



CITY OF RED BLUFF

No. 548

555 Washington Street Red Bluff, California 96080 (530) 527-2605 Fax (530) 529-6878 www.ci.red-bluff.ca.us

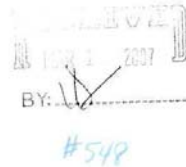
Letter from Martin J. Nichols, City Manager, Dated March 14, 2007

548-1 This comment letter is duplicate to Comment Letter 521.

March 14, 2007

VIA U.S. MAIL AND E-MAIL

Mr. David Bird
General Manager
Tehama-Colusa Canal Authority
PO Box 1025
Willows, CA 95988



RE: DRAFT ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL
IMPACT REPORT FISH PASSAGE IMPROVEMENT PROJECT AT THE
RED BLUFF DIVERSION DAM

Dear Mr. Bird:

The City of Red Bluff is replying to the Tehama Colusa Canal Authority ("TCCA") and United States Bureau of Reclamation ("USBR") Draft Environmental Impact Statement/ Environmental Impact Report Fish Passage Improvement Project at the Red Bluff Diversion Dam ("DEIS/EIR"). The City finds that the DEIR/EIS does not comply with the California Environmental Quality Act ("CEQA") and the National Environmental Policy Act ("NEPA") in several essential respects. Because the City of Red Bluff and our Attorney of record on this project (Mr. Crabtree) were not noticed on the re-circulated EIS/EIR, we object to the short deadline for comments and request that the comment deadline be extended for 30 days.

The City of Red Bluff believes that the DEIR/EIS fails to meet the requirements of the California Environmental Quality Act and the National Environmental Policy Act. The document should be withdrawn and a revised DEIR/EIS released which adequately addresses all direct and reasonably foreseeable impacts, provides adequate and feasible mitigation, considers the alternatives under the correct assumptions about the current state of fish passage at RBDD and avoids excessive and unnecessary impacts to the City of Red Bluff.

The DEIR/EIS fails to adequately address the impacts to the City and community of Red Bluff of reducing the gates in period to 2 months including, without limitation, recreational impacts, blighting impacts to existing recreational facilities and areas, aesthetic impacts, safety impacts, and economic impacts to Red Bluff. The

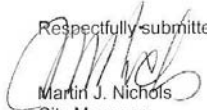
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Letter from Martin J. Nichols, City Manager, Continued

economic impacts will inevitably lead to physical impacts which are not studied or addressed in the DEIS/EIR.

If the draft DEIS/EIR proceeds to the comment response phase please include this letter and the attached letter of November 27, 2002 (RE: Draft Environmental Impact Statement/Environmental Impact Report Fish Passage Improvement Project at the Red Bluff Diversion Dam) from Mr. Richard Crabtree, in the comments to be addressed in this final EIR/EIR and administrative record on this project.

Respectfully submitted,



Martin J. Nichols
City Manager

cc: City Council
City Attorney
Red Bluff Chamber of Commerce
Congressman Wally Herger

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Letter from Martin J. Nichols, City Manager, Continued

MICHAEL T. SHEPHERD
Member-Liaison, all Boards of Trial Advocates
 RICHARD L. CRABTREE
 LINDSEY A. NAYDOUCH

LAW OFFICES
 SHEPHERD & CRABTREE

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 CHICO, CA 95973
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November 27, 2002

Via Facsimile & U.S. Mail

Art Bullock
 Tehama-Colusa Canal Authority
 P.O. Box 1025
 Willows, CA 95988
 Fax: (530) 934-2355

Re: *Draft Environmental Impact Statement/Environmental Impact Report Fish Passage Improvement Project at the Red Bluff Diversion Dam*

Dear Mr. Bullock:

This office represents the City of Red Bluff regarding the Tehama Colusa Canal Authority ("TCCA") and United States Bureau of Reclamation ("USBR") *Draft Environmental Impact Statement/ Environmental Impact Report Fish Passage Improvement Project at the Red Bluff Diversion Dam* ("DEIS/EIR"). As explained below, the DEIR/EIS does not comply with the California Environmental Quality Act ("CEQA") and the National Environmental Policy Act ("NEPA") in several essential respects. Please include this letter in the comments to be addressed in the final EIS/EIR, and in the administrative record on this project.

I. The Purpose and Need Statement for the Project is Misleading

The *Purpose and Need Statement* (DEIR/EIS, p. 1-2) states that the "need for the project is in response to the continued and well-documented fish passage and agricultural water supply problems associated with the operation of RBDD [Red Bluff Diversion Dam]." With respect to fish passage, this description of the "need" for the project ignores extensive and significant improvements for downstream fish passage since the time of the cited research in the 1980s. For example, in Appendix B, *Fishery Resources*, the document indicates that the "current" impacts of the RBDD cause serious impediments to fish passage, citing research done in 1982, 1987 and 1988. (DEIR/EIS, p. B-5.) This analysis of fisheries impacts fails to discuss fish passage improvements completed since that time, including, among other things, the installation of a \$15 million fish screen in 1990 and relocation of the fish bypass outfall far downstream of the dam. (See comments on Draft EIR/EIS submitted by David Vogel, Research Scientists, Inc. which are incorporated herein by reference.)

The real and significant improvements to fish passage problems at RBDD over the past two decades are ignored in the *Purpose and Need Statement* and this results in inaccurate assumptions regarding not only the degree of need for the project but the analysis of the project

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environmental cost, consider mitigation measures, assess the advantage of terminating the proposal (i.e., the “no project” alternative) and weigh other alternatives in the balance. An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR.”

The DEIR/EIS does not provide an accurate view of the project such that the public and decision-makers may balance the project’s benefits against its environmental cost. The huge cost that would be borne by the City under the Preferred Alternative should not be measured against an inaccurate and outdated view of the current fish passage conditions at RBDD. To move forward to project approval on the basis of the DEIS/EIR in its current form would prevent the document from fulfilling its purpose of providing relevant information to all interested parties and decision makers.

II. Selection of a Preferred Alternative During the Draft Document Stage Violates the Spirit of CEQA and NEPA

Declaring a preference for the “Gates Out Alternative” before the environmental review process is complete turns the NEPA/CEQA process on its head. NEPA and CEQA are designed to foster informed decision-making. The DEIS/EIR reads like a *post hoc* rationalization argument, attempting to justify a decision already made. CEQA requires the selection of feasible alternatives that lessen the environmental impacts of proposed projects. (Pub. Resources Code § 21002.) Public Resources Code Section 21002 Provides:

“The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects, and that the procedures required by this division are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

TCCA has already identified the Gates Out Alternative as the Preferred Alternative, and further fouled the preparation of the draft environmental document by stating that its preference is really for the “maximum pumping facility, regardless of gate operations, recognizing that its chief concern was water supply reliability.” (DEIS/EIR, p. 1-8.) Thus, one of the co-lead agencies has identified a preferred alternative while completely disregarding CEQA’s mandate that the lead agency must systematically identify both the significant effects of the proposed project and the feasible alternatives or mitigation measures which will avoid or substantially lessen such significant effects. It is obvious from the DEIS/EIR that TCCA is determined to approve the project with the “maximum pumping facility” and plans to do so because water supply reliability is TCCA’s “chief concern.” (DEIS/EIR, p. 1-8.) TCCA’s desire for maximum pumping does not nullify CEQA’s requirement that the environmentally superior alternative must be identified. (14 Cal. Code Regs. (“CEQA Guidelines”) § 15126.6(e)(2).) The DEIS/EIR

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fish screen. Bank protection would result in the destruction of habitat and infringe upon federal and state policies in support of establishing a riparian meanderbelt along the Sacramento River. Further, control over the channel, which will be absolutely necessary to maintain approach velocities consistent with fisheries agencies' criteria, can only be achieved through dredging of the river channel. (Dave Vogel's September 25, 2002 comments.) Dredging will impact species, including the same listed species the project seeks to protect, and annual dredging may or may not be allowed under the federal Clean Water Act or other regulations. Finally, the fish screen would include a fish bypass system (DEIS/EIR, p. 2-17), which would undoubtedly require at least some review and study to ensure proper performance according to the fisheries agencies' criteria. None of these impacts are addressed in the DEIS/EIR. The long-term maintenance, performance review and protection of the fish screen facility is barely mentioned in the document, and this omission must be corrected in order to allow the public and the decision makers to assess the true impacts of the various alternatives.

Another issue raised by the fish screen portion of the project alternatives is whether or not NMFS will grant a "variance" for an exception to the "no pumped fish bypass" criterion. (DEIS/EIR, p. 2-17.) There is no discussion regarding the likelihood of such a variance. The entire fish screen discussion assumes a variance will be granted by NMFS, without inclusion of a contingency plan or discussion of action to be taken in the event NMFS enforces the "no pumped fish bypass" criterion.

Finally, the long-term operation and maintenance of the fish screen will impact fisheries resources. Table ES-4 indicates that impacts to fisheries resources would come only during construction of the new fish screen. There is no information regarding the potential for annual in-river dredging that may be necessary to maintain channel configuration in order to meet approach and sweeping velocity criteria at the fish screen. Further, any bank protection that becomes necessary to protect the fish screen from river meander and to meet criteria would impact riparian habitat, including possible impacts to shaded riverine aquatic cover, VELB and other resources.

Table ES-4 further says that effects from sediment disturbances and turbidity may occur during construction, but does not mention these effects as they may occur during long-term maintenance of the fish screen facility, which may involve maintenance dredging. Finally, long-term impacts to power supplies, traffic and circulation, noise, aesthetics, land use, recreation, socioeconomic, fishery resources, water resources/quality and biological resources simply are not included in the DEIS/EIR to the extent these impacts will result from long-term maintenance, testing and/or protection of the fish screen facility.

In summary, a complete picture of the project's impacts has not yet been included in the DEIS/EIR. As a result, the document does not satisfy the requirements of NEPA or CEQA.

B. Impacts Related to Reduction in Flood Carrying Capacity of Sacramento River

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Letter from Martin J. Nichols, City Manager, Continued

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boat racing related jobs. (Table 3.10-14.) Finally, the reduced quality of life and loss of community cohesion impacts from the Gates Out Alternative would be "HIGH." (*Id.*) "No mitigation is available to offset these impacts." (DEIS/EIR, p. XVI.) The DEIS/EIR glosses over these impacts with little discussion. The disproportionate "cost" of the project should not be borne by the citizens of Red Bluff, who would receive little in the way of benefit from the increased capacity for agricultural water deliveries.

These egregious impacts to the City and its citizens may not be avoidable through mitigation measures, but there is a project alternative available that would meet the project's goals *and* prevent disproportionate impacts to the City: Alternative 1A. (See DEIS/EIR, p. 3-258 and Table 3.8-2.) In its identification of the Preferred Alternative, the DEIS/EIR does not discuss the weighing of the Gates Out Alternative against the grave harm to the City, nor does it mention the fact that Alternative 1A would avoid these impacts and meet project goals in an obviously environmentally superior way.

V. Alternative 1A is the Best Alternative

Table ES-4 shows that Alternative 1A will have unmitigated significant impacts in only one category, and those impacts are only temporary, associated with construction activities. By contrast, the Gates Out Alternative will result in unmitigated significant impacts in 4 categories (recreation, land use, socioeconomic and aesthetics). Additionally, there is *no mitigation available* for the socioeconomic impacts of the Gates Out Alternative. (DEIS/EIR, p. 3-332.) Both alternatives 1A and Gates Out meet the goals of the project to improve fish passage conditions and reliability of water supply deliveries (DEIS/EIR, pp. 3-258 to 3-268), but Alternative 1A is obviously the environmentally superior alternative.

"CEQA contains a 'substantive mandate' that public agencies refrain from approving projects with significant environmental effects if there are feasible alternatives or mitigation measures that can substantially lessen or avoid those effects." (Remy, Thomas, Moose & Manley: GUIDE TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, 10th Ed., p. 13.) "CEQA compels government first to identify the environmental effects of projects, and then to mitigate those adverse effects through the imposition of feasible mitigation measures or through the selection of feasible alternatives." (*Sierra Club v. State Bd. of Forestry*, 7 Cal.4th 1215, 1233 (1994).) Thus, under the mandates of CEQA, the Gates Out Alternative cannot be selected if there is a feasible alternative with less adverse impacts. Here, that feasible, environmentally superior alternative is Alternative 1A. There is no evidence or analysis in the DEIS/DEIR which supports a conclusion that Alternative 1A is not feasible.

