Pacific salmon and steelhead are **salmonids**, of the scientific family **Salmonidae**.They are anadromous fish, which means that they migrate up rivers from the ocean to breed in fresh water. Pacific salmon are in the scientific genus *Oncorhynchus,* which includes pink, sockeye, chum, Chinook and coho salmon, steelhead and rainbow trout.

The settlement agreement stipulation says "...natural reproducing and self sustaining populations of salmon and other fish (the restoration goal)". In the Public Scoping Meeting Materials presentation, it states "to accomplish the goal, restoration flows to begin experimentally in Fall 2009 and "restoration of spring-run and fall-run Chinook salmon between Friant Dam and confluence with the Merced..." Comment: the element of restoration of fish populations should include all historic natural populations of salmonids, genus Oncorhynchus, which include steelhead trout (*O. mykiss*). The settlement agreement stipulation includes "other fish" as well, should someone question the inclusion of *O.mykiss* in the process.

See details of historic distribution of *O. mykiss* in the 2003. San Joaquin River Restoration Study Final Background Report APPENDIX B, Pages B40-B51 Friant Water Users Authority December 2002 Natural Resources Defense Council B-40 FINAL REPORT
Common Name Scientific Name (family) (Salmonidae)
Steelhead *Oncorhynchus mykiss*.

b) Water Management (water recovery, recirculation, etc)

Comment: All water usage from Friant Dam storage water should be predicated upon "type of season" availability. During dry years, less water should be made available to all users, including stream flows, irrigation, and domestic uses. If there are legal or jurisdictional issues regarding those deliveries, the plan and programs should address and resolve those issues.

c) Flood Management (protection of land uses and natural resources)

Comment: One option to consider is to raise the level of Friant Dam to store more water, thus providing more water to stream flows in water shorted years. This in turn might provide greater flood protection. The impacts of flooding on natural resources (stream scouring, etc.) should be evaluated under different planning options.

4) When and how would you like to be informed about and involved in the Program?

Comment: I would like to see all decision making be transparent/matter of public record. SJRRP should consider quarterly or triannual (scheduled) meetings to inform the public of project progress. Milestones should be

established and consultation occur as the milestones are reached. There should be open PUBLIC negotiation for changes in law (c.f., 2007, S27 and HR24 San Joaquin River Restoration Settlement Acts and related legislation for water distribution in the San Joaquin River valley that influences fisheries resources.

Item 2. Implementing SJRRP agencies also ask the Public for comments on:

Comment: These items have been generally addressed above.

a. Options
b. Alternatives
c. Environmental issues
d. Local conditions, issues and concerns

Margaret Gidding - San Joaquin River Restoration 9/4 email Morgan

From: <shmarvier@comcast.net>
To: <mgidding@mp.usbr.gov.>
Date: 8/26/2007 11:33 PM
Subject: San Joaquin River Restoration

Ms. Gidding ,

I'm writing to you on behalf of my Family . We would like to see a hunting and fishing program , with public access points , incorporated into the final plans for the river .

Thank You ,

Steve Marvier
Novato Ca.

faxed to Morgan 9/19/07

D. McNamara
P.O. Box 2985
Merced, CA 95344

September 17, 2007

Margaret Gidding
Bureau of Reclamation
Mid-Pacific Region
2800 Cottage Way, MP-140
Sacramento, CA 95825

RE: San Joaquin River Restoration Program - Formal Comments

Ms. Gidding,

My home and farm are located in Reach 4B. To my knowledge, we are the only family whose principal residence may be destroyed as a result of the Restoration Project. That is, if the chosen Restoration Flow route is down the old river channel (main stem) and not through the Eastside and Mariposa Bypasses. There are several employee homes, shops and structures owned by two other families in 4B that may also be destroyed. The design for Restoration Flows through 4B calls for levees to be approximately 2,300 feet apart. My home-site is along the bank of the river. My house is constructed partially with steel beams buried seven feet deep in the ground surrounded by concrete and sits on a slab floor, so it cannot be moved. The landscaping cannot be duplicated; it follows the natural contours of the river so it wouldn't be the same being relocated to a flat field and next to a levee. The impact for us will be the loss of our home, a couple hundred acres of our farm, and a devastating life change for our family's future.

A typical person today is more transient than are farmers. People relocate depending on changing jobs, obtaining larger houses with increases in income or the number of children at home, or move into smaller residences upon retirement. Most people don't think it is a big deal to loose one's house if compensated; they can buy one just like it down the street. Farmers have a mindset of permanence. Our family has owned our farm for over 70 years. I started having our home built in 1978. It has been my life's work. I have taken on a project a year as I could afford it. So I have been enhancing it a little each year for the past 29 years, over half of my life. I plan to never sell the farm or the house and to pass it on to my son. Losing it dashes all my hopes, dreams and efforts. No amount of money can compensate for that. This is a serious third party impact.

Reach 4 is located in Merced County, running northwest between Highway 152 and Highway 165. A section in the middle of Reach 4 is known as Turner Island comprising approximately 15,500 acres of prime farmland. At this point the San Joaquin River (SJR) splits into two directions. The old river channel borders the south and west sides of Turner Island and the Eastside and Mariposa Bypasses boarder the east and north sides of Turner Island. Enclosed is a map, which shows the two different routes. The letter "A"

shows the beginning of the split and the letter "B" shows where the two channels merge back together.

The Natural Resource Defense Council (NRDC) in proposing this Restoration idea wants the restoration project and therefore the flows, to travel down the old river channel apparently for purely nostalgic reasons. Depicted in red on the enclosed map is the levee system maintained by the Lower San Joaquin Levee District (LSJLD). The yellow lines are old inferior private levees. As you can see, most of the southern boarder of Turner Island is unprotected. The yellow levees are predominately on one side of the old channel or there are not any levees at all! When I asked Hal Candee, NRDC's chief negotiator, why they want the restoration flows to travel down the old river channel, he made it clear to me that they had not thought past their initial desire and their only reason was because that was the historic route. They do not care that directing the flows down the old river channel instead of continuing to use the existing Bypasses will nearly double the cost of the entire project, or that it will take thousands of acres of prime farmland out of production, or that it will take innocent bystander's private property including their homes, or whether it disrupts peoples lives and businesses.

The Mariposa and Eastside Bypasses started to be constructed in the late 1950's. The San Joaquin River flows have traveled down this route since then. The section of the red levee starting at "A" is 1500 feet wide; it carried 23,000 cubic feet per second (cfs) during the 1997 floods. The old river channel, when it was studied in the 1950's, was designated to carry 1,500 cfs. I doubt it ever could have handled that much, since there aren't any levees on portions of it. And since then, the old river channel has silted up and can handle only about 25cfs. The only time water from the SJR has been diverted down it since the late 1950's was during the flood event of 1969. After the Lower San Joaquin Levee District released flows through the old channel in 1969, they discovered it floods and have not directed any water that way since then.

As described in the definitive book about the SJR entitled Streams of the San Joaquin by Robert Edminster, the SJR is actually a drainage system. During flood events, especially across flat floodplains like in Reach 4, a wide network of sloughs were created and secondary channels developed that ran parallel with the main channel leaving some primary channels abandoned. The old river channel on the south side of the Turner Island area has essentially become an abandoned channel do to man-made decisions. A much wider, higher levee system was paid for and constructed to adequately handle major flood events like the biggest one in 1997 and has been used exclusively, except where noted above, since the late 1950's. It has successfully protected the many thousands of acres of prime farmland it was designed to protect. Building a second bypass doubles the chances for a levee breaking that would cause extensive flooding, diminishing the protection the original Bypass was enacted to provide, and thus opening the State of California up to liability worth millions of dollars. Putting this land at risk would surely bring legal challenges.

If the old river channel is designated as the route to be used, in order to match the Bypass's capacity, the plans specify that the levees be 2,300 feet apart. The existing

width of the old river channel averages about 75 feet wide, so all structures and agriculturally developed land within the 2,300-foot area would need to be destroyed. Widening and building levees would eliminate the aesthetic beauty along this natural channel. An aerial image of an eighty-six acre undisturbed parcel along the river is attached. The existing riparian vegetation and the wildlife habitat would be destroyed and the wildlife itself would be killed or displaced. The nature of Valley Oaks that currently line the river is that if the amount of water that they grew up in dramatically changes, they die. This would eliminate all the nesting for egrets and great blue herons in this area of the county. And there is a California law that prohibits killing Valley Oaks. The SJR Restoration Settlement Act (Act) provides that the flows will not exceed channel capacities. However, the 4,500 cfs, even without the extra pulse flows, is three times more water than ever flowed through this channel. Therefore, they are not restoring a river, they will be destroying one and creating a channel that is as artificial as the existing Bypasses. Taxpayers will be forced to pay for duplicating what already exists in the Eastside and Mariposa Bypasses. This would also remove three farming operation's homes and buildings, and will cause many thousands of acres of prime farmland to be condemned and permanently taken out of production. The constantly flowing water from 4,500 cfs percolating into the already high water-table soil will cause vast areas emanating from the river to be saturated and unfarmable by inhibiting crops from growing. This will greatly devalue the land. This will result in inverse condemnation. This would be an absurd, unnecessary, and extremely costly action, but it is precisely what the NRDC wants to have happen.

The fish are not going to know the difference between the Bypass route and what would be an artificially widened old river channel route. A fish ladder will need to be constructed regardless of which route is chosen. Those who will know the difference are the families that have farmed and lived here since the mid-1930's. Their homes will be destroyed, their buildings demolished, part of their land condemned and confiscated leaving less land to farm thus throwing off their economies of scale, and their business and lives disrupted. Not to mention the cost, time and effort to rebuild. There would also be a financial impact felt in the County as less money is multiplied through the economy.

The Federal Flood Control Act of 1936 declared a national interest in the prevention of flood damage. The Lower San Joaquin River Flood Control Project authorized by the Congress in 1944 was approved by the California Legislature in 1946. In 1952 the Reclamation Board started holding public hearings lasting into the early 1960's with landowners adjacent to the SJR. It was decided that "control of floods within confined channels would meet with the approval of a majority of the interested parties and the Federal Government." The old river channel through Reach 4B was purposely left out of the main flow design. A gate was placed at Sand Slough where the Bypass and the old channel split, in order to prevent flood stage flows from traveling down the unprotected old river channel.

To not abide by what was decided, implemented, and practiced over these many decades is not wise. If the NRDC gets their way and Interim Flows are allowed through the old channel, without proper planning there could be serious consequences. If the plan is to

regulate a prescribed flow through the old river channel, the possibility of human error would make that policy too risky for the landowners. Just one miscalculation could permanently wipe out homes, businesses and lives.

There are inherent flaws with the Interim Flows Program through Reach 4B. Our home being located on the bank of the river is why we are deeply concerned that the Interim Flows Program be carried out with a great deal of careful planning. It seems to me that this is the one aspect of the Restoration Project that has not had much forethought at all.

As stated in the Stipulation of Settlement "11(a)(3) Modifications in San Joaquin River channel capacity to the extent necessary to ensure conveyance of at least 475 cfs through Reach 4B." The basic problem is that the old river channel cannot handle anywhere near that much water. The 475 cfs figure must have come out of thin air and it is a problem that it is a stipulation of the Settlement. It is estimated that the old river channel currently can handle only 25-100 cfs. The Act in Sec.9. (g)(1)(B) Determination Required, allows for work to increase capacity in Reach 4B that is not "substantial" construction. And Interim Flows are excluded from the study. (Sec.9.(g)(1)(B) Deadline.) This highest priority program of Interim Flows is to commence no later than October 1, 2009 in Phase 1. (Stipulation 15.) In order for the old channel to safely accept 475 cfs, the river bottom would need to be dredged out. There is approximately 10 to15 feet of silt that has accumulated in the channel over time. If dredged, the sludge would need to go somewhere. Will it be deposited along the riverbanks in an effort to create temporary levees? Remember, if this is chosen as the route of the Restoration Flows, the levees are to be 2,300 feet apart therefore, all of the cost to construct temporary levees will be a complete waste of time and money. There have never been any levees in the middle section of Reach 4B, including where our home is located. Our landscaped yard and the road to our barn go right to the edge of the river channel. Our home and other structures start from between 18 to 66 feet from the edge of the river channel. There just isn't any space for a levee without destroying structures and blocking access. The mud would also cover and destroy the riparian habitat along the river and farm roads along the banks. I was told that the NRDC does not plan to mitigate for damage incurred from the Interim Flow Project. The Settlement and the Act exclude Interim Flows from having a required study, mitigation or specific funding. The Settlement regarding Interim Flows only addresses deliveries to meet contractual obligations in relation to Interim Flows. The Interim Flow program has not been thought through and there are not any safeguards for landowners. The Restoration Administrators both Federal and State or whoever will oversee the Interim Flows program needs to avoid damage from occurring to private property by first allowing landowners to have input before implementing the program, just like the process that is required for the Restoration Flow phase. Our home-site could be damaged or partially destroyed from the Interim Flows the way the program is written. There should not be any releases until all necessary studies and planning have been completed and funding has been appropriated.

