

5 Environmental Review and Agency Consultation/Coordination

Since the initial phases of project development, CCWD and Reclamation have engaged and consulted with agencies, stakeholders, landowners, and the general public. These consultations assisted the team in determining the scope of the EIR/EIS, identifying the range of alternatives and mitigation measures, and defining potential environmental impacts and impact significance. Consultation included informal agency communications, formal interagency meetings, and public meetings. CCWD and Reclamation will continue to solicit public and agency input on the project by encouraging review of this EIR/EIS. As noted previously, CCWD is the lead agency pursuant to CEQA and Reclamation is the lead agency pursuant to NEPA.

This chapter summarizes public and agency involvement activities undertaken by CCWD and Reclamation that have been conducted to date for this project, and which satisfy NEPA and CEQA requirements for public scoping and agency consultation and coordination. Chapter 7, “EIR/EIS Distribution List,” presents the entities receiving a copy of the draft EIR/EIS.

5.1 Notice of Preparation and Notice of Intent

CCWD filed the Notice of Preparation (NOP) with the State Clearinghouse and released it publicly on January 25, 2005. 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 projects, including potentially affected landowners. Copies were also made available to scoping meeting attendees. An electronic version of the document was also posted on CCWD’s project Web site.

Reclamation published the Notice of Intent (NOI) in the Federal Register on January 25, 2005. 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.

5.2 Public Scoping

Public scoping activities are conducted as part of compliance with both NEPA and CEQA, but are more formalized under NEPA. 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.

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Numerous outreach efforts have been undertaken to inform stakeholders about the Alternative Intake Project and alternatives, the NEPA and CEQA scoping processes, and the salient environmental issues, and to solicit their input. Scoping activities 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. Scoping activities have significantly influenced NEPA and CEQA processes as two alternatives carried forward into detailed analysis in the EIR/EIS were recommended conceptually by stakeholders:

- ▶ Alternative 2: Alternative Intake with Indirect Pipeline Route (by Victoria Island landowners), and
- ▶ Alternative 3: Alternative Intake with Modified Operations (by the National Marine Fisheries Service [NMFS] via its March 15, 2005 scoping letter).

5.2.1 Stakeholder Outreach

CCWD met with potentially interested agencies and stakeholders to provide an overview of the Proposed Action and solicit their input. Initial meetings were held with potentially affected landowners and local reclamation districts such as Reclamation District 800 and Reclamation District 2040. These meetings were held many months prior to the formal issuance of the NOP and NOI to obtain input as early as possible in the process.

Numerous meetings have been held with CALFED-related workgroups, with many of these meetings occurring prior to the public release of the NOP and NOI. CCWD and Reclamation have been actively engaged with representatives of NMFS, U.S. Fish and Wildlife Service (USFWS), USACE, and California Department of Fish and Game (DFG), in particular. Meetings have been held with agency staff working as part of multi-agency CALFED workgroups, as well as staff working only for their respective agencies on non-CALFED-related activities. CCWD regularly interacts with and attends meetings with the following CALFED workgroups:

- ▶ Anadromous Fish Screen Program Workgroup (Reclamation, NMFS, USFWS, DFG, and the California Department of Water Resources [DWR]),
- ▶ Central Valley Fish Facilities Review Team (Reclamation, NMFS, USFWS, DFG, DWR, and CALFED Bay-Delta Authority), and
- ▶ CALFED Multi-Species Conservation Strategy Interagency Team (NMFS, USFWS, and DFG).

Additional meetings with these stakeholders have occurred on a regular and ongoing basis. In addition, a pre-application meeting with USACE was held in June 2005.

5.2.2 Scoping Meetings

Three scoping meetings were held the week of February 13, 2005, to provide opportunities for interested parties to learn about the Proposed Action 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 discussed. Each

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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 (Federal Building 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.

5.2.3 Scoping Report

A Scoping Report was prepared and is included as Appendix A1, “Public Scoping Report,” of this EIR/EIS. The report outlines 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, project alternatives, and the EIR/EIS.

5.2.4 Public Information Materials

In addition to the NOP, NOI, and Scoping Report, numerous informational materials were publicly distributed to inform stakeholders about the Proposed Action to solicit their input. These materials are described below.

5.2.4.1 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 the project purpose and need, explains potential benefits to CCWD’s customers, provides a project timeline, and solicits public input.

5.2.4.2 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.

5.2.4.3 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

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48 recipients, including newspapers; radio stations; television stations; water districts; and interested agencies, groups, and organizations.

5.2.4.4 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.

5.3 Additional Steps in the Environmental Review Process

In accordance with CEQA and NEPA review requirements, this EIR/EIS will be circulated for public and agency review and comment for a 45-day period following the publishing of the Notice of Availability (NOA) of the EIS by the U.S. Environmental Protection Agency (EPA), and filing of the Notice of Completion (NOC) with the California State Clearinghouse.

Similar to the approach to public scoping, three public hearings have been scheduled in Concord, Antioch, and Sacramento to receive public input on the Draft EIR/EIS. These three public hearings will be held during the public comment period so that any comments received at the meetings can be addressed in the Final EIR/EIS. In addition, written comments from the public, reviewing agencies, and stakeholders will be accepted during the public comment period. Following consideration of these comments by CCWD and Reclamation, a Final EIR/EIS will be prepared and circulated per NEPA and CEQA requirements that will include responses to all comments. CCWD and Reclamation will use the Final EIR/EIS when considering approval of the Proposed Action, and will issue a Notice of Determination (NOD)/Record of Decision (ROD) documenting that decision.

