



DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[RR02800000, 22XR0680A1, RX.17868949.0000000]

Notice of Intent to Prepare an Environmental Impact Statement and Hold Public Scoping Meetings on the 2021 Endangered Species Act Reinitiation of Section 7 Consultation on the Long-Term Operation of the Central Valley Project and State Water Project

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of intent; request for comments.

SUMMARY: The Bureau of Reclamation intends to prepare an Environmental Impact Statement (EIS) for analyzing potential modifications to the Long-Term Operation of the Central Valley Project (CVP) and the State Water Project (SWP). The authorized purposes of the CVP include, first, river regulation, improvement of navigation and flood control; second, irrigation and domestic uses and fish and wildlife mitigation, protection and restoration; and third, power and fish and wildlife enhancement. Reclamation is seeking suggestions and information on the alternatives and topics to be addressed and other important issues related to multi-year operations of the CVP and SWP.

DATES: Submit written comments on the scope of the EIS on or before [INSERT DATE 30 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER].

Reclamation will hold virtual public scoping meetings at the following dates and times. The virtual public scoping meetings are identified geographically; however, virtual attendance is open at all meetings. Comments during the scoping meetings will be recorded. If you do not wish to be recorded, you may submit written comments to the mailing address or email address below

1. Tuesday, March 8, 2022, 2 p.m. to 4 p.m., Sacramento, CA, virtual meeting.

2. Wednesday, March 9, 2022, 5:30 p.m. to 7:30 p.m., Red Bluff, CA, virtual meeting.
3. Thursday, March 10, 2022, 2 p.m. to 4 p.m., Fresno, CA, virtual meeting.
4. Tuesday, March 15, 2022, 5:30 p.m. to 7:30 p.m., Los Banos, CA, virtual meeting.
5. Wednesday, March 16, 2022, 2 p.m. to 4 p.m., Tracy, CA, virtual meeting,
6. Thursday, March 17, 2022, 2 p.m. to 4 p.m., Chico, CA, virtual meeting,

Information on participation will be posted at www.usbr.gov/mp/bdo by the day prior to the meeting.

ADDRESSES: Send written scoping comments, requests to be added to the mailing list, or requests for other special assistance needs to Cindy Meyer, Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536; or by email to sha-MPR-BDO@usbr.gov.

To attend the virtual meetings, please go to www.usbr.gov/mp/bdo to find the web links to specific meetings dates.

FOR FURTHER INFORMATION CONTACT: Cindy Meyer, Bureau of Reclamation, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536; telephone (916) 414-2425; email sha-MPR-BDO@usbr.gov. Persons who use a telecommunications device for the deaf may call the Federal Relay Service (FedRelay) at 1-800-877-8339 TTY/ASCII to contact the above individual during normal business hours or to leave a message or question after hours. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION:

Purpose and Need for the Proposed Action.

Reclamation operates the CVP and the California Department of Water Resources (DWR) operates the SWP, under the 1986 Coordinated Operation Agreement, as



amended in 2018, between the federal government and the State of California, as authorized by Public Law 99-546. A February 18, 2020, Record of Decision (2020 ROD) implements the Proposed Action consulted upon for 2019 Biological Opinions from the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS). On September 30, 2021, Reclamation requested to reinitiate consultation on the Long-Term Operation of the CVP and SWP under section 7 of the Endangered Species Act (ESA) due to anticipated modifications to the previous Proposed Action that may cause effects to ESA-listed species or designated critical habitat not analyzed in the current 2019 Biological Opinions. Modifications would address the review of the 2019 Biological Opinions required by Executive Order 13990 *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis*, and voluntarily reconcile CVP operating criteria with requirements of the SWP under the California Endangered Species Act.

The purpose of the proposed action considered in this EIS is to continue the operation of the CVP and the SWP, for authorized purposes, in a manner that:

- Meets requirements under Federal Reclamation law; other Federal laws and regulations; Federal permits and licenses; and State of California water rights, permits, and licenses pursuant to section 8 of the Reclamation Act;
- Satisfies Reclamation contractual obligations and agreements; and
- Implements authorized CVP fish and wildlife project purposes.

Operation of the CVP and SWP is needed to provide flood control and navigation; water supply; fish and wildlife mitigation, protection, and restoration and enhancement; and power generation. Operation of the CVP and SWP also provides recreation and water quality benefits.

