

1 **Appendix 23B**

2 **Public Review of Draft Environmental**
3 **Impact Statement**

4 This appendix provides copies of documents associated with the public review of
5 the Draft Environmental Impact Statement. These documents include:

- 6 • Notice of Availability from the Federal Register on July 31, 2015
7 • Newspaper advertisements of the public meetings
8 • Fact Sheets provided at the public meetings
9 • Display Boards provided at the public meetings
10 • Presentation presented at the public meetings
11 • Sign-in Sheets from the Public Meetings
12 • Transcripts – verbal comments were only provided to the court reporter at the
13 public meeting held in Red Bluff, California.

1

This page left blank intentionally.

1 **23B.1 Notice of Availability**

1

This page left blank intentionally.

River Water” in order for district to divert, treat, and deliver to Davis Dam the Davis Dam Secretarial Reservation amount of up to 100 acre-feet per year of Colorado River water.

Upper Colorado Region: Bureau of Reclamation, 125 South State Street, Room 8100, Salt Lake City, Utah 84138–1102, telephone 801–524–3864.

Discontinued contract action:

10. City of Santa Fe, San Juan-Chama Project, New Mexico: Contract to store up to 50,000 acre-feet of project water in Elephant Butte Reservoir. The proposed contract would have a 25- to 40-year maximum term, which due to ongoing consultations with the U.S. Fish and Wildlife Service, has been executed and extended on an annual basis. The Act of December 29, 1981, Public Law 97–140, 95 Stat. 1717 provides authority to enter into this contract.

Completed contract action:

29. Uintah Water Conservancy District; Jensen Unit, CUP; Utah: Jensen Unit M&I Block Notice No. 3 will be issued as required by a 1983 contract with Chevron USA, Inc., for 200 acre-feet of M&I water that is currently being pumped upstream of Red Fleet Reservoir. Contract executed May 19, 2015.

Great Plains Region: Bureau of Reclamation, P.O. Box 36900, Federal Building, 2021 4th Avenue North, Billings, Montana 59101, telephone 406–247–7752.

New contract actions:

61. Dugout Water Association; Lower Marias Unit, P–SMBP; Montana: Proposed renewal of 40-year contract for M&I water.

62. Garrison Diversion Conservancy District, Garrison Diversion Unit, P–SMBP, North Dakota: Consideration to enter into long-term water service contract for M&I use out of McClusky Canal.

63. Bryan Hauxwell, Frenchman Cambridge Project, Nebraska: Consideration of a long-term Warren Act contract.

Discontinued contract action:

9. Colorado River Water Conservation District, Colorado-Big Thompson Project, Colorado: Long-term exchange, conveyance, and storage contract to implement the Exhibit B Agreement of the Settlement Agreement on Operating Procedures for Green Mountain Reservoir Concerning Operating Limitations and in Resolution of the Petition Filed August 7, 2003, in Case No. 49–CV–2782 (*The United States v. Northern Colorado Water Conservancy District, et al.*, U.S. District Court for the District of Colorado, Case No. 2782 and Consolidated Case Nos. 5016 and 5017).

Completed contract actions:

13. Green Mountain Reservoir, Colorado-Big Thompson Project, Colorado: Consideration of a request for a contract for municipal-recreational purposes. Contract executed on April 2, 2015.

46. Galloway, Inc. (dba Blue Valley Ranch), Green Mountain Reservoir; Colorado-Big Thompson Project, Colorado: Consideration of a request to amend the existing contract. Contract executed on May 8, 2015.

47. Fort Clark ID; Fort Clark Unit; P–SMBP; North Dakota: Intent to enter into a new 5-year irrigation water service contract. Contract executed on May 12, 2015.

53. Grass Land Colony, Inc.; Canyon Ferry Unit, P–SMBP; Montana: Proposed 10-year contract for M&I water. Contract executed on May 22, 2015.

55. East Bench ID; East Bench Unit, Three Forks Division, P–SMBP; Montana: Consideration of a contract amendment, pursuant to Public Law 112–139; to extend the term of contract No. 14–06–600–3593 through December 31, 2019. Contract executed on May 26, 2015.

Dated: June 26, 2015.

Roseann Gonzales,

Director, Policy and Administration.

[FR Doc. 2015–18859 Filed 7–30–15; 8:45 am]

BILLING CODE 4332–90–P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[RR02800000, 15XR0680A1, RX.17868946.0000000]

Notice of Availability of the Draft Environmental Impact Statement for the Coordinated Long-Term Operation of the Central Valley Project and State Water Project

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice.

SUMMARY: The Bureau of Reclamation has prepared and made available for public review and comment, the Draft Environmental Impact Statement (DEIS) on impacts of implementing the 2008 U.S. Fish and Wildlife Service Biological Opinion and the 2009 National Marine Fisheries Service Biological Opinion, including the Reasonable and Prudent Alternatives, for the Coordinated Long-Term Operation of the Central Valley Project and State Water Project. This action will continue the operation of the Central Valley Project in coordination with the State Water Project. The DEIS was

drafted in response to the November 16, 2009 United States Court of Appeals for the Ninth Circuit ruling that the Bureau of Reclamation must conduct a National Environmental Policy Act review to determine whether the associated 2008 U.S. Fish & Wildlife Service and 2009 National Marine Fisheries Service Reasonable and Prudent Alternatives cause a significant effect to the human environment.

DATES: Submit written comments on the DEIS on or before September 29, 2015.

Four public meetings will be held to receive oral and written comments:

- Wednesday, September 9, 2015, from 2 to 4 p.m., Sacramento, CA;
- Thursday, September 10, 2015, from 6 to 8 p.m., Red Bluff, CA;
- Tuesday, September 15, 2015, from 6 to 8 p.m., Los Banos CA; and
- Thursday, September 17, 2015, from 6 to 8 p.m., Irvine, CA.

Staff will be available to take comments and answer questions during this time.

ADDRESSES: Send written comments to Mr. Ben Nelson, Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814–2536; fax to (916) 414–2439; or via email to bcnelson@usbr.gov.

Public meetings will be held at the following locations:

- Sacramento—Federal Building, 650 Capitol Mall, Stanford Room, Sacramento, CA 95814.
- Red Bluff—Red Bluff Community Center, 1500 S. Jackson Street, Red Bluff, CA 96080.
- Los Banos—Los Banos Community Center, Grand Room 645 7th Street, Los Banos, CA 93635.
- Irvine—Hilton Hotel Irvine/Orange County Airport, 18800 MacArthur Boulevard, Irvine, CA 92612.

The DEIS may be viewed at the Bureau of Reclamation’s Web site at http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=21883.

To request a compact disc of the DEIS, please contact Mr. Ben Nelson as indicated above, or call (916) 414–2424.

FOR FURTHER INFORMATION CONTACT: Ms. Janice Piñero, Endangered Species Act Compliance Specialist, Bureau of Reclamation, via email at jpinero@usbr.gov, or by phone (916) 414–2428. For public involvement information, please contact Wilbert Moore via email at wmoore@usbr.gov, or phone at (916) 978–5102.

SUPPLEMENTARY INFORMATION:

I. Agencies Involved

We, the Bureau of Reclamation, are the lead Federal agency. We invited over 740 agencies to participate as

cooperating agencies. Twenty-one agencies agreed to participate as cooperating agencies for preparation of the environmental impact statement in accordance with the National Environmental Policy Act (NEPA), including:

- U.S. Fish and Wildlife Service (USFWS),
- National Marine Fisheries Service (NMFS),
- U.S. Army Corps of Engineers,
- U.S. Environmental Protection Agency (EPA),
- Bureau of Indian Affairs,
- California Valley Miwok Tribe,
- California Department of Water Resources,
- California Department of Fish and Wildlife,
- State and Federal Contractors Water Agency,
- Friant Water Authority, and
- Eleven individual Central Valley Project (CVP) or State Water Project (SWP) water users.

II. Why We Are Taking This Action

The CVP is the largest Federal Reclamation project. We operate the CVP in coordination with the SWP, under the Coordinated Operation Agreement between the Federal government and the State of California (authorized by Pub. L. 99–546). In August 2008, the Bureau of Reclamation submitted a biological assessment to USFWS and NMFS for consultation.

In December 2008, USFWS issued a Biological Opinion (BO) analyzing the effects of the coordinated long-term operation of the CVP and SWP in California on delta smelt and its designated critical habitat. The 2008 USFWS BO:

- Concluded that “the coordinated operation of the CVP and SWP, as proposed, [was] likely to jeopardize the continued existence of the delta smelt” and “adversely modify delta smelt critical habitat,” and
- Included a Reasonable and Prudent Alternative (RPA) for CVP and SWP operations designed to allow the projects to continue operating without causing jeopardy or adverse modification.

On December 15, 2008, we provisionally accepted and then implemented the USFWS RPA.

In June 2009, NMFS issued a BO analyzing the effects of the coordinated long-term operation of the CVP and SWP on listed salmonids, green sturgeon, and southern resident killer whale and their designated critical habitats. This BO concluded that the long-term operation of the CVP and SWP, as proposed, was likely to:

- Jeopardize the continued existence of Sacramento River winter-run Chinook salmon, Central Valley spring-run Chinook salmon, Central Valley steelhead, Southern Distinct Population Segment of North American green sturgeon, and southern resident killer whales; and
- Destroy or adversely modify critical habitat for Sacramento River winter-run Chinook salmon, Central Valley spring-run Chinook salmon, Central Valley steelhead, and the Southern Distinct Population Segment of North American green sturgeon.

The NMFS BO included an RPA designed to allow the projects to continue operating without causing jeopardy to the analyzed species or adverse modification of their designated critical habitat. On June 4, 2009, we provisionally accepted and then implemented the NMFS RPA.

Several lawsuits were filed in the United States District Court for the Eastern District of California (District Court) challenging various aspects of the USFWS and NMFS BOs and acceptance and implementation of the associated RPAs.

III. Results of Litigation

The results of the above lawsuits were as follows.

- On November 16, 2009, the Court ruled that we violated NEPA by failing to conduct a NEPA review of the potential impacts to the human environment before provisionally accepting and implementing the 2008 USFWS BO, including the RPAs.
- On December 14, 2010, the Court found certain portions of the USFWS BO to be arbitrary and capricious, and remanded those portions of the BO to USFWS. The Court ordered us to review the BO and RPA in accordance with NEPA.
- The decision of the District Court related to the USFWS BO was appealed to the United States Court of Appeals for the Ninth Circuit (Appellate Court). On March 13, 2014, the Appellate Court reversed the District Court and upheld the BO. Therefore, the remand order related to the USFWS BO was rescinded. However, the Appellate Court ruled that we were obligated to comply with NEPA and affirmed the judgment of the District Court with respect to the NEPA claims.
- A mandate of the Appellate Court was issued on September 16, 2014. Petitions for Writ of Certiorari were submitted to the U.S. Supreme Court; however, the U.S. Supreme Court decided to not hear the cases.
- On March 5, 2010, the Court held that we violated NEPA by failing to

undertake a NEPA analysis of potential impacts to the human environment before accepting and implementing the RPA in the 2009 NMFS BO.

- On September 20, 2011, in the Consolidated Salmonid Cases, the District Court remanded the NMFS BO to NMFS.

- The decisions of the District Court related to the NMFS BO were appealed to the Appellate Court. On December 22, 2014, the Appellate Court reversed the District Court and upheld the BO. Therefore, the remand order related to the NMFS BO was rescinded. A mandate of the Appellate Court was issued on February 17, 2015.

In response to these requirements, we have prepared a combined NEPA process addressing both the USFWS and NMFS RPAs and alternatives.

IV. Purpose and Need for Action

The purpose of the action is to continue the operation of the CVP, in coordination with the SWP, for its authorized purposes, in a manner that:

- Is similar to historic operational parameters with certain modifications;
- Is consistent with Federal

Reclamation law; other Federal laws; Federal permits and licenses and; State of California water rights, permits, and licenses; and

- Enables the Bureau of Reclamation and the Department of Water Resources to satisfy their contractual obligations to the fullest extent possible.

Continued operation of the CVP and the SWP is needed to provide river regulation, improvement of navigation; flood control; water supply for irrigation and domestic uses; fish and wildlife mitigation, protection, and restoration; fish and wildlife enhancement; and power generation. The CVP and SWP facilities also are operated to provide recreation benefits and in accordance with the water rights and water quality requirements adopted by the State Water Resources Control Board.

Even though the coordinated operation of the CVP and SWP provides these benefits, the USFWS and NMFS concluded in their 2008 and 2009 BOs, respectively, that the coordinated operation of the CVP and SWP, as described in the 2008 Bureau of Reclamation Biological Assessment, does not comply with the requirements of section 7(a)(2) of ESA. To remedy this, USFWS and NMFS provided RPAs in their BOs. The Appellate Court confirmed the District Court’s ruling that the Bureau of Reclamation must conduct a NEPA review to determine whether the RPA actions cause a significant effect to the human environment. Concepts associated with

potential modifications to the coordinated operation of the CVP and SWP included in the NEPA process should be consistent with the intended purpose of the action, within the scope of our legal authority and jurisdiction, economically and technologically feasible, and avoid the likelihood of jeopardizing listed species or resulting in the destruction or adverse modification of critical habitat in compliance with the requirements of section 7(a)(2) of ESA.

V. Project Area

The project area includes the CVP and SWP Service Areas and facilities, as described in this section.

A. CVP Facilities. The CVP facilities include reservoirs on the Trinity, Sacramento, American, Stanislaus, and San Joaquin rivers.

- A portion of the water from Trinity River is stored and re-regulated in Trinity Lake, Lewiston Reservoir, and Whiskeytown Reservoir, and diverted through a system of tunnels and powerplants into the Sacramento River. Water is also stored and re-regulated in Shasta and Folsom lakes. Water from these reservoirs and other reservoirs owned and/or operated by the SWP flows into the Sacramento River.

- The Sacramento River carries water to the Sacramento-San Joaquin Delta (Delta). The Jones Pumping Plant at the southern end of the Delta lifts the water into the Delta Mendota Canal (DMC). This canal delivers water to CVP contractors, whom divert water directly from the DMC, and exchange contractors on the San Joaquin River, whom divert directly from the San Joaquin River and the Mendota Pool. CVP water is also conveyed to the San Luis Reservoir for deliveries to CVP contractors through the San Luis Canal. Water from the San Luis Reservoir is also conveyed through the Pacheco Tunnel to CVP contractors in Santa Clara and San Benito counties.

- The CVP provides water from Millerton Reservoir on the San Joaquin River to CVP contractors located near the Madera and Friant-Kern canals. Water is stored in the New Melones Reservoir for water rights holders in the Stanislaus River watershed and CVP contractors in the northern San Joaquin Valley.

B. State Water Project Facilities. The California Department of Water Resources operates and maintains the SWP, which delivers water to agricultural and municipal and industrial contractors in northern California, the San Joaquin Valley, the San Francisco Bay Area, the Central Coast, and southern California.

- SWP water is stored and re-regulated in Lake Oroville and released into the Feather River, which flows into the Sacramento River.

- SWP water flows in the Sacramento River to the Delta and is exported from the Delta at the Banks Pumping Plant. The Banks Pumping Plant lifts the water into the California Aqueduct, which delivers water to the SWP contractors and conveys water to the San Luis Reservoir.

- The SWP also delivers water to the Cross-Valley Canal, when the systems have capacity, for CVP water service contractors.

VI. Alternatives Considered

As required by NEPA, we developed a reasonable range of alternatives, including a No Action Alternative. Development of the alternatives included discussions with the Department of Water Resources. Development of the alternatives also was informed by comments submitted to us during the scoping process and the subsequent public involvement process.

The DEIS analyzes five alternatives, in addition to the No Action Alternative, that consider modifications to operational components of the 2008 USFWS and the 2009 NMFS RPAs. All alternatives addressed continued operation of the CVP, in coordination with the SWP.

The No Action Alternative assumes continuation of existing policy and management direction in Year 2030, including implementation of the RPAs included in the 2008 USFWS and 2009 NMFS BOs. Many of the RPAs were implemented prior to 2009 under other programs, such as Central Valley Project Improvement Act implementation, or are currently being implemented in accordance with the 2008 USFWS and 2009 NMFS BOs.

In response to scoping comments, the DEIS also includes a Second Basis of Comparison that assumes coordinated operation of the CVP and SWP as if the 2008 USFWS and 2009 NMFS BOs had not been implemented. The Second Basis of Comparison includes several actions that were included in the RPAs of the 2008 USFWS and 2009 NMFS BOs and that would have occurred without the BOs, including projects that were being initiated prior to 2009 (*e.g.*, Red Bluff Pumping Plant; Battle Creek restoration; and Suisun Marsh Habitat Management, Preservation, and Restoration Plan), legislatively mandated projects (*e.g.*, San Joaquin River Restoration Program), and projects with substantial progress that would have occurred without implementation

of the BOs (*e.g.*, Yolo Bypass Salmonid Habitat Restoration and Fish Passage).

Alternative 1 was informed by scoping comments from CVP and SWP water users. Alternative 1 is identical to the Second Basis of Comparison and provides an opportunity for us to select an alternative with the same assumptions as the Second Basis of Comparison as the preferred alternative.

Alternative 2 is similar to the No Action Alternative because it includes the RPA actions, except for actions that consist of projects to be evaluated for future implementation. For example, Alternative 2 does not include fish passage programs to move fish from the Sacramento River downstream of Keswick Dam to the Sacramento River upstream of Shasta Dam.

Alternative 3 was informed by scoping comments from CVP and SWP water users. Alternative 3 is similar to the Second Basis of Comparison and Alternative 1 because it generally does not include the RPA actions, but it includes additional restrictions on CVP and SWP Delta exports to reduce negative flows in the south Delta during critical periods for aquatic resources. Alternative 3 also includes provisions to reduce losses to fish that use the Delta due to predation, commercial and sport fishing ocean harvest, and fish passage through the Delta.

