

Public Scoping Report Appendix C Written Comments



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This appendix includes the written comments provided by individuals and organizations during the environmental scoping process. Comments are included in the order shown below.

Name	Organization
Chris Acree	Revive the San Joaquin
James Areias	Landowner
Lee Ayres	Project Coordinator, TreeTOPS
Nova Blazej	Environmental Protection Agency
Marina R. Brand	California State Lands Commission
Raymond L. Carlson	San Joaquin River Association
Carla Carter	Friends of the San Joaquin
Dr. David Cehrs, RG, CHG	Hydrologist
Steve Chedester	San Joaquin River Exchange Contractors Water Authority
Patti Clinton	United States Department of the Interior, Bureau of Reclamation
Steve Collup	Arvin-Edison Water Storage District
Stanely Cotta	Stanley Cotta Farms
Lynn DeFehr	Individual
Dennis Fox	Individual
Tom Ehrich	Individual
Jane Fortune	Executive Director, Tree Fresno
Sean Geivet	Porterville Irrigation District
Sean Geivet	Saucelito Irrigation District
Sean Geivet	Terra Bella Irrigation District
Arthur F. Godwin	San Joaquin Tributaries Association
Tyler Gullick	California State University Chico
Steven Haugen	Kings River Water Association
Steve Haze	Millerton Area Watershed Coalition
Laura Heckman and Family	Sequoia Investments, Incorporated
J. Paul Hendrix	Tulare Irrigation District
Christopher Huitt	California Department of Water Resources
Chase Hurley	San Luis Canal Company
Carl Janzen	Madera Irrigation District
Denise Jepson	Individual
Thomas J. Keene	Lower San Joaquin Levee District
Reno and Suzanna Lanfranco	Individuals
G. Fred Lee PhD, PE, DEE, and Anne Jones-Lee, PhD	G. Fred Lee & Associates
Jesse Limas, Sr.	Individual
W. E. Loudermilk	California Department of Fish & Game
Melinda S. Marks	San Joaquin River Conservancy
Gary Martin	Pikalok Farming
Mari Martin	Resource Management Coalition
Michael Martin, Ph.D.	Individual
Steve Marvier	Individual
D. McNamara	Landowner
Tony Mellilo	Farmer
Patrick T. Miller	Berkeley Landscape Station
Jim & Betty Morehead	Morehead Farms
David Neubert	River Partners
James L. Nickel	Nickel Family Limited Liability Corporation
Kevin M. O'Brien	Columbia Canal Company
David Orth	King River Conservation District
Pat Palazzo	Palazzo Farms
Fred Petroni	Landowner/Farmer
Jose Antonio Ramirez	City of Firebaugh
Dan Ray	Department of Parks and Recreation
Don Roberts	Gravelly Ford Water District
Jeffrey T. Roberts	Millerton Lake Area Chamber of Commerce
Gene Rose	Individual

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Name

John Roselli
Dave Singleton
Lauren Singleton
Richard F. Sloan
Stacy L. Small, Ph.D.
Craig Trombly
Kole M. Upton
Laura Wass
David Warner
Sharon Weaver
Peter E. Weber
Douglas Welch
Dennis Westcot
Peter Yolles

Organization

Individual
Native American Heritage Commission
River Partners, San Joaquin Valley Project
RiverTree Volunteers, Incorporated
Restoration Ecologist, San Joaquin Valley Project
Water Contracts Branch, State Water Project Analysis Office
Friant Water Users Authority
American Indian Movement
San Joaquin Valley Air Pollution Control District
San Joaquin River Parkway and Trust
Individual
Chowchilla Water District
Individual
The Nature Conservancy

Revive the San Joaquin

Local and regional NGO's that work towards restoration of the San Joaquin River have a unique knowledge of the river and it's ecosystem, as well as an intimate knowledge of external factors, which could impact water quality and habitat necessary for a successful restoration effort. These NGO's also have the capacity to mobilize large groups of volunteers and provide low-cost labor needed to conduct cost-effective restoration solutions. **Engaging these groups will create a locally based workforce that is invested in restoration and which can plan for the long-term viability of restoration efforts. Local organizations should receive equal opportunity to participate during the RFQ/RFP process to ensure a long-term commitment to the restoration effort. Restoration project work should be advertised to all local stakeholders as well as the communities in which work is to be conducted. Outreach and advertisements should be made available in multiple languages and context appropriate language to take into account regional barriers to participation.**

Stakeholders and the public should be able to provide input regarding these factors as illustrated in the PIP including the following three core strategies:

- Proactive initial outreach and ongoing outreach and **involvement at project milestones.**
- **Partnerships with local organizations** to reach out and involve constituents and explore opportunities for joint public outreach and involvement opportunities.
- Opportunities for **stakeholder participation in Technical Subgroup discussions.**

These core strategies have not yet emerged from the SJRRP and should be implemented before or concurrent with the formation of Technical Workgroups or any progress on implementation of the Settlement Agreement.

The establishment of the Public Affairs Team (PAT) and the Speaker's Bureau should be publicized to stakeholders as soon as it is formed with further information and contacts for public interaction. The website should clearly list all the five-agency staff and participants involved with the various aspects of Settlement Agreement implementation, as well as establish contact points for key points of contact at each agency. All significant dates and actions initiated or completed by the team, as well as a list of upcoming events, should be posted on the website. These public outreach steps should be implemented before any project implementation activities occur.

Faxed to me 9/29



PUBLIC SCOPING COMMENTS
for the San Joaquin River Restoration Program
Environmental Impact Statement/Environmental Impact Report

Please circle topic your comment relates to:

- Water
- Fish
- Property
- Environmental Issues
- Other

Written comments can be submitted at the scoping meetings, mailed to the Bureau of Reclamation (mailing address is on the back of this card), faxed 916-978-5114, emailed to mgidding@mp.usbr.gov or provided online at www.restoresjr.com by close of business on Friday, September 21, 2007.
Thank you.

(Please print clearly)

Name James Areias

Organization and Address San Luis Canal Company

11704 W. Henry Miller Ave.

Dos Palos, CA 93620

Phone (209) 826-6462 FAX () E-mail

Comment here: September 17, 2007
Date

See attached comments.

Multiple horizontal lines for writing comments.

All comments become part of the public record.

September 12, 2007

BUREAU OF RECLAMATION OFFICIAL FILE COPY RECEIVED		
SEP 20 2007		
CODE	ACTION	SURNAME & DATE
140	/	

**PUBLIC SCOPING COMMENTS for the San Joaquin River Restoration Program
Environmental Impact Statement/Environmental Impact Report**

As landowners within San Luis Canal Company we would like to make the following comments on the San Joaquin River Restoration Program. Although they will be brief, we think they are very important to the successful implementation of the program. The Canal Company will be making additional comments on behalf of all landowners within its boundaries.

Our comments will be focused on the 4B reach of the River from the Sand Slough Diversion structure to the Mariposa Bypass.

This reach of the River is currently an environmentalist dream that is lined with thousands of trees, many of which are large oak trees that are over 150 years old. Along with the trees are a variety of bushes and plants that have created a natural habitat for a large variety of animal species.

South of Turner Island Road, there is a designated area where over 1,000 cranes and egrets roost within the vegetation of the River Channel. Joining them is a wide variety of birds such as quail, hawks, etc. that nest in the spring and call this habitat home. If the River Restoration program goes forward as planned in this reach, all this habitat would be destroyed in order to build the levees and fortify the surrounding land for the maximum flows as stated in the settlement.

We recommend that the existing Flood Bypass Channel be used instead of Reach 4B. It should be analyzed very extensively during the Bureau's process. The current Bypass Channel already has some trees within its boundaries and it looks as if it's wide enough to handle the stated flows.

Thanks for the opportunity to provide our comments.

Sincerely,

James A. Areias

Jim Areias
Landowner/Farmer

Classification	E00 6.00
Project	214
Control No.	07080051
Folder I.D.	1024387
Date Input & Initials	Jal 9/20/07

Margaret Gidding - San Joaquin River Restoration

email to mg 9/24

From: <lsayres@aol.com>
To: <mgidding@mp.usbr.gov>
Date: 9/21/2007 4:45:35 PM
Subject: San Joaquin River Restoration

TO: Bureau of Reclamation

I wish to add a personal statement of support for the River Restoration Program.

The river, downstream from US 99, is unsightly and generally inaccessible. Creating a conservation zone, a river parkway to the Bay Area would be great. It would connect the two regions. It would create an amenity for our region.

I do recognize and support the water supply, fish and wild life habitat, and flood control benefits.

Hopefully the design and quality of work will result in an attractive, accessible river, too.

Respectfully submitted,

Lee Ayres
5132 N Palm Avenue PMB 102
Fresno CA 93704
559 261 1551 Office
559 261 1556 Facimile
559 285 3906 Cellular

Email and AIM finally together. You've gotta check out free [AOL Mail!](#)

Margaret Gidding - River Restoration Program - San Joaquin River

emailed to mg 9/24

From: <lsayres@aol.com>
To: <mgidding@mp.usbr.gov>
Date: 9/21/2007 4:37:31 PM
Subject: River Restoration Program - San Joaquin River

TO: Department of Interior, Bureau of Reclamation
ATTn: Margaret Gidding

Pleased I could meet you in Fresno at the scoping meeting.

We support the river restoration program to implement the settlement as presented at the meeting.

TreeTOPS is a joint venture by the Regional Jobs Initiative and Tree Fresno to promote Trees, Trails, and Open Space for the Fresno Region. It was initiated to support amenities which will attract and retain the professional workforce needed by our region. We have a grant proposal pending with CAL FIRE to undertake a Regional Urban Forest Initiative which would address the river corridors, including the San Joaquin River.

The San Joaquin River is a vital to our economy. In addition to being a source of water for irrigation, it joins the national parks in attracting visitors from around the World. Further, it contributes to the quality of life for our region which enables us to attract and retain a qualified work force.

Obviously, the San Joaquin River requires significant improvements to fulfill its potential and to reduce flooding. The River Restoration Program is timely and welcomed.

Lee Ayres
Project Coordinator
TreeTOPS
5132 N Palm Avenue PMB 102
Fresno CA 93704
559 261 1551 Office
559 261 1556 Facimile
559 285 3906 Cellular

Email and AIM finally together. You've gotta check out free [AOL Mail!](#)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

September 19, 2007

Ms. Margaret Gidding
Bureau of Reclamation
2800 Cottage Way MP-140
Sacramento, CA. 95825

Subject: Scoping Comments for the San Joaquin River Restoration Program,
Fresno, Madera, Merced Counties, California

BUREAU OF RECLAMATION OFFICIAL FILE COPY RECEIVED		
Sept. 25 2007		
CODE	ACTION	SURNAME & DATE
140	✓	
120	copy	Rec'd

The U.S. Environmental Protection Agency (EPA) has reviewed the Federal Register Notice published August 2, 2007 requesting comments on the Bureau of Reclamation decision to prepare a Programmatic Environmental Impact Statement (PEIS) for the above action. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

The commitment of the Settling Parties and implementing agencies to restoring and maintaining fish populations (Restoration Goal) while reducing adverse water supply impacts (Water Management Goal) is an essential step in reestablishing the San Joaquin River (River) as a resource supporting a full range of beneficial uses. While we recognize the important focus of the Settlement on fisheries, we recommend a holistic restoration approach which considers the scope of the entire River to the Sacramento-San Joaquin River Delta (Delta), integrates other beneficial uses, and acknowledges the role of the River in the larger context of the Sacramento Valley and Delta. Special attention should be given to reasonably expected future changes and activities within the San Joaquin region which may affect River restoration.

Considering the dual goals of the San Joaquin River Restoration Program (Program), the PEIS should include a description of a project study area which includes the entire San Joaquin River from Friant Dam to the Delta, the Delta region, water service contract areas, and areas which may be affected by proposed water transfers and other actions taken to achieve the Water Management Goal. The recently released Draft EIS for the Proposed Lower Yuba River Accord provides one possible approach for the environmental evaluation of a complex, multifaceted river restoration project. While we recognize that the current analysis is intended to be 'programmatic,' we also recommend that the PEIS be structured to support actions which could be implemented in the near future. Some of these actions could receive separate, site-specific analysis but would benefit from integration into a watershed-wide perspective.

Classification	WAR 4-00
Project	214
Control No.	07081770
Folder I.D.	70243
Date Input & Initials	9-25-07 19

EPA advocates an integrated approach which places fisheries restoration in the context of the other beneficial uses associated with the River, such as wetlands, wildlife habitat, and municipal supply. The PEIS should include a realistic and forward-looking examination of the socio-economic and land use trends in the regional watershed to gain perspective on factors which will influence the character and condition of the River. The PEIS should examine, for example, existing and potential water quality stressors in the watershed, and should take account of other programs and projects addressing these issues, such as local watershed groups and water quality coalitions. In addition, we recommend the PDEIS describe reasonably foreseeable actions such as efforts to maintain and restore the Delta, provide flood protection, urbanization, and water supply and reliability projects. A short evaluation of the potential consequences of climate change on efforts to restore the San Joaquin River should also be included in the PEIS.

The Program should consider the comprehensive monitoring and assessment which will be needed to track restoration and water management. Currently there are several efforts to better align and coordinate monitoring for the San Joaquin Basin and Delta—one of them an EPA-funded project to formulate a San Joaquin regional monitoring strategy. The PEIS should review the state of monitoring for water quality, biota, and other parameters of concern, address any key gaps, and discuss how monitoring, assessment, and reporting to support the restoration effort will be accomplished

As the Program Management Plan for the Restoration Program (May 1, 2007) recognizes, the participation of a wide range of interests and expertise will be needed for this effort. We recommend the Technical Working Groups include a broad spectrum of experts in water quality, hydrogeology, air quality, and aquatic and terrestrial resources. Additionally, the implementing agencies should reach out to regionally and locally-based groups which may be planning and/or implementing activities affecting the River. For example, there are opportunities to coordinate this Program with planning and restoration of the extensive wetlands and refuge areas along the River and the San Joaquin River Parkway.

