

Chapter 26

Other Required Disclosures

26.1 Significant Adverse Effects that Cannot be Avoided If a Project is Implemented

Section 21100(b)(2)(A) of CEQA provides that an environmental impact report (EIR) will include a detailed statement setting forth “any significant effect on the environment that cannot be avoided if the project is implemented.” Chapters 4–25 of this PDEIS analyze in detail all of the project’s potentially significant environmental impacts, including cumulative impacts; list feasible mitigation measures that could reduce or avoid the project’s significant impacts; and specify whether these mitigation measures would reduce these impacts to a less than significant level. If there is no feasible mitigation measure available to reduce a significant impact to a less than significant level, then the impact is considered to be a significant and unavoidable impact. The SLWRI would have the following significant and unavoidable environmental impacts (direct, indirect, and cumulative):

- Loss or diminished availability of known mineral resources.
- Loss or diminished soil biomass productivity.
- Soil erosion or loss of topsoil due to shoreline processes.
- Conversion of forest land to nonforest uses in the vicinity of Shasta Lake.
- Conflict with existing land use goals and policies of affected jurisdictions (Shasta Lake and vicinity and upper Sacramento River).
- Disruption of existing land uses (Shasta Lake and vicinity and upper Sacramento River).
- Loss of sensitive plant communities and special-status plant species resulting from induced growth (cumulative).
- Effects on air quality with respect to short-term construction emissions: temporary emissions of reactive organic gases, oxides of nitrogen, and particulate matter with an aerodynamic resistance diameter of 10 micrometers or less (commonly known as PM₁₀).

- Effects on prehistoric and historic-era cultural resources.
- Consistency with guidelines for visual resources in the *Shasta-Trinity National Forest Land and Resource Management Plan*.
- Degradation and/or obstruction of a scenic view from key observation points.
- Generation of increased daytime glare and/or nighttime lighting.
- Effect on the McCloud River's eligibility for listing as a Federal Wild and Scenic River.
- Conflict with the California Public Resources Code, Section 5093.542.
- Effects on power and energy with respect to decreases in Shasta, CVP and SWP, and Pit 7 powerplant energy generation.
- Effects on power and energy with respect to increases in CVP and SWP pumping plant energy.
- Cumulative effects on south Delta water levels, X2 position, and Delta outflow.

Where feasible mitigation exists, it has been included to reduce these impacts; however, the application of all feasible mitigation would not be sufficient to reduce these impacts to a less than significant level.

26.2 Relationship of Short-Term Uses and Long-Term Productivity

NEPA requires consideration of “the relationship between short-term uses of man’s environment and the maintenance and enhancement of long-term productivity” (40 Code of Federal Regulations 1502.16). This involves using all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

All action alternatives analyzed in this PDEIS involve new construction such as raising Shasta Dam, constructing seismic and static retrofits, replacing bridges, and relocating/reconstructing recreational facilities adversely affected by higher reservoir levels. Specific activities would modify the Pit River Bridge, replace seven other bridges, relocate 45-130 structures, and inundate numerous small segments of existing paved and unpaved roads. Approximately 20 buildings

associated with marinas or resorts would be affected directly, and about 25 other buildings associated with ancillary facilities could be affected indirectly because of their proximity to the new water surface at full pool.

All of the action alternatives would result in indirect and induced employment, which may be to support hiring in businesses that provide materials to the construction effort; in service-related industries that provide food, beverages, and other goods to construction workers; or in more technical industries, such as consulting firms and other businesses (see Chapter 16, “Socioeconomics, Population, and Housing”). Sales and profits for businesses that support the construction industry in the primary study area would result in increased profits over the 36- to 60-month construction period.

Potential habitat- and recreation-related losses caused by enlarging the dam and reservoir would irreversibly affect habitats and developments near the dam inundation area. Impacts on habitat areas within the dam inundation area would be mitigated by preservation of habitats elsewhere. Construction activities would include short-term uses of capital, labor, fuels, and construction materials, habitats, and recreation areas. General commitments of construction materials are largely irreversible, because most of the construction materials are unsalvageable.

Potential benefits of the action alternatives include an increase in the reliability of the water supply and a reduction in the probability of experiencing a potential flood-related loss of resources, property, and human life. Environmental uses and habitat for a variety of aquatic and terrestrial species along the Sacramento River and waterways within the primary and extended study areas would be maintained, and potentially enhanced with proposed mitigation. There are no adverse effects that would pose a long-term risk to health and safety.

26.3 Irreversible and Irretrievable Commitments of Resources

The State CEQA Guidelines require a discussion of the significant irreversible environmental changes that would be caused by a proposed action should it be implemented. In addition, an Environmental Impact Statement (EIS) prepared under NEPA must analyze irreversible and irretrievable commitments of resources such as soils, wetlands, waterfowl habitat, and cultural resources (40 Code of Federal Regulations 1502.16).

The irreversible and irretrievable commitment of resources is the permanent loss of resources for future or alternative purposes. Irreversible and irretrievable resources are those that cannot be recovered or recycled, or those that are consumed or reduced to unrecoverable forms. The action alternatives would result in the irreversible and irretrievable commitment of the following energy and material resources during project construction and maintenance:

- Construction materials, including such resources as soil and rocks
- Land area committed to new/expanded project facilities and water inundation areas
- Energy expended in the form of electricity, gasoline, diesel fuel, and oil for equipment and transportation vehicles that would be needed for project construction and maintenance

Nonrenewable resources are expected to account for a minimal portion of the region's resources; the project's use of nonrenewable resources would not affect the availability of these resources for other needs within the region.

Construction activities would not result in inefficient use of energy or natural resources. Construction contractors selected would use best available engineering techniques, construction and design practices, and equipment operating procedures. Further, mitigation would be provided to offset any loss of habitat areas and other land uses within the proposed dam inundation areas. Long-term project operation would not result in substantial long-term consumption of energy and natural resources, and increased energy production would result from the additional storage capacity.

26.4 Growth-Inducing Impacts

CEQA requires that an EIR discuss how a project may induce growth. NEPA requires that an EIS consider indirect effects of a project, which are often the result of growth inducement. A project is considered potentially growth inducing if it is reasonably foreseeable that the project may foster economic or population growth or may result in the construction of additional housing (California Code of Regulations, Section 15126.2(d)). The increase in water supply reliability that would result from the construction of any of the project's action alternatives is considered potentially growth inducing because it would foster economic growth and potentially remove an obstacle to development.