CEQA's substantive mandate that a project not be approved if there are feasible alternatives or mitigation measures differs from the requirements under NEPA. "In requiring the imposition of feasible means of eliminating significant environmental effects, CEQA differs from NEPA. [Citations.] Under CEQA, an agency cannot satisfy the statute simply by considering the environmental impacts of a proposed project." (Remy, Thomas, Moose & Manley: GUIDE TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, 10th Ed., p.

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Re: Fish Passage Project – Red Bluff Diversion Dam

the current state of fish passage at RBDD and avoids excessive and unnecessary impacts to the City of Red Bluff.

Very truly yours,
SHEPHERD & CRABTREE

RICHARD L. CRABTREE

RLC:tc
cc: City of Red Bluff
Attention: Susan Price, City Manager

No. 549

Letter from Steven L. Evans, Friends of the River,
Dated March 16, 2007

March 16, 2007

Mr. David Bird
General Manager
Tehama-Colusa Canal Authority
P.O. Box 1025
Willows, CA 95988

549

Comments submitted electronically to dbird@tccanal.com and pfreeman@mp.usbr.gov.

Re: Comments in response to the recirculation of the Red Bluff Diversion Dam Fish Passage Improvement Project Draft Environmental Impact Statement/Report (DEIS/R)

Dear Mr. Bird:

Thank you for soliciting public comments in response to the recirculation of the Red Bluff Diversion Dam (RBDD) Fish Passage Improvement Project Draft Environmental Impact Statement/Report (DEIS/R). Friends of the River and a number of other conservation groups submitted comments in response to original release of the DEIS/R in 2002. We hereby incorporate those comments by reference. These are the joint comments of Friends of the River, Center for Biological Diversity, and the Sacramento River Preservation Trust in response to the re-circulated DEIS/R.

1. Federal and state regulations require a supplemental DEIS/R for the RBDD Fish Passage Improvement Project.

40 C.F.R. sec. 1502.9(c)(1) provides that federal agencies "shall prepare supplements to either draft or final environmental impact statements if: i) The agency makes substantial changes in the proposed action that are relevant to environmental concerns; or ii) There are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts."

California Public Resources Code sec. 21166 requires a subsequent or supplemental EIR "if one or more of the following events occurs: (a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report. (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report. (c) New information, which was not know and could not have been known at the time of the environmental impact report was certified as complete, becomes available."

549-1

2. The preferred alternative has been changed and therefore a supplemental DEIS/R is required.

The original preferred alternative in the 2002 DEIS/R identified by the Tehama-Colusa Canal Authority (TCCA) and supported by most federal and state regulatory agencies

549-2

549-1

No new significant changes in the operation of RBDD or associated new information has become available since the DEIS/EIR was initially circulated; no changes have been made to the document. Therefore, a supplement DEIS/EIR is not required. See Response to Comment 549-3.

549-2

The range of alternatives included in the document were equally analyzed, the impacts of the implementation of each disclosed, and mitigation identified where feasible. Because no new substantial information would be added to the analysis of potential impacts of each alternative, identification of an alternative does not warrant a supplemental DEIS/EIR. At this time, the selected project consists of a pumping facility with a maximum capacity of 2,500 cfs. Reclamation anticipates a gates-in period between July 1 and the end of Labor Day weekend; TCCA has no position on changes to gate operations

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Letter from Steven L. Evans, Friends of the River, Continued

was Alternative 3 (Gates Out). At that time, the Bureau of Reclamation did not identify a preferred alternative. Now the Bureau is identifying Alternative 2B (2-Months With Existing Ladders) as its preferred alternative. This is a significant change requiring supplemental analysis per 40 C.F.R. sec 1502.9(c)(1)(i) and PRC 21166 (a) and (b).

549-2,
cont'd

3. The 2002 DEIS/R fails to consider the federal listing of the southern green sturgeon in the Sacramento River as a threatened species.

The Sacramento River green sturgeon was listed as a federally threatened species in 2006 by the National Marine Fisheries Service (NMFS). The Sacramento River supports the only known spawning population of southern green sturgeon. Since 2001, the population has plummeted by 95%. The Sacramento River upstream of Red Bluff is an important spawning area for the river's green sturgeon population. The California Department of Fish and Game estimated that only 25 or fewer female spawning green sturgeon returned to the Sacramento River in 2006. The current operation of the RBDD significantly impedes both upstream and downstream migration of adult and juvenile green sturgeon, because the gates are down during key migration periods and adult sturgeon cannot negotiate the RBDD fish ladders. In addition, juveniles may get lost or be subject to predation while passing through Lake Red Bluff. Although passage may improve under Alternative 2B, the operation of the RBDD in July and August will still impede passage of some adults and juveniles. Since the Sacramento River green sturgeon are near extinction and since mature green sturgeon only spawn every 3-5 years and have low reproductive rates, any impediment to successful spawning is significant for the survival of the entire southern green sturgeon population. A supplemental DEIS/R is required to consider or analyze the current status of the green sturgeon and therefore it must be supplemented as required by 40 C.F.R. sec 1502.9(c)(1)(ii) and PRC 21166 (c).

549-3

4. The 2002 DEIS/R fails to consider the re-listing of the Sacramento River winter Chinook and Central Valley spring Chinook by the NMFS in 2005, the promulgation of a new 4d "take" rules under the Endangered Species Act, and the redesignation of critical habitat.

The redesignation of the Sacramento winter Chinook and the Central Valley spring Chinook, the promulgation of new ESA sec. 4(d) "take" rules, and the redesignation of critical habitat were implemented by the NMFS after the initial circulation of the 2002 DEIS/R. Therefore, the RBDD DEIS/R must be supplemented as required by 40 C.F.R. sec 1502.9(c)(1)(ii) and PRC 21166 (c).

549-4

5. Identification of a new alternative triggers consultation under section 7 of the Endangered Species Act with the NMFS in regard to federally listed Chinook salmon, steelhead, and green sturgeon.

There is no mention of consultation required by ESA section 7 with the NMFS nor has NMFS notified the public of re-consultation in the Notice of Availability of the RBDD re-circulated DEIS/R. Given changes in the status, critical habitat, and take rules for listed species since 2002, ESA consultation should occur prior to the circulation of

549-5

549-3

Thank you for your comment. Your comment has been noted. See Responses to Comments 457-6 and 464-7. Furthermore, as stated in Response to Comment 457-6, green sturgeon was a federal candidate for listing under ESA at the time of the preparation of the DEIS/EIR. Because of its status at that time and for the purposes of the DEIS/EIR, the effects of project alternatives on green sturgeon were analyzed as if the species were a listed federal species. Nothing has been found to change the results of the analysis performed in the DEIS/EIR since the time of the preparation of the DEIS/EIR, nor since its formal listing as federal threatened in 2006. As determined in the DEIS/EIR (see DEIS/EIR pages 3-68, 3-58, and 3-61), the beneficial effects of RBDD gate operations to adult green sturgeon were found to be of significant magnitude for Alternatives 2A, 2B, and 3. Significantly beneficial effects to juvenile green sturgeon were less than those for adults except for under Alternative 3 (see DEIS/EIR pages 3-68, 3-58, and 3-61). As stated above, no significant biological information has come to light that would change the outcome of the analyses conducted in the DEIS/EIR.

549-4

Because of their federal status as endangered and threatened, respectively, at the time of the preparation of the DEIS/EIR, the effects of project alternatives on winter-run and spring-run Chinook salmon specifically analyzed the effects of the project alternatives to these species. Neither redesignation of the critical habitat nor promulgation of ESA 4D "take" rules for these species since the DEIS/EIR was prepared changes the results of the analysis performed in the DEIS/EIR. As determined in the DEIS/EIR, significantly beneficial effects to juvenile and adults of these species were determined depending on the alternative (DEIS/EIR Tables 3.2-6 and 3.2-7, pages 3-36 through 3-38). As stated above, no significant biological or legal information as to the federal status of these species or of their habitats has come to light that would change the outcome of the analyses conducted in the DEIS/EIR.

549-5

NMFS is currently writing a revised BO for RBDD. The schedule for the BO is unknown at this time.

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Letter from Steven L. Evans, Friends of the River, Continued

supplemental DEIS/R so that any new information or recommendations provided by NMFS in regard to federal listed salmon, steelhead, and green sturgeon.

6. The 2002 DEIS/R fails to consider the impacts associated with the renewal of federal water contracts in 2005 that utilize the RBDD facility for diversions, which should be considered in a supplemental DEIS/R.

The RBDD is the diversion facility for 322,000 acre feet of federal water contracted for delivery through the Tehama-Colusa and Corning Canals. The Bureau of Reclamation renewed these contracts in 2005. As Friends of the River noted in its comments in response to the contract renewal environmental review, the contracts are directly tied to the operation of the RBDD. The impacts of continued operation of the RBDD as well as other impacts associated with the delivery of contract water through the system (such as the well documented impact of the T-C Canal operations on Stony Creek and its fisheries) must be considered in a supplemental document and not analyzed piece-meal in two different reviews.

7. The proposed replacement pumping plant for the RBDD in Alternatives 2B and 3 will significantly increase diversion capacity beyond current contract amounts and could be used to fill the proposed Sites Offstream Storage Reservoir. The impacts of constructing Sites and using the RBDD as a diversion facility to fill Sites are therefore reasonably foreseeable consequences of Alternatives 2B and 3 that must be fully analyzed in the supplemental DEIS/R.

The RBDD has been identified as an essential diversion facility for the proposed Sites Offstream Storage Reservoir. Political interest in this project has increased to the point that legislative proposals to fund the multi-billion dollar reservoir have been considered in the California Legislature. Both Alternative 2B and 3 require the construction of a pumping facility and fish screen to replace the diversion function of the RBDD when its gates are raised. It is important to note that the proposed pumping facility has the capacity to pump more water than what is obligated for delivery under federal contracts. This creates a direct connection between Alternatives 2B and 3 and the future construction of the Sites project.

Since the proposed pump will significantly increase the ability to divert water beyond contract amounts to fill the Sites Reservoir, the consequences of Sites as a reasonably foreseeable impact of the RBDD Fish Passage Improvement Project decision should be fully analyzed in the supplemental DEIS/R. Since the 2002 DEIS/R, new information has become available from the ongoing studies for the Sites Reservoir concerning its potential impacts on Sacramento River flows and fish and wildlife habitat and species, as well as the direct impacts of the Sites Reservoir footprint. In addition, initial project alternatives have been analyzed by California Department of Water Resources. All this information should be considered in the supplemental DEIS/R.

} 549-5,
cont'd

} 549-6

} 549-7

549-6

Environmental consequences of CVP water service contract renewals were considered by Reclamation during the renewal process. Operations of a pumping plant at RBDD would maintain the existing levels of contract diversions, resulting in no net change. As noted in DEIS/EIR Section 2.0, construction of any of the action alternatives would eliminate diversions from Stony Creek, which is considered an environmental benefit at Stony Creek. For these reasons, a supplemental EIS/EIR is not necessary.

549-7

The proposed pumping facility associated with Alternatives 2B and 3 would be used to divert Sacramento River flows in accordance with TCCA's existing CVP water service contract. The use of this pumping facility to pump water for other potential future projects would need to be addressed in subsequent NEPA and/or CEQA documents after such projects are fully developed and proposed. The DWR is continuing to evaluate the potential for an offsite reservoir in the vicinity of the Sites area, but no single project has yet been formally proposed.

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For the record, Friends of the River and other conservation organizations cannot support any alternative for the RBDD Fish Passage Improvement Project that significantly increases diversion capacity into the T-C Canal that would facilitate construction and operation of Sites.

549-8

549-8

See Response to Comment 549-7.

8. At least two additional alternatives should be considered in a supplemental DEIS/R.

The current DEIS/R fails to consider two reasonable alternatives. One alternative that should be considered is similar to Alternative 3 in that the gates are raised 12 months a year but the replacement pumping facility is restricted to a size and capacity sufficient only to meet current contracts but no more. The second additional alternative should consider permanently raising the RBDD gates or removing the dam altogether, but not building a new pumping facility of any kind. Both of these alternatives fully meet the environmental objectives of the project (unlike Alt. 2B) and both avoid the reasonably foreseeable consequence of operating the RBDD to fill the Sites project.

549-9

549-9

Thank you for your comment. Your comment has been noted. The DEIS/EIR evaluates the range of alternatives capable of fully meeting the purpose and need identified in Section 1.2. Alternative pumping capacities are evaluated at 1,700 cfs, 2,000 cfs, and 2,500 cfs. The suggested "second additional alternative" that would permanently raise the gates but would not allow for any pumping facility would meet the fish passage purpose of the project but would not allow for meeting the water supply needs of TCCA, which is also included as part of the project purpose. Accordingly, such an alternative would be infeasible and incapable of meeting the stated overall purpose and need for the action.