The Settlement states "The Parties neither intend nor believe that the implementation of this Settlement will have a material adverse effect on any third parties..."(Stipulation 7) However, there is not a provision requiring that the implementation not have any material

adverse impacts on any third parties, and there are not any assurances of that in the Act. Sending any flows above the small amount that the old river channel in Reach 4B can currently safely handle would adversely impact the landowners there. The very least damage from the Interim Flows would be seepage, which causes crop loss, which results in lost revenue. The most damage would be from Restoration Flows, which would take all of the land and structures within the 2,300-foot wide levees. I would loose hundreds of acres of prime farmland, which is my livelihood. But more than anything, we do not want to loose our home. We want our home protected. If it is determined that the Restoration Flows are to use the old river channel route, then the mitigation needs to include funding to create an island for our home-site with a bridge connecting it to an outside levee. It would be prudent if I work out the details with those in charge before a design and cost estimate are submitted.

The NRDC wants to "experiment" with Interim Flows in Reach 4B. The landowners know that extra water will seep through sandy soil and cause crop loss and therefore reduced revenue. I suppose if someone isn't affected and is callous to other people's plight, it is easy to require experiments. If they have to pay for our losses out of their own pockets they wouldn't be so cavalier.

What makes this so gut wrenching is knowing that the losses will be pointless. Trying to reintroduce Spring Run Chinook Salmon, in my opinion, will not work. After reading the Amicus Brief by the Tributaries Group that sited information about the Sacramento River's program and experts that studied this, I am convinced how futile the reintroduction will be for the San Joaquin River. Why is taking thousands of acres of prime farmland permanently out of production out-weighed by this impractical attempt to reintroduce 500 fish? The number of people that could be fed from this fertile land is immeasurable. And it will cost over 370 million dollars to destroy it.

Regarding the Restoration Flows, the better route is through the Bypass system. The best design would be to dredge the scoured out path in the center of the Bypass to the optimal depth and width in order to help control the water temperature for the fish. There would be two systems within one location, a channel for the fish and flood protecting levees bordering it. This would be much cheaper than duplicating the Bypass system on the old river channel. This also would eliminate the seepage concerns, not to mention how disruptive, risky and costly it would be to adjacent landowners along the old river channel.

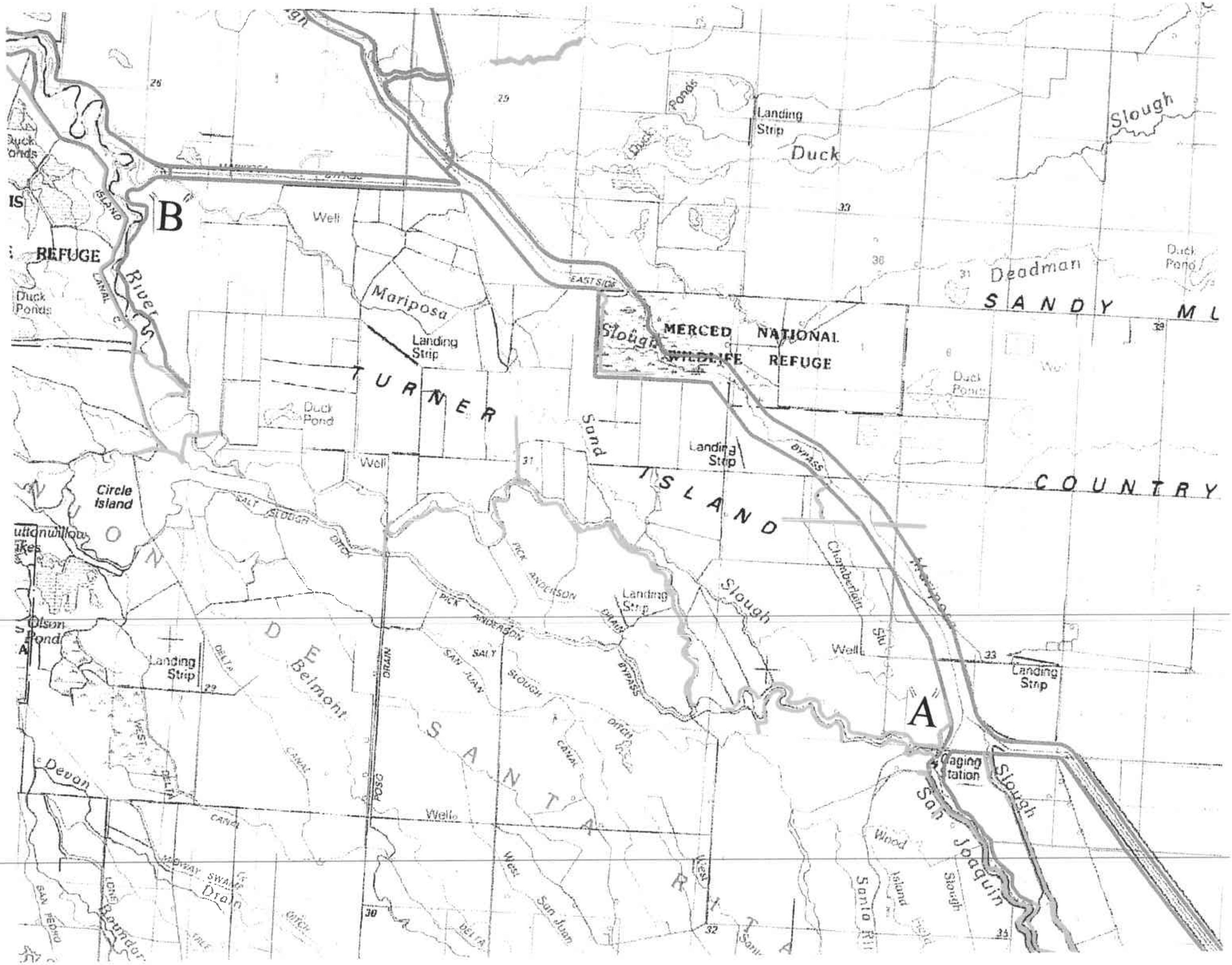
If the Bypass is the chosen route and it is determined that the levees need to be further apart, dirt from the levee to be moved can be used to reconstruct it in a new location. If the old river channel is the chosen route, even more farmland will need to be condemned to provide a source of dirt for two new levees. The soil to the east and north of the Bypasses is much less fertile and is used for duck clubs. Therefore, the cost to acquire the land would be much less by choosing the Bypass route. The old river channel is over 21 miles long; the Bypass is approximately 12 miles long. The shear magnitude of constructing a duplicate bypass on the old river channel dwarfs changes that may be needed to the exiting Bypass system. New levees will be needed for both sides of a new

bypass on the old river channel, whereas the dirt for the levees already exists on the original Bypass.

Duplicating what already exists will be seen as a boondoggle to taxpayers and should not be allowed to happen! It is plain to see on the attached map that water is being conveyed safely from point "A" to point "B". To create a duplicate Bypass is absurd and the public will ask how such a thing could have happened.

The Settlement and Act call for starting the Project by doing work in Reach 4B. It calls for skipping around and doing work in different Reaches at different times. The smart approach would be to start at Friant Dam and complete a section at a time as money is available, then it is functioning to where ever construction is completed. This entire Project is woefully under funded. The estimated cost for just Reach 4B is over 370 million dollars. The Federal government's share for the entire project is just 250 million dollars. California's proposition's bonds do not allow spending for private levees or where no levees exist, which is what Reach 4B is comprised of. Therefore, there are no available state cost-sharing funds. The Act in Sec. 9(g)(3) states that if the Secretary's estimated federal cost for expanding Reach 4B exceeds the remaining federal funds authorized by the Act, then congress must increase the applicable authorization ceiling to at least sufficiently cover the higher cost before the Secretary commences actual construction work in Reach 4B to expand capacity to 4,500 cfs to implement the Settlement. Therefore, this Project is a non-starter if the old river channel is the chosen route. However, there would be California state funds available if the Bypass is the chosen route. So on a comparative cost basis, considering every category: funding, land acquisition cost, environmental loss, food supply loss, economic crop loss, job loss, mitigation, etc., using the existing Bypass system is clearly the better choice.

Sincerely,
D. McNamara


"B"
"A"
MERCED NATIONAL WILDLIFE REFUGE
REFUGE
TURNER ISLAND
SAND SLOUGH
SANDY MUD COUNTRY
SANTA RITA
Belmont
Circle Island
Olson Pond
Mariposa
River
Slough
Duck Ponds
Duck Pond
Landing Strip
Well
Deadman Slough
Duck
Gaging station
San Joaquin
Chamberlain
Santa Rita
Wood
Island
Devon
EAST SIDE
BYPASS
ISLAND
CANAL
SALT SLOUGH
DITCH
PICK ANDERSON
DRAIN
POSO
SAN JUAN
SALT
DELTA
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San Juan
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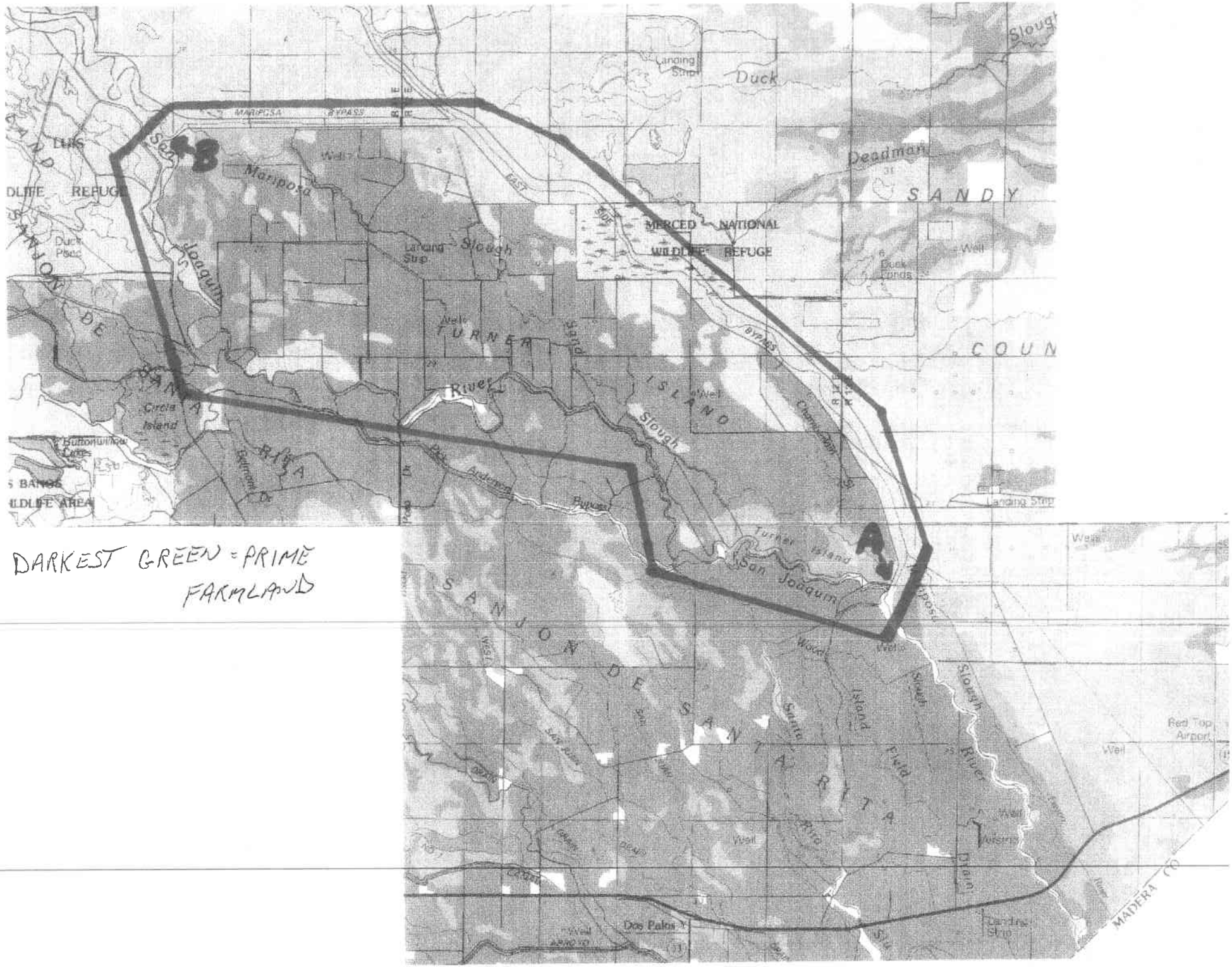


DARKEST GREEN = PRIME FARMLAND

THERE ARE NOT ANY LEVEES ALONG SECTIONS OF THE RIVER IN THE MIDDLE OF REACH 4B.