Project Area (Area of Analysis).

The project area includes CVP service areas and CVP dams, power plants,

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diversions, canals, gates, and related Federal facilities located on Clear Creek; the Trinity, Sacramento, American, Stanislaus, and San Joaquin rivers; and in the Sacramento-San Joaquin Delta (Delta).

- A portion of the water from the Trinity River Basin is stored in Trinity Lake behind Trinity Dam, re-regulated in Lewiston Lake, and diverted through a system of tunnels and powerplants into Whiskeytown Reservoir on Clear Creek and then into the Sacramento River through Spring Creek upstream of Keswick Dam. Water is also released from Lewiston Dam to the Trinity River where it flows to the Klamath River.
- A portion of the water from the upper Sacramento River is stored in Shasta Reservoir and re-regulated in Keswick Reservoir. Water in Shasta may be diverted at Shasta Dam or released into the Sacramento River. Water from the upper Sacramento, imports from the Trinity River Basin, releases from other reservoirs owned or operated by local agencies, and other inflows enter the Sacramento River and may be diverted into the Tehama-Colusa and Corning canals at the Red Bluff Pumping Plant.
- A portion of the water from the American River is stored in Folsom Reservoir and re-regulated in Lake Natoma. Water in Folsom Reservoir may be diverted at Folsom Dam, be diverted into the Folsom South Canal, or be released into the American River.
- A portion of the water from the Stanislaus River is stored in New Melones Reservoir. Water in New Melones may be released into the Stanislaus River.
- A portion of the water from the upper San Joaquin River is stored in Millerton Reservoir behind Friant Dam. Water is diverted into the Madera and Friant-Kern canals or released into the San Joaquin River.
- The Sacramento River and San Joaquin River carry water to the Delta. As water

moves down the mainstem of the Sacramento River, gates at the Delta Cross Channel are operated for water quality and flood management.

- Water in the Delta may be pumped into the Contra Costa Canal at Rock Slough and delivered to Contra Costa Water District. The C.W. Bill Jones Pumping Plant is at the southern end of the Delta, lifting water into the Delta Mendota Canal (DMC). CVP water is conveyed in the DMC for direct diversion or for delivery to San Luis Reservoir. Water from the San Luis Reservoir is also conveyed through the San Luis Canal and Pacheco Tunnel. The DMC–California Aqueduct Intertie connects the CVP and SWP conveyance facilities after export from the Delta. Prior to the Jones Pumping Plant, the Tracy Fish Collection Facility salvages salmonids and other species.

The project area includes SWP service areas downstream of the Feather River and SWP facilities in the Sacramento–San Joaquin Delta, Cache Slough Complex, and Suisun Marsh. Feather River operations of Lake Oroville and Oroville Dam are not addressed as part of this consultation.

- In the Cache Slough Complex the Barker Slough Pumping Plant lifts water into the North Bay Aqueduct.
- In Montezuma Slough, the Suisun Marsh Salinity Control Gates are tidally operated to maintain fresh water in Montezuma Slough and the Suisun Marsh.
- The Harvey O. Banks Pumping Plant at the southern end of the Delta, behind Clifton Court Forebay, lifts water into the California Aqueduct, which conveys water to the San Luis Reservoir for storage and to the South Bay Aqueduct for deliveries to the SWP contractors. The DMC–California Aqueduct Intertie connects the CVP and SWP conveyance facilities after export from the Delta. Prior to the Banks Pumping Plant, the Skinner Delta Fish Protection Facility salvages salmonids and other species.

- The SWP also pumps water through the Harvey O. Banks Pumping Plant and conveys it through the California Aqueduct to the Cross-Valley Canal, when the systems have capacity, for CVP water service contractors.

Proposed Action and Preliminary Alternatives to be Considered.

The EIS will consider a range of reasonable alternatives, consistent with 40 CFR 1502.14, including a No Action Alternative that would continue implementation of the 2020 ROD. Reasonable alternatives may include combinations of operation of CVP and SWP facilities and diversions, construction actions, habitat restoration, conservation hatchery practices, and monitoring and special studies. Reasonable alternatives may support consultation for actions by Sacramento River Settlement Contractors. Reasonable alternatives may include DWR operations for new storage projects. Reclamation is considering operation of the CVP and SWP under conditions of:

- Potential hydrologic and meteorologic climate change through 2040 including changes in precipitation, air temperatures, and sea level;
- Potential new storage, conveyance, and other water supply infrastructure;
- Potential implementation of voluntary agreements for the update of the Bay-Delta Water Quality Control Plan;
- Potential responses to drier years and drought conditions such as water transfers and temporary urgency change petitions; and
- Potential needs for new and adapted monitoring programs to address current and future information needs.