9. Conclusion

Clearly, a supplemental DEIS/R for the RBDD Fish Passage Improvement Project should be circulated for public comment. The supplemental DEIS/R should include any new recommendations derived from section 7 consultation with the NMFS.

Friends of the River and the other undersigned conservation groups support permanent operation of the RBDD with gates raised 12 months a year or removal of the dam. These options provide the highest level of fish passage and ecosystem restoration and are the only alternatives that meet the CALFED goal of fully restoring continuous riparian habitat and ecosystem functions to the Sacramento River. We believe that the permanent re-establishment of a free flowing Sacramento River through Red Bluff will ultimately fully mitigate and probably surpass any negative economic or aesthetic effects associated with the loss of Lake Red Bluff.

We look forward to reviewing a supplemental DEIS/R for this important project.

Sincerely,

Steven L. Evans	Jeff Miller
Conservation Director	Conservation Associate
Friends of the River	Center of Biological Diversity
915 20 th Street	1095 Market Street, Suite 511
Sacramento, CA 95814	San Francisco, CA 94103

John Merz
President
Sacramento River Preservation Trust
P.O. Box 5366, Chico, CA 95927

No. 550

Press Release from Jeffrey P. Sutton, TCCA-General Manager,
Dated February 6, 2007

Tehama Colusa Canal Authority

#550

FOR IMMEDIATE RELEASE
FEBRUARY 6, 2007

CONTACT: JEFFREY P. SUTTON
TCCA-General Manager
P.O. Box 1025
Willows, CA 95988
Ph. (530) 934-2125
jsutton@tccanal.com

**PRESIDENT'S BUDGET INCLUDES \$5.5 MILLION FOR RED BLUFF FISH
PASSAGE SOLUTION**

The Tehama Colusa Canal Authority (TCCA) is excited to announce that President Bush's 2008 Budget, released yesterday, includes \$5.5 million to address the Fish Passage Solution at the Red Bluff Diversion Dam (RBDD). This commitment of funds will assure continued progress towards a win-win, long term solution to improve the Sacramento Valley fishery resource and restore water supply reliability to farmers.

The RBDD, constructed in 1964, is a key component of the Central Valley Project and is owned and operated by the U.S. Bureau of Reclamation. The structure consists of spillway gates within the Sacramento River, that when lowered, raise the water elevation allowing the TCCA to divert water, via gravity flow, to 18 water districts throughout four Northern California counties. This 140 mile long, dual canal system services the needs of over 120,000 acres of irrigated farm and ranch lands in the western Sacramento Valley, supporting crops valued at over \$100 million annually. The lowered gates also create a temporary artificial lake that extends approximately six miles upstream through the town of Red Bluff.

A majority of the Sacramento River spawning habitat for listed fish species occurs upstream of RBDD, and fishery agencies believe the dam impedes fish passage both upstream and downstream. A biological opinion for endangered winter run Chinook salmon issued in 1993 required that the dam remain raised eight months of the year. Currently, diversions via the RBDD are only available from May 15th to September 15th. This has created severe operational difficulties and continues to threaten the water supply reliability of the TCCA water users. Additional regulatory concerns loom as a result of the addition of the green sturgeon to the endangered species list, which has the potential to result in an even more restrictive timeframe that the gates could be lowered. Any action that further reduces the timeframe during which the TCCA can divert water would

550-1 Thank you for your comment. Your comment has been noted.
No response is required.

550-1

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**Press Release from Jeffrey P. Sutton, TCCA-General Manager,
Continued**

be disastrous for the landowners and agricultural communities served by the Authority along the west side of the Sacramento Valley.

In 2002, the TCCA, in partnership with the Bureau of Reclamation, began work on a policy to improve fish passage at RBDD and to enhance water supply reliability by reducing or eliminating reliance on the dam. After looking at over 100 alternatives, the TCCA and the Bureau of Reclamation have both selected preferred alternatives that would decrease or eliminate reliance on the gravity diversion, and instead rely on the installation of a pumping plant that would lift water out of the river through a state-of-the-art fish screen.

The news of the Administration's funding commitment is particularly timely considering the Bureau recently released the Notice of Availability of the Draft EIS/EIR in the Federal Register. Comments on the Draft EIS/EIR can be submitted from January 30th through March 16, 2007.

Ken LaGrande, Chairman of the TCCA Board, stated, "The Authority is greatly appreciative of the funding provided by the Bush Administration for this worthwhile project. It clearly illustrates the Administration's commitment to support projects that benefit both agriculture and the environment. It will allow the TCCA to make significant progress in the design and engineering of a permanent solution at the Red Bluff Diversion Dam, addressing both the issue of fish passage and water supply reliability. The Red Bluff situation is our highest priority."

550-1,
cont'd

Email from Heiser Family, Dated April 12, 2007

551-1 See Response to Comment 520-1.

jsutton@tccanal.com

From: Heiserranch@cs.com
Sent: Thursday, April 12, 2007 5:44 PM
To: jsutton@tccanal.com
Subject: Save Lake Red Bluff

#551

Mr. Sutton: Again, there is talk about shutting down Lake Red Bluff earlier than usual or permanently. This of course would mean no boat races on Memorial Day as there have been for quite a few years. Our family does understand the importance of having a reliable water source as well as adequate fish passage. But we also know the revenue that the races bring into Red Bluff. Motel accommodations, meals eaten in restaurants, fuel bought and many other places where people spend their money when in town for the races. Alternative 1A would seem the logical choice and a win situation for everyone involved. I sincerely hope this will be very much considered.

} 551-1

Thank You.

Sincerely,
Heiser family, Cottonwood

4/25/2007

Email from Ken LaVine, Dated April 13, 2007

jsutton@tccanal.com

From: k-klavine@sbcglobal.net
Sent: Friday, April 13, 2007 6:35 PM
To: jsutton@tccanal.com
Subject: Lake Red Bluff Letter to Editor

#552

Lake Red Bluff At Risk

Once again environmental groups are threatening the forcing of a permanent opening of the gates of the Red Bluff Diversion Dam. Last time it was for the endangered salmon runs, which are recovering nicely since the upgrade to the fish ladders.

Now the subject of concern is the green sturgeon. The Department of Fish and Games Final Restoration Plan (see http://www.delta.dfg.ca.gov/afrp/SWRBC/B.finalrestplan.pdf) of January 9, 2001 set a target level of 2,000 fish (double the 1986 estimate) and listed as a high priority the maintenance of adequate water flows from February to May for their spawning. Since the gates of the dam are only closed from May 15th thru September 15th I fail to see the problem.

There is also conflicting information about weather there are or even were any green sturgeon above the Diversion Dam. DFG's fish map at www.calfish.org show the line from probable to possible green sturgeon habitat as being between Woodson Bridge and Los Molinos and their publication Anadromous Fishes of California states that they have only been recorded as far upstream as Red Bluff and that the young have been taken near Hamilton City.

In their request to list the green sturgeon as threatened the petitioners first stated that it had lost "presumed" spawning habitats in the Eel, S. Fork Trinity and San Joaquin Rivers and possibly in the Umqua and Fraser Rivers, quantifying it as an 88% loss of habitat. They later state that these rivers "may" have held spawning grounds although no evidence exists.

In their many examples of green sturgeon taken from the Sacramento River dating back to 1966, none were from anywhere upstream of Red Bluff.

If you value our lake and our local economy please send a letter protesting the removal of the Lake Red Bluff Dam to: Jeffrey Sutton, General Manager, Tehama Colusa Canal Authority, P.O. Box 1025, Willows, CA 95988 or e-mail jsutton@tccanal.com.

The deadline for public comments is April 14th.
Ken LaVine
Red Bluff, CA

552-1
552-2
552-3

552-1

At the time of the preparation of the DEIS/EIR, passage of adult green sturgeon (as stated in Appendix B, page B-14) was determined through observations made by USFWS and best professional judgement of the TCCA Fish Improvement Project TAG to be March through June (assuming they could pass RBDD). According to recent (1999-2006) trapping data at RBDD, the majority of juvenile green sturgeon passing RBDD was determined to occur from June through August, suggesting spawning upstream of RBDD from May through July. This specific timing information updates that generally used in the assumptions provided by CDFG in their Final Restoration Plan (2001) for providing adequate flows to sturgeon during February through May. This timing of sturgeon spawning flows (February through May) would likely be more applicable to white sturgeon, which are known to spawn earlier in the calendar year and farther downstream of RBDD than green sturgeon.

552-2

Sturgeon are known to spawn upstream of RBDD. In June 2001, larval green sturgeon were collected by USFWS near the Bend Bridge, upstream of RBDD. Because of the inability of adult sturgeon to pass through the ladders at RBDD, this larva would have been spawned by an adult sturgeon that passed upstream of RBDD prior to the gate closure on May 15 of that year. In addition, a University of California-Davis research project detected a tagged adult green sturgeon at a tag detection auto-receiver station in Lake Red Bluff, upstream of RBDD in June and July 2005. From the same University of California-Davis study, information from the 2006 and 2007 tracking season indicates that additional green sturgeon have been tracked and seem to be spawning both upstream and downstream of RBDD. Furthermore, evidence to date indicates that post-spawning adult green sturgeon upstream of RBDD tend to remain in aggregations near spawning areas in the upper Sacramento River throughout the summer before emigrating downriver past RBDD in late fall (November). Finally, in May 2007, two adult green sturgeons were found dead within the gates of RBDD, and eight more adult green sturgeon were found dead immediately downstream of RBDD. This recent evidence clearly refutes previously published descriptions of green sturgeon ranges in the Sacramento River (www.calfish.org and Anadromous fishes of California, CDFG, 1973), as cited by the commentator.

4/25/2007

No. 552**Email from Ken LaVine, Continued**

- 552-3 See Response to Comment 552-2. Additionally, USFWS routinely observes adult sturgeon in the vicinity and downstream of RBDD when the dam gates are in (see DEIS/EIR Appendix B, page B-13). Green sturgeon have been observed downstream of RBDD at Dairyville, Tehama County, in the 10-mile reach of the Sacramento River downstream of RBDD, and near Hamilton City, Glenn County, as stated in the DEIS/EIR Appendix B, page B-13.

Page **No. 553**

**Email from Pat Johnston, Co-leader of Red Bluff Girl Scout Troop 129,
Dated April 16, 2007**

jsutton@tccanal.com

From: Pat Johnston [stylist@snowcrest.net]
Sent: Monday, April 16, 2007 6:56 AM
To: jsutton@tccanal.com
Subject: Red Bluff Girl Scout Troop sends three letters commenting on Saving Lake Red Bluff

PAT MASSIE JOHNSTON
CO-LEADER OF RED BLUFF GIRL SCOUT TROOP 129
13020 Hoy Rd.
Red Bluff, CA 96080
Home Phone (530) 529-0873
Business Phone (530) 527-8956
stylist@snowcrest.net

#553

April 15, 2007
Dear TCCA,

I am very unhappy with the way Tehama Colusa Canal Authority has gone about trying to steal Lake Red Bluff's water. There has been and are four other viable options, besides removing the Diversion Dam, which have been ignored by TCCA and the Bureau of Reclamation for 18 years. In that time, they have failed to do one thing or spend one cent to actually improve the fish passage problem. The Bureau and TCCA, who represent only the interests of water users south of the Diversion Dam, will make this decision without considering the hurt your agencies will destroy the quality of life we enjoy and irrevocably hurt our economy.

553-1

It has been five years since this subject was talked about in a public meeting. Most of us involved with the program since the beginning have always been duly notified when things were happening. Not having a real public hearing nor putting a real effort notifying persons and government agencies who have been involved shows me TCCA and the BOR are not really interested in what we have to say.

553-2

TCCA General Manager Jeff Sutton was evasive, when I tried to get the actual date they would stop receiving Public Comment. After being hung up on three times, he finally told me April 16, 2007. He told the Daily News, the end of April and John Yingling Manager of the Red Bluff Chamber of Commerce and City Manager Martin Nichols thought it was the end of April, but is going with April 17, just to be sure. It is obvious to me that Sutton was brought in to push this thing through as quickly

4/25/2007

553-1 See Response to Comment 520-1.

553-2 Thank you for your comment. Your comment has been noted. TCCA distributed a press release on February 6, 2007, notifying the public of the recirculation of the DEIS/EIR. The comment period was extended an additional 30 days from March 16, 2007 to April 17, 2007, to allow sufficient time for public and agency input.

Page **No. 553**

Email from Pat Johnston, Co-leader of Red Bluff Girl Scout Troop 129, Continued

and sloppily as he legally can. In response, my Girl Scouts and I are writing letters to the papers in our area and elected officials trying to energize the public to act now or lose Lake Red Bluff.

