

Alternative Intake Project

SCOPING REPORT

May 2005



Scoping Report for the
Contra Costa Water District
Alternative Intake Project

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May 2005



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IN REPLY
REFER TO:
MP-700
PRJ-1.10

Subject: Scoping Report, Alternative Intake Project

Dear Interested Party:

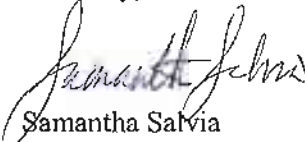
Enclosed for your information is a copy of the scoping report for the Alternative Intake Project, a project proposed by Contra Costa Water District (CCWD) to protect and improve the quality of water delivered to CCWD's treated water and raw (untreated) water customers. This scoping report summarizes the scoping and public involvement process used by CCWD and the Bureau of Reclamation to identify significant issues related to the proposed Alternative Intake Project and to assist in the preparation of an environmental impact report/environmental impact statement (EIR/EIS) on the project. The document provides a summary of issues raised. These issues will be addressed in the EIR/EIS.


Scoping is an important component of the environmental review process and was undertaken in accordance with guidelines for compliance with the National Environmental Policy Act and the California Environmental Quality Act. These guidelines call for an early and open process for determining the scope of issues related to the proposed action and identification of significant issues for study in the EIR/EIS. The information in this document was obtained through three public scoping meetings and written input from various individuals and agencies. The report represents the views and concerns of the participants in those meetings and those who submitted written comments. CCWD and Reclamation will continue to involve the public in this effort throughout the environmental review process.

We would like to extend our appreciation to those who participated in, and contributed to, the public involvement effort. We urge your continued participation in these efforts. Your views and concerns are important and will be fully considered in the environmental process.

Should you have any additional comments or concerns related to the EIR/EIS or the information in this document, please feel free to contact Samantha Salvia at 925-688-8057 or Erika Kegel at 916-978-5081, email ssalvia@ccwater.com, or ekegel@mp.usbr.gov, respectively.

Sincerely,


Samantha Salvia
Principal Engineer
Contra Costa Water District


Alan R. Candlish
Regional Planning Officer
Mid-Pacific Region
Bureau of Reclamation

Enclosure

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1.0 Proposed Action

Contra Costa Water District (CCWD) serves treated and raw (untreated) water to approximately 500,000 people in central and eastern Contra Costa County and is the largest urban water contractor of the Central Valley Project (CVP). CCWD's mission is to "strategically provide a supply of high-quality water at the lowest cost possible, in an environmentally responsible manner." CCWD obtains its water supply exclusively from the Delta. Water quality at CCWD's intakes declines at times, affecting CCWD's ability to provide high-quality water to its customers. In addition, federal and state drinking water regulations are becoming more stringent. The basic project purpose is to protect and improve the quality of water delivered to CCWD's raw water customers and treated water customers.

The U.S. Bureau of Reclamation (Reclamation) operates the CVP and is the largest wholesaler of water in the country. The proposed action would involve adding a new point of diversion to certain existing water rights held by CCWD and by Reclamation, and would require Reclamation's approval of an additional point of diversion pursuant to CCWD's water service contract with Reclamation, and operational changes.

CCWD and Reclamation are the lead agencies for preparation of an environmental impact report/environmental impact statement (EIR/EIS) on the proposed action.

The proposed action includes CCWD's construction of a new intake with a capacity of up to 250 cubic feet per second (cfs) and fish screen in the central Delta, a pumping plant, and an associated conveyance facility (pipeline or canal) from the new intake to CCWD's existing Old River conveyance system. The alternative intake would allow CCWD to relocate some of its diversions to a Delta location with better source water quality than is currently available at its Old River and Rock Slough intakes. Although it would change the location (and quality) of some of CCWD's existing diversions, the proposed action would not increase CCWD's total Delta diversion capacity (rate or annual quantity).

The project facilities would be located in Contra Costa and San Joaquin Counties. CCWD proposes to construct the new water intake facility and fish screens along the lower third of Victoria Canal on Victoria Island. A pipeline or canal would be constructed to convey water from the new intake and associated pumping plant approximately 2–4 miles across agricultural lands on Victoria Island toward Old River to the west, and a pipeline would be installed under Old River to convey the water to the Old River Pumping Plant and conveyance system on Byron Tract. The pipeline would either be tunneled under Old River and its levees or would cross over the top of the levees and be buried just beneath the bottom of Old River and would tie into the existing Old River facilities. Figures 1 and 2 show the project location.