5.4 Ongoing Agency and Stakeholder Consultation and Coordination

CCWD and Reclamation will continue to proactively engage interested agencies and stakeholders throughout the NEPA, CEQA, and project permitting processes. In particular, CCWD and Reclamation will continue to have regular meetings with NMFS, USFWS, and DFG. CCWD will continue regular interactions with CALFED workgroups such as the Anadromous Fish Screen Program Workgroup, Central Valley Fish Facilities Review Team, and CALFED Multi-Species Conservation Strategy Interagency Team. CCWD will also meet as needed with other agencies with potential permitting authority over the Proposed Action, including USACE, Regional Water Quality Control Board, State Water Resources Control Board, Reclamation Districts 2040 and 800, State Lands Commission, California State Office of Historic Preservation, California Department of Health Services, Bay Area Air Quality Management District, San Joaquin Valley Air Pollution Control District, and others.

5.5 Compliance with Federal Statutes and Regulations

The following sections describe relevant Federal laws, executive orders, and policies, and the consultation that has occurred to date (or will occur) for Reclamation to achieve compliance.

5.5.1 Federal Endangered Species Act

Pursuant to the Federal Endangered Species Act (ESA), USFWS and NMFS have authority over projects that may result in take of a Federally listed species. Under ESA, the definition of “take” is to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” USFWS has also interpreted the definition of “harm” to include significant habitat modification that could result in take. If there is a likelihood that a project would result in take of a Federally listed species, either an incidental take permit, under Section 10(a) of ESA, or a Federal interagency consultation, under Section 7 of ESA, is required.

An Action Specific Action Plan (ASIP) is required to address the Federal and California ESAs and the California Natural Community Conservation Planning Act (NCCPA) consultation requirements of Federal and State agencies. Because the ASIP prepared for the project (see Appendix E-1) focuses on issues specific to the Proposed Action, it therefore addresses the biological assessment requirements. Reclamation will initiate formal consultation with USFWS and NMFS. USFWS and NMFS will then use the ASIP to develop biological opinions relative to the Proposed Action. DFG will use the ASIP to address compliance with the California ESA and NCCPA.

5.5.2 Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act (FWCA) ensures that fish and wildlife receive equal consideration during planning and construction of Federal water projects. The FWCA requires that USFWS’s views be considered when evaluating impacts and determining mitigation needs.

As described above, fish and wildlife consultation was conducted in coordination with the development of the ASIP. Issues pertaining to the ASIP have been discussed within an ASIP team, comprised of representatives from CCWD, Reclamation, USFWS, NMFS, and DFG. Using the ASIP and this Draft EIR/EIS, USFWS is in the process of preparing the FWCA report.

5.5.3 Clean Water Act

The Clean Water Act (CWA) is the primary surface water protection legislation throughout the country. The CWA aims to restore and maintain the chemical, physical, and biological integrity of surface waters to support “the protection and propagation of fish, shellfish, and wildlife and recreation in and on the water.” The U.S. Environmental Protection Agency (EPA) is the Federal agency with primary authority for implementing regulations adopted pursuant to the CWA, and has delegated the authority to implement and oversee most of the programs authorized or adopted for CWA compliance to USACE and the Regional Water Quality Control Boards (RWQCB).

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CCWD and Reclamation have participated in a pre-application meeting with USACE, and CCWD will prepare and submit an application for Section 404 compliance in the near future. CCWD will also be seeking a Section 401 water quality certification from the Central Valley RWQCB as well.

5.5.4 Section 10 of the Rivers and Harbors Act of 1899

Under Section 10 of the Rivers and Harbors Act of 1899, the construction of structures in, over, or under, excavation of material from, or deposition of material into “navigable waters” are regulated by USACE. Navigable waters of the United States are defined as those waters subject to the ebb and flow of the tide shoreward to the mean high-water mark or those that are currently used, have been used in the past, or may be susceptible to use to transport interstate or foreign commerce. A Letter of Permission or permit from the USACE is required prior to any work being completed within navigable waters.

CCWD will obtain the necessary permits from USACE prior to beginning any project-related work in navigable waters.

5.5.5 Section 106 of the National Historic Preservation Act

Section 106 of the National Historic Preservation Act (NHPA) of 1966 (as amended in 1992) requires Federal agencies to evaluate the effects of Federal undertakings on historical, archaeological, and cultural resources, and to consult with the Advisory Council on Historic Preservation concerning potential effects of Federal actions on historic properties. Before Federal funds are approved for a particular project or prior to the issuance of any license, the effect of the project on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register shall be evaluated.

To comply with the NHPA, notices of public meetings for this project will be sent to the State Historic Preservation Officer (SHPO), which acts as an intermediary for the Advisory Council on Historic Preservation. A copy of this Draft EIR/EIS will be sent to SHPO, as a unit of the California Department of Parks and Recreation, requesting its review and soliciting input on the project. CCWD and Reclamation will coordinate with the Advisory Council on Historic Preservation and SHPO, consistent with Section 106 of the NHPA.

5.5.6 Indian Trust Assets and Native American Consultation

Indian Trust Assets

An Indian Trust Asset (ITA) is defined by Reclamation as a legal interest in an asset that is held in trust by the U.S. Government for Indian tribes or individual tribal members. Examples include. Land assets held in trust for individual tribal members are more specifically referred to as allotments, or as in the case of allotments created out of public domain lands - Public Domain Allotments (PDAs). An Indian trust has three components: 1) the trustee, 2) the beneficiary, and 3) the trust asset. ITAs can include water rights, lands, minerals, hunting and fishing rights, money, and claims. Beneficiaries of the Indian trust relationship are Federally recognized Indian tribes and individual tribal members with trust land; the United States is the trustee.

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By definition, ITAs cannot be sold, leased, or otherwise encumbered without approval of the United States. The definition and application of the U.S trust relationship has been defined by case law that supports Congressional acts, executive orders, and historic treaty provisions.