San Joaquin River

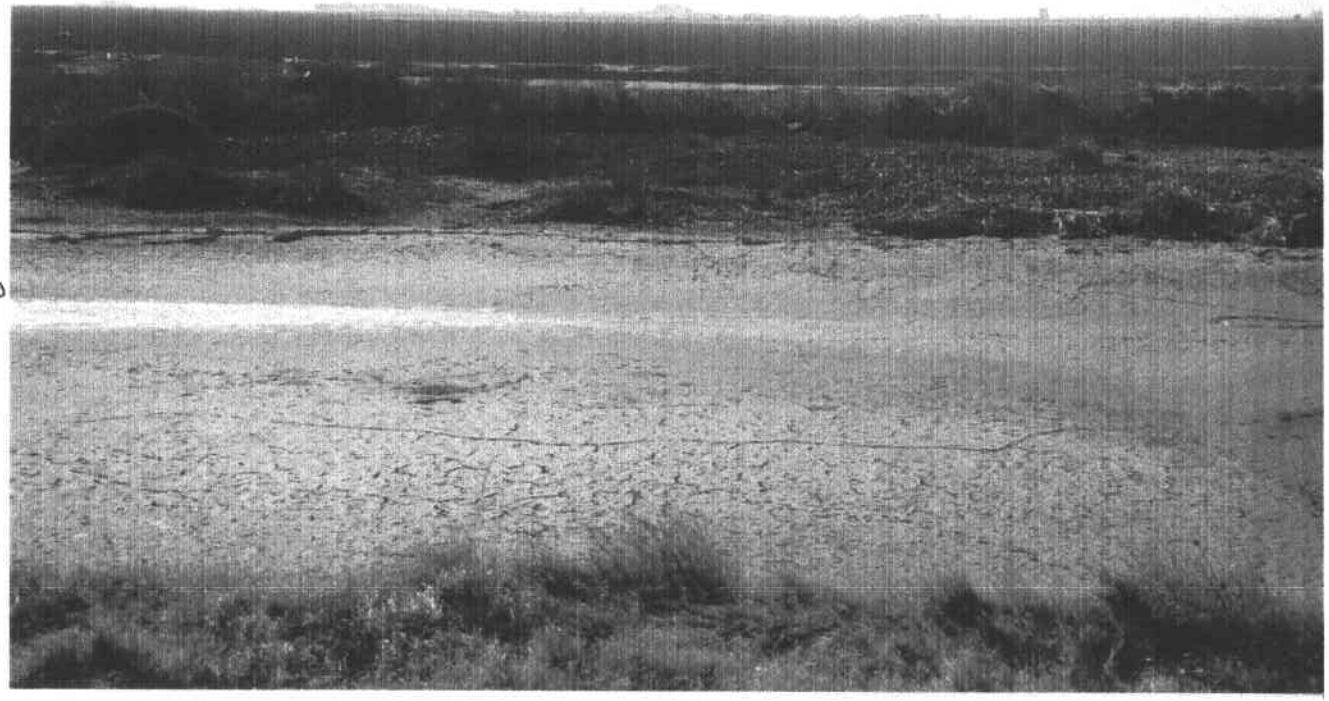
Reach 4B January 2007

approx. 10-15 ft. of silt build up

" 75-100 ft. wide

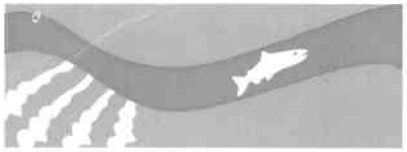
" 3 ft. deep now

Reach 4B current capacity is approx. 25-100 CFS



faxed to me 9/24

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 Tony Melillo

Organization and Address Palazzo Farms, Inc.

13355 W. Bisignani Road

Los Banos, CA 93635

Phone (209) 826-2666 FAX ( ) E-mail

Comment here: September 12, 2007
Date

See attached comments.

All comments become part of the public record.

September 12, 2007

I am a retried farmer who has lived my entire life in Los Banos, and mostly in the Reach 4b and 5 sections of the proposed San Joaquin River Restoration project.

As a young child in the 1930's I remember going fishing with my relatives in these two reaches of the river. At that time there was no river channel to be seen due to the natural flooding of the area. Friant and Pine Flat dams were not yet built. I saw a lot of dead salmon on sand bars which could not make it upstream. If the river was to be restored, it should have been done at the time of the dam construction. It would have been much more cost effective than doing it now.

I 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.

As these Federal and State judges keep cutting the water supply, we humans are the endangered species.

Thanks for the opportunity to provide input.

Sincerely,

Tony Mellilo

Tony Mellilo
Landowner/Farmer

Bureau of Reclamation
Sacramento Ca 95825

18381 Laurel Drive
Los Gatos CA 95030

Ms. Margaret Gidding:

I do not have the luxury of attending your Public Scoping Meetings, but have acquainted myself with your plans from your 'San Joaquin River Restoration Program" website. I have some questions, which derive from an investigation by myself and a friend into the water quality and fish kill conditions brought on by CVP at Clifton Court in the Delta. I have included back-up information in a report we wrote on the data gathering visit we made to Clifton Court in 1996. The attachment is for your perusal if you have any query on the source of my questions. The questions are as follows:

1.Since the intent of your program is to restore the San Joaquin fishery, including anadromous fishes such as Salmon, the striped bass, shad, and sturgeon which once swam the San Joaquin, how will they reach the idyllic, "Restored" San Joaquin upstream of the Merced? This question derives from the simple fact that your program apparently addresses the San Joaquin only between Friant Dam and the mouth of the Merced. However, the San Joaquin does flow to the Delta beyond the mouth of the Merced. In 1996 (and now), the Old River arm flowed with farm effluent, producing 80 degree F. water temperatures (Summer conditions) at the Delta Mendota pumping station. Do you think you can dilute the farm effluent flow and produce a pure, pristine river all the way to Clifton Court?

2. Where will the farm effluents from the Westlands and the South San Joaquin farmlands flow, if not in the San Joaquin? Does your program include the installation of a pseudo-sanitary sewer which will somehow dispose of the fish-killing flows, and make the San Joaquin a clean river all the way to the Delta? Do you use Kesterson?

3. If your program includes a waste-water removal plan, why do our Governor and his minions talk of a Peripheral Canal to improve "Water Quality" in the Delta? How could your program restore the fishery in the San Joaquin to the Merced mouth and bring anadromous fish there without also restoring the San Joaquin to the Delta?

4. Does your Restoration program, in any way address the terrible effects which the CVP system, (and the Friant Dam) have created within the entire San Joaquin River? How can you ignore the waters from the Merced to the old river at Clifton Court?

5. One of the recently touted operating comments on recent governmental projects is the statement, "Beware the law of unintended consequences". The CVP tried to respond to dying and distorted waterfowl at Kesterson Reservoir, and as a result produced the disaster which DWR, and the Bureau of Rec. seem to be trying to fix with a new Bandaid. Has anyone thought through the entire problem of the San Joaquin River System, as well as the impacts on Bandaids when the Governor pushes through the Peripheral Canal with more flow to Westland farms and much more waste-water flow which must again pour into the San Joaquin?

I hope that someone, will address the problem of the entire San Joaquin, and I am firmly convinced that the problem started with CVP in the Westlands and has not improved since the CVP debacle. Thank You, E Merlic 18381 Laurel Drive Los Gatos

Faxed to Marcia 9/4

REPORT TO CONCERNED FLY FISHERMEN(1996 TRIP TO CLIFTON CT.)

Gentlemen:
This is the result of a trip to Clifton Court and the adjoining Delta Mendota pumping stations. The trip was initiated as a result of the presentation to us by a California Fish and Game (F.&G.) spokesman on the disastrous disappearance of Salmon from the Delta, and the reduction /disappearance of all anadromous fish from the San Joaquin River. There is also data quoted here from a 1978 CVP progress report perused earlier. That report included disastrous results in the F.&G. enclosure within the report relative to Salmon fry losses at Clifton Court. Here are the facts as we saw them there at Clifton Court, and the facts from F.& G. What can be done to fix the problem is mixed with politics, economics, and the burgeoning farm industry which has moved into the Westlands District. Let me say that we place the blame squarely on CVP for this disaster, first for setting up Kesterson and then ignoring the waste water explosion which made both the San Joaquin river and CVP "Water Quality"disaster.

The CVP program to divert river water from the Delta has been a disaster for the anadromous fishery in both the Sacramento and San Joaquin Rivers. The placement of the CVP pumping station and the Delta-Mendota pumping system on the "Old River" has created a pseudo closed cycle sewer/fresh water mixing system that has the CVP operators scurrying to minimize effects of the effluent flow from the Old River in order to increase "Water Quality". The 1978 report from CVP is loaded with a wish list to Santa for a Peripheral Canal to improve the water quality. Typical bureaucratic blundering, "Don't fix it, Bandaid it".
The "Screens" at both the Delta Mendota and the CVP pumping stations will keep out the trash in the river, but not the striper eggs, small stripers, and the Salmon fry. These all were being entrained into Clifton Court pumping station as well as the Delta Mendota Canal. The 1978 progress report by CVP has a section from F.&G. stating that they discovered that 88% of the Salmon fry released into the Upper Sacramento "disappeared" at Clifton Court. Ostensibly, the reservoir there contained a cadre of large striped bass that decimated the fry, and the "screens" allowed the remainder into the pumps. The F. & G. solution for Salmon is the trucking of all Salmon fry South, where the live fry are dumped into the Sacramento River near Antioch. This nicely obviates the Clifton Court killings of hatchery fry. The hydrodynamics for intake screens are such that any thinking engineer would not have put the existing systems in operation at Clifton Court and Delta Mendota and called them fish screens. It may have been 1962, but the designs there are more typical of pre-1900. The systems there do not even slow the pump consumption of large fish. We probably should not say pre-1900, since the system depends on capturing some large fish, dumping them into large tank trucks and then dumping them somewhere in the Delta. Talk about ridiculous designs, the whole system stinks.

The water quality disaster has occurred because a voluminous, tainted farm effluent return was not envisioned by the CVP designers, since their original design was for Westlands farm effluent to be deposited in the Kesterson Reservoir. The opening of the Westlands created an overwhelmingly large and poisonous effluent flow required to make a desert into green farmlands. Kesterson was removed from the equation, and the

effluents were dumped into the San Joaquin, and everyone went blithely along until the water quality and anadromous fish disappearance problems showed up.

The 1978 CVP report cited the enhancement of water quality that should be expected when the Peripheral Canal was built. It prided itself on providing a "new"24 inch (vice16 inch) bypass pipe design which would allow fish to return to the river system. A simple calculation by me assuming water flow in the bypass at a maximum velocity of 10 feet per second suggests that the peripheral Canal designers would allow 31 cubic feet per second (cfs) for the fish while 23,800 cfs would go into the Peripheral Canal. Do we see pre-1900 thinking again here? As a fisherman, I see any Peripheral Canal designed by governmental agencies so politically controlled that there is no hope for California in the future, to have any fresh waters flowing in the rivers. There is no-one in government who has the foresight to envision what the large population invited to the State, and the powerful farm lobby (which will prevent any options for limit or control of farm effluent) can do and will do to California river waters.

In conclusion, the CVP disaster was a horrible mistake for both the fish, and for the citizenry, in that the idea of carrying fresh water into the Westlands to make the "Cadillac Desert" of the West San Joaquin green had more implications than the bureaucracy in both Washington and Sacramento could ever envision. The Kesterson fiasco was blithely ignored, and the San Joaquin made the receptacle for all that bad return water. They could not envision the impact on the San Joaquin River System, much less, could they recognize the effects of a closed cycle circulation system at Clifton Court. All this, while clean water was needed at all times for the cities who were sold CVP water to allow their unlimited growth, plus the voluminous flow required to cleanse the Cadillac Desert.

We predict that Government will not come up with any miracle solutions, but will probably obfuscate the "Water Quality" situation with large and expensive Bandaids that will cost billions, but will still ignore the critical problem. It was on the order of 70 years ago when municipalities along the Sacramento and San Joaquin used their rivers as a sanitary sewer. The rivers also got a large human waste input from the tributaries flowing past smaller municipalities that used their creeks as sanitary sewers. Today, there are tertiary-level water-treatment plants that assure the water dumped from sewer district plants can meet even drinking quality outflow requirements. It will take almost a miracle for any requirement on outflow to be placed on the farm community, but until some original thinking is done for the environment and for the limited fresh water supply, nothing but Bandaids will be used on the problems at CVP.

TOUGH LUCK FISHERMEN AND CITIZENS OF CALIFORNIA

forwarded to Margaret 9/20

Margaret Gidding - San Joaquin River Restoration Program Notice of Intent - Scope Comments

From: <PTMILLER@aol.com>
To: <mgidding@mp.usbr.gov>
Date: 9/20/2007 12:07:18 PM
Subject: San Joaquin River Restoration Program Notice of Intent - Scope Comments
CC: <dkoehler@riverparkway.org>, <melinda.marks@sjrc.ca.gov>, <CJaniel@co.fresno.ca.us>

9/20/07

To: Ms. Margaret Gidding , Bureau of Reclamation
From: Patrick T. Miller

I attended the scoping session conducted in Fresno and based on the presentations made I request that the following considerations be included in the Project Description for the program:

- A clear discription/delineation of Salmon spawning habitat areas to be enhanced/created.

