

No. 530

Letter from Natural Resources Defense Council, Continued

Mr. Bird and Mr. Rodgers
March 16, 2007
Page 6 of 11

the CALFED ROD. Therefore, the EWA cannot be relied upon to mitigate any impacts associated with an increase in Delta pumping.

III. The Bureau and TCCA Have Improperly Piecemealed Analysis of Re-Operating the Dam From Renewal of Long-Term Sacramento River Division CVP Contracts and Construction and Operation of Sites Reservoir

A. Long-Term Contract Renewal

As explained above, a primary purpose of the Project analyzed in the DEIS/EIR is to substantially improve the long-term ability to reliably and cost-effectively move sufficient water into the TC Canal and Corning Canal systems to meet the needs of water districts served by TCCA. At minimum, those water districts appear to include the long-term contractors within the Tehama-Colusa Canal, Corning Canal, and Black Butte Units of the CVP. However, the amount, use and timing of water authorized for delivery to those water districts is defined and limited by long-term contracts with the Bureau. Those long-term contracts were recently renewed, and the impacts of that renewal ostensibly were analyzed in an entirely separate NEPA review that gives only passing notice to the DEIS/EIR and its analysis. See Final Environmental Assessment, Long-Term Renewal of Water Service Contracts in the Black Butte Unit, Corning Canal Unit, and Tehama-Colusa Unit of the Sacramento River Division (USBR, 2005) ("Long-Term Contract EA"). As we mentioned in our comments on the Long-Term Contract EA, the failure to analyze the impacts of the contract renewals in tandem with the impacts of re-operating the Dam to improve water supply reliability and fish survival improperly piecemeals analysis of these two closely-related proposals. See Comments of NRDC, TBI and PCL on Revised Draft EA on Sacramento River Division Renewal Contracts (Aug. 27, 2004). Both of these proposals should be re-analyzed as the single project that they are.

The terms of the long-term contracts for the water districts served by the TC and Corning Canals as well as the purported basis of those terms (e.g., the Bureau's "needs assessments" for the affected water districts) have a significant impact on this Project's effect on water supply reliability and fisheries. For example, the existing facilities at the Dam, including the Research Pumping Plant and Stony Creek Diversions, allow delivery of substantial amounts of water without any gates-in operation or any new construction. DEIS/EIR, pp. 2-6 to 2-8. Yet, the DEIS/EIR never analyzes this option, apparently assuming that any alternative must deliver a certain amount of water in excess of historical demand. DEIS/EIR, pp. A-65 to A-69. But the quantity of water delivered under long-term CVP contracts is discretionary, and is not predetermined by historical use, which is precisely why the impacts of choosing a certain contract quantity term should have been analyzed in conjunction with the impacts of Dam re-operation.

530-9

The renewal of TCCA members' contracts was a separate project that was the subject of extensive NEPA and CEQA analysis. There are no plans to re-evaluate contract renewals for the TCCA members. As noted in the DEIS/EIR, the total contract volumes provided in the TCCA members' contracts would remain unchanged, although the timing of deliveries could change somewhat if operations of RBDD are no longer a constraint on crop selection in the member districts. The contracts do not include any constraint on the timing of water deliveries, and that fact was the subject of previous environmental review. Water deliveries to the member districts will be made under the terms of, in accordance with, and limited by, the terms of their existing CVP contracts. Moreover, although crop selection might change in some respects, the crops available to be grown in the member districts still demand substantially all of their water in the May to October timeframe identified in the DEIS/EIR.

In the same way that there are no plans to re-evaluate contract renewals in a broad sense, there are specifically no plans for Reclamation to reanalyze the member districts' needs analyses. Reclamation performed a needs analysis on every member districts' long-term water contract supply during the contract renewal negotiations. The negotiations were an open and public process, and the commentor was an active participant and commentor during that process, including the environmental analysis of the proposed renewals. The current contracts, which will expire in 2030, include no provision that would allow Reclamation to reopen the contracts, with regard to contract quantity or any other provision. Conversely, the contracts clearly state that they are subject to CVP operations and ESA requirements. Otherwise, however, unless and until a contractor tenders its contract for amendment, the current contract recognizes the contractor's historical use of the water supply and its right to continue the use of the entire contract quantity. This is consistent with Reclamation's water rights for the CVP and federal law. All of these aspects of the contracts, including the likelihood of full deliveries of the entire contract quantity to the contractor every year, through diversion facilities at Red Bluff, were fully analyzed in the course of the NEPA analysis and ESA consultation during the contract renewal process.

530-8,
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530-9

No. 530

Letter from Natural Resources Defense Council, Continued

Mr. Bird and Mr. Rodgers
March 16, 2007
Page 7 of 11

Conversely, the DEIS/EIR acknowledges that some of its alternatives, including the year-round gates-out alternative, would increase flexibility in the timing of water deliveries over current operations, which could have a substantial impact on cropping patterns and the "needs assessments" upon which the Bureau bases its long-term contracts. For example, the DEIS/EIR concludes that the analyzed year-round gates-out alternative would increase supply and availability of TCCA water to the associated districts during the off-peak irrigation season which would allow farmers to plant a different array of crops, with different evapotranspiration rates and different water needs, than they currently plant. *E.g.*, DEIS/EIR, pp. 3-268, A-65 to A-69. This flexibility, in turn, would affect the Bureau's needs assessments and its determination of contract quantity amounts.

By artificially piecemealing the analysis of re-operating the Dam and the analysis of long-term contract renewal, the Bureau and TCCA have artificially constrained consideration of the number of options truly available, and artificially masked the real environmental impacts of the decisions being made.

B. Construction and Operation of Sites Reservoir

The DEIS/EIR gives passing reference to the fact that the increased pumping capacity associated with the Project "could make it more feasible to provide water to an offstream storage reservoir in the Sacramento Valley, such as Sites Reservoir, which would be located approximately 10 miles west of Maxwell, California." DEIS/EIR, p. 4-15. California's Department of Water Resources ("DWR") more pointedly comments that the agency "prefers an alternative that provides the capability of diverting approximately 2,000 cfs into the Tehama-Colusa Canal during the winter months as a potential source of water for an offstream storage project, such as Sites Reservoir." Letter from Dwight Russell, Chief, Northern District, DWR (Jan 8, 2002), DEIR/EIS, App. G. Since the time that the Draft EIS/EIR was prepared in 2002, Sites Reservoir has become one of two storage projects statewide that the Governor has identified as a high priority for funding and implementation, and for which the Legislature is considering funding and implementation. *See, e.g.*, Senate Bill 59. In addition, the Bureau and DWR have completed an Initial Alternatives Information Report for North-of-Delta storage that explicitly recognizes the link between Sites Reservoir and changes to operation and capacity at Red Bluff Diversion Dam. *See* USBR, DWR, North-of-the-Delta Offstream Storage Investigation Initial Alternatives Information Report (May 2006) (available at <http://www.storage.water.ca.gov/northdelta/index.cfm>). That document identifies the Sacramento River at Red Bluff Diversion Dam as one of seven possible diversion sites for filling Sites Reservoir. *Id.*, p. G-22. Thus, these proposals, too, should have been analyzed as a single project.

530-9,
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Reference to the Orland Unit Water User's Association (below Black Butte Reservoir) is irrelevant; the Orland Unit is neither a member of, nor served by, TCCA.

See DEIS/EIR page 2-6 for a description of the RPP and page 2-8 for a description of Stony Creek diversions. The DEIS/EIR considered use of both of these options as part of the alternatives. Use of the RPP was carried forward throughout the DEIS/EIR. Stony Creek was not carried forward because of concerns about the unreliability of the water supply from Stony Creek and the long-term need to provide a fish screen at the Stony Creek diversion into the TC Canal.

530-10

See Response to Comment 530-3. Sites Reservoir is a separate project being considered by a separate agency, DWR.

530-9,
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530-10

No. 530

Letter from Natural Resources Defense Council, Continued

Mr. Bird and Mr. Rodgers
March 16, 2007
Page 8 of 11

At the very least, it is clear that the additional pumping capacity provided by this Project could have significant environmental and growth-inducing impacts related to the construction and operation of Sites Reservoir that have not been disclosed or analyzed in the DEIS/EIR, but must be.

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IV. The DEIS/EIR Fails to Analyze a Reasonable Range of Alternatives

The DEIS/EIR only examines alternatives, other than the "no action" alternative, that would increase pumping capacity well beyond the capacity required to meet current contract amounts authorized for the Tehama-Colusa and Corning Canal contractors. The alternatives consider increasing pumping capacity from between 1,700 cfs to 2,500 cfs. These pumping capacities would enable deliveries of between approximately 1,231,000 and 1,810,000 acre-feet per year. Yet, according to the Long-Term Contract EA, the Sacramento River Division CVP contracts only authorize a maximum delivery amount of 322,000 acre-feet per year. The DEIS/EIR fails to adequately explain why more than four times this authorized amount is needed to "reliably" deliver this water, nor why this excessive capacity is cost-effective.

The DEIS/EIR entirely fails to mention one obvious alternative: year-round gates-out operation with no new pumping capacity. The DEIS/EIR conservatively assumes a delivery capacity of 485 cfs under existing conditions during gates-out operation. See, e.g., DEIS/EIR, p. 3-268. This is conservative because the DEIS/EIR acknowledges that TCCA's total diversion capacity during the gates-out period is 1,005 cfs, including 405 cfs of existing pumping capacity and 600 cfs available from Stony Creek. DEIS/EIR, p. A-8. On an annual basis, 485 cfs of capacity would allow for delivery of over 350,000 acre-feet, *more* than the 322,000 acre-feet of maximum annual deliveries that the Bureau claims to have authorized in the long-term contracts for the Black Butte, Corning Canal and Tehama-Colusa Canal Units of the Sacramento River Division. Moreover, this existing capacity does not even account for the remaining 520 cfs of capacity currently provided by Stony Creek.

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Further, as explained above, the Bureau has the discretion to modify contract quantities. If contract quantities were reduced, an alternative that did not maintain or exceed *historical* delivery amounts, but met the maximum contractual amount, would still meet the Project's purpose of improving the long-term ability to reliably and cost-effectively move *sufficient* water into the TC Canal and Corning Canal systems.

Moreover, even if the Bureau and TCCA have a valid reason for expanding delivery capacity beyond present capacity, there are several less-expensive and less-disruptive alternatives that should have been considered. For example, one possible alternative could include installing the fourth pump into the existing Research Pumping Plant would add an additional 80 cfs of pumping capacity, allowing for almost 58,000 acre-feet of additional deliveries to be made on an annual basis, if the agencies could

530-11

The commentor misunderstands the seasonal need for water during the irrigation season, roughly correlated to the summer months. Ensuring the higher delivery capability at RBDD is necessary to meet peak irrigation season demands in the hot summer months. Virtually all of the water diverted under the current contracts is used for crop irrigation, roughly during the period from May through September as identified in the DEIS/EIR. A year-round gates-out operation with no new pumping capacity would condemn the member districts to a water supply wholly inadequate to meet their needs and, therefore, inconsistent with the Purpose and Need Statement (DEIS/EIR Section 1.2.1).