Each action alternative will fulfill the requirements of the need for the project as described in the “Purpose and Need for Action” section. Certain components of alternatives may be described programmatically and be subject to further compliance. The Final EIS will identify an agency-preferred alternative. Reclamation will consider reasonable alternatives identified through the National Environmental Policy Act

(NEPA) scoping process and through the input required by Section 4004 of the Water Infrastructure Improvements for the Nation Act, Public Law 114-322.

Summary of Potential Impacts.

The EIS will identify and describe reasonably foreseeable potential effects on the human environment from a reasonably close causal relationship. Effects include those occurring at the same time and place and those occurring later in time or at a different place (whether beneficial or adverse). Potential impacts areas include surface water supply, water quality, groundwater resources, air quality, greenhouse gas emissions, visual resources, aquatic resources, terrestrial biological resources, regional economics, land use and agricultural resources, recreation, hazards and hazardous materials, cultural resources, geology and soils, and climate change.

Reclamation expects to analyze flow management, temperature management, habitat, interactions with CVP and SWP facilities, conservation hatchery practices, and monitoring needs. Reclamation expects these actions to result in incidental take that requires consultation due to the potential to affect ESA-listed species. Reclamation intends to pursue the conference process for Longfin Smelt. Reclamation also anticipates analyzing differences in water supply deliveries and surplus power generation. The EIS will analyze measures that would avoid, minimize, or mitigate adverse environmental effects.

Statutory Authority and Anticipated Permits.

NEPA [42 U.S.C. 4321 *et seq.*] requires that Federal agencies conduct an environmental analysis of their proposed actions to determine if the actions may significantly affect the human environment. The EIS will analyze the environmental effects that may result from the implementation of the proposed action and alternatives. In addition to NEPA, various other Federal, state, and local authorizations may be required for the Proposed Action. Applicable Federal laws include, but are not limited

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to, ESA, Magnuson-Stevens Fishery Conservation and Management Act, National Historic Preservation Act, and Clean Water Act.

Schedule for the Decision-Making Process.

Reclamation will review and consider comments received during scoping and will prepare a scoping report. After the draft EIS is completed, anticipated in 2023, Reclamation will publish a notice of availability (NOA) and request public comments on the draft EIS. After the public comment period ends, Reclamation will then develop the final EIS and anticipates making the final EIS available to the public in 2024. In accordance with 40 CFR 1506.11, Reclamation will not make a decision or issue a Record of Decision (ROD) sooner than 30 days after the final EIS is released. Reclamation anticipates the issuance of a ROD by October 2024.

NEPA Cooperating Agencies.

Reclamation will request the following Federal agencies to participate as cooperating agencies in accordance with the NEPA:

- USFWS,
- NMFS,
- Western Area Power Administration,
- U.S. Army Corps of Engineers; and
- U.S. Environmental Protection Agency.

Reclamation may invite additional Federal, state, and local agencies (e.g., DWR, California Department of Fish and Wildlife, State Water Resources Control Board, Public Water Agencies) as potential cooperating agencies.

Indian Trust Assets and Environmental Justice.

Reclamation will consult with federally recognized Indian tribes in the project area to request their input regarding the identification of any properties to which they might attach religious and cultural significance to within the area of potential effect.

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Once these areas are determined, Reclamation will enter government-to-government consultations with potentially affected tribes to identify and address concerns for Indian Trust Assets. There are Indian Trust Assets affected by the Trinity River Division and the potential impacts of CVP operation on those assets will be examined in the EIS. The EIS will examine the potential impacts to environmental justice issues throughout the project area.

Public Disclosure.

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

How to Request Reasonable Accommodation.

For special assistance at one of the scoping meetings, please contact Cindy Meyer (above) or TDD 916-978-5608, at least five working days before the meetings. Information regarding this proposed action is available in alternative formats upon request.

Ernest Conant,
Regional Director,
California Great Basin Region.

