

## Local Agency

### D-SWC Duplicate of L-SWC

September 27, 2013

Submitted via email: [KChow@usbr.gov](mailto:KChow@usbr.gov)

Katrina Chow, Project Manager  
United States Department of the Interior  
Bureau of Reclamation, Mid-Pacific Region  
2800 Cottage Way, MP-700  
Sacramento, CA 95825

Re Draft Environmental Impact Statement: Shasta Lake Water Resources  
Investigation

Dear Ms. Chow:

The State Water Contractors ("SWC") appreciate the opportunity to submit these comments regarding the US Bureau of Reclamation (Reclamation) Draft Environmental Impact Statement (DEIS) for the Shasta Lake Water Resources Investigation (SLWRI).

As stated in the DEIS, the purpose of the document is to evaluate the potential environmental effects of alternative plans to enlarge Shasta Dam and Reservoir to: (1) increase anadromous fish survival in the upper Sacramento River; (2) increase water supplies and water supply reliability for agricultural, municipal and industrial, and environmental purposes; and (3) address related water resource problems, needs, and opportunities. As described in the DEIS, implementation of the SLWRI would involve a potential dam raise ranging from 6.5 to 18.5 feet and related reservoir enlargements ranging from 256 to 634 thousand acre feet. The DEIS discloses potential effects of SLWRI implementation on areas of interest to the SWC, including the hydrology, water quality, and fisheries and aquatic resources of the Sacramento-San Joaquin Delta (Delta) and the water management capability of the State Water Project (SWP).

The SWC is an organization representing 27 of the 29 public water entities<sup>1</sup> that hold contracts with the California Department of Water Resources (DWR) for the delivery of water from the State Water Project (SWP). Collectively, the members of the SWC provide all, or a part, of the water supply delivered to

<sup>1</sup> The SWC members are: Alameda County Flood Control & Water Conservation District, Zone 7; Alameda County Water District; Antelope Valley East Kern Water Agency; Casitas Municipal Water District on behalf of the Ventura County Flood Control District; Castaic Lake Water Agency; Central Coast Water Authority on behalf of the Santa Barbara County Flood Control & Water District; City of Yuba City; Coachella Valley Water District; County of Kings; Crestline-Lake Arrowhead Water Agency; Desert Water Agency; Dudley Ridge Water District; Empire-West Side Irrigation District; Kern County Water Agency; Litcherock Creek Irrigation District; The Metropolitan Water District of Southern California; Mojave Water Agency; Napa County Flood Control & Water Conservation District; Oak Flat Water District; Palmdale Water District; San Bernardino Valley Municipal Water District; San Gabriel Valley Municipal Water District; San Geronimo Pass Water Agency; San Luis Obispo County Flood Control & Water Conservation District; Santa Clara Valley Water District; Solano County Water Agency; and, Tulare Lake Basin Water Storage District.

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Terry Erlenwe

Ms. Katrina Chow  
September 27, 2013  
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approximately 25 million Californians, roughly two-thirds of the State's population, and to over 750,000 acres of irrigated agriculture. The members of the SWC provide this water to retailers, who, in turn, serve it to consumers throughout the San Francisco Bay Area, the San Joaquin Valley, the Central Coast, and Southern California.

The SWP water supply delivered through the Delta constitutes a significant portion of the water supplies available to SWC members. As a result, the SWC is very interested in matters affecting the ability of the SWP to deliver water supply through the Delta. The water management and delivery capability of the SWP is closely tied to that of the Central Valley Project (CVP) through the Coordinated Operations Agreement (COA), which defines how the two projects share available water supply and joint responsibility for meeting Delta and senior water right obligations. Since Shasta Dam and Reservoir is a major facility of the CVP, implementation of the SLWRI and associated changes in CVP and SWP operations are of particular interest to the SWC.

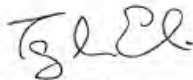
The DEIS shows that under all SLWRI alternatives, changes from the existing condition are consistently less than 1% for important SWP resources including Oroville Reservoir storage, Feather River flows, exports through Banks Pumping Plant, and deliveries to SWP contractors. Additionally, the DEIS shows that Delta hydrology, hydrodynamics, and water quality are similarly minimally affected by implementation of the SLWRI.

The SWC recognizes the importance of and need for additional storage north of the Delta. Additional storage north of the Delta can provide important operational flexibility and help address cold water pool, in-stream flow, and water temperature constraints which can help improve both water supply and fishery conditions. Indeed, the DEIS shows that implementation of the SLWRI will generally improve conditions for the federally Endangered Species Act (ESA) listed spring and winter run Chinook salmon.

Based on the effects associated with implementation of the SLWRI disclosed in the DEIS, the SWC support continued investigation of the SLWRI alternatives and look forward to reviewing the Final EIS and Final Feasibility Report.

We appreciate your consideration of our comments. If you have any questions, please feel free to contact me at (916) 447-7357.

Sincerely,



Terry L. Erlewine  
General Manager

## D-FARR Duplicate of P-FARR

### **City of Shasta Lake**

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September 25, 2013

**Katrina Chow, Project Manager**

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Planning Division  
2800 Cottage Way  
Sacramento CA 95825-1893

**E-Mail:** [BOR-MPR-SLWRI@usbr.gov](mailto:BOR-MPR-SLWRI@usbr.gov)

**RE: Draft Environmental Impact Statement for Shasta Lake Water Resources Investigation**

Dear Ms. Chow:

The City of Shasta Lake (City) thanks the Bureau of Reclamation (BOR) for the opportunity to provide comments on the Draft Environmental Impact Statement (DEIS) for the Shasta Lake Water Resources Investigation.

The City is located immediately south/southeast of the Shasta Dam complex and is literally and figuratively the Gateway to the Dam. Shasta Dam Boulevard (SR 151) is the main access road from Interstate 5 to the Dam and serves as the main thoroughfare through the City's Central Business District. SR 151 continues west past the City limit and loops to the north past Lookout Point (where the three "Shastas" can be seen) to the Shasta Dam Visitor's Center.

The north-south access road to the Dam is Lake Boulevard, which intersects with SR 151. Lake Boulevard continues directly north around to the Dam and is the shorter route to access the Dam. The northerly City limit on Lake Boulevard is ¼ mile from Kennett Road, the access road to Centimudi Boat Ramp.

The City exists largely because of the initial construction of the Dam. Its predecessor organizations, the Shasta Dam Area Public Utility District and the Summit City Public Utility District, were created to gain access to potable water deliveries and power generated by the Dam. It shares a symbiotic relationship with the Dam because of these connections. The City has received water and power from the Dam since 1946.

Because of its proximity to the Dam, the configuration of the existing roadways, and the interrelationship of water and power services, the City is extremely concerned about the overall impact this massive construction project will have on the City and its citizens, both during and after construction.

Accordingly, after review of the DEIS, the City has identified several areas that warrant additional analysis, mitigation measures and comment by BOR.

### SOCIOECONOMIC IMPACTS

Chapter 16 of the DEIS, Socioeconomics, Population and Housing, does not even mention the City of Shasta Lake. It is obvious, as the City of Shasta Lake is the closest community to the project construction site, we would bear a disproportionate share of the impacts associated with reduction in air quality, increased traffic flow, degradation of streets and roadways from increased traffic, exposure to hazardous materials, and loss of tourism revenues related to the elimination of the Dam tours and other recreational facilities.

By nearly every measure currently in place in the State of California, the City is considered a disadvantaged community. The State defines "disadvantaged community" as a community with a median household income less than 80 percent of the statewide average. According to the U.S. Census Bureau, the State median Income (2007-2011) was \$61,632; whereas, the median income for the City was \$42,901 – 69 percent of the State median.

According to the California Employment Development Department, Labor Market Information Division, the California unemployment rate was 8.8% in August 2013, compared to 10.2% for Shasta County. The unemployment rate for the City was 13.9%, the highest percentage of all incorporated cities within the County.

This disparity is further intensified by the recent economic downturn, which has had a detrimental impact on Shasta County in general, and has specifically impacted individuals in disadvantaged communities with limited job skills.

With respect to the impact on tourism and recreational activities, the City has serious concerns regarding the socioeconomic impacts of the project, both during and post project. Currently, thousands of visitors throughout the year visit the Dam to take the tours and utilize the boat ramp and docking facilities at Centimudi and Digger Bay Resort. Cessation of the tours and closures of the boat ramps would result in lost revenue for local stores, service stations, and supermarkets. The majority of this economic disruption would be borne by the City.

Pursuant to federal Environmental Justice regulations, the DEIS should discuss specific outreach strategies used to contact low-income members of our City. The DEIS should discuss what personal interviews were conducted with homeowners, tenants, businesses, business organizations, local schools and public health agencies within our City. Describe innovative methods used to overcome cultural, economic and other barriers and how members of this disadvantaged community were specifically encouraged to participate in the review process.

Please provide the City with a list of all homeowners, tenants, businesses, business organizations, local schools and public health agencies within our City limits who received, either by mail or by hand-delivery, written materials and/or meeting notices to inform them of the project, how they could obtain additional information about the project and where a hard-copy of the entire document, including appendices and referenced documents, could be viewed.

### WATER

There are sections of the DEIS that contain incorrect statements or misrepresentations regarding water.

Chapter 21, page 21-5, lines 18-20 states the City has an input capacity of 5.0 Million Gallons per day (MGD) of raw water. This is incorrect. Pursuant to the *Supplemental Water Supply Feasibility Study* referenced below, the City's maximum input capacity of the 16-inch pipe in the face of the Dam is 9.3 MGD. Please make this correction.

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Chapter 21, page 21-8, under Shasta Community Services District (SCSD), states, "SCSD...was formed in 1959 to supply water for domestic use and fire protection for the City of Shasta Lake and adjacent developed areas...". This is incorrect. We believe the authors mean the town of Old Shasta, which is a State of California Historic area and is within the boundaries of the Shasta CSD. There is no connection between the Shasta CSD and the City of Shasta Lake and never has been. Please make this correction.

**City of Shasta Lake Water Supply System**

The City's present water supply system consists of an intake piping system from inside Shasta Dam, a raw water pump station at the base of the dam, a treatment plant above Fisherman's Point, and a transmission main along Lake Boulevard. This water is pumped to the City's water treatment plant above the Dam to the east and in turn, the City supplies treated water to the Shasta Dam Administrative and Construction Maintenance facilities complex as well as residents and businesses of the City who depend on it for their livelihoods. Failure of any portion of the City's water supply or transmission system would be catastrophic to the City.

The City's water intake facilities utilize some of the ten-inch pipelines that are associated with the eight-foot diameter Dam spillway discharge tubes at the 950 and 750 foot elevations (four existing connections at the 950 foot level and three existing connections at the 750 foot level). In addition to the existing connections, there are eight tap locations at the 850 foot level which could be connected to the City's raw water intake system.

The current net design capacity available to the City of Shasta Lake is estimated at about 9.0 MGD. According to the City's General Plan and 2004 update to the City's Master Water Plan, the City will need to develop a new water supply system that is capable of being expanded to provide up to 9.5 MGD of treated water on a maximum daily demand basis.

As recommended in the *Supplemental Water Supply Feasibility Study, March 2007*, prepared by Pace Civil, Inc. for the City of Shasta Lake, Bella Vista Water District and Mt. Gate Community Services District, connections to one additional ten-inch pipeline at the 750 foot level and six additional ten-inch pipelines at the 850 foot level would provide sufficient flexibility and reliability to yield sufficient supplemental raw water flow needed for the City of Shasta Lake and Mt. Gate Community Services District at lake level elevations of about 865 feet and higher. Based on preliminary discussions with BOR at the time the report was prepared, it appears feasible to construct the needed piping improvements within the existing Dam corridors, similar to the retrofit piping that was installed in 1958.

The DEIS needs to analyze this option and discuss how the increase in the impounded water and enlargement of the cold water pool (CWP), particularly in CPs 3 through 5, will impact and enable the City's ability to secure an additional long-term water supply (see water supply discussion below).

