irishman. I moved here recently from Ireland to get married, so I have a passionate familiarity with rainstorms and flooding. I live in a town called Athlone, which is on the River Shannon, so because of the town where I'm from on the River Shannon, and Ireland is a very agricultural nation, has been for the past 800 years, there are very few floodplains for the water to be collected, natural deposits, or reservoirs. So out of a concern for this happening here in Sacramento and the ever present danger of flooding, I would like to wholeheartedly express my support for the Sites project.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

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45	1	32000	MR. MURPHY: I own from the town of Sites south for, I don't know, 1300 acres on both sides of the road, up where the towers are. I don't know if you're familiar with the property at all. Anyway, they brought three electrical towers up there on top, on the outside ridge. None of those maps show the waterline. (Discussion held off the record.) MR. MURPHY: Here's the road, I think, coming out from Maxwell. MR. TRAPASSO: That's the pipeline, I think. (Discussion held off the record.) MR. MURPHY: Out here, and the road goes south down the valley. So I guess they're going to put the dam north of here, and I don't think they'd be able to do that. MR. TRAPASSO: These are going to be the dam here and the dam here. MR. MURPHY: This is a dam, and that's a dam? (Discussion held off the record.) MR. MURPHY: See, what I'm trying to do is I'm trying to describe what happened right now. And I've got all kinds of water, probably more than anybody else in the whole damn valley. And what I want done is I want the top of the ridge on the outside of that dam. Anything that's out of the dam water, I want to keep. That belongs to me. I don't want you guys stealing it. Because every penny that you give me, you're going to take back most of it in taxes of some kind. And I'm not going to have a dam thing left. And I haven't got a lot longer to live, either. But dammit, I'm the one that built the thing for the last 30 years. And I don't care if 1500 people need my water. I'm not selling it. And I'm keeping everything out of the dam, because I know I	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

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			can do that. And if you guys -- because you guys are doing it for the water. That's what you're saying. You're confiscating the land and all that, taking it out of the tax rolls and all that so somebody else can have water, and you guys can sell it and make a lot of money. And I don't care whether the state makes a lot of money out of it. And I've taken it, I've developed it, and you guys are taking it away from me. But anyway, I know I can't stop you completely. But I can sure put a thorn in your side. And I'm going to do everything I can to stop everything above the waterline.	

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46	1	70000	I attended the Sites meeting dec 7 in sacramento - very informative staff present However, not surprisingly, I found the economics section a bit confusing and not easy to understand... As a taxpayer and engineer, many of us would like to see how good of a "deal" Sites is relative to other water projects. I would like to see a simple econ section and table that displays in simple tems how sites water cost compares to other alternatives. ... General Manager Jim Watson told me he thought that kind of information could be put together.... Other water projects to compare to Sites: 1- urban conservation 2 - ag conservation 3 - ag land retirement 4 - water recycling - such as novato, napa, orange county 5 - groundwater recharge storage 6 - other proposed reservoirs such as raise shasta, temperance flat, los vaqueros, alder creek	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. This comment is focused on the relative cost of the water when compared to other water projects, which is outside the purview of the EIR/EIS analysis. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding general comments and Reclamation's Feasibility Report for information related to costs.

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47	1	21500	I demand that the DEIR/S be withdrawn to address the environmental impacts of this project on the Sacramento River and San Joaquin Delta.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose or support the project but did not (1) provide any rationale, or (2) raise any issues related to the adequacy of the environmental impact analysis.

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48	1		Please accept my comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
48	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
48	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
48	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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			will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

Letter No	Com-ment No	Action Code	Comment	Response
49	1	22000	We don't need another dam. We need to fix the ones we have and leave the natural habitat along the Sacramento River near Maxwell alone. This is very important habitat for the fish, water fowl, migrating birds and so many others in the riparian environment. We have one salmon run left let us not kill that too. the river must stay in its natural state and not be disrupted anymore.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

Letter No	Com-ment No	Action Code	Comment	Response
50	1	22000	The DEIR underestimates the damage to riparian habitats and the Sacrament Delta that this project would cause. The project is hugely expensive and would mainly benefit southern California. Please don't proceed on the basis of inaccurate information and mainly to benefit special financial interests in a way that is not good for most Californians.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that questioned the adequacy of the environmental impact analysis but did not provide any rationale or supporting information. Please refer to the updated analysis in Chapter 5, *Surface Water Resources*, Chapter 9, *Vegetation and Wetland Resources*, and Chapter 11, *Aquatic Biological Resources* for impacts and associated mitigation measures.

Letter No	Com-ment No	Action Code	Comment	Response
51	1	22000	I oppose the proposed Sites Project primarily because the users of the water won't pay for the project. It relies on "environmental" water benefits and public subsidies. Taking more natural high flows in the winter and diverting them to an off site reservoir north of the delta counters the wisdom of let nature be nature and she will do fine. The environmental benefits are contrived primarily because the benefits it claims for fisheries and the environment are caused by exporting water from the Delta.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that raised an environmental issue in a general manner but did not provide supporting information.

Letter No	Com-ment No	Action Code	Comment	Response
52	1	22000	I FEAR THAT THE CONSTRUCTION OF THE RESERVOIR WILL SERIOUSLY AND ADVERSELY DEGRADE THE SACRAMENTO RIVER FLOWS.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that raised an environmental issue in a general manner but did not provide supporting information. Please see Chapter 5, Surface Water Resources and Chapter 11, *Aquatic Biological Resources,* which address flow impacts and associated mitigation measures.

Letter No	Com-ment No	Action Code	Comment	Response
53	1		Please accept my comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
53	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
53	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
53	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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			will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality. I am strongly opposed to the proposed project.	

Letter No	Com-ment No	Action Code	Comment	Response
54	1		Please accept these comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
54	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
54	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
54	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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			will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

Letter No	Com-ment No	Action Code	Comment	Response
55	1	22000	The massive Sites Off stream Storage Reservoir is proposed for the western Sacramento Valley near the small town of Maxwell in Colusa County. The Sites Reservoir would be filled by significant water diversions from the Sacramento River, which could harm the river's dynamic flow-based ecosystems.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Chapter 2, *Project Description and Alternatives* and Master Response 2, *Alternatives Description and Baseline,* which describe changes to the Project including proposed diversion criteria that are more restrictive.
55	2	22000	A major premise of the Sites Project's "net environmental benefit" depends on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers. The idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water to benefit downstream salmon and other endangered fish. By ignoring the likely adverse impacts of Sites diversions from the Sacramento River, the project proponents are proposing a classic "robbing Peter to pay Paul" scheme that borders on fraudulence. According to the DEIR, coordinated operations between Sites and other dams will on average "improve" salmon runs by a paltry 1.9-3.9 percent. And the public is expected to fork over billions of dollars for this "benefit."	See Response to Comment 55-1, above.
55	3	22000	More than 20,000 acres of federal and state public lands along the river that were acquired to protect and restore the river's riparian and aquatic habitats, could be degraded by the diversions. During drought years Sites could divert more than half of the river's flow and severely reduce fresh water inflow into the Sacramento-San Joaquin Delta downstream.	See Response to Comment 55-1, above.
55	4	22000	This costly project is not a solution or fix to California's water problems, the real problems need to be assessed and addressed ~ over consumption, waste, over development. It is neither in the public trust, nor public interest that water is treated as a	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

Letter No	Com-ment No	Action Code	Comment	Response
			profit making, commodity. It is a right, and when mistreated, becomes a public health issue.	

Letter No	Com-ment No	Action Code	Comment	Response
56	1	21500	I want to comment on the Sites Reservoir Project DEIR and Feasibility Report. I have come to the conclusion that the DEIR should be withdrawn and revised to better assess and mitigate project impacts on the Sacramento River. In particular, I'm concerned that during a dry year, too much water will be diverted and the remaining water won't be able to provide the necessary water flow for fish and estuary life. I believe the project's impacts would be severe and mitigation measures do not provide the environmental protections required by law. Thank you,	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that raise an environmental issue in a general manner but did not provide supporting information. Please see the updated Chapter 11, Aquatic Biological Resources for an analysis of flow impacts and associated mitigation.

Letter No	Com-ment No	Action Code	Comment	Response
57	1	21500	In regards to the the Draft EIR/S concerning the proposed Sites Project: I strongly and urgently support a complete withdraw and revision of the existing document to reflect accurate and comprehensive inclusion of the true environmental impact of the proposed project to both the Sacramento River and the entire San Joaquin Delta. It is clear to any informed observer that these impacts will be significant and severely damaging. The DEIR/S MUST address and properly reflect that potential damage in order to live up to the both the letter and the spirit of the law.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that question the adequacy of the environmental impact analysis but did not provide supporting statements.

Letter No	Com-ment No	Action Code	Comment	Response
58	1	22000	I have visited the site as I have visited Park Reservoir and Black Butte Lake on the West side of our Northern Sacramento Valley. The proposed area for the reservoir is now a beautiful, bucolic valley nestled in rolling hills. IT IS NOT NECESSARY to create more water storage. WHEN DOES THIS END? The insatiable need for water in Southern California is ruining not only South state ecosystems and fresh water, but especially North State Ecosystems and fresh water. Our SALMON ARE DYING. Does this matter? Much of the Trinity River already is diverted to the Sacramento River. Again, when does this end. It ends when we say NO.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

Letter No	Com-ment No	Action Code	Comment	Response
59	1		The massive Sites Offstream Storage Reservoir is proposed for the western Sacramento Valley near the small town of Maxwell in Colusa County. The Sites Reservoir would be filled by significant water diversions from the Sacramento River, which could harm the river's dynamic flow-based ecosystems. More than 20,000 acres of federal and state public lands along the river that were acquired to protect and restore the river's riparian and aquatic habitats, could be degraded by the diversions. During drought years Sites could divert more than half of the river's flow and severely reduce fresh water inflow into the Sacramento-San Joaquin Delta downstream.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. One of the elements of the Project that has changed is the diversion criteria, which is stricter than in the 2017 EIR/EIS. Please see Master Response 6, *Vegetation, Wetland, and Wildlife Resources* which discusses adequacy and suitability of the mitigation measures of potential effects on riparian habitats.

Letter No	Com-ment No	Action Code	Comment	Response
60	1	21500	All waterways need to be protected so it is necessary for the DEIR/S be withdrawn to address the environmental impacts of this project on the Sacramento River and San Joaquin Delta.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that questioned the adequacy of the environmental impact analysis but did not provide any rationale or supporting information.

Letter No	Com-ment No	Action Code	Comment	Response
61	1	21500	I request that the DEIR/S be withdrawn to address the environmental impacts of this project on the Sacramento River and San Joaquin Delta.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that questioned the adequacy of the environmental impact analysis but did not provide any rationale or supporting information.

Letter No	Com-ment No	Action Code	Comment	Response
62	1		Please accept my comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
62	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
62	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
62	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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			will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

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63	1		The DEIR/S must be withdrawn in order to allow me to address the potentially disastrous environmental impacts of this project on the Sacramento River and San Joaquin Delta.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 47.

Letter No	Com-ment No	Action Code	Comment	Response
64	1	22000	The key to California's water woes does not rely on the construction of another reservoir such as the SITES Reservoir. California needs more conservation, more reclamation of used waters, more consequences for wasteful water use, more financial benefits to businesses and residents for reduced water usage, and more discussion regarding the efficacy of growing water thirsty crops in drought ravaged lands. Please consider the long term consequences and impacts that diverting water to this reservoir will have. There are so many ways to address this issue without harming the fragile ecosystems that also need water to survive. This resource is essential to all life and we must be compassionate stewards in its use. Please do not divert monies away from long term solutions for short term benefits!	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

Letter No	Com-ment No	Action Code	Comment	Response
65	1	22000	I oppose the plabbed Sites Reservoir, just as I oppose Gov. Browns plan to divert water to So. Calif . Please don't do this short-sighted plan.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

Letter No	Com-ment No	Action Code	Comment	Response
66	1	22000	We must NOT let the Sacramento become any lesser than it already is!! Water is in short supply, and another dam will not help. What seems like a good idea (more dams) is false.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that raise an environmental issue in a general manner but did not provide supporting information.

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67	1	22000	Withdrawal of Deir/s is crucial to our state's water quality and salmon! More dams mean more dams means more dams. We need to look seven generations away for our offspring and for the land!	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

Letter No	Com-ment No	Action Code	Comment	Response
68	1	21500	I am writing to express that the Sites DEIR/S fails to fully address the harmful impacts of the project on the Sacramento River and Delta, and demand that the DEIR/S be withdrawn and revised to better address these critical issues, and released for additional public review and comment.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that raise an environmental issue in a general manner but did not provide supporting information.
68	2	22000	This State doesn't need to spend money to build news dams while old, existing dams are in need of repairs. The loss of habitat and environmental loss of carbon sequestration and continued degradation of the health of the Delta add additional reasons to why this project should not go forward. We've reduced the water flow through the Delta and now this dam, plus others would continue to take water from the Sacramento Rover before it even reaches the Delta.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

Letter No	Com-ment No	Action Code	Comment	Response
69	1	22000	I believe Sites reservoir to be a bad idea. By diverting water from the Sacramento River you are endangering an already stressed eco system in the delta. Less water going to the delta affects the agriculture in that area it also lowers the water table. It will effect spawning salmon area in the Sacramento River itself. This a political move to send more water LA and almond growers in the Central Valley who export a good share of the crop to China. I think water department officials should divert waters to flood plains and work with farmers to make the water work for the environment and California's economy. Think about what's best for the long-term environment and economy not a quick fix that may or may not by undone after a poor decision has been made.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

Letter No	Com-ment No	Action Code	Comment	Response
70	1		Please accept my comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
70	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
70	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
70	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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			will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

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71	1		The DEIR/S must be withdrawn to address the environmental impacts of this project on the Sacramento River and San Joaquin Delta.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 47.

Letter No	Com-ment No	Action Code	Comment	Response
72	1		Please accept my comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
72	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
72	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
72	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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			will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

Letter No	Com-ment No	Action Code	Comment	Response
73	1	22000	I am totally against this plan. It would ruin this mighty river!	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

Letter No	Com-ment No	Action Code	Comment	Response
74	1	22000	Water flows along the Sacramento River as farmers pull off their allotment. Anything left flushes the delta as it impedes the salt intrusion. My grandparents lived on Bethel Island from the 60's until their deaths. Historic salmon runs have an added impediment with the proposed Sites Dam. Water quality was always an issue and I do not see how the Sites Dam will improve water quality. I have yet to see any beneficial aspect of a reservoir other than for flood control purposes. Will this proposed dam have the same effect as Hoover Dam? The water from snow pack of the Rocky Mountains has only filled the water behind the dam but once. The water levels require repiping just to fulfill drinking water below the dam. Influential of the San Joaquin valley and water districts to the south have to seek other ways to fulfill their water needs without being a detriment to the delta and added intrusion of sat from the bay. As I drive along 580 toward Tracy, I see two aqueducts, one with Pat Brown's name that was suppose to meet the water needs of users south. The Owens River drainage and reduction from the Colorado River neither justifies the water grab in order to justify maintaining orchards of almonds to the south for the world's benefit. See it in your best interest to preserve the delta over those that wish to see every drop of water that flows out past the Golden Gate as a waste of our resources.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that raise an environmental issue in a general manner but did not provide supporting information.

Letter No	Com-ment No	Action Code	Comment	Response
75	1		I would like the DEIR/S be withdrawn in order to address the environmental impacts on the Sacramento River and San Joaquin Delta.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 47.

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76	1	22000	When will the denigration to the anadromous fish and other species end? When there are no more in California? Save something for our grand kids.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that raise an environmental issue in a general manner but did not provide supporting information.

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77	1	22000	The Sites Storage Reservoir proposed for the western Sacramento Valley would be filled by water diversions from the Sacramento River. During dry years, these diversions could take more than half of the flows in the Sacramento River. More than 20,000 acres of public lands that were acquired to protect the river's riparian habitats could be degraded by the diversions. The reservoir would drown up to 15,000 acres of existing oak woodlands, grasslands, wetlands, and agricultural land. Impacts from the reservoir would harm the bald eagle and other wildlife species, rare plants, historical and cultural resources, endangered salmon, and water quality. The project will also take away fresh water that is needed in the Delta to maintain water quality and endangered fish. Sites will cost more than $4.7 billion to build and supporters hope taxpayers will cover up to $1.6 billion of that cost from the state water bond (Prop. 1). Ultimately, the reservoir will increase the dependency of southern California on imported water and subsidize more almond orchards in the southern Central Valley for the Asian export market. The Sites project's environmental impacts could be severe and it fails to provide significant environmental benefits.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

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78	1		Please accept my comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
78	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
78	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
78	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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			will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

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79	1	22000	I am against yet another barrier to anadromous fish. California has started to remove dams. Why are we building more dams to damage already depleted runs of salmon and steelhead? I am against this project. Please do not build this reservoir.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that raise an environmental issue in a general manner but did not provide supporting information.

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80	1	21500	Please remove DEIR/S to study environmental impact on the San Joaquin and a sacraments Rivers.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that raise an environmental issue in a general manner but did not provide supporting information.

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81	1	22000	More than 20,000 acres of federal and state public lands along the river that were acquired to protect and restore the river's riparian and aquatic habitats, could be degraded by the diversions from the proposed Sites Reservoir Project. During drought years Sites could divert more than half of the river's flow and severely reduce fresh water inflow into the Sacramento-San Joaquin Delta downstream. Please don't allow this environmentally destructive project to be built.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that raise an environmental issue in a general manner but did not provide supporting information.

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82	1	22000	For a multitude of reasons, I do not support this massive project, and urge the legislature hundreds of millions to kill it at the earliest possible moment.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

Letter No	Com-ment No	Action Code	Comment	Response
83	1		Please accept these comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
83	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
83	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
83	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the	

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			DEIR/S, coordinated operations between Sites and other dams will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

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84	1	22000	All I hear since Trump was elected is that he has told the EPA to do nothing to protect our environment. In my opinion corporations really don't care about our environment, but our grandkids care what happens to them. Diverting large amount of water from the Sacramento River will no doubt kill the environmental structure that the Ecosystem currently has. in place. When are we going to wake up and smell the coffee. This is a very crazy idea storing water precious water from the Sacramento River, You must dakk yoiu can to stop this proposal.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

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85	1	21500	I ask that the DEIR/S be withdrawn to address the environmental impacts of this project on the Sacramento River and San Joaquin Delta.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that raise an environmental issue in a general manner but did not provide supporting information.

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86	1	20000	I demand that the DEIR/S be withdrawn to address the environmental impacts of this project on the Sacramento River and the San Joaquin Delta. [Mor]e than 20,000 acres of federal and state public lands along the river that were acquired to protect and restore the river's riparian and aquatic habitats	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

Letter No	Com-ment No	Action Code	Comment	Response
87	1		Please accept these comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I URGE THAT THIS INADEQUATE ENVIRONMENTAL DOCUMENT BE WITHDRAWN and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
87	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
87	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
87	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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			will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

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88	1		I write to request that the DEIR/S be withdrawn to address the environmental impacts of this project on the Sacramento River and San Joaquin Delta.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 47.