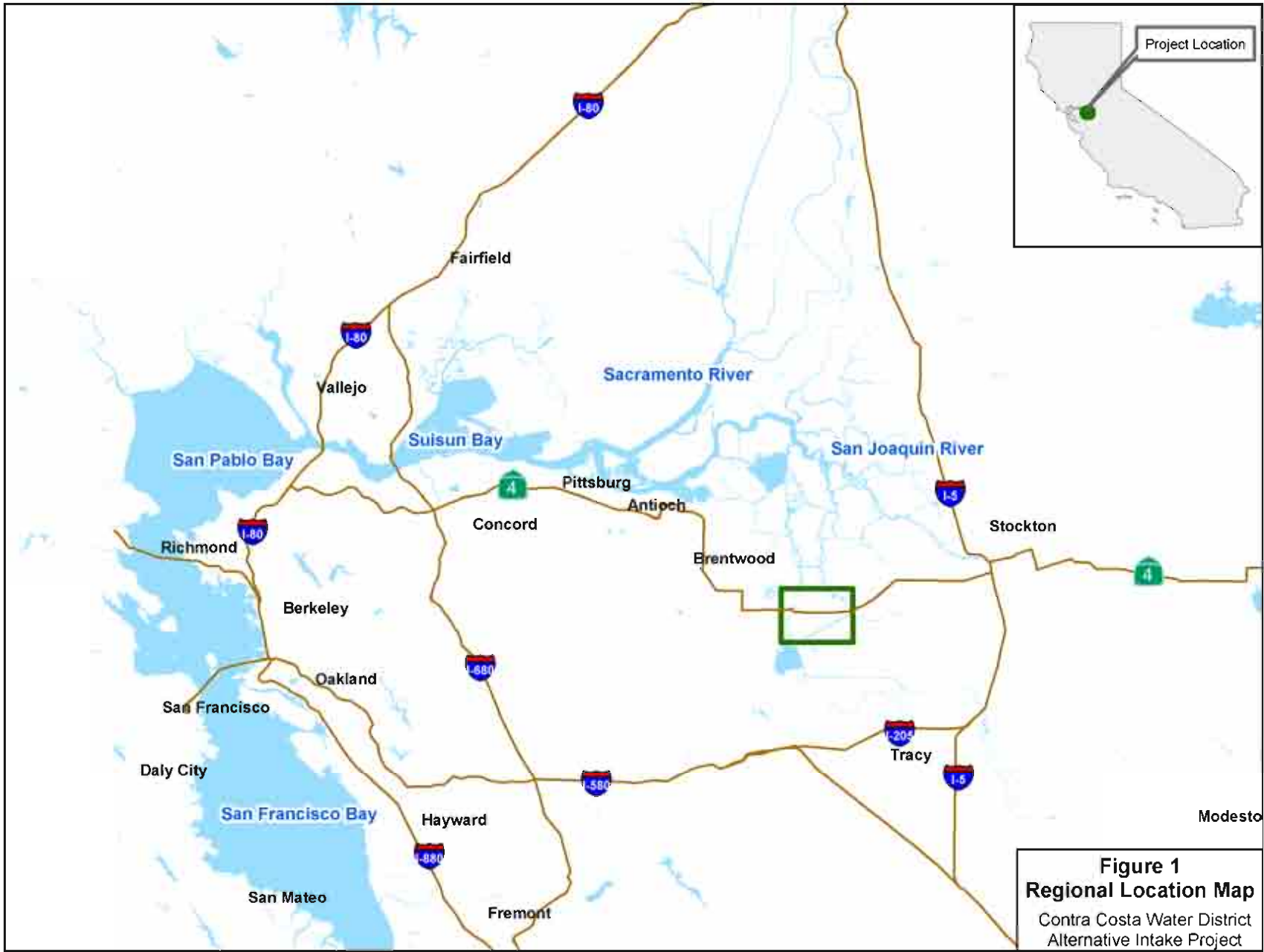
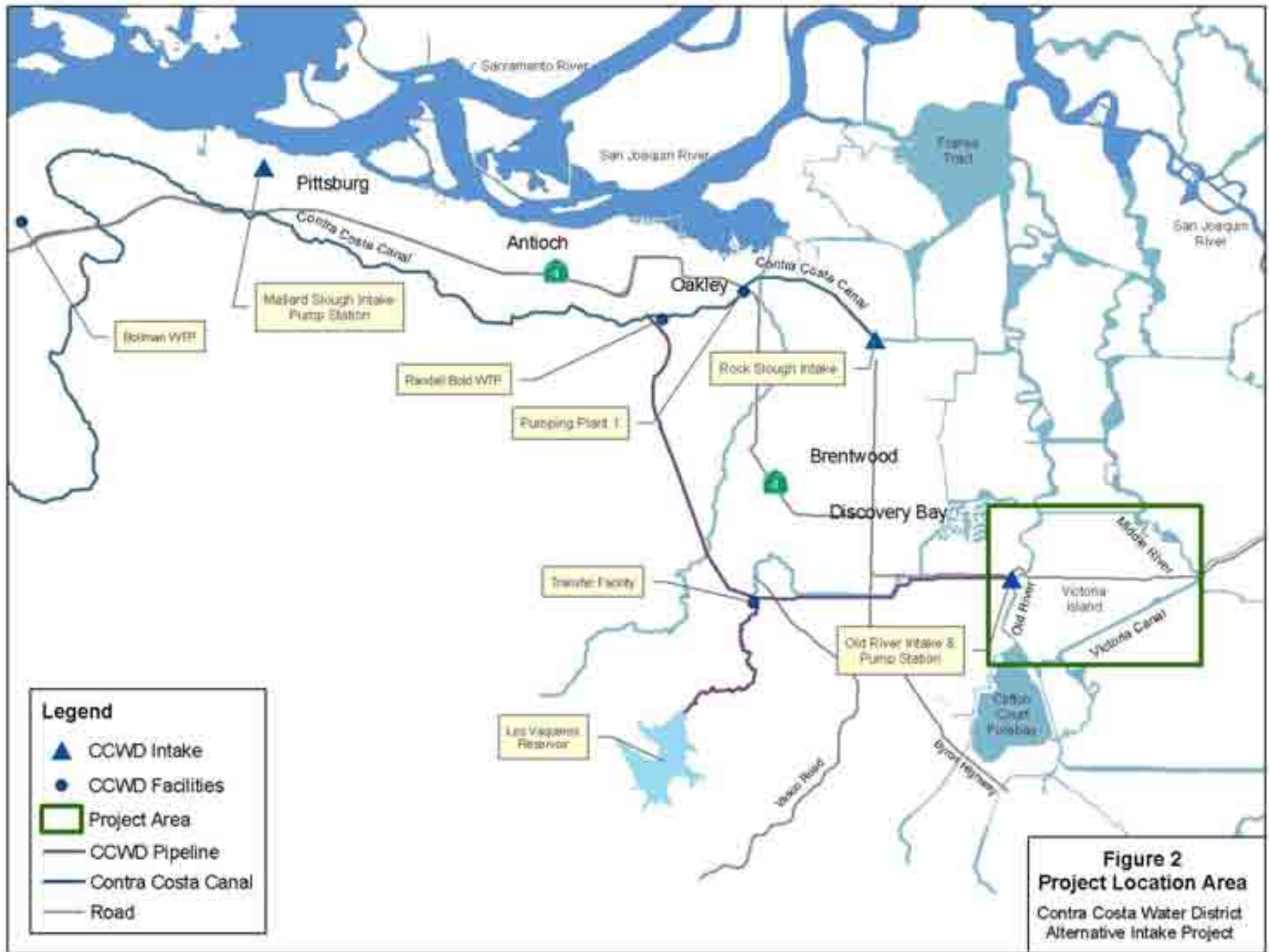