As stated above, the raw water supply for the City is via a 16-inch pipe attached to the face of the Dam with intakes at the 950 and 750 foot levels. Significant construction work is proposed in the area of these intakes to alter the Temperature Control Device and raise the Dam crest. The DEIS needs to include mitigation measures to ensure that turbidity in the area of these intakes created by the construction work will be minimized and identify available remedies in the event turbidity exceeds state-mandated maximum acceptable levels.

Significant turbidity increases could result in the cost of additional treatment to not just marginally increase, but increase by multiplicative factors. The DEIS needs to analyze impacts to the City in the event additional treatment is required to remove turbidity from our drinking water and identify the method of reimbursement to the City for costs incurred as a result of the requirement for additional treatment.

The DEIS needs to include mitigation measures to protect the City's entire water treatment and transmission infrastructure, including the water intakes and pipelines inside the Dam, exposed intake pipeline on the face of the Dam, the raw water pump station at its base, and all associated water transmission and electrical facilities between the Dam, the water treatment facility, and distribution system intertie at Lake Boulevard and Red Bud Lane.

There are other municipal water supply intakes in Shasta Lake. The DEIS needs to explicitly address these intakes and include appropriate mitigation measures to ensure impacts are less than significant.

#### City of Shasta Lake Water Contract

The City has an executed water transfer agreement with a local Settlement contractor who has a diversion below the Dam. This agreement provides for the transfer of up to 2,000 acre feet (AF) per year of Central Valley Project (CVP) water above the Dam to the City's intakes. BOR has not approved this transfer because of purported impacts to the CWP under some water supply scenarios.

The City's challenge and goal has been to use the most cost effective method to maintain the integrity of the CWP while protecting the City against a water shortage during drought periods and preparing for inevitable growth. The City has investigated several options to meet this goal; however, the methods investigated to date either would not fully mitigate the depletion of the CWP or are not economically feasible. In addition, as documented in the City's 2004 update to the Master Water Plan (*Evaluation of Feasibility for Ground-Water Supply for the City of Shasta Lake*), the geology under the City precludes the development of any commercially viable fresh water wells. The City is reliant solely on surface water allocations and transfers.

As partial mitigation for the social disruptions, traffic impacts, and revenue losses predicted for this disadvantaged community, the City requests BOR dedicate 4,600 AF of the newly impounded water to the City's base allocation of 4,400 AF, increasing its total long-term allocation to 9,000 AF. This would secure a sufficient water supply through build-out of the City's General Plan for new and expanded residential, public, commercial and industrial uses. This dedication should include the same rights in terms of cutbacks and transfers as was afforded to a local private entity that received such an allocation in connection with the removal of the Seltzer Dam on Clear Creek.

#### ELECTRICAL SERVICE / POWER

There are several sections in the DEIS and supporting documents that contain incorrect statements or misrepresentations regarding electrical facilities and power.

Chapter 21, Section 21.1.5 – page 21-17 - Electrical Service and Infrastructure, beginning with line 40, should be corrected to read: "Pacific Gas and Electric Company (PG&E), *the City of Redding (COR), and the City of Shasta Lake (COSL)* provide electrical service to Shasta Lake and vicinity."

The existing sentence implies that PG&E is the only electric service provider in the area. This is incorrect. The City of Shasta Lake has been providing electric service to the Shasta Dam Area since 1946. Its predecessor, the Shasta Dam Area Public Utility District, began by taking 13.8kV service from the BOR at the Dam.

Chapter 21, Section 21.1.5 – page 21-18 – beginning at line 24, should be revised to read: "*The City of Anderson, outlying rural areas of Shasta County, and Tehama County (Red Bluff and Corning) receive electrical service from PG&E.*"

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The following paragraph should be added:

*"The City of Shasta Lake is a load serving entity and retail distribution provider of electrical energy to the City's 4,500 current electric customers. The City of Shasta Lake owns and operates a looped 115kV system, which delivers energy to two 115/12kV distribution substations that step the voltage down to 12kV for delivery to the City's end users. The system is managed by the City and assisted by the City of Redding Electric Utility for ancillary services. In total, the City's distribution system has 15 miles of 115kV sub transmission and approximately 67 miles of overhead and underground 12kV distribution lines. The City has two points of delivery: One made to the Flanagan 230/115kV transmission substation and the other at Keswick Dam switchyard. The City has a base resource allocation from the Western Area Power Administration (WAPA), who delivers the energy to the City from Shasta and Keswick Dams. The City also has a supplemental energy agreement with the City of Redding. The City of Shasta Lake is also the retail energy provider to the Digger Bay Marina, and the Centimudi Boat Ramp and the Fisherman's Point Picnic Area Facilities."*

In addition, as partial mitigation for the social disruptions, traffic impacts, and revenue losses predicted for this disadvantaged community, we request that BOR grant the City's Electric Utility First Preference customer status (as other similarly situated utilities have been granted) to the added generation output attributed to the increased reservoir capacity.

The City of Shasta Lake Electric Utility will provide additional comments under separate cover on issues directly related to power production as portrayed in the DEIS.

**TRAFFIC AND TRANSPORTATION**

As stated in the DEIS, Chapter 20, page 20-9, import of fill and construction materials and export of construction waste would result in 95-177 truck trips per day for up to 5 years; export of vegetation would result in 52-75 round trips per day for up to 3.5 years; and the construction labor force would add 300-360 daily round trips for up to five years. This has the potential to result in significant impacts to the City's circulation system.

Currently, SR 151 and Lake Boulevard loop from their intersection near the westerly edge of the City past the Shasta Dam complex and back. The plan suggests that significant alterations will take place in the area of the current roundabout and rotunda near the security offices associated with the reconstruction of the left abutment of the Dam.

The DEIS needs to discuss specific efforts that will be made to ensure that this loop configuration remains operational and will be continued throughout the construction process. The City believes maintaining this loop configuration is vital to traffic flow for local users, recreational users, cyclists, sportsmen, law enforcement, fire and any other users of the facility.

The project proposes to move in excess of 100,000 cubic yards of rock and gravel through City streets for up to five years. The DEIS states there are adequate quarries to provide the needed material. There also is significant exposed rock between the existing high water mark and the proposed high water mark which could be excavated and barged to the Dam, thereby eliminating the need to disrupt surface streets. The DEIS needs to discuss this resource and method of material movement as an alternative that would lessen environmental impacts.

The DEIS references SR 151 and Lake Boulevard as the main routes to be used in conjunction with construction of the proposed project. Because SR 151 runs through the City's Central Business District, the preferred route for the movement of personnel and materials through the City is via Pine Grove Avenue west to Lake Boulevard.

The City is concerned that Pine Grove Avenue and Lake Boulevard may not be structurally sufficient to handle the additional heavy vehicle trips that will be needed to transport materials. Mitigation should require analysis of the structural integrity of City roadways, particularly Pine Grove Avenue and Lake Boulevard, to ensure they are sufficient to accommodate the weight and frequency of project traffic. The analysis should be completed prior to commencing construction activities.

Because of the number and frequency of trucks that would travel SR 151, should that become the main access route for project-related traffic, there are several intersections that would operate at an unacceptable level of service (LOS). For example, the intersection of SR 151 and Shasta Way/Shasta Street; intersections along SR 151 between Cascade Boulevard and the Union Pacific Railroad within the City's Central Business District; and the intersection of SR 151 and Shasta Park Drive. These intersections need to be analyzed in terms of vehicular, bicycle and pedestrian safety with appropriate mitigation measures applied. Sight distance is a particular concern at many of these intersections.

Mitigation measures should include the requirement for a pre-construction meeting between BOR and the City, and the requirement that the City be involved in review and approval of the Traffic Control and Safety Assurance Plan identified as mitigation in the DEIS.

In addition, the City requests mitigation to require a Road Maintenance Agreement between BOR and the City outlining a repair schedule and/or compensation methods for the repair of roadways that are degraded as a result of project-related traffic.

As a general comment, it should be noted that the underpass of the Union Pacific Railroad on SR 151 has an impeded vertical clearance of 13'-9" which may divert additional large loads to Pine Grove Avenue.

#### **HAZARDS / HAZARDOUS MATERIALS**

The City is concerned with the introduction and transportation of highly flammable and/or explosive materials within a high fuel load area with limited access and surrounding steep terrain. The DEIS needs to provide the specific type, quantity and frequency of delivery of explosives and other hazardous waste and materials to and from the project site.

Lake Boulevard will be used as a main access route to the Dam during project construction. This stretch of roadway is developed primarily with single-family residential uses. In addition, Mountain Lakes High School is located on the northeast corner of Lake Boulevard and SR 151, and a heavily used community park is located just east of this intersection. A hazardous materials spill or fire in this area would be catastrophic.

Chapter 9, Hazards and Hazardous Materials and Waste, discusses this issue under Impact Haz-4 and identifies "*Exposure of Sensitive Receptors to Hazardous Materials*" as potentially significant.

Mitigation Measure Haz-4 includes the requirement that a public liaison be appointed to communicate hazardous material transportation routes related to project activities with the public. The mitigation measure should specifically state that a public meeting will be conducted at a location within the City of Shasta Lake.



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The mitigation measure also states, in part, "Reclamation will coordinate hazardous materials transportation routes with...a representative from the Shasta Lake Elementary School..." Shasta Lake School is only one of the schools within the City limits. This list needs to be amended to include Gateway Unified School District, Central Valley High School, Mountain Lakes High School, Grand Oaks Elementary School and Shasta Lake School.

Although Chapter 22, Table 22-1 (Key Public Service Providers) includes Shasta Lake Fire Protection District under Fire Protection Services, no other section of the DEIS includes any reference to them. Chapter 22, Page 22-4, Line 6 needs to be revised to state "The Shasta Lake Fire Protection District provides fire protection within the City of Shasta Lake..."

The Shasta Lake Fire Protection District (SLFPD) would be the first responder in the event of an emergency within the City. All applicable Chapters of the DEIS, including but not necessarily limited to Chapter 9 and Chapter 22, need to reference SLFPD in discussions of emergency services and fire protection.

Mitigation Measure PS-2 (Provide Support to Public Services Agencies) states, "Reclamation will provide affected public services providers (e.g., law enforcement, fire protection, emergency services) with sufficient funding and support to ensure that levels of public services are not substantially degraded by construction activities. Reclamation will coordinate with affected providers to develop a mutual understanding of the amount and schedule of financial and administrative support required to reduce this impact to a less-than-significant level."

Provisions need to be included to ensure SLFPD, in addition to all other local services providers, is included in all discussions regarding the provision of emergency and fire protection services related to this project and all discussions related to reimbursement agreements for such services.

### RECREATIONAL FACILITIES

Centimudi Boat Ramp is a heavily used fishing and recreational access point for Lake Shasta near the Dam. Based on the past 25 years of water levels and taking into consideration the new high water mark proposed in CP-3 through 5, the DEIS should discuss how many days it is expected that the existing lower boat ramp will be under water on an annual basis. Also, it is the City's view that a certain amount of the new impound should be reserved for recreational use above the Dam until September 1 of each year. In addition, the City requests staging areas during construction be situated so parking at the boat ramps remains functional throughout the duration of project construction.

The U.S. Forest Service (USFS) operates and/or permits numerous boat ramps, public accesses, cabins, and campgrounds around the Lake. The City recently learned the USFS is proposing to reduce the number of marinas on the Lake if the Lake level is raised. The USFS has been moving away from developments that require maintenance and toward human exclusion. This is not appropriate on a manmade lake. The USFS should maintain and/or replace existing cabins, cabin leases, campgrounds, boat launches and docks, including any that are impacted by this project. Any reduction of private recreational opportunities on or around the Lake is not compatible with the goals of our City for future viability and growth.

The DEIS is devoid of descriptions of what will exist for recreational facilities upon project completion, and this needs to be further analyzed with appropriate mitigation measures incorporated. Secondary economic effects to the City of Shasta Lake as a result of the loss of resorts, marinas, campgrounds, restaurants, motels, grocery stores and service stations needs to be addressed.