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89	1	21500	I strongly oppose the Sites Project. I strongly urge the state of California to reject this project, and to spend no more taxpayers' dollars on it. This project will do nothing to move California toward a future of sustainable water use. During the most recent drought, Californians showed that conservation was the answer. Please note that per capita water use in California has not returned to its predrought levels. This project has not yet been thoroughly reviewed. That is because it hasn't been fully proposed. No funding should be provided until the entire project has been fully vetted, especially its compliance with the California Environmental Quality Act (CEQA).	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which question the adequacy of the environmental impact analysis but do not provide supporting information.
89	2	11000	This project will remove water from the most important source of flows into and through the San Francisco-San Joaquin BayDelta ecosystem. This ecosystem is in serious decline. The California State Water Resources Control Board (SWRCB), in 2016, released a draft Supplemental Environmental Document (SED), proposing increased flows in the major tributaries of the San Joaquin River. The SWRCB will be issuing a similar water quality update for the Sacramento River in 2018. The Sites project will need to comply with the final decisions on Sacramento River flows into the BayDelta ecosystem. It is prudent management to postpone any decision, let alone any construction, until after the SWRCB's work is completed.	Please refer to Response to Comment 8-1 which provides an overview of the Authority's coordination with CDFW and others to develop protective diversion criteria.
89	3	22000	This project is not cost-effective. Better, more cost-effective solutions are available. For example, the state of California needs to spend its scarce dollars on maintaining the dams we currently have, not building new ones. The near-failure of Oroville Dam in 2017 is only one example of poorly allocated resources.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments thatr oppose the project but do not raise issue related to the adequacy of the environmental impact analysis.

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90	1	22000	I am opposed to the Sites Diversion Dam.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose the project but do not raise issues related to the adequacy of the environmental impact analysis.

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91	1		Withdraw the DEIR/S on the proposed Sites Project dam. The environmental impacts of this project on the Sacramento River and San Joaquin Delta must be addressed.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 47.

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92	1		Please accept these comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
92	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
92	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
92	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the	

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			DEIR/S, coordinated operations between Sites and other dams will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

Letter No	Com-ment No	Action Code	Comment	Response
93	1		For the Sites Project the DEIR/S needs to be withdrawn to address the environmental impacts of this project on the Sacramento River and San Joaquin Delta.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 47.

Letter No	Com-ment No	Action Code	Comment	Response
94	1	21500	I am writing to you on behalf of a trusted and respected organization I believe in, Friends of the River, which has kindly informed me of the Sites Reservoir Project DEIR/S and Feasibility Report. My concern as a local citizen of the area is that the DEIR/S fails to fully address the harmful impacts of the project on the Sacramento River and Delta and provides inadequate environmental documentation. I am not an expert on the situation but the project impacts on the Sacramento River downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint. I don't believe in building up a dependency for imported water sources to our southern communities and no less at the cost of the taxpayer and environmental safety and quality. Bottom line is, I have extreme concern where a project could harm the river's ecosystems. I would kindly ask that the DEIR/S be withdrawn until such time as it can be revised to better address the issues that various literature and groups have raised as concerns. These are not private issues but exist in the public realm and further research and proposal needs to be put forth to solve the issues raised.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments which raise an environmental issue in a general manner but did not provide supporting information. Please refer to Master Response 5: *Aquatic Biological Resources*, the updated analysis in Chapter 6, *Surface Water Quality*, and the updated Chapter 11, *Aquatic Biological Resources*, which address flow impacts and water quality impacts, respectively.

Letter No	Com-ment No	Action Code	Comment	Response
95	1	22000	If built, the Sites offstream reservoir will divert significant flow from the Sacramento River away from the Delta. This estuary is already significantly degraded. For example, the Delta Smelt is almost extinct. The Smelt is a canary in a coal mine and warns us that we must STOP our current water use procedures. If we don't, we will kill the Delta along with one of the nation's premier salmon fisheries.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 5, *Aquatic Biological Resources*, and the updated analysis in Chapter 11, *Aquatic Biological Resources*, which discuss flow impacts, as well as delta smelt impact analyses and associated mitigation measures.

Letter No	Com-ment No	Action Code	Comment	Response
96	1	11000	PLEASE HOLD OFF ON APPROVAL OF THIS PROJECT UNTIL ADEQUATE INFORMATION IS PROVIDED AS TO HOW THE WATER DIVERSIONS BEING REQUESTED WILL SUPPLY THE 35-75 PERCENT ESTIMATED BY THE STATE WATER BOARD.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose or support the project but did not raise issues related to the adequacy of the environmental analysis.
96	2	22000	The resources effected by such a project will be unrecoverable if the project is allowed to proceed. It lies within your power to permanently alter OR to preserve what has been millions of years in the making. These are irreplaceable treasures. The least we can do is to ensure that we make our decision based on the most reliable information we can find. Please, be convinced beyond a reasonable doubt that this is the best course before approving the Sites Reservoir.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose or support the project but did not raise issues related to the adequacy of the environmental analysis.

Letter No	Com-ment No	Action Code	Comment	Response
97	1	22000	Sites Reservoir will be very costly and provide an insignificant amount of additional water storage. When we consider the construction cost, estimated life of the reservoir, and potential revenue generated by the additional water supplied by Sites Reservoir, the project is a net loss in revenue. This is also known as a BAD investment.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose or support the Project but do not raise issues related to the adequacy of the environmental analysis.

Letter No	Com-ment No	Action Code	Comment	Response
98	1	22000	Please do not divert any more water from the Sacramento river. It is already on it's last legs as a functional ecology and doubly threatened by Governor Browns expanded pipeline project. More than a critical ecology is at stake. Coastal communities like mine rely on the few functional rivers in California to sustain our own fishing and tourism industries. Believe me. We have plenty of agriculture in California. Are we not still exporting high water consuming products like nuts to China while our own ecosystems and industries falter? Please stop the madness!!!! No new Dams. No new diversion projects. Please.	Since the 2017 Draft EIR/EIS, the Sites Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and have prepared a Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). The RDEIS/SDEIS was circulated for public review and comment. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* regarding comments that oppose or support the Project but do not raise issues related to the adequacy of the environmental analysis.

Letter No	Com-ment No	Action Code	Comment	Response
99	1		Please accept these comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
99	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
99	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
99	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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			will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

Letter No	Com-ment No	Action Code	Comment	Response
100	1	21500	I urge that this inadequate environmental document be withdrawn and revised to better assess and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), on natural and cultural resources that would drown under the reservoir footprint, and on the Trinity River and lower Klamath River systems associated with any changes in the timing and amount of water diversions from the Trinity River watershed to the Sacramento River watershed.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3, Chapter 4, *Responses to Comments*. The Final EIR/EIS evaluates the impacts of the Proposed Project on water quality (Chapter 6: Surface Water Quality), natural resources (Chapter 5: Surface Water Resources, Chapter 8: Groundwater Resources, and Chapter 9: Vegetation and Wetland Resources), and cultural resources (Chapter 22: Cultural Resources and Chapter 23: Tribal Cultural Resources). Mitigation measures are proposed to minimize any potentially significant Project impacts. Please refer to Master Response 8, *Trinity River*, which addresses adequacy of the impact analysis related to Trinity River and its resources.
100	2	21500	It is disingenuous to justify this water-supply project based on benefits to biological resources. Further, even this very small projected benefit to certain salmonid populations is based on the assumption that the project will not be operated to maximize water deliveries to users. As recent statements by the U.S. Department of Interior have demonstrated, it is well within the reasonably foreseeable future for water exports from the Delta to be greatly expanded to increase water deliveries. A new DEIR should include a full evaluation and disclosure of proect impacts throughout affected waters to salmonids and other native fishes and aquatic resources under a scenario of the project being operated to maximize water deliveries.	Please refer to Chapter 1, *Introduction* and Chapter 11, *Aquatic Biological Resources* for a discussion of the Proposed Project benefits to fishes and other aquatic resources.
100	3	21500	Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard.	Please refer to Chapter 2, *Project Description and Alternatives*, which describes the reservoir operations, including diversion criteria and diversion facilities.

Letter No	Com-ment No	Action Code	Comment	Response
101	1		Please accept these comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
101	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
101	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
101	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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			will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

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102	1		You must withdraw the Sites Project Draft Environmental Impact Report/Statement and Feasibility Report to address the environmental impacts of this project on the Sacramento River and the San Joaquin Delta.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 47.

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103	1	22000	The proposed Sites Reservoir is an abomination. Forget it.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3, Chapter 4, *Responses to Comments*. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that opposed or supported the Project but did not raise any issues related to the adequacy of the environmental impact analysis.

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104	1		Please accept these comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
104	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
104	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
104	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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			will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

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105	1		Please accept these comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
105	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
105	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
105	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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			will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

Letter No	Com-ment No	Action Code	Comment	Response
106	1		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species, are inadequate to maintain the river's dynamic, flow-based ecosystems on which these species depend.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
106	2		Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must prove to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
106	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
106	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board	

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			estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

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107	1		Please accept these comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
107	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
107	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
107	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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			will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

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108	1	22000	We can not afford to further destroy and degrade the Sacramento and Delta water systems.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3, Chapter 4, *Responses to Comments*. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that opposed or supported the Project but did not raise any issues related to the adequacy of the environmental impact analysis.

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109	1	20000	The DEIR/S assessment of impacts on the river are based on the erroneous belief that current flow and water quality standards for the river are adequate. Actually, current standards are inadequate to protect and restore at-risk fish and wildlife species or maintain the river's dynamic, flow-based ecosystems on which these species depend.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3, Chapter 4, *Responses to Comments*. Please refer to Master Response 2, *Alternatives Description and Baseline,* which addresses adequacy of the baseline existing conditions used in the RDEIR/SDEIS.

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110	1		Please accept these comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
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113	1	22000	No Sites Reservoir please! We have too many dams already. They are catastrophic for ecosystems and wildlife. Do not build any more!	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that opposed or supported the Project but did not raise any issues related to the adequacy of the environmental impact analysis.

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122	1		This is to reiterate public comments I made in person at the Sites open house in Maxwell on December 7, 2017. The proposed Sites Project will permanently destroy 15,000 acres of intact California natural communities at just when the California Biodiversity Council and legislation it proposed and subsequently helped pass emphasize the extremely high value of these communities even as they are being rapidly destroyed throughout the state. These communities at Sites include oak woodlands, chaparral, California prairie, riparian areas, and fresh and alkaline wetlands. Collectively they represent a cross section of why California is the richest of all 50 states in biodiversity according to the World Wildlife Fund and the Nature Conservancy. Unfortunately it is also among the states where that biodiversity is being lost most rapidly.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. Chapters and appendices are included in Volumes 1 and 2 of this Final EIR/EIS. Please see Master Response 6, *Vegetation, Wetland, and Wildlife Resources,* which discusses adequacy and suitability of the mitigation measures.
122	2		The DEIR/S does not even claim to have done adequate surveys for rare plants despite the very likely occurrence of several in the proposed project's footprint.	Please refer to Chapter 9, *Vegetation and Wetland Resources,* which describes the plan and timeline for conducting surveys, including Mitigation Measure VEG-1.1: Conduct Appropriately Timed Surveys for Special-Status Plant Species Prior to Construction Activities and Mitigation Measure VEG-2.1: Conduct Surveys for Sensitive Natural Communities and Oak Woodlands in the Project Area Prior to Construction Activities.
122	3		Important biological surveys of Sites are inadequate or non-existent. For example a preliminary survey I personally conducted in the project's footprint suggests it is used for nesting and foraging by over half California's population of Horned Larks (Eremophila alpestris), the world's most beautiful lark and the only one occurring in the Americas. That also goes unmentioned in the DEIR/S.	
122	4		Enough of California is already flooded even as rising sea levels promise such losses will increase dramatically. Unflooded natural treasures like Sites Valley need to remain that way.	Please see Chapter 2, *Project Description* which discusses the objectives of Sites Reservoir, one of which being flood protection and flood damage reduction.

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123	1		Please accept these comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
123	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
123	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR.	
123	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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			will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

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124	1	22000	This Sites Reservoir is unfortunately not the route we need to take. The planning for Sites does not account accurately for the harsh dry years that we encounter. When those times come, our already taxed river ecosystem on the Sacramento will slowly be degraded even more. This is a solution not meant for our present time. This 4.7 billion dollar project is not cost effective. I hope this attempt at water solutions sparks greater innovation and communication with nonprofits, governmental agencies, and communities to bring more small scale lasting solutions. Let's put money toward improving soils (which require less water input) and furthering the mindset that less is more, while also updating old water techniques and appliances.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that opposed or supported the Project but did not raise any issues related to the adequacy of the environmental impact analysis.

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125	1		Please accept these comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
125	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
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125	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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126	1		Please accept these comments in response to the Sites Reservoir Project DEIR/S and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to assess better and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
126	2		The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species and are not sufficient to maintain the river's dynamic, flow-based ecosystems on which these species depend. Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must *prove* to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits.	
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127	1	22000	Stealing water	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that opposed or supported the Project but did not raise any issues related to the adequacy of the environmental impact analysis.

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128	1	22000	This project would be extremely harmful to the environment and very costly. It should not be continued.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that opposed or supported the Project but did not raise any issues related to the adequacy of the environmental impact analysis.

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129	1		I am voicing my objection to the proposed Sites project. More evaluation of the pristine land lost with this dam. Habitats will be lost and the kiss of water to the delta will further harm salmon fisheries. Put a dam above LA!	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that raise an environmental issue but did not provide supporting information.

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130	1		Please accept these comments in response to the Sites Reservoir Project Draft Environmental Impact Report/Statement (DEIR/S) and Feasibility Report. I urge that this inadequate environmental document be withdrawn and revised to better assess and mitigate project impacts on the Sacramento River, downstream water quality (in the river and Delta), and on natural and cultural resources that would drown under the reservoir footprint. "Our duty to the whole, including to the unborn generations, bids us to restrain an unprincipled present-day minority from wasting the heritage of these unborn generations. The movement for the conservation of wildlife and the larger movement for the conservation of all our natural resources are essentially democratic in spirit, purpose and method." -- Theodore Roosevelt The DEIR/S assessment of impacts on the river are based on the false premise that current flow and water quality standards for the river are adequate. In fact, the current standards fail to protect and restore at-risk fish and wildlife species, are inadequate to maintain the river's dynamic, flow-based ecosystems on which these species depend. "It is horrifying that we have to fight our own government to save the environment." -- Ansel Adams	Thank you for your comments. Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to the response to Comment Letter 30.
130	2		Most major dam and water projects in California were promoted by water agencies and politicians as enhancing and protecting the environment. Decades later, the overall result has been salmon and other fish species declining towards extinction, extensive loss of wetlands and riverside habitat, and degradation of water quality. Because the project will depend on Prop. 1 water bond funding, the Sites DEIR/S must prove to the public that Sites will avoid adverse environmental impacts and in fact, provide net public benefits. "Our government is like a rich and foolish spendthrift who has	

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			inherited a magnificent estate in perfect order, and then has left his fields and meadows, forests and parks to be sold and plundered and wasted." -- John Muir	
130	3		The Sites DEIR/S admits that the project will destroy 15,000 acres of oak woodlands, grassland, wetlands, riparian habitat, and croplands, with significant unavoidable impacts on the protected Golden eagle, paleontological and cultural resources, and air quality (through generation of greenhouse gas emissions). Potentially significant impacts on rare plants and other resources appear to have been low-balled in the DEIR. "As we peer into society's future, we—you and I, and our government—must avoid the impulse to live only for today, plundering for our own ease and convenience the precious resources of tomorrow. We cannot mortgage the material assets of our grandchildren without risking the loss also of their political and spiritual heritage. We want democracy to survive for all generations to come, not to become the insolvent phantom of tomorrow." -- Dwight D. Eisenhower	
130	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. "Then I say the Earth belongs to each generation during its course, fully and in its own right, no generation can contract debts greater than may be paid during the course of its own existence." -- Thomas Jefferson	

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			Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. "Every man who appreciates the majesty and beauty of the wilderness and of wild life, should strike hands with the farsighted men who wish to preserve our material resources, in the effort to keep our forests and our game beasts, game-birds, and game-fish—indeed, all the living creatures of prairie and woodland and seashore—from wanton destruction. Above all, we should realize that the effort toward this end is essentially a democratic movement." -- Theodore Roosevelt This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality. "A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise." -- Aldo Leopold	

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131	1	51600	The Sites Reservoir will devastate many species of fish in the Sacramento River and Delta. These include salmon and the Delta Smelt.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* which addresses comments that opposed or supported the Project but did not raise any issues related to the adequacy of the environmental impact analysis.
131	2	52600	If the Sites Reservoir is put in place, there will be significant reductions of fresh water in the Sacramento River and Sacramento San Joaquin Delta down stream. This reservoir has the ability to take half of the Sacramento River's flows in drought years. The Sacramento San Joaquin Delta has a very high farming population. In fact, the majority of California's vegetable come from Delta farms. If there is limited fresh water flowing through the Delta, salt water from the Bay will intrude farther up. The Delta farmers cannot farm with salt water because it would kill their crops. If the Delta farmers cannot farm, then they would have not source of income to feed their families.	See response to comment 131-1 above
131	3	51600	The commercial salmon industry relies heavily on the Delta. The salmon industry generates $250000000000 per year. The largest salmon run on the West Coast passes through the Sacramento San Joaquin Delta to reach their spawning grounds. If there are no salmon returning to the oceans, then there will be no fish for the fishermen to catch. As a result of no fish, the fishermen will get no money.	See response to comment 131-1 above
131	4	22000	There are many solutions for storing water in drought years that do not harm the Sacramento San Joaquin Delta or the Sacramento River. One of these is desalination. Desalination would actually produce more water in drought years and would not harm the environment in the process.	See response to comment 131-1 above

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132	1	51000	Page 14-52 of the Draft EIR/EIS states that the Project would only "replace" a portion of existing interim water transfers to wildlife refuges, to meet Incremental Level 4 refuge water requirements, and that the Project "would not change the volume of water delivered to the refuges." These statements appear to be inconsistent with the Water Storage Investment Program application submitted to the California Water Commission for the Project. The Project should not be limited to replacing existing sources of refuge water supplies, because existing supplies are insufficient to meet full Level 4 refuge water needs. The language in the EIR/EIS should be revised to delete the word "replace," and to state that the Project would not result in any decrease in existing Level 2 and Level 4 refuge water deliveries, but could result in increased deliveries of Level 4 refuge water supplies. All other similar representations in the EIR/EIS, such as in Table 65 and accompanying text, should also be revised so that existing Level 4 refuge deliveries do not necessarily decrease as a result of the Project providing Level 4 refuge water supplies.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to RDEIR/SDEIS Chapter 2, *Project Description and Alternatives* which states "the Project was conditionally awarded Proposition 1 funding by the CWC to provide public benefits for flood damage reduction, recreation, and ecosystem benefits. The ecosystem benefits funded by the CWC include providing water for Incremental Level 4 Refuge water needs for Central Valley Project Improvement Act (CVPIA) refuges both north and south of the Delta and providing additional flow into the Yolo Bypass to benefit delta smelt (*Hypomesus transpacificus*)."
132	2	51000	Chapter 6, the Water Resources chapter of the Draft EIR/EIS, does not discuss the potential water supply implications if California's "area of origin" laws, Water Code section 11460 et seq., are invoked for that portion of the Project's new water supplies that would be delivered to water users in the Sacramento Valley. Any prioritization of the Project's water supplies under the area of origin laws could adversely affect the delivery of Central Valley Project water, including deliveries to CVPIA wildlife refuges, which would have negative environmental consequences. Please respond with an explanation that California's area of origin laws would not be invoked so as to deprioritize or diminish deliveries of Level 2 CVP refuge water supplies.	See response to comment 132-1 above.