The commentor's note in footnote 2 about the limit on the use of additional pumping capacity ignores the statements throughout the DEIS/EIR that use of the project will be limited to delivering the current contract quantities of the member districts. Any new contract supply would require separate NEPA/CEQA analysis and is presently highly speculative.

Letter from Natural Resources Defense Council, Continued

No. 530

Mr. Bird and Mr. Rodgers
March 16, 2007
Page 9 of 11

demonstrate that such additional were needed. DEIS/EIR, p. 2-7. The document fails to provide an adequate explanation of why these alternatives were not addressed.²

V. The DEIS/EIR Fails to Analyze the Full Range of Impacts Associated with Personal Water Craft and Motor Boats Recreating on Lake Red Bluff

The DEIS/EIR asserts that both the Bureau's preferred alternative 2B and year-round gates-out operation would have significant and unavoidable impacts on recreational resources by reducing opportunities to host the Nitro National Drag Boat races on Lake Red Bluff, and other motor boating, jet skiing, and water skiing on the Lake. DEIS/EIR, pp. 3-213 to 3-215. Given the existing significant, adverse and costly impacts of gates-in operation on fish and California's fishing industry, and the significant amounts of taxpayer money expended on restoring imperiled fisheries, these impacts do not outweigh and should not forestall efforts to immediately implement year-round gates-out operations. Furthermore, as discussed by other commenters, the recreational impacts analysis in the DEIS/EIR is flawed because it fails to include the increased recreational opportunities provided by a free-flowing river and healthier fisheries associated with gates-out operation.

² At one point, the document implies that any alternative must be able to meet, on a year-round basis, TCCA's own projections of the highest *potential* demand that could occur during the peak irrigation month if peak water orders occurred simultaneously. DEIS/EIR, p. A-8. This is neither a reasonable assumption, nor a rational exploration of other alternatives that may be available to TCCA. In fact, the DEIS/EIR itself contradicts the basis of this assumption by asserting that a benefit of expanded pumping capacity during gates-out periods would be "an increase in the ability to reliably schedule project water during the gates-out period" which "would allow individual farmers to plant additional crops." *E.g.*, DEIS/EIR, p. 3-263; *see also* DEIS/EIR, p. A-66 (the alternatives "would change the time periods under which TCCA districts could reasonably assume to call upon water deliveries"). If more water is delivered at different times of the year, then less water will be demanded at the peak if total contract quantities stay the same (as assumed in the DEIS/EIR). In addition to changing cropping patterns, water users also have the option to store water in the groundwater and utilize other banking facilities during non-irrigation periods for use later in the year. However, even if water deliveries were limited to the peak irrigation season assumed in the DEIS/EIR of May 1-September 30, the increased pumping capacity analyzed under all of the action alternatives would allow deliveries of between 515,908 acre-feet and 758,689 acre-feet, still far in excess of contract amounts. Finally, as discussed above, the agencies have failed to define or limit the potential uses of this excessive pumping capacity, which will cause adverse environmental impacts far beyond those discussed in the DEIS/EIR.

530-12

Your comment has been noted. In considering relative impacts under the alternatives, it is important to conduct relative comparisons. Thus, although the commentator may be correct in estimating emissions from personal watercraft, there is no indication that implementation of a gates-out operation would eliminate personal watercraft use. Certainly, some boating would continue in the absence of gate operations, including the use of personal watercraft. Other watercraft use would be displaced to other locations such as Black Butte Reservoir, Shasta Reservoir, or Whiskeytown Lake. To the degree that personal recreation would be displaced, rather than eliminated, the pollution posited by the commentator would continue.

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No. 530

Letter from Natural Resources Defense Council, Continued

Mr. Bird and Mr. Rodgers
 March 16, 2007
 Page 10 of 11

Moreover, the DEIS/EIR entirely fails to analyze the adverse air and water quality impacts associated with these boating activities. DEIS/EIR, chap. 3.13. These impacts are likely significant, especially in light of climate change, and provide additional offsetting benefits of year-round gates-out operation.

A report prepared by staff of the California Air Resources Board puts these impacts into perspective. It states:

The operation of a 100 horsepower personal watercraft for 7 hours results in more ozone precursor emissions (hydrocarbons + oxides of nitrogen) [which also contribute to global warming] than the operation of a 1998 passenger car over 100,000 miles. Carbureted two-stroke engines, commonly used in outboard and personal watercraft engines discharge as much as 25 to 30 percent unburned fuel into the water and subsequently into the air. For example, a typical personal watercraft consuming five gallons of gasoline per hour and operated 41 hours per year, discharges between 50 and 60 gallons of unburned gasoline into the environment. Consequently, in addition to air quality impacts, since marine engines exhaust through the water, water quality is also impacted.

California Air Resources Board, Staff Report, Public Hearing to Consider Adoption of Emission Standards and Test Procedures for New 2001 and Later Model Year Spark-Ignition Marine Engines (1998), p. 1 (available at <http://www.arb.ca.gov/regact/marim/mariminc.htm>).

The DEIS/EIR estimates that approximately 1,087 user days are spent jet skiing on Lake Red Bluff. DEIS/EIR, Fig. 3.5-3. It estimates that another 7,988 user days are spent boating on the Lake, and 2,194 waterskiing. *Id.* Assuming that one user day is roughly equivalent to the use of a 100 horsepower personal watercraft for 7 hours, and that this use has likely increased significantly in the past few years and will continue to increase (as the CARB report indicates), according to CARB's report, watercraft use on Lake Red Bluff could easily result in more ozone precursor emissions (hydrocarbons + oxides of nitrogen) than driving approximately 10,000 cars over 100,000 miles.

The CARB staff report quantifies some personal watercraft emissions on a statewide level. For example, it compares the projected emissions for a 2010 statewide summer weekend day inventory for passenger cars compared to outboard marine engines and personal watercraft controlled to 1996 U.S. EPA standards. The projected ROG emissions (a subset of hydrocarbons) from the watercraft nearly equal emissions from passenger cars statewide. *Id.*, pp. 60-61. The NOx emissions are also substantial, at 38 tons per day. *Id.*

The report goes on to explain that the gasoline constituents discharged into the water by personal watercraft include MTBE, PAHs, xylenes, ethyl benzene, toluene, and

530-12,
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No. 530

Letter from Natural Resources Defense Council, Continued

530-13 The lead agencies contend that the EIS/EIR complies with NEPA and CEQA and does not require recirculation.

Mr. Bird and Mr. Rodgers
March 16, 2007
Page 11 of 11

benzene. *Id.*, p. 10. It concludes that "[t]his unregulated discharge of fuel and oil threatens degradation of high quality waters and pollution affecting the beneficial uses of the State's waters." *Id.*, p. 15.

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The Bureau and TCCA should conduct further analysis to quantify these impacts and disclose them in a re-circulated document. However, it is clear from the information presented that the DEIS/EIR fails to disclose several significant adverse effects of the continued use of personal watercraft on Lake Red Bluff and to consider those effects in the selection of a preferred alternative, in violation of NEPA and CEQA.

} 530-13

Please feel free to contact us with any questions regarding these comments.

Sincerely,



Katherine S. Poole
Senior Attorney

cc: Mr. Paul Freeman, BOR, pfreeman@mp.usbr.gov

Enc: USBR, DWR, North-of-the-Delta Offstream Storage Investigation Initial Alternatives Information Report (May 2006)

California Air Resources Board, Staff Report, Public Hearing to Consider Adoption of Emission Standards and Test Procedures for New 2001 and Later Model Year Spark-Ignition Marine Engines (1998)

ED, Finding the Water (2006)

No. 531

Email from Steven Clark, Dated March 16, 2007

Page 1 of 1

531-1

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

David Bird

To: jbird@tccanal.com
Subject: FW: Fish passage improvement project @red bluff diversion dam

#531

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

From: Steve Clark [mailto:camojeeper@sbcglobal.net]
Sent: Friday, March 16, 2007 11:28 AM
To: dbird@tccanal.com
Subject: Fish passage improvement project @red bluff diversion dam

Dear, Mr Bird

I Steve Clark as citizen of red bluff I support alternative 1A endorsed by Red Bluff city council I believe that this is the best possible alternative. } 531-1

thank you
Steven Clark
PO box 191
Red Bluff CA

3/19/2007

No. 532

Letter from Ali Abbasi, Dated April 9, 2007

March 14, 2007

Mr. Jeff Sutton
Tehama-Colusa Canal Authority
PO Box 1025
Willows, CA 95988

RE: Written comment on the Draft EIS/EIR for the Fish Passage Improvement Project
Published for 2nd formal comment period in the Federal Register on January 30, 2007.

Dear Mr. Sutton:

First please allow me to thank you for extending the comment period to allow for additional comments on this issue. I also would like to reiterate that I support alternative 1a as it was submitted in our prior comments in 2002 as the preferred alternative providing a win win scenario for all parties involved.

During the initial circulation of the Draft EIS/EIR for the fish passage improvement project in 2002, it was indicated that all comments submitted would be accepted and responded to in a timely manner prior to moving forward with any of the alternatives proposed. To date, 5 years later, there has not been any sort of response to any of the comments on any level. There is a great deal of concern with the lack of day lighting in re-circulation of Draft EIS/EIR in regards to the record of decision by the Bureau of Reclamation (USBR) and the Tehama-Colusa Canal Authority's (TCCA) selection of Option 2b. Having said that and in light of your new announcement, it appears as though both the USBR and the TCCA were being biased with a predetermined result paying the consulting agency to support a preferred alternative all along.

In this regard, please again be reminded that our preferred alternative as indicated in our original comments is option 1a which suggests using adaptive management improving fish passage with new ladders and other newly developed structures to help the Green Sturgeon as well as a moderate pumping facility to accommodate the additional water delivery needs. Please also be reminded that current legislation the Omnibus Land Management Act of 1996, P.L. 104-333 encourage and authorize federal agencies to look more closely at the needs of public served federally managed lakes and to address the recreational component with in the project purpose and need. As you may or may not know the purpose and need statement of this project does not include the recreation value of federally owned and managed reservoir at Lake Red Bluff.

My question to you is, will the purpose and need statement for this project be modified to include above referenced legislature as pointed out to you in the original comments? In prior years, I attended many stakeholder working group (SWG) meetings for months where this issue was brought up on numerous occasions only to be continually side swiped by the technical advisory group.