In addition, security devices have been added to each end of the Dam. The design of the raised roadway should consider security enhancements to the railings along the roadway and to the elevator towers above the powerhouse so tourists and local citizens could once again enjoy freer vehicular access across the Dam's roadway.

#### **REAL ESTATE**

The DEIS notes that private property takings are a concern. This understatement fails to delineate an acceptable path forward. BOR should have procedures in place to ensure that private property owners are made whole and those businesses desiring to continue to operate are accommodated. The DEIS needs to include a description of the property acquisition processes. This will improve transparency and allow interested parties to make informed decisions.

The DEIS notes that raising the Dam 18.5 feet would inundate 160 buildings. Residences within 20 feet of the new pool elevation may also be relocated. The City seeks assurances that all such affected properties will be replaced in kind. Private property owners shall end up with acreage, frontage, improvements and access that equals or exceeds their existing holdings. The City understands such a provision would necessitate a special act of Congress. The DEIS should outline congressional actions which would be necessary to continue private property ownership at a new, higher elevation.

There may be instances where septic systems and/or leach fields may be above the new high water mark but not have sufficient setbacks to meet State water quality mandates within the buffer zone. Provisions need to be made to relocate these facilities out of the buffer zone or provide exemptions that would allow them to remain.

#### **CUMULATIVE IMPACTS**

The DEIS does not include other proposed local projects in the cumulative impact analysis. There are currently at least two pending projects that should be considered cumulatively, and BOR should contact all local jurisdictions to discuss approved and pending projects that should be included in the analysis.

For example, Shasta County is in the process of completing a Draft Environmental Impact Report (DEIR) for Moody Flats Quarry. This project site is adjacent to the City's northerly city limit, southeast of the Shasta Dam complex. The proposed Quarry also proposes to utilize SR 151 during a portion of their construction operations. In addition, the City is in the process of completing a DEIR for a mixed-use development on 600 acres at the northeasterly section of the City. This project could result in the construction of approximately 1,600 dwelling units and 200,000 square feet of commercial uses and should be considered in the cumulative impact analysis.

#### **CONCLUSION**

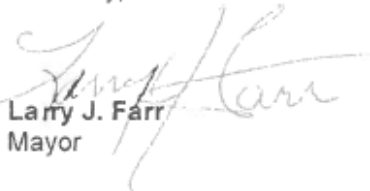
Due to the extensive nature of this project, it is anticipated BOR will be required to provide additional information, analysis and supporting studies and documentation in response to comments on the DEIS. For this reason, the City requests recirculation of the revised DEIS following incorporation of the additional information to allow the public opportunity for additional review and comment.

Due to the voluminous nature of the DEIS and anticipated outreach to other members and groups in our community who may not have had an ample opportunity to review the DEIS, as discussed under Socioeconomic Impacts above, the City requests the revised DEIS be recirculated for a minimum of 90 days. Because many of our citizens do not have access to a computer or reliable transportation, the City requests a copy of the revised DEIS be provided to the Shasta Lake Gateway Library, 1646 Stanton Drive, Shasta Lake, CA, for public review.

Shasta Lake Water Resources Investigation  
Duplicate DEIS Public Comments Appendix

If you have any questions, please feel free to contact me or John Duckett, City Manager, at 530.275.7427.

Sincerely,



Larry J. Farr  
Mayor

c: Members of the Shasta Lake City Council  
John S. Kenny, City Attorney  
John N. Duckett, Jr., City Manager  
Tom Miller, Assistant City Manager  
Jeff Tedder, City Engineer  
William Bishop, Water Treatment Superintendent  
Carla L. Thompson, AICP, Development Services Director  
Adrian Rogers, Chief, Shasta Lake Fire Protection District  
Brian Person, Area Manager, Bureau of Reclamation Northern California Area Office

## D-SCVWD Duplicate of L-SCVWD

10/23/13 DEPARTMENT OF THE INTERIOR Mail - Fwd: Santa Clara Valley Water District's comments on Draft EIS for Shasta Lake Water Resources Investigation



DUNCAN, KATHLEEN <kduncan@usbr.gov>

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### Fwd: Santa Clara Valley Water District's comments on Draft EIS for Shasta Lake Water Resources Investigation

1 MESSAGE

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**KATRINA CHOW** <kchow@usbr.gov>  
To: KATHLEEN DUNCAN <kduncan@usbr.gov>

Wed, Oct 23, 2013 at 1:10 PM

Sent from my iPhone

Begin forwarded message:

**From:** Sherwood Garcia <sgarcia@valleywater.org>  
**Date:** September 30, 2013, 6:26:28 PM PDT  
**To:** "BOR-MPR-SLWRI@usbr.gov" <BOR-MPR-SLWRI@usbr.gov>, "kchow@usbr.gov" <kchow@usbr.gov>  
**Cc:** Cindy Kao <CKao@valleywater.org>, Joan Maher <JMaher@valleywater.org>  
**Subject:** Santa Clara Valley Water District's comments on Draft EIS for Shasta Lake Water Resources Investigation

Ms. Chow –

Please find attached the comment letter from Santa Clara Valley Water District (SCVWD) regarding the Draft Environmental Impact Statement for the Shasta Lake Water Resources Investigation. Also attached is the comment letter from the San Luis & Delta-Mendota Water Authority regarding the same subject.

If you have any questions regarding the SCVWD comments, please contact Ms. Cindy Kao at 408-630-2346.

We are sending you the original by mail.

Thank you,

Sherwood Garcia


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**3 attachments**

Santa Clara Valley  
Water District

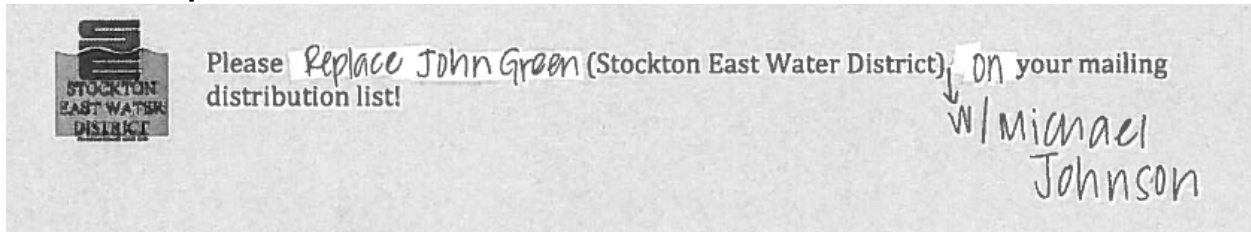


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 **093013 SCVWD Comment Ltr to USBR re Draft EIS-Shasta.pdf**  
765K

 **SLDMWA Comments on Shasta Draft EIS (final pdf - reduced size).pdf**  
4789K

**D-SEWD Duplicate of I-SEWD**



D-SCVWD Duplicate of L-SCVWD

5250 Almaden Expressway, San Jose, CA 95118-3612 | (408) 265-2600 | [www.siliconvalleywater.org](http://www.siliconvalleywater.org)



September 30, 2013

Ms. Katrina Chow, Project Manager  
U.S. Bureau of Reclamation, Planning Division  
2800 Cottage Way  
Sacramento, CA 95825  
E-mail: [BOR-MPR-SLWRI@usbr.gov](mailto:BOR-MPR-SLWRI@usbr.gov); [kchow@usbr.gov](mailto:kchow@usbr.gov)

RECEIVED		
OCT 1 2013		
DATE	ACTION	INITIALS
10/1	Reviewed	K Duncan
10/1	Reviewed	JW 10/13
10/1	Reviewed	Kcho

Subject: Santa Clara Valley Water District's Comments on the Draft Environmental Impact Statement for the Shasta Lake Water Resources Investigation, Dated June 2013

Dear Ms. Chow,

Thank you for the opportunity to comment. This letter is in reply to the Bureau of Reclamation (Reclamation) notice, dated July 1, 2013, regarding the release of the June 2013 Draft Environmental Impact Statement for the Shasta Lake Water Resources Investigation (DEIS).

The Santa Clara Valley Water District (Santa Clara) supports the enlargement of Shasta Dam and Reservoir. Expansion of the reservoir has the potential to increase the flexibility of the Central Valley Project (CVP) and offset the effects of operating restrictions that have reduced the water supply available to meet the purposes of the CVP. We applaud Reclamation's efforts to produce the DEIS; however, there are several issues that must be addressed before the document is finalized. These are described in detail in the comment letter on the DEIS provided by the San Luis and Delta Mendota Water Authority (SLDMWA), dated September 30, 2013 (attached), which Santa Clara adopts and incorporates. Of particular concern is the lack of an alternative in the DEIS that is aimed at increasing the yield of the reservoir to serve the purposes of the CVP. As recommended in the letter of the SLDMWA, a new alternative should be crafted that reflects this approach, and the project purpose statement should be modified to focus on improving the operational flexibility of the CVP. The CVP project purposes include protection of fish and wildlife, mitigation of project impacts, and support of irrigation and municipal and industrial water needs, as well as power generation.

We appreciate the opportunity to review the document and would be happy to meet to discuss our comments and concerns further.

Sincerely,

  
Cindy Kao  
Imported Water Unit Manager

Attachment

SCANNED

Classification	ENV-5.0
Project	214
Control No	13045103
Folder I.D.	1230437
Date Input & Initials	22 27 13 JV

Our mission is to provide Silicon Valley safe, clean water for a healthy life, environment, and economy



September 30, 2013

Katrina Chow, Project Manager  
U.S. Bureau of Reclamation, Planning Division  
2800 Cottage Way  
Sacramento, CA 95825  
Email: [BOR-MPR-SLWRI@usbr.gov](mailto:BOR-MPR-SLWRI@usbr.gov); [kchow@usbr.gov](mailto:kchow@usbr.gov)

**RE: Draft Environmental Impact Statement for Shasta Lake Water Resources Investigation (June 2013)**

Dear Ms. Chow:

The San Luis & Delta-Mendota Water Authority (Water Authority)<sup>1</sup> supports enlargement of Shasta Dam and Reservoir. Through the Central Valley Project (CVP), United States Bureau of Reclamation (Reclamation) develops water that: (1) protects, restores, and enhances fish, wildlife, and associated habitats in the Central Valley and Trinity River basins of California; (2) addresses impacts of the CVP on fish, wildlife and associated habitats; (3) supports agriculture; (4) supports municipal and industrial needs; and (5) generates power. Unfortunately, over the last three decades in particular, Reclamation's ability to develop water to meet these purposes, especially to provide water supply and hydropower, has been significantly compromised. If Congress authorizes enlargement of Shasta Dam and Reservoir, it should help restore the ability of Reclamation to operate the CVP to meet its purposes.

<sup>1</sup> The Water Authority submits this comment letter on behalf of its member agencies. The Water Authority was formed in 1992 as a joint powers authority and consists of 29 member agencies, 27 of which contract with Reclamation for supply of water from the federal CVP. The Water Authority's member agencies collectively hold contracts with Reclamation for the delivery of approximately 3.3 million acre-feet of CVP water. CVP water provided to the Water Authority's member agencies supports approximately 1.2 million acres of agricultural land, as well as more than 100,000 acres of managed wetlands, private and public, in California's Central Valley. The Water Authority's member agencies also use CVP water to serve more than 1 million people in the Silicon Valley and the Central Valley. Each of the Water Authority member agencies is listed in Attachment 1.



Katrina Chow, Project Manager  
U.S. Bureau of Reclamation, Planning Division  
September 30, 2013  
Page 2

In most respects, the June 2013 Draft Environmental Impact Statement for the Shasta Lake Water Resources Investigation (Draft EIS) identifies the impacts on the human environment caused by enlargement of Shasta Dam and Reservoir. However, there are four critical areas where additional information or revisions are needed before the Draft EIS is finalized. The additional information and revisions will help demonstrate the importance of an enlarged Shasta Dam and Reservoir to the CVP, and specifically how this action will help restore the ability of Reclamation to operate the CVP to achieve its purposes.