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133	1	22000	It is impossible to express the depth of my sorrow around the proposed Sites Project and the small amount of opposition I've seen or heard to it. I could write pages about why this project, should it be implemented, would only serve to further accelerate the already rapid decrease in ecological integrity for the entire Sacramento River basin. I know many proponents and supporters think the reservoir would be good on many fronts, and I know many of them do not wish harm to wildlife or future generations of humans, but like every other colossal undertaking that humans have put upon the Earth, there are short- and long-term consequences that our culture generally trains people to be indifferent to, usually subconsciously.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that fit into one or more of the following categories: • Opposed or supported the Project but did not (1) provide any rationale, or (2) raise any issues related to the adequacy of the environmental impact analysis. • Raised an environmental issue in a vague, general manner but did not provide supporting information. • Questioned the adequacy of the environmental impact analysis but did not provide any rationale or supporting information. • Made other conclusory statements but did not provide any rationale or supporting information. • Made recommendations entirely without explanation, supporting information, or rationale.
133	2	22000	The EIR-EIS states that this project would benefit Delta water quality and improve ecosystems, claiming "net improvements" on a number of fronts. But history shows us again and again--if we are willing to look at it honestly--that such beliefs, no matter how well intentioned, can't overcome physical and biological reality. Let's take the Sacramento River as an example, since it will be the major source for this proposed reservoir. First of all, the state has already over-allocated water from the river by 151% – that means that we take more water out of the river than it provides in a normal water year. The plan to take even more water from the river by increasing storage through raising Shasta Dam and enlarging its reservoir and building the proposed Sites offstream storage reservoir would severely impact water quality and habitat in the Delta, through which all of the Sacramento River's salmon and steelhead must migrate. At least that is what very legitimate science, and again, a look at the history of massive engineering of natural waterways shows	See response to comment 133-1 above

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			us. How many salmon used to migrate through the river, say in the 1800's? Estimates are the numbers today are less than 10% of that era. You call that progress? Valley oaks forests? Less than 3% left. Call that progress? Millions of acres used and abused to export the minerals and water right out of the state and country so that a handful of people get rich--not my idea of progress. Sounds like insanity to me.	
133	3	22000	Central Valley agribusiness likes to argue that sending more water south is prioritizing "people before fish," since the sharp decline in delta smelt populations has been cited to block increased pumping. But the delta smelt are the canary in the coal mine. If they are suffering, more valued species like salmon and steelhead are, too. And it is very short-sighted (or ignorant) to not get that our won species cannot exist very long if the waterways of the world are dysfunctional and depleted. Every scientific study of the Delta has yielded the same result: The only way to preserve its health and water quality is to allow more fresh water to run through it, not less.	See response to comment 133-1 above
133	4	22000	We are at a VERY critical time in the history of humans, even if we live in a culture that is in denial about it. Thanks to habitat loss and ecological community destruction the world over, life on Earth is now undergoing the 6th known mass extinction. This is not a minor issue, and the fact that it wasn't even mentioned in the EIR is proof that this culture is asleep at the wheel, and unfortunately on a collision course with extinction. Given the grave situation, a sane culture would put an end to all land management that comes from the same thinking that created this mess. There would be a moratorium on development that requires sacrifice zones or wipes out great swathes of habitat, even if there aren't that many iconic species living there anymore.	See response to comment 133-1 above
133	5	52900	And what about climate change? Why no mention of sea level rise? Maxwell is at 92' elevation, this reservoir would be what, 400'? When Maxwell is underwater in 200-300 years, what good will these dams be? California will be in chaos long before that, and Sites will not help, only hurt, as the money could go too far	See response to comment 133-1 above

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			wiser uses.	
133	6	22000	I am certain that many who support this project, if they are under 30, will come to regret the reservoir should it be built. I have a better idea, one that is supported by lots of evidence but little scientific proof, since most science is funded by corporations who want to keep technology on the rise and wilderness under wraps. What if the state of California, instead of spending 4 billion dollars on this, put that money into reforesting the vast annual grasslands to oak woodlands (or savannas where appropriate)? Here are some rough figures just for Sites: Purchase price for land (residents get to stay in their homes!): @$1000/acre =$14 million or a lot cheaper if you just pay the current owners to allow the work and monitoring to be done on their land $210 million dollars to plant 14,000 acres to blue oaks - benefit to hydrological cycle of 14,000 functional acres: short-term, not much, 100 years (when we will really need it!) very significant. I'm not a skilled researcher, but I know there is new science beginning to accurately quantify the benefits of woodlands to watersheds. You do the research—it is on you who wish to throw the precautionary principle out the window! If all of the Sacramento River basin were restored to oak woodlands, there is no human who will be alive in 100 years who'd not think we were brilliant for doing this. On the contrary, Sites will be another ugly project reminding those suffering in an impoverished and desertifying land that the last humans who could have made a difference chose the same old short-sighted path.	See response to comment 133-1 above
133	7	20000	One last thing. I'm not a fan of mitigation—the action of reducing the severity, seriousness, or painfulness of something. Try to look at this from the perspective of the millions of toads, lizards, snakes and insects who will drown. If you were in their shoes, would you think mitigation was acceptable?	See response to comment 133-1 above

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134	4		The project will depend on coordinated operation with Trinity, Shasta, Oroville, and Folsom dams on the Trinity, Sacramento, Feather, and American Rivers to "benefit" endangered salmon downstream of these dams. The false idea is that consumptive water supplies will be stored in Sites to allow the other dams to retain cold water for fish downstream. But according to the DEIR/S, coordinated operations between Sites and other dams	

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			will on average "improve" salmon runs by a paltry 2-4 percent, at a cost to the taxpayers of at least $1.6 billion. Although a major chunk of "environmental" water allegedly produce by Sites is allocated to maintain Delta water quality, there is little evaluation in the DEIR/S as to whether this allocation will successfully restore a river and estuary already degraded by major water diversions. The State Water Board estimates that the Delta needs somewhere between 35-75 percent of its previously unimpaired flows, primarily from the Sacramento River. There is no information in the Sites DEIR/S as to how project diversions and releases will achieve this standard. Further, I believe that the DEIR/S fails to adequately assess the impact of climate change and reservoir evaporation on project yield. This entire project is based on the false premise that there is "excess" water in the Sacramento River not needed for the environment. I urge that this entirely inadequate DEIR/S be withdrawn and a new environmental document developed and released for public review that fully addresses the impacts of this project on the Sacramento River, Sacramento-San Joaquin Delta, threatened and endangered fish and wildlife that depend on the river and estuary, as well as on water quality.	

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135	1	22000	The Sites Reservoir project could have deleterious environmental effects.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments*, which addresses comments that opposed or supported the Project but did not raise any issues related to the adequacy of the environmental impact analysis.

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136	1	22000	1) The Sites Reservoir Project DEIR/S and Feasibility Report has serious flaws and is based on faulty premises. 2) The environmental costs of the project are not acceptable in the damage that will be caused to areas that will be inundated, in the effects on wildlife, and especially in water quality downstream. 3) Dams and reservoirs are last-century water solutions and they have big failings (as in Oroville) as well as many small failings. We deserve better! Put time and effort into supporting local solutions to capture and recycle water. Please reconsider this project and specifically this report and go back to the drawing board. Please also make the project more transparent and open to the public in both the planning and consideration phases.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments that fit into one or more of the following categories: • Opposed or supported the Project but did not (1) provide any rationale, or (2) raise any issues related to the adequacy of the environmental impact analysis. • Raised an environmental issue in a vague, general manner but did not provide supporting information. • Questioned the adequacy of the environmental impact analysis but did not provide any rationale or supporting information. • Made other conclusory statements but did not provide any rationale or supporting information. • Made recommendations entirely without explanation, supporting information, or rationale.

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137	1	20000	Naming consistency, throughout document, please consistently refer to this agency as "Zone 7 Water Agency". It is incorrectly stated at Alameda-Zone 7 or Alameda County-Zone 7 in many places.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to Chapter 5, *Surface Water Resources,* which summarizes the Sites Reservoir storage partners that receive CVP/SWP water. As presented in Chapter 5, the Zone 7 Water Agency, which is located west of the Delta in Alameda and Contra Costa counties, receives SWP water via the South Bay Aqueduct.
137	2	51000	Page 6-9: Zone 7 does not rely on the Hetch Hetchy project for water supply.	See response to comment 137-1 above.

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138	1	20000	Thank you for the opportunity to review and comment on the Draft Environmental Impact Statement/Environmental Impact Report (Draft EIR/EIS) for the Sites Reservoir Project (Project) dated August 2017. The Delta Stewardship Council (Council) previously sent a letter with comments on the Draft EIR/EIS on January 16, 2018. This letter supersedes comments previously provided by the Council on the Draft EIR/EIS. Please replace our January 16, 2018 letter with this version. In March 2017, the Council transmitted comments on the Notice of Preparation for this project. Thank you for your consideration of our comments. Below we describe that Council staff believe the Project does not meet the definition of a covered action under the Delta Plan. The Draft EIR/EIS describes the proposed project facilities to be located in Glenn and Colusa counties. The Project proposes the following facilities: up to 11 dams; a pumping plant with associated power facilities; use of two existing Sacramento River diversions and associated canals; a proposed new inlet/outlet structure and pipeline; potential power generation facilities, up to five recreational areas; and miscellaneous roads and bridges for access. The Project would divert water from the Sacramento River west to the proposed reservoir facilities for water storage until water is withdrawn from the reservoir to serve various Project partner entities.	The Authority and Reclamation appreciate your review and comments on the Draft EIR/EIS. Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and prepared a RDEIR/SDEIS in 2021. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3 of the Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* which addresses comments that did not raise any issues related to the adequacy of the environmental impact analysis.
138	2	20000	The Draft EIR/EIS lists the Project primary objectives to: • Enhance water management flexibility in the Sacramento Valley. • Increase reliability of California water supplies. • Provide storage and operational benefits for programs to enhance water supply reliability, both locally and State-wide, benefit Delta water quality, and improve ecosystems by providing: o Net improvements in ecosystem conditions in Sacramento River system and Delta o Net improvements in water quality conditions in the	See response to comment 138-1 above

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			Sacramento River system and Delta o Net improvements in State-wide water supply reliability for agricultural and urban uses to help meet water demands during drought periods and emergencies, or to address shortages resulting from regulatory and environmental restrictions o Net improvements in water supply reliability for fish protection, habitat management (including refuges), and other environmental water needs	
138	3	11000	The Draft EIR/EIS states that the Sites Authority has submitted an application to the California Water Commission's Water Storage Investment Program (WSIP) to seek partial funding for public benefits from the Project under the Proposition 1 (Prop 1) Water Quality, Supply, and Infrastructure Improvement Act of 2014. A project is not eligible for WSIP funding "…unless it provides measurable improvements to the Delta ecosystem or to the tributaries to the Delta". (See Water Code section 79752.)	See response to comment 138-1 above
138	4	11200	Based on the Project objectives, Council staff believe your Project would provide benefits to the Delta that are supportive of the coequal goals. As stated in the Project's primary objectives, the Project's proposed operations will provide, "net improvements in ecosystem conditions and water quality in the Sacramento River system and Delta", as well as, "net improvements in water supply reliability for fish protection, habitat management and other environmental water needs". Furthermore, eligibility for Prop 1 funding for which you have applied requires the Project to provide "measureable improvements to the Delta ecosystem or to the tributaries to the Delta". (See Water Code section 79752.) However, Council staff believe that the Project does not meet the definition of a covered action, as the construction and ongoing operation of improvements at the Sites Reservoir would be located upstream from the Delta, outside the legal Delta boundary (See Water Code section 85057.5.).	Please refer to Chapter 1, *Introduction* which states that the Project was conditionally awarded approximately $816 million of Proposition 1 funds under the CWC's WSIP in July 2018.
138	5	14000	The Draft EIR/EIS acknowledges the Council's jurisdiction and responsibility in Table 1-1 in the Introduction of the Draft EIR/EIS. The Council recommends that the 2009 Delta Reform Act, and the Delta Plan also be listed under section 4.2 State	Please refer to Chapter 4, *Regulatory and Environmental Compliance: Project Permits, Approvals, and Consultation Requirements* which summarizes the federal, state, and local permits, approvals and consultation processes that are potentially applicable to the Project

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			Policies or Approvals under Chapter 4 Environmental Compliance and Permit Summary of the Draft EIR/EIS.	and agencies that are anticipated to reply on this RDEIR/SDEIS for decision-making and implementation.

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139	1	21500	We are requesting a revision and recirculation of the draft Sites Reservoir DEIS/EIR because the initial DEIS/EIR was inadequate under the law to fully describe the impacts on the fishery resources of the Klamath-Trinity Basin. Following is a list of issues that we believe need to be addressed in a new draft document.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and prepared a RDEIR/SDEIS in 2021. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses the adequacy of the analysis. Chapters and appendices are included in Volumes 1 and 2 of this Final EIR/EIS.
139	2	52200	1. Tribal Consultation and Mitigation Absent. There is no Tribal consultation outside the footprint area and there are cultural resources within the foot print area with no mitigation measures discussed for their protection. AB-52 tribal consultation is now required and federal Tribal consultation has always applied.	Please refer to Chapter 23, *Tribal Cultural Resources* and Master Response 7, *Tribal Coordination, Consultation, and Engagement* for a discussion of the Authority's tribal consultation and coordination efforts under AB 52.
139	3	51100	2. Foreseeable Impacts to Trinity River Water Temperature Objectives Associated with Sites Project Operations Need to be Honestly Evaluated. The revised Trinity River Division water operations associated with the Sites Project (shifting diversions to winter/spring from summer/fall in dry years) violates the 2000 Trinity Record of Decision and will lead to increased water temperatures in Lewiston Reservoir and downstream in the Trinity River. The Draft EIS/EIR does not disclose the impact, even though the proposed operation would clearly increase river temperatures. Any increase in the temperature of water released to the Trinity River would degrade water quality conditions and increase the potential for violations of North Coast Basin Plan water quality (temperature) objectives protective of adult spring and fall Chinook, as well at the water temperature objectives established under the Trinity River Record of Decision to protect outmigrating juvenile salmonids. The water temperature model developed by USGS for the Trinity River should be used to evaluate the impacts to Trinity River water temperatures and attainment of water temperature objectives See detailed comments in attached memo from Kamman Hydrologies.	Please refer to Chapter 2, *Project Description and Alternatives* which states "the Project would not affect or result in changes in the operation of the CVP, Trinity River Division facilities (including Clear Creek)." Additionally, please refer to Master Response 8, *Trinity River* which further addresses adequacy of the impact analysis related to Trinity River and its resources.
139	4	51020	3. Foreseeable Impacts to Trinity River Associated with Trinity Lake Carryover Storage. The Sites Project water operation and	See response to comment 139-3 above.

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			temperature analyses assume a minimum Trinity Reservoir carryover storage volume of 600TAF, thereby impacting Trinity River water temperatures. Water temperature modeling for the Trinity River, including studies by the Bureau of Reclamation, indicate that initial October 1 carryover storage volumes of 600- and 750-TAF are not sufficient to satisfy Trinity River temperature objectives for a single dry/critically dry water year-type, let alone multi-year droughts. It is reasonable to foresee that current implementation of the ROD Flows without sufficient carryover storage will not achieve Trinity River temperature objectives during critically dry year-types and possibly not meet objectives of the ROD for the Long-Term Plan to Protect Adult Salmon in the Lower Klamath River. Additionally, Trinity Reservoir storage has no chance of being replenished during multi-year droughts. See detailed comments in attached memo from Kamman Hydrologies.	
139	5	41000	4. Inaccurate Existing (Baseline) TRD Water Operations. The water operations analysis for Sites Project EIR/S did not include an analysis considering use of Humboldt County's 5O TAF water contract included as a provision of the Trinity River Division Act. The ROD for the Long-Term Plan to Protect Adult Salmon in the Lower Klamath River (Lower Klamath ROD) identifies Humboldt County's 5O TAF water contract as a volume of water available to release into the Trinity River to reduce the probability of a fish kill in the lower Klamath River. The omission of the Humboldt County 5O TAF contract and the Lower Klamath ROD in the DEIR/S analyses could have significant effects on the water quality conditions and potential impacts to both the Trinity and Sacramento Rivers. Therefore, the DEIR/S should be considered incomplete in the analysis of the effects of the Site Project operations on the Trinity River. See detailed comments in attached memo from Kamman Hydrologies.	See response to comment 139-3 above.
139	6	51650	5. Mitigation for Trinity/Lower Klamath Impacts. Effective mitigation measures must be recommended to ensure that fishery/fish habitat management objectives for the Trinity River and lower Klamath River will be met.	See response to comment 139-3 above.
139	7	53520	The Bureau of Reclamation has used the auxiliary outlet on	See response to comment 139-3 above.

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			Trinity Dam to release colder water during drier years, but this action results in the loss of power generation and this impact on CVP power generation needs to be evaluated.	
139	8	60100	6. Incomplete Cumulative Impact Assessment Pertaining to TRD Operations. Several issues were not evaluated as part of the cumulative impact assessment that will likely have adverse impacts on the Trinity River including (1) the impact of the 600 TAF minimum carryover storage in meeting Trinity River water temperature objectives during multi-year droughts, (2) accounting for Humboldt County's 50 TAF water contract, and (3) the influence of climate change on meteorology and hydrology of northern California rivers. See detailed comments in attached memo from Kamman Hydrologies.	Please refer to Chapter 31, *Cumulative Impacts* for an analysis of the Proposed Project's cumulative impacts. Chapter 31 states "as described in Chapter 2, the Project would not affect or result in changes in the operation of the CVP, Trinity River Division facilities (including Clear Creek). Therefore, the Trinity River Record of Decision (ROD), the 2017 ROD for the Long-Term Plan for the Lower Klamath River, and the provisions of the Trinity River Division CVP Act of 1955 are not addressed in the cumulative analysis."
139	9	51650	While the Karuk lands are located above the confluence of the Klamath and Trinity rivers, any degradation of water quality conditions in the Trinity River will likely degrade conditions in the lower Klamath River. Use of cold water stored in Trinity Reservoir is critical for the implementation of the Lower Klamath ROD, using Humboldt County's 50 TAF water contract and additional Trinity water to protect Klamath Basin salmon stocks. The availability of cold water in sufficient volumes is critical for this management action which affects both Klamath and Trinity adult salmonids. Additionally, the improved thermal conditions in the Trinity River during juvenile salmonid outmigration also benefits Klamath origin juveniles in the Klamath River below the confluence of the Trinity River.	Please refer to RDEIR/SDEIS Chapter 23, *Tribal Cultural Resources* for a discussion of Proposed Project impacts on tribes in the study area. Chapter 23 states "as described in Chapter 2, Project Description and Alternatives, the Project would not affect or result in changes in the operation of the CVP, Trinity River Division facilities (including Clear Creek) and thus Trinity River resources are not discussed or analyzed further in this chapter."
139	10	51650	Any actions that have adverse impacts on the fishery resources of the Karuk Tribe need to be thoroughly evaluated and disclosed, and effective mitigation measures proposed. Therefore, a recirculated Draft EIS/EIR is necessary for the Sites Project due to the inadequate analysis of impacts to the Klamath-Trinity Basin in the Sites Draft EIS/EIR.	See response to comments 139-1 and 139-9 above.