The purpose of this section is to disclose how the action alternatives analyzed in this PDEIS could be growth inducing and to describe how the potential resulting environmental effects would be addressed. In *Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 367–371 [110 Cal.Rptr.2d 579], the California Court of Appeal, Fourth District, provided clear direction on the standards for disclosure of growth-inducing effects in an EIR that is also relevant to an EIS. The lead agency may also consider mitigation measures for the anticipated effects. Growth-inducing impacts are evaluated for the project alternatives in accordance with the California Court of Appeal finding in *Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001):

Neither CEQA itself, nor the cases that have interpreted it, require an EIR to anticipate and mitigate the effects of a particular project on growth on other areas. In circumstances such as these, it is sufficient that the final EIR (FEIR) warns interested persons and governing bodies of the probability that additional housing will be needed so that they can take steps to prepare for or address that probability. The FEIR need not forecast the impact that the housing will have on as yet unidentified areas and propose measures to mitigate that impact. That process is best reserved until such time as a particular housing project is proposed.

The increase in water supply reliability resulting from the proposed action would make additional water resources available for municipal, industrial, and agricultural uses in the CVP and SWP service areas. The additional water resources could be used for actions that sustain and support growth.

Project construction is not growth inducing because new housing would not be required. Growth-inducing effects resulting from the increase in water supply reliability caused by the action alternatives would be indirect, and the ability of Reclamation to forecast the extent and location of these effects is extremely limited. More than likely, the effects would be spread throughout the CVP and SWP service areas, would change annually, and would depend on how the additional water supply stored in Shasta Lake is ultimately used. Because the potential indirect growth-inducing effects are speculative and amorphous, no feasible mitigation measures are available or proposed. Direct impacts on traffic and air quality and changes to the jobs/housing balance will be evaluated and mitigated by the local land use agency during general plan updates and project-specific application review. The following potential effects of an increase in the reliability of the water supply are discussed:

- Existing fallow agricultural land and rangeland may be converted to irrigated row crops or irrigated orchard. This land use change could increase effects of local economic growth on farmers and could result in more local employment opportunities.
- If water supply is an obstacle to expansion of industrial facilities, this obstacle may be removed. Increased industrial capacity could result in economic growth and provide more local employment opportunities.
- If water supply is an obstacle to residential development, this obstacle may be removed, and local land use authorities may be encouraged to approve residential development projects on currently zoned agricultural land:
 - Residential development would result in the construction of houses.

- Residential development may cause economic growth through the collection of development fees.

The project analysis includes a primary study area and an extended study area. The primary study area encompasses Shasta Dam and Shasta Lake; inflowing rivers and streams consisting of the Sacramento River, McCloud River, Pit River, and Squaw Creek; and the Sacramento River downstream to about Red Bluff Diversion Dam. Because of the potential influence of Shasta Dam modification on natural resources along the Sacramento River, and on programs and projects in the Central Valley, the project also evaluates an extended study area that includes the Sacramento River basin downstream from Red Bluff Diversion Dam, the American River basin, the Delta, the San Joaquin River basin, and the CVP and SWP service areas.

The extended study area includes CVP and SWP reservoirs and the portions of tributaries that are downstream from these reservoirs and that affect Sacramento River, San Joaquin River, Trinity River, and Delta flows. These reservoirs and tributaries include Lake Oroville, Folsom Lake, Millerton Lake, San Luis Reservoir, New Melones Reservoir, and Trinity Lake, and portions of the Trinity, Feather, American, and Stanislaus rivers. The CVP and SWP service areas include much of the Sacramento and San Joaquin valleys, and substantial portions of the Bay Area and Southern California.

26.4.1 Increased Construction Work

The action alternatives analyzed in this PDEIS would create new construction jobs in the primary study area, but this temporary effect would not be growth inducing. Concrete workers, workers with large-scale construction experience, general laborers, and others would be drawn from the existing local construction industry. These jobs represent a relatively small increase (i.e., less than 0.5 percent) in the total labor force in the two counties of the primary study area, but would represent a substantial increase in employment for many of the cities surrounding the project, where employment has consistently been below the state average (EDD 2010, 2011). Therefore, jobs created by the action alternatives would be serviced largely by the local workforce and would not be growth inducing (see Chapter 16, “Socioeconomics, Population, and Housing”).

26.4.2 Increased Flood Protection

The action alternatives are also anticipated to provide some flood protection benefits, but these benefits are not growth inducing. The added capacity would give Reclamation greater flexibility in using the reservoir for flood management purposes, thereby increasing the threshold at which seasonal heavy-rain events produce flood conditions downstream from Shasta Dam. The benefits of this increase in capacity and related flood management options would be most evident along the upper Sacramento River in the primary study area, and would decrease downstream as other major tributaries join the Sacramento River. Structures in and inhabitants of this floodplain experience the most direct effects from storage releases during flood events. The action alternatives would

reduce the frequency, magnitude, and duration of some potential future flood events, like those that have affected structures and residents in this part of the primary study area in the past.

As a result of the added reservoir capacity, the overall risk of flooding and its related consequences below Shasta Dam is expected to be reduced. Although heavy-rain events would continue to occur in the region, enlarging the dam is intended to provide greater flexibility in flood management in the lower Sacramento River and Delta area because of the increased capacity of the reservoir. As a result, less damage to existing structures in or near the lower Sacramento River and Delta floodplains would be expected over time. However, the flood management benefits of the dam enlargement would not be expected to change the existing floodplain or Federal Emergency Management Agency flood zone designations, so the action alternatives would not remove an obstacle to development; therefore, flood protection benefits are not considered growth inducing.

26.4.3 Increased Water Supply Reliability

Implementing any of the action alternatives would improve the reliability of the water supply in both the primary and extended study area. This improved water supply reliability would better accommodate existing water contracts by increasing the water supply in some years. The environmental consequences of these contracts have been (and in the future will be) evaluated in separate environmental review processes. The improvement in water supply reliability would not change long-term contract amounts or deliveries from within their existing historical ranges.

A variety of factors indirectly influence business, residential, and population growth in the region. Among these are city and county general plans and policies, and the availability of utility services, public schools, and transportation services. Water is one of the primary public services needed to support urban development, including businesses, industry (including agriculture), and housing; a deficiency in water service capacity could constrain future development.

Implementing any of the action alternatives would also increase water yield, which has the potential to be growth inducing. The expected increase in water yield relative to the entire CVP and SWP service areas would be small (i.e., less than 1 percent), and this new yield would likely be provided to a number of geographic areas within the CVP and SWP service areas. Also, a substantial portion of this water would substitute for groundwater pumping, allow for changes in agricultural irrigation practices, or return idle cropland to production. For this reason, implementing any of the action alternatives would result in beneficial effects on agricultural resources, which would intrinsically benefit the economies in the affected localities. An increase in the reliability of water provided to agricultural areas would not necessarily lead to a direct increase in population, because the water would service primarily existing agricultural

lands and would not be expected to foster expansion into undeveloped natural communities. However, the cumulative effect of a more reliable water source would be to increase agricultural effectiveness, a key economic sector in the region, which could indirectly result in growth-inducing impacts by bringing more money into the local economies.