[FR Doc. 2022-04160 Filed: 2/25/2022 8:45 am; Publication Date: 2/28/2022]

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PUBLIC INPUT DURING SCOPING

What is Scoping?

The scoping process is an opportunity for the public to identify topics to be covered in the Environmental Impact Statement (EIS) and provide recommendations to Reclamation. Your input will help Reclamation to identify:

- Significant topics to be analyzed in the EIS.
- Topics that have already been adequately addressed in prior environmental reviews.
- Potential alternatives to develop the reasonable range of alternatives.
- Potential mitigation measures for the proposed action
- People or organizations who are interested in the 2021 Reinitiation of Consultation on the Coordinated Long-Term Operation of the Central Valley Project and State Water Project (2021 ROC on LTO).

How Can I Get Involved?

Reclamation encourages the public to be involved throughout the EIS process for the 2021 ROC on LTO. For this public scoping phase, comments are being accepted through March 30, 2022.

Ways to provide comments:

- Verbal comments at Scoping Meetings
- Mail:
Cindy Meyer, Project Manager,
Bay-Delta Office, 801 I Street, Suite 140,
Sacramento, CA 95814-2536
Email: sha-MPR-BDO@usbr.gov.

For additional information, please visit: <https://www.usbr.gov/mp/bdo/index.html>

What should I consider when developing my comments?

- What topics are of greatest concern to you and why?
- Are there additional topics that should be evaluated?
- What alternatives or mitigation measures do you think would help to lessen or avoid impacts?
- Can you suggest information resources?

What Issues Might be Addressed in the EIS?

- Water resources, including groundwater, water quality, and climate change
- Land use, including agriculture
- Socioeconomics
- Biological resources, including fish, wildlife, and plant species
- Cultural and historic resources

- Air quality and greenhouse gas emissions
- Soils, geology, and mineral resources
- Visual, scenic, or aesthetic resources
- Transportation
- Recreation
- Indian Trust Assets
- Environmental justice

2021 ROC on LTO Scoping Meetings

March 2022

Frequently Asked Questions

1) Submitting Comments

- How can I submit a comment?
 - If on Microsoft Teams, use the “hand raise” function to get into the queue to provide a comment. Commenters will be called upon and will have a chance to verbally state your comment, which will be captured by the court reporter.
 - If on the telephone, use the “hand raise” function by pressing *5 when directed to. This will get you into the queue to provide a comment. A Reclamation representative will call on you to verbally state your comment, which will be captured by the court reporter.
 - Mail comments to Cindy Meyer, Project Manager, Bay-Delta Office, 801 I Street, Suite 140, Sacramento, CA 95814-2536
 - Email comments to sha-MPR-BDO@usbr.gov.

- What sort of input are you looking for?
 - Alternative ideas
 - Scope ideas
 - Issues you have with the existing operations of the CVP / SWP - areas to focus on for the 2021 ROC on LTO
 - Concerns Reclamation or DWR should be aware of

2) NEPA / ESA Topics

- What is NEPA?
 - National Environmental Policy Act, the federal law that requires federal agencies to disclose the environmental effects of their action
- What is a No Action Alternative (NEPA)?
 - The alternative without the project, that is compared to all of the alternatives (with the project).
- What is an alternative (NEPA)?
 - A way to operate the CVP and SWP that meets Reclamation’s purpose and need
- What is a purpose and need (NEPA)?
 - A formal statement that determines why Reclamation is doing the project. All alternatives must address the purpose and need.
- Why is Reclamation doing NEPA on the operation of the CVP and SWP?