} 553-2, cont'd

The Chamber and the City have always pushed for the option of dam gates being in 4 months out of the year, as a better than nothing option.. That option has never been viewed as a permanent solution, because it is killing the river. The drowning and dehydrating of the river, slough and its banks is creating silt to pile up in the river, where gravel and channels for fish passage should be. Important riparian habitat is being destroyed and replaced with weeds. However, because of the economic and quality of life we have become dependent on, removing the dam is not an option either.

Saving Lake Red Bluff for needed water storage, installing improved fish ladders, building Conner Bypass or opening up Paynes Creek Slough Bypass would help meet all river user's needs. TCCA would have plenty enough water to meet our local demands. The recreational users would have full use of the lake, river and slough all year. With a properly constructed screen at just above the bypasses would give baby salmon fry the opportunity to reach there destination free from the frenzied teeth of the squaw fish.

} 553-3

Over the years, money to do this has been piddled away by the BOR and TCCA in non-productive ways. Eighteen years of meetings to get our "input" was a waste of taxpayers dollar, since our input has been ignored from day one. Just how much money has been spent by the Bureau and TCCA trying to shove their dam out option down our throat?

Why has the California Park Service been fixing up and investing in a campground that may have a mud hole instead of a lake. The Bureau of Reclamation has already spent millions on ineffective and costly pumps instead of investing in opening up the bypasses or fixing the ladders. The Bureau of Reclamation has always wanted the dam removed and they want to build 35 more pumps. It's easier for the National Marine Fisheries to pick on the community of Red Bluff, instead of going after commercial fisheries.

Once they remove the dam and put in the screw pumps in what will they do with all of the extra water? Build the Westside Canal and ship it South.

} 553-4

Both of these agencies are using the fear of not meeting water contracts to take advantage of the farmers. The Tehama County Colusa Canal Authority, located in Willows, under the "leadership"

553-3 Thank you for your comment. Your comment has been noted. A broad range of alternatives is included in the document, the impacts of the implementation of each disclosed, and mitigation identified where feasible. TCCA, Reclamation, NMFS, USFWS, DWR, and CDFG have been intimately involved in the development, evaluation, and feasibility of each alternative.

553-4 Thank you for your comment. Your comment has been noted. Bypass alternatives have been formally reviewed in at least three public documents since 1992. See DEIS/EIR Section 2.2.4 for a discussion of the bypass channel concept evaluated for this project.

4/25/2007

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No. 553

Email from Pat Johnston, Co-leader of Red Bluff Girl Scout Troop 129, Continued

Sutton, is out to get our water. We only need ten screw pumps to meet our current contract,.... needs? Where is the rest of the water going? South.

The City Council and Chamber are trying to fight this, but they must come up with a real plan to fight and stop them in court. The 4-month option has and only should be a band-aid.

Don't think the Board of Supervisors will back the Chamber or the City. Remember, the Board of Supervisors have never weighed in, except to back TCCA, who wants the dam removed.

Opening the bypasses for the fish and using Lake Red Bluff for recreation and the water storage is the only sensible way to meet the needs of *all* stockholders of the river. It is the only fair and cost effective way to deal with this problem. Unfortunately the Bureau and TCCA has never wanted to seriously look at it or do a real study on the bypass/improved fish ladder option, because ultimately they want our water.

Thirty five to forty screw pumps pumping 2000 cfs/second is four times more water than they need to meet their contractual needs. Our canal can not handle that amount of water. The proposed Westside Canal will though and will take our Lake south to a damaged delta, an over built bay area and water intensive rice farms.

I have always said if they can't get their hands on our water honestly through the front door, then they will get it dishonestly through the back and it appears as if that is exactly what the BOR and TCCA are doing.. Under the direction of Sutton, this comment period has been snuck through under our trusting noses with minimum effort into notifying the public. It's pretty bad when the City and everyone who has been on the TCCA mailing list for the last 20 years didn't receive any notification.

Lake Red Bluff will soon be gone, if this community doesn't jump on the band wagon to stop it. Hurry, according to Sutton, the last date to be heard is April 16, 2007. However, myself and Troop 129 are going to keep fighting to Save Lake Red Bluff, until they blast it into oblivion. It's only a done deal only if we do nothing and allow them do it!

Sincerely

Pat Johnston

4/25/2007

553-4, cont'd

553-5

553-6

553-5

Thank you for your comment. Your comment has been noted. Operations of a pumping plant at RBDD would maintain the existing levels of contract diversions, resulting in no net change.

553-6

Thank you for your comment. Your comment has been noted. The DEIS/EIR document has not changed since its initial circulation in 2002. The decision to recirculate the document was made solely by Reclamation pursuant to NEPA. This is clear from the Federal Register notice published on January 30, 2007, advising that the document was still available for comment. TCCA distributed a press release on February 6, 2007, notifying the public of the recirculation of the DEIS/EIR, and extended the comment period an additional 30 days from March 16, 2007 to April 17, 2007, to allow sufficient time for public and agency input.

Page **No. 553**

**Email from Pat Johnston, Co-leader of Red Bluff Girl Scout Troop 129,
Continued**

Andrea Hveem
20 Quail Hollow
Red bluff, CA 96080
528-9474

Dear TCCA,

Many of you might not know it, but in a few years, the Diversion Dam will be removed and Lake Red Bluff will be gone. The only time I have ever heard about this was happening was when a small picture of the Lake was on the news and the anchorwomen was saying, "In a few years you won't be seeing this anymore."

They have never really addressed this until I heard those couple of seconds on the news. Shouldn't there be a meeting where we all can have a say in this?

Sincerely,

Andrea Hveem
Red Bluff Girl Scout Troop 129
Age 11

} 553-7

553-7

Thank you for your comment. Your comment has been noted. Numerous public meetings were held to solicit public input in the preparation of the DEIS/EIR, including the development of alternatives. The DEIS/EIR document has not changed since its initial circulation in 2002. In addition, TCCA distributed a press release on February 6, 2007, notifying the public of the recirculation of the DEIS/EIR, and extended the comment period an additional 30 days from March 16, 2007 to April 17, 2007, to allow sufficient time for public and agency input.

Teal Johnston
13020 Hoy Rd.
Red Bluff, CA 96080
(530)529-0873
Dear TCCA,

4/25/2007

Page

No. 553

**Email from Pat Johnston, Co-leader of Red Bluff Girl Scout Troop 129,
Continued**

I am very upset about what is happening to our precious Lake Red Bluff. As we speak, they are planning on taking it out.

Don't we all love to swim and jet ski in the slough and on Lake Red Bluff with our families? Also, the Fourth of July, how will everybody like it if there is no water to enjoy your boats or playing along the banks?

What about the boat drags? There won't be anymore!

Plus, what about eating outside at the Riverside Bar and Grill in the summer. Imagine your sitting there eating your wonderful dinner and a hot evening breeze blows of the dry dusty riverbed and all of a sudden, there's dust in your food. Not very good for business for them or any of the other businesses in Red Bluff.

The lake will be gone if people don't stand up and agencies keep acting like children, each wanting their own way and not willing to work together for the good of Red Bluff.

Let your voices be heard and we may still have a chance. Otherwise, we may as well throw in the towel and kiss our lake goodbye.

I would love to have the lake year round!!!! Not just 4 months.

This is our future and our lake. Why can't we decide what's best for us? Shouldn't we have a say in what happens to our lake.

Remember public Comment ends April 16, 2007. Soon, we will lose the soul of our city if we don't act now.

I am an upset 11 year old with big concerns!

Teal Johnston
Red Bluff Girl Scout Troop 129

553-8

553-8 See Response to Comment 520-1.

4/25/2007

Page **No. 553**

Email from Pat Johnston, Co-leader of Red Bluff Girl Scout Troop 129, Continued

jsutton@tccanal.com

From: Pat Johnston [stylist@snowcrest.net]
Sent: Monday, April 16, 2007 8:54 AM
To: jsutton@tccanal.com
Subject: Two more letters from Troop 129 to Save Lake Red Bluff

553-9 See Response to Comment 520-1.
553-10 See Response to Comment 520-1.

Alaina Rudnick
21750 Wilcox
Red Bluff, CA 96080
527-7697

Attention TCCA and BOR,

I'm here to tell you something terrible that is at this moment being planned. You know how every one loves our lake, Lake Red Bluff. Well, if the government has their way in 3-5 years the slough and our lake will be dry. This will be the result of them taking down our dam. Do you really want that? Think of eating at the Riverside Restaurant and looking out at a dry river bed.

} 553-9

Will you watch as the plan to tear down our dam leaving some people jobless and ruining our boat drags? I won't!

An 11 year old with big concerns
Alaina Rudnick 11 Troop 129
5th grader at Metteer

Larisa Brown
540 Berrendos
Red Bluff, CA 96080
528-1994

Attention TCCA and BOR,

I am disgusted of thought that the government would take out the dam. I am a Girl Scout and a Student Ambassador of the United States of America. I represent this county when I travel to other

} 553-10

4/25/2007

Page

No. 553**Email from Pat Johnston, Co-leader of Red Bluff Girl Scout Troop 129,
Continued**

countries and I have told several people about the boat drags and how I enjoy going waterskiing and riding my wave runners. Now, I get to tell people how they are trying to take away the only fun we have left in this town. This is a recreation, I truly enjoy.

The boat drags bring in a lot of money for this county (which we need) and just think how many businesses will go under just for some stupid fish. Just think all those kids who enjoy the river by waterskiing, floating down the river, and just all around enjoy spending the day with there families in the water. Don't kid's opinions matter anymore? The rodeo, Monster Trucks, Bull Sale and County Fair is your ideas to save this town, I DON'T THINK SO!! The lake can draw tourists from the freeway all year round if they would just leave it alone. Besides, there are other ways to save your precious fish.

How much is this whole mess costing us anyway? Government should be more focused on how to make this work for everyone and not just for yourselves.

Just think I can see the headlines now, "Tehama County Residences Lose Their Lake to Fish." Boy, in the State of California, they do say they get you to move here and then they start taking away.

Another thought, Red Bluff without a full lake and river, you might as well as just bulldoze the whole town down, while their taking out our lake.

Sincerely,

Larisa Brown

Age 12 Troop 129

6th Grade student at Berrendos Middle School

553-11

Thank you for your comment. Your comment has been noted. DEIS/EIR Table 3.10-4 estimates construction costs for each alternative. Reference DEIS/EIR Appendix A for additional analysis of construction costs.

553-10,
cont'd

553-11

4/25/2007

Page **No. 554**

Email from Bob Carrel, Dated March 28, 2007

David Bird

From: Bob Carrel [1bobnpat@sbcglobal.net]
Sent: Wednesday, March 28, 2007 9:30 AM
To: dbird@tocal.com
Subject: Dam removal in Red Bluff

#554

554-1

Thank you for your comment. Your comment has been noted. TCCA, Reclamation, NMFS, USFWS, DWR, and CDFG have been intimately involved in the development, evaluation, and feasibility of each alternative. These resource agencies are the acknowledged experts in the current state of fish passage with respect to salmon, sturgeon, and other fish in the vicinity of RBDD. See Response to Comment 520-1.

To Jeff Sutton:

Please reconsider your position of removing the gates of the dam in Red Bluff. I do not believe the decrease in the salmon run nor the sturgeon are the result of the dam being in place. If that were the case wouldn't there be an increase of these species just below the dam.

} 554-1

Removing the dam will surely hurt the economy of Red Bluff. Also much of the beauty that we enjoy so much will be lost.

If funding is the issue why not look at cutting back on some unneeded costs or personnel.

Sincerely Bob Carrel
a citizen of Red Bluff

4/26/2007

Page

No. 555

David Bird

From: nodice9530@sbcglobal.net
Sent: Wednesday, March 28, 2007 10:14 AM
To: dbird@tccanal.com
Subject: Lake Red Bluff

555

Mr. Sutton: Please include my vote to keep the "gates" status quo. As a resident with river access, it would be detrimental to my property value to remove the gates but it would also adversely affect the economy of this entire region.

} 555-1

I would also like to ask a question.

I understand that the goal is to provide better access for the green sturgeon who cannot use the fish ladders. Would it be too much of an engineering problem to simply dredge the slough that develops when the gates are closed?

} 555-2

By diverting most of the river water upstream by the bridge into the main channel but still allowing access for the fish to pass the gates into the area where the boat drags are now held. Since more than one slough is formed when the gates are closed, it should be possible to relocate the drag races, provide river access to the fish, supply water to the farmland and maintain Lake Red Bluff at lease for the present time limits.

