Chapter 7
Implementation Considerations, Study Management, and Outreach

Development of this PFR revealed several factors, considerations, and related requirements that will need to be evaluated as part of the Investigation. Combined, these various issues represent implementation considerations the Investigation will seek to resolve through its study management structure, and with the active participation of stakeholders and the public. This chapter describes (1) implementation responsibilities, (2) preliminary cost allocation, (3) regulatory and related requirements for environmental compliance, (4) the Investigation management structure, (5) the Investigation's current and future public outreach and involvement activities, and (6) schedule and status of the feasibility study.

Implementation Responsibilities

On the basis of studies to date, it appears that there could be multiple project purposes. Potential project purposes include agricultural water supply, M&I water supply and water quality, ecosystem enhancement, hydropower, recreation, and flood damage reduction. For each of the potential purposes, a non-Federal sponsor needs to be identified.

For most, and maybe all, of the project purposes, the non-Federal sponsor would need to be willing to, at a minimum, share in the cost for the recommended plan and, in some cases, depending on the purpose, agree to share in the O&M of the completed works. In addition to these responsibilities, it is likely that other Federal and non-Federal obligations and requirements would need to be developed and agreed on. These obligations and requirements will be described in the Feasibility Report. A preliminary allocation of costs between the purposes is included in the next section of this chapter.

A non-Federal sponsor has not been officially identified at this stage of the Investigation, but potential non-Federal sponsors include DWR and/or FWUA. Through operational integration, benefits could also accrue to a larger geographic region, including the CVP and SWP SOD service areas. PG&E has expressed interest in operating any new hydropower facilities.

Preliminary Cost Allocation

This section contains proposed approaches and processes for allocating project costs among purposes and between Federal and non-Federal partners, as required by the P&G. A preliminary cost allocation was developed for the Temperance Flat RM 274 Reservoir alternative plan with Friant Division and SWP operations integration, which has the highest benefit-cost ratio based on estimates developed in this PFR. A cost allocation for the recommended plan will be included in the Feasibility Report.

Cost allocations are made for Federal water resources projects to derive an equitable distribution of project costs among authorized project purposes, or those purposes proposed for authorization, in accordance with existing law. The three basic steps associated with cost allocation are (1) identifying costs to be allocated, (2) allocating costs to project purposes; and (3) determining reimbursability. Costs to be allocated in this exercise are annualized construction costs (including field costs and non-contract costs), IDC, O&M costs, and net power costs. It should be noted that cost allocation is a financial analysis rather than an economic evaluation. Consequently, project costs may be presented differently in a cost allocation than in an NED analysis.

Cost Allocation Approach

The preferred method of cost allocation for Federal water projects is known as the Separable Cost - Remaining Benefits (SCRB) approach (WRC, 1983). In this approach, separable costs identified for each purpose are subtracted from the lesser of benefits or single-purpose alternative project costs to derive remaining benefits. Next, joint costs are allocated in proportion to the distribution of remaining benefits. Joint project costs are then assigned to a project purpose based on the proportion of their remaining benefits. Total cost allocated to a purpose is the sum of its separable and apportioned joint costs.

Another method for allocating project costs is the Alternative Justifiable Expenditure (AJE) method. The AJE method is a modified SCRB method used in situations when derivation of the separable costs is not feasible. Cost allocation under the AJE method is the same as under the SCRB method, except that specific costs (i.e., costs for project components that contribute to a single purpose and exclude the costs of a change in project design due to inclusion) replace separable costs. The remaining (joint) costs are apportioned among project purposes based on their remaining benefits. At this stage of the Investigation, single-purpose alternative projects have not been developed and alternative costs have not been determined. As such, a full SCRB analysis cannot be presented and the AJE approach is used for this preliminary cost allocation.

Preliminary Cost Allocation Purposes

As described in Chapter 2, the Investigation planning objectives that guide the formulation of alternatives relate to increasing water supply reliability and system operational flexibility, and enhancing water temperature and flow conditions in the San Joaquin River in support of anadromous fish restoration efforts. Other related opportunities include: improve management of flood flows at Friant Dam; preserve and increase energy generation, and improve energy management in the study area; preserve and increase recreation opportunities in the study area; improve San Joaquin River water quality; and improve the quality of water supplies delivered to urban areas. The objectives and opportunities led to the development of the eight benefit categories for the Investigation described in Chapter 5.