Alternative 4 was informed by scoping comments from CVP and SWP water users. Alternative 4 is similar to the Second Basis of Comparison and Alternative 1 because it generally does not include the RPA actions, but it includes provisions to reduce losses to fish that use the Delta due to predation, commercial and sport fishing ocean harvest, and fish passage through the Delta.

Alternative 5 was informed by scoping comments from environmental interest groups. Alternative 5 includes assumptions similar to the No Action Alternative regarding the incorporation of RPA actions, with additional provisions to provide for positive Old and Middle River (OMR) flows and increased Delta outflow from reduced exports in April and May; and modified operations for New Melones Reservoir.

The DEIS does not identify a preferred alternative. Following receipt and evaluation of public comments on the DEIS, we will determine which alternative or combinations of features within the alternatives will become the preferred alternative. A discussion of the decision-making process used to define the preferred alternative will be included in the Final EIS.

VII. Statutory Authority

NEPA [42 U.S.C. 4321 *et seq.*] requires that Federal agencies conduct an environmental analysis of their proposed actions to determine if the actions may significantly affect the human environment. In addition, as required by NEPA, the Bureau of Reclamation analyzed the potential direct, indirect, and cumulative environmental effects that may result from the implementation of the alternatives, which may include, but are not limited to, the following areas of potential impact:

- a. Surface water and groundwater;
- b. Energy generation and use by CVP and SWP;
- c. Biological resources, aquatic and terrestrial resources;
- d. Land use, including agriculture;
- e. Recreation.
- f. Socioeconomics;
- g. Environmental justice;
- h. Air quality;
- i. Soils and geology;
- j. Visual resources;
- k. Cultural resources;
- l. Public health; and
- m. Indian trust assets.

All alternatives and the Second Basis of Comparison were analyzed assuming conditions at Year 2030 with associated climate change and sea level rise.

VIII. Public Review of DEIS

The notice of availability of the DEIS is being distributed to interested agencies, stakeholder organizations, and individuals that participated in the scoping process and subsequent public involvement activities. This distribution provides an opportunity for interested parties to express their views regarding the environmental effects of the project, and to ensure that the information pertinent to implementation of the project is provided to cooperating agencies. Copies of the DEIS are available for public review at the Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536; and Bureau of Reclamation, Mid-Pacific Region, Regional Library, 2800 Cottage Way, Sacramento, CA 95825.

IX. How To Request Reasonable Accommodation

If special assistance is required to participate in the public meeting, please contact Mr. Ben Nelson at (916) 414-2424, or via email at bcnelson@usbr.gov, or Wilbert Moore at (916) 978-5102, or via email at wmoore@usbr.gov, at least five working days before the meetings. If a request cannot be met, the requestor will be notified. A telephone device for

the hearing impaired (TTY) is available at (800) 877-8339. The electronic version of the DEIS is published in accordance with the provisions of Section 508 of the Rehabilitation Act of 1973.

X. Public Disclosure

Before including your address, phone number, email address or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: July 2, 2015.

Pablo R. Arroyave,

Deputy Regional Director, Mid-Pacific Region.

[FR Doc. 2015-18307 Filed 7-30-15; 8:45 am]

BILLING CODE 4332-90-P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Occupational Noise Exposure

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Mine Safety and Health Administration (MSHA) sponsored information collection request (ICR) titled, "Occupational Noise Exposure," to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501 *et seq.* Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before August 31, 2015.

ADDRESSES: A copy of this ICR with supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov Web site at http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201507-1219-001 (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at DOL_PRA_PUBLIC@dol.gov.

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-MSHA, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503; by Fax: 202-395-5806 (this is not a toll-free number); or by email: OIRA_submission@omb.eop.gov. Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor—OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW., Washington, DC 20210; or by email: DOL_PRA_PUBLIC@dol.gov.

FOR FURTHER INFORMATION CONTACT:

Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION:

Authority: 44 U.S.C. 3507(a)(1)(D).

This ICR seeks to extend PRA authority for the Occupational Noise Exposure information collection requirements codified in regulations 30 CFR part 62. Noise is a harmful physical agent and one of the most pervasive health hazards in mining. Repeated exposure to high levels of sound over time causes occupational noise-induced hearing loss (NIHL), a serious and often profound physical impairment in mining, with far-reaching psychological and social effects. NIHL can be distinguished from aging and other factors that can contribute to hearing loss, and it can be prevented. According to the National Institute for Occupational Safety and Health, NIHL is among the top ten leading occupational illnesses and injuries.

Records of miner exposures to noise are necessary so that mine operators and the MSHA can evaluate the need for and effectiveness of engineering controls, administrative controls, and personal protective equipment to protect miners from harmful levels of noise that can result in hearing loss. The Agency believes, however, that extensive records are not needed for this purpose. The subject information collection requirements are part of a performance-oriented approach to monitoring. Miner hearing examination records enable mine operators and the MSHA to ensure controls in use are effective in preventing NIHL for individual miners. Training records confirm miners receive information necessary to become active participants in hearing conservation efforts. Federal Mine Safety and Health

1 **23B.2 Newspaper Advertisements**

1

This page left blank intentionally.

Palestinian hunger striker put Israeli laws to pivotal test

BY DIAA HADID
The New York Times

AINABOUS, WEST BANK

A band of Palestinian gunmen burst into the apartment Mohammad Allan was renting while in law school in the West Bank city of Jenin a decade ago. They blindfolded him, beat him and fired their assault rifles at the floor near his feet.

The gunmen, who were loyal to a Fatah militant leader, Jamal Abu Rabb, tried for an entire day to force Allan to hand over his property to them, but he remained defiant.

"He didn't back down," recalled Allan's friend, Nafiz Hussein, who said that the gunmen eventually gave up after they realized Allan would not be intimidated. Rabb, then a fearsome figure in the West Bank, even apologized.

During that standoff 10 years ago, Allan showed some of the fortitude he would demonstrate this summer when he nearly starved himself to death during a two-month hunger strike to protest his incarceration by the Israeli authorities without charges.

Allan, a 31-year-old lawyer and member of the militant group Islamic Jihad, began his strike on June 16, and for more than 60 days he refused all food. It was one of the longest hunger strikes conducted by a Palestinian prisoner in years, and the most severe - Allan lost consciousness, and his doctors have said that he may have suffered brain damage. He was released last week when the Israeli Supreme Court said his health had so deteriorated during his fast that he no longer posed a threat.

The case exposed flaws in a new Israeli law that would allow for the force-feeding of prisoners in extreme circumstances, and it confounded members of Israel's hawkish governing coalition, who said Allan had held them hostage with his hunger strike, and eroded their ability to deter militants.

Allan joined Islamic Jihad when he was studying law at the Arab American University in Jenin, said his father, Nasser El-Deen, a 68-year-old folk healer. He said his son was energized by the fight against Israel during the second Palestinian intifada.

Allan was first jailed by Israel in 2006 for trying to recruit a suicide bomber to carry out an attack in Israel, and he was held for three years. He was briefly detained a second time by Israel in 2011, without charges, and soon after he was released he was detained by Palestinian intelligence officials.

Hussein, his friend and business partner, said that Allan was tortured when he was arrested by his fellow Palestinians, and he emerged from his detentions even more defiant of authority, frequently mocking Israeli and Palestinian officials

on social media.

"Every imprisonment made him a harder person," Hussein said.

Allan's father said his son had on social media supported the Islamic State, as defenders of oppressed Sunni Muslims, but it never went beyond online missives. Allan claimed to support the brutal militant group, also known as ISIS or ISIL, only to be provocative, Hussein said.

Allan lived with his mother, Masouza Odeh, in a boxy home in Ainabous, a sleepy hillside village in the West Bank, when he was arrested last November. He was held in administrative detention, a contentious practice in Israel, in which a person is held indefinitely without public charges.

In prison, Allan found common cause with a fellow prisoner, Khader Adnan, another Islamic Jihad activist, who conducted a 66-day hunger strike in 2012 and began another one this year to protest his latest detention.

After Adnan was released in June after 55 days without eating, Allan, days into his own fast, decided to stare down the Israeli authorities alone. He refused all food and nutrients, and took only water. The Israeli authorities considered force-feeding him, but no doctor would agree to examine him, a requirement of the law passed last month.

"He was sure, if he was victorious in this battle, he would have gained a great victory for his people," Hussein said. "It was like somebody going with a belt and blowing himself up," he said, referring to Palestinian suicide bombers. "But he did it with his stomach."

Avi Dichter, a former head of Israel's domestic security and a hawkish government minister, suggested recently in a post on Facebook that Allan had been held in administrative detention because he was preparing a suicide attack on Israel.

A video of Allan that was released after he ended his hunger strike last week showed a shrunken man with a full beard wrapped in a blanket.

"This victory is because of God," he said, before thanking his family and others who supported him. He spoke softly, taking quick, shallow breaths, and he appeared to stumble over some words.

Allan had been on a respirator for four days, and received salts and fluids intravenously to keep him alive before the court ruled to suspend his detention last week. At the time, doctors indicated that he might have some brain damage as a result of his extreme fast.

Odeh said that her son supported her financially. "Without him, I'll be on the streets, or roaming a mountaintop," she said in an interview outside Bar-silai Medical Center in Ashkelon, Israel, where her son was being treated.



A giant panda cub, which has a twin, is examined by veterinarians after being born at Smithsonian's National Zoo on Saturday in Washington.

Citizenship doesn't apply to U.S. pandas on loan from China

BY NOAH BIERMAN
Tribune Washington Bureau

WASHINGTON

Zookeepers call pandas their sexiest animals. They fawn over their inclination to make even laziness look so darned cute and covet their ability to draw thousands of visitors who buy plush toys and faux panda ears.

But even as excitement swelled over the birth of twin pandas at the Smithsonian's National Zoo in Washington on Saturday, the cubs themselves are only temporary residents in the nation's capital.

Unlike humans born on U.S. territory, the pandas are not birthright citizens. If they survive a tenuous period of infancy and reach sexual maturity in three or four years, there is a good chance the Chinese government will summon them home to breed.

China, which makes millions of dollars a year for its breeding programs by sending pandas to zoos around the world, controls their whereabouts. The cuddly looking bears' popularity, the millions it costs to house and feed them, and the Chinese government's ability to control their whereabouts, make pandas one of the most complex animals for a zoo to keep.

"At the end of the day, it's a huge business deal for China," said Ron Magill, who has served for 36 years as the communications director for Zoo Miami, which does not have pandas.

The National Zoo and the three others that house pandas - San Diego, Memphis and Atlanta - say they do not make money keeping the fuzzy animals that have become a leading icon of conservationists, though it is difficult to pinpoint how much their presence boosts overall attendance

and donations. Zoo Atlanta openly flirted with ending its panda program several years ago before the Chinese government agreed to renegotiate its contract terms, dropping the price from more than \$1 million a year to \$575,000.

Zoos in San Diego, Washington and Memphis have negotiated similar terms in recent years. The payments are earmarked for Chinese government conservation programs. Attempts to reach Chinese government officials were unsuccessful.

"They've become a loss leader. Yes, they are expensive to maintain and exhibit, but they are a tremendous draw," said David Walsh, president of Zoo Advisors, who has consulted for more than 50 zoos, including Atlanta.

The San Diego Zoo, often ranked among the world's best, says it has spent more than \$40 million maintaining giant pandas since 1996, plus \$5.8 million on a panda exhibit. The maintenance costs include fees to China and other expenses, including food, which can run tens of thousands of dollars a year.

"You have to grow bamboo. If you can't grow bamboo you have to source bamboo from someplace," said Jenny Mehlow, spokeswoman

for the San Diego Zoo, which grows most of its bamboo and harvests some from local producers, noting that pandas will reject it if not fresh.

All four zoos that keep pandas say they believe they are good for their institutions and good for conservation missions, even if it is a little painful to see them flown back to China on jumbo jets when they reach sexual maturity.

"We don't have them as a money maker," said Stephanie Braccini, the curator of mammals at Zoo Atlanta, who combines scientific terms with words like hilarious, adorable and cute to talk about the animals. "We have them as an opportunity to have that conservation message and to help the overall population."

The Atlanta zoo broke attendance records in the first full year it had pandas, 2000, drawing more than 1 million visitors. Attendance spiked again, by 25 percent, in 2007 after the first cub, Mei Lan, was born. But two subsequent cubs did not affect attendance, said Rachel Davis, spokeswoman for Zoo Atlanta. And the bump after the birth of twins two years ago contributed to a modest 6 percent rise in attendance.

Admission to the National Zoo, part of the federally supported Smith-

sonian, is free. But the panda logo is everywhere on the park property, a major piece of the zoo's fundraising and merchandising business. Mei Xiang's suspected pregnancy had made headlines for weeks and the surprise birth of twins Saturday stirred the panda frenzy.

The newest unnamed panda cubs, whose genders won't be known for several weeks, are only the third set of twins born in the United States. The first set, also born at the National Zoo, did not survive. The second set, born in Atlanta, did.

"It's a very risky and challenging time," said Pamela Baker-Masson, associate director of communications at the National Zoo.

Because Mei Xiang cannot care for both cubs at once, zookeepers are attempting to take care of one baby at a time, swapping them out every few hours so they get equal attention from their mother. They've already had some trouble.

Sunday night, Mei Xiang refused to give one of the cubs up, leaving the second cub in the hands of zoo staff for about eight hours. The cub would not take a bottle and had to be fed from a tube, Baker-Masson said.

Outside the panda exhibit this week, three signs were hoisted on barricades informing visitors that the panda house was closed - but just the birth announcement drew a few visitors. It will be several months before the new cubs make a public appearance.

Sunday was the second birthday of Bao Bao, one of the pandas born at the zoo - and a celebration drew a crowd of panda-lovers.

But it was also a reminder that Bao Bao may have already spent half her time at the zoo. Tai Shan, another panda born at the National Zoo, was sent to China in 2010, along with a cub from Atlanta. San Diego has also sent pandas to China. Memphis has not had any births. China does not generally recall adult pandas - which can live about 20 years - but it has that right when contracts expire every five or 10 years.

American zookeepers say the move to China will improve the species' survival, because potential breeding partners in U.S. zoos are related to each other.

TODAY'S BUZZ WORD
CHIHUAHUA

Join today!
beebuzzpoints.com

BACKYARD POOLS
Serving the Sacramento area for 50+ Years
"The AFFORDABLE POOL" for 50+ years

DISPLAY SALE!!

50% OR MORE OFF IN-STOCK PACKAGES

- POOL PACKAGES 50% OFF
- INFLATABLES 50% OFF
- TOYS & GAMES 50% OFF
- CHEMICALS 25% OFF

IN-GROUND OPTIONS
7' Deep End Option

END OF SEASON CLOSE-OUT
INSTALLATION AND EXCAVATION AVAILABLE

Public Meetings Planned on Environmental Impact Statement for the Coordinated Long-term Operation of the Central Valley Project and State Water Project

Public meetings will be held to gather input on the Draft Environmental Impact Statement (EIS) for the Coordinated Long-term Operation of the Central Valley Project (CVP) and State Water Project (SWP). The Draft EIS analyzes the impacts of implementing the 2008 U.S. Fish and Wildlife Service and 2009 National Marine Fisheries Service Biological Opinions associated with the coordinated long-term operation of the CVP and SWP.

Four public meetings will be held at the following locations:

- **Sacramento: Wednesday, September 9, 2015, 2-4 p.m.**, John E. Moss Federal Building, Stanford Room, 650 Capitol Mall, Sacramento, CA 95814.
- **Red Bluff: Thursday, September 10, 2015, 6-8 p.m.**, Red Bluff Community Center, Westside Room, 1500 S. Jackson Street, Red Bluff, CA 96080.
- **Los Banos: Tuesday, September 15, 2015, 6-8 p.m.**, Los Banos Community Center, Grand Room, 645 7th Street, Los Banos, CA 93635.
- **Irvine: Thursday, September 17, 2015, 6-8 p.m.**, Hilton Hotel Irvine/Orange County Airport, Catalina Ballroom, 18800 MacArthur Boulevard, Irvine, CA 92612.

Written comments are due by close of business, Tuesday, September 29, 2015. You may mail your comments to Ben Nelson, Natural Resources Specialist, Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536. Comments may also be emailed to bcnelson@usbr.gov or faxed to (916) 414-2439.

For additional information, please contact Theresa Olson, Conservation and Conveyance Division Chief, Bay-Delta Office, Bureau of Reclamation at tolson@usbr.gov, or by phone at 916-414-2433 (TTY 800-877-8339).

NORWEGIAN CRUISE LINE
Pride of America

March 15, 2016 - 11 Nights

Repositioning Cruise
Sail from San Francisco to Maui, Kauai, Big Island and Oahu

EXCLUSIVE PRICING
SPACE IS LIMITED

FROM **\$699**
p.p./dbl c/o +\$221.52 taxes

On Board Amenities - Includes transportation to SF Pier

CRUISES ETCETERA
916-721-9202
www.cruisetc.com

Iran deal gaining support

It will take 41 senators to block disapproval effort

By Erica Werner
Associated Press

WASHINGTON — Supporters of the Iran nuclear deal see growing momentum on their side in the Senate, raising the possibility they'll be able to block a disapproval resolution and protect President Barack Obama from having to use his veto pen.

Such an outcome — which looked all but inconceivable in the days after the deal was signed July 14 — remains a long shot. It would be a major victory for Obama, who is staking his foreign policy legacy largely on the agreement struck by the U.S., Iran and five world powers to dismantle most of Iran's nuclear program in exchange for billions in sanctions relief.

It would take 41 senators

to block the disapproval resolution scheduled for a vote next month; only 34 lawmakers would be required to uphold an Obama veto of such a resolution.

Sen. Patty Murray, D-Wash., on Tuesday, became No. 29 on the list of Democrats and independents who have publicly announced their support of the deal.

"This is not a perfect deal, and there are several elements I would like to be stronger," Murray said. "But after working my way through the details and the alternatives, losing a lot of sleep, and having a lot of good conversations with so many people, I am convinced that moving forward with this deal is the best chance we have at a strong diplomatic solution. It puts us in a stronger position no matter what Iran chooses to do, and it keeps all of our options on the table if Iran doesn't hold up their end of the bargain."