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- NEPA is required when a federal action is taken that may have impacts on the human and natural environment. Federal actions are those that require Federal funding, permits, policy decisions, facilities, equipment, or employees. In this case, coordinated operation of the CVP and SWP is a major federal action.
- What is the ESA?
 - Endangered Species Act, passed in 1973, requires federal agencies to conserve endangered species
- What is reinitiation (ESA)? Why is Reclamation doing it?
 - Reinitiation is re-doing the Endangered Species Act Section 7 consultation process for the operation of the CVP and SWP. Reclamation after coordination with DWR and the Federal and state fishery agencies, reinitiated due to anticipated modifications to the previous Proposed Action that may cause effects to ESA-listed species or designated critical habitat not analyzed in the current 2019 Biological Opinions. Modifications to the Proposed Action would address the review of the 2019 Biological Opinions required by Executive Order 13990 Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis, and voluntarily reconcile CVP operating criteria with requirements of the SWP under the California Endangered Species Act.
- Is this about Delta Smelt?
 - For ESA, we consider all of the endangered or threatened species and the CVP / SWP operation's effects on them. This includes the Delta Smelt, Winter-run Chinook salmon, Spring-run Chinook salmon, Green Sturgeon, and several terrestrial species.
- Did Reclamation recently complete an EIS on the Coordinated Long-term Operation of the CVP & SWP?
 - Yes, we signed a Record of Decision in 2020. However, in September 2021, Reclamation, after coordination with DWR and the Federal and state fishery agencies, reinitiated consultation due to anticipated modifications to the previous Proposed Action that may cause effects to ESA-listed species or designated critical habitat not analyzed in the current 2019 Biological Opinions, as well to meet Executive Order 13990 and voluntarily reconcile CVP operating criteria with requirements of the SWP under the California Endangered Species Act.
- How can Reclamation do NEPA and ESA at the same time?
 - Reclamation will slightly lead with ESA, and will continue with NEPA in order to aid in the alternatives development. Your early input is appreciated. The NEPA and ESA processes will inform each other
- What is the difference between the No Action Alternative and the environmental baseline?
 - The No Action Alternative is the NEPA term for the current management of the project without the Proposed Action. The environmental baseline is the ESA term

for the without-project condition, which must include the past and present impacts of all projects from federal, state, or local agencies with completed ESA consultation.

- What is the No Action Alternative for the EIS?
 - Under the No Action Alternative, Reclamation would continue to operate as described under the USFWS and NMFS 2019 biological opinions and 2020 Record of Decision.
- How can Reclamation and DWR be doing separate NEPA / CEQA documents for the same project?
 - While we often do joint documents, each agency is responsible for its own compliance and DWR determined to do a separate document for its CEQA compliance.
- What is the EIS process (NEPA)?
 - An agency publishes a Notice of Intent in the Federal Register, which informs the public of upcoming environmental analysis and how they can be involved. This starts the scoping process which is the period where the public and the federal agency can define the range of issues and alternatives to be addressed in the EIS. A draft EIS is developed and published for public review and comment for 45 days. The agency considers substantive comments and conducts further analysis if necessary. A final EIS is then developed and published, and the agency must wait 30 days before making a final decision on the proposed action. The EIS process then ends with a Record of Decision.
- How does Reclamation get to a Record of Decision and what does it include (NEPA)?
 - Reclamation follows the EIS process described above. The Record of Decision will explain the agency's decision, describe the alternatives the agency considered, and discuss the agency's plans for mitigation and monitoring if necessary.
- What opportunities will the public have to provide input during the EIS process (NEPA)?
 - The public will have the opportunity to provide comments during the initial scoping phase and during the public review period for the draft EIS.

3) 2021 ROC on LTO Scope

- What will the ROC on LTO cover?
 - Operations and habitat restoration across the CVP and SWP service areas.
- Is this related to California WaterFix/Bay-Delta Conservation Plan/Tunnels?
 - California WaterFix and the 2021 ROC on LTO will undergo their own respective ESA consultation process.
- Is Friant included?
 - Yes, to the extent they are not already covered by other NEPA / ESA documents, Friant is included in the current scoping phase.

- Is Trinity included?
 - Yes, Trinity is included in the current scoping phase.
- Will climate change be addressed?
 - Yes, climate change will be addressed. We will have multiple scenarios with different climate change effects to account for the uncertainty in the extent of the effects.
- Is Reclamation looking to support ESA- listed species?
 - As stated in our draft purpose and need, we are trying to operate the CVP and SWP according to federal, state, and local laws, satisfy our contractual agreements, and implement authorized fish and wildlife project purposes. We also want to obtain a non-jeopardy Biological Opinion. This will require balancing the water supply and fish needs of the system.



Public Scoping Meeting

Long-Term Operation of the Central Valley Project
and State Water Project

March 2022

VI.

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Agenda

- Meeting Logistics
- Meeting Purpose
- Opening Remarks
- Overview Presentation
 - Project
 - Environmental Impact Statement
 - Project Scope
 - Process
- Public Comment



Shasta Dam and Lake (2013)



Welcome and Meeting Logistics

- Welcome!
- Meeting materials and project information are posted on our website: www.usbr.gov/mp/bdo
- Meeting is being recorded and transcribed. If you do not wish to be recorded, please submit written comments to either address provided below. All comments, both verbal and written, are subject to the Freedom of Information Act.