For the preliminary cost allocation, the benefit categories are grouped into five purposes supported by existing legislation. The two primary project purposes for cost allocation are water supply and fish and wildlife enhancement. The agricultural water supply reliability, M&I water supply reliability, M&I water quality, and emergency water supply benefit categories are all associated with the water supply purpose, and the ecosystem benefits related to improvements in water temperature for anadromous fish are associated with the fish and wildlife enhancement purpose. Flood damage reduction, recreation, and hydropower generation are considered secondary purposes.

Cost Apportionment Approach

The cost allocation process is designed so that costs associated with project purposes can be apportioned for repayment. Once costs are allocated to appropriate purposes, they can be apportioned to the Federal government and non-Federal sponsor(s) based on specific project authorization and/or established Federal cost-sharing laws and regulations. Federal costs are designated as either reimbursable or non-reimbursable. Reimbursable costs are those that, through some form of up-front cost sharing, repayment, or other financial agreement, are paid to the Federal government. Non-reimbursable costs are those that can be borne by the Federal government. Based on existing legislation, costs allocated to agricultural and M&I water supply and hydropower purposes are fully reimbursable.

Cost sharing for Federal water resources projects is based on the principle that beneficiaries pay for benefits received. For the Investigation, the general principle for the Federal share of costs is established by Public Law 108-361, Section 107(b):

> (b) Payment for Benefits – The Secretary shall ensure that all beneficiaries, including beneficiaries of environmental restoration and other CALFED program elements, shall pay for the benefit received from all projects or activities carried out under the CALFED Bay-Delta Program.

Assumptions and Results

Specific costs have been identified only for the fish and wildlife enhancement purpose associated with temperature control devices to be installed on Friant Dam and a selective level intake structure on Temperance Flat RM 274 Dam. All other costs are considered joint costs. For hydropower generation, the power feature costs are not considered specific costs because the features are necessary for replacement of affected generation due to inundation of the Kerckhoff Project powerhouses within the alternative footprint. For the alternative selected for cost allocation, there would still be a net loss in generation value, although power operations and features will continue to be refined and may have a net benefit in the Feasibility Report. Since the net loss of generating capacity and cost of power features are associated with the multipurpose project, the costs are considered joint costs. The recreation feature costs are not considered specific costs because the features are associated with replacement of the existing recreation facilities that would be inundated by the alternative. Thus, those costs are also necessary for the multipurpose project.

Table 7-1 provides the results of the cost allocation procedure based on the AJE approach. The annualized capital costs, annual O&M, and annual net decrease in hydropower generation value total $169.4 million. For the purpose of the preliminary cost allocation, hydropower is treated as a cost instead of as a negative benefit. In the rest of the PFR, hydropower is treated as a benefit category. Only the fish and wildlife enhancement purpose has specific costs that can be separated from the remaining costs. The remaining benefits, and the proportion by category, are shown in the table after removing specific costs. The allocated joint costs are calculated based on apportioning these remaining costs. Finally, the allocated costs for each benefit category are the sum of specific costs and allocated joint costs. Based upon this procedure, the largest share of total annual costs of $169.4 million is allocated to M&I water supply reliability, followed by agricultural water supply reliability.

Cost apportionment percentages and related authorities are summarized in Table 7-2 for each of the project purposes and benefit categories within those purposes. This cost apportionment will be revisited in the Feasibility Report, pending further developments with potential non-Federal sponsors. Cost apportionment of project costs between the Federal government and non-Federal sponsors is presented in Table 7-3 for the AJE approach. The apportionment of costs is determined by applying the percentages shown in Table 7-2. As indicated in Table 7-3, a large portion ($136.6 million, or 80.6 percent) of annual project costs is anticipated to be Federal reimbursable.