1. Purpose And Need: The Draft EIS presents the purpose of the action as: “The purpose of the proposed action is to improve operational flexibility of the Sacramento-San Joaquin Delta (Delta) watershed system by modifying the existing Shasta Dam and Reservoir to meet specified primary and secondary project objectives.” (Draft EIS at 1-5.) That statement is accurate, but Reclamation should refine it to reflect the federal interest in and Congressional authorization for Shasta Dam and Reservoir, as a part of the CVP. The Water Authority recommends the following:

“The purpose of the proposed action is to improve operational flexibility of the Central Valley Project Sacramento-San Joaquin Delta (Delta) watershed system by modifying the existing Shasta Dam and Reservoir to meet specified primary and secondary project objectives.”

2. Alternatives: The Draft EIS identifies a range of alternatives, which, when analyzed, presents information that was useful to the Water Authority and will undoubtedly be useful to Reclamation as it develops a Record of Decision. The Water Authority respectfully requests that Reclamation consider adopting an alternative that combines elements of the existing alternatives considered in the Draft EIS. Specifically, the Water Authority believes the purpose and need for the action, when considered with the federal interest in and Congressional authorization for the CVP, supports selecting an alternative that increases the height of Shasta Dam and Reservoir by 18.5 feet. The increased yield generated by the action should be dedicated, at the first and primary priority, to serve CVP purposes (i.e., all increased yield is considered part of the total annual CVP yield). Then, only if and for the period when the yield could not be beneficially used by CVP should Reclamation seek to sell that water to users outside of the CVP, including to the State Water Project.<sup>2</sup> The temporary sale of the water would help to repay the Federal investment in the CVP, until it can be dedicated to CVP purposes.

3. Sensitivity Analyses: The enlargement of Shasta Dam and Reservoir will increase the yield of the CVP. However, as history has shown, how Reclamation beneficially uses that yield will likely change over time. The Draft EIS considers the ability of Reclamation to use the yield based on operations under the existing operational criteria, infrastructure, and specific regulations. While the Water Authority appreciates the need to analyze the effects of the action

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<sup>2</sup> The Water Authority supports including additional elements presented in the Draft EIS (e.g., Augment Spawning Gravel, Restore Riparian, Floodplain, & Side Channel Habitat, and/or Mitigation Measures) in the action.

Katrina Chow, Project Manager  
U.S. Bureau of Reclamation, Planning Division  
September 30, 2013  
Page 3

with those constraints, the Water Authority recommends that, in addition, Reclamation conduct “sensitivity analyses” that consider the benefits to the CVP increased yield from enlargement of Shasta Dam and Reservoir with new infrastructure, different operational criteria, and different regulations. Such sensitivity analyses are appropriate for an action, like enlargement of Shasta Dam and Reservoir, which has such long-term planning and operational horizons.

4. Ability To Use Information In The Draft EIS For CEQA Compliance: The Draft EIS indicates: (1) Reclamation prepared it in accordance with the California Environmental Quality Act (CEQA), and (2) the Draft EIS could be used by any State of California agencies involved in reviewing and issuing permits or other approvals for the project. (Draft EIS at 1-1.) The Water Authority agrees. The information developed in the Draft EIS will substantially assist with CEQA compliance. However, the Draft EIS should be revised in three respects. First, the Draft EIS should acknowledge that the CEQA lead agency has the vested responsibility to ensure CEQA is satisfied, and, as a result, for example, the CEQA lead agency: (a) may identify alternatives (including the environmentally preferred alternative) and render conclusions different from those presented in the Draft EIS, and (b) has discretion to determine the significance of environmental impacts and potentially feasible mitigation for any such impacts. Second, the Draft EIS should leave open the possibility that the Draft EIS would be used, not only by “State of California permitting agencies”, but also local agencies within California. And, third, aspects of the Draft EIS could be supplemented to better provide the information required under CEQA.

The Water Authority attaches hereto more detailed comments. (See Attachment 2.) I, or a member of my staff, will contact you to schedule a meeting during which we can discuss the Water Authority’s comments.

Sincerely,



Daniel Nelson  
Executive Director

**ATTACHMENT 1**

**San Luis & Delta-Mendota Water Authority Member Agencies**

Banta-Carbona Irrigation District  
Broadview Water District  
Byron Bethany Irrigation District (CVPSA)  
Central California Irrigation District  
City of Tracy  
Del Puerto Water District  
Eagle Field Water District  
Firebaugh Canal Water District  
Fresno Slough Water District  
Grassland Water District  
Henry Miller Reclamation District #2131  
James Irrigation District  
Laguna Water District  
Mercy Springs Water District  
Oro Loma Water District  
Pacheco Water District  
Pajaro Valley Water Management Agency  
Panoche Water District  
Patterson Irrigation District  
Pleasant Valley Water District  
Reclamation District 1606  
San Benito County Water District  
San Luis Water District  
Santa Clara Valley Water District  
Tranquility Irrigation District  
Turner Island Water District  
West Side Irrigation District  
West Stanislaus Irrigation District  
Westlands Water District

## ATTACHMENT 2

### **I. The Draft EIS Provides Substantial And Important Information That Will Assist Reclamation With Its Decision On The Proposed Action**

The Draft EIS does not identify a preferred alternative. The Draft EIS explains this is because the Council on Environmental Quality's Proposed National Objectives, Principles, and Standards for Water and Related Resources Implementation Studies calls for allowing public input before a final action is recommended or selected. (Draft EIS at 1-35.) This is wise policy. The Draft EIS considers three different expansion heights for Shasta Dam – 6.5 feet, 12.5 feet, and 18.5 feet. The analysis in the Draft EIS concludes that an 18.5 foot raise will yield more water for the CVP and thus more benefits for CVP purposes, including environmental, agricultural, and municipal uses, than lesser elevations for only a relatively modest additional cost – making the 18.5 foot height the most efficient and economical of those considered in the Draft EIS. The Water Authority agrees with that conclusion, and supports the 18.5 foot raise. However, specific refinements and additional analyses are recommended. The Water Authority provides comments in the cover letter and sections below with the hope they will improve the Draft EIS before Reclamation finalizes it and to assist Reclamation in developing its Record of Decision.

### **II. The Draft EIS Would Benefit From Specific Refinements**

#### **A. The Draft EIS Should Be Revised To Reflect That Enlargement Of Shasta Dam And Reservoir Are Important Steps Toward Restoring Reclamation's Ability To Fulfill CVP Purposes Authorized by U.S. Congress**

The enlargement action addresses a pressing need to improve Reclamation's ability to achieve the purposes for the CVP. Initially, in the Rivers and Harbors Act of 1937, Congress authorized the CVP for the purposes of "improving navigation, regulating the flow of the San Joaquin River and the Sacramento River, controlling floods, providing for storage and for the delivery of the stored waters thereof, for the reclamation of arid and semiarid lands and lands of Indian reservations, and other beneficial uses, and for the generation and sale of electric energy." (Act of August 26, 1937, Pub. L. No. 75 392, 50 Stat. 844, 850; see Rivers and Harbors Act of 1940, Pub. L. No. 76 868, 54 Stat. 1198, 1199-2000.) In 1992, these purposes were expanded to include the "mitigation, protection, and restoration of fish and wildlife." (Central Valley Project Improvement Act (CVPIA), Title 34 of Pub. L. No. 102-575, 106 Stat. 4706 (1992), § 3406(a)(1).) Today, Reclamation faces enormous challenges in fulfilling all of those CVP purposes, and, without such investments in the proposed action, doing so in the future is only going to become more difficult.

The Water Authority's member agencies have long relied on CVP water, and, for at least the last two decades, have faced increasing challenges to maintain the agricultural and urban economies they support. Since the early 1990s, the quantity and reliability of water Reclamation can deliver to the Water Authority's member agencies for irrigation, municipal and industrial purposes has significantly declined. In addition, Reclamation's ability to secure water for wildlife refuges, specifically Level 4 refuge supplies, has been challenging. During that same

time period, significant responsibilities have been imposed on Reclamation to dedicate CVP water for the protection of anadromous and pelagic fish; these responsibilities at times create conflicts (i.e., dedication of water for Delta outflow versus reservation of water in reservoirs to maintain cold water for salmon). During this time of increased CVP responsibilities, anadromous and pelagic fish populations have not improved and in many cases have degraded. The Draft EIS recognizes these facts. (*See e.g.*, Draft EIS at 1-13.) The additional yield from enlargement of Shasta Dam and Reservoir will reduce the conflict and tension between the existing beneficial uses of CVP water and be an important step towards restoring Reclamation's ability to achieve the purposes of CVP.

B. Reclamation Should Refine The Purpose Statement To Reflect The Importance Of Improving Reclamation's Ability To Operate The CVP To Meet Its Authorized Purposes

The Draft EIS includes a broad purpose statement, which is to "improve operational flexibility of the Delta watershed system through modifying Shasta Dam and reservoir to meet specified primary and secondary project objectives." (Draft EIS at 5.) This statement should be refined to focus on the CVP. Such a refinement would comport with and recognize that the action proposes to augment an existing CVP facility, and it would also be consistent with Congressional intent, including that specified in the CVPIA. (CVPIA § 3402 (discussing a purpose of the CVP is to improve operational flexibility, CVPIA § 3408(j) (providing for the development of a plan to improve CVP yield).)

C. Reclamation Should Assess The Sensitivity Of The Impacts Of The Alternatives To Changes In Operational Criteria, Infrastructure, And Specific Regulations

Consistent with the need to improve Reclamation's ability to operate the CVP to meet CVP purposes, Reclamation should assess the sensitivity of the alternatives with changes in operational criteria, infrastructure, and specific regulations. The Water Authority recognizes that at this time changes in operational criteria, infrastructure, and specific regulations may still be years away. However, the suggested sensitivity analyses would complement the existing analyses of the different expansion heights for Shasta Dam and are reasonable and appropriate given the long-term 100-year operational and planning horizons to inform the public and decision makers of the actual long-term potential benefits to CVP yield of enlarging Shasta Dam. At a minimum, Reclamation should consider the sensitivity of its estimates of increased CVP yield to: (1) relaxation in the restrictions currently imposed on the CVP pursuant to the federal Endangered Species Act, (2) changes in the manner the Department of the Interior implements CVPIA actions and programs, (3) increases in the capacity of the CVP to re-divert water conveyed to or through the Delta, and (4) changes in CVP operations, including those related to the coordinated operations of the CVP and State Water Project.

D. Reclamation Should Consider An Alternative That Combines Several Existing Alternatives And Preserves Reclamation's Ability To Use All Yield From Shasta Enlargement To Meet CVP Purposes

The Draft EIS includes a range of alternatives, which, when analyzed, presents information that was useful to the Water Authority and will undoubtedly be useful to

Reclamation as it develops a Record of Decision. Each alternative, however, presents a somewhat fixed set of future CVP operations to meet the CVP purposes. The Water Authority respectfully requests that Reclamation consider adopting an alternative that retains maximum operational flexibility that would essentially combine the operational parameters of several of the alternatives considered in the Draft EIS into a new alternative that gives Reclamation maximum flexibility to operate to any of the various CVP purposes, identified in the existing alternatives.

This is a reasonable alternative to include in the Draft EIS because of the 100-year planning period and operational life assumed for any alternative for Shasta Dam and Reservoir enlargement. For example, regulation of the CVP has and will likely continue to change over time. The burdens imposed on the CVP through biological opinions have evolved over time, and likely will continue to evolve. The State Water Resources Control Board's Bay-Delta Water Quality Control Plan is subject to regular review and update. New science and the benefits of restoration efforts may also cause changes in the current approaches to regulating CVP operations. These areas of regulation are further subject to change as new facilities or methods of CVP operation occur.

For these reasons, Reclamation should plan accordingly, and address the potential for changed circumstances in its NEPA analysis. That analysis and whatever alternative is selected should allow Reclamation the flexibility to dedicate the additional yield generated by the action to achieve CVP purposes, even if current constraints would prevent such uses.