Figure 1
Regional Location Map
Contra Costa Water District
Alternative Intake Project



1.0 Proposed Action

The proposed action would meet the following key CCWD objectives:

- Improve delivered water quality, especially during drought periods.
- Protect and improve health and/or aesthetic benefits to consumers.
- Improve operational flexibility, including maintaining the benefits of the Los Vaqueros Project.
- Protect delivered water quality during emergencies.

2.0 Scoping Process

2.1 General Description and Purpose of Scoping

Scoping is an initial and critically important component of the environmental review process. Scoping is intended to assist in identifying the final range of actions, alternatives, site design options, environmental resources, and mitigation measures that will be analyzed in an environmental document. The scoping process helps ensure that problems are identified early and properly studied and also helps to eliminate from detailed study those issues that are not critical to the decision at hand.

Scoping is conducted as part of compliance with both the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), but is a more formalized process under NEPA. Scoping can be conducted in various forms and may involve numerous participants, but generally involves the solicitation of input from the public and/or interested agencies to determine the scope, focus, and contents of an environmental document.

2.1.1 NEPA Requirements

NEPA requires a formal scoping process for the preparation of an environmental impact statement (EIS). Under NEPA, scoping is the process by which a lead agency for EIS preparation solicits input on the nature and extent of issues and impacts to be addressed in the EIS and the methods by which they will be evaluated. NEPA specifically requires the lead agency to consult with federal agencies having jurisdiction by law and/or special expertise on the proposed action and to solicit information from the public during EIS preparation.

The Council on Environmental Quality's NEPA guidance requires the lead agency's scoping process to:

- invite affected federal, state, and local agencies, Indian tribes, project proponents, and other interested persons to participate in the EIS process;
- determine the potential significant environmental issues to be analyzed in depth in the EIS;
- identify and eliminate issues determined to be insignificant or addressed in other documents;
- allocate assignments among the lead agency and any cooperating agencies regarding preparation of the EIS, including impact analysis and identification of mitigation measures;

2.0 Scoping Process

- identify related environmental documents being prepared; and
- identify other environmental review and consultation requirements.