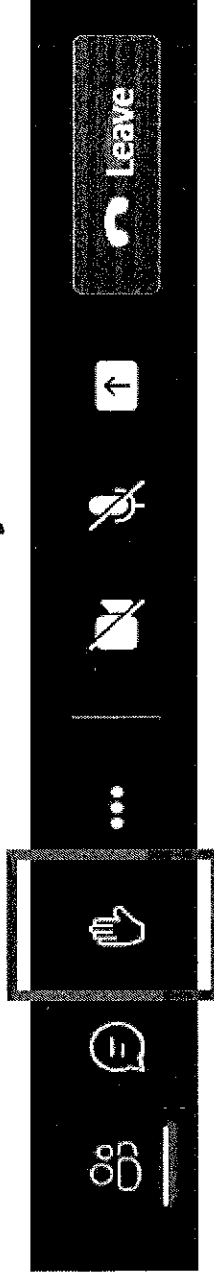
Cynthia Meyer
U.S. Bureau of Reclamation Bay-Delta Office
801 I Street, Suite 140, Sacramento, CA 95814-2536

Email: sha-MPR-BDO@usbr.gov



Providing Verbal Comments

- We will ask for public comments following a brief presentation.
- On your laptop or smart phone screen, use the "raise hand" feature on the Microsoft Teams' tool bar to let us know you have a comment.



- From your touch tone pad on your telephone, you may raise hand by pressing *5
- Comments will be taken in order and will be allowed 3 minutes; if you need additional time, you may raise your hand again to be placed back in the queue
- On the Microsoft Teams' tool bar, you can turn on closed captions by clicking the ellipses and scrolling down to "Turn on live captions"