E. Reclamation Should Conduct An Assessment Of Existing Water Rights It Holds For The CVP Before Assuming New Water Rights Are Needed

The Draft EIS assumes Reclamation will need to apply for and obtain new water rights from the State Water Resources Control Board to develop additional yield with the enlarged Shasta Dam and Reservoir. (Draft EIS at 1-35.) That assumption may not be correct, and the administrative actions Reclamation may need to take before the State Water Resources Control Board, if any, will likely differ depending upon the action Reclamation adopts. The Water Authority requests that Reclamation provide an assessment of the existing water rights Reclamation holds for the CVP and their consistency with the alternatives before finalizing the Draft EIS.

F. Reclamation Should Refine The Draft EIS To Acknowledge That The California Environmental Quality Act Lead Agency Will Make Independent Determinations

The Water Authority commends Reclamation for producing an environmental impact statement that substantially complies with the requirements of CEQA. The document will assist State and local agencies in complying with the California Environmental Quality Act (CEQA). In fact, CEQA authorizes and encourages use of an EIS in place of a separate EIR. (Public Resources Code §§ 21083.5, 21083.7.) However, there are several refinements that could be made to the Draft EIS, to better reflect CEQA mandates.

The Draft EIS should recognize that the CEQA lead agency has the ultimate responsibility to prepare and certify the environmental impact report. With lead agency designation comes the responsibility and the discretion to determine the significance of

environmental impacts and potentially feasible mitigation for any such impacts. The Draft EIS should state explicitly that Reclamation cannot make the CEQA determination vested with the CEQA lead agency (e.g., feasible alternatives, thresholds of significance, findings, conclusions). The lead agency must also make other determinations required by CEQA, such as identifying the environmentally preferred alternative, among others. In addition to reserving these determinations for the CEQA lead agency, Reclamation should include text in the FEIS that expressly acknowledges that the requirements of NEPA and CEQA differ, and that certain conclusions made by Reclamation under NEPA need not and may not be the same conclusions that the lead agency under CEQA will make when it exercises its independent discretion under CEQA. Finally, there are areas where augmentation would help improve the information needed to satisfy CEQA. The Water Authority welcomes the opportunity to discuss those areas with Reclamation.

**III. To Ensure Proper Consideration Of Alternatives, The Analysis In The Draft EIS Should Be Augmented**

**A. The Draft EIS Should Expand Its Discussion Of The Impacts Of Water Shortages To The Human Environment**

The no-action alternative could be supplemented to better present the ongoing negative effects caused by the existing inability of Reclamation to adequately and reliably serve agricultural, municipal and industrial water users. When the CVP was able to provide a reliable water supply, communities and viable local economies developed. But, reduced CVP water supplies have and continue to cause physical impacts related to the reliance on groundwater to substitute for lost CVP supplies. These include reduced groundwater levels from overdraft, surface subsidence, adverse impacts to crops and soil from reliance on poor quality groundwater, increased energy use, and impacts to air quality.

Shortages of CVP supplies have also caused changes in land use patterns, loss and destruction of permanent crops, and/or decreased production of existing crops. In response to reduced water supplies, farmers will fallow fields, reducing agricultural productivity directly results in layoffs, reduced hours for agricultural employees, and increased unemployment in agricultural communities. Reduced agricultural productivity also has indirect socioeconomic impacts for agriculture-dependent businesses and industries. In addition, unavailability of stable and sufficient water supplies reduces farmers' ability to obtain financing, which results in employment losses, due to the reduced acreage of crops that can be planted and the corresponding reduction in the amount of farm labor needed for that reduced acreage.

Reduced water supplies and the resulting employment losses also cause cascading socioeconomic impacts in affected communities, including increased poverty, hunger, and crime, along with dislocation of families and reduced tax-based revenues for local government services and schools. In the urban sector, reduced supplies or increased supply uncertainty can cause water rates to increase as agencies seek to remedy supply shortfalls by implementing measures to reduce demand and/or augment supplies. Connection fees and other one-time costs for new developments may also increase and further retard economic development. All these impacts were explained and found in recent federal court cases regarding NEPA impacts from reduced

CVP deliveries. (See e.g., *The Consolidated Delta Smelt Cases*, 717 F.Supp.2d 1021 (E.D. Cal. 2010), *The Consolidated Salmonid Cases*, 713 F.Supp.2d 1116 (E.D. Cal. 2010).)

Conversely, the impact analysis may not adequately capture the positive effects of improving the quantity or reliability of water to agricultural, municipal and industrial water users. In particular, the agricultural impact analysis provided in Chapter 10 of the Draft EIS does not adequately identify and explain the beneficial impacts on agriculture of delivering increased and more reliable CVP supplies that would result from Shasta Dam enlargement.

The description of the impacts to the human environment from the no action alternative and each action alternative should reflect the consequences for the human environment from shortages of CVP water. Failing to raise Shasta Dam and using additional yield to address those shortages will allow the significant adverse impacts to the human environment in the CVP service area, particularly on the west side of the San Joaquin Valley, to persist unabated. Conversely, the more an alternative will lessen CVP water supply shortages, the greater the potential benefit for the human environment in the CVP service area. Those relative consequences among alternatives should be described.

B. Reclamation Should Provide More Details About The Proposed Water Conservation Program

The Water Authority generally agrees with Reclamation's decision to include agricultural and urban water conservation in the action alternatives as a common management measure. (Draft EIS at 2-24.) However, Reclamation should clarify whether the analysis in the Draft EIS includes water conserved from this program in its estimates of the water supply increases from the action alternatives. If so, the conserved water should not be included in the cost allocation process, since those water supplies could be achieved without raising Shasta Dam. If not, the Draft EIS does not appear to provide an estimate of the water supplies generated solely by implementation of the water conservation program.

Further, the Draft EIS should describe the proposed water conservation program in more detail. What management practices or physical improvements will the program seek to implement? Would Reclamation implement these measures through existing contracts, new contracts, or some other mechanism? Also, will all CVP contractors be part of the program or only some subset? If these and other aspects of the program still need to be developed, the Water Authority would like to collaborate with Reclamation when it does so.

C. Climate Change Modeling Should Be Expanded To Each Of The Alternatives

The Draft EIS Climate Change Modeling Appendix indicates that the effects of climate change were modeled on both CP4 and CP5, but not CP3. NEPA requires an equal level of analysis for alternatives, and therefore the Draft EIS should provide a similar analysis of the effects of climate change on CP3 that allows decision makers and the public to understand the likely environmental and socioeconomic effects of CP3 given reasonable estimates of future climate change. In addition, the Water Authority's recommended new alternative (see comment II-D above), once developed, would require a similar level of analysis.



D. Additional Information On Costs And Benefits Would Improve The Economic Analyses

Information on economic costs and benefits, particularly the Draft Economic Valuation Appendix, would benefit from a more expansive discussion of the costs and benefits associated with improving the ability of Reclamation to operate the CVP to meet CVP purposes, in particular Reclamation’s ability to improve water supply and reliability for municipal and industrial users of CVP water. The costs and benefits should not be limited to direct impacts, but should also consider the indirect and cumulative impacts within the communities dependent upon the CVP water.

E. The Draft EIS Should Discuss Environmental Justice Issues Within Specific Communities

Chapter 24 of the Draft EIS discusses the environmental justice aspects of the various action alternatives. Its discussion is very general and may miss important impacts that occur within specific communities – both north and south of the Delta. For example, improved CVP water supplies and reliability will likely have important environmental justice implications for communities within the San Joaquin Valley, which have been particularly hard hit with economic distress caused by the reduction of CVP water supplies and reliability. Reclamation should consider revising the environmental justice discussion to disclose the implications of changes in water supply and reliability to specific communities, including the communities of Firebaugh, Mendota, Huron and Avenal.

IV. Specific Suggested Edits

Draft EIS Page	Suggested Change / Comment
1-24	Add the following (emphasis added): “... Clifton Court Forebay into Bethany Reservoir. <b><u>Some of the water delivered to Bethany Reservoir is pumped at South Bay Pumping Plant for delivery through the South Bay Aqueduct to SWP contracting agencies in the San Francisco Bay Area. Most of the water</u></b> delivered to Bethany Reservoir flows into the California Aqueduct, the main conveyance facility of the SWP. ...”
3-17	Add the following (emphasis added): “Those three water districts ... Milpitas, Santa Clara, and San Jose, <b><u>among others.</u></b> ”
3-27	Correct the release of the BDCP EIR/EIS from “spring 2013” to “fall 2013”.
6-4	To be more complete, it is recommended that the Delta-Mendota Canal-California Aqueduct Intertie be included in the description of CVP/SWP service areas.
2-45 and 2-46	CP3 is described as providing agricultural water supply reliability but no improvement in increasing M&I deliveries. This conflicts with the planning consideration on page 2-7: “Alternatives should strive to balance increased water supply reliability between agricultural and M&I uses.”

## D-COSL1 Duplicate of L-COSL1

9/30/13

DEPARTMENT OF THE INTERIOR Mail - Correction Requested in the DEIS - SLWRI



CHOW, KATRINA <kchow@usbr.gov>

### Correction Requested in the DEIS - SLWRI

10 messages

Tom Miller <Tom.Miller@ci.shasta-lake.ca.us>

Thu, Jul 18, 2013 at 4:18 PM

To: kchow@usbr.gov, sharal@usbr.gov

Cc: "John Duckett (John.Duckett@ci.shasta-lake.ca.us)" <jduckett@cityofshastalake.org>, jskenny@lawksn.com, "Trent Drenon (Trent.Drenon@ci.shasta-lake.ca.us)" <tdrenon@cityofshastalake.org>

7-18-13

Ms. Chow – (Sheri, could you please pass this email on to Brian Person? Thx)

I began the task of reviewing the DEIS. I was disheartened to see the report incorrectly represents that the City of Shasta Lake's electricity is supplied PG&E. Chapter 21, Utilities and Service Systems, 21-18, lines 24-26.

It should read something like this:

The City of Shasta Lake is a load serving entity and retail distribution provider of electrical energy to the city's 4,500 electric customers. The City of Shasta Lake owns and operates a looped 115kV system, which delivers energy to two 115/12kV distribution substations that step the voltage down to 12 kV for delivery to the city's end-users. The system is managed by the city and assisted by Redding Electric Utility for ancillary services. In total, the city's distribution system has 15 miles of 115kV sub-transmission and approximately 67 miles of overhead and underground 12kV distribution lines. The city has two points of delivery one made to the Flanagan 230/115kV transmission substation and the other at the Keswick Dam switch yard. The city has a base resource allocation from Western Area Power Administration who delivers energy to the city from Shasta and Keswick Dams.

By the way, the city is the retail electrical energy provider to Digger Bay Marina and the Centimudi Boat Ramp.

It is important to the city that historical recognition be given to Shasta Dam Area Public Utility District, the city's (electric distribution system) predecessor, having taken 13.8kV service from Bureau of Reclamation at Shasta Dam.

I would be happy to provide any other information about the city's electric utility upon request.