Scoping should occur as early as possible after the lead agency decides to prepare an EIS. The NEPA lead agency is required to publish a notice of intent (NOI) in the Federal Register announcing its intent to prepare an EIS. Although not specifically required by NEPA, the lead agency may also hold scoping meetings. Scoping must occur after the NOI is issued, but may occur earlier, as long as appropriate public notice is provided and enough project information is available to allow the public and relevant agencies to participate effectively. While publication of the NOI serves as the trigger for starting the scoping process, there is no equivalent activity to mark its conclusion until public release of the Draft EIS. Often, the NEPA lead agency prepares a scoping report to summarize the issues raised during the scoping process and to publicize any decisions that have been made during the scoping process. This report can serve as closure to the scoping process and an assurance that the NEPA lead agency will consider comments received during that process.

2.1.2 CEQA Requirements

Scoping is a less formalized process under CEQA, but is encouraged. As described for NEPA compliance, scoping is recognized as a means to help identify the range of actions, alternatives, environmental effects, methods of assessment, and mitigation measures to be analyzed in depth in an environmental impact report (EIR), and eliminates from detailed study those issues that are found not to be important. Scoping is also an effective way to bring together and resolve the concerns of interested federal, state, and local agencies; the proponent of the action; and other interested persons, including project opponents.

Tools used to determine the scope of an EIR include early public and inter-agency consultation, the notice of preparation (NOP) of an EIR, and scoping meetings with agencies and the public. Of these tools, only the NOP is a mandatory requirement under CEQA for the preparation of an EIR. Issuance of the NOP, similar to the NOI under NEPA, serves as the trigger for soliciting comments on the proposed project. Scoping typically ends with the release of the Draft EIR, although public involvement continues throughout the project review and approval effort.

As a result of scoping, the CEQA lead agency may limit discussion in an EIR of non-significant environmental effects to a brief explanation of why those effects are not considered potentially significant.

Formal scoping meetings are not required by CEQA when a lead agency has decided to prepare an EIR; however, many lead agencies do conduct scoping meetings to obtain input about the scope and content of an EIR. An exception to this provision is that a CEQA lead agency must hold at least one scoping meeting when either the California Department of Transportation requests such a meeting

for a proposed project that may affect facilities under its jurisdiction, or the proposed project is of statewide, regional, or areawide significance.

2.2 Public Outreach Efforts for the Alternative Intake Project

Numerous outreach efforts have been undertaken to inform stakeholders about the Alternative Intake Project and the scoping process and to solicit their input. The sources of information are described below. As detailed above, there is not a specific time period during which scoping begins and ends; however, scoping activities for the Alternative Intake Project were formally initiated with the release of the NOP and NOI in January 2005, and CCWD requested that comments be submitted by March 4, 2005.

2.2.1 Informational Notices

Notice of Intent (NOI)

Reclamation published the NOI in the Federal Register on January 25, 2005. The NOI provides a summary of the proposed action and presents information on the scoping meetings, CCWD and Reclamation contacts, and project background. Copies of the NOI were made available to scoping meeting attendees, and an electronic version of the document was posted on CCWD's project Web site (see below). The NOI is included in Appendix Section A.

Notice of Preparation (NOP)

CCWD filed the NOP with the State Clearinghouse and released it publicly on January 25, 2005. The NOP provides notice of the scoping meetings, presents an overview of the proposed action and CCWD's statement of the purpose of and need for the project, lists the issues anticipated to be addressed in the EIR/EIS, lists the public agencies that may have jurisdiction over elements of the proposed action or have responsibility for resources that could be affected by construction or operation of the project, and provides contact information. In addition to State Clearinghouse distribution to potentially interested state agencies, copies of the NOP were mailed to 40 recipients known to have an interest in CCWD operations. Copies were also made available to scoping meeting attendees. An electronic version of the document was also posted on CCWD's project Web site (see below). The NOP, CCWD's distribution list, and the State Clearinghouse acknowledgment of distribution are included in Appendix Section B.

Fact Sheet

CCWD distributed a two-page project fact sheet in a mailing to 128 stakeholders in January 2005, including the 40 recipients of CCWD's NOP mailing. The fact sheet was also made available at the public scoping meetings, and an electronic version was posted on the project Web site. The fact sheet provides an overview of the proposed action, describes CCWD's project objectives, explains potential

2.0 Scoping Process

benefits to CCWD's customers, provides a project timeline, and solicits public input. The fact sheet is reproduced in Appendix Section C.

CCWD Newspaper Notices

CCWD placed a newspaper display advertisement and a legal notice in the *Contra Costa Times*, the primary newspaper in CCWD's service area, on the weekend of February 5–6, 2005. The weekend newspaper circulation is over 180,000. The advertisement and notice announced CCWD and Reclamation's intention to prepare an EIR/EIS, the places and times of the scoping meetings, CCWD contact information, and the availability of information on CCWD's project Web site. Appendix Section D contains copies of these notices.

Reclamation News Release

Reclamation issued a news release on January 27, 2005, announcing the scoping meetings and soliciting public input on the project. The distribution list included 48 recipients, including newspapers; radio stations; television stations; water districts; and interested agencies, groups, and organizations. Appendix Section E includes the text of the news release and the distribution list.