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140	1	21500	It is our [Save California Salmon, et al.] understanding that the Sites Project Authority (SPA) is planning on release of a final EIS/EIR in March 2020. We are requesting a revision and recirculation of the Draft Sites Reservoir EIS/EIR (DEIS/EIR) prior to release of a final EIS/EIR because the initial DEIS/EIR was inadequate under the law to fully describe the project, reasonable alternatives, impacts and appropriate mitigation measures. The inadequacy of the DEIS/EIR was clearly pointed out in comment letters by numerous organizations and individuals, including many of our organizations and the California Department of Fish and Wildlife (CDFW). [Footnote 1: See Friends of the River's website on Sites Reservoir for comment letters on the Sites DEIS/EIR at https://www.friendsoftheriver.org/our-work/rivers-under-threat/sacramento-threat-sites/.]	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and prepared a RDEIR/SDEIS in 2021. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3 of the Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* which addresses the adequacy of the analysis in the RDEIR/SDEIS, including the range of alternatives and proposed mitigation measures. Final versions of chapters and appendices are included in Volumes 1 and 2 of this Final EIR/EIS.
140	2	32400	The DEIS/EIR was inadequate to meet the legal requirements of CEQA and NEPA as described in detail below, but more importantly, the project as described to date does not resolve the fundamental issue of what will be the minimum bypass flows for the Sacramento River. This is a key issue that underlies the basic water yield and economic feasibility of this project.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses adequacy of the CEQA/NEPA process for the RDEIR/SDEIS. Also see Master Response 2, *Alternatives Description and Baseline* which describes refinements to Project operations, including increase in bypass flow criteria at Wilkins Slough.
140	3	51610	The California Department of Fish and Wildlife has recommended a much higher minimum bypass flow in the Sacramento River than is being proposed by the SPA (13,000 cfs compared to 3,250 cfs at Red Bluff, 4,000 cfs at Hamilton City and 5,000 cfs at Wilkins Slough). [Footnote 2: See CDFG letter of 1/12/18, page 9 "CDFW recommends the Project proponents revise the bypass flow requirement to maintain at least 13,000 cfs past all diversion facilities prior to the diversion of water to reduce impacts on out-migrating juvenile salmonids." Accessed at https://www.friendsoftheriver.org/wp-content/uploads/2018/09/1-12-2018-CDFW-Sites-Project-Letter.pdf.] The impacts to the Sacramento River fishery have not been adequately described in the DEIS/EIR, nor is there an alternative analyzed in the DEIS/EIR that would provide the flow recommendations by CDFW. It is impossible for anybody to know if this project is cost	Please refer to Master Response 2, *Alternatives Description and Baseline,* which describes refinements to Project operations, including increase in bypass flow criteria at Wilkins Slough. Master Response 2 also addresses refinements to Project facilities that would make the Project more affordable for the Project's participants. Please refer to Response to Comment 8-1 regarding the Authority's coordination with CDFW since the 2017 Draft EIR/EIS.

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			effective and promised environmental public benefits can be delivered until the Sacramento River minimum bypass flow issue is resolved. The SPA's recommendation for Sacramento River minimum bypass flows appears to justify a finding of financial feasibility, but how feasible will the project be if CDFW's minimum bypass flows are legally required? We believe this issue must be fully and adequately analyzed in the DEIS/EIR, prior to any water rights hearing or other permitting process that will rely on the information in the DEIS/EIR.	
140	4	21500	Due to the extensive and significant issues listed above, a recirculated draft document addressing these deficiencies is necessary for the Sites Project to comply with NEPA and CEQA. The existing DEIS/EIR is inadequate and cannot be relied upon for preparation of a Final EIS/EIR. Therefore, we urge you to prepare a recirculated draft EIS/EIR for the proposed Sites Reservoir to fully disclose impacts, alternatives and mitigation measures. You would do a disservice to your own cause to do otherwise.	See response to comment 140-1 above.
140	5	51620	Foreseeable Impacts to Trinity River Water Temperature Objectives Associated with Sites Project Operations Need to be Evaluated with an Accurate Temperature Model. The revised Trinity River Division water operations associated with the Sites Project (shifting diversions to winter/spring from summer/fall in dry years) violates the 2000 Trinity Record of Decision and will lead to increased water temperatures in Lewiston Reservoir and downstream in the Trinity River. The Draft EIS/EIR does not disclose the impact, even though the proposed operation would clearly increase river temperatures, meaning that the temperature model is not accurate. Any increase in the temperature of water released to the Trinity River would degrade water quality conditions and increase the potential for violations of North Coast Basin Plan water quality (temperature) objectives protective of adult spring and fall Chinook, as well at the water temperature objectives established under the Trinity River Record of Decision to protect outmigrating juvenile salmonids. The water temperature model developed by USGS for the Trinity River should be used to evaluate the impacts to	Please refer to Chapter 2, *Project Description and Alternatives,* which states "the Project would not affect or result in changes in the operation of the CVP, Trinity River Division facilities (including Clear Creek)." Thus, Trinity River resources are not discussed or analyzed further in the RDEIR/SDEIS. Additionally, please refer to Master Response 8, *Trinity River* which addresses adequacy of the impact analysis related to Trinity River and its resources.

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			Trinity River water temperatures and attainment of water temperature objectives See detailed comments in attached memo from Kamman Hydrologics [Attachment 1].	
140	6	51620	Foreseeable Impacts to Trinity River Associated with Trinity Lake Carryover Storage. The Sites Project water operation and temperature analyses assume a minimum Trinity Reservoir carryover storage volume of 600TAF, thereby impacting Trinity River water temperatures. Water temperature modeling for the Trinity River, including studies by the Bureau of Reclamation, indicate that initial October 1 carryover storage volumes of 600- and 750-TAF are not sufficient to satisfy Trinity River temperature objectives for a single dry/critically dry water year-type, let alone multi-year droughts. It is reasonable to foresee that current implementation of the ROD Flows without sufficient carryover storage will not achieve Trinity River temperature objectives during critically dry year-types and possibly not meet objectives of the ROD for the Long-Term Plan to Protect Adult Salmon in the Lower Klamath River. Additionally, Trinity Reservoir storage has no chance of being replenished during multi-year droughts. See detailed comments in attached memo from Kamman Hydrologics [Attachment 1].	See response to comment 140-5 above.
140	7	21100	Inaccurate Existing (Baseline) TRD Water Operations. The water operations analysis for Sites Project EIR/S did not include an analysis considering use of Humboldt County's 50 TAF water contract included as a provision of the Trinity River Division Act of 1955. The ROD for the Long-Term Plan to Protect Adult Salmon in the Lower Klamath River (Lower Klamath ROD) identifies Humboldt County's 50 TAF water contract as a volume of water available to release into the Trinity River to reduce the probability of a fish kill in the Lower Klamath River. The omission of the Humboldt County 50 TAF contract and the Lower Klamath ROD in the DEIR/S analyses could have significant effects on projected CVP water deliveries and the water quality conditions and potential impacts to both the Trinity and Sacramento Rivers. Therefore, the DEIR/S should be considered incomplete in the analysis of	See response to comment 140-5 above.

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			the effects of the Site Project operations on the Trinity River. See detailed comments in attached memo from Kamman Hydrologics [Attachment 1].	
140	8	60000	Incomplete Cumulative Impact Assessment Pertaining to TRD Operations. Several issues were not evaluated as part of the cumulative impact assessment that will likely have adverse impacts on the Trinity River including (1) the impact of the 600 TAF minimum carryover storage in meeting Trinity River water temperature objectives during multi-year droughts, (2) accounting for Humboldt County's 50 TAF water contract, and (3) the influence of climate change on meteorology and hydrology of northern California rivers. See detailed comments in attached memo from Kamman Hydrologics. [Attachment 1]	Please refer to Chapter 31, *Cumulative Impacts* for an analysis of the Proposed Project's cumulative impacts. Chapter 31 states "as described in Chapter 2, the Project would not affect or result in changes in the operation of the CVP, Trinity River Division facilities (including Clear Creek). Therefore, the Trinity River Record of Decision (ROD), the 2017 ROD for the Long-Term Plan for the Lower Klamath River, and the provisions of the Trinity River Division CVP Act of 1955 are not addressed in the cumulative analysis."
140	9	51650	Mitigation for Trinity/Lower Klamath Impacts. Effective mitigation measures must be recommended to ensure that fishery/fish habitat management objectives for the Trinity River and lower Klamath River will be met. The Bureau of Reclamation has used the auxiliary outlet on Trinity Dam to release colder water during drier years, but this action results in the loss of power generation and this impact on CVP power generation needs to be evaluated as it relates to revised Trinity operations as proposed for Sites.	See response to comment 140-5 above.
140	10	31000	Narrow Scope of Alternatives. The DEIS/EIR should include a wider range of alternatives rather than only alternatives that maximize attaining project benefits of increasing water supply. Alternatives that achieve varying levels of project objectives while minimizing project impacts should be developed and evaluated.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments wh*ich addresses feasibility of alternatives in the RDEIR/SDEIS. Also see Master Response 9: *Alternatives Development*, which addresses the extensive screening process conducted during preparation of the RDEIR/SDEIS to identify a reasonable range of feasible alternatives.
140	11	21100	No Action Alternative and Existing Conditions. Assuming the existing conditions and No Action alternatives are the same is inappropriate, compromises the ability to compare impacts across alternatives, and may minimize the magnitude of some of the impacts. The faulty assumption that State and Federal water contractors would be projected to use their full contracted water volumes (2030 projected conditions) does not reflect the current water management (existing condition) and likely provides	Please see Master Response 2, *Alternatives Description and Baseline,* which describes the minimal differences between existing conditions and the No Project Alternative/No Action Alternative.

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			inaccurate impact results. Because of this, the no action alternative minimizes potential impacts and greatly reduces the mitigation responsibilities required under CEQA.	
140	12	13000	Sites Project Water Rights and Potential Unforeseen/Undisclosed Impacts. The DEIS/EIR does not sufficiently address the acquisition of water rights for the Sites Project nor does it address water over-allocation issue in the Central Valley. Also, potential impacts of acquiring these water rights and the associated water to be stored in Sites Reservoir on other streams/watersheds must be evaluated.	See Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* for a discussion of water rights requirements. Also see Master Response 2, *Alternatives Description and Baseline* for a description of refinements to Project operations, including coordination with SWP and CVP.
140	13	60200	Cumulative Impacts. The conclusion presented in the DEIS/EIR that there are no cumulative impacts associated with the Sites Project is flawed. An evaluation of cumulative impacts is necessary to comply with the law. With the declining status of the fishery resources in the Sacramento-San Joaquin Basin and the Delta, reduction of flows in the Sacramento River by the proposed Sites Project operations would contribute to the decline of these populations in a cumulative manner. Changes in proposed diversions from the Trinity Basin would also have cumulative impacts on the fishery resources of the Klamath-Trinity Basin. Additionally, many actions are not identified in the cumulative impacts section and need to be included in the cumulative impacts analysis including: the ROD for the Trinity River Mainstem Fishery Restoration (without modifications to diversions to the Sacramento River as proposed in the DEIS/EIR), the ROD for the Long-Term Plan to Protect Adult Salmon in the Lower Klamath River (as proposed), the lower American River Modified Flow Management Standard, California Water Fix, the Temperance Flat Dam proposal, the proposed enlargement of Shasta Dam, the State Water Project Contract Extension, the Agricultural Drainage Selenium Management Program, the West Sacramento Levee Improvements Program, the Central Valley Flood Protection Plan, FloodSAFE,, the Lower Yolo Restoration Project, the Contra Costa Water District Intake and Pump Station (Alternative Intake Project), 2009 National Marine Fisheries Service Biological Opinion and Conference Opinion for the Coordinated Long-Term Operation of the CVP/SWP, , the new	Please refer to Chapter 31, *Cumulative Impacts* for an analysis of the Proposed Project's cumulative impacts. See Table 31-1 for a list of past, present, and reasonably foreseeable projects considered in the cumulative impact analysis.

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			Biological Assessment and NOAA Fisheries consultation regarding the State and Federal Water Projects, the 2008 United States Fish and Wildlife Service Biological Opinion for Delta smelt for the Coordinated Long-Term Operation of the CVP/SWP, the Draft Environmental Impact Statement for Revisions to the Coordinated Long-Term Operation of the Central Valley Project and State Water Project, the Central Valley Flood Management Program, the San Joaquin River Restoration Program, the Recovery Plan for Sacramento-San Joaquin Delta Native Fishes, the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Implementation Plan, Bay Delta Phase 2 plan updates, the California Water Action Plan, California EcoRestore, and the Davis-Woodland Water Supply Project.	
140	14	32000	Sites Reservoir Operating Procedures/Priorities Absent. The operating /accountable entity of the Sites Project is not identified, and no operating rules/procedures are provided. The DEIS/EIR identifies four potential uses of stored water (supplemental deliveries to TC Canal, GC Canal and RD108 settlement contractors; increasing deliveries to wildlife refuges; increasing water reliability for CVP and SWP contractors; and releases for delta water quality) but no rule set with priorities and volumes to be used to meet these uses are provided. These procedures must include integration of the Sites Project with CVP, SWP, and other water management projects.	Please refer to Chapter 2, *Project Description and Alternatives* for a discussion of the proposed reservoir operations and management plans.
140	15	52200	Tribal Consultation and Mitigation Absent. There is no Tribal consultation outside the footprint area and there are cultural resources within the foot print area with no mitigation measures discussed for their protection. AB-52 tribal consultation is now required and federal Tribal consultation has always applied.	Please refer to Chapter 23, *Tribal Cultural Resources* and Master Response 7, *Tribal Coordination, Consultation, and Engagement* for a discussion of the Authority's tribal consultation and coordination efforts under AB 52.
140	16	14000	Compliance with California Endangered Species Act (CESA). As identified in the DEIS/EIR, CESA protected species may be affected (take) by the Sites Project and any take must be authorized by CDFW by a CESA permit which is also subject to CEQA. Impacts, mitigation actions with an associated monitoring and reporting program much be included in the CEQA document supporting the CESA permit. In addition, Klamath River spring Chinook are now a candidate species under CESA	Please refer to Master Response 5, *Aquatic Biological Resources* which discusses the permitting requirements for endangered species under CEQA.

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			and must be considered.	
140	17	14000	Hydropower Licensing. Since it is likely that hydropower facilities would be constructed as part of the project, a detailed descriptions and operation protocols of the proposed facilities and analyses of potential impacts should be presented in the DEIS/EIR. A description of the steps, including timelines, that will be taken to obtain FERC approval for the project should also be provided.	Please refer to Chapter 2, *Project Description and Alternatives* for a description of the power generating facilities at the Funks PGP and TRR PGP. Since power generation at the Funks PGP and TRR PGP would be limited to 40 MW nameplate capacity per facility, a FERC license would not be required.
140	18	41000	Environmental Baseline/Modeling. The source of much of the information used in the modeling and impact assessment appears to be outdated (it is difficult to discern the source of some of the data) and likely does not reflect the current understanding of the system using the best available data. Without the use of updated, contemporary models the information presented in the document on potential impacts are highly questionable.	Please refer to Master Response 3, *Hydrology and Hydrologic Modeling* which discusses the adequacy of the use of CALSIM II model.
140	19	51650	Bypass Flows and Diversion Rates. The DEIS/EIR indicates diversions to the Sites Project would reduce flows in the Sacramento River and Delta outflows, especially in the winter in spring. Potentially significant flow reductions in the Sacramento River, especially during dry and critically dry water years, will likely have significant biological impacts on fish species in the river at those times. The proposed bypass flows of 3,250 cfs at Red Bluff, 4,000 cfs at Hamilton City and 5,000 cfs at Wilkins Slough are less than those needed to restore native fish and wildlife identified in the State Water Resources Control Board report "Scientific Basis Report in Support of New and Modified Requirements for Inflows from the Sacramento River and its Tributaries and Eastside Tributaries to the Delta, Delta outflows, Cold Water Habitat, and Interior Delta Flows" (https://www.waterboards.ca.gov/water_issues/programs/peer_review/docs/scientific_basis_phase_ii/201710_bdphaseII_sciencereport.pdf). Justification for these flow magnitudes should be presented and impacts of these flows that are insufficient for restoration of native fish species should be thoroughly evaluated. The timing of the Sites Project diversions during winter and spring will eliminate or	Please refer to Master Response 2, *Alternatives Description and Baseline* which describes refinements to Project operations, including increase in bypass flow criteria at Wilkins Slough.

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			greatly diminish the effectiveness of higher releases of water from Shasta Dam to meet environmental needs if it remained in the river. Additionally, potential mitigation measures to address these decreased flow impacts such changing diversion timing and magnitude, a variety of pulse flows to improve outmigration conditions for fishes, and other physical/biological/ecological processes should be proposed and evaluated.	
140	20	31000	An alternative using Sacramento minimum bypass flows of no less than 13,000 cfs recommended by CDFW should be fully analyzed.	Please refer to Chapter 2, *Project Description and Alternatives* which describes diversion criteria for Alternatives 1, 2, and 3. Also, please refer to Master Response 9, *Alternatives Development* regarding feasibility and applicability of other proposed alternatives identified by commenters.
140	21	51650	Reduced Delta Outflows and impacts on Delta Smelt and Other Important Bay-Delta Species. The draft EIS/EIR erroneously states there is no relationship between winter/spring Delta outflows and Delta smelt abundance. Information presented in the Interagency Ecological Delta Smelt Management Analysis and Synthesis Team report (2015) shows a positive relationship between larval Delta smelt abundance and winter-spring Delta Outflows. The impacts on larval Delta smelt abundance resulting from reduced winter-spring Delta outflows due to Sites Project operations needs to be evaluated and necessary mitigation actions identified. Additionally, the impacts of reduced Delta outflows on the zooplankton community should be evaluated because of their critical importance as food for larval fishes.	Please refer to Master Response 5, *Aquatic Biological Resources* for a discussion of flow-related effects on delta smelt and associated mitigation measures.
140	22	51650	Delta and Longfin Smelt Impacts due to Old and Middle River Reverse Flows. The DEIS/EIR acknowledges the potential increase of Old and Middle River reverse flows during some summer, fall, and winter months due to increased pumping at the CVP and SWP facilities but does not adequately assess the impact on Delta smelt and Longfin smelt. In addition to the estimated losses due to entrainment in the CVP/SWP facilities, losses in Old and Middle River (and other affected waterways) occurring before the diversion facilities, the areas where the majority of mortality occurs, must be evaluated.	Please refer to Master Response 5, *Aquatic Biological Resources* for a discussion of delta and longfin smelt impact analyses related to entrainment and delta outflows.
140	23	51100	Water Quality and Beneficial Use Impacts. Diverting higher-quality water from the Sacramento River will likely lead to water	Please refer to Master Response 4, Water Quality which discusses the downstream water quality impacts due to the Sites Reservoir

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			quality degradation at downstream sites and these potential impacts are not evaluated. The Sacramento River and Delta already suffer from water quality impairments (temperature, heavy metals, nutrients, pesticides) and decreasing flows will only exacerbate these problems. This not only impacts the aquatic resources but also potentially agricultural and domestic uses of these waters.	releases.
140	24	40000	Sacramento River Flow and Temperature Modeling. The use of an outdated version of the CALSIM II model not calibrated to current data is inappropriate. This model is based on a monthly timestep which is not appropriate for modeling impacts on habitat availability and water temperature. .	Please refer to Master Response 3*, Hydrology and Hydrologic Modeling* which addresses adjustments made in the CALSIM modeling to better represent most up-to-date modeling procedures and actual operations.
140	25	51100	Water temperature analyses should be based on daily time steps because of the potential sub-lethal and lethal effects of temperatures on aquatic organisms due to daily or weekly changes. The water quality analyses that use the weekly time-step information from CALSIM II would not capture this shorter timeframe impacts. The shorter timestep for habitat modeling such as weekly would be more appropriate.	Please refer to Master Response 3, *Hydrology and Hydrologic Modeling* which addresses adequacy of the use of monthly time step in CALSIM II.
140	26	51100	Sacramento River Temperature Effects. The assumption that a multi-level outlet structure to manage releases water temperatures to match those of the Sacramento River needs to be evaluated and appropriate information presented. The Sites Reservoir will be a relatively shallow and large surface area impoundment that may not provide the stratification and resulting cold water pool necessary to effectively manage water temperature releases to preserve cold water fishes. Modeling of reservoir water volume and thermal dynamics, using information from similar reservoirs, should be conducted, and potential impacts on attaining the objective of releasing the same water temperature as the Sacramento River disclosed. Incorporation of operations procedures using the multi-level outlet should be presented and an evaluation of how these procedures, using anticipated volumes of cold-water storage and release patterns, is needed to evaluate the effectiveness of this component of the proposed action. Additionally, an explanation and modeling data of how Sites Project operations will be incorporated [in] CVP and	Please refer to Chapter 6, *Surface Water Quality* for a discussion of the models and tools used to simulate water temperature in the Sites Reservoir and the temperature effects downstream of the reservoir, including effects in Sacramento River. Chapter 6 also describes the use of the I/O Tower to control reservoir release temperatures.