Agriculture is the most important segment of the economy below Shasta Dam and throughout California's Central Valley. Beneficial effects of improved water supply reliability are predicted by an economic analysis applying the "change in net income" method as estimated by the Central Valley Production Model. The average annual benefits to agriculture from the improvement in water supply reliability for CVP irrigation deliveries, based on weighted values, range from \$9 million to \$14.6 million (see the Economic Valuation Appendix).

Benefits from an increase in the reliability of the municipal and industrial (M&I) water supply are estimated based on SWP deliveries. The economic benefit of average M&I deliveries is calculated using a conservative value of \$500 per acre-foot for M&I supplies. The estimated average annual benefits from the increase in M&I water supply reliability range from \$3.9 million to \$7.6 million (see the Economic Valuation Appendix).

Total water supply benefits are the sum of weighted-average benefits to the reliability of agricultural and M&I water supplies. Total benefits from increased water supply reliability range from \$13.3 million to \$18.1 million (see the Economic Valuation Appendix). Therefore, the action alternatives would result in positive economic effects related to growth of the agricultural and M&I sectors by potentially increasing the available water supply. This would be a potentially growth-inducing effect.

If residential development is constrained by water supply, then increased reliability of the water supply may remove an obstacle to residential development. Therefore, the action alternatives would be potentially growth inducing. Local land use authorities are required to demonstrate sufficient water supply reliability pursuant to Senate Bill 610 (Chapter 643, Statutes of 2001), in addition to an evaluation required by CEQA. Water supply reliability may be demonstrated with surface water, water contracts, groundwater, and combinations thereof. Impacts on the physical environment would be evaluated and mitigated at a project level. Because the locations of potential residential development on existing agricultural or rangeland cannot be predicted, and because of the speculative and amorphous nature of potential impacts, no mitigation for impacts of the action alternatives is required.

Increased reliability of the water supply could reduce a limitation on growth throughout the primary and extended study areas; however, projects that could affect natural resources or otherwise accommodate growth in the study area would have to comply with existing planning documents and would be subject to project-specific public environmental analysis and review. The effects of

subsequent growth would be analyzed in general plan EIRs and in project-level CEQA compliance documents for the local jurisdictions in which the growth would occur. Mitigation of these effects would be the responsibility of these local jurisdictions, not Reclamation.

The expected increase in water yield relative to the entire CVP would be small; however, this new yield could be provided to any number of geographic areas within the CVP service area (and in part would substitute for ongoing groundwater pumping). Further, it would be speculative to identify specific areas where growth could occur or the indirect effects on specific community service facilities in a particular service area.

26.5 Identification of Environmental Preferences for Alternatives

Each alternative was ranked similarly based on evaluation criteria. The primary distinguishing factors are related to water supply reliability, anadromous fish survival, and other project objectives. CP1, CP2, and CP3 primarily address water supply reliability; however, each of these plans would also contribute to other project objectives, with the exception of ecosystem restoration. Further, the likelihood that each of these three plans would meet its intended objectives is very high because the plans would not significantly rely on any other actions. However, CP4 further emphasizes anadromous fish survival through an increase in the storage dedicated to cold-water supply each year and gravel augmentation, and CP5 specifically addresses environmental restoration and gravel augmentation. With both CP4 and CP5, overall water supply reliability would be reduced, primarily because in each case ongoing future actions would be required that are not directly related to operation and maintenance of the enlarged reservoir. With the survival of increased numbers of anadromous fish, operational considerations are required to ensure a high degree of success. For environmental restoration, success would depend on the continued effectiveness of the environmental restoration facilities/features proposed as part of the SLWRI – enhanced lake area spawning and rearing habitat, increased native vegetation, and new riparian rehabilitation areas – well past completion of construction.

26.5.1 Least Environmentally Damaging Practicable Alternative

The Least Environmentally Damaging Practicable Alternative will be determined on the basis of the entire environmental review and identified in the Record of Decision, consistent with the Federal Clean Water Act, Section 404, which requires that only the Least Environmentally Damaging Practicable Alternative may be approved and implemented by a Federal agency.

26.5.2 Environmentally Preferable Alternative/Environmentally Superior Alternative

Construction-related impacts would be similar for all of the action alternatives, and the significance determinations for each of the action alternatives are

largely the same. Varying magnitudes of impacts would be related largely to the height of the dam raise because additional construction resources would be required for the larger raise and more land would be affected within the larger inundation area. All of the action alternatives would provide additional opportunities for flood management; they also would provide greater water supply reliability during extremely dry years, which would benefit all water users. CP1 and CP2 would have less of an impact on land uses within the reservoir area than the other action alternatives because they would raise the dam by 6.5 feet and 12.5 feet, respectively, compared to an 18.5-foot increase proposed under CP3, CP4, and CP5. However, water supply reliability and anadromous fish survival would be maximized with the larger raise.

CP4 would increase water supply reliability for agricultural, M&I, and environmental purposes; provide the greatest net increase in hydropower generation; maintain recreation capacity with modernized facilities; and provide water quality benefits to the upper Sacramento River and the Delta. In addition, CP4 would dedicate 378,000 acre-feet of the additional water from increased storage to maintain cold-water volume or augment flows as part of an adaptive management plan for anadromous fish survival, would augment gravel in the upper Sacramento River, and would restore riparian, floodplain, and side channel habitat.

At this time, based on analyses to date, alternatives involving an 18.5-foot raise of Shasta Dam appear to have the greatest environmental benefits, although no environmentally preferable alternative has been selected. It is recognized that additional refinement and changes may occur to the alternatives after performing further analyses and receiving input from agencies, stakeholders, and the public. Any such changes will be addressed as appropriate into the Draft EIS and other future SLWRI documents.

26.6 Compliance with Applicable Laws, Policies, and Plans

For more detailed descriptions of the laws, policies, and plans listed below see Section 3.4, “Regulatory Framework.”

26.6.1 Federal Requirements

National Environmental Policy Act

NEPA requires that an appropriate document be prepared to ensure that Federal agencies accomplish the law’s purposes. The Council on Environmental Quality has adopted regulations and other guidance that provide detailed procedures that Federal agencies follow to implement NEPA. Once finalized, Reclamation would use this EIS to comply with Council on Environmental Quality regulations and document NEPA compliance.

Clean Water Act

Section 404 A Section 404(b)(1) alternatives information package will be prepared for the proposed action and submitted to USACE and the U.S. Environmental Protection Agency. In addition, if construction is authorized, Reclamation will obtain a Section 404 permit prior to filling any waters of the United States. USACE will issue a Record of Decision that addresses pertinent consideration and implementation requirements. Section 404 also requires that a Least Environmentally Damaging Practicable Alternative is identified and must be implemented by an implementing Federal agency.

Section 401 Water quality certification requires evaluation of potential impacts in light of water quality standards and Clean Water Act (CWA) Section 404 criteria governing discharge of dredged and fill materials into waters of the United States. The Federal government delegates water pollution control authority under Section 401 of the CWA to the states. Refer to the “Porter-Cologne Water Quality Control Act” section below.