- A clear description/delineation of the potential sources of gravel to be used in the enhancement/creation of spawning habitat, and, if those sources involve mining, the areas that may be involved.

- A typical annual release program from Friant Dam that presents the cumulative flows anticipated for both fisheries and flood control functions. I believe to many property owners this will be a very important consideration so that they may understand the physical implications of how the river will affect existing uses located near the river's banks.

Thank you.

Patrick Miller
P.O. Box 7036
Landscape Station
Berkeley California 94707

From the studio desk of:
Patrick T. Miller
2M Associates
Landscape Architecture â€¢ Planning â€¢ Horticulture
Phone:
510-524-8132 (Berkeley)
707-895-2597 (Philo Gardens)

ptmiller@aol.com

PUBLIC SCOPING COMMENTS

Jim & Betty Morehead
Morehead Farms

(559)757-3259 FAX (559)757-3244 mhfarms@sbcglobal.net

W attended the Scoping Meeting in Tulare on August 28, 2007

- The economic impacts of the restoration plan are real and have extreme consequences. Water is the essence and livelihood of agriculture as we know it in the San Joaquin Valley.

- The economic impact is far reaching and would affect other regions as our state as well. A consistent loss of water would diminish the ability to sustain today's ag economy.

- Farmers have not ever taken water for granted. Even prior to this proposed settlement growers have implemented water conservation methods. Most of these methods such as drip irrigation, rotating energy sources with down-time to help the state power grid as well as others.

- If crops do not go to market there will a need for fewer transporters, dock workers, equipments sales and repair, and the list goes on.

- The current plan is based upon a model that has not proven itself and has no guarantees.

- To equally represent both sides there needs to be a standard of success established for both groups and time limitations. If the original restoration plan does not work it would be a gross error to keep throwing good money and water after a failed concept.

- Just as the "fish" have benchmarks, the farmer deserves at the least an equal equation.

- We saw a very intricate, organized and developed plan for the fish restoration at the agency board at the scoping meeting. To guarantee a true success, there must be the same detail and plan for the water delivery in place before any water diversions can begin. This cannot be an aftermath project. Everyone must have all of their cards on the table face up.

- Since attending the meeting there is new concern with the delta pumps and now fearing their water shortage they want to access some of the Friant water. This needs to be addressed publicly and everyone know what the policy is and who it will affect.

- We've had two years of abundant water and with just this one current dry year. In that short amount of time wells are failing, the water table is dropping and there is no additional water source. The water diverted for the restoration is in essence non-replaceable.

- Urban growth in the San Joaquin Valley without question affects the availability and stability of our ground water supply

- There are irrigation districts that do not have the privilege of a contract are at extreme risk because the water diverted (what is commonly referred to by some as the "excess") is the very water available for them to purchase.

- **No water deliveries should be diverted until a canal system is in place to return the downstream water using the California Aqueduct to then move the water to the cross valley canal to reenter the Friant water system.**

  This is an essential component of leveling the playing field in this plan. The Temperance Flat proposals need to be become a reality in a very short timeline to protect both fish and agriculture.

faxed to Mgidding 9/11 Rcvd via mail 09/11/07

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 James L. Nickel

Organization and Address Nickel Family LLC

PO Box 60679

Bakersfield CA 93386-0679

Phone (661) 872-5050 FAX (661) 872-7141 E-mail jlnickel@nfllc.net

Comment here: September 4, 2007
Date

1) Increased consistent flows in Reaches 3 and 4 will cause increased seepage that will be detrimental to soils and crops. Adequate mitigation of these impacts must be installed.

2) Public access will encourage trespassing, litter and theft. This impact must be mitigated

3) Moving levees out will cause disruption of ditches, drains and other facilities. These impacts must be mitigated.

4) Interim flows at any level will cause seepage damage to crops and the soil. This must be mitigated.

5) Monitoring wells should be installed prior to interim flows to determine seepage impacts.

All comments become part of the public record.

email-d to MP 9/24/07

DOWNEY | BRAND
ATTORNEYS LLP

555 Capitol Mall, 10th Floor
Sacramento, CA 95814

P: 916/444-1000
F: 916/444-2100
downeybrand.com

Kevin M. O'Brien
kobrien@downeybrand.com

September 21, 2007

VIA E-MAIL

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:

On behalf of Columbia Canal Company ("CCC"), the purpose of this letter is to comment on the proposed 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.

CCC hereby incorporates by reference the attached comments of the San Joaquin Exchange Contractors Water Authority, as though fully set forth herein.

CCC reserves the right to participate in all proceedings relating to the San Joaquin River Restoration Program. If you have any questions regarding any matters contained in this letter, please do not hesitate to contact the undersigned.

Very truly yours,

DOWNEY BRAND LLP

Kevin M. O'Brien

KMO:cnb

cc: Randy Houk

878506.1

fax'd to me 9/25

KRCD
Kings River Conservation District

4886 East Jensen Avenue
Fresno, California 93725

Tel: 559-237-5567
Fax: 559-237-5560

www.krcd.org

September 21, 2007

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

Dear Ms. Gidding:

Re: San Joaquin River Restoration Scoping Comments

Kings River Conservation District submits the following comments on the San Joaquin River Restoration Scoping process.

1. Any and all considered alternatives must not impact any third party in any way. Third party impacts that must be avoided include, without limitation those that affect flood control, water quality, environmental conditions, or water supply.

2. Any and all considered alternatives must provide sufficient maintenance and design to sustain maximum flood releases from the primary, and any contributing watersheds in accordance with existing project criteria.

3. Channel/stream capacities must be sufficient as to allow for additional restoration flows, as well as historical and anticipated flood flows.

4. Any channel/stream modifications must consider existing flood control criteria established by the US Army Corps of Engineers for the San Joaquin and Kings River watersheds.

5. No alternatives should be studied that increase flood flow risks or other risks that may impact property or safety within or upstream of the restoration area.

Please include my contact information on all distribution lists regarding future meeting notices and documents relating to these issues.

Sincerely,

David Orth
FOR General Manager

DO/RH/dr

Cc: Karen Duilk, CA Dept. of Water Resources
Edwin S. Townsley, US Army Corps. Of Engineers

File: 700.01.02
L07-0274

faxed to me 9/24

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 Pat Palazzo

Organization and Address Palazzo Farms, Inc.

13355 W. Bisignani Road

Los Banos, CA 93625

Phone (209) 826-4632 FAX (209) 826-5809 E-mail

Comment here: September 12, 2007
Date

See attached comments.

All comments become part of the public record.

September 12, 2007

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,

Pat Palazzo
Landowner/Farmer

Faxed to Marin 9/20

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:

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(Please print clearly)

Name Fred Petroni

Organization and Address Delta Farms

12730 S. Hereford Road

Los Banos, CA 93635

Phone (209) 826-0863 FAX ( ) E-mail

Comment here: September 12,
Date

See attached comments.

All comments become part of the public record.

September 12, 2007

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

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Thanks for the opportunity to provide our comments.

Sincerely,

Fred Petroni

Fred Petroni
Landowner/Farmer

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:

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(Please print clearly)

Name Jose Antonio Ramirez

Organization and Address City OF Firebaugh

1575 11th STREET

Firebaugh, CA 93622

Phone (559) 659-2043 FAX (559) 659-3412 E-mail

Comment here: 08-30-07
Date

— See Attached —

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All comments become part of the public record.

CITY OF FIREBAUGH

FRESNO COUNTY, CALIFORNIA

1575 ELEVENTH STREET
FIREBAUGH, CALIFORNIA 93622-2547
(559) 659-2043
FAX (559) 659-3412

August 30, 2007

Mrs. Karen Dulik
Senior Environmental Scientist
California Department of Water Resources
San Joaquin District
3374 E. Shields Ave
Fresno, Ca 93726

Re: San Joaquin River Restoration Program

Dear Mrs. Dulik:

The City of Firebaugh's existence started back in 1854 and it has nestled the San Joaquin River even since. Our residents value and cherish the river for its splendor and the life it brings to our area. We consider it as the jewel of the San Joaquin Valley. Much history is preserved in this rural community that intertwines awesome episodes of this river and the lifestyle of early settlers. The backbone of this community started as Ag and continues to be Ag and therefore our future depends on the reliable water supply of the San Joaquin River.

In recent years we have also felt and seen the fury of mother nature as unpredictable storm events have caused our residents to rest uneasy because of the threat of the river toppling its banks. The most recent event takes us back to 1997 and we can all remember the loses that this event caused.

In April 2006 we experienced a similar storm event where the amount c acre feet of snow melt was very great. The river flooded low lying areas up to about 3 feet of water and the flooding lasted approximately two months. The San Joaquin River and the Chowchilla Bypass was channeling vast amounts of water that was being released from Pine Flat and Friant Dam. The Bypass was operating at 25% above its designed capacity and the San Joaquin River was at maximum capacity with very little free board left.

The resources that were spent in preparation and in the flood fighting along with the uncertainty of the welfare of the community was scary. We endured several months of uneasiness and after the water

resided we were left to clean up the mess and address the damage. The most significant damage occurred along our bluffs/levee that are adjacent to Q street and the A.E Mills School. The damage was noticed two months after the water receded back to normal flows. There was evidence of slope instability in the form of small tension cracks that parallel the river. It was at this time that the city hired a geotechnical firm to assess the situation and provide recommendations.

We have notified the State Office of Emergency Services, the Department of Water Resources and the Governors Office and have been working on mitigation solutions. The City of Firebaugh would like to work with the San Joaquin River Restoration Program to identify environmentally friendly solutions to resolve the problem.

Finally, another issue of importance is the capacity of the river as it continues to decrease overtime because of the build up of debris in the river after every storm event. We should look at addressing this issue as well because its my understanding that nothing has been done since the early 1960's.

Thank you for the opportunity to address this body with our comments and concerns and we look forward to working with you. Should you need additional information we are more than happy to provide.

Sincerely,

Jose Antonio Ramirez
City Manager

comments on the scope of the PEIS/EIR must be sent at the earliest possible date but no later than 30 days after receipt of this NOP.

Please send comments to:

Karen Dulik, Senior Environmental Scientist
California Department of Water Resources
San Joaquin District
3374 E. Shields Ave.
Fresno, California 93726

Scoping Meetings:
A series of scoping meetings have been scheduled to solicit agency and public input on the scope of the Program, proposed alternatives, and to ensure incorporation of any issues and concerns that should be addressed in the PEIS/EIR. Meeting dates, times and locations are as follows:

DATES and ADDRESSES:

- Tuesday, August 28, 2007, 6:00 p.m. to 8:30 p.m., Tulare, CA
  - International Agri-Center, Banquet Hall, 4450 S. Laspina St., Tulare, CA 93274
- Wednesday, August 29, 2007, 6:00 p.m. to 8:30 p.m., Fresno, CA
  - Piccadilly Inn, University, Ballroom, 4961 North Cedar Ave., Fresno, CA 93726
- Thursday, August 30, 2007, 6:00 p.m. to 8:30 p.m., Los Banos, CA
  - Merced County Fairgrounds, Germino Room, 403 F St., Los Banos, CA 93635
- Monday, September 10, 2007, 1:30 p.m. to 4:00 p.m., Sacramento, CA
  - Library Galleria, 828 I St., Sacramento, CA 95814

FOR FURTHER INFORMATION CONTACT: Please see the website at http://www.restoresjr.com or contact: Ms. Margaret Gidding, Bureau of Reclamation, 2800 Cottage Way MP-140, Sacramento, CA 95825, by telephone at 916-978-5104, TDD 916-978-5608 or via fax at 916-978-5114 or Karen Dulik, California Department of Water Resources, San Joaquin District, 3374 E Shields Ave. Fresno, California 93726: telephone (559) 230-3361, e-mail: kdulik@water.ca.gov.

If special assistance is required at one of the scoping meetings, please contact Ms. Margaret Gidding via the phone number or e-mail listed above prior to the meetings.

Paula J. Landis
Chief, San Joaquin District
California Department of Water Resources

8-22-2007
Date

State of California • The Resources Agency
Arnold Schwarzenegger, *Governor*

DEPARTMENT OF PARKS AND RECREATION • P.O. Box 942896 • Sacramento, CA 94296-0001
(916) 653-9901
Ruth Coleman, *Director*

October 3, 2007

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

Dear Ms. Gidding,

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the San Joaquin River Restoration Program. Please forgive our delay in responding to your NOP.

Restoration of fish habitat and water quality to the San Joaquin River (SJR) can produce positive environmental improvements, but it will take a long time to implement and may impact the ability of the California State Parks and other recreation providers to meet recreation needs of Valley residents that were recently documented in our *California State Parks and The Great Central Valley* report. The Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) for the project should address both the opportunities and risks that restoring the river will pose for recreation in the region. Some of the specific concerns that we would like to see addressed are as follows:

Millerton Lake State Recreation Area (MLSRA) is a destination for bass anglers and campers alike. The changing water levels that the lake already experiences create a struggle to maintain suitable habitat for the fishery and provide premium campsites (e.g., those at the waters edge). Restoring river flows below the lake will likely impact the quantity and quality of recreational use at Millerton Lake SRA due to earlier draw down, especially in dry years. Lower lake levels will be expected earlier in the year, resulting in highly concentrated use of the open water for the boating public. The higher concentration of boats on the water will result in lowering the value of the recreational experience for the boaters and may result in the need for more law enforcement presence to maintain order. As the lake level drops, campsites that were once located near to the shore are much further away and are much less attractive to the campers. This can result in less camping and therefore reduced revenue for the department.