Dorothy Baldwin
1095 Lakeside Drive
Red Bluff, CA 96080
530-953-9064

Email from Dorothy Baldwin, Dated March 28, 2007

555-1

See Response to Comment 520-1.

555-2

Thank you for your comment. Your comment has been noted. Bypass alternatives have been formally reviewed in at least three public documents since 1992. See DEIS/EIR Section 2.2.4 for a discussion of the bypass channel concept evaluated for this project.

4/26/2007

Pag **No. 556**

#556

David Bird

From: fkherrmann@sbcglobal.net
Sent: Wednesday, March 28, 2007 11:57 AM
To: dbird@tccanal.com
Subject: RB Diverson Dam Comments

I am neither a proponent nor a opponent of the dam, and my comment is more curiosity then anything.

It seems like a giant spillway could be built that would serve would satisfy most concerns. It would need to be high enough to maintain the lake and divert water to the canal when needed and also long enough that even the green sturgeon would negotiate it.

As I said I'm more curious than anything.

Thanks.

} 556-1

Email from fkherrmann@sbcglobal.net, Dated March 28, 2007

556-1

A 1,000-cfs fish bypass around RBDD was considered as a component of Alternative 1B (page 2-10 of the DEIS/EIR). This would most nearly approximate the commentor's "giant spillway" concept and was designed to accommodate the passage of sturgeon and other fish species that do not normally pass through fish ladders constructed for salmon.

4/26/2007

Page

No. 557

Email from R.K. Harman, Dated March 28, 2007

David Bird

From: Bob & Candy Harman [r.harman@sbcglobal.net]
 Sent: Wednesday, March 28, 2007 8:04 PM
 To: dbird@tccanal.com
 Subject: Red Bluff Diversion Dam

#557

Dear Mr. Sutton

This is my response to the Red Bluff Diversion dam issue, I am in favor of keeping the Diversion Dam in service.

I have not read the EIS/EIR draft, but I will try to give my support for keeping the dam in place.

I have lived in Red Bluff since 1956 and I remember the times when the Salmon were so thick in the river that the old saying of "walk across their backs" was a reality.

I know that the Diversion Dam has had some impact on the Salmon numbers, but I do not believe that removing it would be the "magic bullet" to restoring the Salmon numbers back in the 50's and 60's.

I had involved myself in the last "Save Lake Red Bluff" debates web site about two years ago and one of the ideas that I brought up was to improve or modify the fish ladders to make the Salmon passage more ergonomic for the them to pass through dam, but no matter what idea's that were presented to the Bureau, they were not implemented to best of my knowledge.

I am not an expert in this field, but am an Hydro Utility Operator for Pacific Gas and Electric and my main duties is to comply with the State and Federal regulations, maintaining and preserving the fish and habitat in Battle Creek, so I know what is involved in keeping the fisheries vital, and the Battle Creek Project is also going through a Salmon restoration process, which I will be touching on more in my response.

Here is an issue that should be addressed to help support my argument, and that is I know for a fact that just before, or sometime in the process of closing the Dam gates there is a middle fish ladder installed, not very many people know this, but to best of my knowledge there are no cameras or anyway of counting the amount of Salmon and Steelhead that use this ladder. As far as I know the Salmon count only involves the East and West ladders.

Another issue is the use of the pumps, I believe that relying on pumps should be out of the question for several reasons.

What amount of electricity it would take to pump 600 to 1,000 CFS? to secure the water rights for all the water users, you must remember that these pumps will be running 24-7 all Summer, and in the Summer as you know from the past it could involve power shortage's and blackout's, and the reliability of these pumps not failing, would there be a backup plan? I cannot see the economics of using pumps without driving up costs to the farmers and other water users or even taxpayers.

Let's not forget the other endangered and threaten species that rely on this water supply including the other wildlife such as furbearers, waterfowl, birds of prey, and upland gamebirds, frogs, crustations, and other variety of species that support the ecosystems and the cycle of life that could be impacted by the removal of the Diversion Dam, most if not all of these wildlife creatures do not have hatcheries or any other method of reproduction to maintain their numbers.

The Farmers and Ranchers that have been using this water system for years, they are one of our best allies for habitat management and caring for our environment, after all they have to abide by the State and Federal regulations as well, and they provide the crops and animal products that supports this State

4/26/2007

557-1

Thank you for your comment. Your comment has been noted. No response is required.

557-2

Numerous fish ladder improvements to the original fish ladders have been made at RBDD. In addition, many suggestions for improvement of fish passage have been evaluated by Reclamation. Despite the suggested improvements, there is large uncertainty in the actual effectiveness of additional modifications to these ladders. Also see Responses to Comments 311-76, 457-4, 457-13, and 461-5.

557-3

A center fish ladder has been installed annually within RBDD gate Bay 6 since 1984 (see DEIS/EIR page 2-5). The numbers of fish passing this ladder are included in daily and annual estimates of fish passing RBDD and account for from 6 to 50 percent of the fish passing RBDD. This ladder is monitored via video camera from the top of the RBDD deck, and the video feed is sent to the counting station at RBDD.

557-4

See DEIS/EIR Section 4.9 for a discussion of power resources and the amount of electricity that would be required to lift water from the river into the canal. Electric pumps are common features at the majority of agricultural and municipal diversions on the river. For example, agricultural pumping plants are operated by GCID, Provident Irrigation District, Reclamation District 108, and ACID, among others. Examples of municipal pumping plants include those operated by the City of Redding and City of Sacramento.

557-5

Thank you for your comment. Your comment has been noted. Effects of project alternatives to other fish and wildlife species were addressed in DEIS/EIR Section 3.4 (pages 3-117 through 3-187).

No. 557

Email from R.K. Harman, Continued

with food production and economy.

I have mentioned earlier in my response about the Salmon Restoration that involves the Battle Creek Project, this is Project that has been set in motion and has been funded to proceed later in 2007, also I have read in the paper that the Coleman Hatchery has been awarded money for improving their hatchery facilities to manage more Salmon because their current facilities cannot handle the amount of Salmon now, so how can they say that there is Salmon shortage? and just to remind people that about two to three years ago the Coleman Hatchery were going to euthanise approximately one million Salmon fry because they did not have the room at their facility to rear them, this caused a public outcry, and the hatchery had to find a place to plant them.

I have just have one more thought on the depletion of the Salmon population and we all know that the Salmon fisheries in the Pacific Ocean have been commercially over fished, and this issue needs to be addressed, my thought on this subject is to lessen the amount of take and to provide a three to five mile Protection Zone from the seashore or near the freshwater inlets, sport fishing should not be impacted.

I have also been tracking the Sites Resvior project, mainly because I have a lot of family that is buried there, and I still have some family living there as well, my Grandmother was Sites and family founder of this community, and even though I am not a big supporter of the Sites Reservoir Project, removing the Red Bluff Diversion could kill this project that the Bureau have already spent thousands of man hours and probably millions of tax payers dollars on, is this just another Governmental Boonedoggle?

In conclusion I am in favor of supporting the Salmon Restoration but before the Bureau decides to remove the Red Bluff Diversion Dam they need to resort to alternative methods and exhaust these ideas before considering the Dam removal.
Thank you - R.K. Harman

557-6

Thank you for your comment. Your comment has been noted. See Response to Comment 473-1. The commentor cites that CNFH had more salmon arrive at the hatchery than it could handle, and that proves there is no shortage of salmon. However, the fish that the commentor is referring to are predominantly hatchery-derived fall-run Chinook salmon, many of which pass through the ladders at RBDD; but a large portion also passes through RBDD unobstructed after the gates are lifted in mid-September. Although it is true a large number of fall-run Chinook salmon remain in the Sacramento River and its tributaries, populations of Chinook salmon are known to be diminished in numbers (e.g., winter-run and spring-run Chinook salmon), as witnessed by their listing as endangered and threatened, respectively, by the federal and state governments.

557-7

Thank you for your comment. Your comment has been noted. See Response to Comment 360-2.

557-8

Thank you for your comment. Your comment has been noted. Sites Reservoir is a proposed offstream storage reservoir that could potentially use the TC Canal as a conveyance facility for supplies from the Sacramento River. Any consideration of the impacts from constructing Sites Reservoir would be subject to separate environmental review. Other potential conveyance options include the Glenn-Colusa Canal and a new diversion and conveyance facility near Maxwell. As of the publication of this FEIS/EIR, actual operations and facilities associated with Sites Reservoir are considered speculative. However, it is worth noting that all of the potential diversions that could be used for conveying water to Sites Reservoir would use electric pumps.

4/26/2007

No. 558

Email from Dave & Jan Ramelli, Dated March 16, 2007

David Bird

From: Jan Ramelli [janariek@msn.com]
Sent: Monday, April 09, 2007 11:21 AM
To: dbird@tccanal.com
Subject: Gates In!

Importance: High

#558

558-1 See Response to Comment 520-1.

Lake Red Bluff is an important part of our annual recreation! Let's put the gates up May through September! FILL THE LAKE! I also live on the lake and it would effect my property value! I love having the gates in and enjoying the wild life and boaters!

} 558-1

Dave & Jan Ramelli
160 Sale Lane
Red Bluff, CA 96080
530-200-4271 (cell)
530-527-2772 (home)

No. 559

Email from Larry Chase, Dated April 10, 2007

559-1 See Response to Comment 520-1.

David Bird

From: larry chase [lchase@mosslumber.com]
Sent: Tuesday, April 10, 2007 8:05 AM
To: dbird@tccanal.com
Subject: Lake Red Bluff

#559

I BELIEVE THAT THE 4 MONTH "GATES IN" WOULD WORK JUST FINE. THE SALMON RUN IS BEING HURT LONG BEFORE THEY GET TO RED BLUFF. THE LAKE GIVES THE PEOPLE OF TEHAMA COUNTY A PLACE TO GO AND RELAX AND BEAT THE SUMMER HEAT.

} 559-1

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4/26/2007

No. 560

Email from Patty Plemons, Dated April 10, 2007

David Bird

From: McCarthy & Rubright, LLP [mrlaw1@sbcglobal.net]
Sent: Tuesday, April 10, 2007 9:47 AM
To: dbird@tccanal.com
Subject: Lake Red Bluff

#560

560-1

See Response to Comment 520-1.

I have lived in Red Bluff all of my life. I have worked and paid taxes here for over 35 years. For this I feel I deserve a say in what happens in this community and with its Lake. I am proud of our city and Lake Red Bluff is an integral part of not only our city's economics, but also its beauty. We would sorely miss our Lake and the recreation it provides and I sincerely hope we can enjoy it for many years to come.

} 560-1

Sincerely,

Patty Plemons
14905 McCoy Road
Red Bluff, GA 99089
530.527.3660
mrlaw6@sbcglobal.net

4/26/2007

No. 561

Email from Roger and Marcia Lyons, Dated April 17, 2007

David Bird

561-1 See Response to Comment 520-1.

From: Roger Marcia [lyonsmr@sbcglobal.net]
Sent: Tuesday, April 17, 2007 2:19 PM
To: dbird@tccanal.com
Subject: Lake Red Bluff

#561

To whom it may concern:

We wish to comment on the possibility of the closure of the Red Bluff Diversion Dam. We have lived in Red Bluff for 2 years and our big attraction to the area was the quaint town and the Sacramento River. We love to see the river in its elevated state when the dam is closed in May. So many people enjoy the river at this time in boats and personal water craft of all kinds. It is fun to watch the activity from the parks and restaurant area that line the river. I know the boat drags bring in lots of revenue to the City as well.

} 561-1

We are both in favor of keeping things as they are now with the dam closing in mid May and opening up again in the fall. It would be a shame to lose this valuable resource.

Sincerely,

Roger and Marcia Lyons
215 Howell Ave
Red Bluff, CA

4/26/2007

No. 562

Email from Dan Miller, Dated April 21, 2007

jsutton@tccanal.com

From: David Bird [dbird@tccanal.com]
Sent: Thursday, April 26, 2007 8:28 AM
To: jsutton@tccanal.com
Subject: FW: comments on lake Red Bluff

562

562-1

Thank you for your comment. Your comment has been noted.
 No response is required.