Federal Endangered Species Act

Reclamation has coordinated with USFWS and NMFS regarding potential project effects on Federally listed species. The potential effects of the SLWRI on endangered and threatened species are described in Chapter 11, “Fisheries and Aquatic Ecosystems”; Chapter 12, “Botanical Resources and Wetlands”; and Chapter 13, “Wildlife Resources.” Reclamation will prepare the appropriate biological assessments to address potential impacts on Federally listed species and will consult with USFWS and NMFS regarding impacts of the proposed action.

Magnuson-Stevens Fishery Conservation and Management Act

Chapter 11, “Fisheries and Aquatic Ecosystems,” discusses impacts on fisheries and fisheries habitat. Reclamation will coordinate with NMFS to ensure that recommended measures be put into the proposed action that would minimize adverse modifications to Essential Fish Habitat. The proposed action's specific implementation plan will analyze the significance of modifications to Essential Fish Habitat and will support the habitat assessments included for restoration-specific actions during the Section 7 Endangered Species Act consultations.

Fish and Wildlife Coordination Act

Compliance with the Fish and Wildlife Coordination Act (FWCA) involves assessing the impacts of a proposed action on preservation, conservation, and enhancement of fish and wildlife habitat. Reclamation will be required to include recommendations for preserving affected habitats, mitigating their loss, and enhancing such habitats, in its documentation of compliance. Documentation of compliance with the FWCA is a separate analysis of habitats of concern to USFWS, NMFS, and DFG, and does not replace the analysis required by Section 7 of the Federal Endangered Species Act.

Bald and Golden Eagle Protection Act

USFWS has proposed new permit regulations to authorize the take of bald and golden eagles under the Bald and Golden Eagle Protection Act, generally when the take to be authorized is associated with otherwise lawful activities (72 *Federal Register* 31141–31155, June 5, 2007). With delisting of the bald eagle in 2007, the Bald and Golden Eagle Protection Act is the primary law that protects bald eagles, as well as golden eagles. As discussed in Chapter 13, “Wildlife Resources,” suitable habitat is not present for golden eagle in the study area; however, the proposed action would have a significant and unavoidable impact on the bald eagle. Therefore, Reclamation will consult with USFWS to implement the reasonable and prudent alternative and conservation measures to reduce impacts on the bald eagle.

Federal Clean Air Act

As discussed in Chapter 5, “Air Quality and Climate,” the SLWRI would not result in long-term effects on air quality. Because the effects of the proposed action on air quality have been evaluated and mitigated to the extent possible, the proposed action would comply with the Federal Clean Air Act.

Federal Water Project Recreation Act

Compliance with the Federal Water Project Recreation Act is achieved by documenting the consideration of recreation opportunities in USACE reports and NEPA documents. Within this PDEIS, Reclamation has taken into consideration, and addressed, outdoor recreation and fish and wildlife enhancement in the primary and extended study areas.

Safe Drinking Water Act

Water used for domestic purposes must be treated by the local or regional water supply in accordance with Federal and State standards. Reclamation is in compliance with the Safe Drinking Water Act because the proposed action would not change existing license requirements or impede enforcement of primary drinking water standards.

National Historic Preservation Act

Studies of the area of potential effect and consultation with the Winnemem Wintu and the California State Historic Preservation Officer determined that sites of cultural significance exist in and around Shasta Lake, including sites related to historic activities of Native Americans. These sites could be inundated should the proposed action be implemented. A representative of the Winnemem Wintu has been involved in reviewing previous study findings, the results of the archival and field research, and conditions for preservation designed to reduce potential impacts on cultural resources. The FEIS will be sent to the California State Historic Preservation Officer for use in consultation between Reclamation and the California State Historic Preservation Officer to confirm that adverse effects on resources that are listed in or eligible for listing in the National Register of Historic Places are avoided or mitigated. For these reasons, the

project would comply with Section 106 of the National Historic Preservation Act.

Farmland Protection Policy Act

As a Federal agency preparing environmental compliance documents, Reclamation must include in its analysis a farmland assessment designed to minimize adverse impacts on prime and unique farmlands and provide for mitigation as appropriate. Chapter 10, “Agriculture and Important Farmland,” evaluates potential effects of the proposed action on Important Farmland.

Rivers and Harbors Act

In the USACE Sacramento District, navigable waters of the United States in the project area that are subject to the requirements of the Rivers and Harbors Act include the Sacramento River, and all waterways in the Sacramento–San Joaquin drainage basin affected by tidal action. Sections of the River and Harbors Act applicable to the proposed action are described below.

Section 9 All of the action alternatives for the proposed action would include construction of dikes. A Section 9 approval would be required before construction of any dikes. Reclamation would obtain approval from the Chief of Engineers and by the Secretary of the Army before construction of any dikes in navigable waters of the United States.

Section 10 A Section 10 permit would be required before any activity that would alter waters of the United States. To comply with the Rivers and Harbors Act, Reclamation would apply for a permit from USACE’s Sacramento District before construction, and that application would be processed simultaneously with the CWA Section 404 permit application. This PDEIS evaluates the environmental effects that the proposed action would have on waters of the United States, including navigable waters.

Section 13 Within the primary study area, the Central Valley Regional Water Quality Control Board has jurisdiction. The Federal government delegates water pollution control authority under Section 402 of the CWA to the states. Refer to the “Porter-Cologne Water Quality Control Act” section below.

Migratory Bird Treaty Act

As discussed in Chapter 13, “Wildlife Resources,” this PDEIS evaluates potential impacts on migratory bird species and identifies mitigation measures to reduce impacts on birds, nests, and eggs. In addition, Reclamation would implement all feasible measures included in the FWCA Report. Reclamation would comply with the Migratory Bird Treaty Act by implementing mitigation measures described herein and in the FWCA Report before and during implementation of the proposed action.

National Forest Management Act

As discussed in Chapter 1, “Introduction,” USFS is a cooperating agency in this PDEIS. Under the National Forest Management Act, any decision emanating from a NEPA process must comply with the Land and Resource Management Plan (LRMP) in order to authorize an action on lands managed by the Shasta-Trinity National Forest (STNF). Significant impacts on lands and resources managed by the STNF are disclosed in Chapter 4, “Geology, Geomorphology, Minerals, and Soils”; Chapter 12, “Botanical Resources and Wetlands”; Chapter 13, “Wildlife Resources”; Chapter 17, “Land Use and Planning”; Chapter 18, “Recreation and Public Access”; and Chapter 19, “Aesthetics and Visual Resources,” of this PDEIS. These impacts may require nonsignificant, project-specific amendments to the LRMP.