EPA has the overall national responsibility for implementing the Clean Water Act (CWA) in partnership with states and tribes. In addition, we work collaboratively with states and tribes to ensure protection of public water supplies under the Safe Drinking Water Act and protection of air quality under the Clean Air Act. EPA has worked closely with the Bureau of Reclamation (Bureau), US Fish and Wildlife Service, National Marine Fisheries Service, California Department of Water Resources, and other San Joaquin Valley stakeholders to address water quality and air quality issues of the San Joaquin River and Valley.

As stated in our meeting of May 24, 2007 with Jason Phillips of the Bureau, we are interested in being a cooperating agency because of our expertise in environmental issues and current involvement in many activities regarding the San Joaquin River and Valley. We request the Bureau designate EPA as a cooperating agency for this PEIS and the San Joaquin Restoration Program pursuant to the Council on Environmental Quality

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NEPA implementing regulations (40 CFR 1501.6). We look forward to the opportunity for early involvement and working with the Bureau and other implementing agencies.

We request a written response to our request to be a cooperating agency on this PEIS and restoration program. Please direct your response to the Environmental Review Office at the address above (mail code: CED-2). If you have any questions, please contact me at 415-972-3846 or Laura Fujii, the lead reviewer for this project, at 415-972-3852 or fujii.laura@epa.gov.

Sincerely,

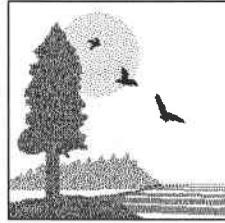
For


Nova Blazej, Manager
Environmental Review Office

cc: Jason Phillips, Bureau of Reclamation
Dan Castleberry, U.S. Fish and Wildlife Service
Russell Bellmer, NOAA Fisheries
Paula Landis, California Department of Water Resources
Dale Mitchell, California Department of Fish and Game
Sharon Weaver, San Joaquin River Parkway

CALIFORNIA STATE LANDS COMMISSION

100 Howe Avenue, Suite 100-South
 Sacramento, CA 95825-8202



PAUL D. THAYER, Executive Officer
 (916) 574-1800 FAX (916) 574-1810
 Relay Service From TDD Phone 1-800-735-2929
 from Voice Phone 1-800-735-2922

Contact Phone: (916) 574-1814
Contact FAX: (916) 574-1885

September 19, 2007

File Ref: W 25161

Ms. Margaret Gidding
 Bureau of Reclamation
 2800 Cottage Way MP-140
 Sacramento, CA 95825

Ms. Karen Dulk
 Department of Water Resources
 3374 E. Shields Avenue
 Fresno, CA 93726

Ms. Nadell Gayou
 The Resources Agency
 1020 Ninth Street
 Sacramento, CA 95814

BUREAU OF RECLAMATION OFFICIAL FILE COPY RECEIVED		
SEP 21 2007		
CODE	ACTION	SURNAME & DATE
190	/	

Subject: Notice of Intent to Prepare a Program Environmental Impact Statement/Environmental Impact Report (PEIS/EIR) for the San Joaquin River Restoration Program (Program), SCH#2007081125, Fresno, Madera, Merced, Tulare, and Kern Counties

Dear Ms. Gidding, Dulk and Gayou:

Staff of the California State Lands Commission (CSLC) has received a copy of the subject notice. The Bureau of Reclamation is the federal Lead for the National Environmental Policy Act (NEPA), and the Department of Water Resources is the state Lead for the California Environmental Quality Act (CEQA). The CSLC is a responsible/trustee agency under the CEQA. The State of California is the sovereign landowner of the bed of the San Joaquin River within the proposed project and under the jurisdiction of the CSLC (Public Resources Code Section 6301). The San Joaquin River Restoration Program PEIS/EIR will include initial planning and environmental review activities to implement a Settlement Agreement involving a lawsuit known as the *Natural Resources Defense Council et al., v. Rodgers, et al.* that includes restoration components for the San Joaquin River from Friant Dam downstream to its confluence with the Merced River. Based upon staff's review, we offer the following comments:

Classification	ENV 6.00
Project	214
Control No.	07081231
User I.D.	1024387
Date input & Initials	Pal 9/21/07

Jurisdiction

The State acquired sovereign ownership of tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all the people of the State for Public Trust purposes which include waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. The landward boundaries of the State's sovereign interests in areas that are subject to tidal action are generally based upon the ordinary high water marks of these waterways as they last existed prior to fill or artificially-induced accretions. In non-tidal navigable waterways the State holds a fee ownership in the bed of the waterway between the two ordinary low water marks. The entire non-tidal navigable waterway between the ordinary high water marks is subject to the Public Trust. The State's sovereign interests are under the jurisdiction of the CSLC.

The area encompassed by the proposed project involves lands under the Commission's jurisdiction. The historic bed of the San Joaquin River within the proposed project is under the land ownership and management jurisdiction of the CSLC. Mapping of the historic bed of the San Joaquin River between Friant Dam and State Highway 99 depicting the historic High and Low Water Lines has been completed by the CSLC. The CSLC also has in its collection numerous historical maps of the river down stream of Highway 99. Site specific improvements for the Program will need to be evaluated by CSLC boundary staff on a case-by-case basis. It is anticipated that identifying lands already owned by the State for the Program will save significant funds allocated for implementation of the Program. This should be identified as significant data needs as part of the planning under Stage 1 of the Program. Commission staff has already saved the San Joaquin River Conservancy and Wildlife Conservation Board over \$10,000,000 in acquisition costs between Friant and Highway 99. The CSLC staff strongly supports restoration of the San Joaquin River and hopes to provide its expertise and services to save additional millions of taxpayer dollars for this Program. In addition, any improvements involving modifications to the river will require authorization from the CSLC.

Please contact Judy Brown at (916) 574-1868, or by email at brownj@slc.ca.gov, to discuss the leasing jurisdiction and the involvement of the CSLC.

Environmental Review

Stage 1 of the Program will include formulating reasonable alternatives. At this point, no alternatives have been developed for the Program. Staff recommends that the lead agencies conduct agency/public workshops in formulating Program alternatives.

Restoring riparian vegetation along the 150-mile section of the San Joaquin River will be important for restoring an ecosystem to eventually support self-sustaining populations of salmon. The Riparian Habitat Joint Venture (RHJV) is made up of 18 federal, State and private organizations working through a Cooperative Agreement to protect and enhance riparian habitats throughout California. The RHJV should be

consulted during the development of riparian habitat restoration plans throughout the Program reach. Ann Chrisney is the RHJV Coordinator and her contact information is (916) 278-9428 or achrisney@prbo.org.

An important component of the Program needs to consider the control and management of riparian and aquatic invasive species within the Program reach and should be part of the planning process and data needs of Stage 1.

Please contact Eric Gillies (916) 574-1897, or by email at gillie@slc.ca.gov, to discuss the environmental review comments. CSLC staff looks forward to receiving future notifications on this Program as they become available.

Sincerely,



Marina R. Brand, Assistant Chief
Division of Environmental Planning
and Management

cc: Paul Thayer, Executive Officer
Curtis Fossum, Assistant Chief Counsel
Barbara Dugal, Chief, Division of Land Management
Steve Lehman, Supervising Boundary Determination Officer
Michael McKown, Boundary Determination Officer
Judy Brown, Public Land Management Specialist
Eric Gillies, Staff Environmental Scientist

Melinda Marks, Executive Director, San Joaquin River Conservancy
Michael Crow, Deputy Attorney General
Ann Chrisney, Coordinator, Riparian Habitat Joint Venture

GRISWOLD, LASALLE, COBB, DOWD & GIN, L.L.P.

ATTORNEYS

A California Limited Liability Partnership including Professional Corporations

311 N. DOUTY STREET
HANFORD, CA 93230

TELEPHONE (559) 584-6656 - FACSIMILE (559) 582-3106

Robert M. Dowd*
Robert W. Gin*
Randy L. Edwards
Jim D. Lee
Jeffrey L. Levinson*
Raymond L. Carlson
Ty N. Mizote*
Carol E. Holding
Kristine M. Howe
Michael R. Johnson
*a Professional Corporation

September 7, 2007

Margaret Gidding
U.S. BUREAU OF RECLAMATION
2800 Cottage Way, MP-140
Sacramento, CA 95825

VIA HAND DELIVERY 9/10/07 & U.S. MAIL

BUREAU OF RECLAMATION OFFICIAL FILE COPY		
SEP 10 2007		
CODE	ACTION	DATE
MP140	✓	

Re: San Joaquin River Restoration Program

Dear Ms Gidding:

This firm represents the San Joaquin River Association, Inc. ("Association") which is composed of many of the land owners along the San Joaquin River below Friant Dam. This letter is submitted to comment on the scope of the PEIS/PEIR for the San Joaquin River Restoration Program (Program).

The Association is a non-partisan membership organization, organized as a non-profit corporation. The principal purpose of the Association is to protect and advance the rights and interests, including protection of private property rights, of persons affected by the flow of the San Joaquin River below Friant Dam.

Members of the Association include landowners whose land is riparian to the San Joaquin River. Other members own lands with appurtenant pre-1914 appropriative rights, or other basis of right, including Water Rights Settlement Contracts with the United States. The PEIS/PEIR must recognize the water rights of lands below Friant Dam, and provide that implementation of the Program shall not inure to the detriment of any such rights, including the free exercise of such rights.

The Association supports the settlement reached in Natural Resources Defense Council v. Rodgers. The execution of the settlement, however, must not interfere with existing property rights including water rights. Please add the Association to your mailing list to receive notice concerning the PEIS/PEIR and implementation of the Program.

Very truly yours,

GRISWOLD, LaSALLE, COBB,
DOWD & GIN, L.L.P.

By:

Raymond L. Carlson
RAYMOND L. CARLSON

cc: Jim Cobb
CARLCSJRA/GIDDING.907

Classification	PR 5 110
Project	3437
Control No.	07077030
Folder I.D.	102 4468
Date Input & Initials	9/10/2007



PUBLIC SCOPING COMMENTS
for the San Joaquin River Restoration Program
Environmental Impact Statement/Environmental Impact Report

Please circle topic your
comment relates to:

Water

Fish

Property

Environmental Issues

Other - PARKS

Written comments can be submitted at the scoping meetings,
mailed to the Bureau of Reclamation
(mailing address is on the back of this card),
faxed 916-978-5114, emailed to mgidding@mp.usbr.gov
or provided online at www.restoresjr.com
by close of business on Friday, September 21, 2007.
Thank you.

(Please print clearly)

Name Cala Carter
Organization and Address Friends of the San Joaquin
5634 W El Paso
Fresno, CA 93727
Phone (559) 276-886 FAX () E-mail calacarter
@yahoo.com

Comment here:

9/29/07
Date

I support returning the river to original, native conditions, with higher water levels. But I also desire that Madera & Fresno County citizens will be able to enjoy non-destructive recreational use of the river. So improvements such as parks along the river, boat marinas, walking & biking trails, some areas for cultural events such as an auditorium / festival area / and parking facilities - maybe some camping sites away from urban zones - these are ideas I support & hope can become a reality for our children & beyonds



Fresno

PUBLIC SCOPING COMMENTS
for the San Joaquin River Restoration Program
Environmental Impact Statement/Environmental Impact Report

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mailed to the Bureau of Reclamation
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faxed 916-978-5114, emailed to mgidding@mp.usbr.gov
or provided online at www.restoresjr.com
by close of business on Friday, September 21, 2007.
Thank you.

Please circle topic your
comment relates to:

Water

Fish

Property

Environmental Issues

Other

(Please print clearly)

Name DAVID CENAS

Organization and Address 14747 E. Tubare
Sanger CA 95657

Phone () _____ FAX () _____ E-mail _____

Comment here:

8/28
Date

Not look just at channel capacities for
flood flows. But look at the channels
under natural conditions - assessing
channels & wide flood plains - to see
how water & sediment move within
this natural system. Look at how far
from channels should any levees be
located - the further from the channel
the more flood waters can spread out,
slow down (dropping sediment), & recharge
local aquifers.

All comments become part of the public record.

From: David Cehrs <dcehrs@cvip.net>
To: <mgidding@mp.usbr.gov>
Date: 9/10/2007 10:50:33 AM
Subject: SJR scoping comments

Public Scoping Comments
for the San Joaquin River Restoration Program
EIS/EIR

Bureau of Reclamation
email to mgidding@mp.usbr.gov

I would like to submit the following comments to the public scoping record.

1) Water chemistry and water quality needs to be looked at and addressed along the length of the river from its headwaters to the mouth in the delta. There is increasing pressure along the length of the river from development (housing, commercial, and industrial) and agriculture. All of these "off stream" users have the potential to pollute the San Joaquin River or alter natural water chemistries and temperatures. To have a healthy river it should be in as pristine a water chemistry as possible.

2) Natural river processes along the river need to be investigated. These include, but are not limited to: meandering stream channels, anastomosing stream channels, marsh/wetlands adjacent to and connected with the meandering/anastomosing stream channels, wide natural flood plains where high volume flood waters may dissipate, sediment movement and storage along the river channels, the lack of new sediment inputs to the river channel due to the dams upstream, channel avulsion and migration, the relation between dead instream and overhanging live vegetation to the fisheries.

A healthy San Joaquin River would be one that is a migrating, meandering, anastomosing channeled river on a wide natural flood plain. The river would have the ability to migrate, pool, form marshes and wetlands within and between channels. A wide flood plain would allow high flood volumes to spread out, dissipate, percolate, drop sediment and be less of a hazard to anthropogenic infrastructure, and not put as much pressure on any levees still confining the river. A healthy river would also have a continuous sediment input that is moved by high flow regimes. This sediment input is necessary for the river to operate naturally otherwise it will want to erode so that it does have some sediment load to carry; witness the erosion of the levees in the 2006 runoff.

I am not a biologist so I do not know the relationship between sediment loads, types, and distributions necessary for the different types of fish populations, birds, and other riparian creatures but this probably should be looked into. Again I don't know the relationship between riparian habitats and ecology to a migrating, meandering, anastomosing river channel and the wetlands and marshes between channels but it should be looked into.