Table 7-1. Preliminary Cost Allocation for Temperance Flat RM 274 Reservoir Alternative Based on an Alternative Justifiable Expenditure Approach

Purpose	Annual Benefits	Specific Costs	Remaining Benefits[1]	% Distribution of Remaining Benefits	Allocated Joint Costs[2]	Total Allocated Costs[3]	Overall % Cost Allocation
Water Supply	$146.5	$0	$146.5	88.0%	$136.8	$136.8	80.8%
Agricultural Water Supply Reliability	*$50.4*	*$0*	*$50.4*	*30.3%*	*$47.1*	*$47.1*	*27.8%*
M&I Water Supply Reliability	*$74.2*	*$0*	*$74.2*	*44.6%*	*$69.3*	*$69.3*	*40.9%*
Emergency Water Supply	*$14.5*	*$0*	*$14.5*	*8.7%*	*$13.5*	*$13.5*	*8.0%*
M&I Water Quality	*$7.4*	*$0*	*$7.4*	*4.4%*	*$6.9*	*$6.9*	*4.1%*
Fish and Wildlife Enhancement	$24.5	$13.9	$10.6	6.4%	$9.9	$23.8	*14.0%*
Ecosystem (Water Temperature)	*$24.5*	*$13.9*	*$10.6*	*6.4%*	*$9.9*	*$23.8*	*14.0%*
Flood Damage Reduction	$2.1	$0	$2.1	1.3%	$2.0	$2.0	1.2%
Recreation	$7.3	$0	$7.3	4.4%	$6.8	$6.8	4.0%
Hydropower Generation	$0	$0	$0	0.0%	$0	$0	0.0%
Total	**$180.4**	**$13.9**	**$166.5**	**100.0%**	**$155.5**	**$169.4**	**100.0%**

Notes:
General. Cost and benefit information presented is based on annual values.
General. Values may not sum to total due to rounding.
[1] Remaining benefits = Benefits less specific costs, but must be greater than $0.
[2] Total project costs less sum of specific costs, times share of remaining benefits.
[3] Sum of specific costs and allocated joint costs.
Key:
% = percent
M&I = municipal and industrial

Table 7-2. Preliminary Cost Apportionment Authority and Percentage Summary

Purpose	Pertinent Legislation	Federal Reimbursable		Federal Non-Reimbursable		Non-Federal	
		Capital	O&M	Capital	O&M	Capital	O&M
Water Supply	Reclamation Project Act of 1939, as amended						
Agricultural Water Supply Reliability		100%	100%	–	–	–	–
M&I Water Supply Reliability		100%	100%	–	–	–	–
Emergency Water Supply		100%	100%	–	–	–	–
M&I Water Quality[1]		100%	–	–	–	–	100%
Fish and Wildlife Enhancement	Federal Water Project Recreation Act of 1965,as amended by the Water Resources Development Act of 1974						
Ecosystem (Water Temperature)		–	–	75%	75%	25%	25%
Flood Damage Reduction	Reclamation Project Act of 1939, section 9(c)	–	–	100%	100%	–	–
Recreation	Federal Water Project Recreation Act of 1965, as amended by the Reclamation Recreation Management Act	–	–	50%	–	50%	100%
Hydropower Generation	Apportioned similar to M&I water supply	100%	–	–	–	–	100%

Notes:

[1] M&I water quality is considered to be closely tied to water supply reliability, so its capital costs are likewise apportioned. However, since M&I water quality benefits may accrue to non-Federal entities, it is assumed that O&M costs would be non-Federal.

Key:

IDC = interest during construction
O&M = operations and maintenance

Table 7-3. Cost Apportionment for Temperance Flat RM 274 Alternative Based on the Alternative Justifiable Expenditure Approach

Purpose	Total Allocated Costs	Federal – Reimbursable	Federal – Non-Reimbursable	Non-Federal
Water Supply	$136.8	$136.6	$0	$0.2
Agricultural Water Supply Reliability	*$47.1*	*$47.1*	*$0*	*$0*
M&I Water Supply Reliability	*$69.3*	*$67.3*	*$0*	*$0*
Emergency Water Supply	*$13.5*	*$13.5*	*$0*	*$0*
M&I Water Quality	*$6.9*	*$6.7*	*$0*	*$0.2*
Fish and Wildlife Enhancement	$23.8	$0	$17.8	$5.9
Ecosystem (Water Temperature)	*$23.8*	*$0*	*$17.8*	*$5.9*
Flood Damage Reduction	$2.0	$0	$2.0	$0
Recreation	$6.8	$0	$3.3	$3.5
Hydropower Generation	$0	$0	$0	$0
Total Apportioned Costs	**$169.4**	**$136.6**	**$23.1**	**$9.6**

Notes:

General. Cost and benefit information presented is based on annual values.

General. Values may not sum to total due to rounding.