The National Forest Management Act also requires that USFS maintain viable populations of existing native and desired nonnative species in the planning area. This requirement will be met by preparing a biological evaluation and associated management indicator species assessment. Those documents will be used by USFS to make a finding that the actions disclosed in the record of decision issued by Reclamation will be consistent with the LRMP.

Federal Land Policy and Management Act

As described in Chapter 3, “Considerations for Describing the Affected Environment and Environmental Consequences,” the Federal Land Policy Management Act directs USFS and the U.S. Bureau of Land Management to manage public lands under the principles of multiple use and sustained yield. Under the Federal Land Policy and Management Act, the use and occupancy of public lands requires authorization by a land management agency, typically under the auspices of a special-use permit. As the principal land management agency for the Shasta Unit of the Whiskeytown-Shasta-Trinity National Recreation Area, USFS and, to a lesser degree, the U.S. Bureau of Land Management will need to use this EIS, when finalized, to support issuance of authorizations to various parties pursuant to the Federal Land Policy and Management Act.

Wild and Scenic Rivers Act

Section 7 of the Federal Wild and Scenic Rivers Act requires the STNF to manage the outstandingly remarkable values of the McCloud River consistent with the objectives and standards and guidelines of its LRMP. The evaluation in the STNF LRMP concluded that the lower McCloud River, from McCloud Dam downstream about 22 miles to the river’s transition to Shasta Lake at about 1,070 feet mean sea level, provides outstanding cultural, fisheries, and geologic values, and its corridor has been classified as a highly sensitive visual area by USFS (USFS 1995). Based on the outstandingly remarkable values, the STNF determined that the lower McCloud River meets the eligibility requirements for designation under the Federal Wild and Scenic Rivers Act. Chapter 25, “Wild and Scenic River Considerations for McCloud River,” evaluates potential effects of the SLWRI on the McCloud River.

Indian Trust Assets

When adverse impacts on Indian Trust Assets (ITA) cannot be avoided, appropriate mitigation or compensation will be provided. ITAs consist of lands that have been deeded to tribes or upon which tribes have a historical legal claim. However, there are no such lands within the primary study area; for this reason, it was determined that the SLWRI would have no impact on ITAs. Because ITAs have been evaluated and the SLWRI would have no impact on these resources, the SLWRI would comply with ITAs.

Executive Order 11988 (Flood Hazard Policy)

As discussed in Chapter 6, “Hydrology, Hydraulics, and Water Management,” all of the action alternatives would have an effect on floodplains in the study area. However, the proposed action would not increase flood flows, and feasible mitigation would be implemented to compensate for the impact of altered flow on riparian and wetland communities.

Executive Order 11990 (Protection of Wetlands)

As discussed in Chapter 12, “Botanical Resources and Wetlands,” a wetland delineation will be prepared for the proposed action and a USACE Section 404 permit will be obtained before construction. The project would identify the location of sensitive habitats by conducting a wetland delineation, avoid and minimize impacts to the extent feasible, and compensate for any losses. However, implementation of any of the action alternatives would result in significant and unavoidable impacts on wetlands.

Executive Order 12898 (Environmental Justice Policy)

As discussed in Chapter 24, “Environmental Justice,” the disturbance or loss of resources associated with locations considered by the Winnemem Wintu and Pit River Madesi Band members to have religious and cultural significance would result in a disproportionately high and adverse effect on Native American populations in the vicinity of Shasta Lake. Therefore, the project would contribute to disproportionate placement of environmental impacts on Native American populations and would result in a cumulatively considerable incremental contribution to a significant and unavoidable cumulative impact. No feasible mitigation is available to reduce this high and adverse effect. Compliance with Executive Order 12898 occurs through the identification of this effect and the lack of feasible mitigation measures available to reduce it.

Executive Order 13007 (Indian Sacred Sites) and April 29, 1994, Executive Memorandum

The Native American Heritage Commission was contacted to identify whether any recorded sacred sites were situated within the primary study area and to obtain a recommended list of Native Americans to contact regarding the proposed action. Potential impacts of the proposed action on Indian sacred sites are addressed in Chapter 14, “Cultural Resources.” Reclamation will continue to coordinate with the Native American Heritage Commission and Native American contacts to address potential impacts on sacred sites.

Executive Order 13112 (National Invasive Species Management Plan)

A weed management plan is within the scope of the proposed action and would include methods for managing the spread of invasive plant species. Because the details of the weed management plan have not been finalized at the time of this writing, this PDEIS identifies preparation and implementation of a weed management plan as a mitigation measure. Developing and implementing the weed management plan as a mitigation measure demonstrates compliance with Executive Order 13112. Reclamation would demonstrate continued compliance with this executive order by implementing the methods described in the weed management plan.

Federal Transit Administration

This PDEIS evaluates potential groundborne-vibration impacts on sensitive receptors, including the maximum sensitivity of 65 vibration decibels for hospitals, high-technology manufacturing, and laboratory facilities. Some construction activities associated with the action alternatives could result in groundborne vibrations exceeding 65 vibration decibels. However, sensitive receptors would need to be within 250 feet of the activities to be affected and there are no sensitive receptors within this distance. Reclamation has demonstrated consistency with this policy by evaluating the construction activities that would generate the maximum possible groundborne vibration at the highest sensitive uses.

Federal Energy Regulatory Commission

Changes to hydroelectric facilities on the Pit River, including instream flow releases or modifications to downstream structures, may necessitate a license amendment from the Federal Energy Regulatory Commission. Reclamation will support Pacific Gas and Electric Company in any application to the Federal Energy Regulatory Commission for necessary license amendments before implementing any proposed actions that would affect Pit River flows.

U.S. Coast Guard

The SLWRI has the potential to affect several bridges over inflows to Shasta Lake. Coordination with the U.S. Coast Guard will be maintained in respect to these potential impacts.

26.6.2 State Requirements

California Environmental Quality Act

This document has been prepared in accordance with CEQA and may be used by State permitting agencies that would be involved in review and approval of the project.

California Endangered Species Act

Evaluations have been conducted for State-listed endangered and threatened species, and have determined that the proposed action would affect several State-listed species. Effects on those species are discussed in Chapter 11,

“Fisheries and Aquatic Ecosystems”; Chapter 12, “Botanical Resources and Wetlands”; and Chapter 13, “Wildlife Resources.” Reclamation will prepare appropriate biological assessments to address potential impacts on Federally listed species, and will consult with DFG regarding impacts of the proposed action on State-listed species.

California Fish and Game Code—Fully Protected Species

This PDEIS identifies potential actions that could result in take of fully protected species, and Reclamation will work closely with DFG to evaluate methods to avoid impacts on fully protected species.

California Fish and Game Code Section 1602—Streambed Alteration

A DFG streambed alteration agreement must be obtained for any project that would result in an impact on a river, stream, or lake. This PDEIS identifies potential actions within the proposed action that would require the alteration of stream features subject to Section 1602 of the California Fish and Game Code. This document requires Reclamation to secure an approved streambed alteration agreement before performing any actions subject to Section 1602.