The Proposed Action or alternatives would not be implemented on or affect tribal lands, areas where mineral or water rights may be held by a tribe, traditional hunting or fishing grounds, or other ITAs. The potential for the project to affect significant Native American sites is addressed in Section 4.16, “Cultural Resources.”

Native American Consultation

Implementing regulations for Section 106 require that Federal agencies identify potentially affected Indian tribes that might have knowledge of sites of religious and cultural significance in the area of potential effects (APE) (36 CFR 800.3[f][2]). If any such properties exist, the regulations require that Federal agencies invite Indian tribes to participate in the Section 106 process as consulting parties. In accordance with Section 106 requirements, and prior to conducting fieldwork, EDAW consulted with the Native American Heritage Commission (NAHC). Responses from the NAHC indicated that a record search of the sacred land files did not indicate the presence of Native American cultural resources or areas of cultural sensitivity in the immediate vicinity of the Victoria Island/Byron Tract APE or the Desalination Alternative APE (i.e., near the proposed project site or the Desalination Alternative project sites). Input from the NAHC-designated Native American contacts for San Joaquin and Contra Costa Counties was also solicited. One telephone response, from Ohlone representative Katherine Erolinda Perez, was received with regard to the Victoria Island/Byron Tract APE. Ms. Perez expressed concern regarding the overall sensitivity of the Delta area for containing early Native American resources. No response has been received to date regarding the Desalination Alternative APE.

5.5.7 Farmland Protection Policy Act

The Farmland Protection Policy Act (FPPA) is intended to minimize the impact of Federal programs with respect to the conversion of farmland to nonagricultural uses. It ensures that, to the extent possible, Federal programs are administered to be compatible with state, local, and private programs and policies to protect farmland. The Natural Resources Conservation Service (NRCS) is the agency primarily responsible for implementing the FPPA.

CCWD and Reclamation will submit this EIR/EIS to the NRCS for its comment.

5.5.8 Executive Order 11988 (Floodplain Management)

Executive Order 11988—Floodplain Management (May 24, 1977) directs Federal agencies to issue or amend existing regulations and procedures to ensure that the potential effects of any action it may take in a floodplain are evaluated and that its planning programs and budget requests reflect consideration of flood hazards and floodplain management. Guidance for implementation of the Order is provided in the floodplain management guidelines of the U.S. Water Resources Council (40 CFR 6030;

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February 10, 1978) and in *A Unified National Program for Floodplain Management*, prepared by the Federal Interagency Floodplain Management Taskforce.

CCWD and Reclamation have considered Executive Order 11988 in their development of this EIR/EIS and have complied with this order.

5.5.9 Executive Order 11990 (Protection of Wetlands)

The purpose of Executive Order 11990 is to “minimize the destruction, loss or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands.” To meet these objectives, the Order requires Federal agencies, in planning their actions, to consider alternatives to wetland sites and limit potential damage if an activity affecting a wetland cannot be avoided. The Order applies to:

- ▶ acquisition, management, and disposition of Federal lands and facilities construction and improvement projects which are undertaken, financed or assisted by Federal agencies; and
- ▶ Federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulation, and licensing activities.

CCWD and Reclamation have considered Executive Order 11990 in their development of this EIR/EIS and have complied with this order. CCWD has taken a number of actions to minimize project effects on wetlands (see Section 4.6, “Terrestrial Biological Resources”) and will be pursuing a Clean Water Act Section 404 permit from USACE.

5.5.10 Executive Order 12898 (Environmental Justice)

Executive Order 12898, Section 2-2, requires all Federal agencies to conduct programs, policies, and activities that substantially affect human health or the environment, in a manner that ensures that such programs, policies, and activities do not have the effect of excluding persons (including populations) from participation in, denying persons the benefits of, or subjecting persons to discrimination because of their race, color or national origin. Section 1-101 requires Federal agencies to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of programs on minority and low-income populations. This Draft EIR/EIS has identified and described the project’s potential to result in disproportionately high and adverse human health or environmental effects on minority and low-income populations (see Section 4.19, “Environmental Justice”), as required by this order.

6 List of EIR/EIS Preparers

This EIR/EIS was prepared by CCWD and Reclamation. A list of persons who prepared various sections of the EIR/EIS, significant background materials, or participated to a significant degree in preparing the EIR/EIS is presented below and in Table 6.1-1.

Contra Costa Water District (CEQA Lead Agency)

Samantha Salvia	Project Manager; Principal Engineer
Fran Garland	Principal Planner
Rachel Martin	Associate Engineer
Lucinda Shih	Associate Water Resources Specialist; Delta Water Resources
Matt Moses	Associate Water Resources Specialist; Delta Water Resources

Bureau of Reclamation (NEPA Lead Agency)

Erika Kegel	Project Manager
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Table 6.1-1 List of Preparers		
Name	Qualifications	Participation
EDAW		
David Blau	B.S. Landscape Architecture (with honors); Master of City Planning (with honors); 31 years experience.	EIR/EIS Principal-in-Charge
Phil Dunn	B.S. Zoology; M.S. Fisheries Biology; 25 years experience.	EIR/EIS Project Manager; Alternatives Analysis; Delta Fisheries and Aquatic Resources; overall EIR/EIS review
Roberta Childers	B.A. Politics; 12 years experience.	EIR/EIS Assistant Project Manager; overall EIR/EIS review
Sarah Henningsen	B.S. Community and Regional Development (with honors); 3 years experience.	EIR/EIS Project Coordinator; overall EIR/EIS review
Jeff Lafer	B.S. Environmental Science; M.S. Environmental Science; 15 years experience.	Delta Water Resources
Kerry McWalters	B.S. Environmental Engineering; M.E. Engineering; 5 years experience.	Delta Water Resources
Kara Demsey	B.A. Political Science and Environmental Science; M.S. Civil/Environmental Engineering; 2 years experience.	Earth Resources; Local Hydrology and Water Quality; Utilities and Service Systems; Hazardous Materials
Linda Leeman	B.S. Wildlife and Fisheries Biology; M.S. Natural Resources (with distinction); 13 years experience.	Terrestrial Biological Resources