Web Site

CCWD maintains a project Web site for the Alternative Intake Project (www.ccwater-alternativeintake.com) that contains public documents, provides answers to frequently asked questions, lists project contact information, provides project updates, and includes an electronic question/comment submittal form. Scoping meeting information was posted on the Web site on January 25, 2005, the day on which the NOI and NOP were published.

2.2.2 Stakeholder Outreach

CCWD met with potentially interested agencies to provide an overview of the proposed project and solicit their input. Meetings were held with representatives of Reclamation District 800 (board and staff), Reclamation District 2040, the Anadromous Fish Screen Program Workgroup, and the Central Valley Fish Facilities Review Team. The Anadromous Fish Screen Program Workgroup includes representatives from Reclamation; U.S. Fish and Wildlife Service (USFWS); National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA Fisheries); California Department of Water Resources (DWR); and California Department of Fish and Game (DFG). The Central Valley Fish Facilities Review Team includes representatives from these agencies and from the California Bay–Delta Authority. Additional meetings with these stakeholders are anticipated. A pre-application meeting with the U.S. Army Corps of Engineers (USACE) is scheduled for June 2005.

2.2.3 Scoping Meetings

Three scoping meetings were held the week of February 13, 2005, to provide opportunities for interested parties to learn about the proposed project and to provide input. Comment cards and copies of project documents were made available to participants. In addition, a map of the project area was displayed and

2.0 Scoping Process

discussed. Each meeting included a presentation describing the project background, the environmental review process, and the public outreach efforts. Meeting locations, dates, and times were as follows:

- Concord (CCWD board room)—Tuesday, February 15, 2005 at 6:00 p.m.
- Sacramento (Reclamation office on Cottage Way)—Wednesday, February 16, 2005 at 10:00 a.m.
- Antioch (Veterans of Foreign Wars Hall)—Thursday, February 17, 2005 at 6:00 p.m.

A copy of the scoping presentation is included in Appendix Section F. Appendix Section G includes a summary of the meeting presentations, lists the meeting attendees, and provides a summary of oral comments and questions and answers from the meetings.

2.2.4 Scoping Report

This scoping report was created to outline the process and outcome of the scoping meetings and other activities. Specifically, this report includes an overview of scoping requirements; a list of all documents/products generated for project outreach; a summary of all comments made during the scoping process, both written and verbal; a description of the issues anticipated to be addressed in the EIR/EIS; and an appendix that includes hard copies of all written comments, summaries of the scoping meetings, and other project-related print materials used to inform interested parties about the proposed action and the EIR/EIS.

3.0 Scoping Comments

3.1 Introduction

Comments were received in written and electronic format, as well as presented orally at the scoping meetings. Notes were taken during the scoping meetings to record questions and answers and the attendees' comments. The notes are provided in Appendix Section G.

Comments from the following agencies and individuals were received by mail and electronic mail:

- Graydon Nichols, Victoria Island Farms (VIF);
- B. Sachau
- Jack Bragg, Intralox;
- John Herrick, South Delta Water Agency (SDWA);
- Margit Aramburu, Delta Protection Commission (DPC);
- Debbie Pilas-Treadway, Native American Heritage Commission (NAHC);
- Timothy C. Sable, California Department of Transportation (Caltrans);
- James A. Starr, DFG;
- Katherine F. Kelly, DWR;
- Tom Dumas, Caltrans;
- Terry L. Erlewine, State Water Contractors;
- Jon D. Rubin, Kronick, Moskovitz, Tiedmann & Girard, attorneys for San Luis & Delta-Mendota Water Authority (SL&DMWA);
- Dante John Nomellini, Central Delta Water Agency (CDWA); and
- Michael E. Aceituno, NOAA Fisheries
- Stephen L. Jenkins, State Lands Commission
- Laura Fujii, U.S. Environmental Protection Agency

3.0 Scoping Comments

The written comments are reproduced in Appendix Section H.

All comments that are relevant to the contents of the EIR/EIS and the environmental review process are summarized by major topic in Section 3.2, “Summary of Comments Received.”

3.2 Summary of Comments Received

Project Purpose/Need and Project Timing

The project may be premature, given that CCWD is currently evaluating the Los Vaqueros Reservoir Expansion, which would meet the same purpose and includes accommodating the capacity of the existing Old River intake in its design and locating a new intake in Delta locations including Victoria Canal. (DFG)

The Delta Improvements Package (DIP) states that state and federal agencies will work with CCWD, if appropriate, to relocate CCWD’s intake to Victoria Canal if other DIP measures do not provide acceptable continuous water quality improvements. Pursuit of CCWD’s new intake is premature, given that many actions described in the DIP to improve water quality in the Delta have not yet been implemented. It is recommended that evaluation of the Alternative Intake Project be delayed to allow for the implementation of measures outlined in the DIP and the realization of their benefits, such as implementation of the Veale/Byron Tract projects and the evaluation of the Franks Tract project (DFG, DWR)