California Fish and Game Code Sections 5900–5904, 5930–5948, 7261, and 7370—Fish Passage

This PDEIS identifies potential actions that could result affect fish passage, and Reclamation will work closely with DFG to evaluate methods to avoid impacts on sturgeon, fish passage, and designated “Heritage Trout Waters.” Potential impacts on fisheries are described in Chapter 11, “Fisheries and Aquatic Ecosystems.”

Central Valley Flood Control Act of 2008

Reclamation has developed the proposed action in a manner that is consistent with the Central Valley Flood Control Act, and that would not inhibit development of the *Central Valley Flood Protection Plan*.

Central Valley Flood Protection Board Encroachment Permit

Certain proposed actions will require work along the Sacramento River in areas that may be subject to Title 23 because the river is managed for flood control and thus contains features subject to the jurisdiction of the Central Valley Flood Protection Board. Reclamation will secure encroachment permits, as needed, to satisfy Title 23 before performing any work along relevant reaches of the Sacramento River that contain flood control features subject to Central Valley Flood Protection Board jurisdiction.

Water Rights

The proposed action would not include any actions that would require acquisition, use, or modification of water rights. Therefore, the proposed action would comply with all existing water rights in the study areas.

California Public Resources Code

The Legislature has declared that the McCloud River, which is within the study area, possessed “extraordinary resources” in the context of the California Public Resources Code, Section 5093.542, established through enactment of the Wild and Scenic Rivers Act, as amended (Sections 5093.50 – 5093.70); however, the Legislature’s action stopped short of formally designating the river as wild and scenic. Chapter 25, “Wild and Scenic River Considerations for McCloud River,” evaluates potential effects of the proposed action on the McCloud River. New legislation may be required for State support and/or participation in the proposed action.

The California Public Resources Code also contains several other sections relevant to the project. Compliance with provisions of the California Public Resources Code is achieved in this PDEIS by analyzing the impact of proposed actions on recreation opportunities. Chapter 18, “Recreation and Public Access,” of this PDEIS discusses effects on Shasta Lake and the surrounding recreation areas under the alternatives.

California Harbors and Navigation Code

Significant modifications to the facilities of Shasta Lake may necessitate coordination with the California Department of Boating and Waterways and/or the U.S. Coast Guard. Reclamation will conduct such coordination as necessary.

Porter-Cologne Water Quality Control Act

Proposed actions that have the potential to adversely affect water quality are identified in this PDEIS. Measures necessary for compliance with the act would need to achieve consistency with implementation programs under the water quality control plan for the Sacramento River basin, and with the Central Valley Regional Water Quality Control Board’s waste discharge requirements. Other necessary actions would likely include application for and finalization of National Pollutant Discharge Elimination System permits and Section 401 water quality certifications.

California Land Conservation Act of 1965 (Williamson Act)

Approximately 51 percent of Shasta County’s farmland is under Williamson Act contracts (Shasta County 2004). Williamson Act lands affected by the proposed action are discussed in Chapter 10, “Agriculture and Important Farmland.”

California Clean Air Act

This PDEIS evaluates the contribution of the proposed action to any violation of air quality standards and identifies mitigation measures to help achieve consistency with the State implementation plan’s attainment goal before implementation of any proposed actions.

California Native Plant Protection Act

All proposed actions are evaluated in this PDEIS for consistency with this act. Mitigation measures are provided, as necessary, to minimize potential take of listed and special-status plants under the California Native Plant Protection Act.

California Native Plant Society Species Designations

This PDEIS identifies plants of concern on California Native Plant Society lists that may be affected by proposed actions, using these lists as a method of identifying species of concern. Mitigation and minimization measures will be implemented, as necessary, to reduce the significance of potential impacts on these species of concern.

California Scenic Highway Program

On the south side of Shasta Lake, portions of State Route 151 are an officially designated State Scenic Highway. County Road A18 is an officially designated County Scenic Highway, and is also located on the southern banks of Shasta Lake. Portions of Interstate 5, as it approaches Shasta Lake and crosses the Pit River Bridge, are considered eligible for designation as a State Scenic Highway. Impacts on scenic highways are discussed in Chapter 19, “Aesthetics and Visual Resources.”

State Lands Commission Land Use Lease

In the primary study area, the lands under the jurisdiction of the California State Lands Commission include areas along the Sacramento River, north of Red Bluff. Work on the Sacramento River would require a lease from the CLSC. Reclamation will coordinate with the California State Lands Commission and obtain a State Lands Lease before starting work in areas under California State Lands Commission jurisdiction.

California Surface Mining and Reclamation Act

In general, the Surface Mining and Reclamation Act of 1975 (SMARA) requires that the lead agency approve a permit and a reclamation plan and that an approved financial assurance be posted for the reclamation of the mined land. If borrow is required from borrow site(s), not previously permitted under SMARA, Reclamation will either obtain a SMARA permit or an exemption from SMARA for all borrow sites before beginning borrow activities.

State of California General Plan Guidelines

Chapter 8, “Noise and Vibration,” evaluates long-term effects on noise levels in the study area. Long-term changes in noise levels associated with any proposed actions would be less than significant. Because Reclamation has evaluated long-term compatibility of noise levels, the proposed action would comply with these guidelines.

California Department of Transportation

Highway improvements or modifications such as may be required under this project may require an encroachment permit as issued through the California

Department of Transportation (Caltrans). The project may involve modifications to roadways that Caltrans considers “complex” and require extensive communication with the Caltrans Department of Engineering Services and/or structure-specific encroachment permits. These are detailed in the *Caltrans Encroachment Permits Manual*, which is available at the Caltrans Web site.

26.6.3 Local Plans and Policies

Shasta County Air Quality Management District’s Authority to Construct and Permit to Operate

Reclamation would obtain an Authority to Construct permit before building or installing any new emissions unit or modifying any existing emissions unit that requires a permit, if necessary. Reclamation would also obtain a Permit to Operate after all construction is completed and the emission unit is ready for operation, if needed.

Other Local Permits and Requirements

Several other local permits and requirements may apply to the proposed action. Shasta and Tehama counties and their public works departments will require compliance with local plans and ordinances, such as the county general plan, zoning ordinances, grading plan, and various use permits. Utility easements and various encroachments also may be required.

Chapter 27

Public Involvement, Consultation, and Coordination

This chapter summarizes completed, ongoing, and anticipated public outreach and agency involvement efforts related to development of the SLWRI, including activities that satisfy NEPA requirements for public scoping and agency consultation and coordination. Chapter 29, “EIS Distribution List,” lists the entities receiving a copy of the PDEIS. Reclamation encourages review of this PDEIS and will continue to solicit public and agency input on the proposed action.