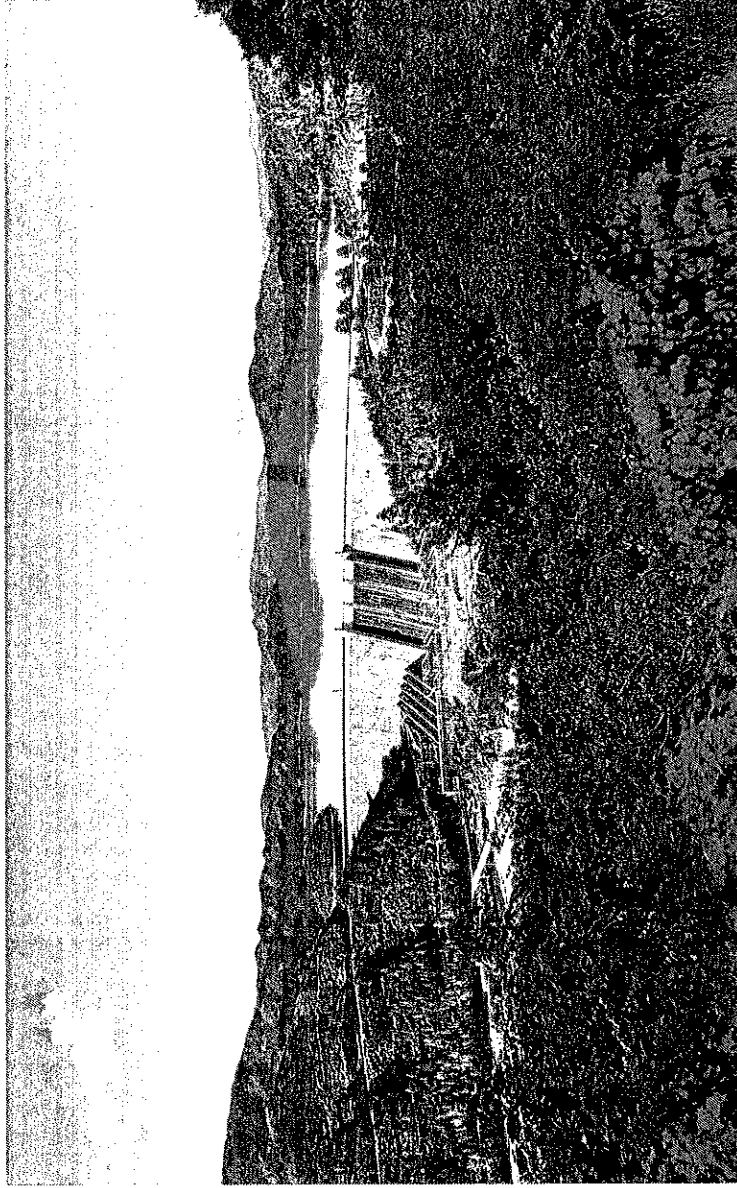


Meeting Purpose

- Encouraging public comments
 - Verbally today, or
 - Email or mail until March 30, 2022.
- Hearing your insights and specific local information related to issues for the Environmental Impact Statement.
- Sharing actions you believe should be analyzed as part of the Long-Term Operation of the Central Valley Project and State Water Project.



Opening Remarks



Shasta Dam near Redding, California forms the largest reservoir in California



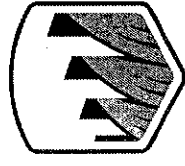
What is this Project?

- Reclamation intends to prepare an Environmental Impact Statement to analyze potential modifications to the Long-Term Operation of the Central Valley Project and State Water Project.
- Reclamation proposes to evaluate alternatives that continue the operation of the CVP and the SWP, for authorized purposes, in a manner that:
 - Meets requirements under applicable federal and state laws;
 - Satisfies Reclamation contractual obligations and agreements; and
 - Implements authorized CVP fish and wildlife project purposes.
- Operation of the CVP and SWP is needed to provide flood control and navigation; water supply; fish and wildlife mitigation, protection, and restoration and enhancement; and power generation.



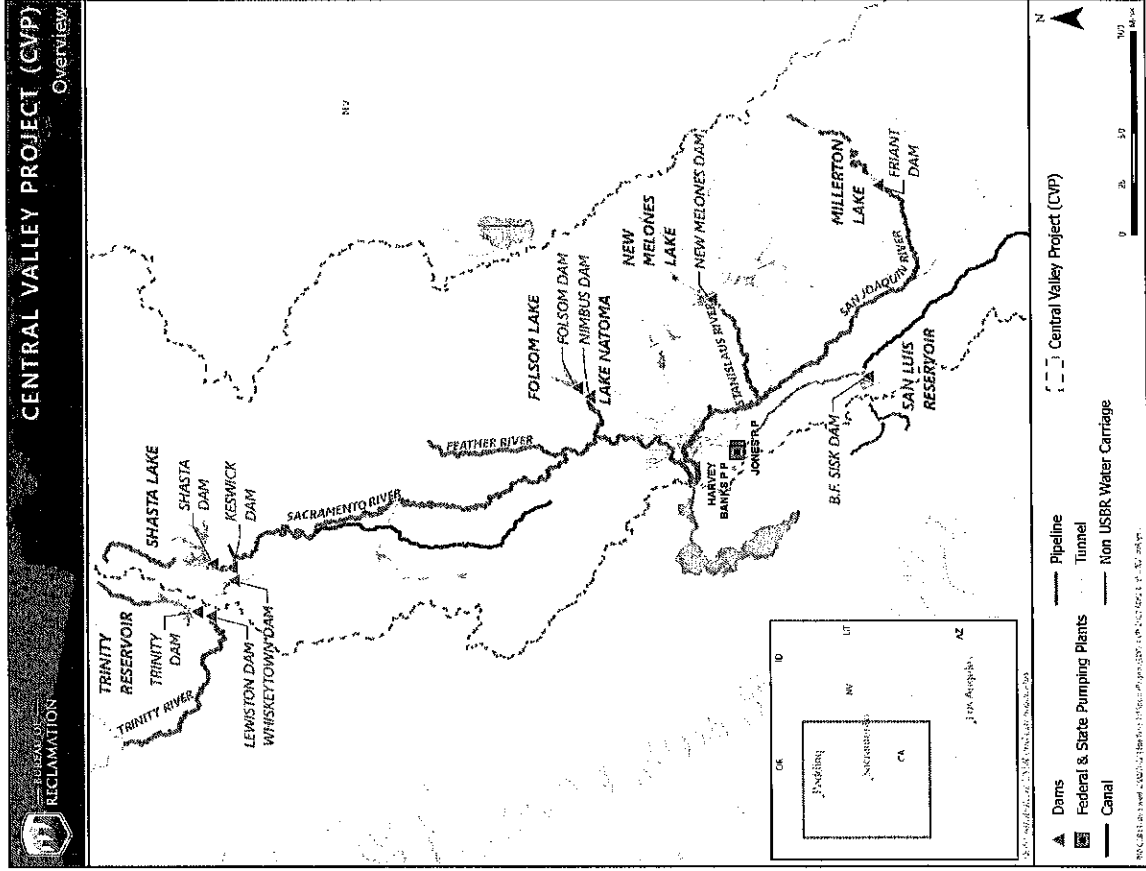
What is the Purpose of an Environmental Impact Statement?