6 List of EIR/EIS Preparers

Table 6.1-1 List of Preparers		
Name	Qualifications	Participation
Leo Edson	B.S. Biological Sciences; 18 years experience.	Terrestrial Biological Resources
Petra Unger	M.S. Botany (minors in Soil Science and Zoology); 12 years experience.	Terrestrial Biological Resources
Tammie Beyerl	B.A. (Cum Laude) Plant Biology; M.S. Plant Biology (Ecology); 3 years experience.	Terrestrial Biological Resources
Ellen Dean	Ph.D. Integrative Biology; 20 years experience.	Terrestrial Biological Resources
Suet Chau	B.A. Environmental Science; 8 years experience.	Land Use; Agriculture; Transportation and Circulation
Honey Walters	B.S. Environmental Science; M.S. Atmospheric Science; 9 years experience.	Air Quality; Noise
Heather Phillips	B.S. Atmospheric Science (concentration in Meteorology); M.S. Atmospheric Science (concentration in Environmental Sustainability); 2 years experience.	Air Quality; Noise
Joshua Hohn	M.A. Communication Arts and Sciences; Master of Urban Planning in Land Use Planning and Sustainability and Public Involvement; 3 years experience.	Visual Resources
Anne Lienemann	B.S. Natural Resources, Recreation, and Tourism; M.S. Environmental Sustainability; 3 years experience.	Recreation
Richard Deis	B.A. Business; M.A. Anthropology; 15 years experience.	Cultural Resources
Wendy Copeland	B.S. Plant Science; M.S. Plant Pathology; 7 years experience.	Paleontological Resources
Brian Ludwig	B.A. Anthropology; M.A. Anthropology; Ph.D. Anthropology; 24 years experience	Cultural Resources
Steven Huang	B.A. Urban Studies; M.A. City Planning; 5 years experience.	Socioeconomic Effects; Environmental Justice
Marie Galvin	B.S. Environmental Policy Analysis and Planning; 12 years experience.	Growth-Inducing Effects
Megan Gosch	B.A. Geography (Emphasis on Planning); 12 years experience.	GIS
Peter Jonas	B.A. Biology and Geography; M.S. Environmental Science; 19 years experience.	GIS
Christy Anderson	B.A. Fine Art; 20 years experience.	Graphics
Brian Perry	25 years experience.	Lead Graphics
Lorrie Jo Williams	B.S. Design; 9 years experience.	Graphics

6 List of EIR/EIS Preparers

<p align="center">Table 6.1-1 List of Preparers</p>		
Name	Qualifications	Participation
Debby Jew	A.A. Liberal Arts; 20 years experience.	Word Processing
Gayiety Lane	A.A. Liberal Arts; 7 years experience.	Word Processing
Amber Martin	12 years experience.	Word Processing
Peter Carr	B.S. Journalism; 15 years experience.	Technical Editing
Marvin Del Fierro	A.A.S. Computer Technology; 2 years experience.	Document Production
Hanson Environmental		
Charles Hanson	B.S. Fisheries; M.S. Fisheries; Ph.D. Ecology; 30 years experience.	Delta Fisheries and Aquatic Resources
Kristie Karkanen	B.A.; 3 years experience.	Delta Fisheries and Aquatic Resources
Dellavalle Laboratory, Inc.		
Nat Dellavalle	B.S., Soil Science; 45 years experience.	Agriculture
Carollo Engineers		
Ken Wilkins, P.E.	M.S. Civil/Environmental Engineering; 18 years experience.	Carollo Project Manager; Engineering Support
Jan Davel, P.E.	Ph. D. Civil/Environmental Engineering; 12 years experience.	Project Engineer; Engineering Support
Hultgren-Tillis Engineers		
Edwin M. Hultgren	B.S. Civil Engineering, M.S. Geotechnical Engineering; 35 years experience.	Earth Resources
Surface Water Resources, Inc.		
Dave Schuster	B.S. Civil Engineering; 40 years experience.	SWRI Project Manager; Water Resources Modeling
Allison Dvorak	B.S. Earth and Atmospheric Sciences; M.S. Hydrology Sciences; 8 years experience.	Water Resources Modeling
John Liu	B.S. Hydraulic and Hydroelectric Engineering; M.S. Water Resources Engineering; 13 years experience.	Water Resources Modeling

7 EIR/EIS Distribution List

The public distribution of the Alternative Intake Project Draft EIR/EIS emphasizes the use of electronic media to ensure cost-effective, broad availability to the public and interested parties. The Draft EIR/EIS is available on the Internet at CCWD's Alternative Intake Project website, <http://www.ccwater-alternativeintake.com/>, and at Reclamation's website, http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=1818. The Draft EIR/EIS is also available for review at the locations listed below.

All persons, agencies, and organizations listed in this chapter have been informed of the availability of and locations to obtain the Draft EIR/EIS, as well as the timing of the 45-day public/agency comment period. Parties listed below have received either the full Draft EIR/EIS and an electronic copy of the appendices, or the executive summary and an electronic copy of the Draft EIR/EIS and appendices.