The project's EIR/EIS should assess these effects. Among the information that would be especially useful in this assessment are forecasts of lake levels and lake surface area for each month during the recreation season during both normal and dry years. These forecasts should consider the cumulative effects of the river restoration project, potential additional storage upstream of Millerton Lake, and climate change.

More access to water, group picnicking, and day use opportunities are among the recreation demands that Central Valley residents identified in their comments on the Department's *Central Valley Strategy*. The desire for these recreation opportunities will only increase as the population of the Central Valley continues to grow. The project's

EIR/EIS should assess affects on Millerton Lake SRA's ability to meet these demands. Mitigation of adverse effects, including improvements both at Millerton Lake SRA and along the restored river downstream of the reservoir, should be proposed.

Traffic impacts from restoration activities, including restoration-related construction projects, need to be addressed as they relate to Millerton Lake SRA and the San Joaquin River Parkway, considering the cumulative effects of both the river restoration efforts and planned developments. Identification of the traffic impacts to the MLSRA entrance roads from displaced fishermen and hikers on the river should be addressed. The impact of the traffic generated by incoming traffic to MLSRA and to the lines of visitor cars, boats and motor homes waiting to enter MLSRA north shore on any given day could be significant. On holiday weekends these lines can be substantial, and with the growth in MLSRA visitation from planned Rio Mesa developments (cumulative impacts), could become day long waiting lines. In addition, CALTRANS has been working on a Blue Print Planning process for eight San Joaquin Valley counties that could be affected by this project in the form of road and levee relocations or limitations.

Additional Recreational Opportunities and Facilities in the San Joaquin Valley will be needed to meet the needs of the Valley's growing population, a portion of which will be accommodated by development in the project area. As the river restoration proceeds, increased water flows and the improvement to water quality could increase recreational opportunities along the restored river in ways that were not anticipated in the *Central Valley Vision*. The aforementioned *California State Parks and The Great Central Valley* report identified several recreation needs for which new opportunities might become available along the restored river:

- Expanding recreational facilities for camping, day use, fishing, boating, and trails to accommodate larger families and groups along river corridors, at Valley reservoirs and in the Delta.

- Expanding landholdings at existing parks and acquiring new parklands along major river corridors such as the Sacramento, Tuolumne, Stanislaus, San Joaquin and Merced Rivers, particularly where an opportunity exists to link state parks and other lands in public ownership.

- Acquiring lands that preserve and protect vanishing natural resources once more abundantly evident in the Central Valley, such as blue oak and sycamore woodlands, and native grasslands.

- Better preserving and interpreting the rich history associated with the Valley's past, such as agricultural history; Native American past and continuing life ways; and Highway 99.

Opportunities to meet these needs along the restored river should be assessed. This should include assessment of whether flows, temperatures, adjacent land use, and other conditions in the restored river will be suitable for boating, angling, swimming, and

other kinds of recreation. Ways in which exploitation of these new opportunities could assist in mitigating impacts at Millerton Lake SRA should be considered.

Cottonwood Creek (which is adjacent to Millerton Lake and flows into the San Joaquin River just below Friant Dam) may be an important asset to the river restoration efforts as there apparently is documented potential for salmon runs from the San Joaquin River into Cottonwood Creek. Dr. Peter Moyle, Fishery Biologist at UC Davis, has produced some documentation regarding salmon and Cottonwood Creek. The role of Cottonwood Creek in attaining the project's fishery restoration objectives should be considered. This should include an assessment of how the restoration may be affected by development being considered near the creek.

Dumna Tribe members around Millerton Lake have expressed an interest in having some dialogue regarding their ongoing needs in retaining their cultural values by making sure traditional roots, red bud and other natural resources are considered in the restoration efforts. They are hoping the final plans will allow for some well placed thought, and perhaps planting to help meet their ongoing needs. You may wish to contact the following: Dumna Contacts -- Sharyn Miller-Jones, Traditional Mono Basket, 559-240-4394; Laura Wass, American Indian Movement, 559-225-2990.

As the project description develops and the different alternatives are assessed, we are hopeful that you will consider California State Parks as a potential partner in holding lands for mitigation and providing increased recreational opportunities. We would appreciate an opportunity to meet with you to discuss how we might be involved in elements of the project's planning that affect parks and recreation issues.

If you have questions concerning any of the issues I have mentioned above, please don't hesitate to contact me.

Dan Ray
Chief, Planning Division
California State Parks
916-651-0305

GRAVELLY FORD WATER DISTRICT

1836 West Fifth Street, Madera, CA 93637 (559)674-5581

September 17, 2007

Margaret Gidding
Bureau of Reclamation
Mid-Pacific Region
2800 Cottage Way, MP-140
Sacramento, CA 95825

Karen Dulik, Sr. Environmental Spec.
Calif. Dept. of Water Resources
San Joaquin District
3374 E. Shields Ave.
Fresno, CA 93726

Re:San Joaquin River Restoration Program

Dear Ms. Gidding and Ms. Dulik:

A major concern of the Gravelly Ford Water District regarding the San Joaquin River Restoration project is the continued integrity and viability of the District's pumping facilities at the head of the Gravelly Ford Canal. We were previously assured by representatives of the negotiating parties of the Settlement Agreement that fish screens would be installed as part of the Restoration Project and would not be the liability of the pumper. We assume that this position is still valid. Currently the District's pumps are set up so that no sand is pumped. We would expect that any modifications required to the channel would not cause changed conditions to the District's pumping capabilities. We would expect that the cost of installation and maintenance of any fish screens would be a cost of the restoration project. Additionally, any screens and/or intake channel modifications need to take into account the variation in channel water levels from normal flows to flood flows. Pumping takes place during all conditions.

Under proposed program funding, it was stated that the Friant Capital Repayment is approximately $9 million per year. Is this amount over and above the current capital repayment commitment required by our contracts? And if so, why?

The statement was made that interim restoration flows would begin in the fall of 2009. What happens if the 2009 water year is a repeat of 2007? Will Reclamation manipulate the Friant water supply declaration to assure that water would be available in the fall? Or would releases be made to go below the minimum pool at Friant?

How will the Restoration releases affect Bass Lake storage and have the Bass Lake people been advised that holding water until Labor Day may no longer be a reality?

Based on statements made at the scoping session, it is obvious that (1) portions of the San Joaquin River have not received any water since the Bypass was constructed and (2) flows in the Bypass have often exceeded the design capacity of the channel which

placed an undue financial burden on the Levee District as well as Madera County (for main finance of the road bridges.) If the Bypass channel is to become the "new river," then the cost of upgrading and maintaining the levees and bridges should be part of the annual ongoing costs of the Restoration Project and not something forced back onto local taxpayers.

We will be available to discuss any of the above items with you at your convenience.

Sincerely,

Don Roberts/es/

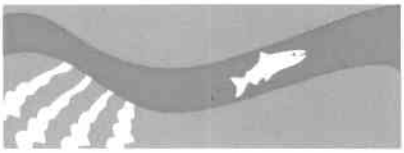
Don Roberts
Manager

DR:es

√mp

Fresno

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 Jeffrey T. Roberts

Organization and Address Millerton Lake Area Chamber of Commerce P.O. Box 483, Friant, Calif. 93626

Phone (559) 288-0688 FAX (559) 436-1659 E-mail jroberts@gvhomes.com

Comment here: 8/29/2007 Date

As a representative of the local Chamber of Commerce, I am concerned about the potential negative impact that the implementation of the settlement could have on Lost Lake Park. Lost Lake Park is a 'Regional Park', located in Friant and owned by Fresno County and the State of California. Lost Lake Park has a substantial amount of SJ River frontage and areas now devoted to recreation may be reduced / lost if and when flows increase. The maintenance of the Parks 'viability' is of vital importance to the residents of the area and surrounding region. We need a 'clear' picture of the impacts on Lost Lake Park and it existing and proposed recreational facilities. Thank you.

All comments become part of the public record.

From: eugene rose <eugene.rose@yahoo.com>
To: <mgidding@mp.usbr.gov>
Date: 9/13/2007 5:36:38 PM
Subject: San Joaquin River Restoration

The proposed restoration of the lower San Joaquin River will challenge the stewardship for all Californians--like never before.

In addition to requiring massive funding, restoration of America's most abused river will demand a paradgym shift in strategy, political will, but particulary of individual and collective commitment. The 20th Century model of "building to demand" with new water project is not longer a viable alternative. That dinosaur approach has created the very problem we are now trying to fix.

Over the past 150 years, Californians have built over 1,600 reservoirs and untold miles of canals, aqueducts and water conveyances. Despite the resulting successes, we never have had enough of that quintessential ingredient of life. Whether it is a water project or a freeway, we build up to the available capacity and then expect more. Ever more....

For too long, we have focused on the supply side of the equation rather than looking in concert at the demand side. That was the dinosaur age. Now, Californians in particular need to recognize that there is no "new water." We can talk about new dams, water exchanges and recirculation projects but that is only part of the larger equation. Forget about the Columbia River pipeline. Forget desalinization, the costs are prohibitive.

Yes, bring on the water meters, zeriscape landscaping and drip irrigation. Most of all, we need to bring on a new era of stewardship--a recommitment to the commons--and look at every innovative and viable approach to this daunting challenge, recognizing the finite nature of water.

For starters,. California needs to address the population bomb. Most of all, we need to stop subsidizing population growth. Yes, as distasteful as the approach sounds, we need a relocation or immigration tax for those moving into the nation's most populous state--where one out of nine Americans is already a Califorinian. There is no way in the world that California can accommodate the projected 60 million population and still remain the nation's food and fiber producer.

Even now, our present growth mode in not sustainable. An increasing number of state leaders

recognizes that state government is becoming unmanageable. Unfettered growth and development is cancer of genocidal proportions. We can have quality growth or quantity growth, but we cannot have both.

Without some serious effort to limit our numbers any effort to increase or maintain the present water distribution system is doomed to failure. Restoring the beleaguered San Joaquin River will be impossible without recognizing the demand side of the equation. Whether we like it or not, population and water are inseparable.

Resuscitating the river will require a broad, multi-faceted comprehensive approach that will test our resolve and stewardship. For 21st Century Californians it will be the ultimate test.

from: Gene Rose, Fresno, author, San Joaquin--A River Betrayed

---

Margaret Gidding - San Joaquin River Restoration 9/4 email Motion

From: John Roselli <rose_sm_2000@yahoo.com>
To: <mgidding@mp.usbr.gov>
Date: 8/31/2007 5:33 AM
Subject: San Joaquin River Restoration

I am not able to attend the public meetings but being a lifelong resident and registered voter of California I would like to have these comments considered regarding the San Joaquin River Restoration Program. I have attended meetings regarding waterfowl habitat restoration and hunting opportunities for the south end of San Francisco Bay. Interested parties have covered a very broad spectrum of different points of view, including both pro and anti hunting; even with these different attitudes we have been able to put together very a reasonable hunting program (which of course includes reasonable access) right here in the middle of a huge urban area. As an avid waterfowl hunter I feel the project on the river should open up more areas for hunting (at least not loose any) while keeping the waterfowl habitat in good shape. If we are able to open-up hunter access in an urban area, I would think that in a rural setting it would also be very possible.

The San Joaquin river is a key area for local and migrating ducks; the opportunity for the public to have good hunting access is very important, it is historically an area that has been used by hunters for many many years. Not all people of California can pay to join expensive hunting clubs therefore traditional hunting areas like the SJ river should have reasonable access for that use.

Sincerely,
John Roselli
628 Ventura Ave
San Mateo, CA 94403

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

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(Please print clearly)

Name Lauren Singleton

Organization and Address River Partners S.J.V. Project
806 14th St.
Modesto CA 95354

Phone (209) 521-1700 ext 3 FAX ( ) _____ E-mail lsingleton@riverpartners.org

Comment here: 8/30/07
Date

I would like to stress the importance of riparian vegetation for maintaining self sustaining salmon populations in the San Joaquin River. Native vegetation provides much needed shade for temperature control, litter, insects for food, and woody debris for the salmon to rest behind in the current. Revegetation in the flood plain will also provide erosion control along the banks, sediment trapping and will recharge the groundwater.

Thank You.
L

All comments become part of the public record.