Two Senate Demo-

crats — New York's Chuck Schumer and New Jersey's Bob Menendez — have announced that they will vote against the agreement. But supporters feel confident that they can get to 34 votes, and some have begun to say in private that 41 votes may even be within reach.

Many caution it remains a remote possibility with Republicans unanimously opposed and Israeli officials arguing vehemently against a deal they say could empower enemies sworn to their destruction. And yet predictions that Republican opponents and the powerful-pro-Israel lobby would use Congress' August recess to make the deal politically toxic have not come to pass.

Although polls register significant public concerns about the agreement, undeclared Democratic senators have increasingly broken in favor. In addition to Murray, who's a member of the Senate's Democratic leader-

ship, Minority Leader Harry Reid of Nevada announced his support over the weekend, and Sen. Debbie Stabenow of Michigan followed on Monday.

"We feel good about the fact that after two-thirds of the Democratic caucus has committed that we have substantial support for the president with only two dissenters," Sen. Dick Durbin, D-Ill., who's leading the whip operation in favor of the deal, said in an interview. But Durbin declined to predict success, saying, "We continue to work it."

Reid told reporters in Las Vegas attending a clean energy conference Monday that he expects to see a couple more "yes" votes in the next couple of days.

"I know it's a long shot, I hope that it can be done," he said of prospects for blocking the disapproval resolution. "We'll just have to see. Because right now, it's based on a whole lot of uncounted votes."

Trooper's accused killer had long record

By Melinda Deslatte and Janet McConaughy
Associated Press

BATON ROUGE, La. — The man accused of gunning down a Louisiana state trooper who stopped to offer him roadside assistance spent much of the past two decades in and out of prison, including a stint for setting his mother's house on fire.

Burglary. Assault. Arson. A string of DWIs. Kevin Daigle's criminal history, provided to The Associated Press by law enforcement officials across two parishes in southwest Louisiana, was lengthy. He'd only been out of jail since March.

Alcohol was the switch, according to Daigle's sister-in-law.

"Kevin was a good person until he started drinking. When he started drinking, he went bonkers," said Diane Daigle. "All his life he was like that. The first drink he took in his mouth, it took everything out of him and he became like a Jekyll and a Hyde."

Police suspect Daigle, 53, had been drinking when they say he shot Senior Trooper Steven Vincent on Sunday evening. Vin-



Daigle

cent had stopped to offer Daigle help because his truck was in a ditch, but authorities say

dashboard camera footage shows Daigle came out with a shotgun when approached. Vincent died from the gunshot wound on Monday.

Daigle also is suspected by officials in the death of another man with whom he was staying for the past few months.

By the time he was taken into custody in Vincent's shooting death, Daigle had been well known by law enforcement across Calcasieu and Jefferson Davis parishes in southwest Louisiana.

He'd been arrested a dozen times. He'd been accused of criminal damage to property back in 1997; burglarizing a church in 2001; assaulting a police officer in 2003; multiple counts of driving while intoxicated over the years; and disturbing the peace and arson in 2012, according to criminal records.

Scientists closer to universal flu vaccine

Drugs could eliminate annual shot some day

By Eryn Brown
Los Angeles Times

Someday, patients may no longer have to get a new flu shot each year, tailored to the particular strains expected to dominate in a given season. That's because scientists are homing in on new methods of formulating vaccines that will be able confer immunity against multiple varieties of influenza — a feat they haven't been able to achieve in the past.

On Monday, two teams reported independently that they had mimicked a tiny portion of the flu virus known as a hemagglutinin stem, helping them develop experimental vaccines that protected animals against several flu types.

"This is an early step," said Barney Graham, deputy director of the Vaccine Research Center at the National Institute of Allergy and Infectious Diseases in Bethesda, Md. and senior author of one of the research papers outlining the advances. "But it is promising."

One reason it's been hard to formulate a universal flu vaccine that works against all strains of the virus is that influenza is a shape shifter that mutates rapidly and often. Even if a person develops immunity against a particular flu from immunization or from having been sickened by it, he or she won't necessarily have immunity to a similar flu that has evolved to be slightly different.

A universal flu vaccine won't be available right away, Grant said. If it does become a reality one day, he said, it would probably be similar to the tetanus vaccine, which requires a booster shot every 10 years — rather than like vaccines received only during childhood.



DAVID CARSON/ST. LOUIS POST-DISPATCH VIA ASSOCIATED PRESS ARCHIVES

St. Louis police gather at the scene of a fatal officer-involved shooting Aug. 19 where police sought to execute a search warrant at a home in St. Louis.

Gun thefts from vehicles, crimes involving them rise

Experts say more weapons around overall, move easy

By Jim Salter
Associated Press

ST. LOUIS — In what's been a violent year in St. Louis, a common theme has emerged: The gun used in any given crime was probably stolen.

The city is on pace for about 200 homicides in 2015, the most in 20 years. Meanwhile, reports of gun thefts are up nearly 70 percent, police Chief Sam Dotson said. But it's not homes, gun stores or pawn shops that thieves are targeting, Dotson said: It's cars and trucks.

More than 170,000 Missouri residents hold concealed-carry permits and many bring guns when they venture to high-crime areas like St. Louis.

Numerous city-dwellers, too, own firearms. But once they arrive at their destination, they often have to leave their guns behind.

"When they go to a baseball game or an event at the convention center ... they can't take their weapons in with them and they leave them in cars," Dotson said. "Criminals know there are guns in cars and they break into cars."

More guns are around overall. Both sales and applications for concealed-



JEFF ROBERSON/ASSOCIATED PRESS ARCHIVES

In Bridgeton, Missouri, gun sales have spiked in the region in the past year, and so have applications for concealed-carry permits. Experts say with more guns come more gun thefts.

carry permits have spiked in the St. Louis region in the past year, after unrest that followed the death of 18-year-old Michael Brown led to safety concerns. Brown, who was black and unarmed, was fatally shot by a white officer last summer, leading to protests, some looting, fires and violence. When a grand jury declined to indict the officer in November, violence sparked again.

Experts say that, inevitably, with more guns come more gun thefts. Remy Cross, a professor at Webster University in suburban St. Louis, said those who steal guns often sell them to other criminals.

"It's easy to move them," he said. "If you have a gun and don't intend to use it yourself, because of the loopholes in laws around gun shows and resale, it's relatively easy to get these guns into criminals' hands."

Police say stolen and illegal guns are at the root of violence across the country.

In San Francisco, the gun used to kill Kate Steinle, who was fatally shot in July as she walked with her father along a scenic pier, was stolen. Chicago has already seized nearly 4,700 guns — nearly all of them stolen — this year. Police spokesman Anthony Guglielmi said that's seven times more guns seized than New York City, and three times the number in Los Angeles.

"They're the engine of violence in Chicago," Guglielmi said. "These are guns that are on the streets used to fuel the violence in Chicago."

In Jacksonville, Florida, gun thefts from cars are so common that police have launched a social media campaign to persuade people to keep their weapons at home.

SEEKING INFORMATION REGARDING POSSIBLE MISREPRESENTATIONS AT AEGIS FACILITIES

As part of a potential class action lawsuit against certain Assisted Living Facilities, we are presently investigating claims against

- AEGIS OF APTOS
- AEGIS OF CORTE MADERA
- AEGIS OF FREMONT
- AEGIS GARDENS
- AEGIS OF MORAGA
- AEGIS OF NAPA
- AEGIS OF PLEASANT HILL
- AEGIS OF SAN FRANCISCO
- AEGIS OF SAN RAFAEL

and are seeking information regarding possible misrepresentations about staffing and the use of a resident evaluation system at the above facilities.

If you are a former employee, a current or former resident, or a loved-one of a current or former resident of any of the above facilities and you have any information, please contact **Attorney W. Timothy Needham** or **Paralegal Karen Ellis**, at **Janssen Malloy LLP (888) 526-7736 (toll free) (707) 445-2071** Or email: kellis@janssenlaw.com

Public Meetings Planned on Environmental Impact Statement for the Coordinated Long term Operation of the Central Valley Project and State Water Project

Public meetings will be held to gather input on the Draft Environmental Impact Statement (EIS) for the Coordinated Long-term Operation of the Central Valley Project (CVP) and State Water Project (SWP). The Draft EIS analyzes the impacts of implementing the 2008 U.S. Fish and Wildlife Service and 2009 National Marine Fisheries Service Biological Opinions associated with the coordinated long-term operation of the CVP and SWP.

Four public meetings will be held at the following locations:

- **Sacramento: Wednesday, September 9, 2015, 2-4 p.m.**, John E. Moss Federal Building, Stanford Room, 650 Capitol Mall, Sacramento, CA 95814.
- **Red Bluff: Thursday, September 10, 2015, 6-8 p.m.**, Red Bluff Community Center, Westside Room, 1500 S. Jackson Street, Red Bluff, CA 96080.
- **Los Banos: Tuesday, September 15, 2015, 6-8 p.m.**, Los Banos Community Center, Grand Room, 645 7th Street, Los Banos, CA 93635.
- **Irvine: Thursday, September 17, 2015, 6-8 p.m.**, Hilton Hotel Irvine/Orange County Airport, Catalina Ballroom, 18800 MacArthur Boulevard, Irvine, CA 92612.

Written comments are due by close of business, Tuesday, September 29, 2015. You may mail your comments to Ben Nelson, Natural Resources Specialist, Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536. Comments may also be emailed to bcnelson@usbr.gov or faxed to (916) 414-2439.

For additional information, please contact Theresa Olson, Conservation and Conveyance Division Chief, Bay-Delta Office, Bureau of Reclamation at tolson@usbr.gov, or by phone at 916-414-2433 (TTY 800-877-8339).

Setting the record straight

Bay Area News Group corrects all significant errors that are brought to the attention of the editors. If you believe we have made such an error, please send an email to: corrections@bayareanewsgroup.com, 175 Lennon Lane, Suite 100, Walnut Creek, CA 94598.

Oakland Tribune
The Argus The Daily Review
Bay Area News Group | An edition of the San Jose Mercury News
ESTABLISHED JAN. 21, 1874 | Vol. 141, No. 187

Online: OaklandTribune.com Oakland Tribune (ISSN 1068-5936) is published daily by Bay Area News Group, 175 Lennon Lane, Suite 100, Walnut Creek, CA 94598. Periodicals postage paid at Walnut Creek CA and at additional mailing offices. Postmaster send address changes to: OAKLAND TRIBUNE, P.O. Box 5501, Walnut Creek CA 94596.

SUBSCRIPTION RATES
All Access digital + 7-day print: \$9.50 per week
All Access + Thursday, Friday and Sunday print: \$5.50 per week*
All Access + Sunday print: \$3.00 per week*
All Access Digital Only: \$3.95 per week
Sunday print subscribers receive a newspaper on selected holidays.
All Access customers receive a discount to each standalone subscription based on the relative price of package selected. Premium Editions delivered up to six times a year, with expiration dates adjusted accordingly for Premium Editions at \$3.00. Expiration dates not extended for scheduled vacation service holds.

Prices are subject to change and include applicable state and local taxes.
Copyright © 2015 Bay Area News Group-East Bay

For questions on delivery, billing and about accessing your electronic edition, please call or email **1-800-755-7323**
www.insidebayarea.com/subscriber-services
subscriber-services@bayareanewsgroup.com

If you haven't received your paper by:
Mon.-Fri. 6:30 a.m. Call before 10 a.m.
Sat. 7 a.m. Call before 11 a.m.
Sun. 7:30 a.m. Call before 11 a.m.

ADVERTISING

To place classified ads (Open Mon-Fri 8 a.m.-5 p.m.) 1-800-595-9595
To cancel an ad or get classified info. 1-800-733-3933

To place display advertising
Oakland Tribune 510-293-2645
The Daily Review 925-847-2138
The Argus 925-847-2138

To place online advertising 408-920-5438
To place obituaries 510-293-2672
To place weddings or anniversaries 925-943-8061

WHOM TO CALL

Sharon Ryan, Publisher and President, Bay Area News Group
sryan@bayareanewsgroup.com, 925-945-4754

David J. Butler, Editor and Senior Vice President for News
dbutler@mercurynews.com, 925-977-8406

Michael Turpin, Executive Vice President and Chief Revenue Officer
mturpin@bayareanewsgroup.com, 408-920-5455

Dan Smith, VP/Audience, dsmith@bayareanewsgroup.com, 925-302-1702

Bert Robinson, ME/Content, jhrobinson@mercurynews.com, 408-920-5970

Dan Hatfield, Editorial Page Editor, dhatfield@bayareanewsgroup.com, 925-977-8430

Randall Keith, ME/Digital, rkeith@mercurynews.com, 408-271-3747

Tiffany Grandstaff, ME/Presentation & News Production
tgrandstaff@mercurynews.com, 925-943-8040

NEWSROOM NUMBERS

Main switchboard	925-935-2525	Features	925-943-8282
Tribune news tip, local news	510-208-6450	Births	925-943-8235
Argus news tip, local news	510-353-7000	Article reprints/reuse:	
Review news tip, local news	510-293-2482		800-290-5460
Business news	408-920-5980	Photo reuse	925-943-8358
Sports	925-943-8249		

Iran deal gaining support

It will take 41 senators to block disapproval effort

By Erica Werner
Associated Press

WASHINGTON — Supporters of the Iran nuclear deal see growing momentum on their side in the Senate, raising the possibility they'll be able to block a disapproval resolution and protect President Barack Obama from having to use his veto pen.

Such an outcome — which looked all but inconceivable in the days after the deal was signed July 14 — remains a long shot. It would be a major victory for Obama, who is staking his foreign policy legacy largely on the agreement struck by the U.S., Iran and five world powers to dismantle most of Iran's nuclear program in exchange for billions in sanctions relief.

It would take 41 senators

to block the disapproval resolution scheduled for a vote next month; only 34 lawmakers would be required to uphold an Obama veto of such a resolution.

Sen. Patty Murray, D-Wash., on Tuesday, became No. 29 on the list of Democrats and independents who have publicly announced their support of the deal.

"This is not a perfect deal, and there are several elements I would like to be stronger," Murray said. "But after working my way through the details and the alternatives, losing a lot of sleep, and having a lot of good conversations with so many people, I am convinced that moving forward with this deal is the best chance we have at a strong diplomatic solution. It puts us in a stronger position no matter what Iran chooses to do, and it keeps all of our options on the table if Iran doesn't hold up their end of the bargain."

Two Senate Demo-

crats — New York's Chuck Schumer and New Jersey's Bob Menendez — have announced that they will vote against the agreement. But supporters feel confident that they can get to 34 votes, and some have begun to say in private that 41 votes may even be within reach.

Many caution it remains a remote possibility with Republicans unanimously opposed and Israeli officials arguing vehemently against a deal they say could empower enemies sworn to their destruction. And yet predictions that Republican opponents and the powerful-pro-Israel lobby would use Congress' August recess to make the deal politically toxic have not come to pass.

Although polls register significant public concerns about the agreement, undecided Democratic senators have increasingly broken in favor. In addition to Murray, who's a member of the Senate's Democratic leader-

ship, Minority Leader Harry Reid of Nevada announced his support over the weekend, and Sen. Debbie Stabenow of Michigan followed on Monday.

"We feel good about the fact that after two-thirds of the Democratic caucus has committed that we have substantial support for the president with only two dissenters," Sen. Dick Durbin, D-Ill., who's leading the whip operation in favor of the deal, said in an interview. But Durbin declined to predict success, saying, "We continue to work it."

Reid told reporters in Las Vegas attending a clean energy conference Monday that he expects to see a couple more "yes" votes in the next couple of days.

"I know it's a long shot, I hope that it can be done," he said of prospects for blocking the disapproval resolution. "We'll just have to see. Because right now, it's based on a whole lot of uncounted votes."

Trooper's accused killer had long record

By Melinda Deslatte and Janet McConaughy
Associated Press

BATON ROUGE, La. — The man accused of gunning down a Louisiana state trooper who stopped to offer him roadside assistance spent much of the past two decades in and out of prison, including a stint for setting his mother's house on fire.

Burglary. Assault. Arson. A string of DWIs. Kevin Daigle's criminal history, provided to The Associated Press by law enforcement officials across two parishes in southwest Louisiana, was lengthy. He'd only been out of jail since March.

Alcohol was the switch, according to Daigle's sister-in-law.

"Kevin was a good person until he started drinking. When he started drinking, he went bonkers," said Diane Daigle. "All his life he was like that. The first drink he took in his mouth, it took everything out of him and he became like a Jekyll and a Hyde."

Police suspect Daigle, 53, had been drinking when they say he shot Senior Trooper Steven Vincent on Sunday evening. Vin-



Daigle

cent had stopped to offer Daigle help because his truck was in a ditch, but authorities say

dashboard camera footage shows Daigle came out with a shotgun when Vincent died from the gunshot wound on Monday.

Daigle also is suspected by officials in the death of another man with whom he was staying for the past few months.

By the time he was taken into custody in Vincent's shooting death, Daigle had been well known by law enforcement across Calcasieu and Jefferson Davis parishes in southwest Louisiana.

He'd been arrested a dozen times. He'd been accused of criminal damage to property back in 1997; burglarizing a church in 2001; assaulting a police officer in 2003; multiple counts of driving while intoxicated over the years; and disturbing the peace and arson in 2012, according to criminal records.

Scientists closer to universal flu vaccine

Drugs could eliminate annual shot some day

By Eryn Brown
Los Angeles Times

Someday, patients may no longer have to get a new flu shot each year, tailored to the particular strains expected to dominate in a given season. That's because scientists are homing in on new methods of formulating vaccines that will be able confer immunity against multiple varieties of influenza — a feat they haven't been able to achieve in the past.

On Monday, two teams reported independently that they had mimicked a tiny portion of the flu virus known as a hemagglutinin stem, helping them develop experimental vaccines that protected animals against several flu types.