As previously related to your agency, our mission is peace. We realize that the future of California requires more water and water storage facilities. We want to help achieve water delivery reliability for the agricultural community and adequate fish passage while maintaining a great resource for the community of Red Bluff. We want to work towards achieving your future objectives such as sites reservoir for additional water storage. We believe that with proper adaptive management, alternative 1a can provide for much

532-1

Thank you for your comment. Your comment has been noted. All comments submitted on the DEIS/EIR prior to April 16, 2007 (including those submitted in 2002), have been accepted and are being responded to at this time. The final preferred alternative 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. The DEIS/EIR evaluates the potential impacts associated with the range of alternatives identified as capable of meeting the purpose and need presented in DEIS/EIR Section 1.2. After making the FEIS/EIR available to the public, Reclamation will release a ROD announcing its decision.

532-2

The Omnibus Parks and Public Lands Management Act of 1996 developed "an advisory commission to review the current and anticipated demand for recreational opportunities at federally-managed manmade lakes and reservoirs...and to develop alternatives for enhanced recreational use of such facilities...Any such alternatives shall be consistent with and subject to the authorized purposes for any manmade lakes and reservoirs..." The RBDD was constructed in the mid-1960s to allow gravity diversion of Sacramento River waters when the gates were lowered into the Tehama-Colusa and Corning Canals for delivery to irrigation districts. Creation of a lake was a by-product of lowering the RBDD gates and not a project developed by Reclamation with an intended purpose; therefore, the Omnibus Parks and Public Lands Management Act of 1996 does not apply. Recreational value of Lake Red Bluff is not a purpose or need of this project; however, potential impacts to recreation are evaluated for each alternative in DEIS/EIR Section 3.5, and mitigation identified where feasible.

532-3

The Purpose and Need Statement for this project will not be modified to include the Omnibus Parks and Public Lands Management Act of 1996 because it does not apply.

532-1

532-2

532-3

No. 532

Letter from Ali Abbasi, Continued

improved passage for all species of fish. We also understand as you do that there is a take, in order to coexist we must look beyond our boundaries. A flexible process is essential to efficiency of any project.

Finally, in light of the announcement made by the Bureau of Reclamation and the TCCA, my other questions to you are:

1. What lead to the Bureau's decision of selecting option 2b?
2. What has changed at the RBDD?
3. Is this the Bureau's and TCCA's official decision?
4. Will there be a record of decision officially declaring Bureau's position signed by the Regional Director?
5. Do the Bureau and the TCCA concur?
6. Can we assume that this is negotiable?
7. Is there federal financing available for the selected option 2b?
8. Have you prepared responses to the original comments? If not,
9. What is the time line for your response to all the comments? When can we expect to hear back from you?
10. Upon publishing your response what is our time line of rebuttal?
11. Will there be a new EIS/EIR done on the pumping facility proposed?
12. Will there be another EIS/EIR done on the construction phase of the pumping facility?
13. Has there been a clear study and determination made of the Green Sturgeon?
14. Is there going to be a new technical advisory group (TAG) assembled?
15. Has the Bureau started a biological assessment program? And do they have a Biological Opinion on all the fish species?
16. Is there going to be an opportunity for a representative from this community to sit on the TAG meetings?
17. In face of a mitigation plan will this community have the opportunity to shape the direction to the mitigation?

532-4

Sincerely



Ali Abbasi
Concerned citizen
Red Bluff, CA

Cc:

Senator Diane Feinstein
Senator Barbara Boxer
Congressman Wally Herger
State Senator Sam Aarsted
Assemblyman Doug Limalfa
USBR Don Reck

532-4

- (a) The final preferred alternative 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. The DEIS/EIR evaluates the potential impacts associated with the range of alternatives identified as capable of meeting the purpose and need presented in DEIS/EIR Section 1.2.
- (b) No new significant changes in the operation of RBDD or associated new information has become available since the DEIS/EIR was initially circulated.
- (c) See Response to Comment 532-4 (a).
- (d) After completing the FEIS/EIR, Reclamation intends to release a ROD that will include identification of the preferred project and associated mitigation as appropriate.
- (e) See Response to Comment 532-4 (a).
- (f) No new significant changes in the operation of RBDD or associated new information has become available since the DEIS/EIR was initially circulated. Comments received on the DEIS/EIR and responses to these comments are included in this FEIS/EIR.
- (g) President Bush's 2008 Budget includes \$5.5 million to address a fish passage solution at RBDD. Funding for full implementation of the selected project would likely originate from federal and other sources.
- (h) All comments submitted on the DEIS/EIR prior to April 16, 2007 (including those submitted in 2002), are addressed in this FEIS/EIR.
- (i) See Response to Comment 532-4 (h).
- (j) Reclamation intends to produce a ROD 30 days after making this FEIS/EIR available to the public. TCCA intends to certify the FEIS/EIR no fewer than 10 days after providing state responsible and other commenting agencies a written response to their comments.
- (k) The anticipated potential impacts of the proposed pumping facility associated with each alternative are evaluated in the DEIS/EIR. No additional analysis is proposed. No new significant changes in the operation of RBDD or associated new information has become available since the DEIS/EIR was initially circulated.

No. 532**Letter from Ali Abbasi, Continued**532-4,
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- (l) See Response to Comment 532-4 (k).
- (m) As stated in the 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. It was formally listed as federal threatened in 2006.
- (n) It is not anticipated at this time that a new TAG will be formed.
- (o) Consultation with USFWS and NMFS has been underway throughout the EIS/EIR preparation process. The DEIS/EIR states on page 1-6 that among the required permits and approvals, ESA Section 7 consultations with USFWS and NMFS would need to be conducted. As stated on page 5-6 of the DEIS/EIR, a pending BA and decision on terrestrial compliance is in progress. At the time of the release of the DEIS/EIR (2002), a BA for federal species under the jurisdiction USFWS was appended to the DEIS/EIR as Appendix L. Subsequently, in December 2006, Reclamation provided an updated BA to USFWS as part of the ongoing consultation for the project. Additionally, in December 2006, a BA was prepared and submitted by Reclamation to NMFS as part of the ongoing consultation for the project with that agency. These BAs are currently being evaluated by these federal agencies, and preparation of the BOs for the project is in progress.
- (p) See Response to Comment 532-4 (n). Given the intent of forming the TAG is to obtain input and guidance from relevant technical experts, public information meetings and input will continue to occur and be gathered in a public forum, as necessary.
- (q) All comments and suggestions related to mitigation and other recommendations submitted as part of the public review process are included in this FEIS/EIR.

No. 533

Letter from Retired Public Employees Association,
Dated April 13, 2007

533-1 See Response to Comment 520-1.



RETIRED PUBLIC EMPLOYEES ASSOCIATION OF CALIFORNIA

April 13, 2007

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

Dear Mr. Bird:

The Retired Public Employees Assoc. would like to express support For Lake Red Bluff, leaving in the gates at the Red Bluff Diversion Dam from May 15th to Sept. 15th of every year, thus preserving Lake Red Bluff and it's economical and recreational benefits for the community. The potential mitigation for loss of these economic and recreational benefits will run into millions of dollars.

Our organization would support "NO ACTION ALTERNATIVE."

Thank You,
RPEA
Chapter 18
Red Bluff, CA

} 533-1

No. 534

**Letter from Terry Mackey, President of Downtown
Red Bluff Business Association, Dated April 16, 2007**



Downtown Red Bluff Business Association
859 Washington St. - #106 • Red Bluff, CA 96080 • (530) 527-6220

April 16, 2007

Don Reck
Bureau of Reclamation
1639 Shasta Dam Blvd.
Shasta Lake, CA 96019

Dear Mr. Reck,

On behalf of the 150+ businesses in the downtown area of Red Bluff, I am writing to officially communicate our organization's position, and that of an overwhelming majority of our customers, with respect to The Draft EIS/EIR for the Fish Passage Improvement Project at the Red Bluff Diversion Dam.

Historically, our organization has supported whatever gates-operation alternative leaves the gates "in", and thus preserves Lake Red Bluff, for the longest period of time.

Our position has not changed.

Of the proposals listed in the re-circulated Draft EIS/EIR, we unanimously endorse Alternative I-A which retains a gates "in" operation for 4 months (from May 15 to September 15), improves fish ladders, and provides for a pumping facility to meet future water needs of The Tehama Colusa Canal Authority.

In that our downtown area depends heavily on the traffic that our promotional efforts, as well as that of our community's attractions and events, bring to our area. For this reason we oppose any alternative that reduces the length of time that people can enjoy Lake Red Bluff and its events. Further, any reduction in economic activity in the downtown area would negatively impact the revitalization process of our downtown district and any future plans for development and/or improvement.

534-1

534-2

- 534-1 Thank you for your comment. Your comment has been noted. No response is required
- 534-2 See Response to Comment 520-1.

No. 534

**Letter from Terry Mackey, President of Downtown
Red Bluff Business Association, Continued**

While we recognize The Bureau's charge to address fish passage improvement at the Diversion Dam we are equally concerned (or more so) about the survival of the business community in our area. Again, we strongly recommend The adoption of Alternative I-A regarding the operation of the gates at the Red Bluff Diversion Dam. Thank for your consideration and the opportunity to comment once again on the re-circulated Draft EIS/EIR.

Sincerely,



Terry Mackey, President
Downtown Red Bluff Business Association

cc: Paul Freeman, Bureau of Reclamation
Jeff Sutton, Tehama Colusa Canal Authority

Letter from Kenneth Hill, Dated April 20, 2007

No. 535

535-1

Thank you for your comment. Your comment has been noted. See Responses to Comments 31-6 and 473-1.

The Dept of Reclamation and other government agencies are going to, or at least are planning to remove the RB Diversion Dam, RBDD. Their stated reason is to assure the water supply to southern California and to protect the threatened Chinook salmon and the green sturgeon. It is true that the salmon and sturgeon populations around the world are declining. A complex set of environmental problems attribute to habitat loss and degradations from a growing human population and direct fish and bird mortality attributable to a host of human caused factors. Declines in abundance of ocean fish such as salmon, steelhead, tuna, and cod, and crab, lobster and the shell fish abalone, clams, and oysters are very evident. Along the same lines, so are the Polar Bear and Grizzly, and we might as well mention the Bald Eagle, Gray Wolf, California Condor, Bison, Manatee, and on and on. Oh, let's not forget the Passenger Pigeon.

The RBDD was constructed in 1963 and did its intended job of diverting water for many years. Let's not go into the fish raising fiasco. In 1993, after 29 years of operation, it was determined that the winter run of Chinook salmon were being effected by its presence and it was decided to open the gates for eight months out of the year. To my knowledge there has not been a dramatic increase or decrease of salmon up the river with the open gate policy. A source at Coleman hatchery has stated that they still have more salmon arriving than they can process as they did before the dam was opened. It has been stated that the fish ladders that the government designed and build in 1963 were not adequate. That the salmon can not navigate the 12 foot rise to the lake level above the dam. This is one of their stated reasons to remove the dam entirely. This will create another problem for the agencies. No dam and there will be no way to divert the water down the canal by gravity flow without the need for pumps. It was proposed to build several pumping stations, 5 which are now in place, at cost of from 10 to 25 million dollars for the first three which failed immediately. The finished product will cost millions of dollars in construction, millions of dollars for energy to run the pumps, and untold millions of small fish being sucked into fish proof screens referring to the Delta pumping stations mortality figures.