Vmp

Fresno

SAN JOAQUIN RIVER RESTORATION PROGRAM

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

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(Please print clearly)

Name Richard F. Sloan

Organization and Address RiverTree Volunteers, Inc

1509 E. Fallbrook Ave

Fresno, CA 93720

Phone (559) 696-2971 FAX ( ) _____ E-mail riverrich1509@aol.com

Comment here: 29 Aug 07 ***Date***

Problem: Local agencies do not take responsibility for removal of trash and debris from San Joaquin River. Where SJR is county line, each county states the other is responsible. The Bureau of Reclamation states that because the SJR is considered a navigable river that land owners adjacent to the river can be held liable. This law-if it exists - is not enforced.

Trash and debris in the river affects the health and well being of fish, animals, and humans.

Problem: Invasive weed removal - Who is responsible?

All comments become part of the public record.

Forwarded email to Marion 1/24

RIVER PARTNERS

806 14th St.
Modesto, California 95354
info@riverpartners.org

Phone: (209) 521-1700
Fax: (209) 521-7327
www.riverpartners.org

September 20, 2007

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

To Whom It May Concern:

Riparian vegetation is a critical habitat feature for self-sustaining salmon populations because it:

-provides shade for water temperature regulation,
-provides woody debris for shelter,
-hosts food for salmonids (terrestrial insects and vegetation that aquatic insects feed on),
-provides erosion control on streambanks and thereby reduces sedimentation of spawning beds.

Therefore, we strongly encourage the committee to incorporate revegetation of the floodplains and riverbanks into the restoration plan for San Joaquin River salmon populations.

Sincerely,

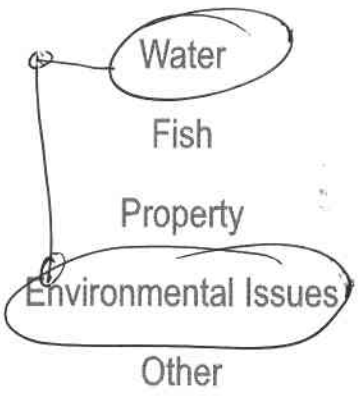
Stacy L. Small, Ph.D.
Restoration Ecologist
San Joaquin Valley Project

Public comment

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:



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(Please print clearly)

Name Gary Temple, President

Organization and Address Sierra and Foothill Citizens Alliance
P.O. Box 405
Prather, CA 93651

Phone (559) 855-5653 FAX ( ) _____ E-mail mtntop@netptc.net

Comment here: August 29, 2007 Fresno Scoping Meeting
Date

See the attached letter.

All comments become part of the public record.

SIERRA and FOOTHILL CITIZENS·ALLIANCE

P.O.BOX 405
PRATHER
CALIFORNIA
93651-0405
559-855-5653

August 29, 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: San Joaquin River Restoration Program
Public Scoping Comments
Fresno Scoping Meeting of Aug. 29, 2007

Ms. Gidding,

We understand that the San Joaquin River Restoration Program is limited to the length of the river from Friant Dam to the confluence of the Merced River. However, we strongly recommend "recognition" of the strategic importance of the San Joaquin River source watershed above Friant Dam.

This source watershed provides virtually all of the water that flows into the San Joaquin River and the quantity and quality of water depends on the future viability of the watershed area and hence the ultimate environmental success of the restoration program. The foothill and mountain areas that comprise this source watershed are under tremendous pressure for rural/urban development. Should these development pressures be realized, the negative impact to the quantity and particularly the quality of the river water would be virtually irreversible.

In short, the long term environmental viability of the upper San Joaquin River will wholly determine the ultimate environmental efficacy of the lower San Joaquin Restoration Program. It is therefore vitally important to recognize, and not take for granted, the future well being of the upper San Joaquin River watershed.

Sincerely,

Gary Temple, President
Sierra and Foothill Citizens Alliance

Cc: SAFCA Bd. of Directors

FRIANT
WATER USERS AUTHORITY

August 28, 2007

John Davis
Jason Phillips
Margaret Gidding
Bureau of Reclamation
2800 Cottage Way MP-140
Sacramento, CA 95825

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

Paula Landis
Department of Water Resources
3374 E. Shields Ave.
Fresno, California 93726

BY FAX OR E-MAIL AND MAIL

Re: EIS/EIR for the Implementation of San Joaquin River Settlement Agreement

To Whom It May Concern:

This letter responds to the Notice of Intent to Prepare an Environmental Impact Statement published by the Bureau of Reclamation (BOR) 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 (DWR) on August 22, 2007. The Project that BOR and DWR now propose to undertake is the implementation of the San Joaquin River Settlement. Friant Water Users Authority (FWUA) is pleased to see the federal and state cooperation on this important Project. However, FWUA has a number of concerns about how the state and federal agencies are proposing to proceed.

854 N. Harvard Ave. • Lindsay, CA 93247-1715
(559) 562-6305 • Fax (559) 562-3496

As you already know, FWUA and nearly all of its member districts were parties to the *Natural Resources Defense Council v. Rodgers* litigation since a few months after the case was filed. Although one of the issues in the lawsuit was the potential application of a state law to the federal reclamation project, the State steadfastly rejected (on the basis of the 11th Amendment) attempts to bring it in the lawsuit as a party. From 1989 through the conclusion of the litigation in 2006, the State's participation was limited to filing amicus briefs and declarations from State officials in support of plaintiffs' motions for summary judgment and making Court appearances urging the Court to rule for the environmental plaintiffs and reallocate the project's water supplies from their current beneficial uses to fish flows.

When Congressional leaders asked the parties to *NRDC v. Rodgers* to re-open settlement discussions in fall 2005, FWUA's members agreed that the negotiations on behalf of FWUA members would be coordinated through FWUA. NRDC staff represented the 14 environmental plaintiffs, and staff from the Department of Justice, the Regional Solicitor's Office, and the Regional Director's office represented the federal parties. The State took no part in these negotiations, which were intense and lasted for months.

During those negotiations, the Settling Parties painstakingly hammered out a deal that carefully balanced the restoration of the river, which undeniably will have large costs in terms of both water and dollars, with the economy that the water currently supports. It was understood and agreed by the Settling Parties that the Restoration and Water Management goals of the Settlement will be given equal importance and will have to move in tandem, on parallel tracks. (This is why the Settling Parties' press releases on the Settlement indicate that the two goals are "co-equal" and "parallel.") Simply put, it would be devastating to the economy of the San Joaquin Valley to restore the river without replenishing the water supply that supports the local economy. The Settling Parties understood this, and the result of their long negotiating efforts was the San Joaquin River Settlement.

The Settling Parties also understood that the environmental impacts associated with the implementation of the Settlement were to be analyzed in an EIR/EIS. During the Settlement negotiations, both FWUA representatives made it clear that the Water Management Goal projects would be developed during the environmental review process.

By June 19, 2006, the Settling Parties had reached agreement amongst themselves. However, as the representatives of all three Settling Parties represented to the Court on that date, the Settling Parties recognized that the Settlement would not be effective unless it had the support and cooperation of the State. For that reason, after the Settling Parties struck their deal, they turned their attention to negotiating the Memorandum of Understanding (MOU) with the State. By June 30, 2006, the Settling Parties reported to the Court that they had reached agreement on an MOU with the State. Among other things, the MOU provides that "The State Agencies intend to *assist the Settling Parties* in implementation of the Settlement consistent with the State Agencies' authorities, resources, and broader regional resource strategies," the State Agencies will make "efforts to *support the implementation* of the Settlement," and, perhaps most importantly, "The State Agencies and the Settling Parties intend to *work together collaboratively in the planning, design, funding, and implementation* of appropriate aspects of the Settlement." (MOU, § C.1 (emphases added).)

Between June 30 and September 13, 2006, the Settling Parties held off on executing the Settlement while they addressed concerns raised by the State and other potentially affected "third parties" who had not participated in either the litigation or the settlement negotiations. The Settling Parties spent countless hours discussing the Settlement with third parties and attempting to resolve their concerns. At the conclusion of this process, the Settlement was executed in the early morning of September 13, 2006, and the MOU was executed shortly thereafter.

For some months now, FWUA representatives have been engaged in discussions with representatives of the Department regarding which agency should assume the lead agency role under CEQA for purposes of the environmental review of this Project. CEQA defines "lead agency" as "the public agency [that] has the principal responsibility for carrying out or approving a project [that] may have a significant effect upon the environment." (Pub. Res. Code § 21067.) "So significant is the role of the lead agency that CEQA proscribes delegation. This prohibition was articulated in *Kleist v. City of Glendale* (1976) 56 Cal. App. 3d 770, 779." *Planning & Conservation League v. Dep't of Water Res.*, 83 Cal. App. 4th 892, 907 (2000).

FWUA believes it would be appropriate for it to act as the lead agency for the environmental review of the San Joaquin River Settlement. There are several reasons for this. First, DWR was not a party to either the underlying litigation or the Settlement itself. Its participation in this Project is to "assist the Settling Parties" and "support the implementation of the Settlement." FWUA, in contrast, participated in both the underlying litigation and the Settlement negotiations and is a signatory to the Settlement. The terms of the Settlement can be enforced against FWUA and the other Settling Parties; the same is not true for DWR or any other State agency. Second, FWUA's members are contributing funding and a portion of their contractual water supplies toward the implementation of the Settlement. We recognize that DWR is also contributing funding toward this Project, but we believe that the contribution of the FWUA parties is greater as we are also giving up water supplies. Third, as described above, FWUA was the agency that "acted first" on this Project. Indeed, without FWUA's approval of the Settlement, there would be nothing for DWR to assist us with or support. Fourth, DWR does not own or operate any of the Friant Division facilities. Thus, under the criteria of State CEQA Guidelines section 15051, FWUA strongly believes it should be the lead agency for the San Joaquin River Settlement Project. FWUA also qualifies as a Cooperating Agency under NEPA.

We understand that DWR feels it must be the lead agency for this Project. We also understand that DWR is intending to invest a significant amount of money in the Project. We appreciate DWR's support of the Settlement.

However, we do have some concerns about having an agency that was not involved in any of the Settlement negotiations assume the lead for implementing the Settlement. Primary among these is that DWR does not necessarily know the Settling Parties' intent and agreement on some of these issues. For example, as indicated above, the Settling Parties understood and agreed that the Water Management projects would be developed during the environmental review process and that the Restoration and Water Management goals would have equal priority and would proceed on parallel tracks.

The NOP issued by DWR does not reflect this understanding of the Settlement. First, in its discussion of how the environmental review will proceed, the NOP indicates that both Water

Management and Restoration Goal projects will be analyzed in "Phase 1," but "Phase 2" will be limited to implementing the Restoration Goal projects. There is no mention whatsoever of the Water Management Goal projects, even though the Settling Parties identified the two goals as "parallel" and "co-equal." If DWR and BOR implement the environmental review and the Project as indicated in the NOP, they will effectively be prioritizing the Restoration Goal projects over the Water Management Goal. This prioritization is not consistent with the Settlement. The FWUA parties did not agree that the Restoration Goal could proceed in advance of the Water Management projects. "Implementing" the Settlement in this way would change the fundamental nature of the Settlement; the deal that you propose to implement is simply not the deal we struck.

The FWUA parties are willing to entertain further discussions regarding DWR's and FWUA's respective roles in the CEQA process. However, please note that we will not be able to agree to any proposal that would change the basic nature of the Settlement agreement. Those provisions were hard-fought over many months and are simply not open for further discussion and revision. That is why the language of the NOP generates so much concern for FWUA.

With this background, FWUA has the following substantive concerns about the scope and content of the environmental information that is germane to FWUA's responsibilities for implementing this Project:

(1) FWUA is concerned that DWR and BOR are improperly piecemealing the Project. As indicated above, the Project is appropriately defined as implementation of the San Joaquin River Settlement Agreement. However, the NOP's discussion of the environmental review process fails to include any plan to incorporate the Settlement's Water Management Goal projects into the environmental analysis. The Water Management Goal is an integral component of the Settlement Agreement. The Water Management Goal projects must be analyzed in the EIS/EIR and implemented as the Settling Parties agreed. It is not acceptable to the FWUA parties for BOR and DWR to rewrite these provisions of the Settlement Agreement as the NOP implies. By not adequately accounting for the Water Management Goal in the NOP, DWR is omitting an important and major aspect of the project and therefore is not providing the accurate, stable and finite project description required by CEQA. *See County of Inyo v. City of Los Angeles*, 71 Cal. App. 3d 185, 192 (1977); *Endangered Habitats League v. State Water Res. Control Bd.*, 63 Cal. App. 4th 227, 242 (1997); *San Joaquin Raptor/Wildlife Reserve Center v. County of Salinas*, 27 Cal. App. 4th 713, 729-730 (1994); *National Parks & Conservation Ass'n v. County of Riverside*, 42 Cal. App. 4th 1505, 1514 (1996).

(2) The NOP indicates that BOR and DWR will prepare a Programmatic EIS/EIR in "Phase 1" and then will develop site-specific Restoration projects in "Phase 2" and "Phase 3." FWUA objects to the implication that no Water Management projects will be analyzed at a project-specific level in the first-tier of environmental review for this Project. As you know, at the request of Congress, FWUA submitted a lengthy list of projects to implement the Water Management Goal. Some of these, like the proposal to restore the Friant-Kern and Madera canals to their original design capacity, are ready to be analyzed at a project-specific level in the first-tier environmental document. There is no legitimate reason why these projects should be put on hold while the Restoration projects proceed. The EIS/EIR must evaluate at a project level the environmental impacts associated with the establishment of the Restored Water Account, the

work necessary to restore the Friant-Kern and Madera canals to their original capacities, and any other Water Management projects that are ready to be covered at a project level before the EIR/EIS is released for public review.