"This is an early step," said Barney Graham, deputy director of the Vaccine Research Center at the National Institute of Allergy and Infectious Diseases in Bethesda, Md. and senior author of one of the research papers outlining the advances. "But it is promising."

One reason it's been hard to formulate a universal flu vaccine that works against all strains of the virus is that influenza is a shape shifter that mutates rapidly and often. Even if a person develops immunity against a particular flu from immunization or from having been sickened by it, he or she won't necessarily have immunity to a similar flu that has evolved to be slightly different.

A universal flu vaccine won't be available right away, Grant said. If it does become a reality one day, he said, it would probably be similar to the tetanus vaccine, which requires a booster shot every 10 years — rather than like vaccines received only during childhood.



DAVID CARSON/ST. LOUIS POST-DISPATCH VIA ASSOCIATED PRESS ARCHIVES

St. Louis police gather at the scene of a fatal officer-involved shooting Aug. 19 where police sought to execute a search warrant at a home in St. Louis.

Gun thefts from vehicles, crimes involving them rise

Experts say more weapons around overall, move easy

By Jim Salter
Associated Press

ST. LOUIS — In what's been a violent year in St. Louis, a common theme has emerged: The gun used in any given crime was probably stolen.

The city is on pace for about 200 homicides in 2015, the most in 20 years. Meanwhile, reports of gun thefts are up nearly 70 percent, police Chief Sam Dotson said. But it's not homes, gun stores or pawn shops that thieves are targeting, Dotson said: It's cars and trucks.

More than 170,000 Missouri residents hold concealed-carry permits and many bring guns when they venture to high-crime areas like St. Louis.

Numerous city-dwellers, too, own firearms. But once they arrive at their destination, they often have to leave their guns behind.

"When they go to a baseball game or an event at the convention center ... they can't take their weapons in with them and they leave them in cars," Dotson said. "Criminals know there are guns in cars and they break into cars."

More guns are around overall. Both sales and applications for concealed-



JEFF ROBERSON/ASSOCIATED PRESS ARCHIVES

In Bridgeton, Missouri, gun sales have spiked in the region in the past year, and so have applications for concealed-carry permits. Experts say with more guns come more gun thefts.

carry permits have spiked in the St. Louis region in the past year, after unrest that followed the death of 18-year-old Michael Brown led to safety concerns. Brown, who was black and unarmed, was fatally shot by a white officer last summer, leading to protests, some looting, fires and violence. When a grand jury declined to indict the officer in November, violence sparked again.

Experts say that, inevitably, with more guns come more gun thefts. Remy Cross, a professor at Webster University in suburban St. Louis, said those who steal guns often sell them to other criminals.

"It's easy to move them," he said. "If you have a gun and don't intend to use it yourself, because of the loopholes in laws around gun shows and resale, it's relatively easy to get these guns into criminals' hands."

Police say stolen and illegal guns are at the root of violence across the country.

In San Francisco, the gun used to kill Kate Steinle, who was fatally shot in July as she walked with her father along a scenic pier, was stolen. Chicago has already seized nearly 4,700 guns — nearly all of them stolen — this year. Police spokesman Anthony Guglielmi said that's seven times more guns seized than New York City, and three times the number in Los Angeles.

"They're the engine of violence in Chicago," Guglielmi said. "These are guns that are on the streets used to fuel the violence in Chicago."

In Jacksonville, Florida, gun thefts from cars are so common that police have launched a social media campaign to persuade people to keep their weapons at home.

ROBLEM DENTURES FIXED!
(and you will get a smile makeover)
Complimentary Consultation
Douglas R Maxson, DDS
408-996-0176
www.drdo格拉斯maxson.com

Panache²
Hairdressing and Spa
Hair Station and Manicure Table For Rent
If Interested Call Michael 650-339-0807
1506 Adeline Dr. Burlingame
(650) 344-7043 • www.panache2.com

DONATE YOUR CAR
Wheels For Wishes Benefiting
Make-A-Wish® Greater Bay Area
*Free Vehicle Pickup ANYWHERE
*We Accept All Vehicles Running or Not
*We Also Accept Boats, Motorcycles & RVs
*Fully Tax Deductible
WheelsForWishes.org Call: (408) 620-4566
**Wheels For Wishes is a DBA of Car Donation Foundation.*

Public Meetings Planned on Environmental Impact Statement for the Coordinated Long term Operation of the Central Valley Project and State Water Project

Public meetings will be held to gather input on the Draft Environmental Impact Statement (EIS) for the Coordinated Long-term Operation of the Central Valley Project (CVP) and State Water Project (SWP). The Draft EIS analyzes the impacts of implementing the 2008 U.S. Fish and Wildlife Service and 2009 National Marine Fisheries Service Biological Opinions associated with the coordinated long-term operation of the CVP and SWP.

Four public meetings will be held at the following locations:

- **Sacramento: Wednesday, September 9, 2015, 2-4 p.m.**, John E. Moss Federal Building, Stanford Room, 650 Capitol Mall, Sacramento, CA 95814.
- **Red Bluff: Thursday, September 10, 2015, 6-8 p.m.**, Red Bluff Community Center, Westside Room, 1500 S. Jackson Street, Red Bluff, CA 96080.
- **Los Banos: Tuesday, September 15, 2015, 6-8 p.m.**, Los Banos Community Center, Grand Room, 645 7th Street, Los Banos, CA 93635.
- **Irvine: Thursday, September 17, 2015, 6-8 p.m.**, Hilton Hotel Irvine/Orange County Airport, Catalina Ballroom, 18800 MacArthur Boulevard, Irvine, CA 92612.

Written comments are due by close of business, Tuesday, September 29, 2015. You may mail your comments to Ben Nelson, Natural Resources Specialist, Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536. Comments may also be emailed to mcnelson@usbr.gov or faxed to (916) 414-2439.

For additional information, please contact Theresa Olson, Conservation and Conveyance Division Chief, Bay-Delta Office, Bureau of Reclamation at tolson@usbr.gov, or by phone at 916-414-2433 (TTY 800-877-8339).

Setting the record straight

The Mercury News corrects all significant errors that are brought to the attention of the editors. If you believe we have made such an error, please send an email to: corrections@mercurynews.com, 4 North Second St., Suite 800, San Jose, CA 95113.

San Jose Mercury News

San Jose Mercury News, 4 North Second St., Suite 800, San Jose, CA 95113
San Mateo County Times, 1730 El Camino Real #340, San Mateo, CA 94402
SERVING NORTHERN CALIFORNIA SINCE 1851 III Vol. 165, No. 68
Online: www.mercurynews.com, San Jose Mercury News (USPS 480-250) is published daily by Bay Area News Group, 4 North Second St., Suite 800, San Jose, CA 95113.
Periodicals Postage Paid at San Jose, CA and additional mailing offices. POSTMASTER: Send address changes to San Jose Mercury News, 4 North Second St., Suite 800, San Jose, CA 95113
SUBSCRIPTION RATES
All Access digital + 7-day print: \$9.50 per week
All Access + Thursday, Friday and Sunday print: \$5.50 per week*
All Access Sunday print: \$3.00 per week*
All Access Digital Only: \$3.95 per week
Sunday print subscribers receive a newspaper on selected holidays.
*All-Access customers receive a discount to each standalone subscription based on the relative price of package selected.
Premium Editions delivered up to six times a year, with expiration dates adjusted accordingly for Premium Editions at \$3.00.
Expiration dates not extended for scheduled vacation service holds.

CIRCULATION
For questions on delivery, billing and about accessing your electronic edition, please call or email **1-800-870-6397**
www.mercurynews.com/subscriber-services
subscriberservices@mercurynews.com
San Mateo County Times: 1-800-755-7323
For next-day home delivery, call by 3 p.m. or subscribe online by noon.
If you haven't received your paper by:
Mon.-Fri. 6:30 a.m. Call before 10 a.m.
Sat. 7 a.m. Call before 11 a.m.
Sun. 7:30 a.m. Call before 11 a.m.

ADVERTISING
Classified: 408-920-5111 or 1-800-287-7878
8 a.m. - 5 p.m., M-F. mercurynews.com/classified
Display: 408-920-5589, 9 a.m. - 5:30 p.m., M-F
Online: 408-920-5589
Printing quality questions, 408-920-2747
Article reprints/reuse 800-290-5460

WHOM TO CALL
Sharon Ryan, Publisher and President,
Bay Area News Group
sryan@bayareanewsgroup.com, 408-920-5576
David J. Butler, Editor and Senior Vice President for News
dbutler@mercurynews.com, 408-920-5456
Michael Turpin, Executive VP and Chief Revenue Officer
mturpin@bayareanewsgroup.com, 408-920-5455
Dan Smith, VP/Audience
dsmith@bayareanewsgroup.com, 925-302-1702
Bert Robinson, ME/Content, jhrobinson@bayareanewsgroup.com, 408-920-5970
Barbara J. Marshman, Editorial Page Editor
bmarshman@mercurynews.com, 408-920-5542
Randall Keith, ME/Digital
rkeith@mercurynews.com, 408-271-3747
Tiffany Grandstaff, ME/Presentation and News Production
tgrandstaff@mercurynews.com, 925-943-8040

NEWSROOM
4 North Second St., Suite 800, San Jose, CA 95113
San Jose main number 408-920-5000
San Jose local news 408-920-5446
San Mateo local news 650-348-4357
Business news 408-920-5980
Sports, 408-920-5830
Features, 408-920-5241
Photo reuse, 408-920-5653
Audit Bureau of Circulations member Recycled print

Iran deal gaining support

It will take 41 senators to block disapproval effort

By Erica Werner
Associated Press

WASHINGTON — Supporters of the Iran nuclear deal see growing momentum on their side in the Senate, raising the possibility they'll be able to block a disapproval resolution and protect President Barack Obama from having to use his veto pen.

Such an outcome — which looked all but inconceivable in the days after the deal was signed July 14 — remains a long shot. It would be a major victory for Obama, who is staking his foreign policy legacy largely on the agreement struck by the U.S., Iran and five world powers to dismantle most of Iran's nuclear program in exchange for billions in sanctions relief.

It would take 41 senators

to block the disapproval resolution scheduled for a vote next month; only 34 lawmakers would be required to uphold an Obama veto of such a resolution.

Sen. Patty Murray, D-Wash., on Tuesday, became No. 29 on the list of Democrats and independents who have publicly announced their support of the deal.

"This is not a perfect deal, and there are several elements I would like to be stronger," Murray said. "But after working my way through the details and the alternatives, losing a lot of sleep, and having a lot of good conversations with so many people, I am convinced that moving forward with this deal is the best chance we have at a strong diplomatic solution. It puts us in a stronger position no matter what Iran chooses to do, and it keeps all of our options on the table if Iran doesn't hold up their end of the bargain."

Two Senate Demo-

crats — New York's Chuck Schumer and New Jersey's Bob Menendez — have announced that they will vote against the agreement. But supporters feel confident that they can get to 34 votes, and some have begun to say in private that 41 votes may even be within reach.

Many caution it remains a remote possibility with Republicans unanimously opposed and Israeli officials arguing vehemently against a deal they say could empower enemies sworn to their destruction. And yet predictions that Republican opponents and the powerful-pro-Israel lobby would use Congress' August recess to make the deal politically toxic have not come to pass.

Although polls register significant public concerns about the agreement, undecided Democratic senators have increasingly broken in favor. In addition to Murray, who's a member of the Senate's Democratic leader-

ship, Minority Leader Harry Reid of Nevada announced his support over the weekend, and Sen. Debbie Stabenow of Michigan followed on Monday.

"We feel good about the fact that after two-thirds of the Democratic caucus has committed that we have substantial support for the president with only two dissenters," Sen. Dick Durbin, D-Ill., who's leading the whip operation in favor of the deal, said in an interview. But Durbin declined to predict success, saying, "We continue to work it."

Reid told reporters in Las Vegas attending a clean energy conference Monday that he expects to see a couple more "yes" votes in the next couple of days.

"I know it's a long shot, I hope that it can be done," he said of prospects for blocking the disapproval resolution. "We'll just have to see. Because right now, it's based on a whole lot of uncounted votes."

Trooper's accused killer had long record

By Melinda Deslatte and Janet McConaughy
Associated Press

BATON ROUGE, La. — The man accused of gunning down a Louisiana state trooper who stopped to offer him roadside assistance spent much of the past two decades in and out of prison, including a stint for setting his mother's house on fire.

Burglary. Assault. Arson. A string of DWIs. Kevin Daigle's criminal history, provided to The Associated Press by law enforcement officials across two parishes in southwest Louisiana, was lengthy. He'd only been out of jail since March.

Alcohol was the switch, according to Daigle's sister-in-law.

"Kevin was a good person until he started drinking. When he started drinking, he went bonkers," said Diane Daigle. "All his life he was like that. The first drink he took in his mouth, it took everything out of him and he became like a Jekyll and a Hyde."

Police suspect Daigle, 53, had been drinking when they say he shot Senior Trooper Steven Vincent on Sunday evening. Vin-



Daigle

cent had stopped to offer Daigle help because his truck was in a ditch, but authorities say

dashboard camera footage shows Daigle came out with a shotgun when approached. Vincent died from the gunshot wound on Monday.

Daigle also is suspected by officials in the death of another man with whom he was staying for the past few months.

By the time he was taken into custody in Vincent's shooting death, Daigle had been well known by law enforcement across Calcasieu and Jefferson Davis parishes in southwest Louisiana.

He'd been arrested a dozen times. He'd been accused of criminal damage to property back in 1997; burglarizing a church in 2001; assaulting a police officer in 2003; multiple counts of driving while intoxicated over the years; and disturbing the peace and arson in 2012, according to criminal records.

Scientists closer to universal flu vaccine

Drugs could eliminate annual shot some day

By Eryn Brown
Los Angeles Times

Someday, patients may no longer have to get a new flu shot each year, tailored to the particular strains expected to dominate in a given season. That's because scientists are homing in on new methods of formulating vaccines that will be able confer immunity against multiple varieties of influenza — a feat they haven't been able to achieve in the past.

On Monday, two teams reported independently that they had mimicked a tiny portion of the flu virus known as a hemagglutinin stem, helping them develop experimental vaccines that protected animals against several flu types.

"This is an early step," said Barney Graham, deputy director of the Vaccine Research Center at the National Institute of Allergy and Infectious Diseases in Bethesda, Md. and senior author of one of the research papers outlining the advances. "But it is promising."

One reason it's been hard to formulate a universal flu vaccine that works against all strains of the virus is that influenza is a shape shifter that mutates rapidly and often. Even if a person develops immunity against a particular flu from immunization or from having been sickened by it, he or she won't necessarily have immunity to a similar flu that has evolved to be slightly different.

A universal flu vaccine won't be available right away, Grant said. If it does become a reality one day, he said, it would probably be similar to the tetanus vaccine, which requires a booster shot every 10 years — rather than like vaccines received only during childhood.



DAVID CARSON/ST. LOUIS POST-DISPATCH VIA ASSOCIATED PRESS ARCHIVES

St. Louis police gather at the scene of a fatal officer-involved shooting Aug. 19 where police sought to execute a search warrant at a home in St. Louis.

Gun thefts from vehicles, crimes involving them rise

Experts say more weapons around overall, move easy

By Jim Salter
Associated Press

ST. LOUIS — In what's been a violent year in St. Louis, a common theme has emerged: The gun used in any given crime was probably stolen.

The city is on pace for about 200 homicides in 2015, the most in 20 years. Meanwhile, reports of gun thefts are up nearly 70 percent, police Chief Sam Dotson said. But it's not homes, gun stores or pawn shops that thieves are targeting, Dotson said: It's cars and trucks.

More than 170,000 Missouri residents hold concealed-carry permits and many bring guns when they venture to high-crime areas like St. Louis.

Numerous city-dwellers, too, own firearms. But once they arrive at their destination, they often have to leave their guns behind.

"When they go to a baseball game or an event at the convention center ... they can't take their weapons in with them and they leave them in cars," Dotson said. "Criminals know there are guns in cars and they break into cars."

More guns are around overall. Both sales and applications for concealed-



JEFF ROBERSON/ASSOCIATED PRESS ARCHIVES

In Bridgeton, Missouri, gun sales have spiked in the region in the past year, and so have applications for concealed-carry permits. Experts say with more guns come more gun thefts.

carry permits have spiked in the St. Louis region in the past year, after unrest that followed the death of 18-year-old Michael Brown led to safety concerns. Brown, who was black and unarmed, was fatally shot by a white officer last summer, leading to protests, some looting, fires and violence. When a grand jury declined to indict the officer in November, violence sparked again.

Experts say that, inevitably, with more guns come more gun thefts. Remy Cross, a professor at Webster University in suburban St. Louis, said those who steal guns often sell them to other criminals.

"It's easy to move them," he said. "If you have a gun and don't intend to use it yourself, because of the loopholes in laws around gun shows and resale, it's relatively easy to get these guns into criminals' hands."

Police say stolen and illegal guns are at the root of violence across the country.

In San Francisco, the gun used to kill Kate Steinle, who was fatally shot in July as she walked with her father along a scenic pier, was stolen. Chicago has already seized nearly 4,700 guns — nearly all of them stolen — this year. Police spokesman Anthony Guglielmi said that's seven times more guns seized than New York City, and three times the number in Los Angeles.

"They're the engine of violence in Chicago," Guglielmi said. "These are guns that are on the streets used to fuel the violence in Chicago."

In Jacksonville, Florida, gun thefts from cars are so common that police have launched a social media campaign to persuade people to keep their weapons at home.

SEEKING INFORMATION REGARDING POSSIBLE MISREPRESENTATIONS AT AEGIS FACILITIES

As part of a potential class action lawsuit against certain Assisted Living Facilities, we are presently investigating claims against

- AEGIS OF APTOS
- AEGIS OF CORTE MADERA
- AEGIS OF FREMONT
- AEGIS GARDENS
- AEGIS OF MORAGA
- AEGIS OF NAPA
- AEGIS OF PLEASANT HILL
- AEGIS OF SAN FRANCISCO
- AEGIS OF SAN RAFAEL

and are seeking information regarding possible misrepresentations about staffing and the use of a resident evaluation system at the above facilities.