7.1 Document Availability

Copies of the Draft EIR/EIS are available for public review at the following locations:

Contra Costa Water District
1331 Concord Ave
Concord, CA 94524

Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Antioch Public Library
501 W. 18th Street
Antioch, CA 94509

Brentwood Public Library
751 Third Street
Brentwood, CA 94513

Concord Public Library
2900 Salvio Street
Concord, CA 94519

7.2 Agencies and Organizations Receiving Copies of the Draft EIR/EIS

Copies of the Draft EIR/EIS were sent to the following agencies and organizations:

Federal and State Agencies

California Bay-Delta Authority
California Department of Boating and Waterways
California Department of Conservation
California Department of Fish and Game (Regions 2 and 3)

7 Distribution List

California Department of Health Services
California Department of Transportation (Districts 4 and 10)
California Department of Water Resources
California Environmental Protection Agency
California State Lands Commission
California State Water Resources Control Board (Water Quality and Water Rights)
Central Valley Region Water Quality Control Board (Region 5)
Delta Protection Commission
Native American Heritage Commission
National Marine Fisheries Service (Central Valley Area and Southwest Division)
Office of Historic Preservation
Office of Planning and Research, State Clearinghouse
Reclamation Board
U.S. Army Corps of Engineers
U.S. Fish and Wildlife Service (Sacramento Office)
U.S. Environmental Protection Agency
Western Area Power Administration

Regional/Local Entities

Central Delta Water Agency
Latter Day Saints Property Reserve, Inc.
Reclamation District 2040
Reclamation District 800
South Delta Water Agency
Victoria Island Farms

Alameda County Water District
Bay Area Air Quality Management District
Byron Bethany Irrigation District
Central Contra Costa Sanitary District
City of Stockton
Contra Costa County
Contra Costa County Water Agency
Delta Diablo Sanitation District
East Contra Costa Irrigation District
Ironhouse Sanitary District
San Joaquin County
San Joaquin Valley Air Pollution Control District (Northern and Central Regions)
Santa Clara Valley Water District
Zone 7 Water Agency

City of Antioch
City of Brentwood
City of Brentwood
City of Clayton
City of Concord
City of Martinez

City of Oakley
City of Pittsburg
City of Pleasant Hill
City of Walnut Creek
Diablo Water District
Golden State Water Company

Other Interested Parties

California Striped Bass, Stockton Chapter
California Trout
Clean Water Action
Environmental Defense
Environmental Water Caucus
Friends of the River
Natural Heritage Institute
Natural Resources Defense Council
Pacific Coast Federation of Fishermen's Association
Planning and Conservation League
Save the Bay
Sierra Club
The Bay Institute
The Nature Conservancy

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

8 References

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9 Glossary

acre-foot (af)	The volume of water that would cover 1 acre to a depth of 1 foot. Equal to 1,233.5 cubic meters (43,560 cubic feet).
Action Specific Implementation Plan (ASIP)	Document that serves as the biological assessment for the Alternative Intake Project for compliance with Section 7 of the Federal Endangered Species Act and the natural community conservation plan for compliance with the California Endangered Species Act and the California Natural Community Conservation Planning Act.
anadromous fish	Fish that spend a part of their lifecycle in the sea and return to freshwater streams to spawn.
Bay-Delta	San Francisco Bay/Sacramento-San Joaquin estuary.
beneficial uses	Those uses of water as defined in the State of California Water Code (Chapter 10, Part 2, Division 2), including but not limited to, agricultural, domestic, municipal, industrial, power generation, fish and wildlife, recreation, and mining.
bentonite	A clay mineral used in drilling operations; mixed with water to form a gel that lubricates the drill bit, helps keep the walls of a borehole intact, and helps bring drill cuttings to the surface.
Biological Opinion	Document issued under the authority of the Federal Endangered Species Act stating the findings of the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service as to whether a Federal action is likely to jeopardize the continued existence of a threatened or endangered species or result in the destruction of adverse modification of critical habitat.
borrow area	An excavated area or pit created by the removal of earth material to be used as fill in a different location.
bromide	A chemical compound of bromine with another element or radical naturally occurring in small concentrations in sea water. Bromides interact with disinfection agents used in water treatment to create hazardous disinfection byproducts that have potential adverse health effects.
bromate	A chemical compound of bromine that can be formed from the ozonation of water containing bromide. A disinfection byproduct of ozone water treatment.

9 Glossary

CALFED Bay-Delta Program (CALFED)	Joint Federal and state program to address water-related issues in the Sacramento-San Joaquin Delta.
CALSIM model	A planning model designed to simulate the operations of the CVP and SWP reservoir and water delivery system under current and future conditions; predicts how reservoir storage and river flows would be affected based on changes in system operations; output is typically used to help assess impacts on water supply, water quality, aquatic resources, and recreation.
CALSIM II	Agreed upon CVP-SWP implementation of the CALSIM model code.
California Environmental Quality Act (CEQA)	Act requiring California public agency decision-makers to document and consider the environmental impacts of their actions. Also requires an agency to identify ways to avoid or reduce environmental damage and to implement those measures where feasible. Provides means to encourage public participation in the decision-making process.
Central Valley Project (CVP)	Multiple-purpose Federal water project operated by the Bureau of Reclamation in California extending from the Cascades to the Tehachapi Mountains. Consists of 20 dams and reservoirs, 11 powerplants, and 500 miles of major canals, as well as conduits, tunnels, and related facilities. Manages some 9 million acre-feet of water.
CVP water	As defined by Section 3403(f) of the Central Valley Project Improvement Act, all water developed, diverted, stored, or delivered in accordance with statutes authorizing the CVP, in accordance with terms and conditions of water rights acquired pursuant to California law; water diverted by CCWD under its CVP contract.
CVP Improvement Act (CVPIA)	This Federal legislation, signed into law on October 30, 1992, mandates major changes in the management of the Federal CVP; puts fish and wildlife on an equal footing with agricultural, municipal, industrial, and hydropower uses.
CVP Operations Criteria and Plan (OCAP)	Document that identifies the factors influencing the physical and institutional conditions and decision-making process under which the CVP operates.
CVP Tracy Pumping Plant	The CVP pumping plant in the south Delta.