Respectfully,

Shasta Lake Water Resources Investigation  
Duplicate DEIS Public Comments Appendix

9/30/13

DEPARTMENT OF THE INTERIOR Mail - Correction Requested in the DEIS - SLWRI

**Tom Miller**

Electric Utility Director

City of Shasta Lake

4332 Vallecito

Shasta Lake CA 96019

(530) 275-7457 office

(530) 917-9711 cell

[tmiller@cityofshastalake.org](mailto:tmiller@cityofshastalake.org)

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**KATRINA CHOW** <kchow@usbr.gov>

Thu, Jul 18, 2013 at 5:08 PM

To: Mary Paasch <mmpaasch@gmail.com>, Danelle Bertrand <Danelle.Bertrand@us.mwhglobal.com>

Sent from my iPhone

Begin forwarded message:

**From:** Tom Miller <Tom.Miller@ci.shasta-lake.ca.us>

**Date:** July 18, 2013, 4:18:19 PM PDT

**To:** <kchow@usbr.gov>, <sharral@usbr.gov>

**Cc:** "John Duckett (John.Duckett@ci.shasta-lake.ca.us)" <jduckett@cityofshastalake.org>, <jskenny@lawksn.com>, "Trent Drenon (Trent.Drenon@ci.shasta-lake.ca.us)" <tdrenon@cityofshastalake.org>

**Subject:** Correction Requested in the DEIS - SLWRI

[Quoted text hidden]

---

**KATRINA CHOW** <kchow@usbr.gov>

Thu, Jul 18, 2013 at 5:09 PM

To: Mary Paasch <Mary.M.Paasch@us.mwhglobal.com>

Sent from my iPhone

Begin forwarded message:

**From:** Tom Miller <Tom.Miller@ci.shasta-lake.ca.us>

**Date:** July 18, 2013, 4:18:19 PM PDT

**To:** <kchow@usbr.gov>, <sharral@usbr.gov>

**Cc:** "John Duckett (John.Duckett@ci.shasta-lake.ca.us)" <jduckett@cityofshastalake.org>, <jskenny@lawksn.com>, "Trent Drenon (Trent.Drenon@ci.shasta-lake.ca.us)" <tdrenon@cityofshastalake.org>

9/30/13

DEPARTMENT OF THE INTERIOR Mail - Correction Requested in the DEIS - SLWRI

**Subject: Correction Requested in the DEIS - SLWRI**

[Quoted text hidden]

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**HARRAL, SHERYL** <sharral@usbr.gov>

Mon, Jul 22, 2013 at 9:39 AM

To: Tom Miller <Tom.Miller@ci.shasta-lake.ca.us>, BRIAN PERSON <bperson@usbr.gov>, MICHELLE Denning <mdenning@usbr.gov>, jskenney@lawksn.com, KATRINA CHOW <kchow@usbr.gov>  
Cc: "John Duckett (John.Duckett@ci.shasta-lake.ca.us)" <jduckett@cityofshastalake.org>, "Trent Drenon (Trent.Drenon@ci.shasta-lake.ca.us)" <tdrenon@cityofshastalake.org>, Janell Desmond <jdesmond@usbr.gov>

Hi Tom,

Thank you for bring this to our attention. I will pass this information on to Katrina, Brian and the rest of the SLWRI group. Someone will be getting in contact with you in the near future.

I'm sure we can work together to correct any inaccuracies in the document.

Thank you,

Sheri

Sheri Harral  
Public Affairs Specialist | Bureau of Reclamation  
16349 Shasta Dam Blvd. | Shasta Lake, CA 96019  
Phone: 530-276-2030 | Fax: 530-275-2441

[Quoted text hidden]

---

**PERSON, BRIAN** <bperson@usbr.gov>

Mon, Jul 22, 2013 at 9:56 AM

To: "HARRAL, SHERYL" <sharral@usbr.gov>  
Cc: MICHELLE Denning <mdenning@usbr.gov>, KATRINA CHOW <kchow@usbr.gov>, Janell Desmond <jdesmond@usbr.gov>

I bumped into Tom last week at a convenience store, and he indicated then he'd be sending us a clarification of their electrical power supply. He was very friendly about it.

Thanks-

[Quoted text hidden]

---

**HARRAL, SHERYL** <sharral@usbr.gov>

Mon, Jul 22, 2013 at 3:22 PM

To: "PERSON, BRIAN" <bperson@usbr.gov>  
Cc: MICHELLE Denning <mdenning@usbr.gov>, KATRINA CHOW <kchow@usbr.gov>, Janell Desmond <jdesmond@usbr.gov>

Brian,

Can you contact him to see exactly what he wants to change/include or would you like me to?  
Just let me know.

Thanks,

Sheri

Sheri Harral  
Public Affairs Specialist | Bureau of Reclamation  
16349 Shasta Dam Blvd. | Shasta Lake, CA 96019  
Phone: 530-276-2030 | Fax: 530-275-2441

Shasta Lake Water Resources Investigation  
Duplicate DEIS Public Comments Appendix

8/30/13

DEPARTMENT OF THE INTERIOR Mail - Correction Requested in the DEIS - SLWRI

[Quoted text hidden]

**CHOW, KATRINA** <kchow@usbr.gov>

Mon, Jul 22, 2013 at 4:32 PM

To: BRIAN PERSON <bperson@usbr.gov>, SHERYL HARRAL <sharral@usbr.gov>

Here is Tom's email regarding the incorrectly represents that the City of Shasta Lake's electricity is supplied by PG&E.

Katrina

----- Forwarded message -----

From: **Tom Miller** <Tom.Miller@ci.shasta-lake.ca.us>

Date: Thu, Jul 18, 2013 at 4:18 PM

Subject: Correction Requested in the DEIS - SLWRI

To: kchow@usbr.gov, sharral@usbr.gov

Cc: "John Duckett (John.Duckett@ci.shasta-lake.ca.us)" <jduckett@cityofshastalake.org>, jskenny@lawksn.com, "Trent Drenon (Trent.Drenon@ci.shasta-lake.ca.us)" <tdrenon@cityofshastalake.org>

[Quoted text hidden]

-

***Katrina Chow***

Project Manager/Civil Engineer

Bureau of Reclamation, Sacramento

2800 Cottage Way, Sacramento, CA 95825

916-978-5067

kchow@usbr.gov

**HARRAL, SHERYL** <sharral@usbr.gov>

Mon, Jul 22, 2013 at 4:53 PM

To: "CHOW, KATRINA" <kchow@usbr.gov>, BRIAN PERSON <bperson@usbr.gov>

Katrina,

I apologize, you already had this under control and I just took over. I only suggested Brian speak to him is because he already did in the store the other day.

This is something you and Brian should work out. Sorry for budding in.

Hope you had a nice relaxing weekend after last week!!!!

Thanks...

Sheri

[Quoted text hidden]

## D-COSL3 Duplicate of L-COSL3

### City of Shasta Lake

P.O. Box 777 \* 1650 Stanton Drive  
Shasta Lake, CA 96019  
Phone: 530-275-7457  
Fax: 530-275-7435  
Website: [cityofshastalake.org](http://cityofshastalake.org)



September 27, 2013

**Ms. Katrina Chow, Project Manager**  
Bureau of Reclamation, US Department of Interior  
Planning Division  
2800 Cottage Way, MP 700  
Sacramento CA 95825-1893

**Subject: Draft EIS for Shasta Lake Water Resources Investigation**

Dear Ms. Chow:

The Electric Utility of the City of Shasta Lake (City) thanks the Bureau of Reclamation (BOR) for the opportunity to provide comments on the Draft Environmental Impact Statement (DEIS) for the Shasta Lake Water Resources Investigation (SLWRI). This letter should be used to supplement the City's overall comments to the DEIS submitted under separate cover. The City will provide additional comments on issues directly related to power production as portrayed in the SLWRI. Below please find the City's comments:

**Section S.4.2 Hydropower ES-8 Lines 24-33** [Comment 1]:

This paragraph implies that the additional hydropower created by the project will contribute to satisfying the 33% renewable mandate established by Executive Orders S-14-08 and S-21-09. The City disagrees with this paragraph. Current California state legislation exempts the output of all large hydro-generation facilities in excess of 30 megawatts from being counted toward meeting the 33% renewable goal. Federal regulations do permit the inclusion of all hydro projects in meeting the Federal 33% renewable goal. California state law does not. It is recommended that any reference to renewable energy goals and the implication that the increased generation output resulting from the new impounds would meet these goals be deleted. These references are incorrect and misleading.

**Section 21.1.5 Electrical Service and Infrastructure 21-17 Line 40** [Comment 2]:

The City offers that the text should be corrected to read: "Pacific Gas and Electric Company (PG&E), the City of Redding (COR), and the City of Shasta Lake (CYSL) provide electrical service to Shasta Lake and vicinity." Further, please add that the City of Shasta Lake provides retail distribution service to Fisherman's Point, Centimudi Boat Ramp, and Digger Bay Marina.

**Section 21.1.5 Electrical Service and Infrastructure 21-18 – [Comment 3]:**

Please correct by adding:

"The City of Shasta Lake is the successor utility to the former Shasta Dam Area Public Utility District (PUD). The PUD contracted for power with the BOR at Shasta Dam in January 1947 to serve electrical energy to people and businesses as a result of constructing Shasta Dam. The PUD received 13.8kV service from the Shasta Dam switchyard on a leased-line arrangement which began the PUD's electric distribution service. Today, the City is a load serving entity and retail distribution provider of electrical energy to more than 4,500 homes and businesses. The City is located at the heart of the Central Valley Project (CVP), Shasta Division. Because Keswick Dam is co-located between CVP divisions, the City is affected by the operations of the Upper Sacramento River Division as well. The City has two points of delivery with the Western Area Power Administration (Western). One at the Flanagan 230/115kV transmission substation and the other at the Keswick Dam 115kV switchyard. The City owns and operates a 15-mile looped 115kV sub-transmission system which delivers energy to two 115/12kV substations stepping the voltage down for delivery to the City's end-users. The City is a preference customer and receives a base resource allocation from Western's Central Valley Project generation pool via the 2004 Marketing Plan for the Sierra Nevada Region. From the electric utility's inception (67 years ago), the utility has continually taken power supply from Shasta and Keswick Dams. The City has immense pride in being the homegrown customer of the BOR at Shasta Dam."

**Section 23.2.1 Regulatory Framework - Federal 23-6 Lines 20-30 [Comment 4]:**

The City requests additional discussion and clarification of Western's disposition of the additional excess generation as a result of raising the dam. The City seeks First Preference Customer rights with Western for all of the City's future electrical energy needs. The City's current needs represent a mere 1.5% of the existing power output of Shasta Dam. It only takes operating the five Shasta Dam turbines, at run-of-the river flows, 106 hours to meet the City's power requirements for an entire year. Other similarly situated utilities have already been granted first preference rights from other CVP projects. The City would appreciate the BOR's support in fulfilling this request.

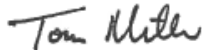
[Comment 5]: The City requests additional discussion and clarification regarding the Central Valley Project Improvement Act (CVPIA) and the SLWRI influence on the CVPIA. The City primarily takes issue with the requirement that the City invest \$200,000 annually into the CVPIA while raising the dam will benefit downstream entities that are not required to participate in the funding of CVPIA projects. Further, the CVPIA was never intended to be a perpetual program. The City is concerned that the premise of raising the dam is to benefit anadromous fish as well as the cold water pool which is duplicative to the CVPIA. Similarly, it was the initial construction of the Shasta Dam that prompted the need for the CVPIA. Therefore, will the raising of Shasta Dam further perpetuate the CVPIA? The City is opposed to any further funding of the CVPIA, or CVPIA extensions, related to the raising of Shasta Dam.

**Section 23.3.2 Criteria for Determining Significance of Effects 23-9 Lines 19-37 and Table 23-1[Comment 6]:**

The City takes issue with the Criteria for Determining Significance of Effects by establishing a threshold of 5 percent for hydroelectric generation. The City contends that any reduction in generation output, or any increase in pumping energy usage that reduces excess energy for Western sales, will have a negative financial impact on the City. Further, any reduced hydroelectric generation will need to be replaced with more expensive generation supply. This is financially punitive by California's renewable portfolio standard and greenhouse gas emissions reduction program (aka Cap and Trade) requirements. The City estimates that for every MWh of replacement energy purchased by the City, the City will pay an additional \$50,000 above the normal power supply cost. While this estimate is specific to the City, all Western preference customers will be faced with similar situations. For this reason, we respectfully request revision of this threshold or changing the mitigation assignment to "S – Significant."

The Electric Utility of the City of Shasta Lake hopes that the BOR finds these comments in good order. Again, the City appreciates the opportunity to provide written comments on the DEIS. The City looks forward to working with the BOR as this proposed project moves forward. If you have any questions regarding the comments in this letter, please feel free to contact me at 530-275-7457 or John Duckett, City Manager, at 530-275-7427.