Regulatory and Related Requirements for Environmental Compliance

Construction of a new reservoir in the upper San Joaquin River basin would be subject to the requirements of numerous Federal, State, and local laws, policies, and regulations. Reclamation is the lead agency for NEPA compliance, and DWR is the lead agency for CEQA compliance. Moreover, Reclamation would need to obtain various permits and meet regulatory requirements before beginning any project construction, and comply with a number of environmental regulatory requirements as part of the NEPA and CEQA compliance process. Table 7-4 lists the major requirements for project implementation.

In addition to the major Federal, State, and local environmental requirements listed in Table 7-4, the alternatives considered may be subject to other laws, policies, or plans. Table 7-5 lists many of the other laws, policies, and plans that may potentially affect the development of any alternative.

Table 7-4. List of Regulatory Requirements Potentially Affecting Project Implementation

Agency and Associated Permit Action	Recommended Prerequisites for Submittal[1]	Estimated Processing Time[2]
FEDERAL		
USACE Clean Water Act Section 404 Individual Permit Rivers and Harbors Act Section 10 Permit	• Application • ASIP for submittal to USFWS/NMFS/DFG • Section 401 Water Quality Certification permit or application • NEPA documentation (environmental compliance documents) • Section 106 compliance documentation • Wetland delineation • Section 404 (b)(1) evaluation and identification of the Least Environmentally Damaging Practical Alternative • Mitigation and monitoring plan	24 months
USFWS/NMFS Endangered Species Act Section 7 Consultation	• Informal technical consultation regularly • ASIP • Alternative description	12 months
USFWS Fish and Wildlife Coordination Act Report	• Informal technical consultation regularly • ASIP • Alternative description	12 months
SHPO/ACHP National Historic Preservation Act, Section 106	• Cultural Survey Report • Documentation of consultation with Native American representatives	9 months
STATE		
RWQCB Clean Water Act Section 401 Water Quality Certification	• Application • Fish and Game Code Section 1602 Application • CWA Section 404 permit or application • Draft environmental compliance documents • Mitigation and monitoring plan (if needed)	6 months
RWQCB NPDES General Permit for Storm Water Discharges Associated with Construction Activity (General Permit) Water Quality Order 99-08-DWQ	• Application • SWPPP	3 months
DFG California Endangered Species Act Section 2081: Incidental Take Permit or 2080.1 Consistency Determination	• Informal technical consultation • Application, if requesting a 2081 Incidental Take Permit • Biological opinion and incidental take statement, if requesting a consistency determination (preferred approach)	6 months after Biological Opinion issued
DFG Fish and Game Code Section 1602 Streambed Alteration Agreement	• Application • Section 401 Water Quality Certification permit or application • CWA Section 404 permit or application • Draft environmental compliance documents • Mitigation plan	9 months
The Reclamation Board California Code of Regulations, Title 23: Encroachment Permit	• Application	9 months
SWRCB Amended water right	• Application • Draft (possibly final) environmental compliance documents	12 months
State Lands Commission Land Use Lease	• Application • Draft environmental compliance documents	9 months
LOCAL		
SJVAPCD Dust Control Plan	• Dust Control Plan • Dust Control Training Course • Preapplication meeting (encouraged)	2 months
SJVAPCD Authority to Construct and Permit to Operate	• Application • Preapplication meeting (encouraged)	6 months

Notes:
[1] All permit applications require detailed project description information. Anticipated processing time is estimated based on initial permit applications submittal to permit issuance.
[2] From accepted permit application submittal.

Key:
ACHP = Advisory Council on Historic Preservation
ASIP = Action-Specific Implementation Plan
CWA = Clean Water Act
DFG = California Department of Fish and Game
NEPA = National Environmental Policy Act
NMFS = National Marine Fisheries Service
NPDES = National Pollutant Discharge Elimination System
RWQCB = Regional Water Quality Control Board
SHPO = State Historic Preservation Officer
SJVAPCD = San Joaquin Valley Air Pollution Control District
SWPP = Stormwater Pollution Prevention Plan
SWRCB = State Water Resources Control Board
The Reclamation Board = The Reclamation Board of the State of California
USACE = U.S. Army Corps of Engineers
USFWS = U.S. Fish and Wildlife Service

Table 7-5. List of Applicable Laws, Policies, and Plans Potentially Affecting the Investigation