If you are a former employee, a current or former resident, or a loved-one of a current or former resident of any of the above facilities and you have any information, please contact **Attorney W. Timothy Needham** or **Paralegal Karen Ellis**, at **Janssen Malloy LLP (888) 526-7736 (toll free) (707) 445-2071** Or email: kellis@janssenlaw.com

Public Meetings Planned on Environmental Impact Statement for the Coordinated Long term Operation of the Central Valley Project and State Water Project

Public meetings will be held to gather input on the Draft Environmental Impact Statement (EIS) for the Coordinated Long-term Operation of the Central Valley Project (CVP) and State Water Project (SWP). The Draft EIS analyzes the impacts of implementing the 2008 U.S. Fish and Wildlife Service and 2009 National Marine Fisheries Service Biological Opinions associated with the coordinated long-term operation of the CVP and SWP.

Four public meetings will be held at the following locations:

- **Sacramento: Wednesday, September 9, 2015, 2-4 p.m.**, John E. Moss Federal Building, Stanford Room, 650 Capitol Mall, Sacramento, CA 95814.
- **Red Bluff: Thursday, September 10, 2015, 6-8 p.m.**, Red Bluff Community Center, Westside Room, 1500 S. Jackson Street, Red Bluff, CA 96080.
- **Los Banos: Tuesday, September 15, 2015, 6-8 p.m.**, Los Banos Community Center, Grand Room, 645 7th Street, Los Banos, CA 93635.
- **Irvine: Thursday, September 17, 2015, 6-8 p.m.**, Hilton Hotel Irvine/Orange County Airport, Catalina Ballroom, 18800 MacArthur Boulevard, Irvine, CA 92612.

Written comments are due by close of business, Tuesday, September 29, 2015. You may mail your comments to Ben Nelson, Natural Resources Specialist, Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536. Comments may also be emailed to bcnelson@usbr.gov or faxed to (916) 414-2439.

Setting the record straight

Bay Area News Group corrects all significant errors that are brought to the attention of the editors. If you believe we have made such an error, please send an email to: corrections@bayareanewsgroup.com, 175 Lennon Lane, Suite 100, Walnut Creek, CA 94598.

THE TIMES

CONTRA COSTA TIMES · WEST COUNTY TIMES
EAST COUNTY TIMES · TRI-VALLEY TIMES
SAN RAMON VALLEY TIMES

Bay Area News Group | An edition of the **San Jose Mercury News**

ESTABLISHED JUNE 1, 1911 | Vol. 104, No. 87
Published seven days a week. Online: ContraCostaTimes.com
Mailing address: P.O. Box 5088, Walnut Creek, CA 94596-1088.
Periodical postage paid at Walnut Creek, CA. Postmaster send address changes to: Contra Costa Times, P.O. Box 5501, Walnut Creek, CA 94596

SUBSCRIPTION RATES
All Access digital + 7-day print: \$9.50 per week
All Access + Thursday, Friday and Sunday print: \$5.50 per week*
All Access + Sunday print: \$3.00 per week*
All Access Digital Only: \$3.95 per week
Sunday print subscribers receive a newspaper on selected holidays.
All Access customers receive a discount to each standalone subscription based on the relative price of package selected. Premium Editions delivered up to six times a year, with expiration dates adjusted accordingly for Premium Editions at \$3.00. Expiration dates not extended for scheduled vacation services holds.
Prices are subject to change and include applicable state and local taxes.

For questions on delivery, billing and about accessing your electronic edition, please call or email **1-800-598-4637**
subscriberservices@bayareanewsgroup.com

If you haven't received your paper by:
Mon.-Fri. 6:30 a.m. Call before 10 a.m.
Sat. 7 a.m. Call before 11 a.m.
Sun. 7:30 a.m. Call before 11 a.m.

ADVERTISING
To place classified ads (Open Mon-Fri, 8 a.m.-5 p.m.) 925-933-2020
To cancel an ad or get classified info 1-800-733-3933

To place display advertising
Contra Costa Times 925-943-8303
West County Times 510-262-2714
East County Times 925-779-7120
Tri-Valley Times, San Ramon Valley Times 925-847-2107
To place online advertising 925-943-8303
To place obituaries 925-943-8020
To place weddings or anniversaries 925-943-8061

WHOM TO CALL	
Sharon Ryan, Publisher and President, Bay Area News Group sryan@bayareanewsgroup.com , 925-945-4754	
David J. Butler, Editor and Senior Vice President for News dbutler@mercurynews.com , 925-977-8406	
Michael Turpin, Executive Vice President and Chief Revenue Officer mturpin@bayareanewsgroup.com , 408-920-5455	
Dan Smith, VP/Audience , dsmith@bayareanewsgroup.com , 925-302-1702	
Bert Robinson, ME/Content , jrobinson@mercurynews.com , 408-920-5970	
Dan Hatfield, Editorial Page Editor , dhatfield@bayareanewsgroup.com , 925-977-8430	
Randall Keith, ME/Digital , rkeith@mercurynews.com , 408-271-3747	
Tiffany Grandstaff, ME/Presentation & News Production tgrandstaff@mercurynews.com , 925-943-8040	
NEWSROOM	OTHER
Main switchboard 925-935-2525	Article reprints/reuse 800-290-5460
News tip, local news 925-943-8241	Photo reuse 925-943-8358
Business news 408-920-5980	
Sports 925-943-8249	
Features 925-943-8282	
Births 925-943-8235	

NATION

Officials at State have sent secrets for years

■ **Classifying in hindsight proves common**

By **Ken Dilanian**
Associated Press

WASHINGTON — The transmission of now-classified information across Hillary Rodham Clinton's private email is consistent with a State Department culture in which diplomats routinely sent secret material on unsecured email during the past two administrations, according to documents reviewed by The Associated Press.

Clinton's use of a home server makes her case unique and has become an issue in her front-running campaign for the Democratic presidential nomination. But it's not clear whether the security breach would have been any less had she used department email. The department only systematically checks email for sensitive or classified material in response to a public records request.

In emails about the 2012 attack on a U.S. diplomatic facility in Benghazi, Libya, department officials discuss sensitive matters in real time, including the movement of Libyan militias and the locations of key Americans. The messages were released last year under the Freedom of Information Act and are posted on the State Department's website.

An email from diplomat Alyce Abdalla, sent the night of the attack, appears to report that the CIA annex in Benghazi was under fire. The email has been largely whited out, with the government citing the legal exemption for classified intelligence information. The existence of that facility is now known; it was a secret at the time.

In an email sent at 8:51 p.m. on Sept. 11, 2012, Eric J. Pelofsky, a senior adviser to then-U.N. Ambassador Susan Rice, gives an update on efforts to locate U.S. Ambassador Chris Stevens, who died in the attack.

The email was marked unclassified when sent. Later, part of it was deemed classified and censored before its release.

In five emails that date to Condoleezza Rice's tenure as secretary of state during the George W. Bush administration, large chunks are censored on the grounds that they contain classified national security or foreign government information.

These emails also are posted on the State Department website's reading room.

In a December 2006 email, diplomat John J. Hillmeyer appears to have pasted the text of a confidential cable from Beijing about China's dealings with Iran and other sensitive matters. Large portions of the email were marked classified and censored before release.

Clinton insists she didn't send or receive classified information. But government officials have found material they deem classified in several dozen of



Democratic Hillary Rodham Clinton speaks Wednesday in Iowa, where she said: "My use of personal email was allowed by the State Department. It clearly wasn't the best choice."

30,000 emails that the former secretary of state has turned over, an unfolding saga that has dogged her 2016 campaign.

Many of the emails to Clinton containing classified information were forwarded to her by a close aide, Huma Abedin. Most, however, originated with diplomats who have access to confidential material. Some emails sent by Clinton have since been censored.

Such slippage of classified information into regular email is "very common, actually," said Leslie McAdoo, a lawyer who frequently represents government officials and contractors in disputes over security clearances and classified information.

What makes Clinton's case different is that she exclusively sent and received emails through a home server in lieu of the State Department's unclassified email system. Neither would have been secure from hackers or foreign intelligence agencies, so it would be equally problematic whether classified information was carried over the government system or a private server, experts say.

In fact, the State Department's unclassified email system has been penetrated by hackers believed linked to Russian intelligence.

Many of the emails to Clinton came from state.gov email accounts, noted Steven Aftergood, an expert on classification at the Federation of American Scientists. "So if there is routine security screening and monitoring of incoming and outgoing State Department emails, anything that is classified should have been flagged. That does not seem to have happened. I think it's the State Department culture."

That may be true, but it would not save a rank-and-file official with a security clearance who was caught sending classified information over email, said Bradley Moss, a lawyer who frequently represents intelligence officers. That person could lose his job, his clearance, or both.

"In real life, the 'everybody does it defense' doesn't fly," Moss said.

In a statement, State Department spokesman Alec Gerlach said it's not uncommon — across each agency — that when considering information for release, "certain information must later be upgraded even if it had not previously been classified."

"Classifying information

ahead of a release doesn't necessarily mean information was mishandled, but it certainly does reflect the seriousness with which we take our obligations and the fact that over time, some of the circumstances in which information is being digested can and do change," Gerlach said.

Clinton, speaking to reporters after an event in Iowa, said: "My use of personal email was allowed by the State Department. It clearly wasn't the best choice. I should have used two emails, one personal, one for work. And I take responsibility for that decision." She added, "I'm confident that this process will prove that I never sent nor received any email that was marked classified."

The AP has asked the State Department to turn over records reflecting any concerns by agency computer staff or security officials over Clinton's use of a private email server, but has received no responsive documents.

There is no indication that any information in Clinton emails was marked classified at the time it was sent. But critics have said Clinton and her aides should have known not to discuss anything remotely secret over unsecured email. The emails show they were cognizant of security, routinely communicating over secure phone and fax lines.

Clinton also had access to a classified messaging system, but it's not widely used at the State Department. Most department officials in Washington and at embassies have on their desktops a classified network that goes up to "secret" level. A small number of State officials, including the secretary, can use a third system that goes up to "top secret" level in special secure rooms.

But even the middle-tier "secret" network is cumbersome for many in the agency, said officials who would not be quoted when discussing internal security policies.

Appeals court upholds gay marriage ruling in Kentucky

■ **Judge denies county clerk request for stay**

By **Claire Galofaro and Adam Beam**
Associated Press

MOREHEAD, Ky. — A federal appeals court has upheld a ruling ordering a Kentucky county clerk to issue marriage licenses to gay couples.

Rowan County Clerk Kim Davis objects to same-sex marriage for religious reasons. She stopped issuing marriage licenses the day after the U.S. Supreme Court overturned state bans on same-sex marriage.

Two straight couples and two gay couples sued her. A U.S. district judge ordered Davis to issue the marriage licenses, but later delayed his order so that Davis could have time to appeal to the 6th circuit. Wednesday, the appeals court denied Davis' request for a stay.

"It cannot be defensively argued that the holder of the Rowan County Clerk's office, apart from who personally occupies that office, may decline to act in conformity with the United States Constitution as interpreted by a dispositive holding of the United States Supreme Court," judges Damon J. Keith, John

M. Rogers and Bernice B. Donald wrote for the court. "There is thus little or no likelihood that the Clerk in her official capacity will prevail on appeal."

April Miller and Karen Roberts were one of the gay couples who sued Davis. Miller read the ruling on her phone in the living room of the house they share down a country road on the outskirts of Morehead. Roberts, her partner for more than a decade, peered over her shoulder, smiling, humming, tears welling up under her glasses.

The news flashed across their TV screen and they hugged, and their hug turned into a brief slow dance on the living room rug. The phone started ringing, but they ignored it for a minute.

They felt vindicated, they said. They got out the boxes holding their matching wedding bands, bought days after the Supreme Court's decision in June. They are simple white gold bands, ringed in diamonds.

"One step closer," Miller said. "We might be able to get married in September."

Mat Staver, an attorney for Davis, said he was disappointed with the ruling. He said he plans to discuss options with Davis, including an appeal to the U.S. Supreme Court.

"The court of appeals did

not provide any religious accommodation rights to individuals, which makes little sense because at the end of the day it's individuals that are carrying out the acts of the office," Staver said. "They don't lose their individual constitutional rights just because they are employed in a public office."

It's unclear how Davis will react if she were to ultimately lose her appeals. She testified in federal court last month she would "deal with that when the time comes." Saturday, she spoke to thousands of supporters at a religious freedom rally at the state capitol, saying: "I need your prayers ... to continue to stand firm in what we believe."

"Regardless of what any man puts on a piece of paper, the law of nature is not going to change," Davis told the crowd.

Miller and Roberts said they know the legal fight will stretch on. Davis continued to refuse to issue marriage licenses after other judges' rulings. And they suspect she will continue to refuse after this one.

"We get all excited. But we know a letdown is coming again," Miller said. "It's going to keep going. It's gonna be a long haul."

"But it felt so good for a minute," Roberts chimed in.

U.S.: 'Belligerent' journalists could be held

By **Wendy Benjaminson**
Associated Press

WASHINGTON — New Defense Department guidelines allow commanders to punish journalists and treat them as "unprivileged belligerents" if they believe journalists are sympathizing or cooperating with the enemy.

The Law of War manual, updated to apply for the first time to all branches of the military, contains a vaguely worded provision that military commanders could interpret broadly, experts in military law and journalism say. Commanders could ask journalists to leave military bases or detain journalists for any number of perceived offenses.

"In general, journalists are civilians," the 1,180 page manual says, but it adds that "journalists may be members of the armed forces, persons authorized to accompany the armed forces, or unprivileged belligerents."

A person deemed "unprivileged belligerent" is not entitled to the rights afforded by the Geneva Convention so a commander could restrict from certain coverage areas or even hold indefinitely without

charges any reporter considered an "unprivileged belligerent."

The manual adds, "Reporting on military operations can be very similar to collecting intelligence or even spying. A journalist who acts as a spy may be subject to security measures and punished if captured." It is not specific as to the punishment or under what circumstances a commander can decide to "punish" a journalist.

Defense Department officials said the reference to "unprivileged belligerents" was intended to point out that terrorists or spies could be masquerading as reporters, or warn against someone who works for jihadi websites or other publications, such as al-Qaida's "Inspire" magazine, that can be used to encourage or recruit militants.

Another provision says that "relaying of information" could be construed as "taking a direct part in hostilities." Officials said that is intended to refer to passing information about ongoing operations, locations of troops or other

classified data to an enemy.

Army Lt. Col. Joe Sowers, a Pentagon spokesman, said it was not the Defense Department's intent to allow an overzealous commander to block journalists or take action against those who write critical stories.

"The Department of Defense supports and respects the vital work that journalists perform," Sowers said. "Their work in gathering and reporting news is essential to a free society and the rule of law." His statement added that the manual is not policy and not "directive in nature."

But Ken Lee, an ex-Marine and military lawyer who specializes in "law of war" issues and is now in private practice, said it was worrisome that the detention of a journalist could come down to a commander's interpretation of the law.

If a reporter writes an unflattering story, "does this give a commander the impetus to say, now you're an unprivileged belligerent? I would hope not," Lee said.

Allen & Dahl
FUNERAL CHAPEL
A FAMILY COMPANY

REDDING FD-516 243-1525	PALO CEDRO FD-1558 547-4444	ANDERSON FD-1435 365-5466
--------------------------------------	--	--

Dear
Patients and Friends,

This notice is to announce my retirement from my orthopedic surgery practice effective September 30, 2015. Caring for my patients has been a great source of satisfaction these past years.

Thank you for having chosen me as your physician. It has been my pleasure and honor to serve you.

Records available at
1230 East Street
Redding, CA

**THE LAW FIRM OF
KENNY, SNOWDEN & NORINE
A LAW CORPORATION**

Takes Pleasure in
Announcing that
ROB J. TAYLOR
rtaylor@lawksn.com

Has Become
Associated with The Firm

**John Sullivan Kenny,
Kelly J. Snowden, Jonz Norine,
Linda R. Schaap, Rob J. Taylor**

2701 Park Marina Drive
Redding, California 96001-2805
Telephone: (530) 225-8990
Facsimile: (530) 225-8944

Public Meetings Planned on Environmental Impact Statement for the Coordinated Long-term Operation of the Central Valley Project and State Water Project

Public meetings will be held to gather input on the Draft Environmental Impact Statement (EIS) for the Coordinated Long-term Operation of the Central Valley Project (CVP) and State Water Project (SWP). The Draft EIS analyzes the impacts of implementing the 2008 U.S. Fish and Wildlife Service and 2009 National Marine Fisheries Service Biological Opinions associated with the coordinated long-term operation of the CVP and SWP.

Four public meetings will be held at the following locations:

- **Sacramento: Wednesday, September 9, 2015, 2-4 p.m.,** John E. Moss Federal Building, Stanford Room, 650 Capitol Mall, Sacramento, CA 95814.
- **Red Bluff: Thursday, September 10, 2015, 6-8 p.m.,** Red Bluff Community Center, Westside Room, 1500 S. Jackson Street, Red Bluff, CA 96080.
- **Los Banos: Tuesday, September 15, 2015, 6-8 p.m.,** Los Banos Community Center, Grand Room, 645 7th Street, Los Banos, CA 93635.
- **Irvine: Thursday, September 17, 2015, 6-8 p.m.,** Hilton Hotel Irvine/Orange County Airport, Catalina Ballroom, 18800 MacArthur Boulevard, Irvine, CA 92612.

Written comments are due by close of business, Tuesday, September 29, 2015. You may mail your comments to Ben Nelson, Natural Resources Specialist, Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536. Comments may also be emailed to bcnelson@usbr.gov or faxed to (916) 414-2439.