Sincerely,
Dr. David Cehrs (Hydrologist), RG, CHG
14747 E. Tulare Ave.

San Jose, CA 93657

559-875-9495

**SAN JOAQUIN RIVER EXCHANGE CONTRACTORS WATER AUTHORITY
CENTRAL CALIFORNIA IRRIGATION DISTRICT
FIREBAUGH CANAL WATER DISTRICT
SAN LUIS CANAL COMPANY**

Ms. Margaret Gidding
Bureau of Reclamation
2800 Cottage Way, MP-140
Sacramento, CA 95825
e-mail: mgidding@mp.usbr.gov

Ms. Karen Dulik
Senior Environmental Scientist
DWR-San Joaquin District
3374 E. Shields Ave.,
Fresno, CA 93726
e-mail: kdulik@water.ca.gov

Re: San Joaquin River Restoration Program

Dear Ms. Gidding and Ms. Dulik:

This letter is written in response to the Notice of Preparation(NOP) of a Draft Program Environmental Impact Statement/Environmental Impact Report (PEIS/EIR) for the San Joaquin River Restoration Program and the Notice of Intent to Prepare a Program Environmental Impact Statement/Environmental Impact Report and Notice of Scoping Meetings. We understand that comments on the scope of the PEIS/EIR are due September 21, 2007.

The San Joaquin River Exchange Contractors Water Authority ("Exchange Contractors") is a joint powers agency comprised of the Central California Irrigation District ("CCID"), Columbia Canal Company ("Columbia"), Firebaugh Canal Water District ("Firebaugh"), and the San Luis Canal Company ("San Luis"). These comments are submitted jointly and severally by each of these entities – with the exception of Columbia, and each entity reserves the right to appear on its own behalf and to pursue its rights and remedies individually or collectively. Columbia supports these comment, however it will be submitting comments on its own. .For convenience, the three entities and the Exchange Contractors will be referred to hereafter collectively as the "Exchange Contractors."

In conjunction with the Scoping Meetings, you recently received a report prepared by the engineering firm of CH2MHill that was prepared for the San Joaquin River Resource Management Coalition ("RMC"), dated August 29, 2007, and entitled "Draft Initial Appraisal Report, San Joaquin River Settlement Agreement and Legislation." In that report, the RMC identified a number of impacts that must be considered as part of the San Joaquin River Settlement Agreement and Legislation. The Exchange Contractors are a member of the RMC. As such, for purposes of this letter, we adopt and incorporate the above-referenced Appraisal Report and include it as an attachment to this letter.

The Appraisal Report sets forth our initial concerns that need to be taken into account during the scoping process. We further wish to inform you that we believe that, pursuant to the California Environmental Quality Act ("CEQA"), the Exchange Contractors, acting on behalf of its members, and specifically CCID and San Luis, are responsible agencies. (Columbia is also a responsible agency, but it will set forth its comments in its own letter to you.) CEQA Guidelines define a responsible agency as "a public agency which proposes to carry out or approve a project, for which a Lead Agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term "Responsible Agency" includes all public agencies other than the Lead Agency which have discretionary approval power over the project." (see Guidelines Section 15381)

As detailed in the Appraisal Report, various approvals, actions or authorizations will be required from or by CCID, San Luis and/or the Exchange Contractors. For example, the following actions will likely need to be undertaken:

- CCID will have to take discretionary actions related to Mendota Dam modifications.
- In Reach 3, Sack Dam is owned by San Luis. Sack Dam may need to be replaced or modified for fish passage. San Luis also operated Arroyo Canal which will need to be screened

In conclusion, the Exchange Contractors are pleased to be able to submit these comments and the attached RMC Report for your consideration. We look forward to working with Reclamation and DWR in developing the measures necessary to mitigate the adverse effects of the actions necessary to be carried out as part of the San Joaquin River Restoration Program.

If you have any questions regarding any matters contained in this letter or the attached report, please do not hesitate to contact the undersigned.

Respectfully yours,

Steve Chedester
Executive Director
San Joaquin River Exchange
Contractors Water Authority

Chris White
General Manager
Central California
Irrigation District

Chase Hurley
General Manager
San Luis Canal
Company

cc: Member Agencies
San Joaquin River Resource Management Coalition



Consisting of 240,000 acres on the Westside of the San Joaquin Valley

September 21, 2007

JAMES E. O'BANION

Chairman

ROY CATANIA

Vice Chairman

STEVE CHEDESTER

Executive Director

LARRY FREEMAN

Water Resources Specialist

JOANN TOSCANO

Administrative Assistant

MINASIAN, SPRUANCE,

MEITH, SOARES &

SEXTON LLP

Legal Counsel

Ms. Margaret Gidding

Bureau of Reclamation

2800 Cottage Way, MP-140

Sacramento, CA 95825

e-mail: mgidding@mp.usbr.gov

Ms. Karen Dulik

Senior Environmental Scientist

DWR-San Joaquin District

3374 E. Shields Ave.,

Fresno, CA 93726

e-mail: kdulik@water.ca.gov

**CENTRAL CALIFORNIA
IRRIGATION DISTRICT**

James E. O'Banion

President

Christopher White

General Manager

**SAN LUIS CANAL
COMPANY**

James L. Nickel

President

Chase Hurley

General Manager

**FIREBAUGH CANAL
WATER DISTRICT**

Mike Stearns

President

Jeff Bryant

General Manager

**COLUMBIA CANAL
COMPANY**

Roy Catania

President

Randy Houk

General Manager

RE: *San Joaquin River Restoration Program*

Dear Ms. Gidding and Ms. Dulik:

This letter is written in response to the Notice of Preparation(NOP) of a Draft Program Environmental Impact Statement/Environmental Impact Report (PEIS/EIR) for the San Joaquin River Restoration Program and the Notice of Intent to Prepare a Program Environmental Impact Statement/Environmental Impact Report and Notice of Scoping Meetings. We understand that comments on the scope of the PEIS/EIR are due September 21, 2007.

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In conjunction with the Scoping Meetings, you recently received a report prepared by the engineering firm of CH2MHill that was prepared for the San Joaquin River Resource Management Coalition ("RMC"), dated August 29, 2007, and entitled "Draft Initial Appraisal Report, San Joaquin River Settlement Agreement and Legislation." Since then the Appraisal Report was

P.O. Box 2115

541 H Street

Los Banos, CA 93635

(209) 827-8616

Fax (209) 827-9703

e-mail: sjrecwa@sbcglobal.net

Ms. Margaret Gidding
Ms. Karen Dulik
RE: *San Joaquin River Restoration Program*
September 21, 2007
Page 2

finalized on September 20th, 2007 and in that report, the RMC identified a number of impacts that must be considered as part of the San Joaquin River Settlement Agreement and Legislation. The Exchange Contractors are a member of the RMC. As such, for purposes of this letter, we adopt and incorporate the above-referenced Appraisal Report dated September 20, 2007, and include it as an attachment to this letter.

The Appraisal Report sets forth our initial concerns that need to be taken into account during the scoping process. We further wish to inform you that we believe that, pursuant to the California Environmental Quality Act ("CEQA"), the Exchange Contractors, acting on behalf of its members, and specifically CCID, San Luis and Columbia are responsible agencies. CEQA Guidelines define a responsible agency as "a public agency which proposes to carry out or approve a project, for which a Lead Agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term "Responsible Agency" includes all public agencies other than the Lead Agency which have discretionary approval power over the project." (see Guidelines Section 15381)

As detailed in the Appraisal Report, various approvals, actions or authorizations will be required from or by CCID, San Luis, Columbia and/or the Exchange Contractors. For example, the following actions will likely need to be undertaken:

- Columbia will have to take discretionary actions related to their Mail Intake Canal
- CCID will have to take discretionary actions related to Mendota Dam
- In Reach 3, Sack Dam is owned by San Luis. Sack Dam may need to be replaced or modified for fish passage. San Luis also operated Arroyo Canal which will need to be screened
- San Luis will have to take discretionary actions as to their irrigation canals and drainage facilities in reach 4

In conclusion, the Exchange Contractors are pleased to be able to submit these comments and the attached RMC Report for your consideration. We look forward to working with Reclamation and DWR in developing the measures necessary to mitigate the adverse effects of the actions necessary to be carried out as part of the San Joaquin River Restoration Program.

If you have any questions regarding any matters contained in this letter or the attached report, please do not hesitate to contact the undersigned.

Sincerely yours,



Steve Chedester,
Executive Director

cc: San Joaquin River Exchange Contractors Water Authority Board
San Joaquin River Resource Management Coalition

vmp rcr n. of Tulare Scg. m. 11

SAN JOAQUIN RIVER RESTORATION PROGRAM



PUBLIC SCOPING COMMENTS for the San Joaquin River Restoration Program Environmental Impact Statement/Environmental Impact Report

Please circle topic your comment relates to:

Water

Fish

Property

Environmental Issues

Other

Written comments can be submitted at the scoping meetings, mailed to the Bureau of Reclamation (mailing address is on the back of this card), faxed 916-978-5114, emailed to mgidding@mp.usbr.gov or provided online at www.restoresjr.com by close of business on Friday, September 21, 2007. Thank you.

(Please print clearly)

Name Patti Clinton
Organization and Address Bureau of Reclamation
1243 N Street
Fresno, CA 93721
Phone (559) 987-5127 FAX () E-mail pclinton@mp.usbr.gov

Comment here:

8/28/07
Date

Because of potential genetic issues, using wild caught salmon would be best to use versus hatchery fish. However, the hatchery could be modified and funded to do a wild salmon program.

Hatcheries do a great job of rearing salmonids from eggs. Eggs could be brought into a hatchery which would afford the eggs protection up through a release size.

However, because of disease issues, the hatchery should be limited to how many wild fish they rear. Overcrowding of fish leads to disease.

As part of a wild salmon program, facilities should be clearly separate from hatchery fish. Size at release is going to be important: what native predators are there? What exotics would show up? Providing

All comments become part of the public record. cover.

ARVIN-EDISON WATER STORAGE DISTRICT

20401 BEAR MOUNTAIN BOULEVARD
MAILING ADDRESS: P.O. Box 175
ARVIN, CALIFORNIA 93203-0175

TELEPHONE (661) 854-5573
FAX (661) 854-5213

EMAIL arvined@aewsd.org

September 24, 2007

Sent via U.S. Mail & Email

PRESIDENT
HOWARD R. FRICK

VICE PRESIDENT
SAL GIUMARRA

SECRETARY-TREASURER
JOHN C. MOORE

ENGINEER-MANAGER
STEVEN C. COLLUP

ASSISTANT MANAGER
DAVID A. NIXON

STAFF ENGINEER
STEVEN H. LEWIS

DIRECTORS

DIVISION 1
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DIVISION 2
SAL GIUMARRA

DIVISION 3
HOWARD R. FRICK

DIVISION 4
DONALD M. JOHNSTON

DIVISION 5
JOHN C. MOORE

DIVISION 6
EDWIN A. CAMP

DIVISION 7
CHARLES FANUCCI

DIVISION 8
DONALD VALPREDO

DIVISION 9
KEVIN E. PASCOE

Kirk Rodgers
Jason Phillips
Margaret Gidding
U.S. Department of the Interior
Bureau of Reclamation
2800 Cottage Way MP-140
Sacramento, CA 95825-1898

Lester Snow
Mark Cowin
Department of Water Resources
P. O. Box 942836
Sacramento, CA 94236-0001

Paula Landis
Department of Water Resources
San Joaquin District
3374 E. Shields Ave.
Fresno, CA 93726-6913

Re: San Joaquin River Settlement Agreement

Dear Ladies and Gentlemen:

This letter responds to the Notice of Intent to Prepare an Environmental Impact Statement published by the Bureau of Reclamation in the Federal Register on August 2, 2007 and the Notice of Intent to Prepare an Environmental Impact Report issued by the Department of Water Resources on August 21, 2007. The Project that the federal and state agencies propose to implement is the San Joaquin River Settlement Agreement.

Arvin-Edison Water Storage District (District) is a water district organized and existing under California law. The District was a party to the *Natural Resources Defense Council v. Rodgers* litigation. The District's Board of Directors approved the San Joaquin River Settlement last August, and the District is one of the parties to the Settlement. Under the terms of the Settlement, the Friant contractors will contribute both a portion of their contractual water supplies and funding toward the implementation of the Settlement. Therefore, under the California Environmental Quality Act (CEQA) and its implementing guidelines, the District is a responsible agency for the project implementing the Settlement Agreement. (14 Cal. Code Regs. § 15381.) As such, the District may require changes in

Re: San Joaquin River Settlement Agreement
September 24, 2007
Page 2

the Project to lessen or avoid only the environmental effects of the parts of the Project that the District will be called upon to carry out or approve. (14 Cal. Code Regs. § 15041(b).) The District also qualifies as a Cooperating Agency under the National Environmental Policy Act.

As a Responsible Agency under CEQA, and a Cooperating Agency under NEPA, the District agrees with the comments on the NOI and NOP submitted by the Friant Water Users Authority in its letter to you dated August 28, 2007. The District incorporates the comments in Friant's August 28, 2007 letter by reference. Consistent with CEQA (14 Cal. Code Regs. § 15096(b)(2)), the District expects that the EIS/EIR will address the issues raised in Friant's letter.

The District designates Engineer-Manager Steve Collup as the contact person to attend meetings to discuss the scope and content of the EIS/EIR.

Sincerely,



Steve Collup
Engineer-Manager

cc: Board of Directors
Ernest Conant, Esq.
Ron Jacobsma, FWA/FWUA

SAN JOAQUIN RIVER RESTORATION PROGRAM



PUBLIC SCOPING COMMENTS
for the San Joaquin River Restoration Program
Environmental Impact Statement/Environmental Impact Report

Please circle topic your comment relates to:

- Water
- Fish
- Property**
- Environmental Issues
- Other

Written comments can be submitted at the scoping meetings, mailed to the Bureau of Reclamation (mailing address is on the back of this card), faxed 916-978-5114, emailed to mgidding@mp.usbr.gov or provided online at www.restoresjr.com by close of business on Friday, September 21, 2007. Thank you.