27.1 Public Involvement Through Project Scoping

Public scoping activities are conducted as part of compliance with both NEPA and CEQA, but are more formalized under NEPA. Scoping allows agencies, stakeholders, organizations, and other interested parties to identify resources to be evaluated, issues that may require environmental review, reasonable alternatives to consider, and potential mitigation if significant adverse effects are identified. The scoping process helps with early identification of problems to be studied, and also helps to eliminate from detailed study issues that are not critical to the decision at hand. Scoping also provides decision makers with insight on the issues and concerns that the public believes should be considered as part of the feasibility study. Public scoping activities performed for the SLWRI environmental documentation process are described below.

27.1.1 Notice of Intent to Propose an Environmental Impact Statement

Reclamation initiated the scoping process by publishing a notice of intent to prepare an Environmental Impact Statement (EIS) and a notice of public scoping meetings pursuant to NEPA on October 7, 2005, in the *Federal Register* (Volume 70, pages 58744–58746). The opportunity for submitting written comments on the notice of intent extended through December 6, 2005.

On the same day that the notice of intent and notice of meetings were published in the *Federal Register*, Reclamation announced the scoping meetings to be held in a news release posted on the project Web site and distributed via e-mail to media in the extended study area. The release was also distributed to agencies, stakeholders, organizations, and other interested parties. A second news release on October 20, 2005, announced an additional scoping meeting to be held in Red Bluff, and was published in display advertisements that

Reclamation purchased in newspapers within the immediate study area in Redding, Red Bluff, and Dunsmuir.

27.1.2 Public Scoping Meetings

In 2005, seven public scoping meetings were conducted in an “open house” format throughout California to update the public on the status of the proposed action and to solicit and receive input on alternatives, project related concerns, and issues to be addressed in the environmental review process (see Table 27-1 for meeting locations and dates). Project team members from Reclamation and its consultants staffed informational workstations and interacted with meeting participants to provide information and answer questions. Attendance ranged from very light at the Fresno and Concord meetings to strong participation at the Dunsmuir, Redding, and Red Bluff meetings (Table 27-1). The proximity to the projects, and advertisements in three local newspapers, likely contributed to a stronger attendance in the northern cities.

Table 27-1. Scoping Meeting Locations and Attendance

Meeting Location	Date	Attendees Signed In
Sacramento	October 24, 2005	10
Concord	October 24, 2005	2
Los Angeles	October 26, 2005	4
Fresno	November 1, 2005	2
Dunsmuir	November 2, 2005	11
Redding	November 3, 2005	39
Red Bluff	November 3, 2005	20
Total		88

Source: Reclamation 2006

The meetings were attended by private citizens, Federal and State agency personnel, local government representatives, political representatives, members of the media, Native American groups, and business owners, and representatives of private industry, utilities, environmental interest groups, and nongovernmental organizations.

Displays of information were presented at each meeting on large-scale panels at a series of four workstations. Information included on these panels is summarized as follows:

Background

This workstation described Shasta Dam and Shasta Lake, authorization of the Federal feasibility study and other pertinent guidance, the CALFED Bay-Delta Program Record of Decision (ROD) relating to enlarging Shasta Dam and Shasta Lake, and the primary and extended study areas.

Environmental Overview

This workstation summarized the major resource areas to be evaluated, defined the biological, socioeconomic, physical, and cultural environments, and identified potential impacts on those environments. The workstation also included information on the Federal environmental review process and Federal and State regulatory requirements and processes.

Study Process

This workstation presented information on water resources problems and needs being addressed in the SLWRI environmental documents. The primary and secondary study objectives were identified along with the overall study mission. The workstation also included information about the Federal plan formulation process, including the development of the SLWRI initial alternatives and the formulation of comprehensive alternatives.

Initial Alternatives

This workstation described the initial alternatives formulated, potential major features associated with potential enlargement of Shasta Dam and Shasta Lake that are likely to be considered in future studies, and potential environmental restoration features to be included in the alternatives.

The *Environmental Scoping Report* (Reclamation 2006) describes the scoping process, comments received during scoping, and how these comments would be addressed as part of the SLWRI and in support documentation (e.g. Feasibility Report and EIS).

27.2 Other Public Outreach

In addition to scoping activities, other public outreach activities have included the following:

- Presentations to the Water Education Foundation (multiple years)
- Project update meetings with marina owners in the Shasta Lake area (multiple years)
- Bay-Delta Public Advisory Committee presentations (multiple years)
- Briefings to resource management groups and stakeholders (multiple years)
- Briefing to the Association of California Water Agencies
- Project Web site for the SLWRI (www.usbr.gov/mp/slwri/index.html)

Future meetings will focus primarily on public outreach related to the release of this PDEIS and the subsequent Draft EIS.

27.3 Consultation and Coordination

Reclamation has consulted various public agencies and organizations during the public outreach process and throughout development of the SLWRI PDEIS to obtain feedback on the investigation. Consultations have assisted Reclamation in determining the scope of the PDEIS, developing project components and objectives, identifying the range of alternatives, and defining potential environmental impacts, impact significance, and mitigation measures.

27.3.1 Consultation and Coordination with Agencies

Reclamation conducts ongoing consultation and coordination efforts with agencies. The SLWRI study management structure includes the active participation of numerous cooperating agencies and other stakeholders on a Project Coordination Team (PCT) and Study Management Team and in Technical Working Groups. Cooperating agencies for the SLWRI, pursuant to NEPA, include USFS, Colusa Indian Community Council of the Cachil Dehe Band of Wintun Indians, USACE, and U.S. Department of the Interior, Bureau of Indian Affairs. Other participants in the PCT include USFWS, NMFS, U.S. Department of the Interior, Bureau of Land Management, DWR, DFG, and other Federal and State agencies. These groups were active contributors to the ongoing development and/or review of the alternative plans that are addressed herein and in supporting documentation.

The PCT is among the most effective means of communication between agencies, continuing to provide for regular participation by numerous cooperating agencies. Regularly scheduled bimonthly meetings have been held and continue to be held, for the purpose of project coordination and decision making, with invitations extended to all cooperating agencies and other CALFED Bay-Delta Program agencies and the Central Valley Regional Water Quality Control Board.

Key elements of these coordination activities are the *Planning Aid Memorandum* and *Coordination Act Report*, documents to be issued by USFWS. A draft *Planning Aid Memorandum* outlining areas of potential concern was circulated among the resource agencies in the first quarter of 2007. Development of the *Coordination Act Report* began in summer 2007, with circulation of a draft in 2008.

27.3.2 Consultation and Coordination with Tribal Governments

Consistent with a memorandum from the President on April 29, 1994, Reclamation and the cooperating agencies will continue to actively engage Federally recognized tribal governments in planning and developing the investigation, and will consult with each tribe on a government-to-government basis before taking actions that could affect such tribal governments. Under Federal Trust responsibility, Reclamation will provide full disclosure (benefits and negative impacts) of the project, allow time for tribal review/consultation, and receive comments and/or suggestions for alternatives.