channel	Natural or artificial watercourse, with a defined bed and banks to confine and conduct continuously or periodically flowing water.
cooperating agency	Any Federal agency other than the lead agency that has jurisdiction by law or special expertise with respect to the environmental impacts expected to result from a proposed project.
consumptive uses	The application of water to agricultural, municipal, or industrial uses. In contrast, non-consumptive uses would include water dedicated to fish and wildlife.
Contra Costa Canal	The 48-mile CCWD canal that begins at Rock Slough and travels west to Clyde, south to Walnut Creek, and north to Martinez.
criteria air pollutants	Pollutants that are the primary focus of regulatory agencies as indicators of ambient air quality, which include ozone, carbon monoxide (CO), nitrogen dioxide (NO ₂), sulfur dioxide (SO ₂), particulate matter (PM), and lead. These are the most prevalent air pollutants known to be harmful to human health, and extensive documentation on health-effects criteria is available for them.
critical habitat	An area designated as critical habitat listed in 50 CFR Parts 17 or 226 (50 CFR Section 402.02); specific geographic areas, whether occupied by special-status species or not, that are determined to be essential for the conservation and management of the special-status species, and that have been formally described in the Federal Register.
cryptosporidium	A waterborne intestinal parasite of the genus <i>Cryptosporidium</i> that can cause the disease cryptosporidiosis in humans and other vertebrates. The disease, characterized by vomiting, diarrhea, abdominal cramps, and fever, can be severe or fatal to immuno-suppressed individuals.
cubic foot per second (cfs)	A measurement of water flow equivalent to one cubic foot of water passing a given point in a second.
cultural resource	An aspect of a cultural system that is valued by or significantly representative of a culture or that contains significant information about a culture. Properties such as landscapes or districts, sites, buildings, structures, objects, or cultural practices that are usually greater than 50 years of age and possess architectural, historic, scientific, or other technical value.

9 Glossary

cumulative impact	For NEPA purposes, defined in Council of Environmental Quality (CEQ) Regulations as the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such actions. Under CEQA, defined as the change in the environment that results from the incremental impact of the project when added to other, closely related past, present, and reasonably foreseeable probable future projects.
decibel (dB)	A unit-less measure of sound on a logarithmic scale that indicates the squared ratio of sound pressure amplitude to a reference sound pressure amplitude. The reference pressure is 20 micro-pascals. An A-weighted dB (dBA) is an overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear.
delivered water	General term for water provided to CCWD untreated- and treated-water customers.
Delta	In this report, “Delta” refers to the delta formed by the Sacramento and San Joaquin Rivers.
Delta balanced conditions	During balanced conditions, Delta inflow and exports are controlled by Reclamation and DWR to meet SWRCB environmental and water quality standards, the needs of in-Delta diverters, and CVP/SWP exports from the Delta. Balanced conditions in the Delta can occur at any time of the year, but generally occur during late spring, summer, and fall, or during very dry years.
Delta excess conditions	During excess (also known as surplus) conditions, Delta flow requirements for water quality and environmental regulations have been met, and excess water is available for Delta users.
Delta inflow	The combined water flow entering the Delta at a given time from the Sacramento River, San Joaquin River, and other Central Valley tributaries.
Delta outflow	The net amount of water (not including tidal flows) at a given time flowing out of the Delta towards the San Francisco Bay. The Delta outflow equals Delta inflow minus the water used within the Delta and exported from the Delta.

delta smelt	A small, slender-bodied fish with a typical adult size of 2 to 3 inches that is found only in the Sacramento-San Joaquin Delta estuary.
Delta surplus	Under excess conditions in the Delta, surplus water is available to Delta users after all environmental protection and water quality regulations have been met.
desalination	A process whereby the salt concentration of sea water or brackish water is reduced generally through an advanced form of water treatment.
dewater	To remove water.
disinfection byproducts (DBPs)	Chemical, organic, and/or inorganic substances that can form during a reaction of a disinfectant (such as chlorine or ozone) with naturally occurring materials in water.
diversion	A location where water is removed from a water body (river, creek, reservoir, etc.) for use in another location.
DSM2	The Delta hydrodynamic and salinity model developed by DWR to simulate hydrodynamic and mixing processes in the Delta, using upstream river flows and salinities, downstream tidal stage and salinity, diversion rates, agricultural return flow and seepage rates, and salinities as boundary conditions.
ecosystem	A geographically identifiable area that encompasses unique physical and biological characteristics. An ecosystem is the sum of the plant community, animal community, and environment in a particular region or habitat.
electrical conductivity (EC)	A measure of salinity in water.
endangered species	Any species or subspecies of bird, mammal, fish, amphibian, reptile, or plant that is in serious danger of becoming extinct throughout all or a significant portion of its range. Official Federal designations of endangered species are made by the USFWS or NMFS and published in the Federal Register. Species are listed under the California Endangered Species Act by the California Department of Fish and Game.
Endangered Species Act (ESA)	The Federal or state acts administered by the USFWS/NMFS and California Department of Fish and Game, respectively, to list and protect animal and plant species that are listed as threatened or endangered, are formally recognized candidates for listing, or are declining to a point where they may be listed.