To recap - fish populations all over the globe are declining due to global warming, El Nino, over fishing with factory ships netting tons of ocean life daily, pollution, environment, and demand and not to forget government controls such as the Klamath River fiasco which killed tens of thousands of fish and not to be forgetting the pumping stations. None of this is due to the RBDD. Fishing towns from San Diego to Anchorage have more fishing boats for sale than any other time in the last century. Keep the RBDD for once removed and the salmon population does not increase it will be too late to say "I told you so". If anything is to be done, demand an answer to "what is the real reason for removing the RBDD?"

Kenneth Hill
2 Rio Way
Red Bluff, CA
529-2325

20 April 2007

535-1

Letter from Gregg Avilla, Board of Supervisors, County of Tehama,
Dated April 24, 2007

No. 536



April 24, 2007

Mr. Jeff Sutton
General Manager
Tehama Colusa Canal Authority
P.O. Box 1023
Willows, CA 95988

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.

} 536-1

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:

} 536-2

P.O. Box 250 • 312 Pine St., Red Bluff, CA 96080 • (530) 527-4655 • FAX (530) 529-0980

536-1

See Responses to Comment Letter 462.

536-2

Maintenance schedules and plans would be developed as part of the final design of the facilities. Maintenance of the facility would require periodic maintenance and inspection to avoid costly downtime that would hamper normal operations. The commentor is correct that forced gates-out operations without replacement facilities would have harmful effects to agricultural resources within Tehama County. See DEIS/EIR Section 3.8 for a discussion of agricultural resources.

Letter from Gregg Avilla, Board of Supervisors, County of Tehama, Continued

No. 536

- 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 screens, 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.

536-2,
cont'd

536-3

536-4

536-5

- 536-3 See Response to Comment 483-4.
- 536-4 See Responses to Comments 462-3 and 462-4.
- 536-5 Your comment has been noted. The lead agencies remain committed to identifying appropriate mitigation measures to offset potential impacts from gates-out operations, but to date have been unable to do so. See DEIS/EIR Section 3.2, Fishery Resources, for a discussion of fish ladders.

No. 536

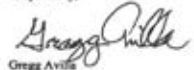
Letter from Gregg Avilla, Board of Supervisors, County of Tehama,
Continued

536-6 See Response to Comment 462-1.

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.

} 536-6

Respectfully,



Gregg Avilla
Chairman

cc: Congressman Wally Herge
Senator Diane Feinstein
Senator Barbara Boxer

enc: 2002 Comment Letter

No. 536

Letter from Gregg Avilla, Board of Supervisors, County of Tehama,
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") (EIS/EIR 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-interest? 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 CDEDM 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. 536

Letter from Gregg Avilla, Board of Supervisors, County of Tehama,
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 agriculturalists are encouraged to install water efficient irrigation systems, it seems logical to conclude the demand created by the additional load of these purposing plants could be determined to be "insignificant." The blackouts experienced throughout California in the winter of 2001 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 if 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 3-11-14 states the annual sales losses from the loss of the Nitro National Drag Boat Races to be \$3,134,000 under either Alternative 2 or 3. Annual sales losses from reduced recreation and tourism would be \$163,000 for Alternative 2 and \$1,084,000 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 3-126).

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. 536

Letter from Gregg Avilla, Board of Supervisors, County of Tehama,
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 EIS/EIR 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. 536

Letter from Gregg Avilla, Board of Supervisors, County of Tehama,
Continued**RECOMMENDATIONS**

The Tehama County Board of Supervisors recommends that the EISEIR documents 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. 537

**Letter from Donald Bode for Brian Person, Bureau of Reclamation,
Dated April 11, 2007**

537-1

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



United States Department of the Interior

BUREAU OF RECLAMATION
Northern California Area Office
16145 Sierra Drive, Redwood
Shasta Lake, California 96072-8000

APR 11 2007

#537

NC-300
ENV-6.00

Mr. Martin Nichols
Manager
City of Red Bluff
555 Washington Street
Red Bluff, CA 96080

Subject: Lake Red Bluff Recreational Concerns

Dear Mr. Nichols:

Thank you for providing your recent comments on the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) addressing the Red Bluff Diversion Dam Fish Passage Improvement Program. Circulating the Draft EIS/EIR for public review is a very important step in the environmental review process, which is normally followed by addressing any public comments received and documenting any needed changes in the Final EIS/EIR. After making the Final EIS/EIR available to the public, the Bureau of Reclamation may release a Record of Decision announcing its decision about whether to pursue any particular project features described in the environmental documentation.

Reclamation announced late last year that a Preferred Alternative was selected: Alternative 2B. This alternative consists of constructing a new pumping plant at the Mill Site (1,680 cubic feet per second capacity); installation of a conveyance facility from the new pumping plant to the Tehama-Colusa Canal; operating the Red Bluff Diversion Dam with "gates-in" for 2 months, annually, between July 1 and August 31; and implementing an adaptive management program.

We want to reassure you that we are aware of and appreciate your concerns with respect to the potential recreational and commercial impacts of any change in the operations of the Red Bluff facilities. In part, it was these concerns that led Reclamation to select its Preferred Alternative versus a full "gates-out" alternative. Please be assured that Reclamation will continue to take these values into account as alternatives are further analyzed.

We would also like to assure you that we will continue to work with partner agencies following any decision to construct an additional pumping plant and/or reoperate the Red Bluff facilities. In this process, we would evaluate options to sustain some level of recreation while also meeting other operational goals, providing for the needs of the fisheries, and complying with Endangered Species Act requirements. We also anticipate that additional, relevant biological information

537-1

No. 537

Letter from Donald Bode for Brian Person, Bureau of Reclamation,
Continued

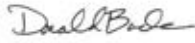
Subject: Lake Red Bluff Recreational Concerns

will become available over the next several years. This information may help further refine operations at the Red Bluff facilities through the adaptive management program.

While it is not possible to offer any assurances about specific outcomes of the Red Bluff Diversion Dam Fish Passage Improvement Project, we will continue to carefully consider recreational and commercial values during the environmental review process and during any subsequent construction and operational decision making process.

} 537-1,
cont'd

Sincerely,



for Brian Person
Area Manager

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

//



United States Department of the Interior

BUREAU OF RECLAMATION
Northern California Area Office
18180 Shasta Dam Boulevard
Shasta Lake, California 96133-8400

APR 11 2007

NC-300
ENV-6.00

No. 538

Letter from Donald Bode for Brian Person, Bureau of Reclamation,
Dated April 11, 2007

538-1 Thank you for your comment. Your comment has been noted.
No response is required.

Mr. Jay Hamm
President-Elect
Red Bluff-Tehama County Chamber of Commerce
100 Main Street
Red Bluff, CA 96080

Subject: Lake Red Bluff Recreational Concerns

Dear Mr. Hamm:

Thank you for providing your recent comments on the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) addressing the Red Bluff Diversion Dam Fish Passage Improvement Program. Circulating the Draft EIS/EIR for public review is a very important step in the environmental review process, which is normally followed by addressing any public comments received and documenting any needed changes in the Final EIS/EIR. After making the Final EIS/EIR available to the public, the Bureau of Reclamation may release a Record of Decision announcing its decision about whether to pursue any particular project features described in the environmental documentation.

Reclamation announced late last year that a Preferred Alternative was selected: Alternative 2B. This alternative consists of constructing a new pumping plant at the Mill Site (1,680 cubic feet per second capacity); installation of a conveyance facility from the new pumping plant to the Tehama-Cohuna Canal; operating the Red Bluff Diversion Dam with "gates-in" for 2 months, annually, between July 1 and August 31; and implementing an adaptive management program.

We want to reassure you that we are aware of and appreciate your concerns with respect to the potential recreational and commercial impacts of any change in the operations of the Red Bluff facilities. In part, it was these concerns that led Reclamation to select its Preferred Alternative versus a full "gates-out" alternative. Please be assured that Reclamation will continue to take these values into account as alternatives are further analyzed.

We would also like to assure you that we will continue to work with partner agencies following any decision to construct an additional pumping plant and/or reoperate the Red Bluff facilities. In this process, we would evaluate options to sustain some level of recreation while also meeting other operational goals, providing for the needs of the fisheries, and complying with Endangered Species Act requirements. We also anticipate that additional, relevant biological information

538-1

**Letter from Donald Bode for Brian Person, Bureau of Reclamation,
Continued**

No. 538

Subject: Lake Red Bluff Recreational Concerns

2

will become available over the next several years. This information may help further refine operations at the Red Bluff facilities through the adaptive management program.

While it is not possible to offer any assurances about specific outcomes of the Red Bluff Diversion Dam Fish Passage Improvement Project, we will continue to carefully consider recreational and commercial values during the environmental review process and during any subsequent construction and operational decision making process.

} 538-1,
cont'd

Sincerely,



Brian Person
Area Manager

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

No. 539

Letter from Donald Bode for Brian Person, Bureau of Reclamation,
Dated April 11, 2007539-1 Thank you for your comment. Your comment has been noted.
No response is required.

United States Department of the Interior

BUREAU OF RECLAMATION
Northern California Area Office
16245 Shasta Dam Boulevard
Shasta Lake, California 95822-8400

APR 11 2007

NC-300
ENV-6.00Mr. Ali Abbasi
CEO
New Entertainment Concepts
1433 Hill Street
Red Bluff, CA 96080

Subject: Lake Red Bluff Recreational Concerns

Dear Mr. Abbasi:

Thank you for providing your recent comments on the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) addressing the Red Bluff Diversion Dam Fish Passage Improvement Program. Circulating the Draft EIS/EIR for public review is a very important step in the environmental review process, which is normally followed by addressing any public comments received and documenting any needed changes in the Final EIS/EIR. After making the Final EIS/EIR available to the public, the Bureau of Reclamation may release a Record of Decision announcing its decision about whether to pursue any particular project features described in the environmental documentation.

Reclamation announced late last year that a Preferred Alternative was selected: Alternative 2B. This alternative consists of constructing a new pumping plant at the Mill Site (1,680 cubic feet per second capacity); installation of a conveyance facility from the new pumping plant to the Tehama-Colusa Canal; operating the Red Bluff Diversion Dam with "gates-in" for 2 months, annually, between July 1 and August 31; and implementing an adaptive management program.

We want to reassure you that we are aware of and appreciate your concerns with respect to the potential recreational and commercial impacts of any change in the operations of the Red Bluff facilities. In part, it was these concerns that led Reclamation to select its Preferred Alternative versus a full "gates-out" alternative. Please be assured that Reclamation will continue to take these values into account as alternatives are further analyzed.