(3) It is not entirely clear to us what BOR and DWR consider to be the potential impacts of the Project. (*See* State CEQA Guidelines § 15082(a)(1)(C).) FWUA notes that the environmental documents must examine the impacts associated with implementing all aspects of this Project, including both the Restoration Goal and the Water Management Goal. To the extent that the environmental documents determine that the FWUA districts will not obtain new supplies to replace water dedicated to the river restoration, the environmental impacts associated with that water loss, including the socioeconomic impacts, must be analyzed and disclosed in the EIS/EIR.

(4) BOR's and DWR's notices are inconsistent with the Settlement Agreement in at least three fundamental ways.

(a) First, as indicated above, the NOP gives priority to the Restoration Goal over the Settlement's Water Management Goal.

(b) Second, the NOP and the NOI both state that the Settlement will be implemented by the five identified state and federal agencies, but the Settlement and the MOU both provide otherwise. For example, Paragraph 16 of the Settlement explicitly states that, to implement the Water Management Goal, "the Secretary [of Interior] shall commence activities" "in consultation with Plaintiffs and the Friant Parties." FWUA parties have never delegated their rights under the Settlement to the five identified state and federal agencies and the FWUA parties strenuously object to this usurpation of their authority to participate in the implementation of the Settlement. Similarly, the MOU expressly provides that "the State Agencies and the Settling Parties intend to work together collaboratively in the planning, design, funding and implementation of appropriate aspects of the Settlement." (MOU, § C.1.c.) FWUA does not believe the environmental review and implementation process proposed by BOR and DWR meets the understanding agreed to by the Settling Parties or the terms of the Settlement and the MOU.

(c) Finally, the NOP seems to indicate that, during "Phase 3," BOR and DWR *will* implement the "Phase 2" improvements identified in Paragraph 11(b) of the Settlement. However, some provisions of the Settlement, including the concept in Paragraph 11(b)(1) of running the Restoration Flows through the old San Joaquin River channel, were superseded by the proposed Settlement's implementing legislation. Consequently, there is no legal authority to implement Paragraph 11(b)(1) of the Settlement in the manner described in the Settlement agreement. Rather, the procedures set forth in the proposed implementing legislation must be followed. The NOP does not acknowledge this fact and implies by omission that the Settlement may be implemented without regard to the carefully negotiated legislative compromise that was designed to protect the interests of third party landowners in Reach 4B of the river.

In addition to the substantive comments given above, FWUA believes that DWR's NOP suffers from the following technical defects:

- It fails to include a map as required by State CEQA Guidelines section 15082(a)(1)(B);

- It fails to include sufficient information explaining the probable environmental impacts of the project as required by State CEQA Guidelines section 15082(a)(1)(C); and

- It fails to indicate whether any part of the project is within a hazardous waste site as required by Public Resources Code sections 21092.6(a) and 21080.4(a).

FWUA reiterates its appreciation for the efforts of the State and the Federal Government to implement the Settlement. We believe this can be a tremendously productive process, and the lofty goals of the Settlement can be attained, if all the Settling Parties and the State work together cooperatively to implement the Settlement. We remain hopeful that this can be achieved, and we look forward to discussing the environmental review and Project implementation process with the federal and state decisionmakers so we can collaborate on getting this Project off to the right start.

Consistent with CEQA, FWUA expects that the information included in this letter will be addressed in the EIS/EIR. FWUA designates Ron Jacobsma as its contact person for this Project. Please do not hesitate to contact Ron or me if you have any questions about the issues raised in this letter.

Sincerely,

Kole M. Upton
Chair
Friant Water Users Authority

emailed from Karen to MP 9/24

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

September 20, 2007

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

Project: San Joaquin River Restoration Program

Subject: CEQA comments regarding the Notice of Preparation for the San Joaquin River Restoration Program

District Reference No: 200701384

Dear Ms. Dulik:

The District recommends that the air quality section of the EIR have four main components:

1. **A description of the regulatory environment and existing air quality conditions impacting the area.** This section should be concise and contain information that is pertinent to analysis of the project. The District has several sources of information available to assist with the existing air quality and regulatory environment section of the EIR. The District's "*Guide for Assessing and Mitigating Air Quality Impacts, 2002 Revision*" (GAMAQI) contains discussions regarding the existing air quality conditions and trends of the San Joaquin Valley Air Basin (SJVAB), including those pollutants of particular concern: ozone, PM10, and carbon monoxide. In addition, it provides an overview of the regulatory environment governing air quality at the federal, state, and regional levels. The GAMAQI provides air monitoring data and other relevant information for PM-10 and other pollutants. The current GAMAQI can be found at www.valleyair.org/transportation/ceqa_guidance_documents.htm. The most recent air quality data for the District is Available on the California Air Resources Board (ARB) website at http://www.arb.ca.gov/html/aqe&m.htm. The air quality section of EPA's Region 9 (which includes information on the SJVAB) can be found at http://www.epa.gov/_region09/air/index.html. Lastly, this section should

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061
www.valleyair.org

Southern Region
2700 M Street, Suite 275
Bakersfield, CA 93301-2373
Tel: (661) 326-6900 FAX: (661) 326-6985

clearly describe the air pollution regulatory authority of the District and ARB for the various emission sources from the San Joaquin River Restoration Program project.

2. **Estimates of existing emissions and projected pollutant emissions related to the increase in project source emissions and vehicle use, along with an analysis of the effects of these increases.** The EIR should include the methodology, model assumptions, inputs and results for pollutant emissions. The cumulative impact analyses should consider current existing and planned development both within the project area and in surrounding areas. The EIR needs to address the short term and long term local and regional adverse air quality impacts associated with the operation of construction equipment (ROG, NOx, carbon monoxide [CO], and PM10) and emission generated from stationary and mobile sources. The EIR should identify the components and phases of the project. The EIR should provide emissions projections for the project at the build out of each phase (including ongoing emissions from each previous phase). The most current URBEMIS program may be used to quantify these emissions.

   Ozone Precursors – The District recommends using the regional transportation model to quantify mobile source emissions, but in some cases it may be possible to use the most current URBEMIS program to calculate project area and operational emissions. The District recommends using the most current URBEMIS program to calculate project area and operational emissions and to identify mitigation measures that reduce impacts. URBEMIS can be downloaded from http://www.urbemis.com/ or the South Coast Air Quality Management District's website at http://www.aqmd.gov/ceqa/urbemis.html. If the analysis reveals that the emissions generated by this project will exceed the District's thresholds, this project may significantly impact the ambient air quality if not sufficiently mitigated. The project applicant or consultant is encouraged to consult with District staff for assistance in determining appropriate methodology and model inputs.

   Toxic Air Pollutants – The air analysis should discuss any District or State regulations for identifying and reducing toxic pollutants. Potential sources that emit toxic pollutants include project operations, and vehicles (the ARB has designated diesel particulate emissions as a toxic air contaminant). If the project is near sensitive receptors, or if existing sources are near the project area, the District should be contacted to determine if the project developer should perform a Health Risk Assessment (HRA). An HRA should include a discussion of the toxic risk associated with the proposed project, including project equipment, operations, and vehicles. The GAMAQI defines the significance levels for toxic impacts as a cancer risk greater than 10 in a million and/or a hazard index (HI) of 1.0 or greater for chronic non-carcinogenic or acute risks.

   HRA guidelines promulgated by the California Office of Environmental Health Hazard Assessment (OEHHA) and OEHHA toxicity criteria must be used. In addition, the applicant should also refer to the "*Guidance for Air Dispersion Modeling*" document found on the District's web page for additional guidance. This

document can be found at http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm.

The District recommends use of the latest version of the Hot Spots Analysis and Reporting Program (HARP) released by ARB for an HRA because it is the only software that is compliant with the OEHHA guidelines.

The project consultant should contact the District to review the proposed modeling approach before modeling begins. For more information on HAPs analyses, please contact Mr. Leland Villalvazo, Supervising Air Quality Specialist, at (559) 230-6000 or hramodeler@valleyair.org.

Carbon Monoxide Hotspot Analysis – Results of the traffic study should be used to identify intersections and corridors with high levels of congestion that may result in a CO hot spot. CO hot spots should be screened using a protocol developed by the Institute of Transportation Studies at University of California Davis entitled Transportation Project-Level Carbon Monoxide Protocol. Locations that are predicted by the CO Protocol to experience high levels of CO should be modeled using the most current CALINE dispersion model. The procedure for using the current EMFAC model to calculate emission factors to be used in the CALINE modeling can be downloaded at the Caltrans Division of Environmental Analysis site http://www.dot.ca.gov/hq/env/air/pages/calinesw.htm.

Odor Analysis – The proposed project should be analyzed to see if it is considered near a location of sensitive receptors (including residences) and if odor is a concern. The procedure outlined in the GAMAQI includes the following:

- Identify the location of sensitive receptors (including residences).
- Compare the distance to the nearest sensitive receptor to the distances in Table 4.2 of the GAMAQI. If the sensitive receptors are further away than the distances given in Table 4.2, no further analysis is required. The results should be documented in the EIR.
- Obtain any odor complaints against the facility or similar facilities from the local District office and the county's environmental health department.
- Review the complaints to determine the location of complainants relative to the facility.
- Identify any sensitive receptors at similar distances.
- Determine if emissions of odoriferous compounds will increase or decrease with implementation of the project.
- Draw any reasonable conclusions as to the probability that the project will generate odor complaints based on this analysis of complaint history.

Note that the emission of odiferous compounds should be mitigated as much as feasible if it is anticipated that the project will have a significant impact. For more information on odor impact analyses, please contact Mr. Leland Villalvazo, Supervising Air Quality Specialist, at (559) 230-6000, or hramodeler@valleyair.org.

3. **Identify and discuss all existing District regulations that apply to the project.** The EIR should identify and discuss all existing District regulations that apply to the project. It would be appropriate to discuss proposed rules that are being developed that would apply to the proposed project. Current rules and regulations are available on the District's website at http://www.valleyair.org/rules/1ruleslist.htm. District rules and regulations are periodically revised, and new regulations are promulgated. The District strongly advises the California Department of Water Resources to contact the District for any rule updates and new rules when the project development begins. Current District rules and regulations applicable to the proposed project are requirements.

4. **Identify and discuss all feasible measures that will reduce air quality impacts generated by the project.** "Feasible" means "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors: (California Code of Regulations (CCR § 15364)). CEQA requires that EIRs "describe measures which could minimize significant adverse impacts" (CCR §15126(c)). Additionally, the CCR requires that "a public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures that would substantially lessen any significant effects that the project would have on the environment " (CCR § 15021(a)(2)). For each potential adverse impact, mitigation measures should be identified to reduce impacts below air quality threshold levels of significance. Therefore, the EIR should identify which mitigation measures will be included in the project, and how each mitigation measure will be implemented. The reduction of air quality impacts from implementation of mitigation measures should be quantified to the extent possible. If a measure cannot be quantified a qualitative discussion should be provided explaining the benefits of the proposed mitigation measure. The EIR should discuss how project design modifications could reduce project impacts

   This section should provide an analysis of existing mass transit/bicycle access to or near the site, and discuss if additional infrastructure will be needed. The section should identify which mitigation measures will be included in the project, and how each mitigation measure will be implemented. Site design, equipment alternatives, construction and operational measures that would reduce emissions should be identified. It should also analyze opportunities to mitigate urban heat island effects. The reduction of air quality impacts from implementation of mitigation measures should be quantified when possible. The EIR should discuss how the project design would encourage alternative transportation (including car pool parking), pedestrian and bicycle access/infrastructure, smart growth design, energy efficient project and building design, reduce urban heat island impacts, and include business programs that further reduce air pollution in the valley (such as carpooling). Mitigation measures must be included in the EIR that reduce the emissions of reactive organic gases, nitrogen oxides, and PM10 to the fullest extent possible. Site design and building construction measures that would reduce air quality impacts should be included. The Districts GAMAQI describes these features. The Local Government Commission (LGC) website, found at www.lgc.org/, contains valuable information

and resources on subjects from street design to energy efficiency. The use of the principles of the document Landscape of Choice is encouraged to reduce air quality impacts.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Jon Klassen at (559) 230-5843 and provide the reference number at the top of this letter.

Sincerely,

David Warner
Director of Permits Services

for

Arnaud Marjollet
Permit Services Manager

DW: jk

cc: File

forwarded email to Morgan 9/21

San Joaquin River
Parkway and
Conservation Trust, Inc.