For additional information, please contact Theresa Olson, Conservation and Conveyance Division Chief, Bay-Delta Office, Bureau of Reclamation at tolson@usbr.gov, or by phone at 916-414-2433 (TTY 800-877-8339).



COREY PRIDE cpride@losbanosenterprise.com

Green Valley Charter School kindergartners play with logs during recess Wednesday.

FROM PAGE 1A

CHARTER

kindergartners. Green Valley's first through sixth grades remain at Miano. The charter school, which plans to be a kindergarten through eighth-grade facility by the 2017-18 school year, has increased from 75 students when it opened in 2012 to 178 students this week.

"As far as the Miano site, we always knew we could only grow so much without being intrusive to the district," Blackwood-Freitas said.

She said she is still searching for commercial sites where Green Valley can be relocated until

funding becomes available for the charter school to build a facility.

The converted oversized classroom on Center Avenue is working well, according to kindergarten teacher Julia Capocelli.

"The children have their own space without the hustle and bustle of the older grades; it's very peaceful," Capocelli said.

According to the school's kindergarten curriculum, before the school year ends the children will learn qualities of numbers, measuring through baking and cooking exercises, and arts and

crafts skills. They also will be introduced to Spanish.

Green Valley Charter School has tried to blend in with the community since it opened. A little more than a year ago the school opened an office in the downtown area on Sixth Street. Blackwood-Freitas said the off-campus office gives her more space to work and pro-

vides an opportunity for the school to be more visible to the public.

The school's charter petition will be up for renewal next year. Blackwood-Freitas said at that time Green Valley Charter School will have to prove to the Los Banos Unified School District that it has met the goals it listed when its initial petition

“

THE CHILDREN HAVE THEIR OWN SPACE WITHOUT THE HUSTLE AND BUSTLE OF THE OLDER GRADES; IT'S VERY PEACEFUL.

Julia Capocelli, teacher

was approved.

Blackwood-Freitas said she will provide the district with all the information it needs, but increasing enrollment figures by themselves are persuasive.

"The children are speaking for themselves; the growth is speaking," she said.

Green Valley Charter School is planning an open house for its kindergarten facility Oct. 30.

Car show set Sept. 6

The fifth annual Maxx-limit Cars and Burgers Car Show will be held Sept. 6 from noon until 3 p.m. at Les Schwab Tire Center, 1500 East Pacheco Blvd. Registration for participants in the car show will be held from 10 a.m. until noon. The entry fee is \$25 and vendor spaces are available for \$39. For more information call (209) 435-0724 or (209) 605-0811.

Free driver safety class scheduled

A free driver safety class for teenagers and their parents will be offered by the California Highway Patrol's Los Banos office Sept. 9 from 6:30 to 8:30 p.m. The "Start Smart" class is designed for newly licensed and prospective drivers ages 15 to 19. Parents and guardians may sign up for the class by emailing Officer Dean Emechiser at demehiser@chp.ca.gov or calling (209) 826-3811.

Public Meetings Planned on Environmental Impact Statement for the Coordinated Long term Operation of the Central Valley Project and State Water Project

Public meetings will be held to gather input on the Draft Environmental Impact Statement (EIS) for the Coordinated Long-term Operation of the Central Valley Project (CVP) and State Water Project (SWP). The Draft EIS analyzes the impacts of implementing the 2008 U.S. Fish and Wildlife Service and 2009 National Marine Fisheries Service Biological Opinions associated with the coordinated long-term operation of the CVP and SWP.

Four public meetings will be held at the following locations:

- **Sacramento: Wednesday, September 9, 2015, 2-4 p.m.**, John E. Moss Federal Building, Stanford Room, 650 Capitol Mall, Sacramento, CA 95814.
- **Red Bluff: Thursday, September 10, 2015, 6-8 p.m.**, Red Bluff Community Center, Westside Room, 1500 S. Jackson Street, Red Bluff, CA 96080.
- **Los Banos: Tuesday, September 15, 2015, 6-8 p.m.**, Los Banos Community Center, Grand Room, 645 7th Street, Los Banos, CA 93635.
- **Irvine: Thursday, September 17, 2015, 6-8 p.m.**, Hilton Hotel Irvine/Orange County Airport, Catalina Ballroom, 18800 MacArthur Boulevard, Irvine, CA 92612.

Written comments are due by close of business, Tuesday, September 29, 2015. You may mail your comments to Ben Nelson, Natural Resources Specialist, Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536. Comments may also be emailed to bcnelson@usbr.gov or faxed to (916) 414-2439.

For additional information, please contact Theresa Olson, Conservation and Conveyance Division Chief, Bay-Delta Office, Bureau of Reclamation at tolson@usbr.gov, or by phone at 916-414-2433 (TTY 800-877-8339).

Manuel...


In Memory of a Special Husband

I'm holding back the tears today remembering anew those wonderful and precious years spent happily with you.

And I can't think of anything I wouldn't give, to see that lovable, familiar face that meant so much to me

Just to spend a day with you and laugh with you again for since you've been gone, Manuel life's never been the same

Love, Debbie



MJB00019/01/12/15

The family of Joe Giannone would like to give a heartfelt thanks to our family and friends who expressed their love and support after Joe's passing.


Thank you for the beautiful flowers, cards, food, masses, contributions to various charities or your comforting words of sympathy during this difficult time, we are truly grateful.

A special thank you to the following: Father Efrain Martinez, Dr. Jason Mevi & Staff, Hinds Hospice, Los Banos Fire Department, Whitehurst Funeral Chapel, and caregivers Margo Macedo and Sofia Ponce.

We will always remember your kindness in memory of our loving Husband, Dad, and Tatle.

With our deepest appreciation,

Theresa Giannone
Linda Teixeira & Family
Cindy Silva & Family



000192/24/14

\$335,000

Classic

Gratffiti

JULY 3 - AUGUST 29

7-10PM

Fridays

TWO HOURLY WINNERS

\$500 EACH

10PM ONE WINNER

\$5,000

5-10PM

Saturdays

TWO HOURLY WINNERS

\$1,000 EACH

10PM CHANCE TO WIN A

DODGE CHALLENGER,
FORD MUSTANG
OR CHEVY CAMARO



FINAL WEEKEND!







FREE PLAY 4 FULL SLOTS!

BlackOakCasino.com • 1-877-747-8777

Download our Mobile App today!



See Players Club for details. Must be 21 to gamble. Gambling a problem for you? Call 1-800-GAMBLER.  



ERIC PAUL ZAMORA ezamora@fresnobee.com

Zackeria Lovick, at left in the foreground, delivers backpacks with school supplies to students at Del Mar Elementary School in Fresno on Monday.

Fresno boy, 7, begins school supplies drive for students in need

BY CARMEN GEORGE
cgeorge@fresnobee.com

Seven-year-old Zackeria Lovick recently learned something startling while shopping for school supplies with his mom.

As he picked out items to use in class as a second-grader at Figarden Elementary School in northwest Fresno, his mom Malarie Silos asked, "What about the kids who can't afford it?"

His response: "Wait, what?!"

That led to a discussion and plan. Zackeria would collect backpacks and supplies for a different school within Fresno Unified School District each month through May. After that, he hopes to continue collecting items over the summer for a back-to-school giveaway next fall.

He gave away his first 17 packs stuffed with supplies for children in need on Monday afternoon at Del Mar Elementary in central Fresno.

"I just want to help kids so that they have everything they need," Zackeria said.

Nine-year-old Katrina Haemkeo was among a small group of students from first through fifth grade who met with Zackeria at Del Mar. She was excited and surprised to receive a new black backpack with supplies. She thinks what Zackeria did is "really cool."

Del Mar Principal Nicole Woods agrees.

"I think it's great for our students, obviously, to receive something so wonderful, but also for them to see someone their age gathering and giving beyond themselves," Woods said.

"It may inspire our own students to do something similar. ... It's just a positive way to start the school year."

A certificate of recognition from Fresno City Council Member Esmeralda Soria also was presented to Zackeria, calling him an "inspiration to the

Teammates remember Hanford teen who died

BY LEWIS GRISWOLD
lgriswold@fresnobee.com

HANFORD

When the voice over the loudspeaker at Sierra Pacific High on Monday said every member of the boys water polo team must report to a team meeting immediately, everyone on campus knew what it was about.

Nolan Eggert, 16, a sophomore and the goalie on the water polo junior varsity squad, died Friday night in a tragic accident.

A candlelight vigil in his honor was held Monday night at the high school, following one Sunday at Woodrow Wilson Junior High, where his father is the principal.

Nolan was struck by a car while crossing the road on his bicycle a few blocks from his home west of Hanford.

The accident happened about 9:40 p.m. Friday. The CHP said the boy rode his bike into the north lane of 14th Street, north of School Street, and was hit by a 1999 Camry. He was not wearing a helmet.

The driver, Felix Gonzalez-Hernandez, 25, stopped and called 911. Alcohol or drugs do not appear to be a factor, the CHP said.

Nolan Eggert was riding bicycle when he crossed in front of car

Eggert was on Sierra Pacific High's water polo team

Candlelight vigils held at two schools



Nolan Eggert

An ambulance took Nolan to the hospital in Hanford, and a helicopter took him to Community Regional Medical Center in Fresno.

Nolan's father, Kenny Eggert, was at the hospital in Fresno when his son died.

"I went in, I said a prayer, I grabbed his hand," Eggert said. "His hand squeezed back. I know it was God saying I've taken your son home."

School counselors and pastors were at the high school Monday to talk with students as needed, said Principal Greg Henry.

At the water polo team meeting, coach Kevin Jauregui told team members they were confront-

ing a unique situation - the death of one their own.

Nolan was new to the position of goalie, but immediately became an inspiration to the team, teammates said. Every time he blocked a shot, they would yell "Nolan!"

"Nolan was genuinely a great person - nice and fair and respectful," said John Mello, 15, a sophomore. "I'll remember his great sense of humor - he could make everyone smile."

"He was always trying his hardest," said Michael Hollar, 17, a senior. The sports department said plans are in the works for a Nolan Eggert Award to be given to a senior water polo player, boy or girl, who best exemplifies Nolan's team player spirit.

His father said when the coach assigned him to be goalie, "he had the best

game of his life."

Nolan had a gift for making friends, his father said. When he switched schools in eighth grade to attend Woodrow Wilson Junior High, "he didn't know anybody. At the end, he knew 600. Nolan did not have an enemy."

Even though he was only 16, he had a job helping make kettle corn at the Thursday night farmers market in Hanford.

Nolan loved camping, hunting and fishing.

"His lifelong goal was to become a fish and game warden to protect our resources for future use," his father said.

Family friend Karen McConnell said she liked "his mischievous smile, no question."

"He was a very, very sweet boy," said family friend Carolyn Nunes. "He had so many friends."

Survivors include his father, mother Stephanie Eggert, vice principal at Frontier Elementary School, and brother Martin, 18, a student at the University of North Dakota.

Lewis Griswold:
559-441-6104,
@fb_LewGriswold



Watch as Del Mar Elementary students receive backpacks and school supplies from Zackeria Lovick at www.fresnobee.com/video

youth in our community!"

Zackeria is now working to collect more items so he can give to students at another school, which hasn't been chosen yet. His mom is proud of his enthusiasm for the project and initiative.

"He's kind of been taking over, which is fun to see."

Carmen George:
559-441-6386,
@CarmenGeorge

YOU AND A GUEST ARE INVITED TO ATTEND A SPECIAL ADVANCE SCREENING OF



FOR YOUR CHANCE TO WIN A PASS (ADMITS TWO) TO A SPECIAL ADVANCE SCREENING, E-MAIL YOUR NAME, ADDRESS WITH ZIP AND DATE OF BIRTH TO: UNIVERSALSCREENINGSFRESNO@GMAIL.COM or send a S.A.S.E. to: THE VISIT Contest, 345 CALIFORNIA STREET, #1200, SAN FRANCISCO, CA 94104. No drop-offs accepted. Entries must be received through mail by Friday, September 4.

THE VISIT HAS BEEN RATED PG-13 FOR DISTURBING THEMATIC MATERIAL, INCLUDING TERROR, VIOLENCE AND SOME NUDDITY, AND FOR BRIEF LANGUAGE. Please note: Passes received through this promotion do not guarantee you a seat at the theater. Seating is on a first-come, first-served basis. Theater is overbooked to ensure a full house. No admittance once screening has begun. All federal, state and local regulations apply. A recipient of tickets assumes any and all risks related to use of ticket, and accepts any restrictions required by ticket provider, Universal Pictures, Fresno Bee and their affiliates accept no responsibility or liability in connection with any loss or accident incurred in connection with use of a prize. Tickets cannot be exchanged, transferred or redeemed for cash, in whole or in part. We are not responsible for, for any reason, winner is unable to use his/her ticket in whole or in part. Not responsible for lost, delayed or misdirected entries. All federal and local taxes are the responsibility of the winner. Void where prohibited by law. NO PURCHASE NECESSARY. Participating sponsors, their employees & family members and their agencies are not eligible. NO PHONE CALLS!

IN THEATERS SEPTEMBER 11
WWW.STAYINYOURROOM.COM

Public Meetings Planned on Environmental Impact Statement for the Coordinated Long-term Operation of the Central Valley Project and State Water Project

Public meetings will be held to gather input on the Draft Environmental Impact Statement (EIS) for the Coordinated Long-term Operation of the Central Valley Project (CVP) and State Water Project (SWP). The Draft EIS analyzes the impacts of implementing the 2008 U.S. Fish and Wildlife Service and 2009 National Marine Fisheries Service Biological Opinions associated with the coordinated long-term operation of the CVP and SWP.

Four public meetings will be held at the following locations:

- **Sacramento: Wednesday, September 9, 2015, 2-4 p.m.**, John E. Moss Federal Building, Stanford Room, 650 Capitol Mall, Sacramento, CA 95814.
- **Red Bluff: Thursday, September 10, 2015, 6-8 p.m.**, Red Bluff Community Center, Westside Room, 1500 S. Jackson Street, Red Bluff, CA 96080.
- **Los Banos: Tuesday, September 15, 2015, 6-8 p.m.**, Los Banos Community Center, Grand Room, 645 7th Street, Los Banos, CA 93635.
- **Irvine: Thursday, September 17, 2015, 6-8 p.m.**, Hilton Hotel Irvine/Orange County Airport, Catalina Ballroom, 18800 MacArthur Boulevard, Irvine, CA 92612.

Written comments are due by close of business, Tuesday, September 29, 2015. You may mail your comments to Ben Nelson, Natural Resources Specialist, Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536. Comments may also be emailed to bcnelson@usbr.gov or faxed to (916) 414-2439.

For additional information, please contact Theresa Olson, Conservation and Conveyance Division Chief, Bay-Delta Office, Bureau of Reclamation at tolson@usbr.gov, or by phone at 916-414-2433 (TTY 800-877-8339).

OCTOBER 7-18

BIG times ARE BACK

DON'T MISS THESE GREAT SHOWS!

<p>PAUL PAUL THEATER TABLE MOUNTAIN CONCERT SERIES</p>	<p>Coors LIGHT TOYOTA xfinity</p>
<p>WED, OCT 7 JEFF FOXWORTHY</p>	<p>THURS, OCT 8 THE BAND PERRY</p>
<p>FRI, OCT 9 NELLY</p>	<p>SAT, OCT 10 GABRIEL IGLESIAS</p>
<p>SUN, OCT 11 ROBERTO TAPIA</p>	<p>MON, OCT 12 PAUL ANKA</p>
<p>TUES, OCT 13 LECRAE</p>	<p>WED, OCT 14 RANDY HOUSER</p>
<p>THURS, OCT 15 311</p>	<p>FRI, OCT 16 DIANA ROSS</p>
<p>SAT, OCT 17 SABRINA CARPENTER 1 P.M.</p>	<p>SAT, OCT 17 2 CHAINZ</p>
<p>SUN, OCT 18 GLORIA TREVI</p>	<p>More Concerts To Be Announced!</p>

Artists subject to change. Fair admission is not included in reserved seat pricing. Service charges apply to online and phone purchases. Concerts begin at 7 p.m. unless otherwise noted. For prices visit www.FresnoFair.com.

www.FresnoFair.com
BUY TICKETS NOW | 559-650-FAIR

The Fresno Bee
fresnobee.com | NEWS ALL DAY your WAY.

Connect With Us
f p t+ y

Fresno Bee Home Delivery

Offered in Fresno, Madera, Merced, Mariposa, Kings & Tulare Counties.

PRICES PER WEEK	
Home Delivery	or By Mail
7 Days a Week	
\$11.47	\$15.46
Thursday - Sunday	\$10.75
Saturday/Sunday	\$7.61
Sunday Only	\$7.50
Monday - Friday & Sunday	\$12.98
Business Pack	\$33.84

*Home delivery includes Digital Membership with unlimited online access to fresnobee.com, Ebee, and all apps.

Subscription includes deliveries on New Year's Eve and Day, Martin Luther King Jr. Day, President's Day, Cesar Chavez Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving, Christmas Eve, Christmas Day, and the day after Christmas. Premium editions include, January premium day edition, Vintages Magazine and Peoples Choice (March), Memorial Day, Labor Day, Flavors Magazine (Nov.), Thanksgiving Day and Christmas Day editions. Central Valley Magazine is delivered once a month in selected zip codes. Subject to sales tax and increase. A \$5 activation fee will be added to new subscriptions.

Subscribe Today!
Call 800 877-3400.

Senator's vote helps seal deal

[Iran, from A1] Another factor, said one frustrated Republican on Capitol Hill: "Trump happened."

The GOP leadership aide, granted anonymity to discuss the setback, said billionaire Donald Trump's attention-grabbing presidential campaign, along with scrutiny of Hillary Rodham Clinton's email server, overshadowed other issues this summer, making it harder for the Republicans' message to attract attention.

Cliff Kupchan, an Iran specialist and chairman of the Eurasia Group risk advisory consulting firm, said the deal "turned out to be good enough" to survive the political market.