We would also like to assure you that we will continue to work with partner agencies following any decision to construct an additional pumping plant and/or reoperate the Red Bluff facilities. In this process, we would evaluate options to sustain some level of recreation while also meeting other operational goals, providing for the needs of the fisheries, and complying with Endangered Species Act requirements. We also anticipate that additional, relevant biological information

539-1

No. 539

Letter from Donald Bode for Brian Person, Bureau of Reclamation,
Continued

Subject: Lake Red Bluff Recreational Concerns

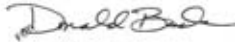
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will become available over the next several years. This information may help further refine operations at the Red Bluff facilities through the adaptive management program.

While it is not possible to offer any assurances about specific outcomes of the Red Bluff Diversion Dam Fish Passage Improvement Project, we will continue to carefully consider recreational and commercial values during the environmental review process and during any subsequent construction and operational decision making process.

} 539-1,
cont'd

Sincerely,



Brian Person
Area Manager

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

**Letter from Steven L. Evans, Friends of the River,
Dated November 26, 2002**

No. 540

540-1 This comment letter is duplicate to Comment Letter 464.



FRIENDS OF THE RIVER

915 296 Street, Sacramento, CA 95814
916/442-3145 • FAX: 916/442-3398 • E-mail: info@friendsoftheriver.org • www.friendsoftheriver.org

CALIFORNIA'S
STATEWIDE RIVER
CONSERVATION
ORGANIZATION

November 26, 2002

#540

Mr. Art Bullock
Tehama-Colusa Canal Authority
P.O. Box 1025
Willows, CA 95988

**Re: Red Bluff Diversion Dam Fish Passage Improvement Project
Draft Environmental Impact Statement/Report (DEIS/R)**

Dear Mr. Bullock:

Thank you for soliciting comments from the public in response to this important report. I also wanted to express my appreciation for the excellent outreach and facilitation of public comments provided by the Tehama-Colusa Canal Authority at the public meetings and via the internet. The interactive nature of your public participation process is a model for other agencies to follow.

Friends of the River strongly supports implementation of the preferred alternative identified in the DEIS/R - Alternative 3: Gates-Out. The Gates-Out alternative best improves fish passage for sensitive, threatened, and endangered fish species and meets the intent of various legislative and administrative decisions requiring the remediation of fish passage problems at the Red Bluff diversion dam (RBDD).

However, the DEIS/R fails to provide some essential information to support its decision. The final EIS/R should provide more perspective as to why fish passage needs to be improved at the RBDD, as well as include additional information concerning impacts and proposed mitigation measures associated with all alternatives.

We believe the DEIS/R's impact analysis of the Gates-Out alternative has been overstated in many areas (including recreation, visual resources, tourism, and land values), and that some common sense mitigation measures have been ignored. In addition, at least one additional alternative - removal of the RBDD - should be considered in the final EIS/R.

Our detailed comments are attached. Thank you for your consideration.

Sincerely,

Steven L. Evans
Conservation Director

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

No. 540

Comments of Friends of the River
November 26, 2002
Red Bluff Diversion Dam Fish Passage Improvement Project
Draft Environmental Impact Statement/Report (DEIS/R)

Fig. v – There is reference to the TCCA Board reserving the right to consider other alternatives such as the “Flexible Gate” alternative. There is no further information concerning this alternative to be found in the DEIS/R. Therefore, the TCCA Board cannot legally under CEQA/NEPA consider this alternative.

Fig. 1-7 – The Legislative and Management History section fails to mention the important pertinent legislative and administrative actions that place this project in perspective and would at least inform the public why the project is proposed. These legislative and administrative actions include:

- 1973 Endangered Species Act – Congress directs federal agencies to protect and conserve threatened and endangered fish, wildlife, and plant species, and their ecosystems. The Sacramento River winter-run chinook salmon is subsequently listed under the Act as an endangered species in 1994, the winter steelhead as a threatened species in 1998, and the spring-run chinook salmon as a threatened species in 1999.
- 1984 California Endangered Species Act – Requires the California Department of Fish & Game to protect and conserve threatened and endangered fish, wildlife, and plant species, and their habitat. Subsequently, the Sacramento winter run chinook salmon is listed as a state endangered species in 1989 and the spring run chinook salmon as a state threatened species in 1999.
- 1988 Salmon, Steelhead Trout And Anadromous Fisheries Program Act – Directs the California Department of Fish & Game to implement measures to double the numbers of salmon and steelhead present in the Central Valley.
- 1993 Central Valley Action Plan (for restoring anadromous fish) – California Department of Fish & Game adopts as a top (A-1) priority, “Develop and implement permanent measures to minimize fish passage problems for adult and juvenile anadromous fish at the Red Bluff Diversion Dam in a manner that provides for the use of associated CVP conveyance facilities for delivery of water to the Sacramento Valley National Wildlife Refuge complex.”
- 1994 Central Valley Project Improvement Act – Requires the Bureau of Reclamation to “...develop and implement measures to minimize fish passage problems for adult and juvenile anadromous fish at the Red Bluff Diversion Dam in a manner that provides for the use of associated Central Valley Project conveyance facilities for delivery of water to the Sacramento Valley National Wildlife Refuge complex. Costs associated with implementation shall be reimbursed in accordance with the following formula: 37.5 percent shall be reimbursed as main project features, 37.5 percent shall be considered a non-reimbursable Federal expenditure, and 25 percent shall be paid by the State of California.”

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

No. 540

- 1996 Steelhead Restoration and Management Plan for California – Directs the California Department of Fish & Game to implement actions to restore Central Valley steelhead, including determine an alternative to the Red Bluff Diversion Dam that would eliminate or reduce the need for the dam gates, and allow unobstructed fish passage.
- 1997 Proposed Recovery Plan for the Sacramento River Winter-run Chinook Salmon – National Marine Fisheries Service adopts a objective to maximize the survival of juveniles passing the Red Bluff Diversion Dam and recommends development and implementation of "...a permanent remedy at the Red Bluff Diversion Dam which provides maximum free passage for juvenile (and adult) winter-run chinook through the Red Bluff area, while minimizing losses of juveniles in water diversion and fish bypass facilities."
- 2000 CALFED Bay-Delta Restoration Program Record of Decision – Authorizes the implementation by state and federal agencies of a comprehensive ecosystem restoration program, which includes "Modifying or eliminating fish passage barriers, including the removal of some dams, construction of fish ladders, and construction of fish screens that use the best available technology."
- 2000 CALFED Bay-Delta Ecosystem Restoration Program Plan – Adopts specific conservation measures to "Manage operations at the Red Bluff diversion dam to improve to improve fish passage, reduce the level of predation on juvenile fish, and increase fish survival" and to "Prevent predatory fish from congregating below the Red Bluff Diversion Dam by modifying operations."

Fig. 2-1 – Alternatives: A dam removal alternative should be included in this analysis. There is no indication that such an alternative was considered. Most CEQA/NEPA documents list alternatives not analyzed in detail to inform the public the range of alternatives originally considered. Serious consideration of a dam removal alternative is needed, given the importance of fishery values affected by the dam and the fact that retention of the RBDD infrastructure could result in future operations that could further adversely impact these values.

Fig. 2-2 – "The current gates-out operation at RBDD (September 16 through May 14) has greatly reduced the period of time when adults are delayed and juveniles are adversely affected by RBDD operations." This statement is primarily applicable to the endangered winter run chinook salmon. And even for the winter run, the DEIS/R indicates a 12% improvement in adult fish passage. This is a significant improvement given that the winter run annually consists of only a few hundred fish. The DEIS/R also shows significant measurable benefits for several other salmon stocks and fish species, some of them listed as threatened and endangered.

Figs. 2-20 through 25 – Dam Bypass: One of the standards for the dam bypass is that it provide sufficient attraction flows to successfully provide a significant improvement in fish passage. Since the flow out of the proposed bypass would be similar to flows from existing fish ladders, there is no evidence that a dam bypass would improve fish passage. Given the cost of this alternative, the fact that Lake Red Bluff will continue to

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

No. 540

act as a vector for juvenile salmonid predation, the unacceptable impacts of the bypass on the Red Bluff Recreation Area, as well as the fact that the bypass is likely to not provide significant improvement in fish passage, this alternative should be eliminated from any further consideration.

Fig. 3-6 – Species Listed or Proposed for Listing: This section fails to note mandates to improve passage at the RBDD for federally and state listed salmonid species in the Proposed Winter Run Recovery Plan, the California Steelhead Restoration and Management Plan, and many other administrative documents and decisions. It also fails to note that the Sacramento River "...is the most important waterway in the Central Valley," in regard to anadromous fish (CDFG 1993). In addition, this section of the DEIS/R fails to place in perspective the overall status of the listed stocks and the significance of listed salmonids that spawn upstream of the RBDD.

Before dams blocked 90% of their spawning habitat, the spring chinook run was the largest in the Central Valley and was conservatively estimated at nearly a million fish annually. In the Sacramento River and its tributaries, the spring run population declined from nearly 39,000 fish in 1940 to an average of 2,400 fish today. Today, spawning wild spring run are considered to be extirpated from the main stem Sacramento River. The remaining stock spawns in tributaries, including a few tributaries upstream of the RBDD. The spawning tributaries upstream of the RBDD – Battle Creek, Cottonwood Creek, Clear Creek, and a few others – support just a few hundred spring run salmon annually.

Battle Creek is considered the best opportunity to restore all five runs of salmonids in the Sacramento watershed and CALFED is investing more than \$30 million to do so. CALFED has also made significant investments in salmonid habitat restoration on Clear Creek (including the removal of the McCormick-Saeltzer dam) and on Cottonwood Creek. The low numbers and unique nature of the stocks upstream of the RBDD, and the investment in public resources to restore these stocks, is a powerful argument in favor of maximizing successful passage of TES salmonids past the RBDD.

Figs. 3-16 through 18 – Other Native Anadromous Fish: This section fails to fully document the status of the Sacramento River green sturgeon, which is officially recognized by the California Department of Fish & Game as a fish species of special concern. In 2001, the National Marine Fisheries Service determined that listing the green sturgeon under the Endangered Species Act may be warranted. A listing decision is pending. Moyle et al recommended that it be listed and protected as a threatened species (1992, 1995). Moyle also provides a rough population estimate for the Sacramento River of 160 to 1,600 fish. According to Musick et al (2000), all known or suspected spawning populations of green sturgeon probably contain only a few hundred mature females. According to the 2001 petition to list the green sturgeon, the Sacramento River stock is one of only two remaining spawning populations in California (the other is located in the Klamath watershed). Although it may be unclear whether or not all sturgeon observed downstream of the RBDD when the gates are down are in fact green sturgeon, there is extensive documentation that green sturgeon do indeed migrate at least as far as the RBDD. The fact that sturgeon are commonly sighted below the RBDD when the gates are down is evidence that the RBDD plays a significant role in impeding passage of adult sturgeon. In contrast, the Gates-Out

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

No. 540

alternative significantly improves passage for adult green sturgeon by 54% and 38% for juveniles.