Until a preferred alternative for the South Delta Improvement Program (SDIP) is identified, including tidal barrier and Clifton Court Forebay operations, it would be premature for CCWD to begin a project that will change diversion patterns in the South Delta. The effects of the SDIP on CCWD water quality cannot be determined until the preferred alternative is selected. Should CCWD’s water quality be affected, CCWD could then consider initiating its own project. The CCWD project would delay the environmental review process for the SDIP as it would have to take into account CCWD’s proposed intake, further delaying selection of the preferred SDIP alternative. Also, the CALFED Franks Tract project could significantly improve CCWD’s water quality. (SDWA)

Project Description, Alternatives, and Project Design

Victoria Island is within the Delta primary zone; development is restricted, and lands therefore have lower value within the primary zone, a situation that unfairly encourages their development for purposes such as utility corridors and water pipelines. The proposed pipeline could instead cross Old River at the southern tip of Victoria Island and run north on the west side of Old River. (VIF)

The Intralox fish screen would provide benefits over older fish screen technologies and should be considered for use by CCWD. (Intralox)

3.0 Scoping Comments

Any diversion located on Middle River would not be acceptable. (SDWA)

CCWD's water quality could be improved with a variety of other projects and actions undertaken as part of the CALFED Delta Improvements Program (sic) without affecting State Water Project (SWP) water quality. The EIR/EIS must consider these alternatives to a new intake project. (State Water Contractors)

The environmental review should consider the impacts associated with the Los Vaqueros Reservoir Expansion and should examine other reasonable alternatives to improve water quality in Old River at the existing CCWD intake, including improvement of the flow and water quality in the San Joaquin River; physical modifications in the Delta, such as those proposed for Franks Tract; changes in SWP and Central Valley Project operations; and intake locations farther south along the west side of Old River, including connections to Clifton Court Forebay. (CDWA)

Describe whether the proposed action would result in shutting down the Old River pump station, abandoning the Rock Slough or Mallard Slough intakes, or reducing Rock Slough pumping or would play a role in determining whether to install a fish screen at Rock Slough. (Oral comments, February 16 scoping meeting – Cimperman, DWR; Holmes, DFG; and Oppenheim, NOAA Fisheries)

Delta Hydrology/Hydraulics and Water Quality

The proposed intake could adversely affect water quality (salinity) of Victoria Island farmers' agricultural diversions. Fewer agricultural diversions will be affected the farther south the intake is located. To ensure that use of the intake will not affect agricultural water diversions, dredging of some channels will likely be required or operation of the new intake will need to be limited to times when water levels will not be measurably affected. (VIF)

The effects of the proposed diversion on Delta channel water quality, elevations, and circulation should be examined. (SDWA)

Operation of CCWD's proposed intake will affect the flow and salt loads at Vernalis. Analysis should be deferred until existing south Delta water quality/circulation and water depth needs are resolved. (SDWA)

DWR is concerned about degradation of water quality at the SWP's Clifton Court Forebay, the Central Valley Project's Tracy Pumping Plant, and local diversions for Delta agriculture as a result of the proposed intake. The EIR/EIS should explain how these potential water quality effects have been evaluated and the basis for determination of impact significance. (DWR)

The proposed intake could adversely affect SWP water quality by diverting freshwater supplies that otherwise would have reached the state pumps. The EIR/EIS must evaluate such impacts. (State Water Contractors)

3.0 Scoping Comments

Water Supply

The proposed intake could adversely affect Victoria Island farmers' ability to divert water from surrounding channels, particularly from south of the proposed intake. Currently, siphons are used for these diversions, and they will not function if water level drops too low. Agricultural water quality could also be affected. Fewer agricultural diversions will be affected the farther south the intake is located. To ensure that use of the intake will not affect agricultural water diversions, dredging of some channels will likely be required or operation of the new intake will need to be limited to times when water levels will not be measurably affected. (VIF)

Operation of CCWD's proposed intake will affect in-channel water supplies and water management in the south Delta. Analysis should be deferred until existing south Delta water supply issues are resolved. (SDWA)

The hydrologic and water quality analyses must consider impacts south of the Delta, including potential impacts on the water supply of San Luis & Delta-Mendota Water Authority member agencies. (SL&DMWA)

Drainage

To ensure that the project does not interfere with drainage and irrigation facilities, any pipeline across Victoria Island would need to be buried at least 10 feet below the ground surface and 15 feet below the invert of any canal or ditch. (VIF)

Agricultural Resources (Interference with Agricultural Operations)

Placement of the proposed pipeline could interfere with local farming operations. (SDWA)

Impacts on agriculture from a new pipeline should be minimized and mitigated. (DPC)

Levees

Placement of the proposed pipeline could affect levee protection. (SDWA)