9 Glossary

entrainment	The incidental trapping of fish and other aquatic organisms in water diverted from streams, rivers, and reservoirs. The process of drawing fish into diversions along with water, resulting in the loss of such fish.
Environmental Impact Report (EIR)	A detailed statement (i.e., report) prepared under the California Environmental Quality Act by a state or local agency describing and analyzing the significant environmental effects of a project and discussing ways to mitigate or avoid the effects.
Environmental Impact Statement (EIS)	An environmental impact document required of Federal agencies under the National Environmental Policy Act for major projects or legislative proposals significantly affecting the environment. Describes the positive and negative effects of the proposed action, lists alternative actions, and documents the information required to evaluate the environmental impacts of a proposed action.
environmental justice	Defined by the U.S. Environmental Protection Agency (EPA) Office of Environmental Justice as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” Fair treatment means “no group of people, including racial, ethnic, or socioeconomic group shall bear a disproportionate share of negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.”
erosion	The gradual wearing away of land by water, wind, and general weather conditions; the diminishing of property by the elements. With regard to levees specifically: loss of levee material as a result of the effects of channel flows, tidal action, boat wakes, and wind-generated waves.
expansive soils	Soils that shrink and swell as a result of moisture changes.
export	Water diversion from the Delta used for purposes outside the Delta.

export/inflow (E/I) ratio	This requirement of the SWRCB Water Rights Order D-1641 presently limits Delta exports by the State and Federal water projects to a percentage of Delta inflow. In July through January, 65% of inflow can be exported. During February through June, months most critical to fisheries, the allowable E/I ratio is reduced to 35% to help diminish reverse flows and the resulting entrainment of fish caused by south Delta export operations.
fish screen	Barrier on the front face of a river intake to prevent fish and debris from being drawn into the intake.
floodplain	Any land area susceptible to inundation by floodwaters from any source.
<i>100-year flood</i>	The flood having a one percent chance of being equalled or exceeded in magnitude in any given year. Contrary to popular belief, it is not a flood occurring once every 100 years.
flow	The volume of water passing a given point per unit of time.
<i>minimum flow</i>	Lowest flow in a specified period of time.
<i>peak flow</i>	Maximum instantaneous flow in a specified period of time.
groundwater	Any water naturally stored underground in aquifers, or that flows through and saturates soil and rock, supplying springs and wells.
habitat	The specific area or environment in which a particular type of animal or plant lives.
impingement	Contact or collision with a diversion structure (used to describe deleterious effects of some diversion facilities on aquatic species).
Important Farmland	Farmland categories mapped by the Farmland Mapping and Monitoring Program (FMMP). Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance are often described together under the term "Important Farmland."
levee	An embankment raised to restrict a river to a defined channel.
liquefaction	The process in which soil loses cohesion when subject to seismic activity (i.e., shaking).

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Los Vaqueros Project	CCWD's 1998 project which included the construction of the Los Vaqueros Reservoir and associated facilities, such as the Old River intake and Old River, transfer, and Los Vaqueros pipelines. The primary purposes of the Los Vaqueros Project are to improve the quality of water supplied to CCWD customers, to minimize seasonal water quality changes in delivered water, and to improve the reliability of the emergency water supply available to CCWD.
mitigation	One or all of the following: (1) avoiding an impact altogether by not taking a certain action or parts of an action; (2) minimizing an impact by limiting the degree or magnitude of an action and its implementation; (3) rectifying an impact by repairing, rehabilitating, or restoring the affected environment; (4) reducing or eliminating an impact over time by preservation and maintenance operations during the life of an action; and/or (5) compensating for an impact by replacing or providing substitute resources or environments.
modeling	Computer simulations of natural and man-made water systems used to provide a forecast of outcomes for a variety of parameters, such as water quality, flow rates, and reservoir levels, under an assumed set of conditions.
National Environmental Policy Act (NEPA)	Act that directs federal agencies to prepare an environmental impact statement for all major Federal actions that may have a significant effect on the environment. States that it is the goal of the Federal government to use all practicable means, consistent with other considerations of national policy, to protect and enhance the quality of the environment. Requires all Federal agencies to consider the environmental impacts of their proposed actions during the planning and decision-making processes.
Notice of Availability (NOA)	The notice issued by a local, state, or Federal agency to publicly announce that a draft environmental impact report or environmental impact statement is available for review, pursuant to the California Environmental Quality Act and the National Environmental Policy Act, respectively.
Notice of Intent (NOI)	The notice issued by a Federal agency to publicly announce its intention to prepare an environmental impact statement, pursuant to the National Environmental Policy Act.

Notice of Preparation (NOP)	The notice issued by a State or local agency to publicly announce its intention to prepare an environmental impact report, pursuant to the California Environmental Quality Act.
Old River intake	The CCWD intake located on Old River, with conveyance facilities linked to the Contra Costa Canal and Los Vaqueros Reservoir. The maximum capacity of the intake is 250 cubic feet per second.
opacity	The amount of light obscured by particle pollution in the atmosphere.
Qwest	A broad indication of the net direction and quantity of flow in the San Joaquin River at Jersey Point. This is only an indicator since net flow is not measurable at this location. Considerable tidal exchange at this point is not included, because Qwest is an estimate of net flow conditions. A positive Qwest indicates the net flow is generally in the downstream direction towards San Francisco Bay. A negative number indicates that the net flow is generally in the upstream direction to the east. Generally, a positive Qwest is desirable for Delta flow circulation, water quality, and fisheries.
reclamation district	A district formed under California State Water Code 50000 <i>et. seq.</i> as a way to pay for the costs of reclaiming land for future use. Reclamation districts are formed in areas that have been inundated with water, such as swamps, salt marshes, or tidelands.
Record of Decision (ROD)	Concise, public, legal document that identifies and officially discloses the Federal lead agency's decision following the completion of an environmental impact statement.
reservoir	An artificially impounded body of water.
responsible agency	As per the State CEQA Guidelines, a public agency other than the lead agency that has discretionary approval over a project.
riparian area	The land adjacent to a natural watercourse such as a river or stream. Riparian areas support vegetation that provides important wildlife habitat, as well as important fish habitat when sufficient to overhang the bank or fall into the water.
Rock Slough intake	The CCWD intake located near the town of Oakley and used to serve the Contra Costa Canal. Also referred to as Pumping Plant No. 1.