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			SWP operations in meeting temperature objectives should be presented.	
140	27	51630	Impacts to Floodplain Habitat. Sites Project operations will reduce flows in the Sacramento River and may impact the timing and duration that fish have to high quality habitat in the Yolo and Sutter bypasses. An annual time-series analyses of flow impacts on access to, duration of connectivity and extent of habitat availability of these floodplain habitats is needed.	Please refer to Chapter 11, *Aquatic Biological Resources* for a discussion of Project impacts on floodplain habitat.
140	28	51600	Evaluation of Fishery Impacts Lacking. Fishery resources in the Sacramento-San Joaquin and Klamath-Trinity Basins contribute to significant tribal, commercial, and recreational fisheries within these river systems and along the coasts of California and Oregon. An evaluation of the cultural, social and economic impacts on these fisheries must be included in the document to fully disclose potential impacts. The is no supporting documentation on how the fishery impact information presented in the DEIS/EIR were derived and many statements pertaining to fishery impacts are unsupported. There is no information concerning the potential impacts on spring and fall Chinook salmon, Coho salmon, and steelhead populations in the Klamath-Trinity. The DEIR/EIS should evaluate how alternatives would impact different runs and species as well as the fisheries that depend on these resources, including impacts on port facilities, marinas, bait shops, motels, and restaurants that benefit from these fisheries.	Please refer to Chapter 11, *Aquatic Biological Resources* for a discussion of fisheries-related impacts.
140	29	51100	Water Quality – Toxic Metals. Potential significant water quality issues pertaining to toxic metals are not evaluated in the DEIS/EIR. Although data are limited, the source water for the Sites Reservoir (Sacramento River, Funks and Stone Corral creeks) indicate high levels of many metals that exceed water quality standards. In addition to the high concentrations of metals present in streams inundated by the project, additional leaching from soils under the reservoir, known for high concentrations of mercury, will occur when these soils are inundated. The impacts of toxic metals on water quality in the reservoir and impacts to the Sacramento River water quality from Sites Project release needs to be analyzed. Additionally, the	Please refer to Chapter 6, *Surface Water Quality* for a discussion of water quality impacts related to toxic metals.

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			potential impacts to the reservoir fishery due to chronic toxicity/mortality and public health/fish consumption concerns needs to be evaluated.	
140	30	51100	Methylmercury. Many impoundments near the proposed Sites Project (Black Butte, Colusa Drain, Indian Valley Stony Gorge) have fish advisories due to elevated mercury levels. There is a potential for methylmercury creation and subsequent bioaccumulation in fish resulting from the implementation of the Sites and this should be modeled, evaluated and any potential mitigation measures proposed.	Please refer to Chapter 6, *Surface Water Quality* for a discussion of mercury and methylmercury impacts on water quality and fish tissue during Sites Reservoir releases.
140	31	51100	Noxious Algal Blooms. Blue-green algal are common in shallow reservoirs in California near the proposed Sites Project as well as downstream in the Delta. The potential for noxious algal blooms should be evaluated under the proposed operation plan and potential mitigation measures to minimize algal blooms and minimize public health issues should be proposed.	Please refer to Chapter 6, *Surface Water Quality* for a discussion of the effects of Harmful Algal Blooms (HABs) on water quality during operation of the Sites Reservoir. Potential impacts on public health due to HABs exposure are discussed in Chapter 27, *Public Health and Environmental Hazards*.
140	32	51100	Water Quality – Salinity. Sites Reservoir will inundate areas where known saline springs exist. The impact of these salt springs on the water quality of the reservoir and the releases into the Sacramento needs to be evaluated.	Please refer to Chapter 6, *Surface Water Quality* for a discussion of the effects on reservoir salinity due to salt springs. The RDEIR/SDEIS also evaluates the effects of Sites Reservoir operations on Sacramento River salinity.
140	33	51200	Geomorphology. The problematic geomorphic analyses (errors/inconsistencies in data presented on geomorphic impacts, inappropriate citations, apparent analyses of alternatives that are different than the proposed alternatives) requires reanalysis of the potential geomorphic impacts. Increases in sediment entrainment of 55% in the Tehama-Colusa Canal and 46% in the Glenn-Colusa Canal suggest that there are significant undisclosed geomorphic impacts which could affect riverine and riparian habitats adjacent to these canal intakes.	Please refer to Chapter 7, *Fluvial Geomorphology,* which describes the impacts on fluvial geomorphology during construction and operation of the Proposed Project, including impacts related to sedimentation.
140	34	51640	Entrainment Losses of Native Fish. The amount of water available to be pumped through the Federal and State pumping facilities will be increased with the Sites Project. The potential impacts to larval and juvenile fishes (salmonids, Delta smelt, white and green sturgeon, Pacific Lamprey, and other native species) should be evaluated. This evaluation should not just estimate losses of entrainment as was done in the draft EIS/EIR but also estimated losses in southern delta channel prior to fish	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* and Master Response 2, *Aquatic Biological Resources,* which address the adequacy of the impact analysis and mitigation related to native fish species.

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			reaching the screening facilities. The mitigation actions to address the potentially significant impacts of impingement, entrainment and stranding are not sufficiently defined to ensure that impacts are minimized. These mitigation actions need to be developed with appropriate performance criterial so the effectiveness of these actions can be assessed.	
140	35	51640	Fish Screens. Effectiveness of fish screens and fish mortality associated with entrainment into the Sites Project or impinged on screens should be evaluated. With the majority of the diversions occurring during the winter and spring, impacts to larval and small juvenile fishes migrating past the Sites Project can be significant.	Please refer to Chapter 11, *Aquatic Biological Resources*, which evaluates the effectiveness of fish screens to reduce entrainment of juvenile and larval salmonids.
140	36	51600	Impacts on Funks and Stone Corral creeks. Impacts to the instream habitats and dependent fish populations in Funks and Stone Corral creeks are not evaluated. No justification for the instream flows of "up to 10 cfs" in these creeks is provided. The method for establishing this flow level should be provided. An evaluation of how these flow levels will impact physical processes necessary to maintain stream habitats and impacts to aquatic habitats and fish populations should be included.	Please refer to Chapter 2, *Project Description and Alternatives,* which presents the specific flow criteria for releases into Funks and Stone Corral creeks to protect downstream water right holders and ecosystem function. Also see Chapter 11, *Aquatic Biological Resources* for a discussion of the impacts on fish populations and habitats in Funks and Stone Corral creeks.
140	37	51600	Reservoir Fishery Impacts from Pumping Plant Operation: Since a recreational fishery is an anticipated benefit of the Project, the potential impacts of the pumping/power generation between the reservoirs should be evaluated in the context of the sustainability of a recreational fishery. Stating that a fishery impact analysis was not conducted because no reservoir exists is not sufficient. Mitigation measures to minimize pumping/power generation impacts to recreational fisheries such as screening or timing of operations should be proposed.	Please refer to Chapter 11, *Aquatic Biological Resources* for a discussion of fisheries-related impacts. Also see Master Response 5, *Aquatic Biological Resources,* which addresses fisheries-related project benefits.
140	38	52500	Recreation. The presentation of potential recreation benefits of the Sites Project presented in the DEIS/EIR is insufficient. Only boat ramp accessibility is evaluated, presumably to inform fishing/boating use, but no information on other recreational activities (swimming, bird watching, camping, hunting, etc.) are provided. Additionally, the potential for the development of a reservoir fishery should include a fish management plan. While the development of a warm-water reservoir fishery may be a	Please refer to Chapter 16, *Recreation Resources* for a discussion of Proposed Project impacts on recreation resources in the study area. As described in Chapter 2, *Project Description and Alternatives* the Authority will prepare a Reservoir Management Plan, which will include actions for management of reservoir fisheries. Please refer to Chapter 11, *Aquatic Biological Resources* for a discussion of fisheries-related impacts.

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			recreational benefit, the potential impact of increased non-native predators on native fish populations needs to be evaluated.	
140	39	51800	Wildlife Mitigation Actions. Future agreements with other public or private entities for mitigation actions to address significant wildlife and terrestrial habitat impacts are not acceptable because there is no guarantee these actions will be implemented. Mitigation actions should be feasible and the agency needs to commit to ensuring these actions are fully implemented to reduce project impacts to less than significant prior to project approval.	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources,* which addresses adequacy of mitigation measures for impacts on wildlife.
140	40	32000	Need for a Natural Community Conservation Plan (NCCP). A plan for the development and implementation of a NCCP must be included because the Sites Project affect several species that may occur in the Sites Project area.	Please refer to Chapter 10, *Wildlife Resources* for a discussion of Proposed Project impacts on wildlife resources. As described in Chapter 10, the adopted plans that pertain to the study area are Yolo County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) and Yolo Bypass Wildlife Area Land Management Plan.
140	41	51800	Nesting Birds. Sites Project activities must be implemented in a manner that eliminates disturbance to the nests/nesting birds protected under the Migratory Bird Treaty and Fish and Game Code. Depending on the species, the disturbance distance of activities may be variable and, if established buffer distances are found to be ineffective at minimizing disturbance through monitoring of nests, the buffer must be increased to eliminate the disturbance.	Please refer to Chapter 10, *Wildlife Resources* for a discussion of Project impacts on nesting birds. As described in Chapter 10, implementation of Mitigation Measures WILD-1.22 and WILD-1.23 would reduce potentially significant impacts on nesting birds to a less than significant level.
140	42	51800	Giant Garter Snake. The Giant Garter Snake, a CESA protected species, may occur in the areas within the Sites Project and the Project would negatively alter giant garter snake habitats resulting in significant impacts to this species. Implementable and enforceable actions must be included to address these significant impacts and appropriate CESA permits obtained.	Please refer to Chapter 10, *Wildlife Resources* for a discussion of impacts on giant garter snake (Impact WILD-1i). As described in Chapter 10, implementation of Mitigation Measures VEG-2.2, VEG-3.2, VEG-3.3, WILD-1.20 and WILD-1.21 would reduce potentially significant impacts on giant garter snake to a less than significant level.
140	43	51700	Botanical Surveys. Information contained in the DEIS/EIR is insufficient to determine the impacts on botanical resources within the Sites Project area. Botanical surveys must be redone, data included in the DEIS/EIR are from the late 1990's and early 2000's, and must include all areas affected by the project. Accepted scientific protocols should be used to conduct these	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources* which addresses adequacy of botanical survey data.

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			surveys.	
140	44	51700	Botanical Resources Mitigation. Using information from updated botanical surveys, implementable actions, with the commitment to fully implement them until they effectively mitigate for project impacts, need to be include in the document. These actions must include sufficient detail to allow for determination of their feasibility and likelihood for success.	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources* which addresses adequacy of botanical resources mitigation measures.
140	45	51100	[ATT 1:] The DEIR/S indicates that the project poses less than significant impacts on the water quality to the Trinity River downstream of Trinity and Lewiston reservoirs. However, based on my review and analysis of the DEIR/S and other available information, I [Gus Kammen] have identified a number of notable deficiencies in the water quality assessment that fail to identify and correctly analyze revised water operation impacts on Trinity River water quality (temperature) and, in turn, biological resources. Therefore, it is my opinion that the information presented in the DEIR/S is inadequate in evaluating potential adverse impacts to the water quality of the Trinity River. Nor does it propose mitigation measures for reasonably foreseeable adverse impacts to water quality and aquatic resources of the Trinity River. A discussion of the identified deficiencies is provided below.	Please refer to Master Response 8, *Trinity River* which addresses adequacy of the impact analysis related to Trinity River and its resources.
140	46	51100	[ATT 1:] 1. Foreseeable Impacts to Trinity River Associated with Sites Project Operations Based on my knowledge [Gus Kammen] and experience in analyzing water temperature conditions of the TRD of the CVP, it is my opinion that the revised TRD water operations associated with the Sites Project will lead to increased water temperatures in Lewiston Reservoir and releases to the Trinity River. Any increase in the temperature of water released to the Trinity River would degrade water quality conditions and increase the potential for violations of North Coast Basin Plan [Footnote 1 "Water Quality Control Plan for the North Coast Region" Footnote 5, Table 3-1, page 3-8.00: Accessed at http://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/083105-bp/04_water_quality_objectives.pdf [Exhibit 1]] water quality	Please refer to Master Response 3, *Hydrology and Hydrologic Modeling,* which addresses adequacy of the use of CALSIM II model. Also see Master Response 8, *Trinity River* which addresses adequacy of the impact analysis related to Trinity River and its resources. The revised analysis of water quality, including temperature can be found in Chapter 6, *Surface Water Quality*. Responses to comments on the RDEIR/SDEIS revised analysis included can be found above in Volume 3, Chapter 4.

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			(temperature) objectives as well at the water temperature objectives established under the Trinity River Record of Decision (USDOI 2000) to protect outmigrating juvenile salmonids [Footnote 2 Trinity River Outmigrant Juvenile Salmonid objectives at Weitchpec (Trinity River Flow Evaluation (USFWS and HVT 1999) accessed at http://www.trrp.net/library/document/?id=226] I reached this conclusion through analysis of water resources system modeling results provided in Appendix 6B of the DEIR/S. Tables 1 through 3 [ATT1:ATT1 -> ATT1:ATT3] are taken from Appendix 6B and present Trinity Reservoir storage, Trinity River flow and Clear Creek Tunnel diversion modeling results for both the Sites Project No Action Alternative and Alternative D under a variety of water year types. Table 1 presents a comparison of end of month (EOM) storage in Trinity Reservoir. The DEIR/S suggests incorrectly that the small differences between the No Action Alternative and Alternative D are not significant per the following statement (page 6-36). The CALSIM II model monthly simulation of real-time daily (or even hourly) operation of the CVP and SWP results in several limitations in use of the CALSIM II model results. The model results must be used in a comparative manner to reduce the effects of use of monthly assumptions and other assumptions that are indicative of real-time operations, but do not specifically match real-time observations. Given the CALSIM II model uses a monthly time step, incremental flow and storage changes of 5 percent or less are generally considered within the standard range of uncertainty associated with model processing, and as such flow changes of 5 percent or less were considered to be similar to Existing Conditions/No Project/No Action flow levels in the comparative analyses using CALSIM II conducted in this EIR/EIS. Table 2 presents the monthly average releases to the Trinity River from Lewiston Reservoir. Apart from the 8.9% decline	

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			during December of Wet years, 8.6% to 31.2% decline in flows during February and March of Above Average water year-types, and the 24.2% drop during February of the Below Average water year-type, there are no reductions in flow under Alternative D that are considered significant in the DEIR/S. Table 3 presents the changes in flow through the Clear Creek Tunnel, which represent diversions from Lewiston Reservoir (via the Carr power plant) to the Sacramento River and potentially Sites Reservoir. A general pattern seen in the these data is a shift in operations under the Project Alternative that increase the rate of diversions through the winter months (December-March) and reduce diversion rates through the summer/fall months (July-November) during dry and critically dry year types. I assume this change in operations is intended to provide more water to the Sacramento River during the winter to enhance the opportunity for diversion to Sites Reservoir. However, this change in operations would have a significant negative effect on the water temperatures in Lewiston Reservoir as well as the temperature of releases to the Trinity River. Table 4 was developed in order to compare the total average flow through Lewiston Reservoir under the Sites Project No Action Alternative and Alternative D operations. The total flow through Lewiston Reservoir was computed by summing the average monthly flow values of releases to the Trinity River (Table 1) and flow through Clear Creek Tunnel (Table 3). Due to its geometry and operations of the TRD, water temperatures in Lewiston Reservoir are highly variable. During the summer when there are relatively low and constant releases to the Trinity River and Carr power plant diversions are at capacity, the rate of flow through Lewiston Reservoir is sufficient to displace its entire volume in about 2.5 days and water temperatures remain relatively cool (Brown et al., 1992)3[Footnote3 Brown, R., Yates, G., and Field, J. (1992) "Temperature Modeling of Lewiston Lake with the BETTER	

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			twodimensional reservoir flow mixing and heat exchange model." Rep., Department of Transportation and Planning, Trinity County, Weaverville, CA.]. On the other hand, when the Carr power plant is not operating, flow through Lewiston Reservoir stagnates and thermal stratification develops within days, typically leading to the warming of summer surface waters to between 60 and 70 F (15.6 and 21.1 C) (Ibid). Modeling that I have completed suggests that total flow rates through Lewiston Reservoir (i.e. the sum of Carr power plant diversions and river releases) should be between approximately 800 cubic feet per second (cfs) during the late summer/early fall months of normal year-types and up to 1900 cfs during the summer/fall months of critically dry year-types in order to comply with downstream temperature objectives (Kamman, 1999a) [Footnote 4: Kamman, G.R., 1999a, Temperature Analysis of Proposed Trinity River Fish and Wildlife Restoration Flow Alternatives using the BETTER Model: Prepared for: Trinity County Planning Department, June, 80p]. The maximum late summer/early fall daily releases for releases to the Trinity River under the Trinity ROD range from 300 to 450 cfs. Thus, Carr power plan diversions (i.e., flow through Clear Creek Tunnel) would need to be maintained between 1450 and 1600 cfs to meet summer/early fall temperature needs during normal and critically dry years, respectively. Based on this this information, it can be inferred that any decrease on total flow through Lewiston Reservoir during the summer/fall period would lead to increased temperatures in water released to the Trinity River as well as that diverted via the Carr power plant and Clear Creek Tunnel. Comparison of total flow rates through Lewiston Reservoir for Alternative D (Table 4) indicates significant reductions during most summer/fall months of the representative dry and critically dry year-types. Most notable are the reductions in flow and likely reservoir heating during the month of October, where flow through Lewiston Reservoir is reduced by 165% and 56% during dry and critically	

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			dry year-types, respectively, a time when meeting downstream temperature objectives is already compromised (Kamman, 1999b) [Footnote 5: Kamman, G.R., 1999b, Addendum to Temperature Analysis of Proposed Trinity River Fish and Wildlife Restoration Flow Alternatives using the BETTER Model: Cumulative Effects. Prepared for: Trinity County Planning Department, September, 7] Evaluation of average monthly temperature results for releases to the Trinity River presented in Appendix 7E (River Temperature Modeling) of the DEIR/S do not corroborate the anticipated increase. In Lewiston Reservoir temperatures. Table 5 [ATT1:ATT5] presents the DEIR/S temperature modeling results and suggests (contrary to the discussion above) that water temperatures in Lewiston Reservoir (i.e., temperature of releases to Trinity River) would decrease as total flow through the reservoir decreases. In fact, the temperature decreases are most pronounced during some dry and critically dry months of greatest reduction in flow rates through Lewiston Reservoir, when water temperatures would be increasing. This leads me to call into question the validity of the temperature model analysis of TRD operations presented in the DEIR/S. More important is that the proposed change in TRD operations by the Sites Project directly conflicts with and reverses intended operations stipulated in the Secretary of Interior's 2000 Record of Decision (ROD) for the Trinity River Mainstem Fishery Restoration project. As you are aware, the modeling and temperature analysis work I completed for Trinity County back in the late 1990's contributed significantly to development of the instream flow and Carr power plant and Clear Creek Tunnel diversion schedules for the Trinity Preferred Alternative in order to better meet downstream temperature objectives. This work was accomplished through lengthy and focused analyses and meetings with project stakeholders and resulted in final preferred alternative operations with increased late summer CVP diversions to the Sacramento River. Acknowledging that even	