The PCT held several coordination meetings with Federally recognized tribes during 2007 and 2008. Tribes were invited to an informal meeting held on April 4, 2007, in Redding, California, to provide general information about the SLWRI and determine tribal participation interests. Additionally, from August 2007 to November 2008, members of the PCT held six separate meetings with four Federally recognized tribes whose traditional territories overlap with the SLWRI project area. The purposes of the meetings were to solicit, clarify, and document major concerns and issues regarding the SLWRI, and to establish a preferred method or approach for maintaining effective communication with each tribe during the remainder of the feasibility study and in future endeavors.

27.3.3 Coordination with Native American Tribal Groups

In accordance with Executive Order 12898, Native Americans – including Federally-recognized and non-Federally recognized tribes – are considered minority populations, and are encouraged as stakeholder groups to participate in the ongoing investigation. Several groups, such as the Winnemem Wintu and Shasta Nation, have expressed significant interest in the SLWRI. In response, the PCT conducted 10 meetings and dialogues in 2007 and 2008 with Native American groups whose traditional homelands overlap with the SLWRI study area; four of these meetings engaged non-Federally recognized tribes. Groups were invited to an April 4, 2007, informal meeting to receive general information about the SLWRI and to identify their interests for project participation. As with Federally recognized tribes, meetings were held with Native American groups to solicit, clarify, and document major concerns and issues regarding the SLWRI, and to establish each group's preferred method or approach for receiving communications about the SLWRI during the remainder of the study.

27.4 Major Topics of Interest

The focus of interest varied among the outreach activities, but a common theme centered on potential impacts on the Shasta Lake area that could result from enlargement of the reservoir.

The public, stakeholders, and other Federal agencies, and State and local agencies identified several areas of concern during SLWRI meetings and workshops. Key topics included potential adverse effects on cultural resources in the Shasta Lake area; recreation and recreation providers in the Whiskeytown-Shasta-Trinity National Recreation Area; terrestrial special-status species around Shasta Lake, including State-designated fully protected species, aquatic special-status species in the Sacramento River and Sacramento-San Joaquin Delta (including delta smelt); the lower McCloud River and its special designation under California Public Resources Code 5093.542(c); Delta water quality; south Delta water levels; Central Valley hydrology below CVP and SWP facilities and resulting effects on water supplies for water contractors and other water users; and consistency with the CALFED Bay-Delta Program ROD.

These topics are described in more detail in Section 1.6, “Areas of Controversy/Issues to Be Resolved.”

27.5 Additional Steps in the Environmental Review Process

This PDEIS will be published for public, stakeholder, and agency review. During this period, stakeholder workshops will be held to present key findings and solicit input.

A Draft EIS will be prepared considering input from stakeholders and the public and results of updated modeling studies. In accordance with NEPA review requirements, the Draft EIS will be circulated for public and agency review and comment for at least 60 days following the date when the U.S. Environmental Protection Agency publishes the notice of availability of weekly receipt of environmental impact statements in the *Federal Register*. Similar to the approach to public scoping, public meetings will be held at that time at various locations statewide to solicit and receive public input on the DEIS. These meetings will be held during the public comment period so that any comments received at the meetings can be addressed in the FEIS. In addition, written comments from the public, reviewing agencies, and stakeholders will be accepted during the public comment period.

An FEIS will be prepared and circulated in accordance with NEPA requirements and will include responses to all comments. When the FEIS is complete, Reclamation will publish the document, and the notice of availability will be printed in the *Federal Register*, which will mark the start of a 60-day waiting period before Reclamation issues its ROD on the investigation. In the ROD, which is the final step in the EIS process, Reclamation will document its decision on which actions, if any, to take to address the primary objectives. It will also describe other risk reduction plans it considered, identify any mitigation plans, and describe factors and comments taken into consideration when making its decision.

To date, CEQA scoping has not been initiated. This process will commence after a State lead agency is identified.

Chapter 28

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Chapter 27, “Public Involvement, Consultation, and Coordination”

Reclamation. *See* U.S. Department of the Interior, Bureau of Reclamation.

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Chapter 29

PDEIS Distribution List

This chapter provides an overview of the locations where this PDEIS is available for review and lists the agencies and organizations that received copies of this PDEIS. This list includes agencies and organizations that were involved in the scoping process for the proposed action, requested a copy of the PDEIS, or that may use the PDEIS for discretionary or informational purposes.

29.1 Document Availability

The public distribution of this PDEIS emphasizes the use of electronic media to ensure cost-effective, broad availability to the public and interested parties. This PDEIS is available on the Internet at Reclamation's Web site, <<http://www.usbr.gov/mp/slwri/>>. The PDEIS is also available for review at the following location:

U.S. Department of the Interior,
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

29.2 Agencies and Organizations Receiving Copies of the PDEIS

All persons, agencies, and organizations listed in this chapter have been informed of the availability of and locations to obtain the PDEIS. Parties listed below have received an electronic copy of the entire PDEIS and appendices.

29.2.1 Federal and State Agencies

- U.S. Army Corps of Engineers
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- U.S. Forest Service
- National Marine Fisheries Service
- California Water Commission

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- California Department of Boating and Waterways
- California Department of Conservation
- California Department of Fish and Game
- California Department of Public Health
- California Department of Parks and Recreation
- California Department of Toxic Substances Control
- California Department of Transportation
- California Department of Water Resources
- California Department of Food and Agriculture
- California Department of Forestry and Fire Protection
- California Environmental Protection Agency
- California Highway Patrol
- California Air Resources Board
- California Central Valley Flood Protection Board
- Central Valley Regional Water Quality Control Board
- State Water Resources Control Board
- California Energy Commission
- Delta Protection Commission
- Delta Stewardship Council
- Native American Heritage Commission
- State Lands Commission
- Office of Historic Preservation

29.2.2 Regional and Local Entities

- Shasta County
- Tehama County
- Shasta County Air Quality Management District
- Tehama County Air Quality Management District
- City of Redding
- City of Red Bluff

29.2.3 Other Interested Parties

- California Trout
- Environmental Defense
- Friends of the River
- Natural Heritage Institute
- Natural Resources Defense Council
- Pacific Coast Federation of Fishermen's Association
- Planning and Conservation League
- Sierra Club
- The Bay Institute
- The Nature Conservancy
- Winnemem Wintu
- Association of California Water Agencies
- California Urban Water Agencies
- Central Valley Project Water Association
- Friant Water Authority
- Kern County Water Agency
- Metropolitan Water District of Southern California

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- San Luis-Delta Mendota Water Authority
- State Water Contractors
- Westlands Water District

Chapter 30

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Following is a list of persons who contributed to preparation of this PDEIS.

This list is consistent with the requirements set forth in NEPA and CEQA (40 CFR 1502.17 and Section 15129 of the State CEQA Guidelines).

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URS		
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