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Sacramento-San Joaquin Delta (Delta)	The legal Delta, as described in the California Water Code Section 12220, generally extends from Sacramento to the north, Tracy to the south, Interstate 5 to the east, and Collinsville to the west. The Delta covers approximately 738,000 acres.
Sacramento splittail	A somewhat large (40-centimeter full-length) <i>Cyprinid</i> endemic to the Sacramento and San Joaquin River systems and other drainages of the San Francisco Bay.
salinity	The amount of dissolved salts in a given volume of water.
seawater intrusion	The intrusion and mixing of saline or brackish water into a body of freshwater (in this case, into the Delta).
sedimentation	The phenomenon of sediment or other fine particulates entering a water body, or being disturbed from the bottom of a water body such that they move downstream and settle on the substrate in other aquatic areas.
seiche	A wave on the surface of a lake or landlocked bay caused by atmospheric or seismic disturbances
seismicity	The frequency, intensity, and distribution of earthquake activity in a given area.
siltation	Sediment influx either from erosion or sediment carried into a water body by inflowing rivers and tributaries.
soil corrosion	The deterioration of metal due to interaction with materials in the soil; corrosion generally occurs in soils with high moisture content, high electrical conductivity, high acidity, and high dissolved salts.
source water	Delta water diverted at CCWD intakes.
South Bay Aqueduct (SBA)	A State Water Project facility that conveys water from Bethany Reservoir to Alameda and Santa Clara Counties.
special-status species	Federal and state classifications for plant and animal species that are listed as threatened or endangered, are formally recognized candidates for listing, or are declining to a point where they may be listed.
stage	Water surface elevation; the elevation above mean sea level (msl) datum (typically measured in feet msl).

State Water Project (SWP)	California’s largest water supply project operated and maintained by the California Department of Water Resources that stores surplus water during wet periods and later distributes it to areas of need in the San Francisco Bay area, northern California, San Joaquin Valley, and southern California. SWP facilities include 23 dams and reservoirs, 18 pumping plants, 4 generating-pumping plants, 5 hydroelectric power plants, and approximately 600 miles of canals and pipelines.
SWP Harvey O. Banks Pumping Plant	The SWP export pumping plant in the south Delta. The plant is located downstream of Clifton Court Forebay.
stormwater	Untreated surface runoff into a body of water during periods of precipitation.
Stormwater Pollution Prevention Plan (SWPPP)	Required to be developed and implemented when an entity is obtaining a General Permit under the National Pollutant Discharge Elimination System (NPDES). The SWPPP has two major objectives: (1) to help identify the sources of sediment and other pollutants that affect the quality of stormwater discharges, and (2) to describe and ensure the implementation of best management practices to reduce or eliminate sediment and other pollutants in stormwater as well as non-stormwater discharges.
subsidence	A decrease in ground surface elevation in the Delta, which results primarily from peat soil being converted into gas.
take	Defined in the Federal Endangered Species Act as “...harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct” on special-status species covered under the act.
terrestrial species	Types of species of animals and plants that live on or grow from the land.
threatened species	Legal status afforded to plant or animals species that are likely to become endangered within the foreseeable future throughout all or a significant portion of their range, as determined by the U.S. Fish and Wildlife Service or NMFS for Federal species and by the California Department of Fish and Game for State species.

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tidal flow	Water movements caused by tidal forces (i.e. gravitational); used to describe the movement of water in Delta channels caused by tidal level variations propagating from San Francisco Bay.
<i>neap tide</i>	Especially low high tides and high low tides that occur during quarter moons, when the gravitational forces of the moon and the sun are perpendicular to one another with respect to the Earth. The opposite of a spring tide.
<i>spring tide</i>	The tide with the most variation in water level, occurring during new moons and full moons. This is the time of the highest high tide and the lowest low tide. The opposite of a neap tide.
total Delta inflow	See Delta inflow.
total organic carbon (TOC)	A measure of organic matter content in water, which plays a significant role in aquatic ecosystems and has direct implications to drinking water treatment, including the potential for formation of disinfection byproducts.
treated water	Water treated at CCWD treatment plants and delivered to CCWD treated-water customers.
turbidity	A measure of the cloudiness of water caused by the presence of suspended matter. Turbidity in natural waters may be composed of organic and/or inorganic constituents, and has direct implications to drinking water treatment.
unregulated tributary	A tributary stream that does not have a reservoir or other feature used to restrain or control flows.
uplands	The area on the landward side of the tidal marsh, where the land surface is not inundated by even the highest tides.
water right	A legal entitlement, granted as a permit or license from the California State Water Resources Control Board, authorizing water to be diverted from a specified source and put to beneficial, nonwasteful use.
waters of the U.S.	As defined in the Clean Water Act Section 404, waters of the U.S. applies only to surface waters, rivers, lakes, estuaries, coastal waters, and wetlands. Not all surface waters are legally waters of the U.S. Generally, those waters include interstate waters and tributaries, intrastate waters and tributaries used in interstate and/or foreign commerce, territorial seas at the cyclical high-tide mark, and wetlands adjacent to the above.

watershed	A region or area that ultimately drains to a particular watercourse or body of water.
wetland	A zone that is periodically or continuously submerged or has high soil moisture, has aquatic and/or riparian vegetation components, and is maintained by water supplies significantly in excess of those otherwise available through local precipitation.
Williamson Act	The California Land Conservation Act of 1965, commonly known as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use for 10 years. In return, landowners receive property tax assessments that are based on farming and open space uses as opposed to full market value.
X2	An index used to assess the location of, and thus the movement of, salinity inland from the ocean to the Delta. Used by regulatory agencies to establish estuarine habitat objectives, it is defined as the distance in kilometers from the Golden Gate Bridge to the point at which 2 parts-per-thousand salinity is found at any given time.

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