Biological Resources

Permanent access of birds and wildlife to water must be considered. The plan should provide for species' needs. (Sachau)

Transportation/Traffic

The EIR/EIS should evaluate project impacts on state transportation facilities, particularly State Route 4. (Caltrans)

Any work or improvements within California Department of Transportation's (Caltrans') right-of-way must be evaluated. All roadway features within Caltrans right-of-way must be protected or restored if temporarily affected by the project. CCWD is encouraged to coordinate with Caltrans to address potential transportation impacts and ensure that traffic safety and quality standards are maintained on state transportation facilities. (Caltrans)

3.0 Scoping Comments

Recreation

The project should not interfere with recreation activities in the area. (DPC)

Cultural Resources

Contact the appropriate information center for a cultural resource records search to determine whether the project area has been previously surveyed, whether any resources were recorded, the probability of finding resources in the project area, and whether a survey is required. If a survey is conducted, the findings and recommendations should be detailed in a report of the records search and field survey. The Native American Heritage Commission should be contacted for a Sacred Lands File check and a list of appropriate Native American contacts. A project mitigation plan should take into account the potential for the presence of subsurface resources and should include monitoring by a certified archaeologist and a qualified Native American monitor in archaeologically sensitive areas, provisions for the disposition of recovered artifacts in consultation with appropriate Native American representatives, and provisions for the discovery of Native American human remains in accordance with relevant laws. (NAHC)

Cumulative Impacts

CCWD's proposed project should coordinate with other projects in the area, including the South Delta Improvements Program. (DPC)

Institutional/ Policy Issues

Any actions taken in the south and central Delta must meet the mutual needs of local diversions according to the priorities of California water law, including the Delta Protection Act and area of origin law. (SDWA)

The Alternative Intake Project is part of the CALFED program. As such, it must comport with the CALFED solution principles of reducing conflicts in the system, being equitable, being affordable, being durable, being implementable, and having no significant redirected impacts. The EIR/EIS should state the proposed intake will adhere to and be guided by those principles. (SL&DMWA)

Moving away from CCWD's Old River intake location toward the central Delta is another step toward abandoning protection of water quality in the Old River portion of the Delta. This is likely to result in physical and regulatory degradation. State Water Project and Central Valley Project contractors have voiced their intent to secure improved water quality in Old River. Central Delta Water Agency (CDWA) opposes the Alternative Intake Project until it is clear that Old River water quality will not be improved and that proposed measures to improve San Joaquin River water quality and reduce salinity intrusion, including possible improvements at Frank's Tract and at other locations, will not improve water quality to a reasonable degree. Preservation of the Delta as a common pool serving both export and local water needs helps maintain a common interest with exporters in protection of water quality in most of the Delta (an exception is the western Delta, including CCWD's intake at Mallard Slough). (CDWA)

3.0 Scoping Comments

Permitting and Agency Coordination

If CALFED funding is granted to help finance the proposed project, an Action Specific Implementation Plan (ASIP) will have to be completed simultaneously with the EIR/EIS. CCWD is encouraged to contact state and federal regulatory agencies to begin early consultation to initiate the ASIP process. (DFG)

Any work performed within the California Department of Transportation's right-of-way would require an encroachment permit. (Caltrans)

Federally listed and other federally protected fish species may occur in the project area, designated critical habitat exists within the proposed project area for winter-run chinook salmon, and critical habitat has been proposed in the project area for Central Valley steelhead. NOAA Fisheries recommends that Reclamation and CCWD use the informal consultation process before submitting a written request to NOAA Fisheries for formal consultation. Through informal consultation, plans may be developed to minimize any potential impacts, thus making formal consultation unnecessary. In addition to the information presented in the EIR/EIS, information that would assist NOAA Fisheries during information consultation includes a plan that integrates the operation of the proposed alternative intake with existing CCWD intakes, reducing the need for pumping during critical fish periods at the unscreened Rock Slough Intake; assessment of whether the action will require a change in the Water Level Response Plan recently completed by Reclamation for the State Water Resources Control Board; assessment of consistency with Reclamation's Operating Criteria and Plan (OCAP) for the CVP and SWP; and assessment of consistency with the South Delta Improvement Program and barrier operations. (NOAA Fisheries)

To the extent that the proposed action is located on state-owned sovereign lands, it appears to be subject to Section 6327 of the Public Resources Code. Section 6327 provides that an application for a lease from the State Lands Commission will not be required for a facility if the facility is for the procurement of fresh water from navigable waters and the applicant obtains a permit from the local reclamation district, the State Reclamation Board, USACE, or DWR. (State Lands Commission)

Schedule

The proposed environmental compliance timeline is ambitious. Several issues need to be resolved to accommodate the timeline, including landowner permission to survey the property and plant species surveys that would need to be conducted in spring and early summer. (DFG)

4.0 Conclusions

The Alternative Intake Project Draft EIR/EIS will describe the direct adverse and beneficial environmental effects of implementing the proposed action. The Draft EIR/EIS will also evaluate any indirect effects of implementing the proposed action, such as potential growth-inducing effects, and the cumulative effects of the proposed action when considered in conjunction with those of other related past, present, and reasonably foreseeable future projects. A No-Action Alternative and other project alternatives will also be evaluated, as required to comply with CEQA and NEPA.