Level	Laws, Policies, and Plans
Federal	Federal Endangered Species Act
	Magnuson-Stevens Fishery Conservation and Management Act
	1996 Sustainable Fisheries Act
	Section 404 of the Clean Water Act
	Section 401 of the Clean Water Act
	Section 402 of the Clean Water Act-National Pollutant Discharge Elimination System
	Clean Air Act
	National Environmental Policy Act
	Rivers and Harbors Act Section 10
	National Historic Preservation Act, Section 106 (1966)
	Migratory Bird Treaty Act
	Fish and Wildlife Coordination Act
	Executive Order 11990 (Wetlands Policy), Executive Order 11988 (Flood Hazard Policy), Executive Order 12898 (Environmental Justice Policy)
	Indian Trust Assets
	Americans with Disabilities Act (1990)
	Rehabilitation Act
	Farmland Protection Policy Act
	Federal Transit Administration Activities and Programs
	Architectural Barriers Act
	Federal Cave Resources Protection Act (1988)
	Executive Order 11312 (National Invasive Species Management Plan)
	Federal Land Use Policies
	Federal Energy Regulatory Commission Permitting Requirements
	U.S. Army Corps of Engineers – Reservoir Regulation for Flood Control at Friant Dam and Millerton Lake
	U.S. Coast Guard Activities and Programs
	Uniform Relocations Assistance and Real Properties Acquisition Act of 1970, as amended (Public Law 91-646 and Public Law 100-17)
State	California Public Resources Code
	California Endangered Species Act
	California Fish and Game Code – Fully Protected Species
	California Fish and Game Code Section 1602 – Streambed Alteration
	Porter-Cologne Water Quality Control Act
	California Native Plant Society Species Designations
	Reclamation Board Encroachment Permit
	California Water Rights
	State Lands Commission Land Use Lease
	State of California General Plan Guidelines
	California Land Conservation Act of 1965 (Williamson Act)
	California Native Plant Protection Act
Local	San Joaquin Valley Air Pollution Control District Dust Control Plan
	San Joaquin Valley Air Pollution Control District Authority to Construct and Permit to Operate
	Other Local Permits and Requirements

Study Management

The SMT consists of Project Managers from Reclamation, DWR, the consultant team, and members of technical teams, including water operations, environmental resources, economics, engineering, and hydropower. During SMT meetings, each study component is to be adequately represented by the varied backgrounds of team members. Participation in team meetings is subject to the topic discussed, and additional expertise is included, as necessary. The SMT directs work performed by the technical teams, coordinates results into the overall study, and directs public involvement activities.

Public Involvement Plan

The Investigation is addressing issues of interest and concern to stakeholders engaged in local and regional water resources planning and several Federal and State agencies with regulatory and management responsibilities related to natural resources in the study area.

From the inception of the Investigation in late 2001, the Investigation has maintained a very active public and agency involvement program that has included a wide range of activities. A Public Involvement Plan was initiated at the beginning of the Investigation that is designed to provide meaningful opportunities for stakeholder participation and to inform the public. Specifically, the Public Involvement Plan is designed to address issues of interest and concern to stakeholders engaged in local and regional water resources planning. The Public Involvement Plan supports Reclamation's efforts to work with all stakeholders to develop a community consensus alternative. The plan has evolved as the Investigation has continued. The plan provides a system by which the following four objectives are met:

- **Stakeholder Identification** – This effort is ongoing and consists of identifying individuals, groups, and other entities that have an expressed or implied interest in the Investigation. No individual, group, or entity is to be excluded from the process, which includes complying with Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

- **Project Transparency** – Success of the Investigation relies on project transparency, a practice of providing information and study results to stakeholders and other interested parties in a timely, unbiased fashion. Distributing study information occurs through the media, Web postings, public meetings, stakeholder meetings, public presentations, mailings, and other means.

- **Issues and Concerns Resolution** – Equally important as project transparency is gaining awareness of the issues and concerns of stakeholders, and establishing a mechanism for the Investigation team to learn of problems early. Using various public involvement processes, the Investigation team has addressed, and will continue to address, issues and concerns in an effective and timely manner.

- **Project Implementation** – Critical to developing an implementable project is ensuring that planning objectives are met, and, to the extent possible, that opportunities are also met. In addition, the project would need to address other issues, and not harm the environment, people, or people's property. Accordingly, one goal of the plan has been to build a communication network in which policy-makers understand the objectives and benefits of the project, and can conclude for themselves that the project has met all requirements necessary to be implemented. Ensuring policy-makers receive the necessary information to make this informed decision is an important component of the plan.