Pg. 3-18 – River Lamprey: This section fails to note that river lamprey are officially recognized by the California Department of Fish & Game as a fish species of special concern.

Pg. 3-28 – Species Listed or Proposed for Listing: This section should note that a petition was filed in 2001 proposing the ESA listing of the green sturgeon, and that NMFS determined that listing may be warranted and a listing decision is pending.

Pg. 3-34 – Significance Criteria: The delineation of <10 percent difference in passage indices as “less than significant” is arbitrary. It fails to consider the importance of the stocks that must pass the RBDD to spawn upstream in the Sacramento River and in critical tributaries such as Battle Creek and Cottonwood Creek. Even a modest 4% and 8% improved passage for endangered winter run juveniles and threatened steelhead juveniles respectively should be considered significant. Any measurable improvement for a species listed as endangered should be considered significant, and the steps taken to achieve that improvement reasonable and prudent.

Pg. 3-35 – “...no alternative resulted in significant (measurable) adverse impacts to (adults or juveniles) of any of the five native anadromous salmonid species.” One would hope that a project intended to improve passage for threatened, endangered, and sensitive (TES) fish species would indeed have no significant adverse impacts. But the DEIS/R narrative fails to emphasize the definitive corollary to this statement – that some of the alternatives provide significant measurable positive impacts (improvements) for TES fish species.

Table 3.2-6 shows that adult winter chinook and steelhead receive measurable benefit and adult spring chinook receive large measurable benefit from the gates out alternative. In addition, the table demonstrates that adult spring chinook receive a large measurable benefit from the 2 month improved and 2 month existing ladders alternatives. Although the table arbitrarily assigns no measurable benefit between alternatives for juvenile salmonids, it also indicates 4% improved passage for endangered juvenile winter run and 8% improved passage for threatened juvenile steelhead. Passage improvement for green sturgeon under the Gates-Out alternative is even more impressive – 54% for adults and 38% for juveniles.

Pg. 3-67 – Water Resources: The discussion concerning surface water hydrology should consider the potential for river meander affecting the ability of existing and new pumps to divert water from the river.

Pgs. 3-89 through 90 – Hydrology / Water Management Impacts: It should be noted in this section that one of the reasonably foreseeable impacts of any alternative that allows additional water diversion (or pumping) beyond current operations (No Action alternative) may result in increased diversions from the Sacramento River for offstream storage, and subsequent impacts on the river ecosystem, fish, and wildlife.

No. 540**Letter from Steven L. Evans, Friends of the River, Continued**

Pg. 3-118 – Riparian Habitat: This section documents the fact that seasonal flooding caused by the RBDD and its reservoir restricts the amount of riparian habitat in this section. Without the seasonal flooding, riparian habitat would normally re-vegetate much of the affected river segment.

Pg. 3-179 – Riparian Habitat Impacts: Natural re-vegetation of the inundation zone under the Gates-Out Alternative would almost certainly create more riparian habitat than the 6.81 acres lost due to construction impacts. There is extensive research concerning Sacramento River riparian resources to provide a reasonable estimate of recreated riparian habitat associated with the Gates-Out Alternative.

Pg. 3-189 – Recreation: This section fails to compare recreational use on other segments of the Sacramento River with recreational use of the Red Bluff segment under the various alternatives. Without this comparison, it is difficult to determine whether any of the recreational impacts are permanent or long term. Logically, reservoir-based recreation will simply give way to river-based recreation under the Gates-Out alternative. Extensive river-based recreation already occurs upstream and downstream of the RBDD.

We compared the 1995 Lake Red Bluff segment recreational data in the DEIS/R with recreational use data compiled for various segments of the river by the California Department of Water Resources in 1980. The CDWR data shows that the Sacramento River segments upstream and downstream of Lake Red Bluff supported more power boating, swimming, and fishing in 1980 than Lake Red Bluff does today. In fact, total recreation use in the upstream and downstream segments in 1980 is competitive with 1995 Lake Red Bluff use figures. It is logical to assume that total recreational use in the upstream and downstream segments is actually much higher today. The CDWR data also shows a 61% increase in overall recreational use in the Lake Red Bluff segment, compared to the 1995 DEIS/R data. But this may be because the 1980 data combines Lake Red Bluff recreation use with river-based recreation activities that occurred between the lake and Jellys Ferry bridge.

It is reasonable to expect that more than half of the recreational use in the Red Bluff area correlates with the period when the gates are down under current operations. But this use is not necessarily associated with RBDD operations. The correlation is more likely associated with the prime summer recreation period from May to September.

Pgs. 3-213 through 215 – Operations Related Impacts: A careful examination of actual recreational uses indicates that most activities are not strictly reservoir-based. Even assuming that all power boating and water skiing would end under the Gates-Out alternative (an unreasonable assumption), these activities comprise less than 16% of the overall recreational use along the river. Power boats and jet skis are common along other free flowing segments of the Sacramento River, including segments just upstream and downstream of Red Bluff. Redding and Sacramento enjoy extensive river-based recreational opportunities in parks along rivers flowing through their communities.

There is no factual basis for the assumption that the Gates-Out alternative will permanently impact recreational use. It will simply change some but not even most of the recreational use already occurring in the Red Bluff area. The impact on drag boat

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

No. 540

races could be mitigated by simply lowering the gates when the event occurs. This mitigation was not apparently considered in the DEIS/R. The impacts of lowering the gates for the drag boat races on fish passage and riparian habitat re-vegetation would have to be analyzed and mitigated.

Pgs. 3-237 – Boat Docks/Ramps Impacts: Although boat docks would no longer be needed under the Gates-Out alternative, boat ramps designed to accommodate river-based use would be appropriate. The statement that the Gates-Out alternative's impacts on private and public boat ramps would be significant and cannot be mitigated is not true. The DEIS/R should consider proposing the construction of one or more public boat ramps designed to accommodate river-based boating as mitigation for the Gates-Out alternative.

Pgs. 3-307 through 313 – Economic Impacts: This section appears to assume that most or all summertime recreation in the Red Bluff area is lake dependent. This is a false assumption. Many of these economic activities would occur even without the lake due to increase tourism associated with the summer recreation period.

Pgs. 3-313 through 315 – Property Values: The discussion on property values apparently fails to compare river front property with lake front property. Property adjacent to water is likely to have a higher value than property distant from water. But what is the difference in value between river front and lake front property? This important information is lacking in the DEIS/R.

Pgs. 3-369 through 370 – Permanent Landscape Changes: The impact on visual quality is overstated and fails to consider the fact that over time, the reservoir imprint will naturally revegetate. Most of the barren gravel areas now evident under current operations when the gates are up, will revegetate. A flat, broad expanse of water under current operations when the gates are down will be replaced with a dynamic meandering river clothed in riparian forest. Visual impacts are likely to be fully mitigated with 10-20 years and could be accelerated with an active riparian habitat restoration program.

No. 541



#541

100 Kirby Way
 Roseville, CA 95678
 (916) 781-3636
 www.ncpa.com

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

SUBJECT: Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR)

Dear Mr. Bird:

NCPA appreciates the opportunity to provide comments to the Bureau of Reclamation and the Tehama-Colusa Canal Authority on the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Fish Passage Improvement Project at the Red Bluff Diversion Dam. The following are our comments.

We are concerned about the project's impact on Central Valley Project (CVP) preference power customers, even though the project is being built for the benefit of irrigation and fishery interests. The EIS/EIR shows that power available to CVP preference customers will be reduced by approximately 1,500 megawatt hours to 4,500 megawatt hours from the existing condition, assuming the additional pumping requirement is designated as *project use power*. While this only reduces power available to the preference customers by approximately one percent, the cumulative impacts of these reductions from all fishery projects has been significant. In 1980, the CVP generation available to preference customers in an average water year was approximately 4,200,000 megawatt hours. Today, the amount available in an average year is approximately 3,200,000 megawatt hours. The cumulative impact of many small EIS/EIR decisions has been huge, reducing CVP preference power by approximately 25 percent for environmental and fishery purposes. In addition, the allocation of CVP costs to preference power customers has not been adjusted to reflect that lost value.

541-1

CVP generation is a renewable and emission-free resource. Recent California legislation is requiring more generation to be developed from renewable, emission-free resources. Yet the preference customers' share of CVP generation, the largest renewable, emission free generation resource in California, is continually being eroded by these types of incremental decisions. This causes preference customers to replace CVP generation with renewable generation that is much more expensive and less reliable. Further, for the past 25 years CVP reservoir and river operations have been changed to improve fisheries, with questionable success. Yet, all of these changes have caused the renewable, emission-free generation from the CVP to be reduced.

541-2

**Letter from James H. Pope, Northern California Power Agency,
 Dated March 16, 2007**

- 541-1 Your comment has been noted. However, power generation – although important – is considered an incidental benefit of CVP operations. Also, it is assumed that the commentor is referring to systemwide operational changes that resulted from CVPIA and Trinity River restoration efforts, not fish screen projects.
- 541-2 You comment has been noted. Resource management of the CVP system has changed since its inception and will likely continue to evolve over time.

Mr. David Bird
March 16, 2007
Page 2

No. 541

Letter from James H. Pope, Northern California Power Agency, Continued

We are also concerned about the Tehama-Colusa Canal irrigator's ability to pay for the large capital expenditures being proposed in the EIS/EIR alternatives. We understand many irrigators receive *ability-to-pay* relief, which means the onus of capital cost repayment is then placed on preference power users. Traditionally, construction expenditures increase compared to the budget, further increasing the preference customers' exposure to the irrigator's ability to pay for the capital costs. Thus, while the amount of power available for preference customers is reduced by these alternatives, the financial responsibility is increased. The impact on preference power customers of the reduced generation and increased repayment responsibility from this project, as well as the cumulative impact of all the other reductions and increased costs from the other CVP projects, should be analyzed in the EIS/EIR.

We also believe a benefit/cost analysis of the listed alternatives compared to the fishery benefits should be included in the socioeconomics section. Even though the Gates-out Alternative allows easier fish passage, the question is: will that increase the number of fish?

} 541-3

We are also concerned about the precedent this action may set for the proposed Sites Reservoir. We understand the intake for the delivery of power to store water at Sites may be the Tehama-Colusa canal. While we believe that additional storage is needed in California, CVP preference power benefits should be protected as these projects are considered, and project beneficiaries should bear the repayment responsibility associated with the capital and operating expenses of these new projects.