(Please print clearly)

Name Stanley Cotta

Organization and Address Stanley Cotta Farms
3221 Emary Rd
Dos Palos Ca 93620

Phone () _____ FAX (209) 3923229 E-mail _____

Comment here: 9-3-07
Date

I am in the 4B section and i have major concerns of the seepage problem that will diffently occur, because i have had this problem in heavy runoff years, there is no question that there will be a seepage problem to landowners ajacent to the river. I am a small farmer in the area and it would be absolutely detrimental to the livelihood of my family if we had to give up any farm ground.

Stanley Cotta

Faxed to Bureau

All comments become part of the public record.



Fresno

PUBLIC SCOPING COMMENTS
for the San Joaquin River Restoration Program
Environmental Impact Statement/Environmental Impact Report

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by close of business on Friday, September 21, 2007.
Thank you.

Please circle topic your
comment relates to:

- Water
- Fish
- Property
- Environmental Issues
- Other

(Please print clearly)

Name Lynn Sefers

Organization and Address 8811 N. 10th St
Fresno Ca
93720

Phone (559) 447-8811 FAX () 447-8810 E-mail lynn@dofishr.ca

Comment here: 8-29-7
Date

My concern is enforcement issues -
We currently have only one game
warden.
That is not sufficient to control
poaching and other illegal activities.

From: "Ehrich, Thomas" <Thomas.Ehrich@hp.com>
To: <mgidding@mp.usbr.gov>
Date: 8/30/2007 9:12:55 PM
Subject: Input on San Joaquin River Restoration

Ms. Giddings,

Regrettably I will not be able to attend one of the public scoping meetings on the subject but I would like to voice my opinion on the matter.

I believe that the San Joaquin River does and will continue to provide (especially when restored) a valuable asset for waterfowl and waterfowl hunting. California has a rich tradition of waterfowl hunting, and hunters provide considerable funding and support for wetlands conservation, habitat restoration, and programs to increase duck populations despite continued loss of habitat to development. This restoration will help to offset some of that habitat loss and also could provide additional public hunting opportunities. I'd like to see as much public access and huntable areas as possible on the river.

Thanks,
Tom Ehrich
Concord, CA

From: "Jane Fortune" <janef@treefresno.org>
To: <mgidding@mp.usbr.gov>
Date: 9/21/2007 3:24:28 PM
Subject: San Joaquin River Restoration Program

T0: The Bureau of Reclamation

Attention: Margaret Gidding

RE: San Joaquin River Restoration Program

Thank you for holding a "scoping meeting" in Fresno, CA on August 29, 2007. We wish to thank the parties to the lawsuit for presenting a plan for the restoration of the San Joaquin River and inviting our comments.

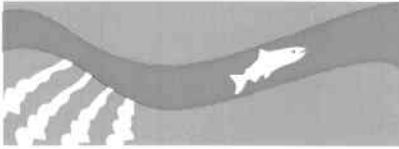
There are huge recreation and education benefits to be derived from restoring the river: fishing, canoeing, hiking, bicycling, bird watching, exploring the horticulture, school field trips, painting, photography, scenic vistas, and a place for family gatherings, to name a few.

Tree Fresno was established in 1985 in an effort to improve the livability of the Fresno region and increase the value of living. Our mission is "to raise the quality of life in the Fresno region by promoting environmental stewardship through community involvement in the planting and maintenance of tree and the creation of trails and greenbelts." The proposed improvement will definitely be a giant step in this direction. Thank you for your consideration

Sincerely,

Jane Fortune
Executive Director
Tree Fresno
776 East Shaw Ave., Suite 102
Fresno, CA 93710
(559)221-5556 ext 101
FAX 559-226-0979
janef@treefresno.org
www.treefresno.org

CC: <LSAyres@aol.com>



Fresno

PUBLIC SCOPING COMMENTS
for the San Joaquin River Restoration Program
Environmental Impact Statement/Environmental Impact Report

Please circle topic your
comment relates to:

Water

Fish

Property

Environmental Issues

Other

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faxed 916-978-5114, emailed to mgidding@mp.usbr.gov
or provided online at www.restoresjr.com
by close of business on Friday, September 21, 2007.
Thank you.

(Please print clearly)

Name DENNIS FOX

Organization and Address _____

Phone (661) 366 4093 FAX () _____ E-mail _____

Comment here:

8-29-07
Date

Why this project to divert anadromous fish from the Merced to the San Joaquin will surely threaten if not endanger them. The SJ is hot & has no spawning habitat.

- They can't sevin through axends donax eliminate it from the main stem and tributaries before watering.
- Restore a riparian zone prior to watering
- Redds need gravel not sand - Consider a bypass around Friant to Finegold. Determine G/B ratio on this with & without Finegold reservoir.
- Oxygenate the water @ the dams & weirs.
- Concentration should be less on aesthetic values than habitat values; perhaps gravel extraction can have respite or spawning values.



PUBLIC SCOPING COMMENTS
for the San Joaquin River Restoration Program
Environmental Impact Statement/Environmental Impact Report

Please circle topic your comment relates to:

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Other

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(Please print clearly)

Name DENNIS FOX

Organization and Address _____

Phone () _____ FAX () _____ E-mail _____

Comment here: 8-29-07

^{Date}
 Ag water is a legitimate use under BOR's chartering but resale from
 big to me i may be questioned.
 Temperance Flat proposal benefits BOR's its engineers job security being
 based on the quick chery of water production - bigger the dam more water hquished
 from the earth. I have seen no determination of the watershed's justification of this dam.
 Temperance Flat being on the main stem will employ lawyers for years.
 I propose water from Kerchoff to Firegold concurrent with raising of Friant whose land
 is already owned.
 Firegold water for restoration Millerton water for ag & local use possibly.
 BOR's objection to this was that the new power plants from Kerchoff to Firegold
 would necessitate cooperation with a power company. Duh! That's the idea.
 Unless upper watershed receives post fire, restoration reservoirs & habitats will set up.



Fresho

PUBLIC SCOPING COMMENTS
for the San Joaquin River Restoration Program
Environmental Impact Statement/Environmental Impact Report

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Thank you.

Please circle topic your
comment relates to:

Water

Fish

Property

Environmental Issues

Other

(Please print clearly)

Name PENNIS FOX

Organization and Address _____

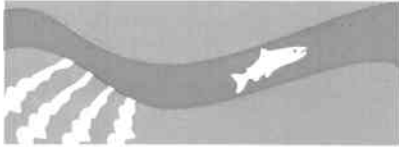
Phone () _____ FAX () _____ E-mail _____

Comment here: 8-29-07
Date

Regardless of any future construction, which would take multiple decades,
Flood can be raised and flood property already acquired.
In lieu fees should be paid by agencies so counties do not "goe for dollars
adjacent to river.

U.S. Fish & Wildlife, which has a steady stamp & excise tax revenue stream, should be given
property manager, having biological expertise & evincing cost effective recreation
& tours @ Los Banos' & Casland area.

California State Parks Recreation conversely should be excluded; land rich cash
poor, land purchases through straw men are paid back by O+M funds; no in lieu
payments, restrict public access, a general environmental disaster, weed reservoirs.
See Central Valley Vision by State Park system and weep.



PUBLIC SCOPING COMMENTS
for the San Joaquin River Restoration Program
Environmental Impact Statement/Environmental Impact Report

Please circle topic your
comment relates to:

Water

Fish

Property

Environmental Issues

Other

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or provided online at www.restoresjr.com
by close of business on Friday, September 21, 2007.
Thank you.

(Please print clearly)

Name: DERON FOX

Organization and Address _____

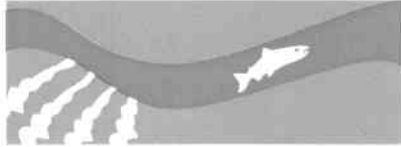
Phone () _____ FAX () _____ E-mail _____

Comment here:

8-29-07

Date

Habitat work should be ^{Date} prior to watering. As close to a CH stream as
appropriate with pool riffle model a goal; shade structures installed.
Riparian installation and filter strips done prior.
Terrestrial weeds killed prior by 3 years for watering se transline lifespan.
Cost share grants for no till ag, filter strips & other sediment/runoff
BMPs adjacent to river.
Consider flood easement catchment areas with possibilities of release
return to river during runs as an alternative to Finegold reservoir.
There should be a riparian zone for terrestrial & ^{avian} habitat as well
as providing shading & aquatic respite when a set back levee.



PUBLIC SCOPING COMMENTS
for the San Joaquin River Restoration Program
Environmental Impact Statement/Environmental Impact Report

Please circle topic your
comment relates to:

Water

Fish

Property

Environmental Issues

Other

Flooding & EJ,

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faxed 916-978-5114, emailed to mgidding@mp.usbr.gov
or provided online at www.restoresjr.com
by close of business on Friday, September 21, 2007.
Thank you.

(Please print clearly)

Name DENNIS FOX

Organization and Address _____

Phone () _____ FAX () _____ E-mail _____

Comment here:

8-29-07
Date

*Flood planning does not take in ephemeral streams which flood
Valley's minority communities. If Sacto insists on development
in flood prone areas, Sacto should bear the mitigation costs.
Valere Basin does flood over into S.J. system.
introduces exotics like voracious white bass etc.
Setback levees can provide respite and habitat values. The interior
rip zone has some Mannings roughness value.*



SEAN P. GEIVET
General Manager,

JANICE RAINEY
Bookkeeper/Collector/Assessor

DANIEL M. DOOLEY
Legal Counsel

DAVID L. HOFFMAN
Secretary-Treasurer

BUREAU OF RECLAMATION OFFICIAL FILE COPY RECEIVED		
OCT 02 2007		
CODE	ACTION	SURNAME & DATE
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120	Copy	Reid
105	Copy	
GUIDO LOMBARDI President		
MARVIN HUGHES Vice-President		
ERIC BORBA Director		
DAVID GISLER Director		
ROBERT SAAK Director		

September 26, 2007

Kirk Rodgers
Jason Phillips
Margaret Gidding
U. S. Department of the Interior
2800 Cottage Way MP-140
Sacramento, CA 95825-1898

Re: San Joaquin River Settlement Agreement

Dear Ladies and Gentlemen:

This letter responds to the Notice of Intent to Prepare an Environmental Impact Statement published by the Bureau of Reclamation in the Federal Register on August 2, 2007 and the Notice of Intent to Prepare an Environmental Impact Report issued by the Department of Water resources on August 21, 2007. The Project that the federal and state agencies propose to implement is the San Joaquin River Settlement Agreement.

Porterville Irrigation District (District) is a water district organized and existing under California law. The District was a party to the *Natural Resources Defense Council v. Rodgers* litigation. The District's Board of Directors approved the San Joaquin River Settlement last August, and the District is one of the parties to the Settlement. Under the terms of the Settlement, the Friant contractors will contribute both a portion of their contractual water supplies and funding toward the implementation of the Settlement. Therefore, under California Environmental Quality Act (CEQA) and its implementing guidelines, the District is a responsible agency for the project implementing the Settlement Agreement. (14 Cal. Code Regs. § 15381.) As such, the District may require changes in the Project to lessen or avoid only the environmental effects of the parts of the Project that the District will be called upon to carry out or approve. (14 Cal. Code Regs. § 15041 (b).) The District also qualifies as a Cooperating Agency under the National Environmental Policy Act.

P.O. Box 1248, Porterville CA 93258
Phone: (559) 784-0716 Fax: (559) 784-6733

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Project	214
Control No.	0708415
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Date Input & Initials	dal 10/2/07



Re: San Joaquin River Settlement Agreement
September 26, 2007
Page 2

As a Responsible Agency under CEQA, and a Cooperating Agency under NEPA, the District agrees with the comments on the NOI and NOP submitted by the Friant Water Users Authority in its letter to you dated August 28, 2007. The District incorporates the comments in Friant's August 28, 2007 letter by reference. Consistent with CEQA (14 Cal. Code Regs. § 15096 (b) (2).), the District expects that the EIS/EIR will address the issues raised in Friant's letter.

The District designates General Manager Sean Geivet as the contact person to attend meetings to discuss the scope and content of the EIS/EIR.

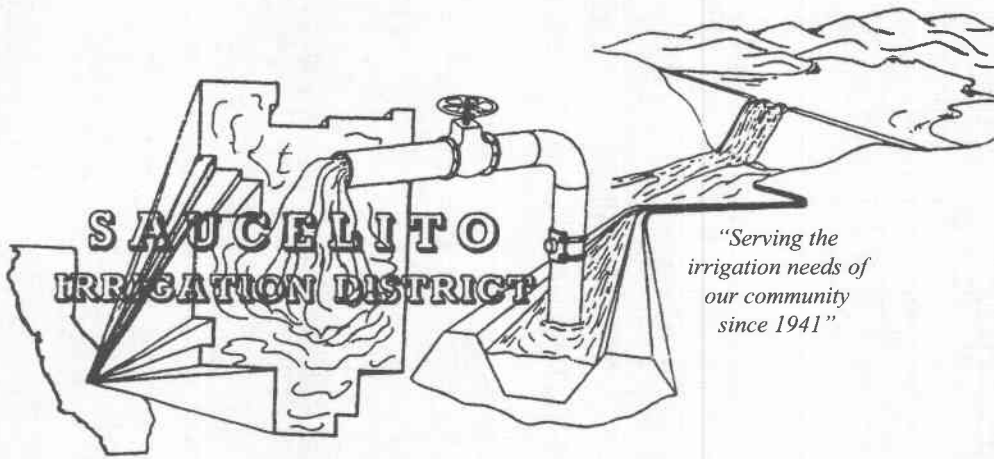
Sincerely,

A handwritten signature in black ink, appearing to read 'Sean Geivet', written in a cursive style.

Sean Geivet
General Manager

Cc: Board of Directors
Daniel M. Dooley, Legal Council

**P.O. Box 1248, Porterville CA 93258
Phone: (559) 784-0716 Fax: (559) 784-6733**



Saucelito Irrigation District

Board of Directors:

Eric R. Merritt, President
 Steven G. Kisling, V.P.
 Lucille Demetriff
 Robert D. McCloskey
 Mark O. Merritt

Manager/Secretary

Sean P. Geivet

**Assistant Secretary, Assessor, Collector,
 Treasurer, Office Manager**

Louis H. Callison, Jr.