4.1 Issues to Be Analyzed in the Draft EIR/EIS

All comments received as a part of the scoping process will be considered by CCWD and Reclamation in preparation of the Draft EIR/EIS. On the basis of preliminary consideration of the proposed action as described in the NOP and NOI, and taking into account the public and agency input received during the scoping process, CCWD and Reclamation have determined that the issues addressed in the Draft EIR/EIS will include the following:

Agriculture

- Conversion of farmland to non-agricultural use
- Potential interference with local farming operations

Air Quality

- Increases in pollutant emissions associated with construction activities or with pump operation

Cultural and Paleontological Resources

- Potential for disturbance of significant known or undiscovered cultural resources, if present

Delta Hydrology and Water Quality

- Hydraulic effects in Delta channels (elevation and circulation) and effects on Delta water quality, particularly in the south Delta
- Effects of channel modification
- CVP and SWP water quality impacts
- Effects on CCWD operations and water quality
- Effects on the salinity of local agricultural diversions

Delta Water Supply

- Local south Delta diversion effects
- CCWD water supply effects
- CVP and SWP water supply impacts

Earth Resources: Geology, Soils, and Seismicity

- Temporary erosion conditions during construction
- Risks related to the placement of facilities in areas subject to seismic activity or having unstable soils
- Effects on levee stability

Fisheries and Aquatic Resources

- Construction or operational effects on special-status fish species or their habitats, including adequacy of fish screens
- Increased flexibility to use different intakes to minimize impacts on fish and maximize fish benefits

Hazardous Materials

- Potential spills of hazardous materials or waste during construction

Land Use

- Consistency with existing land uses and zoning
- Consistency with the Delta Protection Commission's *Regional Land Use Plan* for the primary zone of the Delta

Local Hydrology, Drainage, and Groundwater

- Modification of local drainage such that agricultural practices require modification or crop production is adversely affected
- Potential impacts to local diversion capabilities (i.e., siphon operation) or discharges

Noise

- Temporary increases in ambient noise levels during construction
- Long-term increases in noise associated with operation of a new pumping plant

Recreation

- Disturbance of recreational activities in areas adjacent to construction activities

4.0 Conclusions

Terrestrial Biological Resources

- Disturbance of riparian vegetation, jurisdictional wetlands or other waters of the U.S., or other sensitive natural communities for the construction of project facilities
- Construction or operational effects on special-status terrestrial species or their habitats

Transportation and Circulation

- Temporary construction effects on local traffic circulation
- Impacts on the state highway system, especially State Route 4, including traffic safety

Utilities and Service Systems

- Potential disruption of service and need for the relocation of utilities
- Energy consumption during project operations

Visual Resources

- Temporary and long-term changes in scenic views or visual character of project sites, particularly from Highway 4

Cumulative Impacts/Consistency with Other Projects

- Effects of the action in combination with those of other related past, present, and reasonably foreseeable future actions
- Consistency and compatibility with proposed projects in the Delta
- Consistency with CALFED solution principles

4.2 Issues Not to Be Analyzed in the Draft EIR/EIS

On the basis of preliminary consideration of the project elements and taking into account the public and agency input received during the scoping process, no environmental impacts are anticipated for the following resource areas: mineral resources, population and housing, and public services (fire and police protection, schools, parks, and other public facilities). There are no known mineral resources in the project area. The project also would have no features that would increase population growth, displace substantial numbers of existing residences, create the need for a substantial amount of new housing, or increase demands on existing or future public services. These resource areas will not be addressed in the EIR/EIS.

4.3 Alternatives Analysis

Three preliminary action alternatives were identified in the scoping materials: two alternatives consisting of different configurations and/or conveyance facilities associated with an alternative intake in the lower third of Victoria Canal, as well as a desalination facility as a third alternative. Scoping commenters suggested some additional alternatives for analysis, including other elements of the CALFED Delta Improvements Package, such as the Franks Tract project. CCWD will proceed with alternatives screening and analysis, incorporating this input, and on the basis of the screening analysis will select alternatives to be carried forward for further development in the EIR/EIS.

A No-Action Alternative will also be evaluated, as required under NEPA and CEQA.

Appendix of Project Scoping Documents

- A Notice of Intent
- B Notice of Preparation, CCWD Distribution List, and State Clearinghouse Acknowledgment
- C CCWD Fact Sheet
- D CCWD Display Advertisement and Public Notice of Scoping Meetings
- E Reclamation News Release and Distribution
- F Presentation for Scoping Meetings
- G Scoping Meeting Notes
- H Copies of Written Comments