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			the river releases and temperatures from Lewiston Reservoir associated with the Preferred Alternative may not satisfy downstream temperature objectives, the Trinity Project ROD stipulates the following (page 20): "Under the Preferred Alternative, the TRD would be operated to release additional water to the Trinity River, and the timing of exports to the Central Valley would be shifted to later in the summer to help meet Trinity River instream temperature requirements". By proposing to reduce late summer CVP diversions to the Sacramento River, the Sites Project creates a foreseeable potential impact on Trinity River water quality by reversing the very operations associated with the Trinity River ROD that are intended to satisfy downstream water temperatures objectives and protect instream beneficial uses, particularly for salmon and steelhead. This potential shift in TRD operations is concerning due to the fact that there are frequent exceedances of water temperature objectives under the current TRD ROD operations and flows. Recent studies completed by the U.S. Fish and Wildlife Service6 [Footnote6 David, A.T. and Goodman, D.H., 2017, Performance of water temperature management on the Klamath and Trinity Rivers, 2016. U.S. Fish and Wildlife Service, Arcata Fisheries Technical Report TR 2017-29, November, 72p; and Polos, J. 2016. Adult salmon water temperature targets. Trinity River Restoration Program Performance Measure. Trinity River Restoration Program][provide data on how the TRD operations and ROD flows comply with downstream Basin Plan and Restoration Project temperature objectives. Appendix A from David and Goodman (2017), presented below, summarizes the exceedances to the Basin Plan (DGC and NFH locations) and Trinity River Restoration Project (TRWEI location) temperature objectives for the period 2001 through 2016. These exceedances occur during all water year types, but with highest frequency during dry and critically dry year types. Of note in this Appendix are the high number of exceedances	

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			during the wet water year 2016. As reported by David and Goodman, the exceedances during 2016 are, in part, due to depletion of the cool water pool (carry-over storage) during the preceding 3-year drought period (2013-2015). 2. Foreseeable Impacts to Trinity River Associated with Trinity Lake Carryover Storage Ordinarily in late summer, water temperatures in Trinity Reservoir are well stratified, displaying a layer of warm water above a deeper pool of much colder water. During this time, releases from Trinity Reservoir to Lewiston Reservoir occur through a submerged powerhouse outlet. If the reservoir is drawn down to a relatively low level, the upper warm layer may intersect the powerhouse outlet, releasing warm water to Lewiston Reservoir. In turn, these warm temperatures are propagated through Lewiston Reservoir to the Trinity River. As presented below, a number of studies have been completed to quantify the minimum October 1st carryover storage volume that is needed to protect against the introduction of warm summer water releases during various water year types and droughts. In 1998, Trinity County retained KHE to evaluate how an intense multi-year drought would affect carryover storage in Trinity Reservoir (Kamman, 1998)7 [Footnote7: Kamman, G.R., 1998, Carryover Storage Analysis – Simulated (1928-1934) period. Prepared for: Trinity County Planning Department, May 22, 3p]. The study approach included an interannual accounting of Trinity Reservoir storage during a series of representative water yeartypes similar to those experienced during the 1928-1934 drought. [Footnote 8: The interannual water budget accounting started in 1928, a normal water year type.] Water releases from Trinity Lake were based on the water year type for Trinity Division operations [Footnote 9: It is likely that CVP operations would change during drought periods. However, we did not have the knowledge or expertise to define such changes. Thus,	

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			the analysis used operations consistent with the earlier PROSIM simulations.] under the ROD Flows. A series of interannual Trinity Reservoir water budgets were developed with initial carryover storage volumes ranging from 750- to 2000-TAF. Study results (Kamman, 1998) indicate that under CVP operations to meet ROD Flows, there is a net annual increase in Trinity Reservoir storage during normal (1928) year-types, but decrease during dry (- 17.5 TAF) and critically dry (-341 TAF) year-types. Thus, when starting with 750 TAF of storage, Trinity Reservoir storage would have dropped below 200 TAF after the third year of the drought, primarily driven by storage reductions experienced during critically dry years. Study results also indicate that a starting storage volume of 1250 TAF is required to maintain a minimum carryover storage of 600 TAF through the drought. However, modeling results (Kamman, 1999a and 1999b) indicate that even 600 TAF of carryover storage does not fully achieve compliance with temperature objectives during dry and critically dry year types. This study suggests that a minimum carryover storage volume of between 1250- and 1500-TAF during the first year of drought is likely required in order to provide the necessary water release temperatures to the Trinity River to meet downstream temperature objectives during subsequent years. In addition to the work cited above, I am aware of other studies focused on identifying the minimum Trinity Reservoir carryover storage to provide the necessary cold water releases to satisfy river temperature objectives. In their 1992 testimony to the State Water Board, Finnerty and Hecht (1992)10 [Footnote 10: 10 Hecht, B. and Finnerty, A.A., 1992, Testimony to the State Water Resources Control Board regarding Carryover Storage in Trinity and Lewiston Reservoirs to Protect Public-interest Resources. State Water Resources Control Board Water Right Phase of the Bay-Delta Estuary Proceedings, June 26, 7p.] concluded that Trinity Reservoir carryover storage of 900 TAF or slightly more may be needed to meet downstream temperature objectives	

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			during 90% of all years. Their conclusion was based on analysis of hydrology, reservoir operations and temperatures for 1991, a single critically dry year-type. The second study, completed by Deas in 1998 [Footnote 11: Deas, M.L., 1998, Trinity Reservoir Carryover Analysis. Prepared for: Trinity County Planning Department, Natural Resources Division, August, 26p.] on behalf of Trinity County, included water temperature simulations of Trinity Reservoir using the Water Temperature Simulation Model (WTSM). Deas evaluated temperature compliance under 1990 dry year-type conditions assuming initial reservoir storage volumes of 750-, 1250- and 1500- TAF. Model simulation results indicated elevated water temperatures at the powerhouse intake elevation for the 750 TAF carryover storage scenario and minimal to no temperature concerns at initial carryover storage volumes of 1250- and 1500-TAF, respectively. Deas' findings of elevated temperatures associated with 750 TAF of carryover storage are corroborated in the 2012 report by Reclamation12 [Footnote 12: U.S. Department of Interior, Bureau of Reclamation, 2012, Trinity Reservoir Carryover Storage Cold Water Pool Sensitivity Analysis – Technical Service Center (TSC) Technical Memorandum No. 86-68220-12-06. August 20, 7p.], which found that a September 30 carryover storage requirement of less than 750 TAF is "problematic" in meeting state and federal Trinity River temperature objectives protective of the fishery. The Sites Project water operation and temperature analyses assume a minimum Trinity Reservoir carryover storage volume of 600TAF. The study findings presented above indicate that initial October 1 carryover storage volumes of 600- and 750-TAF are not sufficient to satisfy Trinity River temperature objectives for a single dry/critically dry water year-type, let alone multi-year droughts. Thus, it is reasonable to foresee that current implementation of the ROD Flows without sufficient carryover storage will not achieve Trinity River temperature objectives during critically dry year-types. Modeling results indicate that critically dry water year-types deplete reservoir carryover storage	

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			volumes at much higher rates than occurs during dry years. Whether dealing with dry or critically dry year-types, reservoir storage has no chance of being replenished during multi-year droughts under the current and proposed Sites Project CVP operations. As determined by Finnerty and Hecht, a minimum baseline carryover storage volume of 900 TAF is required to meet Basin Plan temperature objectives on the Trinity River during a single dry year. Studies by Deas and Kamman suggest this baseline carryover storage volume is likely higher for critically dry year-types. Significantly higher carryover storage volumes over the baseline value are required to preserve the necessary reservoir cool water pool during multi-year drought periods, in order to achieve temperature objectives. Modeling studies suggest first year drought carryover storage volumes of around 1750 TAF are sufficient to maintain adequate carryover storage to meet temperature objectives during multi-year droughts. Thus, a single minimum carryover storage volume cannot be developed without revising CVP operations that focus on preserving Trinity Reservoir carryover storage, most likely by reducing water that is diverted out of the Trinity River basin. The Sites Project DEIR/S presents the results of their modeling analyses as monthly average values of flow, storage and water temperature for multiple years within designated water-year type classifications. This presentation masks the impacts from a single extreme dry year as well as repeated impacts associated with a continuous multi-year drought. These are the periods of greatest concern and potential damage to aquatic resources, but they are not identified or described in the DEIR/S. Prior to 2016, the USGS [Footnote 13 Jones, E.C., Perry, R.W., Risley, J.C., Som, N.A. and Hetrick, N.J., 2016, Construction, calibration and validcation of the RBM10 water temperature model for the Trinity River, Northern California. U.S. Department of Interior, U.S. Geological Survey, Open-File Report 2016-1056, prepared in cooperation with the U.S. Fish and Wildlife Service and the	

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			Bureau of Reclamation, 56p.] developed a water temperature model that accurately simulates daily mean water temperature along the course of the Trinity River, from Lewiston Dam to the Klamath River confluence. This model would be a more appropriate tool to evaluate how changes in TRD water operations associated with the Sites Project would satisfy water temperature objectives in the Trinity River.	
140	47	51100	[ATT 1:] [Exhibit 1 Daily not to exceed temperatures on the Trinity River]	See response to comment 140-46 above
140	48	51100	[ATT 1: Exhibit 2 - Trinity River Outmigrant Juvenile Salmonid Objectives]	See response to comment 140-46 above
140	49	51100	[ATT 1: Exhibit 3 Appendix A. Number of Days exceeding numeric water temperature objectives for the three specified locations on the Trinity River, 2001 - 2016. DGC = Trinity at Douglas City; NFW = Trinity above the North Fork Trinity; TRWE1 = Trinity above the Klamath.]	See response to comment 140-46 above
140	50	41000	[ATT1: 3. Inaccurate Existing (Baseline) TRD Water Operations The water operations analysis for Sites Project EIR/S did not include an analysis considering use of Humboldt County's 50 thousand acre feet (TAF) water contract included as a provision of the Trinity River Division Act. The following is an excerpt from the Statutory Authority Appendix contained in the DEIS for the Long-Term Plan to Protect Adult Salmon in the Lower Klamath River (Lower Klamath LTP)14 [Footnote 14: U.S. Department of Interior, Bureau of Reclamation, 2016, Long-Term Plan to Protect Adult Salmon in the Lower Klamath River, Humboldt County, California Draft Environmental Impact Statement, October.] describing Humboldt County's 50 TAF water contract. Construction of the Trinity River Division (TRD) of the Central Valley Project (CVP) was authorized by the Act of August 12, 1955 (Public Law 84-386) (TRD Act). In section 2 of the 1955 TRD Act, Congress directed that the operation of the TRD should be integrated and coordinated with the operation of the CVP, subject to two conditions set forth as distinct Provisos in section 2 of that Act. The first of these two Provisos states that the	See responses to comments 140-1 and 140-5, above. Please refer to Master Response 8, *Trinity Resources,* which addresses adequacy of the impact analysis related to Trinity River and its resources.

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			Secretary of the Interior is authorized and directed to "adopt appropriate measures to insure the preservation and propagation of fish and wildlife" including certain minimum flows in the Trinity River deemed at the time as necessary to maintain the fishery. The second Proviso directs that not less than 50,000 acre-feet of water shall be released and made available to Humboldt County and other downstream users15. [Footnote 15 Reclamation's water permits from the State of California includes the following condition: "Permittee shall release sufficient water from Trinity and/or Lewiston Reservoirs into the Trinity River so that not less than an annual quantity of 50,000 acre-feet will be available for the beneficial use of Humboldt County and other downstream users." Condition 9] The recently released Solicitor's Opinion, M-37030, concludes that each of the two Provisos in section 2 of the TRD Act are "separate and independent limitations on the TRD's integration with, and thus diversion of water to, the CVP" and that the two Provisos may "require separate releases of water as requested by Humboldt County and potentially other downstream users pursuant to Proviso 2 and a 1959 Contract between the U.S. Department of the Interior, Bureau of Reclamation (Reclamation) and Humboldt County." [footnote 16: The 1959 water delivery contract between Reclamation and Humboldt County includes the following: "The United States agrees to release sufficient water from Trinity and/or Lewiston Reservoirs into the Trinity River so that not less than an annual quantity of 50,000 acre-feet will be available for the beneficial use of Humboldt County and other downstream users." Contract, Article 8.]M- Opinion 37030 at 2. Formal 18 opinions of the Solicitor are binding on the Department of the Interior and its bureaus. Chapter 6 and Appendix 6A of the Sites Project DEIR/S state that the project water operations modeling analyses adhered to 2000 Trinity River ROD releases to the Trinity River downstream of Lewiston Reservoir to meet instream flow requirements. The DEIR/S states, "The total volume of water released to the Trinity	

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			River ranges from approximately 368,600 AF in critically dry years to 815,000 AF in extremely wet years, depending on the annual water-year type (hydrology) determined as of April 1st (DOI, 2000). Table 6-2 shows the annual volumes, peak flows, and peak flow duration by water type." Table 6-2 [ATT1:Exhibit 4] from the DEIR/S is presented below. However, there is no mention of Humboldt County's 50 TAF annual water contract being integrated into the DEIR/S water resources system modeling and analysis. It is not possible to compare total annual modeled Trinity River releases from the DEIR/S (Table 2, attached[ATT1:ATT2]) to the annual Trinity River ROD flow volumes (Table 6.2 below) as they represent different water year type classification schemes17 [Footnote 17 The water year types included in the Trinity ROD are probability-based and classified by ranges of annual upper Trinity River Basin water year runoff. This classification is different from the water year types presented in all other tables in Appendix 6B of the DEIR/S, which are based on the historical record of WY1922 through WY2003 and defined by the Sacramento Valley 40-30-30 Index Water Year Hydrologic Classification (SWRCB D-1641, 2000).]. The USFWS report by David and Goodman (2017) indicates how the Humboldt County 50 TAF water contract has been especially important for flow augmentation during dry years to meet flow and temperature targets in the lower Klamath River to reduce the probability of an adult fish kill. The omission of the Humboldt County 50 TAF contract in the DEIR/S analyses could have significant effects on the water quality conditions and potential impacts to both the Trinity and Sacramento Rivers. Therefore, the DEIR/S should be considered incomplete in the analysis of the effects of the Site Project operations on the Trinity River.	
140	51	41000	[ATT1: Exhibit 4 Table 6-2 Trinity River Record of Decision Annual Flow Volumes and Peak Flows]	See responses to comments 140-1 and 140-5, above.
140	52	60100	[ATT1: 4. Incomplete Cumulative Impact Assessment In addition to the omission of the Humboldt County 50 TAF	Please refer to RDEIR/SDEIS Chapter 31, *Cumulative Impacts* for an analysis of the Proposed Project's cumulative impacts. According to Chapter 31, the Project would not affect or result in changes in the

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			water delivery contract on the TrinityRiver, the Sites Project DEIR/S fails to consider and incorporate the Lower Klamath LTP operations into the water resources system modeling analyses. Under CEQA, a cumulative impact assessment must consider development projects within the cumulative study area, which includes past projects, projects under construction and approved, and pending projects that are anticipated to be either under construction or operational by the time of the completion of the proposed project. The Sites DEIR/S states the following (pg. 6A-2, Appendix 6A). The Existing Conditions/No Project/No Action Condition simulation was developed assuming Year 2030 level of development and regulatory conditions. The Existing Conditions/No Project/No Action Condition assumptions include existing facilities and ongoing programs that existed as of March 2017 (publication of the Notice of Preparation) that could affect or could be affected by implementation of the alternatives. The Existing Conditions/No Project/No Action Condition assumptions and the models do not include any restoration actions or additional conveyance over the current conditions. Although the ROD for the Lower Klamath LTP [Footnote 18: U.S. Department of the Interior, Bureau of Reclamation, 2017, Record of Decision for the Long Term Plan to Protect Adult Salmon in the Lower Klamath River, April, Accessed at https://www.usbr.gov/mp/nepa/includes/documentShow.php?Doc_ID=28314] wasn't signed until April 2017, it was certainly a well-known and defined pending project and should have been incorporated into the baseline condition of the water resource system modeling analysis. Tables 6 through 8 provide average monthly storage and flow values for the TRD under the Lower Klamath LTP. Comparison of the Lower Klamath LTP Alternative 1 conditions presented in Table 6 through 8 to the Sites Project No Action Alternative conditions presented in Tables 1 through 3 indicate significant differences in project operations and hydrologic conditions when including the Lower Klamath LTP in	operation of the CVP, Trinity River Division facilities (including Clear Creek). Therefore, the Trinity River Record of Decision (ROD), the 2017 ROD for the Long-Term Plan for the Lower Klamath River, and the provisions of the Trinity River Division CVP Act of 1955 are not addressed in the cumulative analysis.

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			the water resource impact assessment. For example, under the Lower Klamath LTP, diversions to the Sacramento River are reduced by an average of 13 TAF per year, while Sites DEIR has diversions increasing, on average, by 4 TAF per year. The main reason for this difference is the August and September Trinity River release rates: as a result of flow augmentations, the Lower Klamath LTP increases average releases to Trinity River by 20% and 42% (presumably using the Humboldt County 50TAF water) above No Action flows, respectively (see Table 7). Alternative D of the Sites Project maintains a constant 450 cfs baseline ROD flow during these months for all water year types. The Lower Klamath LTP introduces significant project operations, not included in the Sites Project DEIR/S analyses, which could have significant effects on the anticipated water supply available to the project as well as impacts to temperature on the Sacramento River. Because of this omission in the impact analysis, the Sites Project DEIR/S should be considered incomplete.	
140	53	40000	Another cumulative impact that is not evaluated in the Sites Project DEIR/S is the influence of climate change on the meteorology and hydrology of northern California rivers. The water temperature modeling of Alternatives completed as part of DEIR/S analyses uses historic meteorologic and hydrologic data and do not consider the predicted warmer future temperatures in the Trinity and Klamath River basins under climate change (USBR, 2011) [Footnote1 9: U.S. Department of the Interior, Policy and Administration, Bureau of Reclamation, 2011, SECURE Water Act Section 9503(c) – Reclamation Climate Change and Water. April, 226p.]. Warmer air temperatures under climate change will result in warmer reservoir and river water temperatures. Anticipated changes to the timing and magnitude of spring snowmelt hydrograph and associated tributary accretion (flow and water temperature) are likely to increase river water temperatures, which will reduce the attainment of water temperature objectives on the Trinity River, especially those established for outmigrant juvenile salmonids. Thus, the DEIR/S fails to evaluate the cumulative impact of climate change	Please refer to Master Response 3, *Hydrology and Hydrologic Modeling* which addresses adequacy of the hydrologic data considered in the development of the CALSIM II model.