The Public Involvement Plan maintains two primary themes: outreach and information. Associated with these themes are procedures that enable the overall Investigation to satisfy the public involvement requirements of NEPA and CEQA for development of an EIS/EIR.

The interactive components of the Public Involvement Plan focus on ensuring that stakeholders and the public have the opportunity to effectively participate in the development of the Investigation. Stakeholders in the Investigation study area bring a high level of experience and local knowledge to the process, and provide a variety of recommendations, responses, and reviews that likewise inform the plan formulation process. Outreach components are designed to provide information and materials to a broad group of interested parties. The outreach components disseminate information widely, bring additional stakeholders and interested parties to the process, and enhance coordination with related water resources planning and management groups.

Information Dissemination

To ensure project transparency and to keep stakeholders and the public informed, study-related information has been, and will be, disseminated in a number of ways. Information dissemination methods include the following:

- **Investigation Newsletters** – Investigation updates have been developed, and more are planned. The timing of notices to date has coincided with major study milestones. The Investigation newsletters provide stakeholders with "snapshots" about the feasibility study and alert them to major upcoming events. The most recent Investigation update was completed in November 2007 (Reclamation, 2007b).

- **Website** – An Investigation Website, hosted by Reclamation, contains technical documents prepared for the Investigation to date, presentations used at public workshops and meetings, the Phase 1 Investigation Report, (Reclamation, 2003), the IAIR (Reclamation, 2005), the PFR, contact information for the Reclamation Project Manager, other related documents, and a gateway for contacting the Investigation team. The Website has been a key feature in outreach efforts and will continue to be used as the Investigation proceeds. The address of the Website is http://www.usbr.gov/mp/sccao/storage.

- **Media Relations** – Media relations for the study have included news releases, media advisories, calendar activities, and editorial board visits. The media relations effort is flexible to ensure prompt responses to comments, questions, or information regarding the Investigation.

Outreach

Since the beginning of the study, Investigation team members have provided periodic updates through the following:

- Structured series of interactive public meetings and workshops
- Briefings for governmental and nongovernmental agencies and coalitions
- Briefings for tribal representatives
- Coordination with local water resources planning and management groups
- Coordination with agencies
- Interviews with water management agency representatives
- Tours of Millerton Lake and portions of the upper San Joaquin River
- Distribution of informative brochures, fact sheets, and documents that provided background and updates on the Investigation's progress
- Distribution of Investigation documents via a Website

Agency Involvement

During Phase 1, the involvement of Federal, State, and regional agencies and Native American tribes in the Investigation was considered informal. Agency representatives attended numerous public meetings and stakeholder workshops, and participated in tours. Informal briefings were organized for Native American tribes. Following initiation of the NEPA/CEQA compliance process, a more formalized approach to agency coordination and participation was established through cooperating agency technical teams.

Cooperating Agency Technical Teams

Several cooperating agency technical teams were formed to focus on specific technical issues of importance in the Investigation. Reclamation prepared agreements that identify roles, responsibilities, and technical team assignments for each cooperating agency. Cooperating agency technical teams were formed to address water supply operations, reservoir area environmental resources, river restoration, hydropower, flood damage reduction, engineering, economics, and conjunctive management. Cooperating agencies are listed in Table 7-6.

Table 7-6. Technical Team Cooperating Agencies

Federal	State	Local/Other
U.S. Department of the Interior, Bureau of Land Management	California Department of Fish and Game	Central Valley Regional Water Quality Control Board
U.S. Department of the Interior, Bureau of Indian Affairs	California Department of Parks and Recreation	Friant Water Users Authority
U.S. Fish and Wildlife Service	State Water Resources Control Board	San Joaquin River Exchange Contractors Water Authority
U.S. Army Corps of Engineers		San Luis and Delta-Mendota Water Authority
National Marine Fisheries Service		Western Area Power Administration
Federal Environmental Protection Agency		

Coordination with Native American Representatives

Several tribes in the vicinity of Millerton Lake and elsewhere in the study area have expressed interest in the Investigation. Investigation representatives have met regularly with Native American tribal representatives to provide updates on Investigation progress and to receive input on issues of concern to the tribes. In general, tribal briefings coincide with public meetings at key Investigation milestones. As the Investigation proceeds, coordination will continue with the tribes in accordance with Federal guidance.