} 541-4

In summary, NCPA supports environmental projects that use science based analyses to improve the fishery in the Sacramento River. We do not believe, however, that this EIS/EIR has sufficiently considered the project's impact on preference customers because the irrigator's ability to pay for the capital expenditures and the cumulative impacts of similar projects on the available CVP generation were not considered. Regardless of the alternative chosen for this project, we believe the preference power customers should be held harmless by either having the project beneficiaries pay or by making all costs associated with this fishery improvement effort non-reimbursable.

} 541-5

Thank you for considering our comments.

Sincerely,



JAMES H. POPE
General Manager
(916) 781-4200 / 781-4254 FAX

- 541-3 See Appendix A to DEIS/EIR for a discussion of the allocated costs of the alternatives and their relative association with improvements to fish passage. Possible direct correlations with fish populations are difficult to project because there are many confounding factors that are beyond the scope of this project. These factors include weather patterns, commercial fishing regulations, delta operations, and water quality, among others.
- 541-4 Approval, operations, and financing of Sites Reservoir are not a part of this project. Sites Reservoir is currently being considered and evaluated by the state, through DWR.
- 541-5 Your comment has been noted. The allocation of PUP for this project will be consistent with policy guidance from Reclamation regarding operation of CVP facilities.



No. 542

Letter from James C. Feider, Redding Electric Utility,
Dated March 16, 2007

March 16, 2007

Mr. Paul Freeman
Bureau of Reclamation
P.O. Box 159
Red Bluff, CA 96080

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

Subject: Draft Environmental Impact Statement/Environmental Impact Report
(EIS/EIR)

Dear Messrs. Freeman and Bird:

Redding Electric Utility (REU) is pleased to participate in the Draft EIS/EIR process for the Red Bluff Diversion Dam Fish Passage Improvement Project being re-circulated for public review and comment by the Bureau of Reclamation and the Tehama-Colusa Canal Authority (TCCA). REU is concerned that this document was prepared in 2002 and is being re-circulated for comments without the appropriate updating required to adequately consider all impacts. We believe that the costs associated with the project and proposed alternative are outdated. Since the second objective identified in the Draft EIS/EIR Purpose and Need Statement asserts that the project will "substantially improve the long-term ability to reliably and *cost-effectively* (emphasis added) move sufficient water into the TCCA and Corning Canal systems to meet the needs of the water districts served by TCCA," updating these costs are essential.

Secondly, REU believes that the current Draft EIS/EIR document does not incorporate recent policy decisions instituted in California. Since this document was first circulated for review in September 2002, the impact analysis within this document needs to be updated to reflect new legislation that calls for more energy conservation and a reduced dependence on fossil fuel generation, typically associated with higher greenhouse gas emissions. Any increases in pumping to divert water for agricultural use has the potential to increase costs borne by the preference power customers because of the requirement to use more expensive renewable energy or higher cost fossil fuels to offset the energy lost, and therefore needs to be evaluated.

} 542-1
} 542-2
} 542-3
} 542-4
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- 542-1 Your comment has been noted. Public participation is an important element of informed decisionmaking, and is a central tenet to NEPA and CEQA.
- 542-2 The DEIS/EIR was extensively reviewed for major changes to the project or to the subject areas that might warrant re-analysis. None were found. However, in the interest of expanding the public's opportunity to comment, Reclamation re-opened the comment period before finalizing the EIS/EIR.
- 542-3 Project construction estimates would be updated as part of the design phase.
- 542-4 Construction cost estimates from 2002 are considered to present a reasonable estimate of relative costs. The lead agencies acknowledge that the estimates will require updating.
- 542-5 The increased use of power by the proposed pumping station is considered less than significant. See DEIS/EIR Section 3.9 for a discussion of the proposed project on power resources. A full assessment of how an incremental increase in PUP would affect individual Western Area Power Administration customers is beyond the scope of this evaluation because each customer has a unique load and resource profile.

777 Copernic Avenue • P.O. Box #9003 • Redding, California 96049-6003
350.339.7000 • Fax 350.339.7899 • subinfo@rcm.ca.gov
Working Together to Improve Our Community

Letter from James C. Feider, Redding Electric Utility, Continued

Messrs. Freeman and Bird
March 16, 2007
Page 2

No. 542

Additionally, 2002 construction cost estimates are inadequate in the current document considering the recent increases in material and labor costs, particularly in concrete and steel. Construction of a new pumping facility could result in double the original cost estimates identified in 2002.

542-6

One of the purposes of this project is to transport water to the TCCA in a cost-effective manner. We question the ability of the irrigators to pay for increased costs associated with this project, as we understand many irrigators receive *ability-to-pay* relief, which means that the responsibility of repayment of the capital costs would effectively be placed on preference power users. Incurring significant capital costs without the ability for repayment by the water users would seem contrary to the fundamental Purpose and Need Statement referenced above.

542-7

In light of Central Valley Project (CVP) generation being a renewable or emission-free resource, we believe that the importance of CVP generation has potentially increased since 2002. Therefore, the analysis of the impact of the alternatives to power resources presented in the Draft EIR/EIS should be fully reexamined and reevaluated. In 2004, power contracts with Western expired and there entailed a new dynamics to the CVP resource. We believe that the determination from each alternative of whether Project Use Power to serve increasing loads is significant should be reevaluated - particularly for dry water years.


542-8

REU is also concerned with the potential impacts of the proposed project alternatives on the Southern Green Sturgeon. In 2005, a status review was conducted for this species by the National Marine Fisheries Service, and it was found that the Southern Green Sturgeon is likely to become endangered in the foreseeable future. We do not believe that the evaluation of the project proposals in relation to this species were as well understood in 2002 as it is now five years later, and should therefore be properly readdressed to determine the impacts of the proposed alternatives on operational restrictions. We suggest that the costs of alternative 1B (4-month Bypass Alternative) be reexamined in light of the benefits this option may bring to this potentially endangered species. Similarly, the data relating to salmon runs in the Sacramento River is dated. We believe that updated information needs to be incorporated into recalculations of the benefits to the fishery resources by the proposed alternatives, since one of the primary purposes of this project is to improve the ability to reliably pass anadromous fish upstream and downstream of the dam.

542-9

Thank you for considering our comments.

Sincerely,


James C. Feider
Electric Utility Director

542-6 See Response to Comment 542-3.

542-7 Specific details of project financing have not been determined, but are likely to include reimbursable, non-reimbursable, state, and local cost-share arrangements. Relative shares of these sources will be determined following project approval and, to the degree applicable, will be open for comment in the appropriate forums.

542-8 Your comment has been noted. The determination that PUP is appropriate for an element of the CVP is an important aspect of project approval and will be consistent with federal policy guidance on the matter.

542-9 Green sturgeon was considered to be a special-status species in the DEIS/EIR. The recent elevation of green sturgeon to Threatened status under ESA may result in more restrictive use of the dam gates in the foreseeable future.

No. 543

Email from Ali Abbassi, Dated March 12, 2007

jsutton@tccanal.com

From: Ali Abbassi [ali@tco.net]
Sent: Monday, March 12, 2007 11:01 AM
To: jsutton@tccanal.com
Cc: bholt@mp.usbr.gov
Subject: Red Bluff Diversion Dam project EIS/EIR
Importance: High

543

543-1

The comment period was extended an additional 30 days from March 16, 2007 to April 17, 2007.

Gentlemen, I hope this message find you doing well. In regards to the new circulation of the draft EIS/EIR, I am writing to ask for an extension to the current comment period ending on March 16th. I ask this because the initial announcement that the document was being re-circulated for additional comments was somewhat obscure and with the holiday season being at its height, why it went relatively unnoticed. I appreciate your consideration and look forward to hear back from you soon.

} 543-1

Best Regards,
Ali Abbassi
New Entertainment Concepts, Inc.
ali@necsports.com



3/19/2007

No. 544

Letter from John Cooper

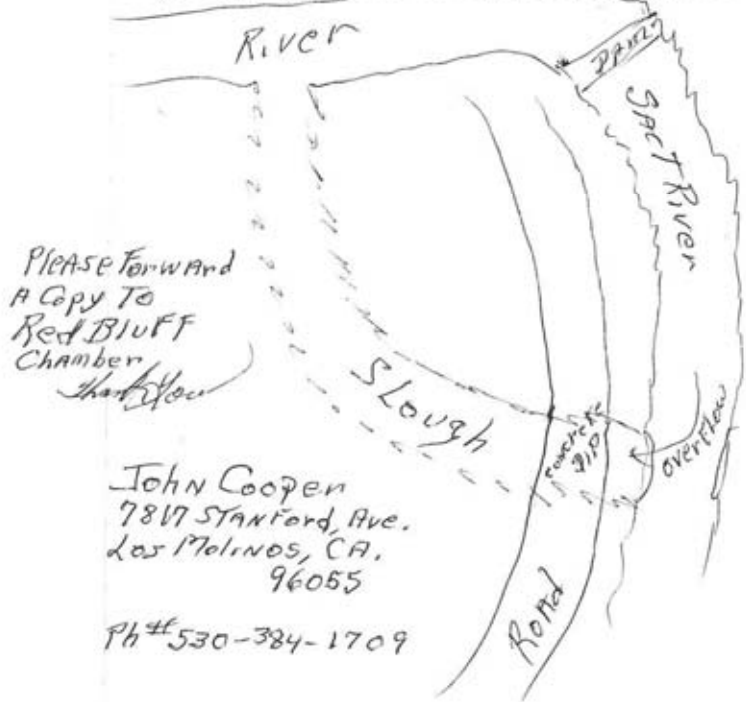
544-1

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 on a discussion of the bypass channel concept evaluated for this project.

#544

If THIS PLAN WAS TO BE CONSTRUCTED,
THERE WOULD BE NO NEED TO OPEN THE GATES
AT THE DAM AT RED BLUFF AT ALL.
THE FISH WOULD NEVER KNOW THAT
IT WASN'T THE RIVER AND IN FACT
IT WOULD BE, THEN THE FISH COULD
MAKE IT UP THE RIVER AT ALL TIMES.
I SENT THIS PLAN ONCE BEFORE -

} 544-1



John Cooper
7817 STANFORD, AVE.
LOS MOLINOS, CA.
96055

PH# 530-384-1709



No. 545

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



#545

March 19, 2007

B.T. VB

545-1

This comment letter is duplicate to Comment Letter 520.

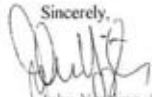
Mr. Jeff Sutton, General Manager
Tehama - Colusa Canal Authority
P.O. Box 1625
Willows, CA 95988

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



No. 545

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. 545

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. 546

Letter from Jay Harn, Red Bluff-Tehama County Chamber of Commerce,
Dated August 14, 2007

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: August 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

546-1 This comment letter is duplicate to Comment Letter 520.