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			conditions.	
140	54	51000	[ATT1:ATT1: TABLE 1: Trinity Lake end of month storage. Source: Table SW-1-9a, Appendix 6B of Sites Project DEIR/s.]	See responses to comments 140-1 and 140-5, above.
140	55	51100	[ATT1:ATT2:] TABLE 2: Monthly flow on Trinity River below Lewiston Reservoir: Table SW-04-9a, Appendix 6B of Sites Project DEIR/S.	See responses to comments 140-1 and 140-5, above.
140	56	51100	[ATT1:ATT3:] TABLE 3: Monthly flow through Clear Creek Tunnel. Source: Table SW-05-9a, Appendix 6B of Sites Project DEIR/S.	See responses to comments 140-1 and 140-5, above.
140	57	51100	[ATT1:ATT4:] TABLE 4: Estimated Monthly flow through Lewiston Reservoir.	See responses to comments 140-1 and 140-5, above.
140	58	51100	[ATT1:ATT5:] TABLE 5: Monthly temperatures of Trinity River below Lewiston Dam. Source: Table SQ-33-9a, Appendix 7E of Sites Project DEIR/S.	See responses to comments 140-1 and 140-5, above.
140	59	60100	[ATT1:ATT6:] TABLE 6: Monthly Trinity Lake Storage. Source: Table 4-1, Lower Klamath LTP DEIS.	See responses to comments 140-1 and 140-5, above.
140	60	60100	[ATT1:ATT7:] TABLE 7: Monthly flow on Trinity River below Lewiston Reservoir. Source: Table 4-3, Lower Klamath LTP DEIS.	See responses to comments 140-1 and 140-5, above.
140	61	60100	[ATT1:ATT8:] TABLE 8: Monthly flow on Trinity River Diversion to Sacramento River at Lewiston Reservoir. Source: Table 4- 3, Lower Klamath LTP DEIS.	See responses to comments 140-1 and 140-5, above.
140	63	51100	[ATT1:ATT8:] Resume/C.V. of Greg Kamman, PG, CHG Principal Hydrologist	See responses to comments 140-1 and 140-5, above.

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141	1	20000	We [Save California Salmon, et al.] write to you [California Water Commission] under your role as a responsible agency under the California Environmental Quality Act [Footnote 1: See PowerPoint Presentation on CWC's role under CEQA for the WSIP at https://cwc.ca.gov/-/media/CWCWebsite/Files/Documents/2015/06_June/June2015_Agenda_Item_11_Attach_2_Powerpoint_King.pdf It should be noted that slide 12 says that CWC as a responsible agency should provide comments on the public review draft EIR, but according to the Sites Project Authority, the CWC did not provide comments] regarding the environmental documentation for the proposed Sites Reservoir Project. While the CWC is not the CEQA lead agency for Sites, you will be required to use the EIR prepared by the Sites Project Authority. In order to ensure timely awarding of construction funds, you have a vested interest to ensure that a legally adequate EIR is prepared.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3 of the Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments*, which addresses CWC's processes and how they differ from the Project's environmental review process (CEQA/NEPA).
141	2	32400	the project as described to date does not resolve the fundamental issue of what will be the minimum bypass flows for the Sacramento River. This is a key issue that underlies the basic water yield and economic feasibility of this project. The California Department of Fish and Wildlife has recommended a much higher minimum bypass flow in the Sacramento River than is being proposed by the (13,000 cfs compared to 3,250 cfs at Red Bluff, 4,000 cfs at Hamilton City and 5,000 cfs at Wilkins Slough) [Footnote 2: See CDFG letter of 1/12/18, page 9 "CDFW recommends the Project proponents revise the bypass flow requirement to maintain at least 13,000 cfs past all diversion facilities prior to the diversion of water to reduce impacts on out-migrating juvenile salmonids." Accessed at https://www.friendsoftheriver.org/wp-content/uploads/2018/09/1-12-2018-CDFW-Sites-Project-Letter.pdf]. The impacts to the Sacramento River fishery have not been adequately described in the DEIS/EIR, nor is there an alternative analyzed in the DEIS/EIR that would provide the flow recommendations by CDFW.	Please refer to Master Response 2, *Alternatives Description and Baseline,* which describes refinements to Project operations, including increase in bypass flow criteria at Wilkins Slough. Master Response 2 also addresses refinements to Project facilities that would make the Project more affordable for the Project's participants.

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141	3	70000	It is impossible for anybody to know if this project is cost effective and promised environmental public benefits can be delivered until the Sacramento River minimum bypass flow issue is resolved. The Sites Project Authority's recommendation for Sacramento River minimum bypass flows appears to justify a finding of financial feasibility, but how feasible will the project be if CDFW's minimum bypass flows are legally required?	See response to comments 141-2 and 8-1, above. In May 2019, the Authority initiated a series of focused discussions with the California Natural Resources Agency regarding Project planning and intended operations. The purpose of these discussions was to address the effects of the Project on the State's public trust resources and further refine the Project facilities and operational characteristics consistent with what would be affordable for member participants and also to meet applicable permitting requirements. The Authority met with the aquatics and terrestrial technical teams from the California Department of Fish and Wildlife (CDFW) several times between May and September 2019 to explore refinements to Project operations and facilities. During and following this process, the Authority revised the Project operational components and eliminated or modified previously proposed facilities to ensure an affordable Project capable of providing a sufficient and reliable water supply and dedicated ecosystem benefits. These revised components include revised 2019 operational scenarios/criteria, proposed conservation measures, and a science and adaptive management strategy. It also included removing the Delevan Intake, revisions to the operational criteria and less water being pumped from the Sacramento River on average, as well as reducing the footprint of the reservoir from a maximum of 1.8 MAF to 1.5 MAF. Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in the extensive review of additional alternatives and revised modeling to further refine the Project. A Revised Draft Environmental Impact Report/Supplemental Draft Impact Statement (RDEIR/SDEIS) was released in 2021. Responses to those comments are included in Volume 3, Chapter 4 of this Final EIR/EIS.

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142	1		I drove here today from the Klamath River where the Trinity meets it, so I have a lot of concerns as far as what impacts could be to the Trinity River.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. Please refer to Master Response 8, *Trinity River,* which discusses potential effect of the Project on the Trinity River and the adequacy of the RDEIR/SDEIS evaluation of potential impacts on the Trinity River, including hydrologic modeling for Trinity River under the Project operations.
142	2		I think there's a lot of information that -- I feel like there's a lot of information that is going to be coming out in the next couple of years that should be -- the project should be basing itself on. That has not happened yet, which makes me feel like the EIS is slightly premature. It feels like it's moving very quickly, even though the, for instance, Water Rights Application has not gone forward yet, even though the Phase II Delta changes have not happened yet, which are going to increase winter flows hopefully in the Sacramento River.	Please refer to Master Response 2, *Alternatives Description and Baseline,* which discusses the existing conditions baseline.
142	3		There is a lot of science coming out based on floodplains and what floodplains means to fisheries. And what wet water years means to fisheries. As people who depend on fisheries, both through the union that I work for that represents commercial fishermen and for people on the Klamath and Trinity River, which is extremely rural, I think that a lot of the science on what floodplains means and what high flows mean, needs to come out, and also what standards are needed for the flows in the Sacramento River to help fish need to come out before we can decide how much should be diverted. I also think that consultation with fish and wildlife service, government to governments with tribes, things like that should have happened already.	Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses flow impacts and mitigation measures. Please refer to Master Response 7, *Tribal Coordination, Consultation, and Engagement,* which discusses the Authority and Reclamation's consultation and engagement with Tribes.

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			Because how are you going to read an EIS when you don't have all the information.	
142	4		An issue I have with this -- and I'm not saying that I think that this has to be a detriment to the environment or has to be good for the environment, I just think there is a lot of information that I find is missing at this point.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which discusses comments which do not raise issues related to the adequacy of the environmental impact analysis.
142	5		One thing that I really did not like when I read the -- when I read the EIS, or the parts of it that I've been able to get through, is this assumption that in the baseline that contracts are like -- contracts are -- that water use is going to increase a lot and contracts are met. There are very few years where contracts are met, and if you're assuming that the contracts are met to the Sacramento River, then you're assuming that a lot more water is being used currently than is actually being used because in many years those contracts aren't met.	Please refer to Master Response 2, *Alternatives Description and Baseline,* which discusses the existing conditions baseline.
142	6		Some information that I've read in the document that I find to be conflicting or should be explained better in the final EIS is that there are -- in the fisheries assessment there are things said like, they'll be an eight -- eight percent decrease in wet water years of fish production, but a 14 percent -- These are not the actual numbers because obviously different years there's different numbers, but a 14-percent increase in dry water years. Well, in wet water years, there's a lot more fish than in dry water years, so what are those actual numbers? Is -- is the decrease 20,000 fish, but the increase is only a thousand fish because you're going five percent inches? This is the kind of information we would need to know to be able to support a project like this. And so without knowing that, right now it's hard to support.	Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses methods and use of models and modeled results, as well as uncertainty.

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142	7		An concern that I personally have is that a lot of these tributaries that you're saying have extra water or that you can get water rights for are some of the most important tributaries to the Spring Chinook Salmon, and the Spring Chinook Salmon are doing really terrible right now, and because these are not – I don't see how there's anything above Sites Reservoir that -- a lot of the areas above Sites Reservoir seem like they are not going to be helped by this. Maybe they can be, maybe you're trying to figure out where they can be, but at this point, the Spring Chinook spawning tributaries are not going to be helped like this; instead you're claiming water. And I understand you'll be taking in the winter, but like I said, those winter flows are very important. And they're not just very important in one storm event because I did see that. You said you would protect flows during certain storm events, but they're important a lot of the time. The times that we have good fisheries, and we are making money is the times when there are wet water years and how water is allowed to flow down the river.	Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses benefits to fisheries.
142	8		Floodplain inundation is very important, so I just don't see how the fish are being protected, and I don't want to be rude, but I have a hard time thinking that the Sites Project Authority is going to always be protecting the fish as the lead agency because it is so many irrigators and farmers. And I don't see who the person who speaks for the fish on the Authority is, and without a biological opinion out yet, and without all this information from, you know, the Phase II process out yet, and the State Board weighing in on that, I just have a hard time believing this is going to be a benefit. I hope it is, and I hope we can go forward and figure out ways to make it a benefit, but I have a lot of concerns, and I feel like this feels premature because those concerns have not been	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which discusses comments which do not raise issues related to the adequacy of the environmental impact analysis.

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			addressed in the fishing community.	
142	9		I think there should be hearings in more areas that are impacted besides just in the communities that are farming communities. I mean, obviously people in the Trinity River have a lot of questions. You know, are the extra flows that we get to keep the Klamath Salmon alive, are they protected in this project? Is that considered in this project? There are people in the upper Sacramento who probably have a lot of concerns too, so if you're going to alleviate those concerns and make sure everyone feels involved, you should probably open the process up a little more and provide some more information on consultations.	Public outreach on the RDEIR/SDEIS were extensive, as noted in Chapter 33, *Consultation and Coordination* and Chapter 34, Final EIR/EIS *Document Distribution*. In addition, Master Response 1, CEQA and NEPA Process, Regulatory Requirements, and General Comments provides an overview of the outreach process, including: "The Authority and Reclamation circulated the RDEIR/SDEIS for public review in compliance with CEQA and NEPA, respectively, for an initial comment period of 60 days. The agencies then extended the comment period by 17 days, for a total of 77 days, to provide additional time for the public and agencies to review the RDEIR/SDEIS and submit comments…The Authority and Reclamation conducted two CEQA/NEPA virtual public meetings on December 15 and 16, 2021, to provide information about the Project and the draft environmental analysis and to accept verbal public comments on the RDEIR/SDEIS. Each meeting began with a presentation, followed by an opportunity for the public to ask questions and provide comments. The virtual public meeting presentation was made available on the Environmental Review page of the Project website (https://sitesproject.org/environmental-review/). Community guides, fact sheets, and lists of frequently asked questions for the RDEIR/SDEIS in English and Spanish were also made available on the Environmental Review page of the Project website. The Authority and Reclamation chose to hold these public meetings virtually due to safety concerns related to the COVID-19 pandemic. However, the virtual format of the meetings provided an opportunity to facilitate broader participation to widespread stakeholders.

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143	1		The premise that Sites will largely be storing water from tributaries of the Sacramento River rather than water from the Sacramento River, which is largely owned by the Bureau of Reclamation, and other existing entities, that sort of makes sense, but one of the issues is during drought, say the third year of a drought when Shasta Reservoir is very low, and there's not a lot of water coming in above Shasta Reservoir to fill that reservoir, and you get a storm event, that means the reservoir starts filling, flow releases from Shasta Dam are relatively limited so the reservoir will fill, so most of the flow in the river will be from its undammed tributaries, which is a good thing. It keeps the river alive. But these are the flows that the Sites JPA are proposing to defer to store in the Sites, and that's a big concern in multiple drought years. I know DWR is not part of this project anymore, but they had an example on their website a couple of years ago during 2014, height of the five-year drought, saying that -- If you'll recall, 2014 started out very dry, and then we had a lot of rain in December for about a three-week period, and DWR said, under current environmental standards, we could have diverted X amount of water into Sites, under that, and that's true. That's because the environmental standards, both flow standards and biological opinions on the Sacramento River are inadequate. If they were adequate, we wouldn't have to claim fisheries heading towards extinction. So, in fact, during that exact period, I crunched the numbers and found that diversions from the Sacramento River [to] fill sites in December 2014 would have diverted more than half the flow of the river for a three-week period, more than half the flow of the river. That's a huge impact. It's hard to quantify because ecosystems	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments* which discusses comments which do not raise issues related to the adequacy of the environmental impact analysis. Please also refer to Master Response 5, *Aquatic Biological Resources,* which discusses flow impacts and methods and use of models and modeled results.

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			are not only more complex than we think, they're more complex than we can think, so we don't have all the answers. But there are huge questions associated with the operation of this project that need to be answered.	
143	2		I think you have to consider that the water development industry in California has a credibility problem when it says that we're going to build this dam, and it's going to provide environmental benefits. In fact, every major dam in the Central Valley was premised on providing environmental benefits. Salmon runs in the Trinity and Sacramento River would not only be unharmed by Shasta and Trinity Dams, they would be improved. Well, we know that hasn't happened. So, you know, it's a big issue particularly when you're seeking State taxpayer bond money to build part of this project in terms of, are you going to actually provide a level of benefits that are being claimed, and – And you may have the intent as the proponents of this project to do so, but others have a say on whether you meet that goal. Congress, for example, which continues to pass writers and laws that weaken the environmental -- the endangered species protection and biological opinions for Sacramento River Salmon and Delta Chinook, and so you can say that this project will provide X number of benefits, but ultimately Congress can do something in the future that negates those benefits. So this is a big issue. It's one that you really need to address with a certain level of certainty, and I'm not sure that's being done in the EIR.	Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses benefits to aquatic resources and fisheries.
143	3		I'm very concerned about flow impacts on the Sacramento River, as I mentioned. Not only the ability of Sites to reduce flood flows, which are essential for the Sacramento River ecosystem, but also the fact that Sites can actually reduce flows during drought years to minimum levels.	See Response to Comment 143-1, above.

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			As I mentioned, the flow standards for the Sacramento River are inadequate, and this assessment of impact in this EIR are largely based on inadequate standards of biological opinions and flow standards for the river. So in many ways, I think the assessment of impacts is inadequate because of that. Interestingly enough, a scientific journal just recently, just last month, the end of last month came out with a study report on the flood needs of riparian ecosystems, and I'd like to quote part of the abstract for that. This is from a paper called, Flow Regime Alteration Degrades Ecological Network for Riparian Ecosystems by JD Tonkin. It's published in the Journal of Nature Ecology and Evolution, November 27th, 2017. Riverine ecosystems are governed by patterns of temporal variation in river flows. This dynamism will change due to climate change in the near-ubiquitous human control of river flows. The most influential component of flow alteration was flood reduction, with drought and flow homogenization, both having greater simplifying community-wide consequences than increased flooding. These findings suggest that maintaining floods under future climates will be needed to overcome the negative long-term consequences of flow modification on riverine ecosystems. So if Sites wants to provide an environmental benefit for the Sacramento River, it really needs to look at ensuring that the Sacramento River floods often enough to maintain its ecosystems. And just as an example of my concern about flows, I was going through a pending 6B in the DEIR, which identified, for example, Alternative C, will reduce average monthly flows in the	

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			Sacramento River below Keswick Dam from March through October by up to five percent, and that's the average over the 80-year period that was assessed, but during dry and critically dry years by more than 17 percent in the month of April. That may not sound like much, but if I suddenly had 17 percent less money in my bank account, I'd be concerned.	
143	4		The DEIR does admit, it's not certain how Alternative C will affect the shaded riverine and aquatic habitat that occurs along the banks of the Sacramento River. And that's getting back to my point about what are the impacts of this project on the Sacramento River's ecosystem?	Please also refer to Chapter 11, *Aquatic Biological Resources,* which discusses impacts and methods to mitigate potential impacts to aquatic species and Chapter 10, *Wildlife Resources,* which addresses potential impacts and mitigation related to wildlife species.

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144	1		I'm here today in full support of the project. I am a representative of the Northeastern California Building and Construction Trades Council. I want to talk for a couple of minutes about the socioeconomic benefits that this project will have, but I first want to touch on the personal stuff as somebody living, you know, kind of along the shadow of some of these tributaries. Hearing the speaker get up and talk about how we need to let the Sacramento River flood more often is an argument that I don't think is going to carry a lot of weight with voters in California that overwhelmingly supported the Water Bond. I want to commend Mr. Watson for the work that he's done on this project. This project is essentially what the voters were asking for when they passed the Water Bond. This checks the boxes. This provides environmental benefits to the fish and other species downstream. It provides flood control protections for an area of California that's already been identified by agencies as one of the most at-risk of catastrophic flooding downstream. That's right here in the City of Sacramento. It also provides recreational opportunities for the hundreds of thousands of people that live north of Sacramento and live -- patronize a facility like this. But more importantly is it provides water storage for all of California. Mr. Watson and the people that are affiliated with the JPA have done a tremendous job of bringing together bipartisan support and support from all parts of California. The Central Valley, the Southern part of California, and even the North State. The -- the farmers up north have stepped up, and they've -- they've gone in line to purchase water. I think that's a tremendous -- that's a tremendous testament to how much support is out there for this project.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which discusses comments which support the project.

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			And I think something like Sites Reservoir is essentially the culmination of decades of lobbying from the environmental community that said, if we have new water storage, it needs to be off stream. This project site, if you haven't seen it, it is essentially a basin that will require very little damming to make this basin turn into a reservoir. It almost looks, when you look at it on a map, like it was designed to be a reservoir. It's -- It's a site in California that you're not going to find to -- to replace. There aren't locations like this in California left where you're going to be able to build a facility like this, store the amount of water that we'll be able to store here, and displace so few people and so few environmental species.	
144	2		On a socioeconomic front, back when Shasta Dam was constructed, it was unbelievable in terms of the economic benefit that it had on the Redding community. The benefits of Shasta Dam are still being -- they're still being experienced by the people that live up in that area. This construction project being close to a $5 billion construction project is going to be monumental for one of the poorest parts of California. And let's not forget that the communities that surround this reservoir are some of the poorest zip codes, with some of the highest unemployment rates, some of the lowest median incomes in the entire State of California. And I want to commend the Sites Reservoir JPA for stepping up and saying that they are going to build this construction project with local workers, they're going to pay them a living wage, to make sure that not only is this project benefitting fish, it's not benefitting farmers, and it's not just benefitting water users downstream, it's going to benefit the construction workers that get to work on this project for seven years. Although it will probably be the largest Public Works project west of the Mississippi River. So I don't think that we can ignore that.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which discusses comments which do not raise issues related to the adequacy of the environmental impact analysis.