"The administration was effective in raising the question 'What's the alternative?'" Kupchan said. "They beat back the arguments that pushing for an extension of sanctions on Iran would produce a better deal."

The agreement between Iran and six world powers — the U.S., Britain, France, Russia, China and Germany — will ease international economic sanctions on Iran in exchange for limits on its ability to enrich uranium and conduct other nuclear activities for at least 15 years.

Among the losers in the political arena is the American Israel Public Affairs Committee. Known as AIPAC, the powerful pro-Israel lobby helped raise tens of millions of dollars for an advertising campaign intended to sway public opinion — and wavering Democrats — to oppose the deal.

AIPAC instead is facing a rare political defeat — arguably its most significant since the Reagan administration in the early 1980s — and has damaged its image as the leading bipartisan voice for Americans who strongly support Israel.

"We're certainly not at the place the opponents of this agreement projected us to be," said Victoria Kaplan, who led a pro-deal campaign for the advocacy group MoveOn.org.

In a letter to her colleagues Wednesday, House Minority Leader Nancy Pelosi (D-San Francisco) also vowed veto-proof support in that chamber.

"I am confident we will sustain the president's veto in both houses of Congress," she said.

Democrats have felt free to back the deal in part because they heard from many in the American Jewish community who split from the more hawkish AIPAC.

The dozen or so Democratic opponents in Congress come mainly from parts of New York, New Jersey and Florida with large politically conservative Jewish populations. But the opponents failed to mount a serious effort to persuade

other lawmakers to buck the White House.

The most important Democratic defector, Sen. Charles E. Schumer of New York, is poised to become the next party leader, but he publicly declined to pressure colleagues to join him. Only one other Democratic senator, Robert Menendez of New Jersey, has lined up with Schumer, although others may yet join them.

Some Democrats quickly lined up behind the president, but others have claimed to be deeply conflicted and may not reveal their decisions until the vote, which is expected by Sept. 17, the self-imposed deadline for congressional review. Some have written lengthy explanations and delivered their decisions in solemn speeches.

Mikulski, who will retire after next year as the longest-serving woman in Congress, called the vote "among the most serious" of her career.

Both sides had launched intense lobbying campaigns. The administration organized classified briefings, and Obama phoned or met numerous House and Senate members, or wrote personal letters to them. He reached across the aisle at times, inviting Sen. Jeff Flake (R-Ariz.) aboard Air Force One on a recent trip to Africa in hope of winning his support. Flake ultimately opposed the deal, and no Republicans are likely to back it.

Disappointed opponents insist that the White House is enjoying what the GOP leadership aide called a "high-water mark" for a flawed deal.

Opponents and several Republican presidential candidates vow to dismantle the in the future, much as foes had promised to repeal and replace Obamacare.

Far from conceding defeat, AIPAC spokesman Marshall Wittmann said that a bipartisan majority in Congress still opposes the deal, and that no major arms control agreement has been approved by only a minority.

Speaking to reporters traveling with Obama in Alaska, White House Press Secretary Josh Earnest took a more optimistic view.

"The administration is encouraged that more than a third of the United States Senate has now indicated that they'll support the successful implementation of the international diplomatic agreement to prevent Iran from obtaining a nuclear weapon," he said.

"This strong support is a validation of the outreach that the president and his team have organized to make sure that every member of the Senate understands exactly what's included in this agreement."

lisa.mascaro@latimes.com
paul.richter@latimes.com



Photographs by VINCENT BEVINS For The Times

FOREST AREAS scraped bare. A researcher speculated that a recent deal to open the U.S. market to Brazilian fresh beef imports, in addition to processed beef already imported, may be contributing to deforestation.

Deforestation rate rises

Almost 2,000 square miles of the Brazilian Amazon has been razed in the last 12 months. The increase might be linked to U.S. beef imports.

BY CLAIRE RIGBY

SAO PAULO, Brazil — Figures released this week point to an apparent rise in deforestation in the Brazilian Amazon over the last year, an ominous development that one researcher attributed to an increase in cattle ranching aimed at the U.S. market.

The newly lost forest, nearly 2,000 square miles, amounts to an area about the size of Delaware.

The report was published by Brazil's National Institute for Space Research and is based on satellite data used to monitor day-to-day changes in Amazon forest cover. The figures represent the largest loss of forest recorded by the system in six years.

Deforestation in the Brazilian Amazon peaked in 2003-04, when the loss of a devastating 10,700 square miles was recorded, but the losses fell to less than 2,000 square miles annually following strategies put in place in 2008 by then-President Luiz Inacio Lula da Silva. Official figures have shown a steady decline since then, hitting a low in 2012 of 1,764 square miles.

This week's figures, however, indicate an increase to 1,977 square miles over the last 12 months.

The increase, if confirmed when Brazil's official deforestation rate is published in November, will mark an inauspicious start to Brazil's part in the upcoming Paris climate change talks.

During a visit by German Chancellor Angela Merkel in August, Germany pledged



A NATURAL RESOURCES officer at a deforestation site. A chain saw instead of heavy equipment was used, which makes it easier for the violators to flee quickly.

support for environmental initiatives amounting to \$618 million, much of it earmarked for the preservation of tropical forest, and President Dilma Rousseff reiterated Brazil's commitment to eliminating illegal Amazon deforestation by 2030.

Greenpeace Brazil criticized that commitment as showing a "lack of ambition," and called for an end to all deforestation, not only the illegal variety.

Paulo Barreto, a senior researcher at Amazon, a non-profit research group, speculated in the Brazilian news magazine Epoca that a recent agreement to open the U.S. market to Brazilian fresh beef imports, in addition to processed beef already imported from Brazil, may be contributing to deforestation. Since that

agreement was reached in June, he said, "farmers have been encouraged by the prospect of increased sales, and may have begun to prepare the ground for more cattle."

Experts urge caution in interpreting the latest deforestation figures, which do not represent Brazil's official rate; that is generated using more precise satellite images.

The figures issued this week are based on a "rapid response" system whose accuracy is compromised by the lower range and resolution of its images, and by heavy cloud cover.

However, Gustavo Faleiros, editor of data-journalism organization InfoAmazonia, said the only doubt is about the precision of the deforestation figures.

"There's no question that it is taking place," he said.

Rigby is a special correspondent.

For the record

If you believe that we have made an error, or you have questions about The Times' journalistic standards and practices, you may contact Deirdre Edgar, readers' representative, by email at readers.representative@latimes.com, by phone at (877) 554-4000, by fax at (213) 237-3535 or by mail at 202 W. 1st St., Los Angeles, CA 90012. The readers' representative office is online at latimes.com/readersrep.

Client Name:
Advertiser:
Section/Page/Zone: MAIN/A004/WEST
Description:
Ad Number:
Insertion Number:
Size:
Color Type:

Los Angeles Times
Publication Date: 09/03/2015
This electronic tearsheet confirms the ad appeared in the Los Angeles Times on the date and page indicated. You may not create derivative works, or in any way exploit or repurpose any content.

Public Meetings Planned on Environmental Impact Statement for the Coordinated Long-term Operation of the Central Valley Project and State Water Project

Public meetings will be held to gather input on the Draft Environmental Impact Statement (EIS) for the Coordinated Long-term Operation of the Central Valley Project (CVP) and State Water Project (SWP). The Draft EIS analyzes the impacts of implementing the 2008 U.S. Fish and Wildlife Service and 2009 National Marine Fisheries Service Biological Opinions associated with the coordinated long-term operation of the CVP and SWP.

Four public meetings will be held at the following locations:

- **Sacramento: Wednesday, September 9, 2015, 2-4 p.m.**, John E. Moss Federal Building, Stanford Room, 650 Capitol Mall, Sacramento, CA 95814.
- **Red Bluff: Thursday, September 10, 2015, 6-8 p.m.**, Red Bluff Community Center, Westside Room, 1500 S. Jackson Street, Red Bluff, CA 96080.
- **Los Banos: Tuesday, September 15, 2015, 6-8 p.m.**, Los Banos Community Center, Grand Room, 645 7th Street, Los Banos, CA 93635.
- **Irvine: Thursday, September 17, 2015, 6-8 p.m.**, Hilton Hotel Irvine/Orange County Airport, Catalina Ballroom, 18800 MacArthur Boulevard, Irvine, CA 92612.

Written comments are due by close of business, Tuesday, September 29, 2015. You may mail your comments to Ben Nelson, Natural Resources Specialist, Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536. Comments may also be emailed to bcnelson@usbr.gov or faxed to (916) 414-2439.

For additional information, please contact Theresa Olson, Conservation and Conveyance Division Chief, Bay-Delta Office, Bureau of Reclamation at tolson@usbr.gov, or by phone at 916-414-2433 (TTY 800-877-8339).

WOODLAND HILLS CAMERA & TELESCOPE SERVICE • SELECTION • VALUE

MON - FRI 9AM-6PM, SAT 9AM-5PM
5348 TOPANGA CYN. BL., WOODLAND HILLS, CA, 91364

Nikon D3300

Simply effortless. Simply stunning.

NOW ONLY \$499⁹⁹
(AFTER \$50 INSTANT SAVINGS WAS \$549.99)
NIKON AUTHORIZED DEALER

CONNECT YOUR CAMERA TO YOUR SMARTPHONE OR TABLET**
Using the WU-1a optional Wireless Module

24.2 EFFECTIVE MEGAPixels up to 5 FPS 3" LCD MONITOR GUIDE MODE EASE OF USE

Available colors: Black, Red

FREE CASE, 16GB, READER, TRIPOD

Nikon D5300

Easily share your photos with built-in WiFi!

Kit includes 18-55mm NIKKOR® VR Lens

NOW ONLY \$749⁹⁵
(was \$899.95 - \$150 I.S.)
inc: CASE, 32GB, READER
NIKON AUTHORIZED DEALER

Tripod & Bag Summer Clearance Sale

Save Up To 50% Off All In Stock Items

TAMRON REBATES

SEPTEMBER 1, 2015 - OCTOBER 31, 2015

16-35mm DI II VC PZD Macro \$30 OFF	18-270mm DI II VC PZD \$50 OFF	28-300mm DI II VC PZD \$100 OFF	SP 70-300mm DI VC USD \$100 OFF
SP 34-70mm PZD DI VC USD \$200 OFF	SP 10-240mm PZD DI VC USD \$100 OFF	SP 150-600mm DI VC USD \$70 OFF	

Authorized Canon Dealer www.whcamera.com Authorized Nikon Dealer
(818) 347-2270
All new equipment includes a 1 year Mfg. U.S. warranty. Order online at www.whcamera.com. Not responsible for typographical or illustrative errors. We reserve the right to limit quantities. Ad prices good thru 9/12/15.

How to contact us:

(800)-LA TIMES

Home Delivery and Membership Program

For questions about delivery, billing and vacation holds, or for information about our Membership program, please contact us at 1 (800) 252-9141 or memberships@latimes.com. You can also manage your account at myaccount.latimes.com.

Letters to the Editor

Want to write a letter to be published in the paper and online? E-mail letters@latimes.com. For submission guidelines, see latimes.com/letters.

Readers' Representative

If you believe we have made an error, or you have questions about our journalistic standards and practices, our readers' representative can be reached at readers.representative@latimes.com, or (877)-554-4000, or online at latimes.com/readersrep.

Tours

Schedule a tour of our facilities. Call (213)-237-5757.

Advertising

For print and online advertising information, go to latimes.com/mediakit or call (213)-237-6176.

Reprint Requests

For the rights to use articles, photos, graphics and page reproductions, e-mail reprint@latimes.com or call (213)-237-4565.

Times In Education

To get "The Times," and our newspaper-based teaching materials, delivered to your classroom at no cost, contact us at latimes.com/tie or call (213)-237-2915.

The Newsroom

Have a story tip or suggestion? Go to a newsroom directory at latimes.com/mediacenter or latimes.com/newstips or call (213)-237-7001.

Media Relations

For outside media requests and inquiries, e-mail commsdept@latimes.com.

L.A. Times Store

Search archives, merchandise and front pages at latimes.com/store.

Los Angeles Times

A Tribune Publishing Company Newspaper Daily Founded Dec. 4, 1881
Vol. CXXXIV No. 274

LOS ANGELES TIMES (ISSN 0458-3035) is published by the Los Angeles Times, 202 W. 1st Street, Los Angeles, CA 90012. Periodicals postage is paid at Los Angeles, CA, and additional cities. POSTMASTER: Send address changes to the above address. Home Delivery Subscription Rates (all rates include applicable CA sales taxes): Daily & Sunday: \$12.00/week in most areas, \$624.00 annually. Thursday and Sunday: \$4.00/week in most areas, \$208.00 annually. Weekend Plus: \$6.50/week in most areas, \$338.00 annually. Sunday Plus: \$4.00/week in most areas, \$208.00 annually. (includes 11/26, 12/25). Daily Plus: \$6.42/week in most areas, \$333.84 annually (includes selected Sundays: 1/4, 1/11, 1/18, 1/25, 2/1, 2/8, 2/22, 3/1, 3/8, 3/15, 3/22, 3/29, 4/12, 4/19, 4/26, 5/3, 5/10, 5/17, 5/24, 5/31, 6/7, 6/14, 6/21, 6/28, 7/12, 7/19, 7/26, 8/2, 8/9, 8/16, 8/23, 8/30, 9/6, 9/13, 9/20, 9/27, 10/4, 10/11, 10/18, 10/25, 11/1, 11/8, 11/15, 11/22, 11/29, 12/6, 12/13, 12/20). Weekend Plus: \$4.85/week in most areas, \$252.20 annually.

Printed with soy-based ink on recycled newsprint from wood products.

1 **23B.3 Fact Sheets – English**

1

This page left blank intentionally.

Fact Sheet

September 2015

Coordinated Long-term Operation of the Central Valley Project and State Water Project

The Draft Environmental Impact Statement (Draft EIS) prepared for the Coordinated Long-term Operation of the Central Valley Project (CVP) and State Water Project (SWP) analyzes the impacts of implementing the 2008 U.S. Fish and Wildlife Service (USFWS) and 2009 National Marine Fisheries Service (NMFS) Biological Opinions (BOs), including their Reasonable and Prudent Alternatives (RPAs).

Background

In August 2008, the Bureau of Reclamation (Reclamation) submitted a biological assessment to the USFWS and NMFS for consultation on the environmental impacts of the coordinated long-term operation of the CVP and SWP. The USFWS and NMFS concluded in their BOs, respectively, that the coordinated operation of the CVP and SWP, as proposed, were likely to jeopardize the continued existence of the delta smelt, listed salmonid species, green sturgeon, and resident killer whale. To remedy the jeopardy opinions, the USFWS and NMFS provided RPAs in their respective BOs. Lawsuits were filed challenging Reclamation's acceptance and implementation of the associated RPAs. The District Court for the Eastern District ruled that Reclamation must conduct an environmental review to determine whether implementing the RPAs causes a significant effect to the human environment.

Draft Environmental Impact Statement

Reclamation held five scoping meetings in 2012 throughout California to collect input on topics and alternatives to be addressed in the EIS. Comments received at the scoping meetings, in addition to other public comments, helped inform the alternative decision development process. The Draft EIS (published on July 31, 2015) analyzes five alternatives that consider modifications to RPA operational components of the CVP and SWP. All of the alternatives address the coordinated operation of the CVP and SWP, and applicable water rights and water quality requirements. Continued operation of the CVP and the SWP is necessary to provide river regulation; improvement of navigation; flood control; water supply for irrigation and domestic uses; fish and wildlife mitigation, protection, and restoration; fish and wildlife enhancement and power generation. The CVP and SWP facilities also provide recreation benefits.

Review of the Draft EIS

Reclamation invites the public and agency comments on the Draft EIS. To view or download the Draft EIS, go to

http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=21883.



RECLAMATION

Managing Water in the West

If you encounter problems accessing the documents, please call 916-978-5100 or email mppublicaffairs@usbr.gov.

Hard copies of the Draft EIS are located at:

Bureau of Reclamation
Mid-Pacific Regional Office
2800 Cottage Way, Sacramento CA
95825

Bureau of Reclamation
Bay-Delta Office
801 I Street, Suite 140, Sacramento, CA
95814
For access, please call 916-414-2424

Comments on the Draft EIS

Written comments from the public, reviewing agencies, and stakeholders will be accepted through September 29, 2015.

Please send your comments using one of the following methods:

- Ben Nelson, Natural Resources Specialist, Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536
- bcnelson@usbr.gov
- Fax: (916) 414-2439

Public Meetings

You are invited to learn more about the Draft EIS and submit comments during Public Meetings at the following locations:

Sacramento	Red Bluff	Los Banos	Irvine
Wednesday, September 9, 2015 2:00 to 4:00 pm	Thursday, September 10, 2015 6:00 to 8:00 pm	Tuesday, September 15, 2015 6:00 to 8:00 pm	Thursday, September 17, 2015 6:00 to 8:00 pm
John E. Moss Federal Building, Stanford Rm. 650 Capitol Mall Sacramento, CA 95814	Red Bluff Community Center 1500 S. Jackson St. Red Bluff, CA 96080	Los Banos Community Center 645 7th St. Los Banos, CA 93635	Hilton Hotel Irvine/Orange County Airport 18800 MacArthur Blvd. Irvine, CA 92612

Next Steps

A preferred alternative will be selected and a Final EIS will be prepared that will include responses to all substantial comments on the Draft EIS. Reclamation will make the Final EIS available for 30 days before finalizing the Record of Decision (ROD). The ROD will document Reclamation's decision on which actions, if any, to take to address the purpose and need; and describe any mitigation plans, and factors that were considered when making the final decision.

For additional information, please contact Theresa Olson, Conservation and Conveyance Division Chief, Bay-Delta Office, Bureau of Reclamation at tolson@usbr.gov, or by phone at 916-414-2433 (TTY 800-877-8339).



1 **23B.4 Fact Sheets – Spanish**

1

This page left blank intentionally.