September 20, 2007

Margaret Gidding
Bureau of Reclamation
Mid-Pacific Region
2800 Cottage Way, MP-140
Sacramento, CA 95825

RE: San Joaquin River Restoration Program Environmental Scoping Process

Dear Ms. Gidding:

The San Joaquin River Parkway and Conservation Trust (Trust) appreciates the opportunity to provide comments on the Notice of Intent to prepare environmental documents for the San Joaquin River Restoration Program.

The Trust's mission is to preserve and restore San Joaquin River lands of ecological, scenic or historic significance; to educate the public on the need for stewardship; to research issues affecting the river; and to promote educational, recreational and agricultural uses of the river bottom consistent with protection of the river's resources.

The Trust is very supportive of both of the goals of the San Joaquin River Restoration Program, and eager to work with the implementing agencies to bring those goals to life.
We urge you to evaluate the following items in the EIR/EIS:

1. Impacts of streamside/upland habitat restoration on water temperature, water quality, and fish survival.

We recognize that there will be significant emphasis on the geomorphic changes necessary to provide fish passage and survival during migration; we want to ensure that the important benefits provided by an increase in streamside vegetation to provide shade, runoff pollutant filtration, and woody debris necessary for instream cover are also evaluated.

2. Evaluate underground water storage and groundwater recharge in addition to water transfers and surface storage in meeting the water management goal

Numerous opportunities exist for improving water supply certainty in the Central Valley, for both domestic and agricultural users. Evaluation of underground storage opportunities and impacts to groundwater should be included as alternatives or additions to other water management options.

3. Provide cost-benefit analysis of levy removal and floodplain expansion or wetland creation in areas impacted by poorly maintained or permeable levies

Levy repairs have been identified as the most expensive aspect of the restoration program. Agricultural land that has experienced flooding in previous high flow events due to permeable substrate or levy failure may be appropriate for acquisition and restoration as floodplain or wetland habitat. Re-creation of natural flood processes in a river system often provides downstream flood control benefits as well as increasing freshwater wetland habitats. California has lost an estimated 95% of wetland habitat, and the long-term water quality and flood control benefits of wetland creation should not be underestimated. The Trust has a policy of acquiring land only through willing-buyer, willing-seller transactions, and encourages the implementing agencies to operate with the same guidelines rather than utilizing eminent domain for any land or easement acquisition.

4. Consider beneficial impacts of levy removal and floodplain creation or expansion on long-term flood management

Levy removal and floodplain expansion may be employed for gravel pit filling or isolation in reach 1. Expansion of the floodplain to allow natural expansion and slowing of flood flows will provide downstream flood benefits and should be evaluated as a flood control measure.

5. Prioritize projects on land that is in public ownership and where willing partners exist, rather than rigidly adhering to the phasing schedule described in the settlement

Reach 1 gravel pit isolation has been identified as a phase two task; however, the Trust and the San Joaquin River Conservancy have acquired most of the subject lands in the past two years. The affected lands are the focus of ongoing San Joaquin River Parkway trail planning, and all of the public and private partners involved in the project are supportive of the River Restoration Program goals. Due to the accessibility of the land and the willingness of landowners and other partners, we suggest implementation of Reach 1 modifications in the first phase of implementation on public lands within the Parkway.

In addition to the recommendations above, we want to reiterate the Trust's desire to work cooperatively with the implementing agencies on the River Restoration Program. Specific areas where the Trust possesses expertise that may be useful during program implementation include:

Outreach & Education

- The Trust has implemented two phases of a public education and outreach program called *This River Is Our River* in coordination with the agencies and organizations involved in the restoration program. We hope to continue providing opportunities for education about the restoration program through activities such as public forums, guided walks, and hosted meetings.
- The Trust intends to actively provide river restoration news and information via Trust publications and at outreach events, information booths, and during public presentations.
- The Coke Hallowell Center for River Studies can function as a repository of information on restoration progress as it takes place for historical purposes and public information.
- The Trust's education program reaches approximately 11,000 children every year through field trips, classroom presentations, and River Camp. Activities designed to educate children about river restoration have already been designed and included in River Camp and classroom presentations; we expect to continue providing restoration information throughout program implementation.

Land Acquisition and Habitat Restoration Projects

Friant Dam to Highway 145

- The Trust has completed numerous land acquisition and conservation easement projects in this reach, and can coordinate work to protect and restore river lands in this section with the river restoration program.
- In the Parkway section (Friant Dam to Highway 99), the Trust will work with the implementing agencies to coordinate the design of Parkway facilities with restoration program plans and activities.

Below Highway 145

- The Trust is interested in project opportunities downstream of Highway 145, and will monitor restoration activities and consider potential projects as they arise.

Resource Development

- The Trust has significant experience developing funding from public and private sources, and will endeavor to leverage the state's committed

restoration dollars with other funding to accomplish the goals listed above.

We appreciate the opportunity to comment on the scope of the EIR/EIS, and look forward to working productively with the Restoration Program throughout implementation. If you have questions or need additional information, please contact me at (559) 248-8480 or sweaver@riverparkway.org.

Sincerely,

Sharon Weaver
Watershed Program Director

cc: Karen Dulik, California Department of Water Resources

Margaret Gidding - Restoration of the San Joaquin River forwarded email to Marcia 9/20

From: "Peter Weber" <peterweber@sbcglobal.net>
To: <mgidding@mp.usbr.gov>
Date: 9/20/2007 12:40:11 PM
Subject: Restoration of the San Joaquin River

Dear Ms. Gidding,

I am writing to urge support for the negotiated plan to restore and improve the San Joaquin River, a vital element in the economic wellbeing of the San Joaquin Valley. The parties to the lawsuit have negotiated a settlement that protects the water available for agriculture, population growth, and fish and wildlife habitats, while reducing the loss of water and top soil from flooding. We need to create an amenity which will enhance the quality of life for our residents, thereby enabling us to attract and retain the professional and skilled workforce needed by our economy.

For too long this valuable asset has been abused and neglected. Legal maneuverings and political power-plays need to be replaced by a collaborative effort to restore and improve our river. The San Joaquin River Conservancy and the San Joaquin River Parkway and Conservation Trust are demonstrating the value of restoring the San Joaquin River for the 22 miles from Friant Dam to US 99. The thoughtful plan negotiated by the parties will serves the interests of all stakeholders, for the entire 123 miles of the river.

I respectfully urge your support for implementation of this plan.

Peter E. Weber
320 West Bluff Ave. # 103
Fresno, CA 93711

(559) 431-7170

faxed to mann 9/20/07

Chowchilla Water District

POST OFFICE BOX 905 - 327 S. CHOWCHILLA BLVD.
CHOWCHILLA, CALIFORNIA 93610

TELEPHONE (559) 665-3747
FACSIMILE (559) 665-3740
E-MAIL dwelch@cwdwater.com

September 12, 2007

John Davis
Jason Phillips
Margaret Gidding
Bureau of Reclamation
2800 Cottage Way MP-140
Sacramento, CA 95825

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

Paula Landis
Department of Water Resources
3374 E. Shields Ave.
Fresno, California 93726

Re: San Joaquin River Settlement Agreement

To Whom It May Concern:

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.

Chowchilla Water 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 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 Douglas Welch as the contact person to attend meetings to discuss the scope and content of the EIS/EIR.

Sincerely,

Douglas Welch

General Manager

C:\ USBR and DWR CEQA 2007 09 12.DOC

faxed to me 9/24

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 circle topic your comment relates to:

(Water)
Fish
Property
Environmental Issues
Other

(Please print clearly)

Name Dennis Westcot

Organization and Address 716 Valencia Ave
Davis, CA 95616-0153

Phone ( ) _____ FAX ( ) _____ E-mail dwestcot@sbcglobal.net

Comment here: 11/13/07
Date

The San Joaquin River Restoration Program is set to restore fisheries and flow on the River with this program. The increased River flow should also make a major improvement in River water quality, especially with regard to the existing salinity problem. However, this improvement will not be sustainable long-term unless the Restoration Program puts pressure on the Central Valley Water Quality Control Board to implement and enforce the State's Non-degradation plan by putting restrictions in place that cap the salt load entering the River at today's levels. Without these caps, the River will again become the salt drain for the basin as loads increase. These additional salt loads will impact the very fishery resource that you are attempting to restore and protect. There is no reason to begin the restoration effort unless salinity protection standards are in place. Protection standards need to be load caps, not water quality objectives. Water quality objectives would allow additional discharges as the Restoration flow are used to dilute additional waste loads.

All comments become part of the public record.

The Nature Conservancy
SAVING THE LAST GREAT PLACES ON EARTH

California Regional Office
201 Mission Street, Fourth Floor
San Francisco, CA 94105

Received from Peter Yolles
tel [415] 777-0487
fax [415] 777-0244

nature.org
nature.org/california

September 20, 2007

Scoping Comments for the San Joaquin River Restoration Program – Phase I

The Nature Conservancy (the Conservancy) appreciates the opportunity to comment on Phase I of the San Joaquin River Restoration Program. The Nature Conservancy's mission is to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive. The Habitat Restoration Goal is "to restore and maintain fish populations in "good condition" in the main stem of the San Joaquin River below Friant Dam to the confluence of the Merced River, including naturally reproducing and self-sustaining populations of salmon and other fish." Accordingly, The Conservancy fully supports the Habitat Restoration Goal, and our comments primarily are directed toward this goal by emphasizing the importance of integrating riparian and floodplain habitat more closely into the Program plan in order to benefit not only salmon and other native fish but the suite of species that rely on the San Joaquin River and its adjacent habitats.

Importantly, expanding riparian and wetland habitats that are hydraulically connected to the river will benefit salmonids, which have higher growth rates and survival when rearing on inundated floodplains compared to in the main channel (Sommer et al. 2001, Limm and Marchetti 2003). Other native fishes (e.g., Sacramento splittail) benefit from increased access to inundated floodplains by having greater opportunities for reproduction. Restoring riparian and wetland habitats is also beneficial to native fishes in that it provides inputs of large woody debris and helps generate diverse channel features and robust food webs (Cosumnes report reference).

In addition to benefiting salmon and other native fish species, the San Joaquin River Restoration Program has tremendous potential to aid the recovery of a broad suite of other important taxa in the region. Consequently, program managers should make every effort to evaluate how alternative implementation scenarios will affect not only salmon, but also the wider range of species and natural communities that represent the tremendous range of biodiversity in the area.

In particular, there are opportunities to expand floodplain riparian habitats which will help recover a suite of important community types including willow scrub, cottonwood forest, mixed riparian forest, sycamore alluvial woodland, elderberry savanna and valley oak woodland. These habitats have the potential to support many valuable and rare species including birds (e.g., least bell's vireo, yellow-billed cuckoo, Swainsons hawk), mammals (e.g., San Joaquin pocket mouse) and amphibians (e.g., California tiger salamander, western spadefoot toad).

Restoring floodplain riparian areas that adjoin the river will also benefit wildlife species that inhabit a suite of surrounding habitat types including wetlands and alkali scrub, a habitat type that is situated on the rim of wetland basins in the area. Wetland species likely to benefit from these actions include giant garter snake, western pond turtle and tricolored blackbird. Although alkali scrub associated species (e.g., blunt-nosed leopard lizards, kangaroo rats and San Joaquin kit fox) are not typically found in low lying riparian zones, they benefit when their habitats are embedded in a large landscape matrix of interconnected natural habitats. Such connections are entirely possible within the context of San Joaquin River restoration, and if made they would promote the revitalization of natural processes which are essential for maintaining habitat quality.

In summary, we encourage the San Joaquin River Restoration Program managers to evaluate the anticipated impacts of the different implementation scenarios on the full range of natural

species and communities in the Project Area. As is detailed in the Restoration Strategies Report (Stillwater Sciences 2003), there are many opportunities to revitalize the San Joaquin River that will provide benefits to not only salmon and other fishes, but also the larger riparian and wetland complex in the area. Our experiences on the Sacramento River have shown us that floodplain restoration efforts can successfully promote the recovery of a wide range of wildlife species (Golet et al. *in review*). On the San Joaquin River, the biodiversity and number of special status species are among the highest in the Central Valley; thus every effort should be made to adopt restoration scenarios that, while benefiting salmon and other native fish, can also benefit the broadest range of species.

References

Golet G.H., T. Gardali, C. Howell, J. Hunt, R. Luster, B. Rainey, M. Roberts, H. Swagerty, N. Williams. Wildlife Response to Restoration on the Sacramento River. San Francisco Estuary and Watershed Science. *Revision in review.*

Limm, M.P. and M.P. Marchetti. 2003. Contrasting patterns of juvenile chinook salmon (Oncorhynchus tshawytschaw) growth, diet, and prey densities in off-channel and main stem habitats on the Sacramento River. Report to The Nature Conservancy.

Sommer, T.R., M.L. Nobriga, W.C. Harrell, W. Batham, and W.J. Kimmerer. 2001. Floodplain rearing of juvenile chinook salmon: evidence of enhanced growth and survival. Canadian Journal of Fisheries and Aquatic Sciences 58:325-333.

Stillwater Sciences. 2003. Draft restoration strategies for the San Joaquin River. Report to Friant Water Users Authority and Natural Resources Defense Council.