Legal Counsel

Dan Dooley

September 26, 2007

Kirk Rodgers
 Jason Phillips
 Margaret Giddings
 U.S. Department of Interior
 Bureau of Reclamation
 2800 Cottage Way MP-140
 Sacramento, CA 95825-1898

Lester Snow
 Mark Cowin
 Department of Water Resources
 P.O. Box 942836
 Sacramento, CA 94236-0001

Paula Landis
 Department of Water Resources
 San Joaquin District
 3374 E. Shields Avenue
 Fresno, CA 93726-6913

Re: San Joaquin River Settlement Agreement

Dear Ladies and Gentlemen:

This letter responds to the Notice of Intent to Prepare an Environmental Impact Statement published by the Bureau of Reclamation in the Federal Register on August 2, 2007 and the Notice of Intent to Prepare an Environmental Impact Report issued by the Department of Water resources on August 21, 2007. The Project that the federal and state agencies propose to implement is the San Joaquin River Settlement Agreement.

Saucelito Irrigation District (District) is an irrigation district organized and existing under

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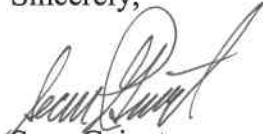
Re: San Joaquin River Settlement Agreement
September 26, 2007
Page 2

California law. The District was a party to the *Natural Resources Defense Council v. Rodgers* litigation. The District's Board of Directors approved the San Joaquin River Settlement last August, and the District is one of the parties to the Settlement. Under the terms of the Settlement, the Friant contractors will contribute both a portion of their contractual water supplies and funding toward the implementation of the Settlement. Therefore, under California Environmental Quality Act (CEQA) and its implementing guidelines, the District is a responsible agency for the project implementing the Settlement Agreement. (14 Cal. Code Regs. § 15381.) As such, the District may require changes in the Project to lessen or avoid only the environmental effects of the parts of the Project that the District will be called upon to carry out or approve. (14 Cal. Code Regs. § 15041 (b).) The District also qualifies as a Cooperating Agency under the National Environmental Policy Act.

As a Responsible Agency under CEQA, and a Cooperating Agency under NEPA, the District agrees with the comments on the NOI and NOP submitted by the Friant Water Users Authority in its letter to you dated August 28, 2007. The District incorporates the comments in Friant's August 28, 2007 letter by reference. Consistent with CEQA (14 Cal. Code Regs. § 15096 (b) (2).), the District expects that the EIS/EIR will address the issues raised in Friant's letter.

The District designates General Manager Sean Geivet as the contact person to attend meetings to discuss the scope and content of the EIS/EIR.

Sincerely,



Sean Geivet
General Manager

Cc: Board of Directors
Daniel M. Dooley, Legal Council
Ron Jacobsma, FWA-FWUA

TERRA BELLA IRRIGATION DISTRICT

24790 Avenue 95
Terra Bella CA 93270

Established 1915

559/535-4414
Fax 559/535-5168

EDWIN L. WHEATON, President
Division 3

BRENT E. DOYEL, Vice-President
Division 1

GARY K. SCHULTZ
Division 2

GLEN R. FOWLER
Division 4

ALFREDO MARTINEZ
Division 5

SEAN P. GEIVET
General Manager

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SEP 28 2007		
KAREN L. KERWOOD Secretary, Treasurer		
MINASIAN LAW FIRM Legal Counsel		
KELLER-WEGLEY ENGINEERING & CONSULTING Consulting Engineer		
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115	OK	

September 26, 2007

Kirk Rodgers
Jason Phillips
Margaret Gidding
U.S. Department of the Interior
Bureau of Reclamation
2800 Cottage Way MP-140
Sacramento, CA 95825-1898

Lester Snow
Mark Cowin
Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

Paul Landis
Department of Water Resources
San Joaquin District
3374 E. Shields Ave.
Fresno, CA 93726-6913

RE: San Joaquin River Settlement Agreement

Dear Ladies and Gentlemen:

This letter responds to the Notice of Intent to Prepare an Environmental Impact Statement published by the Bureau of Reclamation in the Federal Register on August 2, 2007 and the Notice of Intent to Prepare an Environmental Impact Report issued by the Department of Water Resources on August 21, 2007. The Project that the federal and state agencies propose to implement is the San Joaquin River Settlement Agreement.

Terra Bella Irrigation District (District) is a water district organized and existing under California law. The District was a party to the *Natural Resources Defense Council v. Rodgers* litigation. The District's Board of Directors approved the San Joaquin River Settlement last August, and the District is one of the parties to the Settlement. Under the terms of the Settlement, the Friant contractors will contribute both a portion of their

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Project	214
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Kirk Rodgers
Jason Phillips
Margaret Gidding
Lester Snow
Mark Cowin
Paul Landis
September 26, 2007
Page 2

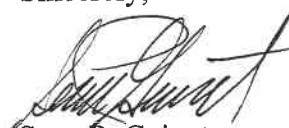
BUREAU OF REGULATORY
MP REGION
SEP 28 PM 1:33

contractual water supplies and funding toward the implementation of the Settlement. Therefore, under the California Environmental Quality Act (CEQA) and its implementing guidelines, the District is a responsible agency for the project implementing the Settlement Agreement. (14 Cal. Code Regs. § 15381.) As such, the District may require changes in the Project to lessen or avoid only the environmental effects of the parts of the Project that the District will be called upon to carry out or approve. (14 Cal. Code Regs. § 15041(b).) The District also qualifies as a Cooperating Agency under the National Environmental Policy Act.

As a Responsible Agency under CEQA, and a Cooperating Agency under NEPA, the District agrees with the comments on the NOI and NOP submitted by the Friant Water Users Authority in its letter to you dated August 28, 2007. The District incorporates the comments in Friant's August 28, 2007 letter by reference. Consistent with CEQA (14 Cal. Code Regs. § 15096(b)(2)), the District expects that the EIS/EIR will address the issues raised in Friant's letter.

The District designates General Manager Sean Geivet as the contact person to attend meetings to discuss the scope and content of the EIS/EIR.

Sincerely,



Sean P. Geivet
General Manager

SPG/kk

cc Board of Directors
Michael Sexton
Ron Jacobsma, FWA/FWUA

From: Tyler Gullick <tgullick@mail.csuchico.edu>
To: <mgidding@mp.usbr.gov>
Date: 8/30/2007 4:26:23 PM
Subject: SJ river Restore!

Ms. Gidding and whomever else it may concern,

Due to the fact that I am attending school in the North State, I regretfully can not attend the meetings on the restoration of the San Joaquin River. Although I can not make it, I feel my opinion should count. I feel that if and when this river gets restored, outdoorsman such as myself should be able to enjoy this river a much as the next passionate outdoorsman. That is why I feel it should be open to hunters and fisherman, as well as others interested in activities in the outdoors. The vast majority of rivers in the state of California are open to such outdoors activities, so why should the San Joaquin be any different? This river should be open to the public for all legal uses within their respective seasons for generations to come. Thank you for taking the time to read my opinion.

Tyler Gullick
Tyler Gullick
CSU Chico

*email to
maria
7/9*

Faxed to Mary in
9/20/07

MASON, ROBBINS, BROWNING & GODWIN

MICHAEL L. MASON
KENNETH M. ROBBINS
CORBETT J. BROWNING
ARTHUR F. GODWIN

ATTORNEYS AT LAW
A LIMITED LIABILITY PARTNERSHIP
700 LOUGHBOROUGH DR.
SUITE D
MERCED, CA 95348

(209) 383-9334

MAILING ADDRESS
P.O. BOX 2067
MERCED, CA 95344-0067

BETH BRUSH
PARALEGAL

BUREAU OF RECLAMATION		
FAX (209) 383-9334		
E-MAIL: mrgb@omrgb.org		
SEP 19 2007		
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170	/	

September 14, 2007

U.S. Department of the Interior
Bureau of Reclamation
Mid-Pacific Region
2800 Cottage Way, MP-140
Sacramento, CA 95825
Attn: Ms. Margaret Gidding

Re: Comments of the San Joaquin Tributaries Association on the San Joaquin River Restoration Program EIS/EIR

Dear Ms. Gidding:

These comments are being submitted on behalf of the San Joaquin Tributaries Association. The San Joaquin Tributaries Association (SJTA) is comprised of the five irrigation districts located on the eastside of the San Joaquin Valley—the South San Joaquin, Oakdale, Modesto, Turlock, and Merced irrigation districts. The SJTA members were not parties to NRDC v. Rogers nor were they parties to the settlement. The SJTA, in conjunction with other so-called “third parties”, has provided extensive comments on the settlement agreement and the pending federal enabling legislation. We have also entered into a memorandum of understanding with the Bureau of Reclamation in order to more fully participate in the implementation of the settlement.

While many of these comments have been expressed on prior occasions, we feel they are important and bear repeating.

FINANCING

- The full cost of the implementation of the Settlement Agreement is not known. Cost estimates indicate that full costs including operation and maintenance of facilities are more than \$1 billion. The EIS/EIR needs to evaluate alternatives that could implement scaled-down versions of the restoration goal and the water management goal if adequate funding is not provided.

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evaluate the overall impact to the species and their recovery if these tributaries cannot be adequately screened.

- Adult Spring-run will easily stray into the Calaveras, Stanislaus, Tuolumne, and Merced Rivers where conditions, although optimal for Fall-run, may not provide adequate habitat for Spring-run, requiring significant changes in operations and facilities to accommodate them. While the federal implementing legislation contains some protection for lawful operations on the tributaries, there is no guarantee that the legislation will pass or that it will pass without amendment. Therefore, the EIS/EIR needs to evaluate the potential of spring-run straying into the other San Joaquin River tributaries, the impact on existing operations, and the impact on the existing fisheries in those tributaries.
- Extensive steps have been taken in recent years under the watchful eye of State and Federal fishery agencies to enhance and protect the Fall-run Chinook salmon in the San Joaquin River tributaries—the Merced, Tuolumne, and Stanislaus Rivers. These efforts may be severely jeopardized if water released from Friant in April and May exceeds the safe temperature limits for migrating Fall-run Chinook salmon fry when it reaches the Merced River. The EIS/EIR needs to evaluate the impacts to the existing Fall-run Chinook salmon fishery. The EIS/EIR also needs to evaluate alternatives or mitigation measures than can reduce or eliminate the impact to the existing Fall-run Chinook salmon fishery.
- The draft legislation now pending before Congress contains language that makes a finding that the settlement and the reintroduction of the Central Valley Spring Run Chinook Salmon is a unique and unprecedented circumstance requiring clear Congressional intent on the application of the Endangered Species Act to ensure that the goals of the settlement are accomplished. The legislation also requires that the reintroduction shall be pursuant to Section 10(j) of the Endangered Species Act provided that the Secretary of Commerce can make the requisite findings. The EIS/EIR needs to evaluate the re-introduction of Spring-run Chinook salmon into the San Joaquin River if this legislation is not adopted in its present form.
- H.R. 24 and S. 27 also provide protection to some SJTA members from having to mitigate impacts to the experimental population of Central Valley Spring Run Chinook Salmon prior to the date when their hydroelectric projects are relicensed by Federal Energy Regulatory Commission (FERC). The EIS/EIR should evaluate the environmental impacts in the event that the legislation is not approved or it is approved without these protections.

INFRASTRUCTURE

- The desire to create a “live” river cannot outpace infrastructure improvements. Water cannot be released or Spring-run introduced into the system until the necessary

- The identified funding sources are not sufficient to cover even the lowest cost estimates for infrastructure only and will require federal appropriations. The implementing federal legislation has stalled due to “pay-go” concerns. The EIS/EIR needs to address how the settlement will be implemented if adequate funding is not available.
- The EIS/EIR should address the annual operations and maintenance costs of the facilities and the implementation of the two goals of the settlement.
- The EIS/EIR should evaluate the added costs of potential unintended consequences. For example, re-watering the San Joaquin River can cause damage to crops from seepage and lead to increased salt loading from ground water accretions causing unknown crop damage. These costs and impacts need to be evaluated.
- All restoration activities should take place in an orderly manner, beginning at Reach 1 and moving downstream. Implementation of the Restoration Goal should not proceed until all work within that reach is completed and the facilities are in place. Introduction of water or fish could impact the SJTA members, if it is done before all work is completed. The ability to fund the entire project in an orderly and timely manner has not been confirmed, and therefore the river restoration must proceed in a logical and orderly fashion.
- Several known issues were not included in the Settlement Agreement engineering estimates, such as screening at the Delta-Mendota Pool and preventing salmon from straying into non-habitat areas such as Bear Creek and Salt and Mud Sloughs in Reach 5. The EIS/EIR needs to evaluate alternatives for screening the Delta-Mendota Pool and preventing straying into the non-habitat areas. The EIS/EIR should also include cost estimates of these alternatives.

ENDANGERED SPECIES

- The Central Valley Spring-run Chinook salmon is currently listed as a “threatened” species under both federal and state endangered species acts. The Settlement Agreement makes no provision for how third parties are to deal with the reintroduction of such species in the watershed. The EIS/EIR needs to fully evaluate how this will be accomplished and provide alternative methods for reintroducing salmonids and other native fishes into the upper San Joaquin River.
- Adult Spring-run will easily stray into Bear Creek and Salt and Mud Sloughs where temperature conditions are potentially lethal to salmon. The EIS/EIR needs to evaluate alternatives for screening these strays. Alternatively, the EIS/EIR should

infrastructure has been completed. The EIS/EIR needs to look at other alternatives to implementing the settlement if adequate funding is not available or if the necessary infrastructure cannot be built.