Respectfully submitted,



Tom Miller  
Electric Utility Director

c: Thomas Boyko, Sierra Nevada Regional Manager, Western Area Power Administration  
Shasta Lake City Council  
John S. Kenny, City Attorney  
John N. Duckett, Jr., City Manager  
Trent Drenon, Assistant Electric Utility Director



## D-SLDMWA Duplicate of L-SLDMWA



September 30, 2013

Katrina Chow, Project Manager  
U.S. Bureau of Reclamation, Planning Division  
2800 Cottage Way  
Sacramento, CA 95825  
Email: [BOR-MPR-SLWRI@usbr.gov](mailto:BOR-MPR-SLWRI@usbr.gov); [kchow@usbr.gov](mailto:kchow@usbr.gov)

**RE: Draft Environmental Impact Statement for Shasta Lake Water Resources Investigation (June 2013)**

Dear Ms. Chow:

The San Luis & Delta-Mendota Water Authority (Water Authority)<sup>1</sup> supports enlargement of Shasta Dam and Reservoir. Through the Central Valley Project (CVP), United States Bureau of Reclamation (Reclamation) develops water that: (1) protects, restores, and enhances fish, wildlife, and associated habitats in the Central Valley and Trinity River basins of California; (2) addresses impacts of the CVP on fish, wildlife and associated habitats; (3) supports agriculture; (4) supports municipal and industrial needs; and (5) generates power. Unfortunately, over the last three decades in particular, Reclamation's ability to develop water to meet these purposes, especially to provide water supply and hydropower, has been significantly compromised. If Congress authorizes enlargement of Shasta Dam and Reservoir, it should help restore the ability of Reclamation to operate the CVP to meet its purposes.

<sup>1</sup> The Water Authority submits this comment letter on behalf of its member agencies. The Water Authority was formed in 1992 as a joint powers authority and consists of 29 member agencies, 27 of which contract with Reclamation for supply of water from the federal CVP. The Water Authority's member agencies collectively hold contracts with Reclamation for the delivery of approximately 3.3 million acre-feet of CVP water. CVP water provided to the Water Authority's member agencies supports approximately 1.2 million acres of agricultural land, as well as more than 100,000 acres of managed wetlands, private and public, in California's Central Valley. The Water Authority's member agencies also use CVP water to serve more than 1 million people in the Silicon Valley and the Central Valley. Each of the Water Authority member agencies is listed in Attachment I.

842 SIXTH STREET

SUITE 7

P.O. BOX 2127

JOE BANO CA

95825

300 878 0404

Katrina Chow, Project Manager  
U.S. Bureau of Reclamation, Planning Division  
September 30, 2013  
Page 2

In most respects, the June 2013 Draft Environmental Impact Statement for the Shasta Lake Water Resources Investigation (Draft EIS) identifies the impacts on the human environment caused by enlargement of Shasta Dam and Reservoir. However, there are four critical areas where additional information or revisions are needed before the Draft EIS is finalized. The additional information and revisions will help demonstrate the importance of an enlarged Shasta Dam and Reservoir to the CVP, and specifically how this action will help restore the ability of Reclamation to operate the CVP to achieve its purposes.

1. Purpose And Need: The Draft EIS presents the purpose of the action as: “The purpose of the proposed action is to improve operational flexibility of the Sacramento-San Joaquin Delta (Delta) watershed system by modifying the existing Shasta Dam and Reservoir to meet specified primary and secondary project objectives.” (Draft EIS at 1-5.) That statement is accurate, but Reclamation should refine it to reflect the federal interest in and Congressional authorization for Shasta Dam and Reservoir, as a part of the CVP. The Water Authority recommends the following:

“The purpose of the proposed action is to improve operational flexibility of the Central Valley Project Sacramento-San Joaquin Delta (Delta) watershed system by modifying the existing Shasta Dam and Reservoir to meet specified primary and secondary project objectives.”

2. Alternatives: The Draft EIS identifies a range of alternatives, which, when analyzed, presents information that was useful to the Water Authority and will undoubtedly be useful to Reclamation as it develops a Record of Decision. The Water Authority respectfully requests that Reclamation consider adopting an alternative that combines elements of the existing alternatives considered in the Draft EIS. Specifically, the Water Authority believes the purpose and need for the action, when considered with the federal interest in and Congressional authorization for the CVP, supports selecting an alternative that increases the height of Shasta Dam and Reservoir by 18.5 feet. The increased yield generated by the action should be dedicated, at the first and primary priority, to serve CVP purposes (i.e., all increased yield is considered part of the total annual CVP yield). Then, only if and for the period when the yield could not be beneficially used by CVP should Reclamation seek to sell that water to users outside of the CVP, including to the State Water Project.<sup>2</sup> The temporary sale of the water would help to repay the Federal investment in the CVP, until it can be dedicated to CVP purposes.

3. Sensitivity Analyses: The enlargement of Shasta Dam and Reservoir will increase the yield of the CVP. However, as history has shown, how Reclamation beneficially uses that yield will likely change over time. The Draft EIS considers the ability of Reclamation to use the yield based on operations under the existing operational criteria, infrastructure, and specific regulations. While the Water Authority appreciates the need to analyze the effects of the action

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<sup>2</sup> The Water Authority supports including additional elements presented in the Draft EIS (e.g., Augment Spawning Gravel, Restore Riparian, Floodplain, & Side Channel Habitat, and/or Mitigation Measures) in the action.

Katrina Chow, Project Manager  
U.S. Bureau of Reclamation, Planning Division  
September 30, 2013  
Page 3

with those constraints, the Water Authority recommends that, in addition, Reclamation conduct "sensitivity analyses" that consider the benefits to the CVP increased yield from enlargement of Shasta Dam and Reservoir with new infrastructure, different operational criteria, and different regulations. Such sensitivity analyses are appropriate for an action, like enlargement of Shasta Dam and Reservoir, which has such long-term planning and operational horizons.

4. Ability To Use Information In The Draft EIS For CEQA Compliance: The Draft EIS indicates: (1) Reclamation prepared it in accordance with the California Environmental Quality Act (CEQA), and (2) the Draft EIS could be used by any State of California agencies involved in reviewing and issuing permits or other approvals for the project. (Draft EIS at 1-1.) The Water Authority agrees. The information developed in the Draft EIS will substantially assist with CEQA compliance. However, the Draft EIS should be revised in three respects. First, the Draft EIS should acknowledge that the CEQA lead agency has the vested responsibility to ensure CEQA is satisfied, and, as a result, for example, the CEQA lead agency: (a) may identify alternatives (including the environmentally preferred alternative) and render conclusions different from those presented in the Draft EIS, and (b) has discretion to determine the significance of environmental impacts and potentially feasible mitigation for any such impacts. Second, the Draft EIS should leave open the possibility that the Draft EIS would be used, not only by "State of California permitting agencies", but also local agencies within California. And, third, aspects of the Draft EIS could be supplemented to better provide the information required under CEQA.

The Water Authority attaches hereto more detailed comments. (See Attachment 2.) I, or a member of my staff, will contact you to schedule a meeting during which we can discuss the Water Authority's comments.

Sincerely,



Daniel Nelson  
Executive Director

**ATTACHMENT 1**

**San Luis & Delta-Mendota Water Authority Member Agencies**

Banta-Carbona Irrigation District  
Broadview Water District  
Byron Bethany Irrigation District (CVPSA)  
Central California Irrigation District  
City of Tracy  
Del Puerto Water District  
Eagle Field Water District  
Firebaugh Canal Water District  
Fresno Slough Water District  
Grassland Water District  
Henry Miller Reclamation District #2131  
James Irrigation District  
Laguna Water District  
Mercy Springs Water District  
Oro Loma Water District  
Pacheco Water District  
Pajaro Valley Water Management Agency  
Panoche Water District  
Patterson Irrigation District  
Pleasant Valley Water District  
Reclamation District 1606  
San Benito County Water District  
San Luis Water District  
Santa Clara Valley Water District  
Tranquility Irrigation District  
Turner Island Water District  
West Side Irrigation District  
West Stanislaus Irrigation District  
Westlands Water District

## ATTACHMENT 2

### **I. The Draft EIS Provides Substantial And Important Information That Will Assist Reclamation With Its Decision On The Proposed Action**

The Draft EIS does not identify a preferred alternative. The Draft EIS explains this is because the Council on Environmental Quality's Proposed National Objectives, Principles, and Standards for Water and Related Resources Implementation Studies calls for allowing public input before a final action is recommended or selected. (Draft EIS at 1-35.) This is wise policy. The Draft EIS considers three different expansion heights for Shasta Dam – 6.5 feet, 12.5 feet, and 18.5 feet. The analysis in the Draft EIS concludes that an 18.5 foot raise will yield more water for the CVP and thus more benefits for CVP purposes, including environmental, agricultural, and municipal uses, than lesser elevations for only a relatively modest additional cost – making the 18.5 foot height the most efficient and economical of those considered in the Draft EIS. The Water Authority agrees with that conclusion, and supports the 18.5 foot raise. However, specific refinements and additional analyses are recommended. The Water Authority provides comments in the cover letter and sections below with the hope they will improve the Draft EIS before Reclamation finalizes it and to assist Reclamation in developing its Record of Decision.

### **II. The Draft EIS Would Benefit From Specific Refinements**

#### **A. The Draft EIS Should Be Revised To Reflect That Enlargement Of Shasta Dam And Reservoir Are Important Steps Toward Restoring Reclamation's Ability To Fulfill CVP Purposes Authorized by U.S. Congress**

The enlargement action addresses a pressing need to improve Reclamation's ability to achieve the purposes for the CVP. Initially, in the Rivers and Harbors Act of 1937, Congress authorized the CVP for the purposes of "improving navigation, regulating the flow of the San Joaquin River and the Sacramento River, controlling floods, providing for storage and for the delivery of the stored waters thereof, for the reclamation of arid and semiarid lands and lands of Indian reservations, and other beneficial uses, and for the generation and sale of electric energy." (Act of August 26, 1937, Pub. L. No. 75 392, 50 Stat. 844, 850; see Rivers and Harbors Act of 1940, Pub. L. No. 76 868, 54 Stat. 1198, 1199-2000.) In 1992, these purposes were expanded to include the "mitigation, protection, and restoration of fish and wildlife." (Central Valley Project Improvement Act (CVPIA), Title 34 of Pub. L. No. 102-575, 106 Stat. 4706 (1992), § 3406(a)(1).) Today, Reclamation faces enormous challenges in fulfilling all of those CVP purposes, and, without such investments in the proposed action, doing so in the future is only going to become more difficult.

The Water Authority's member agencies have long relied on CVP water, and, for at least the last two decades, have faced increasing challenges to maintain the agricultural and urban economies they support. Since the early 1990s, the quantity and reliability of water Reclamation can deliver to the Water Authority's member agencies for irrigation, municipal and industrial purposes has significantly declined. In addition, Reclamation's ability to secure water for wildlife refuges, specifically Level 4 refuge supplies, has been challenging. During that same

time period, significant responsibilities have been imposed on Reclamation to dedicate CVP water for the protection of anadromous and pelagic fish; these responsibilities at times create conflicts (i.e., dedication of water for Delta outflow versus reservation of water in reservoirs to maintain cold water for salmon). During this time of increased CVP responsibilities, anadromous and pelagic fish populations have not improved and in many cases have degraded. The Draft EIS recognizes these facts. (See e.g., Draft EIS at 1-13.) The additional yield from enlargement of Shasta Dam and Reservoir will reduce the conflict and tension between the existing beneficial uses of CVP water and be an important step towards restoring Reclamation's ability to achieve the purposes of CVP.