-----Original Message-----

From: ROBT J WEILMUNSTER [mailto:bobmunster@sbcglobal.net]
Sent: Saturday, April 21, 2007 9:01 PM
To: dbird@tccanal.com
Subject: comments on lake Red Bluff

The Red Bluff City Council does not represent the citizens of Red Bluff. The restoration of the Sacramento River, and its fishery, via the ending of the operation of the diversion dam will actually improve the economic situation in Red Bluff. Anyone, that knows anything about the river will tell you that the most significant problem for fish passage on the Sacramento River is the Red Bluff diversion dam. Right now its costing millions of tax dollars to subsidize commercial fishermen for their loss of income due to diminishing returns of salmon in the ocean. There is a direct correlation between the loss of fish caused by the diversion dam and the diminishing returns of salmon to the ocean. This problem is much bigger than any small town special interest like the boat drags. Just pick up a newspaper and look and you'll see how bad the ocean fishing is getting. This is a chance to restore a world class migratory fish run and improve the quality of life, rather than degrade it! Nothing will improve the fishing or the fishing access for kids more than ending the operation of the dam. Try picturing the river by the city park with a world class kayak course on it, or some white water rapids for rafters, or a series of wading pools that get deeper and deeper, and a foot bridge for access to the riffles. The idea that the loss of the dam will harm the city economically couldn't be farther from the truth. People spend big money for a good day fishing or rafting or kayaking on the river, and stopping the damming of the river will only improve it.

Just for fun lets review the city's arguments;

1. We weren't notified quick enough.

Well now you know, so rather than waste more tax dollars, why don't you do the right thing, for the greatest good, of all the people involved, including, those who make their living by fishing hundreds of miles from here, by endorsing the pumping plant.

2) We have, "significant new information", that pumping plants hurt fish too.

Well yes, pumping plants aren't good, but it's better than the dam, and so many tax dollars have been wasted on "significant new information" that we shouldn't waste anymore.

3) What about new and annual dredging.

What about it, its still preferable to the dam.

4)What about the Conners Bypass

It wasn't a good idea then, so why waste more tax dollars on it now.

5)What about improved fish ladders

Any "new research" that suggests that sturgeon will use a fish ladder sounds like it might be up for the best BS Award for 2007!

6) Gates out allow striped bass upriver

Newsflash, the gates are out for eight months a year already, is this also "Significant new information".

7)Other information suggests ground water aquifers may not get recharged.

The deepest parts of the river are unchanged with or without the gates in, the city would be better

562-1

4/26/2007

No. 562

Email from Dan Miller, Continued

page 4 - - -

served by analyzing the leech field flume in the Antelope area and its potential impact to all the City's groundwater aquifers.
8) Loss of the boat drags are a significant loss of income to city.
I'd like to know an exact dollar amount of the loss, with substantiated facts, and I'd like an independent study done on the potential gain the city would have, with a fully restored sport fishing industry, as well as new rafting, canoe, and river outfitting industry, and don't forget the increased tourism created when the river is revitalized around the downtown river park.
My name is Dan Miller and I wrote this comment.

} 562-1,
cont'd

4/26/2007

Board of Supervisors
COUNTY OF TEHAMA

No. 563

Letter from Gregg Avilla, Dated April 24, 2007

563-1 This comment letter is duplicate to Comment Letter 536.

District 1 – Gregg Avilla
 District 2 – George Russell
 District 3 – Charles Willard
 District 4 – Bob Williams
 District 5 – Ron Warner

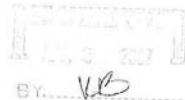
Williams J. Goodwin
 Chief Administrator



April 24, 2007

Mr. Jeff Sutton
 General Manager
 Tehama Colusa Canal Authority
 P.O. Box 1025
 Willows, CA 95988

#563



RE: Recirculated Draft EIR/EIS for the Fish Passage Improvement Project at Red Bluff Diversion Dam

Dear Mr. Sutton:

As you may be aware, the Tehama County Board of Supervisors has previously submitted comments on the Draft EIR/EIS for the Fish Passage Improvement Project at Red Bluff Diversion Dam, by letter to Mr. Art Bullock dated November 26, 2002. A copy of these comments is attached. The Board of Supervisors hereby reaffirms those comments as reflecting the concerns of the County of Tehama.

The Board of Supervisors recognizes that the stated purposes of the project – improved fish passage and improved agricultural water supply – present substantial potential benefits to the residents of the County and of the State of California. However, the Board also recognizes that a project of this magnitude will unquestionably have a significant impact on the local community, and could ultimately result in economic and environmental harm within Tehama County. The ideal solution would balance the needs of farmers, local residents and businesses, and the environment, and would avoid sacrificing valuable community resources. While finding such a solution may be beyond the scope of this project, the County intends to urge its elected representatives at the state and federal levels to pursue careful and balanced action to permanently resolve the competing interests implicated here.

Given the magnitude of the proposed project, it is especially important the EIR/EIS fulfill its informational role under CEQA and NEPA by providing reasonable evaluation and analysis of the environmental impacts of the project, and of any potential mitigation measures and alternatives. The purpose of these comments, and of the Board's 2002 comments, is to express the Board's concern that the Draft EIR/EIS does not entirely meet these requirements. The County believes that additional review and analysis is necessary to present the decision-makers and the public with an accurate and complete understanding of the impacts of the proposed project and its alternatives. Specifically, in addition to the subjects identified in the County's 2002 comments, the Board has identified the following areas of concern:

P.O. Box 250 • 332 Pine St., Red Bluff, CA 96080 • (530) 527-4655 • FAX (530) 529-0980

No. 563**Letter from Gregg Avilla, Continued**

- Although one of the stated purposes of the proposed project is improvement of agricultural water supplies, the Draft EIR/EIS contains little discussion of the long-term operation of the project's pumps and fish screen, and appears to assume that these items will continuously operate at nominal capacity forever. The Draft EIR/EIS contains no analysis of the well-known maintenance difficulties inherent in fish screen technology, no plan for maintenance of the pumps, no replacement schedule for any component, and no discussion of the financial feasibility of long-term maintenance and replacement. The document fails to evaluate the likelihood of mechanical breakdowns, the impacts that such breakdowns would have on the agricultural operations dependent on the project, and the contingency plan, if any, should such breakdowns occur. On the flip side, the Draft EIR/EIS does not discuss the impacts on agricultural resources that would result from the "no action" alternative in the event that regulatory or judicial action forces the removal of the gates without any advance provision being made for pumping. Agriculture is critically important to Tehama County, and it is vital that the project's environmental review accurately assess the possible impacts on agricultural water supply under each alternative, so that informed decisions can be made.
- Water resources and potential flooding are likewise of immense importance to Tehama County. As more thoroughly discussed in the 2002 comment letters submitted by the Department of Water Resources and the City of Red Bluff, certain aspects of the proposed project create the possibility for increased flooding due to riparian vegetation growth, which is not adequately addressed or mitigated in the Draft EIR/EIS.
- As the Board's 2002 comments indicated, the County does not believe that the discussion of power resources in the Draft EIR/EIS is realistic or thorough. The passage of time since 2002 has not altered this view. The proposed project will be heavily dependent upon the use of a significant amount of power in perpetuity to supply necessary irrigation water to agricultural operations. The impact caused by this power usage cannot lightly be dismissed as insignificant, nor can the project's environmental review properly fail to evaluate the impacts that would arise in the easily foreseeable event that future conservation efforts require a reduction in power usage.
- The Draft EIR/EIS identifies significant impacts on recreation and significant socioeconomic impacts, but does not enforceably implement or even meaningfully evaluate any potential mitigation for those impacts. The impacts are indeed significant. Lake Red Bluff is one of the cornerstones of the local economic and social community, and its loss would cause substantial hardship to local businesses, community members, and recreation users. The Draft EIR/EIS, recognizing these effects, cannot simply conclude, without analysis, that meaningful mitigation is infeasible, and cannot fail to enforceably implement any effective mitigation measures. At a minimum, as discussed in the comment letter submitted by the Department of Water Resources, some of the impacts on recreation can, in fact, easily be mitigated. More generally, the Draft EIR/EIS must undertake in good faith to determine the measures that the lead agencies can implement to reduce or avoid the socioeconomic and recreation impacts on the local community, and must explain why any other measures are not feasible. One alternative may include an enhanced fish ladder that creates a more natural conveyance for migrating fish with recreational opportunities.

No. 563**Letter from Gregg Avilla, Continued**

As explained in the Board's 2002 comment letter, the County believes that it is premature for any public entity – whether the County, TCCA, or the Bureau of Reclamation – to select a preferred alternative. The Draft EIR/EIS must be revised to provide a complete picture of the relative benefits and impacts of each of the possible courses of action before such a decision can properly be made. The Board urges the lead agencies to undertake the needed analysis before moving forward, to ensure – as CEQA and NEPA require – that any decision is made with full awareness of the consequences to the environment and the local community.

Respectfully,



Gregg Avilla
Chairman

cc: Congressman Wally Herge
Senator Diane Feinstein
Senator Barbara Boxer

enc: 2002 Comment Letter

No. 563

Letter from Gregg Avilla, Continued

TEHAMA COUNTY BOARD OF SUPERVISORS
 COMMENTS ON THE RED BLUFF DIVERSION DAM DRAFT ENVIRONMENTAL
 IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT

November 26, 2002

The Tehama County Board of Supervisors is aware of the twofold purpose of the Red Bluff Diversion Dam (RBDD) Fish Passage Improvement Project:

Substantially improve the long-term ability to reliably pass anadromous fish and other species of concern, both upstream and downstream, past RBDD.

Substantially improve the long-term ability to reliably and cost effectively move sufficient water into the Tehama-Colusa Canal Authority and Corning Canal systems to meet the needs of the water districts served by the Tehama-Colusa Canal Authority (EIS/EIR Page 1-2).

The Board is also aware that the EIS/EIR is required by NEPA to:

Evaluate a range of alternatives, disclose potential impacts, and identify feasible mitigation. Reasonable alternatives must be rigorously and objectively evaluated under NEPA (as opposed to CEQA'S requirement that they be discussed in "meaningful detail") [EIR/EIS page 1-3].

The Board of Supervisors is concerned that Federal and State agencies declared their preferred alternative before the Draft EIR/EIS was published (August 2002). Did these agencies have knowledge of the entire document before they made their decision, or were they merely promoting their own self-interests? The Board of Supervisors refrained from being an advocate of any alternative until a greater understanding of all the issues could be developed. Our belief is that no solution (alternative) is going to be satisfactory for all stakeholders; however, all alternatives must be analyzed objectively using accurate data and the best available science to bring forth an acceptable solution.

The Board has reason to believe that major revisions are needed in the final EIS/EIR to meet the **PURPOSE AND NEED** and the **OBJECTIVE EVALUATION** required by NEPA.

AREAS OF CONCERN

Disposal of Material From PACTIV Landfill

The disposal of up to 170,000 cubic yards of material from the active PACTIV industrial landfill off-site to allow construction of the "mill site" pumping plant could have significant impacts to the Tehama County/Red Bluff Landfill. These impacts are not addressed in the EIS/EIR. This is especially disturbing to the Board, as it is our understanding that CH2M Hill contacted the Solid Waste Manager, Alan Abbs. They were made aware of his concerns, but neglected to include them in the document (refer to letter of November 8, 2002, from Mr. Abbs to Art Bullock for details)

No. 563

Letter from Gregg Avilla, Continued

Power Resources

The conclusion reached in alternatives 2A, 2B, and 3 as to operational impacts to power resources we believe to be irrational. *"The impacts from operations on power resources would be less than significant, no mitigation is required"* EIS/EIR Pages 3-292, 3-196. Alternatives 2A, 2B require an estimated additional 1.5 million kwh's annual usage over Alternative 1. Alternative 3 requires an estimated 4.5 million kwh's over Alternative 1. Given most of this additional demand will occur in summer months when system demand is the highest, we think the conclusion of "no significant impact" erroneous. When the public has been asked to conserve, conserve, conserve and utilities rebate significant sums to consumers to upgrade appliances to more efficient units, and agriculturists are encouraged to install water efficient irrigation systems, it seems illogical to conclude the demand created by the additional load of these pumping plants could be determined to be "insignificant." The blackouts experienced throughout California in the winter of 2002 suggest an increase in power consumption of the magnitude of these proposals could be significant. The Board would suggest the EIS/EIR compare the loss of any of the conservation programs that have been implemented versus the energy saved before concluding the additional power requirements of Alternatives 2 or 3 be labeled insignificant. Perhaps it is a small percentage of the power marketed by Western Power; however, to the customers now purchasing this power, it will in all probability be "very significant."

City of Red Bluff- Loss of Lake Red Bluff

The EIS/EIR goes into considerable detail in analyzing the socioeconomic impacts of the various alternatives. We realize the numbers presented are, at best, estimates of the economic impact to the area if the time the water is impounded behind the dam is reduced from present conditions. Table 3.10-14 states the annual sales losses from the loss of the Nitro National Drag Boat Races to be \$3,154,000 under either Alternative 2 or 3. Annual sales losses from reduced recreation and tourism would be \$363,000 for Alternative 2 and \$1,086,000 for Alternative 3. Reduction in annual sales and use taxes to the City of Red Bluff is estimated to be \$52,000 and \$89,000, respectively. Reduction in property values and loss of property tax revenue, while estimated to be small, would be negative to property owners and the City and County. Reduced quality of life and loss of community cohesion are moderate for Alternative 2 and high for Alternative 3.