- Operation and maintenance of the infrastructure and improvements should not be the responsibility of the SJTA member or other third parties. The EIS/EIR needs to evaluate which parties will be responsible for operations and maintenance, how operations and maintenance will be accomplished, and an estimate of the annual costs.
- The EIS/EIR must adequately identify the mitigation for the infrastructure and improvements and evaluate the impacts of the mitigation. For example, monitoring wells need to be installed at key locations to adequately monitor groundwater and seepage conditions for mitigation and water recovery.
- The EIS/EIR needs to evaluate which lands are needed to implement the settlement agreement. The EIS/EIR needs to fully evaluate the environmental and social impacts of taking private, productive agricultural land out of production. The EIS/EIR should evaluate alternatives to using private land. Any impacts associated with the use of private land for implementation of the settlement agreement must be fully mitigated.

DOWNSTREAM AREAS

- Water rights and the water right priority system must be protected. The EIS/EIR should provide an evaluation of the water rights and how implementation of the settlement agreement will be accomplished without impacting those rights or water right priorities. For example, the Merced Irrigation District should not be required to make additional releases of cold water in the event that water from the upper San Joaquin River is too warm for downstream fisheries. Any impacts to the water rights must be fully mitigated.

Very Truly Yours,

MASON, ROBBINS, BROWNING & GODWIN



Arthur F. Godwin

AFG:bf

Cc: SJTA

Faxed to me 9/24

KINGS RIVER WATER ASSOCIATION

OFFICERS

JOHN HOWE
CHAIRMAN

NORMAN WALDNER
VICE-CHAIRMAN

EDDIE NIEDERFRANK
SECRETARY-TREASURER

STEVEN HAUGEN
WATERMASTER,
ASSISTANT SECRETARY-
TREASURER

GARY W. SAWYERS
ATTORNEY

JAMES PROVOST
CONSULTANT ENGINEER

4888 EAST JENSEN AVENUE
FRESNO, CALIFORNIA 93725
TELEPHONE (559) 266-0767
FAX (559) 266-3918

September 19, 2007

BUREAU OF RECLAMATION OFFICIAL FILE COPY RECEIVED			EXECUTIVE COMMITTEE
SEP 21 2007			JOHN HOWE CHAIRMAN
CODE	ACTION	SURNAME & DATE	NORMAN WALDNER VICE-CHAIRMAN
140	/		JERRY HALFORD ALTA I.D.
			ROBERT NIELSEN, JR. CONSOLIDATED I.D.
			EDDIE NIEDERFRANK FRESNO I.D.
			WALTER BRICKER KINGS CO. UNITS
			DEAN JENSEN NORTH FORK AREA
			TOM HURLBUTT TULARE LAKE AREA

Margaret Gidding
Bureau of Reclamation
Mid-Pacific Region
2800 Cottage Way, MP140
Sacramento, CA 95825

Karen Dulik
California Department of Water Resources
San Joaquin District
3374 E Shield Ave
Fresno, CA 93726

In response to your request for public scoping comments regarding the San Joaquin River Restoration Program, the Kings River Water Association is submitting the following:

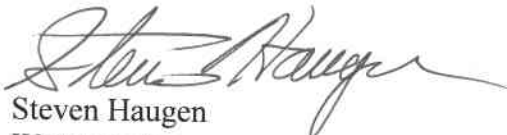
1. The settlement provides for the restoration of a sustained salmon run on the main stem of the San Joaquin River. It does not provide for the introduction of species or sustained runs where they did not historically exist. All alternatives must be so focused, and must not expand the scope of the settlement or the restoration program beyond the restoration of a sustained salmon run on the main stem of the San Joaquin River.
2. A fundamental premise of the settlement and restoration program is to avoid impacts on parties uninvolved in the underlying litigation and water supplies other than those originating at Friant Dam. That guiding principle must be included in all aspects of the program and in all alternatives studied. For example, the program must include, and the environmental documents must evaluate, measures to preclude accidental migration of salmon or other species to rivers other than the main stem of the San Joaquin. Similarly, all alternatives must assume that all water supplies needed for the restoration will come from Friant Division Central Valley Project supplies, and no alternatives should assume water being made available from other sources unless those sources have been secured.

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Project	214
Contract No.	0708/235
Date Input & Initials	1024387 Jul 9/21/07

3. No alternatives should assume that water can be recovered for Friant Division use via exchanges or arrangements with other parties, or by utilizing other conveyance or river systems, unless those arrangements have been negotiated in advance. Assuming the availability of recovery strategies dependent on the cooperation of third parties is highly speculative, and any effort to impose those arrangements on third parties would be in violation of the fundamental principle of avoiding third party impacts.
4. No alternatives should be studied that increase costs to third parties.
5. No alternatives should be studied that increase flood control risks or other risks to property or human safety. Historically required and existing flood flow capacities must be maintained or enhanced, and the Corps of Engineers should be involved in the development of alternatives to ensure that no flood control impacts will occur.

Please include my contact information on all distribution lists regarding future meeting notices and documents relative to this program.

Sincerely,



Steven Haugen
Watermaster

email to Morgan 9/11/07

San Joaquin River Restoration Program

September 9, 2007

Margaret Giddings
U.S. Bureau of Reclamation
2800 Cottage Way, MP-180
Sacramento, CA 95825

Dear Ms. Giddings,

Thank you very much for the opportunity to submit comments as input from participating in the San Joaquin River Restoration Program (SJRRP) Public Scoping meetings of August 28 and 29, 2007. I found the sessions to be conducted in a highly professional way – and very informative in nature. The following are my comments:

1. It was conveyed that there is \$100 million specifically allocated to the restoration program under State Proposition 84 – and an additional \$100 million under State Proposition 1E. If this is indeed the case, then the \$200 million as earmarked should be available to perform initial work that is estimated to possibly exceed \$500 million dollars over the project life. Is this a correct assumption from a programmatic and funding perspective? Are these funds restricted towards restoration?
2. It was indicated that there are sources of user fees that are assigned to water users – as well as CVPIA-92 surcharges that are available to dedicate towards river restoration. As in the prior question, are these funds available to perform initial – as well as future work? Is this a correct assumption from a programmatic and funding perspective?
3. According to representatives from the U.S. Bureau of Reclamation, there are approximately 240 Holding Contracts that were established from Friant Dam to Gravelly Ford that guarantee the reasonable use of water from the San Joaquin River for agricultural and domestic use – exclusive of specific long term contracts established for agricultural as well as Municipal and Industrial (M&I) use. Will these contracts be reviewed to assure a reliable, measurable and managed water allocation program for river restoration?
4. It has been estimated that Millerton Lake has an estimated 135K acre feet of “dry storage” in which “dry storage” represents the amount of water that cannot be delivered to Friant Water Users via the Friant-Kern and Madera canals. Will this storage space behind Friant dam be available for downstream water use – as well as for additional flood control capacity?
5. What role will CALSIM 2 and more recently CALSIM 3 play in water balancing between supply, natural/man-made conveyance and demand (agricultural, M&I and environmental)?
6. There was a study conducted by Huxley T. Madeheim on behalf of the U.S. Bureau of Reclamation that was published in 2000, in which to determine how much additional water may be utilized – as well as additional flood control capacity based upon Southern California Edison and Pacific Gas &

Electric's hydroelectric system operations. Will this study and the underlying concept be a part of the restoration program?

7. Are Cottonwood and Little Dry Creeks recognized for their upstream spawning potential as well as for water quality and quantity?
8. Will Cottonwood and Little Dry Creeks watersheds be researched for potential de-watering and water quality impacts?
9. What role will groundwater usage – current and projected play in determining available water resources within the restoration project site?
10. Studies have indicated a significant number of invasive species both flora and fauna that inhabit aquatic and terrestrial environments. Will the restoration program include the identification and impacts of these species of concern?
11. Will indicator species play a role in measuring progress for biodiversity and environmental conditions?
12. What role will the San Joaquin River Conservancy play in river restoration? Will they be a resource and point of coordination for non-profits/NGOs; the general public and other interested non-governmental parties to participate?
13. Programmatically, what role will the California Lands Commission play?
14. Will the project include a study being conducted based upon current and future land use activities?

Thank you for the opportunity to submit my questions in response to the San Joaquin River Public Scoping sessions. Please let me know if there are any questions that you may have regarding this submission.

Sincerely,

(signed)

Steve Haze

34876 SJ&E Road
Auberry, CA 93602

H-(559) 855-8844
C-(559) 970-6320

SteveHaze@psnw.com

Margaret Gidding - River Restoration Program

The email to Maria

From: "Laura Heckman" <Laura4si@aol.com>
To: <mgidding@mp.usbr.gov>, <LSAyres@aol.com>
Date: 9/21/2007 1:39:50 PM
Subject: River Restoration Program

The Bureau of Reclamation

Attention: Margaret Gidding

RE: San Joaquin River Restoration Program

We wish to thank the parties to the lawsuit for presenting a plan for the restoration of the San Joaquin River. There are huge recreation benefits to be derived from restoring the river: fishing, canoeing, hiking, bicycling, bird watching, exploring the horticulture, painting, photography, scenic vistas, and a place for family gatherings, to name a few.

In addition as we contemplate the restoration of the San Joaquin River, let's remember our children and the kind of environment we want to create for them and their future. If we are to teach our children to appreciate and respect our natural resources, we need to lead by example and by showing them the benefits of thoughtful preservation. Outdoor activity has incredible value to children and adults alike and let's not underestimate the benefit of creating fond memories and a place we're proud to call home!

Laura Heckman and Family

Sequoia Investments, Inc.

516 W. Shaw Avenue, Suite 200
Fresno, California 93704

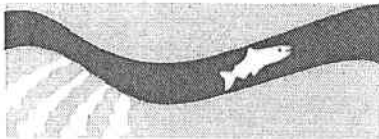
Tel: (559) 261-1551
Fax: (866) 429-8896

Email: Laura4si@aol.com

c.majid Moran
9/4

Print Form

SAN JOAQUIN RIVER
RESTORATION PROGRAM



PUBLIC SCOPING COMMENTS
for the San Joaquin River Restoration Program
Environmental Impact Statement/Environmental Impact Report

Please circle topic your
comment relates to:

- Water
- Fish
- Property
- Environmental Issues
- Other

Written comments can be submitted at the scoping meetings,
mailed to the Bureau of Reclamation
(mailing address is on the back of this card),
faxed 916-978-5114, emailed to mgidding@mp.usbr.gov
or provided online at www.restoresjr.com
by close of business on Friday, September 21, 2007.
Thank you.

(Please print clearly)

Name J. Paul Hendrix

Organization and Address Tulare Irrigation District
1350 W. San Joaquin Ave. Tulare, CA 93274

Phone (559) 686-3425 FAX () _____ E-mail jph@tulareid.org

Comment here: 8/30/07
Date

The District is a long-term contractor for water from the Friant Unit of the CVP, importing water from this source for over 55 years. This water , averaging about 80,000/AF per year, is diverted for both irrigation use and for groundwater recharge into the Kaweah Basin, a basin subjected to ongoing overdraft of the underground supplies by both irrigation and municipal extractions. To wit, DWR Bulletin 118 lists the Tulare Lake Basin as critically overdrafted and DWR's Calif. Water Plan Updates describe the Tulare Lake Hydrologic Region as water deficient. Computer simulations of Friant operations indicate that the District's CVP diversions will be reduced by about 21% due to water to be released to the San Joaquin River for fishery restoration purposes. Such significant imported water losses will exacerbate the groundwater overdraft already occurring in this region. It is thus critical that the Water Management Goal of the Restoration Program be thoroughly articulated so that water shortages such as those which will occur in this region be fully mitigated. Projects such as expansion of the capacity of the Friant-Kern Canal will be essential in enabling Friant districts like Tulare to capture more water from the San Joaquin River during times when not needed for required fishery purposes. The District anticipates that the NEPA/CEQA process for the Restoration Program will fully and realistically evaluate all possible projects and programs as part of the Water Management Goal to fully mitigate for the environmental impacts of redirecting water to the San Joaquin River which has for over five decades been delivered to this water deficient region.

All comments become part of the public record.

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 942360001
(916) 653-5791



September 4, 2007

Karen Dulk
Department of Water Resources
3374 East Shields Avenue
Fresno, California 93726

San Joaquin River Restoration Program
State Clearinghouse (SCH) Number: 2007081125

The project corresponding to the subject SCH identification number has come to our attention. The limited project description suggests your project may be an encroachment on the State Adopted Plan of Flood Control. You may refer to the California Code of Regulations, Title 23 and Designated Floodway maps at <http://recbd.ca.gov/>. Please be advised that your county office also has copies of the Board's designated floodways for your review. If indeed your project encroaches on an adopted food control plan, you will need to obtain an encroachment permit from the Reclamation Board prior to initiating any activities. The attached Fact Sheet explains the permitting process. Please note that the permitting process may take as much as 45 to 60 days to process. Also note that a condition of the permit requires the securing all of the appropriate additional permits before initiating work. This information is provided so that you may plan accordingly.

If after careful evaluation, it is your assessment that your project is not within the authority of the Reclamation Board, you may disregard this notice. For further information, please contact me at (916) 574-1249.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Huitt".

Christopher Huitt
Staff Environmental Scientist
Floodway Protection Section

Enclosure

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

Encroachment Permits Fact Sheet

Basis for Authority

State law (Water Code Sections 8534, 8608, 8609, and 8710 – 8723) tasks the Reclamation Board with enforcing appropriate standards for the construction, maintenance, and protection of adopted flood control plans. Regulations implementing these directives are found in California Code of Regulations (CCR) Title 23, Division 1.

Area of Reclamation Board Jurisdiction

The adopted plan of flood control under the jurisdiction and authority of the Reclamation Board includes the Sacramento and San Joaquin Rivers and their tributaries and distributaries and the designated floodways.

Streams regulated by the Reclamation Board can be found in Title 23 Section 112. Information on designated floodways can be found on the Reclamation Board's website at http://recbd.ca.gov/designated_floodway/ and CCR Title 23 Sections 101 - 107.

Regulatory Process

The Reclamation Board ensures the integrity of the flood control system through a permit process (Water Code Section 8710). A permit must be obtained prior to initiating any activity, including excavation and construction, removal or planting of landscaping within floodways, levees, and 10 feet landward of the landside levee toes. Additionally, activities located outside of the adopted plan of flood control but which may foreseeable interfere with the functioning or operation of the plan of flood control is also subject to a permit of the Reclamation Board.