B. Reclamation Should Refine The Purpose Statement To Reflect The Importance Of Improving Reclamation's Ability To Operate The CVP To Meet Its Authorized Purposes

The Draft EIS includes a broad purpose statement, which is to "improve operational flexibility of the Delta watershed system through modifying Shasta Dam and reservoir to meet specified primary and secondary project objectives." (Draft EIS at 5.) This statement should be refined to focus on the CVP. Such a refinement would comport with and recognize that the action proposes to augment an existing CVP facility, and it would also be consistent with Congressional intent, including that specified in the CVPIA. (CVPIA § 3402 (discussing a purpose of the CVP is to improve operational flexibility, CVPIA § 3408(j) (providing for the development of a plan to improve CVP yield).)

C. Reclamation Should Assess The Sensitivity Of The Impacts Of The Alternatives To Changes In Operational Criteria, Infrastructure, And Specific Regulations

Consistent with the need to improve Reclamation's ability to operate the CVP to meet CVP purposes, Reclamation should assess the sensitivity of the alternatives with changes in operational criteria, infrastructure, and specific regulations. The Water Authority recognizes that at this time changes in operational criteria, infrastructure, and specific regulations may still be years away. However, the suggested sensitivity analyses would complement the existing analyses of the different expansion heights for Shasta Dam and are reasonable and appropriate given the long-term 100-year operational and planning horizons to inform the public and decision makers of the actual long-term potential benefits to CVP yield of enlarging Shasta Dam. At a minimum, Reclamation should consider the sensitivity of its estimates of increased CVP yield to: (1) relaxation in the restrictions currently imposed on the CVP pursuant to the federal Endangered Species Act, (2) changes in the manner the Department of the Interior implements CVPIA actions and programs, (3) increases in the capacity of the CVP to re-divert water conveyed to or through the Delta, and (4) changes in CVP operations, including those related to the coordinated operations of the CVP and State Water Project.

D. Reclamation Should Consider An Alternative That Combines Several Existing Alternatives And Preserves Reclamation's Ability To Use All Yield From Shasta Enlargement To Meet CVP Purposes

The Draft EIS includes a range of alternatives, which, when analyzed, presents information that was useful to the Water Authority and will undoubtedly be useful to

Reclamation as it develops a Record of Decision. Each alternative, however, presents a somewhat fixed set of future CVP operations to meet the CVP purposes. The Water Authority respectfully requests that Reclamation consider adopting an alternative that retains maximum operational flexibility that would essentially combine the operational parameters of several of the alternatives considered in the Draft EIS into a new alternative that gives Reclamation maximum flexibility to operate to any of the various CVP purposes, identified in the existing alternatives.

This is a reasonable alternative to include in the Draft EIS because of the 100-year planning period and operational life assumed for any alternative for Shasta Dam and Reservoir enlargement. For example, regulation of the CVP has and will likely continue to change over time. The burdens imposed on the CVP through biological opinions have evolved over time, and likely will continue to evolve. The State Water Resources Control Board's Bay-Delta Water Quality Control Plan is subject to regular review and update. New science and the benefits of restoration efforts may also cause changes in the current approaches to regulating CVP operations. These areas of regulation are further subject to change as new facilities or methods of CVP operation occur.

For these reasons, Reclamation should plan accordingly, and address the potential for changed circumstances in its NEPA analysis. That analysis and whatever alternative is selected should allow Reclamation the flexibility to dedicate the additional yield generated by the action to achieve CVP purposes, even if current constraints would prevent such uses.

E. Reclamation Should Conduct An Assessment Of Existing Water Rights It Holds For The CVP Before Assuming New Water Rights Are Needed

The Draft EIS assumes Reclamation will need to apply for and obtain new water rights from the State Water Resources Control Board to develop additional yield with the enlarged Shasta Dam and Reservoir. (Draft EIS at 1-35.) That assumption may not be correct, and the administrative actions Reclamation may need to take before the State Water Resources Control Board, if any, will likely differ depending upon the action Reclamation adopts. The Water Authority requests that Reclamation provide an assessment of the existing water rights Reclamation holds for the CVP and their consistency with the alternatives before finalizing the Draft EIS.

F. Reclamation Should Refine The Draft EIS To Acknowledge That The California Environmental Quality Act Lead Agency Will Make Independent Determinations

The Water Authority commends Reclamation for producing an environmental impact statement that substantially complies with the requirements of CEQA. The document will assist State and local agencies in complying with the California Environmental Quality Act (CEQA). In fact, CEQA authorizes and encourages use of an EIS in place of a separate EIR. (Public Resources Code §§ 21083.5, 21083.7.) However, there are several refinements that could be made to the Draft EIS, to better reflect CEQA mandates.

The Draft EIS should recognize that the CEQA lead agency has the ultimate responsibility to prepare and certify the environmental impact report. With lead agency designation comes the responsibility and the discretion to determine the significance of

environmental impacts and potentially feasible mitigation for any such impacts. The Draft EIS should state explicitly that Reclamation cannot make the CEQA determination vested with the CEQA lead agency (e.g., feasible alternatives, thresholds of significance, findings, conclusions). The lead agency must also make other determinations required by CEQA, such as identifying the environmentally preferred alternative, among others. In addition to reserving these determinations for the CEQA lead agency, Reclamation should include text in the FEIS that expressly acknowledges that the requirements of NEPA and CEQA differ, and that certain conclusions made by Reclamation under NEPA need not and may not be the same conclusions that the lead agency under CEQA will make when it exercises its independent discretion under CEQA. Finally, there are areas where augmentation would help improve the information needed to satisfy CEQA. The Water Authority welcomes the opportunity to discuss those areas with Reclamation.

**III. To Ensure Proper Consideration Of Alternatives, The Analysis In The Draft EIS Should Be Augmented**

**A. The Draft EIS Should Expand Its Discussion Of The Impacts Of Water Shortages To The Human Environment**

The no-action alternative could be supplemented to better present the ongoing negative effects caused by the existing inability of Reclamation to adequately and reliably serve agricultural, municipal and industrial water users. When the CVP was able to provide a reliable water supply, communities and viable local economies developed. But, reduced CVP water supplies have and continue to cause physical impacts related to the reliance on groundwater to substitute for lost CVP supplies. These include reduced groundwater levels from overdraft, surface subsidence, adverse impacts to crops and soil from reliance on poor quality groundwater, increased energy use, and impacts to air quality.

Shortages of CVP supplies have also caused changes in land use patterns, loss and destruction of permanent crops, and/or decreased production of existing crops. In response to reduced water supplies, farmers will fallow fields, reducing agricultural productivity directly results in layoffs, reduced hours for agricultural employees, and increased unemployment in agricultural communities. Reduced agricultural productivity also has indirect socioeconomic impacts for agriculture-dependent businesses and industries. In addition, unavailability of stable and sufficient water supplies reduces farmers' ability to obtain financing, which results in employment losses, due to the reduced acreage of crops that can be planted and the corresponding reduction in the amount of farm labor needed for that reduced acreage.

Reduced water supplies and the resulting employment losses also cause cascading socioeconomic impacts in affected communities, including increased poverty, hunger, and crime, along with dislocation of families and reduced tax-based revenues for local government services and schools. In the urban sector, reduced supplies or increased supply uncertainty can cause water rates to increase as agencies seek to remedy supply shortfalls by implementing measures to reduce demand and/or augment supplies. Connection fees and other one-time costs for new developments may also increase and further retard economic development. All these impacts were explained and found in recent federal court cases regarding NEPA impacts from reduced



CVP deliveries. (See e.g., *The Consolidated Delta Smelt Cases*, 717 F.Supp.2d 1021 (E.D. Cal. 2010), *The Consolidated Salmonid Cases*, 713 F.Supp.2d 1116 (E.D. Cal. 2010).)

Conversely, the impact analysis may not adequately capture the positive effects of improving the quantity or reliability of water to agricultural, municipal and industrial water users. In particular, the agricultural impact analysis provided in Chapter 10 of the Draft EIS does not adequately identify and explain the beneficial impacts on agriculture of delivering increased and more reliable CVP supplies that would result from Shasta Dam enlargement.

The description of the impacts to the human environment from the no action alternative and each action alternative should reflect the consequences for the human environment from shortages of CVP water. Failing to raise Shasta Dam and using additional yield to address those shortages will allow the significant adverse impacts to the human environment in the CVP service area, particularly on the west side of the San Joaquin Valley, to persist unabated. Conversely, the more an alternative will lessen CVP water supply shortages, the greater the potential benefit for the human environment in the CVP service area. Those relative consequences among alternatives should be described.

B. Reclamation Should Provide More Details About The Proposed Water Conservation Program

The Water Authority generally agrees with Reclamation's decision to include agricultural and urban water conservation in the action alternatives as a common management measure. (Draft EIS at 2-24.) However, Reclamation should clarify whether the analysis in the Draft EIS includes water conserved from this program in its estimates of the water supply increases from the action alternatives. If so, the conserved water should not be included in the cost allocation process, since those water supplies could be achieved without raising Shasta Dam. If not, the Draft EIS does not appear to provide an estimate of the water supplies generated solely by implementation of the water conservation program.

Further, the Draft EIS should describe the proposed water conservation program in more detail. What management practices or physical improvements will the program seek to implement? Would Reclamation implement these measures through existing contracts, new contracts, or some other mechanism? Also, will all CVP contractors be part of the program or only some subset? If these and other aspects of the program still need to be developed, the Water Authority would like to collaborate with Reclamation when it does so.

C. Climate Change Modeling Should Be Expanded To Each Of The Alternatives

The Draft EIS Climate Change Modeling Appendix indicates that the effects of climate change were modeled on both CP4 and CP5, but not CP3. NEPA requires an equal level of analysis for alternatives, and therefore the Draft EIS should provide a similar analysis of the effects of climate change on CP3 that allows decision makers and the public to understand the likely environmental and socioeconomic effects of CP3 given reasonable estimates of future climate change. In addition, the Water Authority's recommended new alternative (see comment II-D above), once developed, would require a similar level of analysis.

D. Additional Information On Costs And Benefits Would Improve The Economic Analyses

Information on economic costs and benefits, particularly the Draft Economic Valuation Appendix, would benefit from a more expansive discussion of the costs and benefits associated with improving the ability of Reclamation to operate the CVP to meet CVP purposes, in particular Reclamation’s ability to improve water supply and reliability for municipal and industrial users of CVP water. The costs and benefits should not be limited to direct impacts, but should also consider the indirect and cumulative impacts within the communities dependent upon the CVP water.

E. The Draft EIS Should Discuss Environmental Justice Issues Within Specific Communities

Chapter 24 of the Draft EIS discusses the environmental justice aspects of the various action alternatives. Its discussion is very general and may miss important impacts that occur within specific communities – both north and south of the Delta. For example, improved CVP water supplies and reliability will likely have important environmental justice implications for communities within the San Joaquin Valley, which have been particularly hard hit with economic distress caused by the reduction of CVP water supplies and reliability. Reclamation should consider revising the environmental justice discussion to disclose the implications of changes in water supply and reliability to specific communities, including the communities of Firebaugh, Mendota, Huron and Avenal.

IV. Specific Suggested Edits

Draft EIS Page	Suggested Change / Comment
1-24	Add the following (emphasis added): “... Clifton Court Forebay into Bethany Reservoir. <b><u>Some of the water delivered to Bethany Reservoir is pumped at South Bay Pumping Plant for delivery through the South Bay Aqueduct to SWP contracting agencies in the San Francisco Bay Area. Most of the water</u></b> delivered to Bethany Reservoir flows into the California Aqueduct, the main conveyance facility of the SWP. ...”
3-17	Add the following (emphasis added): “Those three water districts ... Milpitas, Santa Clara, and San Jose, <b><u>among others.</u></b> ”
3-27	Correct the release of the BDCP EIR/EIS from “spring 2013” to “fall 2013”.
6-4	To be more complete, it is recommended that the Delta-Mendota Canal-California Aqueduct Intertie be included in the description of CVP/SWP service areas.
2-45 and 2-46	CP3 is described as providing agricultural water supply reliability but no improvement in increasing M&I deliveries. This conflicts with the planning consideration on page 2-7: “Alternatives should strive to balance increased water supply reliability between agricultural and M&I uses.”