Given the above estimates of impacts, the authors of the EIS/EIR come to the conclusion that for Alternative 2, *"there would be some potential for loss of property values for the owners of property adjacent to the lake or with easy access to the lake resulting from the loss of the lake for an additional 2 months of the year. There would be a moderate reduction in the quality of life and reduced community cohesion for local residents. However, the lake would be still present during the hottest summer months (July and August), and while the socioeconomic impacts would be noticeable, the impacts would not be significant; therefore, no mitigation is required"* (EIS/EIR Page 3-320).

The Tehama County Board of Supervisors takes issue with the conclusion that the impacts of Alternative 2 to the socioeconomic environment would "not be significant."

For Alternative 3, the authors conclude *"The sum of the effects on local economic activity, fiscal impacts to the City of Red Bluff, property value declines, and social impacts under Alternative 3 result in a significant socioeconomic impact and cannot be mitigated."*

No. 563

Letter from Gregg Avilla, Continued

We agree with the conclusion of the authors. However, we suggest Alternative 3 is a non-viable Alternative since the significant socioeconomic impacts cannot be mitigated.

Fish Passage Issues

The Tehama County Board of Supervisors has received a draft report prepared by David A. Vogel, Senior Scientist, Natural Resource Scientists, Inc., of Red Bluff. The report provides a "technical peer review of the August 2002 Public Draft Red Bluff Diversion Dam Environmental Impact Report as related to fishery resources."

The Board of Supervisors has neither the time nor resources to critique the entire document. However, we feel Mr. Vogel identifies some very significant issues which we believe to be of such magnitude that the final EIS/EIR is obligated to address them.

The Board believes it imperative that the Tehama-Colusa Canal Authority and the Bureau of Reclamation, the lead agencies of the project, address the issues Mr. Vogel raises in the section entitled "UNDISCLOSED IMPACTS FROM THE PROPOSED LARGE-SCALE PUMPING PLANT AT THE MILL SITE" (November 23, 2002 DRAFT-Comments on the RBDD Draft EIS/EIR Page 35). The water reliability objective for all the Alternatives suggested in the EIS/EIR is entirely dependent upon a proper functioning large-scale pumping plant. Mr. Vogel suggests, and the Board agrees, that the EIR/EIS is silent on too many of the issues surrounding the viability of constructing and operating such a facility. The EIS/EIR suggests that a large pumping plant could be constructed and operated with no (zero) adverse effects on fish. We think this to be a very misleading statement. Screens required for pumps of the magnitude required for every suggested Alternative will not be 100% efficient, thus there will be some juvenile fish loss. Since these screens and associated environmental impacts will be in the river year-round, fish depredation could be significant. Further analysis on the construction and operation of such a large scale pumping plant is imperative before a final EIS/EIR be approved.

Mr. Vogel's report leads us to believe there could be many issues similar to the one described above, where the best available science was not utilized in drafting the EIS/EIR, that some conclusions were reached using faulty data, and speculative outcomes promulgated.

Since fish passage issues are one of the two objectives of the project, we find it perplexing that the authors of the EIS/EIR have so little confidence in their proposed solutions as described on page 3-306. "At this time, it is difficult to predict whether the build alternatives in and of themselves would result in substantial improvements in fish survival rates, but the potential exists." This statement leads us to believe that the purpose of the project to "substantially improve the long-term ability to reliably pass anadromous fish and other species of concern" may not be met. Mr. Vogel's "opportunity for improved fish passage" makes constructive recommendations on this issue. Since the EIS/EIR authors seem to have little confidence in the outcome of Alternatives 2 and 3, we believe that Mr. Vogel's recommendations for improved fish passage should be considered.

No. 563**Letter from Gregg Avilla, Continued****RECOMMENDATIONS**

The Tehama County Board of Supervisors recommends that the EIS/EIR document address the above concerns as well as those raised in the Vogel report. We are reluctant to select a preferred alternative until these issues have been addressed. However, due to what we believe to be the unmitigable significant impacts on the socioeconomic impacts to the City of Red Bluff and the County of Tehama of Alternatives 2 and 3, the Board of Supervisors opposes consideration of these alternatives at this time.

The Board of Supervisors is acutely aware of the need for the Tehama-Colusa Canal Authority to have a reliable, cost-effective ability to move water into the canal systems. We urge all involved to work diligently to address the issues brought forth so an alternative can be implemented to supply their needs.



No. 564

Letter from John Yingling, Red Bluff-Tehama County Chamber of Commerce, Dated March 19, 2007

564-1 This comment letter is duplicate to Comment Letter 545.



March 19, 2007

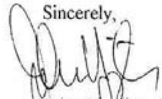
Mr. Jeff Sutton, General Manager
Tehama - Colusa Canal Authority
P.O. Box 1025
Willows, CA 95988

Re: March 14 Comments Correction

Dear Jeff,

We are sending to you a revised copy of our "comments" letter of March 14 which includes the phrase... "out of Tehama County" that was inadvertently omitted from paragraph 4.

We hope this helps clarify our comments.....we apologize for the confusion.

Sincerely,

John Yingling, EVP
Red Bluff - Tehama County
Chamber of Commerce

100 Main Street - P.O. Box 850 - Red Bluff, California 96068 - Phone (530) 537-6330 - Fax (530) 537-3000

No. 564

Letter from John Yingling, Red Bluff-Tehama County Chamber of
Commerce, Continued

Mr. Jeff Sutton, General Manager
Tehama - Colusa Canal Authority
P.O. Box 1025
Willows, CA 95988

Re: Written Comment on the Draft EIS/EIR for the Red Bluff Diversion Dam Fish Passage
Improvement Project

Date: March 14, 2007

Dear Mr. Sutton,

On behalf of the 400 plus members of the Red Bluff - Tehama County Chamber of Commerce, I am writing to officially re-affirm our organization's position, and incidentally, that of over 7,000 individuals from throughout Northern California, with respect to the operation of the Red Bluff Diversion Dam.

You will recall that in 2002, our Chamber, the City of Red Bluff, and thousands of individuals and businesses communicated to the Bureau of Reclamation and the Tehama Colusa Canal Authority our collective support of alternate I-A of the 6 Diversion Dam operation alternatives proposed at that time. I-A was (and is) the alternative which retains a gates-in operation for 4 months (from May 15 to September 15), improves the fish ladders, and provides for a pumping facility to meet the water needs of the TCCA into the future.

Our position has not changed. We still favor and recommend alternative I-A and strongly oppose any alternative that reduces the operation of the Diversion Dam below 4 months which would cause an unacceptable level of economic and community development damage extending well beyond the local community and includes: loss of Tourism and the benefit of Tourism expenditures that generate sales tax and occupancy tax revenue to the City of Red Bluff; loss of recreational benefits including popular community events such as the Memorial Day Boat Drags, boat launching activity and shoreline leisure; loss of property value; degradation of the City's main community - gathering park; and negative impacts to the Downtown Red Bluff Revitalization process that includes river front pedestrian/trail access plans.

100 Main Street • P.O. Box 850 • Red Bluff, California 96080 • Bus: (530) 527-6220 • Fax: (530) 527-2908

No. 564

Letter from John Yingling, Red Bluff-Tehama County Chamber of
Commerce, Continued

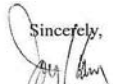
In that approximately 51% of the 7,000 people who signed petitions supporting the City of Red Bluff's Resolution No. 37-2002 expressing support for Lake Red Bluff were from "out-of-Tehama County," we feel it is extremely important that concern over the loss of Lake Red Bluff goes well beyond the interests of local individuals and businesses. The regional use of this Lake cannot be minimized and its loss affects persons and businesses well beyond the local community. Elimination or reduction in the gates operating period of the Red Bluff Diversion Dam must address the regional impacts, not just the local impacts. We ask what analysis does the DEIS/EIR provide to demonstrate the impacts outside of the local community, and what measures to mitigate regional losses are contemplated?

Finally, we respectfully request that the deadline for comments be extended in that: the announcement of the re-circulation of the Draft EIS/ER for the Fish Passage Improvement Project at the Red Bluff Diversion Dam for public review occurred during the height of the 2006/07 Holiday Season; public awareness of the availability of the document was (and is) extremely low; and the window of opportunity to comment was extremely short.

We believe that an extension would provide a greater opportunity for more people to review the issue and provide pertinent input.

Thank you for this opportunity to comment once again on this Draft DEIS/EIR.

Sincerely,



Jay Harn, President-Elect
Red Bluff - Tehama County
Chamber of Commerce



Marshall Pike, Chair
Red Bluff - Tehama County
Convention & Visitors Bureau

cc: Paul Freeman, Bureau of Reclamation
Martin Nichols, City Manager, City of Red Bluff

No. 565

Fax from Richard Crabtree, Dated April 18, 2007

565-1 This comment letter is duplicate to Comment Letter 525.

Law Offices of Richard L. Crabtree
1395 Ridgewood Drive #300
Chico, CA 95973
(530) 566-1111
Fax: (530) 566-9203

Crabtree Law Office

Fax

To: Jeffrey Sutton **From:** Richard Crabtree
Fax: 934-2355 **Pages:** 9
Phone: **Date:** 4/18/2007
Re: Fish Passage Improvement Project **CC:** Martin Nichols
 Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

• **Comments:**

#565

(Duplicate to 525)

No. 565

Fax from Richard Crabtree, Continued

LAW OFFICES OF
RICHARD L. CRABTREE
1395 RIDGEWOOD DRIVE, SUITE 300
CHICO, CA 95973
(530) 566-1111
FAX: (530) 566-9203
E-MAIL: RICK@CRABTREELAWOFFICE.COM

April 18, 2007

Jeffrey Sutton
Tehama Colusa Canal Authority
5513 Highway 162
PO Box 1025
Willows, CA 95988

Re: DEIR for the Fish Passage Improvement Project at the Red Bluff
Diversion Dam

Dear Mr. Sutton:

This office serves as the Red Bluff City Attorney. You have previously agreed to accept, consider and respond to the following comments from the City of Red Bluff related to the Tehama Colusa Canal Authority's (TCCA) consideration of the Draft Environmental Impact Report (DEIR) for the above referenced Project. Please include these comments in the Administrative Record regarding the Project.

The DEIR Must Be Recirculated Pursuant To CEQA

First, as confirmed in your letter dated April 9, 2007 (copy enclosed), there has been no recirculation of the DEIR pursuant to the California Environmental Quality Act (CEQA). The original public review period for the DEIR was in 2002. Thereafter, the Project sat dormant for five years. The TCCA is now actively pursuing federal funds for the Project, with an obvious intention of moving forward with the construction of a massive water pumping facility. The DEIR should have been recirculated pursuant to the requirements of CEQA. (See, CEQA Guidelines, §15088.5.) Updated information from the last five years should have been included in the recirculated document. Significant new information regarding the potential impacts of the Project has become available during the past five years. However, the TCCA's decision not to recirculate pursuant to CEQA effectively prohibits the public from commenting on the Project and the newly available information.

Curiously, the TCCA's co-lead agency, the Federal Bureau of Reclamation, did recirculate the DEIR as a Draft Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Obviously, the Bureau of Reclamation recognized that the passage of time, combined with the availability of new relevant

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information regarding the Project's potential impacts and alternatives, warranted recirculation of the DEIS. The Bureau of Reclamation notes its decision to recirculate "given the length of lapsed time and the recent selection of Alternative 2B as Reclamation's preferred alternative." (Federal Register, Vol. 72, No. 19 (Jan. 30, 2007).) For these same reasons, recirculation of the DEIR was/is required pursuant to the requirements of CEQA.

As the TCCA acknowledges, there were many, many commenters on the DEIR in 2002. Ironically, the TCCA has advanced as one of its excuses for not recirculating, the fact that the TCCA has received few comments recently regarding the Project or the DEIR. This flawed logic illustrates the problem: if you do not provide the public with adequate notice that the Project and its DEIR are being reconsidered, after five years with little or no Project activity, you are unlikely to receive many new comments from the public. The CEQA recirculation process is designed to make the public aware of the current status and available information regarding the Project and its impacts, and to provide a meaningful opportunity to comment. For example, proper recirculation pursuant to CEQA would require that the TCCA send a notice to every agency, person or organization that commented previously (five years ago) on the DEIR. (CEQA Guidelines §15088.5(f)(3).) Here, the public has been deprived of such notice and an opportunity to comment. Unless you are an avid reader of the Federal Register, you are unlikely to have received any notice regarding the resurrection of this Project and its DEIR.