Details regarding the permitting process and the regulations can be found on the Reclamation Board's website at <http://recbd.ca.gov/> under "Frequently Asked Questions" and "Regulations," respectively. The application form and the accompanying environmental questionnaire can be found on the Reclamation Board's website at <http://recbd.ca.gov/forms.cfm>.

Application Review Process

Applications when deemed complete will undergo technical and environmental review by Reclamation Board and/or Department of Water Resources staff.

Technical Review

A technical review is conducted of the application to ensure consistency with the regulatory standards designed to ensure the function and structural integrity of the adopted plan of flood control for the protection of public welfare and safety. Standards and permitted uses of designated floodways are found in CCR Title 23 Sections 107 and Article 8 (Sections 111 to 137). The permit contains 12 standard conditions and additional special conditions may be placed on the permit as the situation warrants. Special conditions, for example, may include mitigation for the hydraulic impacts of the project by reducing or eliminating the additional flood risk to third parties that may caused by the project.

Additional information may be requested in support of the technical review of

your application pursuant to CCR Title 23 Section 8(b)(4). This information may include but not limited to geotechnical exploration, soil testing, hydraulic or sediment transport studies, and other analyses may be required at any time prior to a determination on the application.

Environmental Review

A determination on an encroachment application is a discretionary action by the Reclamation Board and its staff and subject to the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code 21000 et seq.). Additional environmental considerations are placed on the issuance of the encroachment permit by Water Code Section 8608 and the corresponding implementing regulations (California Code of Regulations – CCR Title 23 Sections 10 and 16).

In most cases, the Reclamation Board will be assuming the role of a "responsible agency" within the meaning of CEQA. In these situations, the application must include a certified CEQA document by the "lead agency" [CCR Title 23 Section 8(b)(2)]. We emphasize that such a document must include within its project description and environmental assessment of the activities for which are being considered under the permit.

Encroachment applications will also undergo a review by an interagency Environmental Review Committee (ERC) pursuant to CCR Title 23 Section 10. Review of your application will be facilitated by providing as much additional environmental information as pertinent and available to the applicant at the time of submission of the encroachment application.

These additional documentations may include the following documentation:

- California Department of Fish and Game Streambed Alteration Notification (<http://www.dfg.ca.gov/1600/>),
- Clean Water Act Section 404 applications, and Rivers and Harbors Section 10 application (US Army Corp of Engineers),
- Clean Water Act Section 401 Water Quality Certification, and
- corresponding determinations by the respective regulatory agencies to the aforementioned applications, including Biological Opinions, if available at the time of submission of your application.

The submission of this information, if pertinent to your application, will expedite review and prevent overlapping requirements. This information should be made available as a supplement to your application as it becomes available. Transmittal information should reference the application number provided by the Reclamation Board.

In some limited situations, such as for minor projects, there may be no other agency with approval authority over the project, other than the encroachment permit by Reclamation Board. In these limited instances, the Reclamation Board

8. Private property rights and protection of easements
9. Concerns with public access to the River including trespass and restrictions on chemical applications. Also, litter and theft.

Reach 5:

1. Unscreened diversions back into the River (Mud Slough, Salt Slough, etc.)

ESA liability: If the USBR or some other entity is going to own, operate, and maintain the facilities, they need to be responsible for ESA compliance. In addition, they need to indemnify the Company for any shortages caused by ESA. If the final legislation and regulations don't provide the protections that the Company sought, then impacts to the Company resulting from ESA restrictions need to be mitigated. The Company should not have to suffer water supply reductions if restoration project facilities, such as fish screens, do not work as designed..

All restoration activities should take place in an orderly manner, beginning at Stretch 1 (Friant Dam), and moving downstream. Water and Fish SHOULD NOT be introduced into any stretch of the system, until all work within that sub area is completed. Introduction of water or fish would jeopardize the Third Parties, if it is done prior to the completion of the restoration projects. The ability to fund the entire project in an orderly and timely manner is suspect at best, and therefore logical and orderly River Restoration must be a priority.

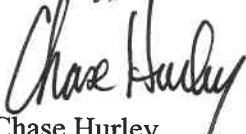
The EIS/EIR needs to consider restoration alternatives if the settling parties don't get full funding. The settling parties can partially build the project or build a scaled down version of the project that fits within their budget. A scaled-down restoration plan would have to evaluate cost and feasibility, provide a conceptual model of how the scaled-down version would function, and describe which species could or could not be maintained. The scaled-down version should also be designed so that it could be expanded if funds materialize.

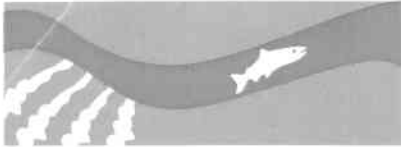
The Company is also a member of the San Joaquin River Resource Management Coalition (RMC). The RMC will be providing a detailed schematic that will incorporate their comments and concerns. Many of those will cover the Company's comments documented in this letter along with others.

The Canal Company reserves the right to provide comments and input throughout the entire process of the River Restoration Program.

Please feel free to call with any questions you may have.

Sincerely,


Chase Hurley
General Manager



Faxed to Marisa 9/20

PUBLIC SCOPING COMMENTS
for the San Joaquin River Restoration Program
Environmental Impact Statement/Environmental Impact Report

**Written comments can be submitted at the scoping meetings,
mailed to the Bureau of Reclamation
(mailing address is on the back of this card),
faxed 916-978-5114, emailed to mgidding@mp.usbr.gov
or provided online at www.restoresjr.com
by close of business on Friday, September 21, 2007.
Thank you.**

Please circle topic your
comment relates to:

Water

Fish

Property

Environmental Issues

Other

(Please print clearly)

Name Chase Hurley

Organization and Address San Luis Canal Company

11704 W. Henry Miller Ave.

Dos Palos, CA 93620

Phone (209) 826-5112 FAX (209) 387-4237 E-mail churley@slcc.net

Comment here: September 17, 2007
Date

See attached comments.



BUREAU OF RECLAMATION OFFICIAL FILE COPY RECEIVED		
SEP 19 2007		
CODE	ACCT	SURNAME & DATE
140	/	

September 17, 2007

U. S. Department of the Interior
Bureau of Reclamation
Mid-Pacific Region
2800 Cottage Way, MP-140
Sacramento, CA 95825

RE: San Joaquin River Restoration Program
Environmental Impact Statement/Environmental Impact Report

PUBLIC SCOPING COMMENTS

The San Luis Canal Company would like to formally provide these written comments during the public scoping comment period. As a Third Party to the negotiated settlement, many if not all of these comments have been brought up before as the Company has worked with other agencies to flush out the details of the negotiated settlement and the proposed legislation.

The Company will continue to work closely with the Bureau of Reclamation in all aspects of the River Restoration, and will need to be fully informed at all times during the restoration program due to our integrated nature with the River through reaches 3, 4, and 4B.

Reach 3:

1. San Joaquin River Levee System from Mendota Dam to Sack Dam: The levee system will have to be able to handle the agricultural demand of the Company at the Arroyo Canal Diversion in conjunction with the maximum flows needed for fish passage as stated in the negotiated settlement hydrographs. The system needs to be designed so that the Company can divert a maximum of 800 cfs daily at the Arroyo Canal. This flow requirement would remain priority one at all times.
2. Sack Dam: This facility is privately owned by the Company and will need to be modified or replaced in order to provide fish passage. Things to consider are:
 - Ownership
 - Operations
 - Funding of Construction and daily O&M
3. Arroyo Canal Fish Screen: The current diversion is unscreened. Things to consider are:
 - Ownership
 - Operations
 - Funding of Construction and daily O&M

11704 W. HENRY MILLER AVE.
DOS PALOS, CA 93620
(209) 826-5112 ** (209) 387-4305

Classification	EW1600
Project	214
Control No.	07080058
Folder I.D.	1024307
Date Input & Initials	dl 9/19/07

- Engineered to meet the daily flow requirements of the Company, in conjunction with the flow characteristics of the San Joaquin River Channel and the adjacent Sack Dam.
- Under both Sack Dam and the Arroyo Canal Fish Screen, there needs to be a discussion of premises liability including personal and property damage. This also applies to any other facilities built within the SLCC boundaries. This issue will depend in large part on who owns, operates, and maintains the facilities.
The same applies to downstream flooding, not just immediately downstream of any new facilities, but also in downstream reaches.

Reach 4 at the Sand Slough Diversion:

1. Control structures would need to be modified to closely control flow characteristics downstream.

Reach 4B vs. the current Bypass System

1. All parties need to follow the current draft negotiated legislation pertaining to developing the best alternative for flow downstream of reach 4.

Reach 4B: Company lands run along the south boundary of the 4B channel. Things to consider are:

1. Protection of Company water rights, if and when land is purchased for “re-sizing” of the River.
2. In addition to the construction of new facilities that will be necessitated by moving the levees out, we will most likely have to re-level/redesign our fields to accommodate the changes.
3. Groundwater protection: both in terms of quality, and ability to retain groundwater pumping rights for local agricultural production.
4. Test holes (wells) will need to be installed in the 4B stretch prior to the interim flows to establish existing ground water conditions. These wells will need to be monitored as interim flows are introduced.
5. Interim Restoration Flows:
 - A. There is very limited, if any, capacity at this time in the channel. Interim flows must be done properly, at the right time, and in very close cooperation with the landowners.
 - B. The flows need to be run in the winter to minimize the damage to existing crop rotations. If crops/field damage does occur, landowners must be compensated for the losses.
 - C. We need to agree on when it is decided that the maximum flow levels have been achieved during the interim flows.
6. Seepage mitigation – The seepage damage caused by the interim flows will not represent the damage that will be caused by the pulse flows of 4500 CFS nor the flows of 475 CFS. Modeling will be required to estimate the extent of the seepage damage/impacts caused by the higher flows.
7. Construction of new facilities:
 - Road crossings
 - Private irrigation ditches and drains

may choose to serve as the "lead agency" within the meaning of CEQA and in most cases the projects are of such a nature that a categorical or statutory exemption will apply. The Reclamation Board cannot invest staff resources to prepare complex environmental documentation.

Additional information may be requested in support of the environmental review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include biological surveys or other environmental surveys and may be required at anytime prior to a determination on the application.

SAN JOAQUIN RIVER RESTORATION PROGRAM



PUBLIC SCOPING COMMENTS for the San Joaquin River Restoration Program Environmental Impact Statement/Environmental Impact Report

Written comments can be submitted at the scoping meetings, mailed to the Bureau of Reclamation (mailing address is on the back of this card), faxed 916-978-5114, emailed to mgidding@mp.usbr.gov or provided online at www.restoresjr.com by close of business on Friday, September 21, 2007.

Thank you.

(Please print clearly)

Please circle topic your comment relates to:

Water

Fish

Property

Environmental Issues

Other

Name Carl JANZEN - Board President

Organization and Address Madara Irrigation District 17208 Rd 21 Madara, Calif 93637

Phone (559) 479-1070 FAX (559) 673-1304 E-mail

Comment here: 9-5-07 Date

- 1. what happen to current Fishery below Faint Dam.
2. where does impact to all Faints Contractor at different Levels of water losses figure in? especially if Water management goals fail do to court order on delta
3. there was comments as to liking fishing Hiking etc. I like these too but I like having food to eat that is safe + local grown.

Margaret Gidding - San Joaquin River Restoration Program

email margin 9/4

From: "Denise Jepson" <dennyloo@comcast.net>
To: <mgidding@mp.usbr.gov>
Date: 8/30/2007 8:51 PM
Subject: San Joaquin River Restoration Program

Dear Ms.Giddings,

Regretably I am unable to attend the area scoping meetings that are scheduled for this week. However, I thank you for allowing me to still have a voice concerning this program.

I live below the Friant Dam along the Hwy 41 corridor in Madera County, and the San Joaquin river is an important resource to this community and it's residents. I have fished along the head waters, rafted through the low areas, volunteered at the hatchery, trained bird dogs and hunted at various locations within the valley.

The educational and recreational value of this river is something that should be shared by everyone. California has a long history of natural resources that are slowly disappearing. Yes, conservation is essential to insuring the preservation of our water and lands, but it needs to be done in ways that allow ALL outdoor enthusiasts the privledge of use. As plans for this program continue I would like to see great thought go into providing more accessible public lands along the San Joaquin for hunting, fishing and other recreational activities.

I lived for awhile in the NW (WA state to be exact) and saw first hand how there can be a balance between conservation, and public use of rivers. Designating certain areas as specific spawning grounds for salmon were done through temporary closures, but not TOTAL closure as some have fought to do in California. Other times of the year those same areas were available for hunting, fishing, camping, etc. It can be done! Hunting and fishing does not destroy ecological balance, it maintains it!

So as you prepare for the impacts and changes this program will have I hope you will give strong consideration to opening up more public access along the river and allow California's heritage of fishing and hunting along the San Joaquin to continue for all generations to come.

Respectfully,
Denise Jepson
Madera, CA

emailed for Karen to me: msh 9/25/07

Karen

LAW OFFICES OF
LINNEMAN, BURGESS, TELLES, VAN ATTA, VIERRA,
RATHMANN, WHITEHURST & KEENE

EUGENE J. VIERRA
DIANE V. RATHMANN
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654 K STREET
P. O. BOX 1364
LOS BANOS, CA 93635
(209) 826-4911
FAX (209) 826-4766

JAMES E. LINNEMAN, OF COUNSEL

L. M. LINNEMAN (1902-1983)
JOSEPH B. BURGESS (1902-1990)
JAY H. WARD (1942-1995)
C. E. VAN ATTA (1919-1997)
JESS P. TELLES, JR. (1920-2004)

September 20, 2007

312 WEST 19TH STREET
P. O. BOX 2263
MERCED, CA 95344
(209) 723-2137
FAX (209) 723-0899

Paula J. Landis, Chief, San Joaquin District
California Department of Water Resources
3374 East Shields Avenue
Fresno, California 93726

Re: Comments of the Lower San Joaquin Levee District on the Notice of Preparation
of a Draft Program Environmental Impact Statement/Environmental Impact
Report (PEIS/EIR) for the San Joaquin River Restoration Program

Dear Ms. Landis:

This letter is written on behalf of my client the Lower San Joaquin Levee District. Thank you for getting me a copy of the Notice of Preparation in this matter. After reviewing it I do have a few comments. It is my understanding from Reggie Hill that the District's comments with regard to the CEQA NOP will also be incorporated into the NEPA review as well so that we do not have to prepare parallel documents.