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144	3		I understand that projects by and large like this are never going to be completely perfect. You can't expect them to be, but just remember, we've -- we've attempted to conserve our way out of the water crisis in California for almost five decades, and it's not working. The population continues to increase. We've done a tremendous job as Californians trying to conserve water, but the plain reality is, we have to create more storage. And I do not think that you will ever find a more better example of a project to accomplish all of these things in terms of environmental benefit, recreational benefit, farming and irrigation benefit and be able to generate this much flood control diversion and this much water storage. I just don't think that those locations exist anymore. So, again, I'm wholeheartedly in support of this project, and I'm -- I'm ready to break ground on it tomorrow.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which discusses comments which do not raise issues related to the adequacy of the environmental impact analysis.

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145	1		We're here to support the project, obviously for reasons that are relevant to our industry in terms of construction. But there's a bigger idea here too that I want to leave the two of you with, and folks in the room. Adding capacity to the State's water system as a whole helps construction throughout the State because State law requires an identified water source before you build -- before anybody wants to build anything public or private, residential or commercial, so -- And ensuring for the many, many reasons that there's added reservoir capacity for ecological and environmental reasons, it's important to remember that the construction of the project will help the local economy through construction workers being put to work and help construction throughout the State so that we always have identified water sources for anything that doesn't involve a water project that needs to be constructed over the next hundred years or so. So for those reasons, we're here to support the project, and thank you both for your hard work on this project and the DEIR.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments which support the project.

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146	1		I want to say that I'm here -- and I'm here supporting this because, one, it is a good project. Environmentally I believe it's an excellent project, and, two, because, yes, they've committed to have skilled workers. My training facility [for plumbers and pipefitters] is going to -- is -- for several years is going to be bringing in new members that are going to be from the area. Tehama County is one of the -- one of the hardest places to work and live in construction. Glenn County, Colusa County, they're all very complicated places to live, raise a family, and have something good for your family, something to look forward to. And this is a project that a lot of our kids are going to be able to work on, and a lot of graduates from local high schools are going to get to join apprenticeship programs, and this project alone is going to bring a very big windfall for probably within, I would say, an hour every direction of this project.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and prepared a RDEIR/SDEIS in 2021. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments which support the project.
146	2		There's no way that you're ever going to convince -- and I'm a welder, I'm not a scientist, but if you're saving water in high flows and storing it over here, and when you need that water, you're adding it back to a river, there's no way you're going to convince me this isn't a good project, just based on, if you don't save the water, it's going to go out to the ocean, and it's not going to be used. So from a simple practical standpoint, I believe this is an excellent project. I hope that all of us continue to work together to push this project through. I hope that we can get the opposition to recognize that it's never going to be a perfect project, but it's going to be all in all a positive project. And if California, who has set the standard for environmental for this whole country doesn't recognize when it's time to put apart and make concessions at certain times for good projects, California is going to hurt itself and continue to hurt itself economically and environmentally by not saving and not storing	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which discusses comments which do not raise issues related to the adequacy of the environmental impact analysis.

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			and not looking ahead for the future. So that being said, the UA Local 228 is for this project, the Building Trades is for this project, and I'm glad to be here as a part of this project.	
146	3		My name is Chris Greaney. I'm with the Sacramento Building Trades, and I'd just like to speak that we are strongly in favor of this project. It will be beneficial to the community and all parties involved and very, very detailed as far as information. It's going to be great as far as water control, and we're -- we're a hundred percent behind this highly anticipated project.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and in 2021 circulated a RDEIR/SDEIS for public review and comment. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses comments which support the project.

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147	1		In general, the DEIR lacks important details, making it difficult for the public to provide useful comments. It's a huge document. But it depends a lot on averages and homogenization that it's very hard to tease out actual facts from it. And it's also based on environmental baselines, including existing Sacramento River flow standards and existing biological opinions that are outdated or inadequate.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and prepared a RDEIR/SDEIS in 2021. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses the adequacy of the analysis. Please refer to Master Response 2, *Alternatives Description and Baseline* which discusses the adequacy of the existing conditions baseline. Chapters and appendices are included in Volumes 1 and 2 of this Final EIR/EIS.
147	2		We [Friends of the River] have concerns about many of the potential environmental impacts of this project. But our foremost concern is the impact of Sites diversions on the Sacramento River flows and its flow-dependent ecosystem and fish and wildlife species, many of which are threatened or endangered. The draft EIR claims no significant impact on Sacramento River fluvial morphology, ecosystems and fish and wildlife habitat. But data buried in the various appendices raises concerns. According to Appendix 6B, I believe, during dry and critically dry years, alternative C would reduce flows in the Sacramento River by 17 percent in April below Keswick Dam, 19.4 percent in March below the Red Bluff Diversion Dam, 24.1 percent in March below Hamilton City and 22.3 percent in March below Delevan diversion site. We don't know what a reduction -- that kind of reduction in flows means for the Sacramento River ecosystem, and I have yet to find anywhere in the DEIR where that issue is fully addressed.	One way the Project has changed is by implementing stricter diversion criteria, reducing diversions from the Sacramento River. Please refer to Master Response 5, *Aquatic Biological Resources,* which discusses flow impacts.
147	3		A big issue is will Sites comply with the development of new inflow and outflow standards for the bay Delta ecosystem, which is being developed currently by the Water Board. The Water Board is proposing a change in the Bay Delta plan to	The Sites Reservoir Project would comply with all laws, regulations, and existing water rights.

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			ensure the comprehensive protection of the Bay Delta ecosystem. And the major addition of that plan will be new tributary inflow requirements. Currently, the plan only specifies minimal flows for the main stem Sacramento River for a small part of the year and does not address the critical importance to the ecosystem of flows within tributaries. And the plan will specifically propose new year-round inflow requirements for the Sacramento River and the Delta. And it's essential that Sites, which is going to be dependent on diversions from the Sacramento River, build that into their project. Current science into -- and this is all -- I'm paraphrasing from the Water Board's fact sheet on its water plan update. The current science indicates that higher inflows up to beyond 75 percent of unimpaired flows are most protective of the ecosystem. Ultimately, the board's decision on the range for inflow objectives will be a balancing decision to determine reasonable protection considering the competing uses of water, environmental, economic and other considerations. But the range under consideration by the board will be somewhere from 35 to 75 percent of unimpaired flows and generally does not provide for flows lower than existing conditions. And remember, I just quoted a number of reductions in flows that is -- that, in your own DEIR, is mentioned that will happen with the Sites project. The board's approach recognizes that flow is the lifeblood the watershed. It's more than just a quantify of water, but it is a process that transports, distributes, mixes and transforms chemicals, nutrients, aquatic organisms, sediments, gravel and other materials up and down the watershed. The functioning of the upstream processes in the watershed is integral to the downstream processes in the Bay Delta.	

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148	1		I had a chance to look at the summary EIR for the first time tonight, just skimmed it through. And a couple of things stood out. It didn't look like there was any mention of a no project alternative.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and prepared a RDEIR/SDEIS in 2021. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses the adequacy of the analysis. Chapters and appendices are included in Volumes 1 and 2 of this Final EIR/EIS. Please refer to Master Response 2, *Alternatives Description and Baseline* which discusses the No Project/No Action Alternative.
148	2		There was no mention of rare plants. Now, I know that there's probably mention of them, maybe, in all those volumes that you mentioned. But in the summary, apparently, they weren't important enough to include here. And I know the Sites Valley is within the footprint of numerous rare plant species. And whether adequate plant surveys were done there, I don't know. Maybe in one of the volumes, it's hidden in there, and I haven't had a chance to see it yet. But as far as I know, there's been no obvious, at least, discussion of what plant resources may be there in Sites Valley right now that would be impacted, you know, by this particular project.	Please refer to Chapter 9, *Vegetation and Wildlife of the RDEIR/SDEIS*, which discusses special-status plants and sensitive natural communities.
148	3		There are an awful lot of conservation initiatives here in California, but they tend to have one characteristic, and that is that they tend to be in the hills and the mountains. And the areas that are not there included are California's valleys. And these valleys like Sites Valley were identified by the World Wildlife Fund as being among, if not the most critically endangered ecosystem in all of North America. So this is a pretty serious thing we're contemplating here. This is a valley. And you know, we talk about concern about sea level rise flooding into the Central Valley and maybe impacting coastal regions, coastal valleys.	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources,* which discusses adequacy and suitability of mitigation.

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			But here we're talking about taking an existing, pretty natural valley and deliberately flooding it, taking away all the values that it has and burying them under many, many feet of water.	
148	4		There's an interesting family of birds, famous singers, that has the Skylark in it, for example, called the Lark family. And there are hundreds of species all through Africa, Europe, Asia. But here in North America, we only have one species. But it's a pretty special species, because of all the Larks in the world, all these hundreds of Lark species, it's by far the most beautiful. And I've seen these -- it's called the Horned Lark. And I've seen Horned Larks here and there in California for many, many years, but never very many. But when I went up to Sites Valley, I saw a pretty remarkable thing. I saw a thousand times more Horned Larks in just an hour in Sites Valley than I'd seen in a whole lifetime of exploring California. Now, I'm not claiming that the Horned Lark is an endangered species or listed species. But you know, common species can be threatened, too. The most common, abundant bird in North America was the Passenger Pigeon, and it was one of the first to go extinct.	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources,* which discusses adequacy and suitability of mitigation.
148	5		There's thousands of caribou up on the north slope of Alaska. There's concern because there's a proposal to drill in the main part of their calving ground that could impact this whole large population. So to find this level of abundant life here in this valley was pretty remarkable. And it may not ever be captured in your environmental impact report, even in all those volumes. But I think it's something to be concerned about. And there's an awful lot other things. I don't know how adequate all your surveys were, but some of these things need	Please refer to Master Response 6, *Vegetation, Wetland, and Wildlife Resources,* which discusses adequacy and suitability of mitigation.

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			to be looked at, and they should at least be mentioned in the summary. As far as I could see, they're not mentioned in the summary. If they exist at all, they're buried in one of those volumes that most of us have not read all the way through. So looking at it as it is now, you have a huge resource in this unflooded, beautiful Sites Valley, one of those rare things. There aren't many valleys like that in all of California. And that valley, as far as I'm concerned, unflooded, is worth a heck of a lot more than a dam.	

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149	1		Good evening. I want to talk to the public as well the board or the representatives up here, because one of the main reasons that we're having this meeting is because it's our tax dollars, right, that are going to pay for a lot of this project. And we're talking about the whole California spread of how we're going to fix this. I don't want to echo all the concerns that Steve went over very eloquently. It's kind of been stated this document is knowingly inadequate because it had to meet a timeline. Right. They had to get the document done to qualify for funds from Proposition 1. So a lot of these surveys and other things may not have been done in time or done adequately. So we're viewing a document that's going to need more work, and it's going to need a lot of engagement.	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and prepared a RDEIR/SDEIS in 2021. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses the adequacy of the analysis. Chapters and appendices are included in Volumes 1 and 2 of this Final EIR/EIS. Please refer to Chapter 9, *Vegetation and Wildlife of the RDEIR/SDEIS,* which discusses survey plans and protocols and special-status plants and sensitive natural communities.
149	2		We're talking about the Bay Delta water quality plan, updates and how we're going manage the delta. We're also working on the new conservation strategy, the flood planning update. So the central valley flood planning update in 2017 adopted a conservation strategy. And that's a whole 'nother piece to this puzzle: Storing water on flood plains, storing water in valleys, how we create supply benefit for California in an already overly applicated system. So fixing this supply issue in California is much more dynamic when dealing with climate change and just this one project.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which discusses comments which do not raise issues related to the adequacy of the environmental impact analysis.
149	3		So I think when it comes to Sites, one of the frustrating pieces is not knowing the details. And we've already spent over 20 million dollars on this project since 1957. And so when we've already created an administrative draft EIR from the Department of Water Resources, we've worked on this project, looked at this project for a very long time, it is frustrating for those groups, the Sacramento River Preservation Trust, that works for you and all of us to make sure that the best project is built that benefits all of us, that helps us have healthy	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments*. which discusses comments that do not raise issues related to the adequacy of the environmental impact analysis.

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			streams, have productive agriculture and leave a better place for the next generation of California. The Sites project had different alternatives. I've been hearing about this project since I was born. I was born and raised in Northern California. It was going to have power, maybe not have power. We finally now know what this project is. So we've heard about the project for a very long time. This is our first time to really get our teeth into a document and look at different versions of a defined project and try to figure out what its true impacts will be.	
149	4		That's the hard part right now, is there's dollars on the table. There's other competing projects throughout the state that may have less benefit to the state of California. And we're going to have to work really hard as a community and as partners to meet. Having a Joint Powers Authority allows for streamlining of a lot of different elements within this process, although I do feel that we have not been approached as much as has been talked about in the past with regard to trying to bring it to us ahead of time on this document. And now we're going to have to really dive in and put a lot of time into this to try to make sure that the soil scientists, the rare plants concerns, the potential damage to our fish food run, right, our fall run of salmon. The Sacramento River is one of only five rivers in the world that has four runs of Chinook salmon. We live in one of the most beautiful valleys in the world. And our river is already forever changed. And so these flow conversations about instream flows -- how many of the people have been on the river in a boat? Jet boat, powerboat, trip boat, canoe, kayak? You reduce the flow by 20 percent, some of those get a lot more dangerous. Some of those places are going to have a lot more	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments*. which discusses comments that do not raise issues related to the adequacy of the environmental impact analysis.

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			gravel bars, a lot more sandbars. The trust was formed in 1984 to defeat a project from Chico to Red Bluff that wanted to cut down the riparian lands and habitats on the outside bends of the river between Chico and Red Bluff. And it had an inadequate biological opinion. And from that has spurred a lot of amazing things, including the Sacramento River National Wildlife Refuge. So in talking dollars and trying to make sense and move forward and do the right thing for California, I think we also need to look at potential impacts to the millions and millions of dollars we've spent on acquiring public lands to allow for this geomorphology, this living river to move and to create habitats that we fish and hike and camp and hunt and enjoy. And that's our public benefits. It also gives a lot to the ecosystem. So I really want to just -- with regard to Sites right now, it's exciting. I personally -- and with our board, we've looked at the other -- you know, all 12 projects. This has significant potential impacts. It also has significant potential benefit to cold water pool, to other things. We're discussed that in partnership and in meetings over years.	
149	5		So right now, we really just want to get down to the brass tacks, be able to see how things are really going to work and get those details. Because it's hard to want to buy a truck if you can't see how it runs. They can show you the engine. But if it's not in the truck, and you can't start it, that's a truck with an engine out here. So trying to put everything into this project, understand how it's going to work, what potential water quality concerns are, and how it's going to benefit the state for those public dollars that will go into this project.	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which discusses comments that do not raise issues related to the adequacy of the environmental impact analysis.
149	6		I think that flood plains are really the future. And so this is one part. But you will see that in California, we're in this newer era	Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which discusses

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			where flood plain storage as well as surface storage, because it's in the short term. But flood plain storage is what we'd like to see. And if this is going to impact opportunities for other pieces of the puzzle, for economic benefit, environmental benefit, and the long-term goals of the state of California with how we're going to work with our water resources, then we'll have to deal with that in the details.	comments that do not raise issues related to the adequacy of the environmental impact analysis.

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150	1		The DWR 2013 preliminary administrative draft percents discusses in some detail the saline, selenium, aluminum, arsenic, copper, iron manganese, mercury, nickel and phosphorus concentrations that are mobilized by water and found in Antelope Valley streams. Page 27 of chapter seven of this EIR/EIS mentions, quote, "DWR observed alluminum, arsenic, copper, iron, manganese, mercury, nickel and phosphorus in Funks Creek and in Stone Corral Creek near Sites station during intermittent water quality sampling. The concentrations appear to be higher during and immediately following storm events," unquote. The Sites draft omits a detailed analysis of the obvious presence of toxic minerals that exist in the area of inundation. These substances are common in the geological setting that is on the western edge of the central valley. The Sites draft certainly describes some existing concentrations of these substances in the creeks that gently flow out of the primary area, but fail to analyze how inundation and evaporative enrichment can cause elevated concentrations in terminal water bodies, downstream ecosystems and irrigated landscapes. I would like to cite the November 17, 2017, comment letter sent to you by Jerry Bowles. He's the former chief of water quality of the northern district of the Department of Water Resources. Quote, "High concentrations of metals that exceed water quality criteria exist in source waters to the proposed project," unquote. Mr. Bowles provides data from the Department of Water Resources Water data library that show high concentrations of toxic metals that can be expected during the high flow months of winter, when diversions would be occurring to the proposed reservoir. The high concentrations of metals in the source water will adversely impact Sites Reservoir water quality for most, if not all, the proposed beneficial uses of the stored water. These concentrations of metal in the river that exceed water	Since the 2017 Draft EIR/EIS, the Authority and Reclamation have engaged in public outreach and extensive review of additional alternatives and prepared a RDEIR/SDEIS in 2021. The RDEIS/SDEIS was circulated for public review and comment. Responses to those comments are included in Volume 3 of this Final EIR/EIS. Please refer to Master Response 1, *CEQA and NEPA Process, Regulatory Requirements, and General Comments,* which addresses the adequacy of the analysis. Chapters and appendices are included in Volumes 1 and 2 of this Final EIR/EIS. Please refer to Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids, and other water quality concerns.

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			quality criteria cannot be regulated by governmental entities, since they are natural occurrences. But once confined artificially in a reservoir, subjected to increased contamination through onsite soluble salts and metals and concentrated by cumulative evaporative enrichment, any releases in the reservoir will likely be subject to review by water quality regulatory agencies to ensure that such releases do not adversely affect downstream resources. The contribution of additional metal loads from summer releases into the river from Sites could cause concentrations of metals in the Sacramento River to exceed criteria and standards, or at least be subject to the Water Board anti-degradation policy that prohibits releases that can cause criteria or standards to be exceeded by downstream input.	
150	2		Soil salinization is a global phenomenon that threatens the sustainability of agriculture production at a time when food demand is increasing. Chapter 7 of the draft explains that, quote, "Saline water has been observed to seep from underground salt springs within the proposed inundation area of Sites Reservoir. The deeper water in the salt lake appears to be approximately 15 acres based on observations in 2017. The depth of the water has not been monitored." Chapter 7 of the Sites draft admits the saline water will increase the salinity of the water in storage and introduces an inaccurate estimate on the impacts by grossly estimating the volume of salt lake and assuming that the amount of salt that is springing from the ground under current uninundated conditions will not change. Not only have the proponents failed to accurately survey the depth of hydrodynamics of salt lake, they failed to imagine how much more acrid the saline springs would be remember if the reservoir was inundated. Proponents are willing to admit that	Please refer to Master Response 4, *Water Quality,* which discusses concerns about metals and metalloids, and other water quality concerns.

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			the saline damage is worth investing money and effort into the grouting of the salt springs that filled the salt lake, but they admit their efforts may be ineffective.	
150	3		The draft explains, in the section titled "Irreversible or Irretrievable Resource Commitments" that, quote, the permanent conversion of a vegetative landscape to the project and its associated facilities would be a major change in the Landscape. Reservoir construction and operation always results in denuding the areas of inundation. The draft mentions that the vegetative landscape would be converted without disclosing the obvious. There will be an intentional and total elimination of vegetation that currently serves to reduce storm run-off erosion. The analysis must disclose the inevitable increase in erosion of soils that are exposed during the filling and refilling of the reservoir. The draft fails to disclose the toxic mineral contents of the soils in the footprint of the reservoir that will be exposed to repeated and unmitigated storm run-off erosion. The Sites draft must survey the project area to determine the presence or absence of naturally occurring contaminants and describe how the project might mobilize contamination deposits that occur in this region.	Please refer to Master Response 6, *Vegetation, Wetland and Wildlife Resources,* which discusses adequacy and suitability of mitigation.