Accordingly, the City of Red Bluff requests that the DEIR be recirculated, with the appropriate public notice, pursuant to the requirements of CEQA.

New Information Is Available Regarding Impacts And Alternatives.

Due to TCCA's failure to properly recirculate the DEIR, the City's ability to provide meaningful comments has been severely hampered. Nevertheless, the City provides the following comments regarding the impacts and alternatives related to the project.

There is significant new evidence that installation of the massive pumping facility proposed by the TCCA will actually hurt fish migration, not improve it. This is due, in part, to the impact of the water intake on out-migration fish. Young fish are not likely to survive their encounter with TCCA's proposed massive pumping facility or its fish screens. The DEIR does not provide an adequate analysis of this potential impact.

The DEIR also fails to adequately analyze the potential impacts related to new and annual dredging which will accompany the proposed water pumping facility. The DEIR fails to adequately consider the impacts of construction of this facility, and its ongoing maintenance. For example, the Draft EIR does not study the impacts of baffles which must be built in the river to divert water to the pumps. Nor has there been any

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analysis of the net impact on fisheries. In addition, the introduction of quagga mussels into the Sacramento River will likely affect the efficiency of the fish screens. The quagga mussels attach themselves to fish screens and can reduce the intake capacity.

Another potential alternative which is feasible, meets the project objectives, and has less environmental impacts, should be analyzed. The "Connors Bypass" proposed in 2002, has been improperly ignored. This alternative would direct flow through an old channel which runs east of the current recreation area. Obviously, with the passage of more than five years, there has been ample opportunity to study this alternative. New research suggests that there are improved fish ladders available which will allow sturgeon and salmon to bypass the dam. There is also new evidence that the sturgeon are getting upriver from the dam. The Bureau of Reclamation recently hired UC Davis Professor Peter Moyle to further study sturgeon, and their related migration issues. Thus, the Bureau recognizes the need for more analysis before the Project moves forward.

If a new and more effective ladder system were constructed, the gates could stay in for longer periods of time and improve water delivery to the TCCA canal system. In fact, a gates-in during winter flow plan could provide water to the proposed Sites Reservoir. This proposed reservoir near Maxwell would significantly improve water storage and availability for the TCCA and its members. Yet, this promising alternative has not been studied or analyzed pursuant to CEQA. CEQA requires that this new alternative be studied and analyzed and that the resulting DEIR be recirculated. (CEQA Guidelines, §15088.5(a)(3).) The DEIR also has not adequately analyzed the possibility of obtaining more water from Stony Creek as an alternative to the TCCA's proposed Project.

The Gates-Out Alternative will allow striped bass (a non-native species) to move upriver and greatly increase salmon predation. Striped bass do not climb fish ladders. Allowing this predatory fish to proceed upstream unhampered, and its resulting potential impacts to the salmon population, have not been adequately addressed in the DEIR.

There is also information which suggests that Sacramento River water in the area known as Lake Red Bluff recharges the City's groundwater aquifers. Potential impacts to the City of Red Bluff's water supply and its groundwater aquifers, have not been analyzed.

As noted in the City's prior comment letter dated November 27, 2002, there will be significant unmitigated impacts to the City of Red Bluff and its citizens in the event of a gates-out alternative or implementation of the Bureau of Reclamation's new preferred Alternative 2B (i.e., two months with existing ladders alternatives). New data and information regarding the operation of Lake Red Bluff for the past five years has obviously been ignored in the DEIR. In addition, there has not been any updated analysis of the social and economic impacts on the City of Red Bluff related to the Bureau of Reclamation's recent selection of Alternative 2B as its preferred alternative. Although

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Alternative 2B will use a gates-in period of July 1 to August 31, this will reduce the seasonal existence of Lake Red Bluff by 50 percent. It also will eliminate the Memorial Day Drag Boat Races which are a significant source of income for the City of Red Bluff. These impacts need to be re-evaluated with updated information in a recirculated Draft EIR. Under CEQA, physical changes that cause adverse social or economic effects on people are considered significant environmental impacts. (CEQA Guidelines, §15064(c).) When there are feasible alternatives clearly available which would avoid these significant impacts to the City of Red Bluff, CEQA requires that those alternatives be pursued and adopted. (Pub. Res. Code §21002.)

In addition, the massive water pumping facility proposed by the TCCA will obviously require a substantial amount of energy to operate. However, the DEIR fails to adequately analyze and mitigate the Project's energy use. (Pub. Res. Code §21100(b)(3); CEQA Guidelines Appendix F.) Furthermore, the California Legislature has determined that global warming is a serious environmental concern which requires immediate action by all levels of state and local government. (See, California Global Warming Solutions Act of 2006; Health & Safety Code §§38500, et seq.) The DEIR fails to address or analyze the Project's contribution to global warming, and also fails to analyze potential mitigation for these impacts.

All of these new issues and information should be analyzed in a revised DEIR which is then properly recirculated pursuant to the requirements of CEQA.

Conclusion.

The nearly silent resurrection of this Project and its DEIR, after five years, without any updating of the DEIR's analysis, without notice to the public, and without recirculation, violates the fundamental principals of CEQA. Among CEQA's main purposes are to foster public involvement and comment, and to inform decision makers and the public about a Project's potential impacts. (CEQA Guidelines, §§15002(a), 15003.) Accordingly, the City of Red Bluff requests that the Draft EIR be updated with current data and information regarding the Project's potential impacts, and the potential Project alternatives, and that the DEIR be recirculated pursuant to the requirements of CEQA. Please include this letter and its attachments in the Administrative Record for the project.

Very truly yours,

Richard L. Crabtree

RLC:jm
Enclosure

Cc: Martin Nichols, Red Bluff City Manager

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Fax from Richard Crabtree, Continued



P.O. Box 1025 - 5513 Hwy 162 - Willows, CA 95988 - Phone: (530) 934-2125 - Fax: (530) 934-2355

RECEIVED

April 9, 2007

APR 10 2007

LA OFFICES OF
RICHARD L. CRABTREE

Richard Crabtree
Red Bluff City Attorney
1395 Ridgewood Drive, Suite 300
Chico, CA 95973

VIA FACSIMILE AND U.S. MAIL

Re: Public Records Act Request to Tehama Colusa Canal Authority ("TCCA")

Dear Mr. Crabtree:

This letter responds to your request on behalf of the City of Red Bluff for certain records from the TCCA pursuant to the Public Records Act (Government Code § 6250 *et seq.*).

First, please note that the Draft EIS/EIR document has not changed since its initial circulation in 2002. The decision to recirculate the Draft EIS/EIR document was made solely by the U.S. Bureau of Reclamation ("USBR") pursuant to the National Environmental Policy Act ("NEPA"). This is clear from the Federal Register notice published on January 30, 2007, advising that the document was still available for comment. The lapse of time since the initial circulation of the document and Reclamation's focus on Alternative 2B as its Preferred Alternative are the only reasons given for the new notice.

TCCA did not recirculate the document for purposes of CEQA because no significant new information was added to the document. In fact, as noted above, no new information has been added at all. Thus, the CEQA Guideline sections you cited in your letter are not applicable to the recirculation. TCCA is, however, the repository for comments on the document, including the comments the City previously submitted on it. TCCA will provide responses to all comments submitted prior to April 16, 2007.

The following responds to your specific requests for public records:

1. Request for "copies of any and all documents which the Tehama Colusa Canal Authority ("TCCA") created or circulated in compliance with CEQA Guidelines section 15088.5(f)(3)."

No such documents exist because the cited section of the CEQA Guidelines is inapplicable and the recirculation of the document was by the federal lead agency, USBR.

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2. Request for "copies of any documents created by or distributed by the TCCA in compliance with CEQA Guidelines section 15088.5(g)."

No such documents exist because the cited section of the CEQA Guidelines is inapplicable and the recirculation of the document was by the federal lead agency, USBR. Further, no summary of revisions could occur because no revisions were made to the document.

3. Request for "copies of any and all documents created by or distributed by the TCCA in order to provide notice to the public of the recirculation of the Draft EIS/EIR."

No such documents exist because the cited section of the CEQA Guidelines is inapplicable.

Nonetheless even though the City had submitted comments in 2002 and there have been no changes to the draft since then, I offered the document to the Red Bluff City Manager and the City department heads at a meeting at City Hall on February 20, 2007. The offer was refused. Further, the TCCA sent the attached press release on February 6, 2007. In addition, I personally informed the Red Bluff City Manager of the renewed circulation by USBR during a phone conversation in mid-January.

4. Request for "copies of any documents related to the TCCA's efforts to acquire real property as a possible site for the Red Bluff Diversion Dam Pumping Plant."


The documents related to this effort are exempt from disclosure pursuant to sections 6254 and 6255 of the Government Code and the attorney client privilege. The foregoing determinations were made by me, in consultation with TCCA's general counsel, Mark Atlas.

We are, of course, mindful of the relationship you noted in your letter between CEQA and a public agency's acquisition of real property.

In sum, the Draft EIS/EIR document has not changed since the previous circulation, and the City will receive responses to its comments submitted in 2002, as well as to any additional comments submitted prior to April 16, 2007.

If you have questions or concerns regarding the foregoing, please do not hesitate to contact me directly.

Regards,


Jeffrey P. Sutton
General Manager

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Fax from Richard Crabtree, Continued

Tehama Colusa Canal Authority

FOR IMMEDIATE RELEASE
FEBRUARY 6, 2007

CONTACT: JEFFREY P. SUTTON
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**PRESIDENT'S BUDGET INCLUDES \$5.5 MILLION FOR RED BLUFF FISH
PASSAGE SOLUTION**

The Tehama Colusa Canal Authority (TCCA) is excited to announce that President Bush's 2008 Budget, released yesterday, includes \$5.5 million to address the Fish Passage Solution at the Red Bluff Diversion Dam (RBDD). This commitment of funds will assure continued progress towards a win-win, long term solution to improve the Sacramento Valley fishery resource and restore water supply reliability to farmers.

The RBDD, constructed in 1964, is a key component of the Central Valley Project and is owned and operated by the U.S. Bureau of Reclamation. The structure consists of spillway gates within the Sacramento River, that when lowered, raise the water elevation allowing the TCCA to divert water, via gravity flow, to 18 water districts throughout four Northern California counties. This 140 mile long, dual canal system services the needs of over 120,000 acres of irrigated farm and ranch lands in the western Sacramento Valley, supporting crops valued at over \$100 million annually. The lowered gates also create a temporary artificial lake that extends approximately six miles upstream through the town of Red Bluff.

A majority of the Sacramento River spawning habitat for listed fish species occurs upstream of RBDD, and fishery agencies believe the dam impedes fish passage both upstream and downstream. A biological opinion for endangered winter run Chinook salmon issued in 1993 required that the dam remain raised eight months of the year. Currently, diversions via the RBDD are only available from May 15th to September 15th. This has created severe operational difficulties and continues to threaten the water supply reliability of the TCCA water users. Additional regulatory concerns loom as a result of the addition of the green sturgeon to the endangered species list, which has the potential to result in an even more restrictive timeframe that the gates could be lowered. Any action that further reduces the timeframe during which the TCCA can divert water would

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be disastrous for the landowners and agricultural communities served by the Authority along the west side of the Sacramento Valley.

In 2002, the TCCA, in partnership with the Bureau of Reclamation, began work on a policy to improve fish passage at RBDD and to enhance water supply reliability by reducing or eliminating reliance on the dam. After looking at over 100 alternatives, the TCCA and the Bureau of Reclamation have both selected preferred alternatives that would decrease or eliminate reliance on the gravity diversion, and instead rely on the installation of a pumping plant that would lift water out of the river through a state-of-the-art fish screen.

The news of the Administration's funding commitment is particularly timely considering the Bureau recently released the Notice of Availability of the Draft EIS/EIR in the Federal Register. Comments on the Draft EIS/EIR can be submitted from January 30th through March 16, 2007.

Ken LaGrande, Chairman of the TCCA Board, stated, "The Authority is greatly appreciative of the funding provided by the Bush Administration for this worthwhile project. It clearly illustrates the Administration's commitment to support projects that benefit both agriculture and the environment. It will allow the TCCA to make significant progress in the design and engineering of a permanent solution at the Red Bluff Diversion Dam, addressing both the issue of fish passage and water supply reliability. The Red Bluff situation is our highest priority."

SECTION 5.0

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