As you know, the Settlement Agreement sets forth work in two phases. The first phase includes most of the construction work and is to be completed no later than December 31, 2013. The improvements in this phase include: the construction of a bypass channel around the Mendota Pool to ensure the conveyance of at least 4,500 cfs at Reach 2 of the River; modification of reach 2B between the bifurcation structure at the head of the Chowchilla Bypass and Mendota Pool, to ensure the conveyance of at least 4,500 cfs; modification of the river's channel to ensure the conveyance of at least 475 cfs through Reach 4B; modification of the head gate on the river to ensure fish passage between 500 cfs and 4,500 cfs into Reach 4B; modification of the Sand Slough control structure to ensure diversion of at least 475 cfs into Reach 4B; screening the Arroyo Canal diversion immediately upstream of Sack Dam; modification of Sack Dam, modifications to structures in the Eastside and Mariposa Bypass channels to allow for the passage of fish on an interim basis until completion of Phase 2; modification of the Eastside and Mariposa Bypass channels to establish a low-flow channel; and modifications to enable the deployment of seasonal barriers to prevent salmon from entering false migration pathways in the area of Sal Slough and Mud Slough.

In fact the only construction projects in Phase 2 are: modification of the river's channel

Paula J. Landis, Chief, San Joaquin District, California Department of Water Resources
Re: Comments of the Lower San Joaquin Levee District on the Notice of Preparation of a
Draft Program Environmental Impact Statement/Environmental
September 20, 2007
Page 2

capacity at Reach 4B to ensure conveyance of at 4,500 cfs unless the Secretary of the Interior determines that such modifications would "not substantially enhance achievement of the Restoration Goal"; modification of the bifurcation structure at the head of the Chowchilla Bypass to provide fish passage; filling or isolation of the highest priority gravel pits in Reach 1; and modification of the Sand Slough control structure to enable effective routing and conveyance of flows of up to 4,500 cfs into Reach 4B.

The Notice of Preparation (NOP) is divided into three stages. Your initial description of the first stage sounds as if it is entirely planning.¹ Stage 2 then starts with the release of interim flows. As I read the Settlement Agreement, Interim Flows begin on October 1, 2009, and salmon will be re-introduced to the river no later than December 31, 2012. The NOP provides that "Stage 2 shall conclude in December 2013 after all Phase 1 priority construction activities identified in Paragraph 11 (a) of the Settlement have been completed." The NOP then provides:

"Stage 3, titled Initiation of Restoration Flows, and would begin with the full Restoration Flow releases from Friant Dam. This stage shall also include construction of the remaining Program features that were not Phase 1 priority actions, and the operation and maintenance of the project facilities."

1. My concern at this point is that, from the Levee District's perspective, the primary difference between Phase 1 and Phase 2 is that the final decision on how to leave Reach 4B will not be made until Phase 2. This decision is whether to keep the majority of the Restoration Flows going down the Eastside Bypass and the Mariposa Bypass with only a small amount of water going down Reach 4B of the river or to modify Reach 4B to allow it to take all of the Restoration Flows. While this decision is to be made by the Secretary of the Interior, he or she is to do so "in consultation with the Restoration Administrator and with the concurrence of the National Marine Fisheries Services. . . and the Fish and Wildlife Service. . ." My interpretation of the stages described in the NOP is that Stage 1, for the most part, pre-dates Phase 1; and Stage 2 is, to a large extent, Phase 1; and Stage 3 is Phase 2. We would prefer it if your Stage 3 (or any of your stages for that matter,) addressed the decision which will have to be made with regard to Reach 4B and the need to increase the capacity of Reach 4B of the river so that the bypass system may be left in tact for the purpose for which it was designed: flood protection. The impact on flood control will be very significant if the bypass becomes a part of the river and, as a

¹"Stage 1 focuses on a programmatic planning and environmental review process, which would include formulating and evaluation reasonable alternatives and identifying significant data needs and analyses required during Stage 2, as part of the site-specific NEPA/CEQA process." etc.

Paula J. Landis, Chief, San Joaquin District, California Department of Water Resources
Re: Comments of the Lower San Joaquin Levee District on the Notice of Preparation of a
Draft Program Environmental Impact Statement/Environmental
September 20, 2007
Page 3

consequence, is wet all year. It will make it difficult, (we believe impossible) to keep vegetation down enough to retain adequate flood fighting capability while still allowing sufficient vegetation to provide a habitat for the Salmon. Additional negative environmental impacts can be anticipated in this situation in that the Levee District would have to use herbicides which may legally be used near water which flows into the river and those herbicides will, in fact, flow into the river. It can be anticipated that the challenge presented by substituting the upper end of the Eastside Bypass and the entire Mariposa Bypass as a substitute for Reach 4 B of the river will greatly increase the cost of flood control while simultaneously reducing the effectiveness of those efforts.

2. As you know, a large portion of the Eastside Bypass and all of the Mariposa Bypass were constructed entirely in easements, (unlike the Chowchilla Bypass which was constructed on land to which the State of California had acquired fee title). These easements were specifically for flood control purposes. A problem with the Settlement Agreement is that, even though it calls for using a portion of the Eastside Bypass and all of the Mariposa Bypass for interim restoration flows during the Phase 1, (your Stage 2), it does not provide for the acquisition of any property interests until Phase 2, (your Stage 3). Of course, the argument can be made that, until Phase 2 it is unclear exactly how much of a property interest needs to be acquired since, if the decision is made to widen Reach 4B of the river, then any additional easement rights along the Mariposa Bypass and the upper end of the Eastside Bypass would only have to be short term rights, but if the decision is to leave most of the reclamation flows in the bypass system, the property interests would have to be permanent. In any event, it can be anticipated that, in preparing the environmental documentation during Stage 1, some field work will have to be done on the levee banks. Insofar as this work is for river reclamation purposes rather than flood control purposes, the people who go onto the levee banks in the areas where the project is in easements are committing a trespass unless they first obtain the prior consent of the property owners.

3. In reviewing a draft of this letter, Reggie Hill pointed out quite correctly that paragraph 12 of the Settlement Agreement provides that "there are likely additional channel or structural improvement" which would "further enhance the success of achieving the Restoration Goal." Obviously no environmental documentation can be generated on these other improvements unless and until the Restoration Administrator identifies them and makes a recommendation to the Secretary of the Interior.

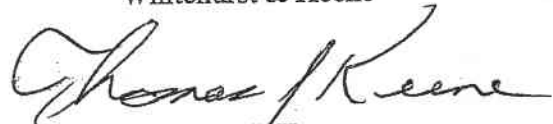
There are other comments which the Lower San Joaquin Levee District has but we believe that it would make the most sense to hold those comments until later in the environmental review process. We are particularly eager to see how the environmental

Paula J. Landis, Chief, San Joaquin District, California Department of Water Resources
Re: Comments of the Lower San Joaquin Levee District on the Notice of Preparation of a
Draft Program Environmental Impact Statement/Environmental
September 20, 2007
Page 4

documents address the question of who is going to maintain the new structures and how the cost of that maintenance is to be paid. This will materially affect how the Levee District approaches some of the additional costs which it reasonably anticipates incurring at least during Stage 2, when the interim flows are in the bypass system year round. Thank you for the opportunity to comment.

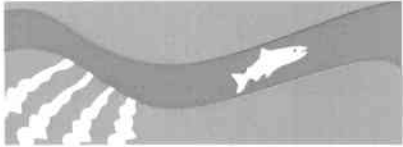
Very truly yours,

Linneman, Burgess, Telles,
Van Atta, Vierra, Rathmann,
Whitehurst & Keene



Thomas J. Keene

cc: Lower San Joaquin Levee District



Fresno

PUBLIC SCOPING COMMENTS
for the San Joaquin River Restoration Program
Environmental Impact Statement/Environmental Impact Report

Please circle topic your
comment relates to:

- Water
- Fish
- Property
- Environmental Issues
- Other

Written comments can be submitted at the scoping meetings,
mailed to the Bureau of Reclamation
(mailing address is on the back of this card),
faxed 916-978-5114, emailed to mgidding@mp.usbr.gov
or provided online at www.restoresjr.com
by close of business on Friday, September 21, 2007.
Thank you.

(Please print clearly)

Name Reno & Suzanne Lanfranco
 Organization and Address 5218 N. Humboldt (Krieger Prop)
mail: P.O. Box 132
Kerman, Ca 93630
 Phone (559) 846-9491 FAX (559) 846-8438 E-mail Renosuzy@AOL.com

Comment here: 8-29-07
Date

Concerns:

- #1 widening of river
- #2 Cleaning of river (ie: Appliances, tires)
- #3 depth.
- #4 Existing Home backed up to River / future impact to property being taken for restoration

**Comments on the
Scope of the EIS/EIR for SJR Flow Restoration
& Its Impact on SJR Water Quality**

Submitted by

G. Fred Lee PhD, PE, DEE and Anne Jones-Lee, PhD

G. Fred Lee & Associates

27298 E. El Macero Dr.

El Macero, California 95618-1005

Tel. (530) 753-9630

e-mail: gfredlee@aol.com

web site: <http://www.gfredlee.com>

September 18, 2007

These comments are submitted in response to a request for comments on the Scope of the EIS/EIR for the Restoration of the SJR flow downstream of Friant Dam. They focus on the impacts of restoration of SJR flow releases from Friant Dam on SJR water quality downstream of Lander Avenue (Highway 165).

Overall Comment

The SJR Restoration EIS/EIR should include a detailed evaluation of how changing the Friant Dam releases and manipulating other aspects of SJR flow associated with the SJR Restoration Program will impact water quality in the SJR and Delta. As discussed in the references cited below, the water quality in the SJR and Delta is impacted by SJR flow; thus, SJR water quality will be impacted by the SJR Restoration Program. These issues should be evaluated in the EIS/EIR.

Background to Comments

These comments are based on information and insight we obtained during the upstream studies conducted as part of investigating sources of pollutants that impact the SJR Deep Water Ship Channel low-DO problem that occurs just downstream of the Port of Stockton. We became involved in this issue in 1999 and were especially active in investigating this problem for the following five years when we served as the coordinating principal investigators for a \$2-million CALFED-supported study of the SJR DWSC low-DO problem. Our work included the development of a comprehensive synthesis report,

Lee, G. F. and Jones-Lee, A., "Synthesis and Discussion of Findings on the Causes and Factors Influencing Low DO in the San Joaquin River Deep Water Ship Channel Near Stockton, CA: Including 2002 Data," Report Submitted to SJR DO TMDL Steering Committee and CALFED Bay-Delta Program, G. Fred Lee & Associates, El Macero, CA, March (2003).

<http://www.gfredlee.com/SynthesisRpt3-21-03.pdf>

Since completing that synthesis report we have prepared a series of supplemental reports including,

Lee, G. F. and Jones-Lee, A., "Supplement to Synthesis Report on the Low-DO Problem in the SJR DWSC," Report of G. Fred Lee & Associates, El Macero, CA, June (2004). <http://www.members.aol.com/duklee2307/SynthRptSupp.pdf>

Our papers and reports are available on our website, www.gfredlee.com in the San Joaquin River Watershed Delta section at <http://www.gfredlee.com/psjriv2.htm>.

Also pertinent to review of how releases of water from Friant Dam could potentially impact water quality in the SJR, is our report,

Lee, G. F. and Jones-Lee, A., "San Joaquin River Water Quality Issues," Report of G. Fred Lee & Associates, El Macero, CA, June (2006).

<http://www.members.aol.com/annejlee/sjr-WQIssues.pdf>

and associated presentation,

Lee, G. F. and Jones-Lee, A., "San Joaquin River Water Quality Issues," (PowerPoint Slides) Invited Paper Presented at Great Valley Conference, "At the Tipping Point," Sacramento, CA, Sponsored by Great Valley Center, Modesto, CA, May 11 (2006). <http://www.members.aol.com/annejlee/SJR-April2006.pdf>

We discussed the role of irrigated agricultural discharges in water quality problems in the San Joaquin River in the presentation,

Lee, G. F. and Jones-Lee, A., "Agriculture-Related Water Quality Problems in the San Joaquin River," PowerPoint slides presented at 2006 International Conference on "The Future of Agriculture: Science, Stewardship, and Sustainability," Sacramento, CA, August 7-9 (2006).

<http://www.members.aol.com/annejlee/SJRAgAug06Paper.pdf>

We will also be presenting a paper on these issues this fall,

Lee, G. F., and Jones-Lee, A., "Water Quality Issues of Irrigated Agricultural Runoff/Discharges—San Joaquin River, Central Valley, California," Presented at *Agriculture and the Environment - 2007* Conference, Central Coast Agricultural Water Quality Coalition, Monterey, CA, November (2007).

<http://www.members.aol.com/GFLEnviroQual/SJR-WQ-Ag-Monterey.pdf>

Because Delta water quality is highly influenced by water quality in the San Joaquin River, our comprehensive review of Delta water quality,

Lee, G. F. and Jones-Lee, A., "Overview of Sacramento-San Joaquin River Delta Water Quality Issues," Report of G. Fred Lee & Associates, El Macero, CA, June (2004). <http://www.members.aol.com/apple27298/Delta-WQ-IssuesRpt.pdf>

is of interest in evaluating the potential impacts of increased SJR flow from Friant Dam on Delta water quality.

Additional information on our experience in working on SJR and Delta water quality issues is available at <http://www.members.aol.com/annejlee/Delta-SJR-exp.pdf>.

Discussion

The reach of the SJR between Friant Dam and Lander Ave. is generally dry, except for wet years when the USBR spills excess water from Friant Dam. Beginning at Lander Ave. (Highway 165), groundwater discharge to the river and irrigation return water