No. 546

Letter from Jay Harn, 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, 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. 547

Fax from A. Leigh Bartoo, Dated March 16, 2007



U.S. FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846



#547

Phone: (916) 414-6600 or 6601
Fax: (916) 414-6712 or 6713

FAX TRANSMISSION COVER SHEET

DATE: March 16, 2007
TO: TCCA
FROM: A. Leigh Bartoo
FAX #:
RE: Comments to DEIS/EIR
TOTAL PAGES (excluding cover): 4



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way W-2605
Sacramento, California 95825



No. 547

Fax from A. Leigh Bartoo, Continued

547-1

Your comment has been noted. See Response to Comment 523-1.

In reply refer to:

Memorandum

To: Regional Manager, Mid-Pacific Regional Office
Bureau of Reclamation, Sacramento, California

From: *A. Leigh Bartoo*
Acting Field Supervisor, Sacramento Fish and Wildlife Office
Sacramento, California

Subject: Supplemental Fish and Wildlife Coordination Act Report for the Fish Passage
Improvement Project at the Red Bluff Diversion Dam, Tehama County,
California

This memorandum supplements the Fish and Wildlife Coordination Act (FWCA) Report provided by the U.S. Fish and Wildlife Service (Service) under the FWCA (Public Law 85-624; 16 U.S.C. 661-667e) to the Bureau of Reclamation (Reclamation) in August 2002, regarding the proposed Fish Passage Improvement Project at the Red Bluff Diversion Dam (Project), Tehama County, California. The Service is providing Reclamation the following recommendations on the recirculated Draft Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS) originally released in August 2002 (72 FR 19-4292-4293). Reclamation also announced selection of a Preferred Alternative: Alternative 2B. This memorandum is intended to provide technical assistance for the project planning process.

The Service provided previous recommendations for the Project in our August 2002 Draft Fish FWCA Report. The 2002 Draft FWCA Report is available from the Service's Sacramento Fish and Wildlife Office upon request. The recommendations and associated discussion contained in the Report most applicable to the January 30, 2007, recirculation of the Draft EIR/EIS and selection of Alternative 2B as a Preferred Alternative are summarized below (pages 32-36 of the Draft 2002 FWCA Report):

1. The Service continues to support and recommend the Gates-out alternative. Selection of this alternative would return the Sacramento River at Red Bluff to pre-dam conditions and provide unrestricted passage to all targeted fish species. This alternative provides the opportunity for a substantial natural riparian area to become established at the seasonal Lake Red Bluff, which would provide increased benefits to fish and wildlife resources,

} 547-1

TAKE PRIDE
IN AMERICA

No. 547

Fax from A. Leigh Bartoo, Continued

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|--|-----------------|---------|---|
| <p>while protecting sensitive fish species with a positive barrier fish screen. Should Reclamation decide to remove the Red Bluff Diversion Dam (RBDD), additional environmental measures would need to be determined to minimize adverse effects to the Sacramento River and the associated riparian areas.</p> | } 547-1, cont'd | 547-2 | Thank you for your comment. Your comment has been noted. No response is required. |
| <p>2. In addition to maximizing fish passage benefits at the dam, the Gates-out Alternative provides the opportunity to restore two linear miles of riverbank and associated riparian habitat. This habitat presently is adversely affected by the temporary Lake Red Bluff, which forms from backed up river water when the RBDD gates are down.</p> | | } 547-2 | 547-3 |
| <p>3. The Gates-out Alternative would provide a significant restoration opportunity along the Sacramento River, as restoring one linear mile of riparian forest corridor would help link other riparian forest areas along the river. This would be an ecosystem-wide benefit that has the potential to positively affect numerous aquatic and terrestrial species in the Central Valley of California that use Shaded Riverine Aquatic Cover (SRA Cover) and other components of riparian forest. Many of these species have State or Federal protection status. Restoring the riparian community at Lake Red Bluff, therefore, has the potential to benefit a wide range of the Central Valley's fish and wildlife resources.</p> | } 547-3 | | 547-4 |
| <p>4. California Bay-Delta Program (CALFED) environmental documents recognize that projects like RBDD fish passage program together with similar fish restoration actions, would result in cumulative beneficial impact on recreation resources that should increase opportunities for recreation in the CALFED project area and improve commercial fishing. In addition, removal of the gates allows for navigation of the river by recreational interests and fishing guides (this corridor is a designated navigable reach of river under State of California Harbors and Navigation Code Section 105).</p> | | } 547-4 | 547-5 |
| <p>5. The proposed project is designed to improve the long-term ability to reliably pass anadromous fish both upstream and downstream, past RBDD. Construction of some project components would have temporary adverse impacts in the stream channel, and some upland, riparian, and wetland habitats within construction footprints would be lost. To help maximize the project's contribution to overall ecosystem quality in the project area, the Service provides the following recommendations:</p> <ul style="list-style-type: none"> o Minimize and compensate unavoidable impacts to SRA Cover, wetland habitats, and other fish and wildlife habitats, and minimize and compensate adverse impacts that are unavoidable. This would reduce losses of existing biological values in the project area, as well as reduce planning, land acquisition, and funding needed for mitigation. o Reduce bank revetment at the Mill Creek site to the minimum length needed for hydraulic performance and structural integrity of the fish screen. o Avoid dredging and instream cover removal. | } 547-5 | | 547-6 |
| <p>6. Develop and implement, in cooperation with the Service, National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries),</p> | | } 547-6 | |

No. 547

Fax from A. Leigh Bartoo, Continued

California Department of Fish and Game (CDFG), Department of Water Resources, and the Tehama-Colusa Canal Authority (TCCA), a mitigation plan for aquatic and terrestrial habitats adversely affected by the project.

- o Minimize and avoid to the extent practicable impacts to SRA Cover. Compensate for unavoidable habitat losses, including impacts to SRA Cover off-site at a 3:1 ratio in addition to revegetating bank revetment on-site. Compensation for SRA Cover losses should be based on linear feet of SRA Cover shoreline impacted and replaced on non-vegetated naturally erodible shoreline. A full discussion of compensation measures and ratios can be found in the Draft FWCA Report.
- o Compensation for SRA Cover losses should be done in conjunction with the compensation for habitat losses to the valley elderberry longhorn beetle.
- o Implement the selected mitigation options prior to or concurrent with project construction to expedite replacement of habitat values lost due to the project.
- o Biological monitoring of terrestrial and aquatic habitat compensation should occur for a minimum of 10 years in combination with the mitigation monitoring for valley elderberry longhorn beetle. Photographic reference points should be established to document on- and off-site compensation area habitat conditions. An annual report of monitoring for terrestrial and aquatic habitat mitigation should be provided to the Service within 45 days of the end of the calendar year. Compensation areas should be self-sustaining for a period of three years without intervention to be determined successful.

547-6,
cont'd

547-6,
cont'd

project, consultation with the resource trust agencies, including the U.S. Army Corps of Engineers, USFWS, NMFS, and CDFG, it would be necessary to develop project impact minimization and mitigations plan. Additionally, biological monitoring necessary for assessing the success of any recommended revegetation, restoration, or compensation mitigations or minimization measures could be further addressed and adopted into practice as part of the Adaptive Management and Monitoring Process.

547-7

Your comment has been noted. Following design and prior to the project's construction, a fish screen evaluation and monitoring plan could be developed as part of the project environmental permitting and/or through the ESA consultation process. Additionally, hydraulic and biological monitoring plans or programs necessary for assessing the efficacy of project fish screens for the protection of juvenile salmonids or other target species could be further addressed and adopted into practice as part of the project Adaptive Management and Monitoring Process outlined in Appendix H.

7. Develop and implement, in cooperation with the Service, NOAA Fisheries, CDFG, and TCCA, an evaluation and monitoring plan to assess the adequacy of the fish screen in meeting biological and engineering design criteria and propose corrective measures.

- o Monitor screen criteria for the period of time necessary to evaluate screen performance at a range of river flows and pumping rates.
- o Identify operational flexibilities that would provide the greatest level of fisheries protection at various river flows and pumping rates.
- o Perform biological evaluations using available technology (direct observation, video, acoustic/sonar, etc) as appropriate, to evaluate the effectiveness and/or impacts of the screens to juvenile salmonids and other target species.

547-7

547-8

Following project final design and prior to construction, environmental permitting will be necessary. It is likely that ESA consultation would be initiated for the project, and a BA would be submitted to USFWS and NMFS. A BA would provide an evaluation of potential impacts and proposed mitigations and minimization measures. Through the process of consultation, specific conservation measures would be developed, refined, and included in a BO that would be issued by USFWS and NMFS prior to construction and operation of the project facilities. Simultaneous to these consultations, CDFG would be engaged for state species covered under CESA.

8. Initiate Endangered Species Act section 7 consultation with the Service's Sacramento Fish and Wildlife Office and NOAA Fisheries to determine potential project effects on listed and other special status species, and incorporate appropriate conservation measures for affected species into project implementation. It also may be necessary to consult with CDFG for State listed species.

547-8

9. For alternatives that incorporate a gates-in condition, the Service continues to recommend that Reclamation assume responsibility for the Operations and Maintenance of the fish

No. 547**Fax from A. Leigh Bartoo, Continued**

ladders (including the temporary center ladder) at the RBDD, and for performing the fish counting work during the gates-in periods. Currently, these responsibilities are held by the Service.

} 547-8,
cont'd

In the Service's 2002 Draft FWCA Report, the Service presented recommendations to potentially improve mitigation for Alternative 2B (page 28). The Service continues to recommend that Reclamation persist in researching operational modifications that would improve fish passage during the 2-months gates-in period.

} 547-9

In the Draft EIR/EIS, Alternative 2B is described as having the RBDD gates in the down position from July 1 through August 31 of each year. The Service recommends that Reclamation conduct a separate analysis for effects of the new gates down operation on fish and wildlife resources if the proposed gate operations are modified outside the stated period of July 1 through August 31.

} 547-10

The Service appreciates early involvement in project planning, as it provides us the opportunity to provide early recommendations for the protection and restoration of fish and wildlife resources. If you have any questions regarding this memorandum, please contact A. Leigh Bartoo at (916) 414-6729.

- 547-9 Thank you for your comment. Operational modifications to RBDD likely will be made following the release of the OCAP.
- 547-10 The commentor is correct. Additional analysis will be needed if Reclamation chooses a flexible gate alternative that was not reviewed as a part of the environmental review process. Additional study will be needed.

cc:

Dan Castleberry, CNO, Sacramento, California
 Jim Smith, Red Bluff Fish and Wildlife Office, Red Bluff, California
 Buford Holt, Reclamation, Redding, California
 Paul Freeman, Reclamation, Red Bluff, California
 Michael Tucker, NOAA Fisheries, Sacramento, California
 Randy Benthin, CDFG, Redding, California
 Mike Berry, CDFG, Redding, California
 Jeff Sutton, TCCA, Willows, California
 Mike Urkov, CH2MHill, Red Bluff, California