Ficha técnica

Septiembre de 2015

Operación coordinada a largo plazo del Proyecto del Valle Central de California y el Proyecto Hídrico Estatal

El Borrador de la Declaración de Impacto Ambiental (Draft Environmental Impact Statement, EIS) preparado para la Operación coordinada a largo plazo del Proyecto del Valle Central de California (Central Valley Project, CVP) y el Proyecto Hídrico Central (State Water Project, SWP) analiza los impactos de implementar las opiniones biológicas (Biological Opinions, BO) del Servicio de Pesca y Fauna Silvestre de los Estados Unidos de 2008 (U.S. Fish and Wildlife Service, USFWS) y del Servicio Nacional de Pesca Marina de 2009 (National Marine Fisheries Service, NMFS), incluidas sus Alternativas Razonables y Prudentes (Reasonable and Prudent Alternatives, RPA).

Antecedentes

En agosto de 2008, el Departamento de Recuperación (Recuperación) emitió una evaluación biológica al USFWS y NMFS para la consulta del impacto ambiental de la operación coordinada a largo plazo de CVP y SWP. El USFWS y el NMFS concluyeron en sus BO, respectivamente, que la operación coordinada del CVP y el SWP, según lo propuesto, podía poner en riesgo la continua existencia del eperlano del delta, especies enumeradas de salmónidos, el esturión verde y la orca residente. Para remediar las opiniones de riesgo, el USFWS y el NMFS proporcionaron sus RPA en las respectivas BO. Se presentaron demandas que impugnan la aceptación e implementación de las RPA por parte de Recuperación. El Tribunal del Distrito del Este determinó que Recuperación debe llevar a cabo una revisión ambiental para determinar si implementar las RPA causará un efecto significativo sobre el entorno humano.

Declaración de impacto ambiental

Recuperación celebró cinco reuniones de exploración en 2012 en toda California para obtener aportes sobre temas y alternativas a ser abordados en la EIS. Los comentarios recibidos en las reuniones de exploración, además de otros comentarios públicos, ayudaron a informar el proceso de desarrollo de la decisión alternativa. El borrador de la EIS (publicado el 31 de julio de 2015) analiza cinco diferentes alternativas que consideran modificaciones a componentes operativos RPA del CVP y el SWP. Todas las alternativas abarcan la operación coordinada del CVP y el SWP, y los actuales derechos al agua y requerimientos de calidad del agua. La operación continua del CVP y el SWP es necesaria para la regulación de los ríos; la mejora de la navegación; el control de las inundaciones; el suministro de agua para riego y usos domésticos; el alivio, la protección y la restauración de los peces y la vida silvestre; la mejora de los peces y la vida silvestre, y la generación de energía. Las instalaciones del CVP y SWP también proporcionan beneficios de recreación.



Revisión del borrador de la EIS

Recuperación invita al público y las agencias a comentar el borrador de la EIS. Para ver o descargar el borrador de la EIS, ingrese a

http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=21883.

Si tiene algún problema para acceder a este documento, llame al 916-978-5100 o envíe un correo electrónico a mppublicaffairs@usbr.gov.

Hay copias impresas del borrador de la EIS en:

Departamento de Recuperación
Oficina Regional del Centro del Pacífico

2800 Cottage Way, Sacramento CA
95825

Oficina de Recuperación
Oficina de la Bahía y del Delta

801 I Street, Suite 140, Sacramento, CA
95814

Para obtener acceso, llame al 916-414-
2424

Comentarios sobre el Borrador de la EIS

Los comentarios escritos del público, de las agencias revisoras y de las partes interesadas se recibirán hasta el 29 de septiembre de 2015.

Envíe sus comentarios a través de uno de los siguientes métodos:

- Ben Nelson, Especialista en Recursos Naturales, Departamento de Recuperación, Oficina de la Bahía y del Delta, 801 I Street, Suite 140, Sacramento, CA 95814-2536
- bcnelson@usbr.gov
- Fax: (916) 414-2439

Juntas públicas

Está invitado a obtener más información sobre el borrador de la EIS y a emitir sus comentarios durante las juntas públicas en las siguientes localidades:

Sacramento	Red Bluff	Los Banos	Irvine
Miércoles, 9 de septiembre de 2015 De 2:00 a 4:00 p. m.	Jueves, 10 de septiembre de 2015 De 6:00 a 8:00 p. m.	Martes, 15 de septiembre de 2015 De 6:00 a 8:00 p. m.	Jueves, 17 de septiembre de 2015 De 6:00 a 8:00 p. m.
Edificio federal John E. Moss, Stanford Rm. 650 Capitol Mall Sacramento, CA 95814	Centro comunitario de Red Bluff 1500 S. Jackson St. Red Bluff, CA 96080	Centro comunitario de Los Banos 645 7th St. Los Banos, CA 93635	Hotel Hilton Irvine/Aeropuerto del Condado de Orange 18800 MacArthur Blvd. Irvine, CA 92612



Siguientes pasos

Se elegirá una alternativa preferida y se preparará una EIS final que incluirá respuestas a todos los comentarios sustanciales del Borrador de la EIS. Recuperación pondrá a disposición la EIS final durante un periodo de 30 días antes de que finalice el registro de decisión (Record of Decision, ROD). El ROD documentará la decisión de Recuperación sobre qué acciones deberán tomarse para cumplir el propósito y la necesidad del proyecto; y describir cualquier plan de mitigación o factor considerado al tomar la decisión final.

Para obtener información adicional, contacte a Theresa Olson, Jefa de la División de Conservación y Traspaso, Oficina de la Bahía y del Delta, Departamento de Recuperación a tolson@usbr.gov, o por teléfono al 916-414-2433 (TTY 800-877-8339).



This page left blank intentionally.

1 **23B.5 Display Boards – English**

1

This page left blank intentionally.

RECLAMATION

Managing Water in the West

Draft Environmental Impact Statement

**Coordinated Long-term Operation of
Central Valley Project (CVP) and
State Water Project (SWP)**

Public Meeting



U.S. Department of the Interior
Bureau of Reclamation

Public Meeting Format

- **Open House to answer questions on Draft Environmental Impact Statement (Draft EIS)**
- **Explore the Open House displays and talk with staff**
- **Brief presentation (will start 30 minutes after Open House begins)**
- **Provide comments for the record today either in writing by submitting a Comment Card or by meeting with the Court Reporter to record your verbal comments**

RECLAMATION

Purpose of the Project

- To continue the operation of the Central Valley Project (CVP), in coordination with operation of the State Water Project (SWP), for the authorized purposes, in a manner that:
 - Is similar to historical operational parameters with certain modifications;
 - Is consistent with Federal Reclamation law; other Federal laws and regulations; Federal permits and licenses; and State of California water rights, permits, and licenses; and
 - Enables the Bureau of Reclamation (Reclamation) and the California Department of Water Resources (DWR) to satisfy their contractual obligations to the fullest extent possible.

RECLAMATION

Need for Continued Operations of the CVP and SWP

- **Continued operation of the CVP provides:**
 - River regulation; improvement of navigation; flood control; water supply for irrigation and domestic uses; fish and wildlife mitigation, protection, and restoration; fish and wildlife enhancement; and power generation.
- **Continued operation of the CVP and SWP provides:**
 - Water supply operations in accordance with the water rights and water quality requirements adopted by Federal and State agencies, including the State Water Resources Control Board.
 - Recreation benefits.

RECLAMATION

Need for the Project

- **CVP and SWP are operated per Federal and State regulations, including the U.S. Fish and Wildlife Service (USFWS) 2008 Biological Opinion (BO) and the National Marine Fisheries Service (NMFS) 2009 BO, including the Reasonable and Prudent Alternatives (RPAs) to avoid jeopardizing continued existence of listed species and adversely modifying their critical habitat.**
 - **The District Court for the Eastern District of California ruled that Reclamation must conduct environmental analyses to determine whether operation of the CVP and SWP with the BOs (and RPAs) would cause significant adverse impacts to the environment.**

RECLAMATION

CVP, SWP, and Other Major Water Facilities in California



RECLAMATION

Surface Water Resources

- **Surface Water/Water Supply Resources (Chapter 5)**
 - Changes in reservoir and river conditions
 - Changes in CVP and SWP water deliveries
- **Surface Water Quality (Chapter 6)**
 - Changes in temperature, salinity, methylmercury, selenium
- **Geographic Focus of Analysis**
 - CVP and SWP reservoirs and streams below the reservoirs
 - Delta
 - Areas that Use CVP & SWP Water
 - Central Valley
 - San Francisco Bay Area
 - Central Coast (San Luis Obispo & Santa Barbara Counties)
 - Southern California

RECLAMATION

Groundwater Resources

- **Groundwater Resources and Quality (Chapter 7)**
 - Changes in groundwater use and elevations
 - Potential for reduction in groundwater quality
- **Geographic Focus of Analysis**
 - **Areas that Use CVP & SWP Water**
 - Central Valley
 - San Francisco Bay Area
 - Central Coast (San Luis Obispo & Santa Barbara Counties)
 - Southern California

Aquatic Resources

- **Fish and Aquatic Resources (Chapter 9)**
 - **Changes in habitat conditions for fish in CVP and SWP reservoirs**
 - **Changes in habitat conditions for fish in streams downstream of CVP and SWP reservoirs and the Delta**
 - **Salmonids (including Coho Salmon; winter-run, spring-run, fall-run, and late-fall run Chinook Salmon; and steelhead)**
 - **Green and White Sturgeon**
 - **Pacific Lamprey**
 - **Sacramento Splittail**
 - **Delta Smelt**
 - **Longfin Smelt**
 - **Striped Bass**
 - **American Shad**
 - **Hardhead**

Wildlife and Botanical Resources

- **Terrestrial Biological Resources (Chapter 10)**
 - **Changes in habitat conditions along rivers downstream of CVP and SWP reservoirs**
 - **Changes in habitat conditions along river and Delta floodplains**
 - **Changes in habitat conditions in the Yolo Bypass**
 - **Changes in Delta habitat due to salinity conditions**

Socioeconomics

- **Agricultural Resources (Chapter 12)**
 - Changes in agricultural production and employment
- **Socioeconomics (Chapter 19)**
 - Changes in employment, economic productivity, and municipal/industrial water costs
- **Environmental Justice (Chapter 21)**
 - Potential disproportionate effects to minority and low-income populations (focused on air quality and mercury)
- **Geographic Focus of Analysis**
 - Central Valley
 - San Francisco Bay Area
 - Central Coast (San Luis Obispo & Santa Barbara Counties)
 - Southern California

RECLAMATION

How to Provide Comments on the Draft EIS

- **Comments due by 5:00 pm September 29, 2015**
 - **At the Public Meeting**
 - **Fill out Comment Cards**
 - **Record verbal comments with the Court Reporter**
 - **U.S. Mail – Send comments to:**
 - **Ben Nelson, Natural Resources Specialist,
Bureau of Reclamation, Bay-Delta Office,
801 I Street, Suite 140, Sacramento, CA 95814-2536**
 - **Email – Send comments to:**
 - **bcnelson@usbr.gov**
 - **Fax – Send comments to:**
 - **(916) 414-2439**

RECLAMATION

1 **23B.6 Display Boards – Spanish**

1

This page left blank intentionally.

RECLAMATION

Managing Water in the West

Borrador de la Declaración de impacto ambiental

Operación coordinada a largo plazo del Proyecto del Valle Central (CVP) y el Proyecto Hídrico Estatal (SWP)

Reunión con el público



U.S. Department of the Interior
Bureau of Reclamation

Estructura para la reunión con el público

- Sesión abierta para responder preguntas acerca del borrador de la Declaración de impacto ambiental (Environmental Impact Statement, EIS)
- Revise las exposiciones durante la sesión abierta y platique con el personal
- Presentación corta (dará inicio 30 minutos después de que empiece la sesión abierta)
- Proporcione hoy comentarios para el registro, ya sea por escrito al presentar una tarjeta de comentarios o al reunirse con el relator del tribunal para grabar sus comentarios orales

RECLAMATION

Propósito del proyecto

- Continuar con la operación del Proyecto del Valle Central (Central Valley Project, CVP) en coordinación con la operación del Proyecto Hídrico Estatal (State Water Project, SWP), para los propósitos autorizados, de forma que:
 - sea comparable con los parámetros de operación históricos con ciertas modificaciones;
 - sea congruente con la Ley Federal de Recuperación; otras leyes y regulaciones federales; permisos y licencias federales; y derechos, permisos y licencias de agua del estado de California; y
 - permita a la Departamento de Recuperación (Recuperación) y al Departamento de Recursos Hídricos de California (California Department of Water Resources, DWR) cumplir sus obligaciones contractuales en la mayor medida posible.

RECLAMATION

La necesidad de la operación continua del CVP y del SWP

- **La operación continua del CVP proporciona:**
 - Regulación fluvial; mejoramiento de la navegación; control de inundaciones; suministro de agua para irrigación y uso doméstico; mitigación, protección y restauración de pesca y vida silvestre; fortalecimiento de pesca y vida silvestre; y generación de energía
- **La operación continua del CVP y del SWP proporciona:**
 - Operaciones del suministro de agua de conformidad con los derechos del agua y los requisitos de la calidad del agua adoptados por las agencias federales y estatales, incluida la Comisión Estatal para el Control de los Recursos Hídricos
 - Beneficios de recreación

RECLAMATION

Necesidad del proyecto

- El CVP y el SWP se llevan a cabo de acuerdo con las normas federales y estatales, incluida la Opinión biológica (Biological Opinion, BO) de 2008 del Servicio de Pesca y Vida Silvestre de EE. UU. (U.S. Fish and Wildlife Service, USFWS), y la BO de 2009 del Servicio Nacional de Pesca Marina (National Marine Fisheries Service, NMFS), las BO incluyen Alternativas Razonables y Prudentes (Reasonable and Prudent Alternatives, RPAs) para evitar poner en peligro la continuación de la existencia de las especies en la lista en peligro de extinción y modificar su hábitat primordial
 - El Tribunal de Distrito para el Distrito del Este de California dictaminó que la Departamento de Recuperación debe llevar a cabo análisis ambientales para determinar si la operación del CVP y del SWP con las BO (y las RPA) causarían impactos negativos importantes al medio ambiente

RECLAMATION

El CVP, el SWP y otras instalaciones principales de agua en California



RECLAMATION

Recursos de aguas superficiales

- Agua superficial o recursos de suministro de agua (capítulo 5)
 - Cambios en las reservas y las condiciones de los ríos
 - Cambios en el suministro de agua del CVP y del SWP
- Calidad del agua superficial (capítulo 6)
 - Cambios en la temperatura, la salinidad, el metilmercurio y el selenio
- Enfoque geográfico del análisis
 - Reservas y corrientes debajo de las reservas del CVP y del SWP
 - Delta
 - Áreas que utilizan agua del CVP y del SWP
 - Valle Central
 - Área de la Bahía de San Francisco
 - Costa Central (condados de San Luis Obispo y de Santa Bárbara)
 - Sur de California

RECLAMATION

Recursos de agua subterránea

- **Recursos de agua subterránea y calidad (capítulo 7)**
 - Cambio en el uso de aguas subterráneas y elevaciones
 - Potencial de reducción de la calidad del agua subterránea
- **Enfoque geográfico del análisis**
 - **Áreas que utilizan agua del CVP y del SWP**
 - Valle Central
 - Área de la Bahía de San Francisco
 - Costa Central (condados de San Luis Obispo y de Santa Bárbara)
 - Sur de California

RECLAMATION

Recursos acuáticos

- Recursos de pesca y acuáticos (capítulo 9)
 - Cambios en las condiciones del hábitat para los peces en las reservas del CVP y del SWP
 - Cambios en las condiciones del hábitat para los peces en las corrientes descendientes de las reservas del CVP y del SWP y en el delta
 - salmónidos (incluidos el salmón plateado; el salmón rosado de las temporadas de invierno, primavera, otoño y finales de otoño; y la trucha arcoíris)
 - esturión verde y blanco
 - lamprea del Pacífico
 - splittail de Sacramento (*Pogonichthys macrolepidotus*)
 - eperlano del delta
 - eperlano de aleta larga
 - lubina rayada
 - sábalo americano
 - bagre

RECLAMATION

Recursos de vida silvestre y botánicos

- **Recursos biológicos terrestres (capítulo 10)**
 - Cambios en las condiciones del hábitat a lo largo de los ríos descendientes de las reservas del CVP y del SWP
 - Cambios en las condiciones del hábitat a lo largo de las llanuras aluviales de ríos y del delta
 - Cambios en las condiciones del hábitat en el desvío de Yolo
 - Cambios en las condiciones del hábitat a consecuencia de las condiciones de salinidad

Aspectos socioeconómicos

- **Recursos agrícolas (capítulo 12)**
 - Cambios en la producción y el empleo agrícola
- **Aspectos socioeconómicos (capítulo 19)**
 - Cambios en el empleo, la productividad económica y los costos del agua municipal o industrial
- **Justicia ambiental (capítulo 21)**
 - Efectos potenciales desproporcionados para las poblaciones minoritarias y de bajos ingresos (enfocados en la calidad del aire y en el mercurio)
- **Enfoque geográfico del análisis**
 - Valle Central
 - Área de la Bahía de San Francisco
 - Costa Central (condados de San Luis Obispo y de Santa Bárbara)
 - Sur de California

RECLAMATION

Cómo proporcionar comentarios sobre el borrador de la EIS

- Los comentarios deberán entregarse antes de las 5:00 p. m., el 29 de septiembre de 2015
 - En la reunión con el público
 - Llene las tarjetas de comentarios
 - Grabe sus comentarios orales con el relator del tribunal
 - Por correo postal de EE.UU., envíe sus comentarios a:
 - Ben Nelson, Natural Resources Specialist,
Bureau of Reclamation, Bay-Delta Office,
801 I Street, Suite 140, Sacramento, CA 95814-2536
 - Por correo electrónico, envíe sus comentarios a:
 - bcnelson@usbr.gov
 - Por fax, envíe sus comentarios al:
 - (916) 414-2439

RECLAMATION