Public Meetings and Stakeholder Workshops

Substantial efforts have been made to date to communicate with stakeholders and the public about the Investigation. During Phase 1, a structured series of workshops and meetings were held at which participants had opportunities to hear presentations by the study team, take part in discussions regarding preliminary plan formulation, and provide input about the planning process, analyses, and project documents. This process included six general workshops and one topic-oriented working session. Workshop participants included representatives of water agencies, counties, Federal and State agencies, water districts, environmental interest groups, and others with an interest in the Investigation. The workshops, which were held in a variety of locations within the study area, and were announced via e-mail, mailed postcards, and the project Web site, were well attended. Each workshop included multiple interactive segments during which participants expressed their concerns, asked questions, and discussed issues central to the Investigation.

Since Phase 1, the Investigation team has conducted three public meetings to provide participants with updates on progress of the Investigation. Public meetings and workshops have had, and will continue to play, a major role in the overall study process. Future public meetings and workshops will be scheduled at important points in the Investigation.

Public Scoping

Scoping allows agencies, stakeholders, and interested parties the opportunity to identify or suggest resources to be evaluated, issues that may require environmental review, reasonable alternatives to consider, and potential mitigation if substantial adverse effects of a planned action are identified.

An environmental compliance process consistent with NEPA and CEQA was initiated in February 2004 when Reclamation issued an NOI and DWR issued an NOP. During the week of March 15, 2004, Reclamation and DWR convened a set of public scoping meetings in Sacramento, Modesto, Friant, and Visalia, California, to inform interested groups and individuals about the Investigation and to solicit ideas and comments.

The environmental scoping process allows stakeholders and interested parties to suggest potential issues that may require environmental review, reasonable alternatives to consider, and potential mitigation strategies to reduce or avoid substantial adverse environmental impacts. Scoping also allows lead agencies to clearly set the parameters of the environmental compliance process by determining which issues will or will not be addressed, and rationale for those determinations. In addition, scoping provides decision-makers with insight on the analyses that the public believes should be considered as part of the decision-making process.

An Environmental Scoping Report was prepared consistent with Reclamation guidance and in compliance with NEPA requirements, and released in December 2004 (Reclamation, 2004b). The report describes the scoping process, comments received during scoping, and how these comments would be addressed as part of the Investigation. Input received through stakeholder/public outreach has been, and will continue to be, incorporated into the development of the Investigation.

Study Area Tours

From the onset of the Investigation, staff members have participated in several tours of Millerton Lake, the upper San Joaquin River, and the Friant Division service area. With the exception of two tours of Millerton Lake that were organized by the Investigation, all other events were organized by other groups with an interest in regional water resources issues. During each tour, Investigation staff provided updates on Investigation status and recent technical findings. The tours provided interested parties a firsthand view of several of the surface storage sites under consideration, the San Joaquin River, and other features of interest in the eastern San Joaquin Valley. As the Investigation proceeds, staff will continue to participate in regional events that address water and other natural resources management issues to the extent possible.

Interviews with Local Stakeholders

As part of the approach to identify and evaluate conjunctive management opportunities that have the potential to support Investigation purposes, DWR staff conducted one-on-one interviews with local stakeholders regarding regional, cooperative opportunities for groundwater storage and banking. These interviews identified a high level of interest among the stakeholders. During the interviews, some possible projects were identified that could be considered for their applicability to support Investigation objectives and opportunities. In addition, many stakeholders made note of important physical and legal constraints that could affect implementation of conjunctive management options and suggested programmatic concepts to address institutional and financial barriers to increasing conjunctive management.

Future Public Involvement Opportunities

Continued public and stakeholder involvement will be a critical component during the final phase of the Investigation, which will culminate with release of the Final Feasibility Report and its accompanying EIS/EIR. All activities will be geared to continued compliance with NEPA, Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations), and the President's April 29, 1994, memorandum regarding the engagement of federally recognized tribal governments.

The SMT plans to continue outreach activities through distribution of informational materials to interested parties, and coordination of public and stakeholder briefings, meetings and workshops, and media relations. Listed below is a brief overview of planned future outreach activities:

- Public open houses and workshops to review the PFR and collect comments from the public and other interested parties
- Briefings for Federal and State elected officials
- Workshops and one-on-one briefings with CVP and SWP contractors
- Coordination with federally and non-federally recognized Native American tribes
- Coordination with potentially affected power interests

Distribution of informational materials to support various stages of the Investigation