- Ensure agencies consider the environmental impacts of their actions in decision making.
- Provide full and fair discussion of significant environmental impacts and inform decision makers and the public of reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment.
- Provide information for public review and comment.



Project Scope

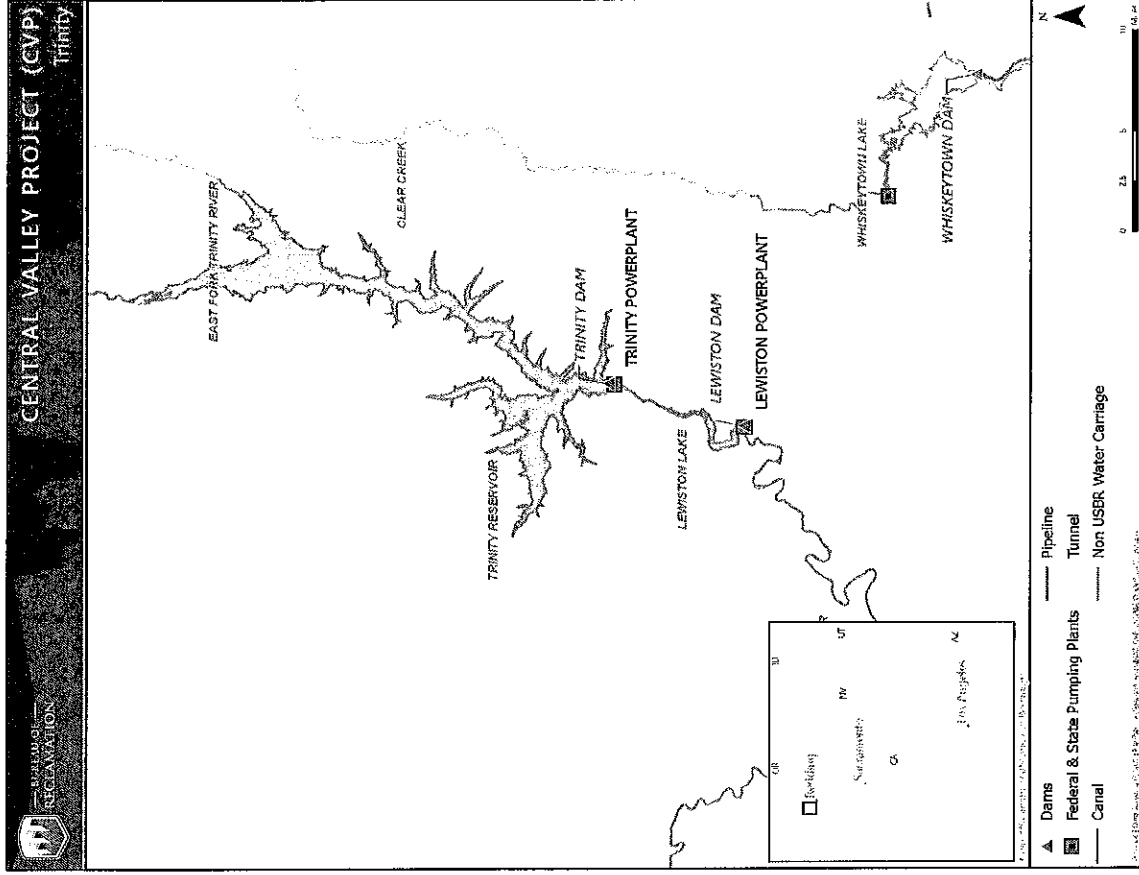
- Trinity River Division
- Shasta and Sacramento River Divisions
- American River Division
- Friant Division
- Eastside Division
- Delta Division



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Trinity River Division

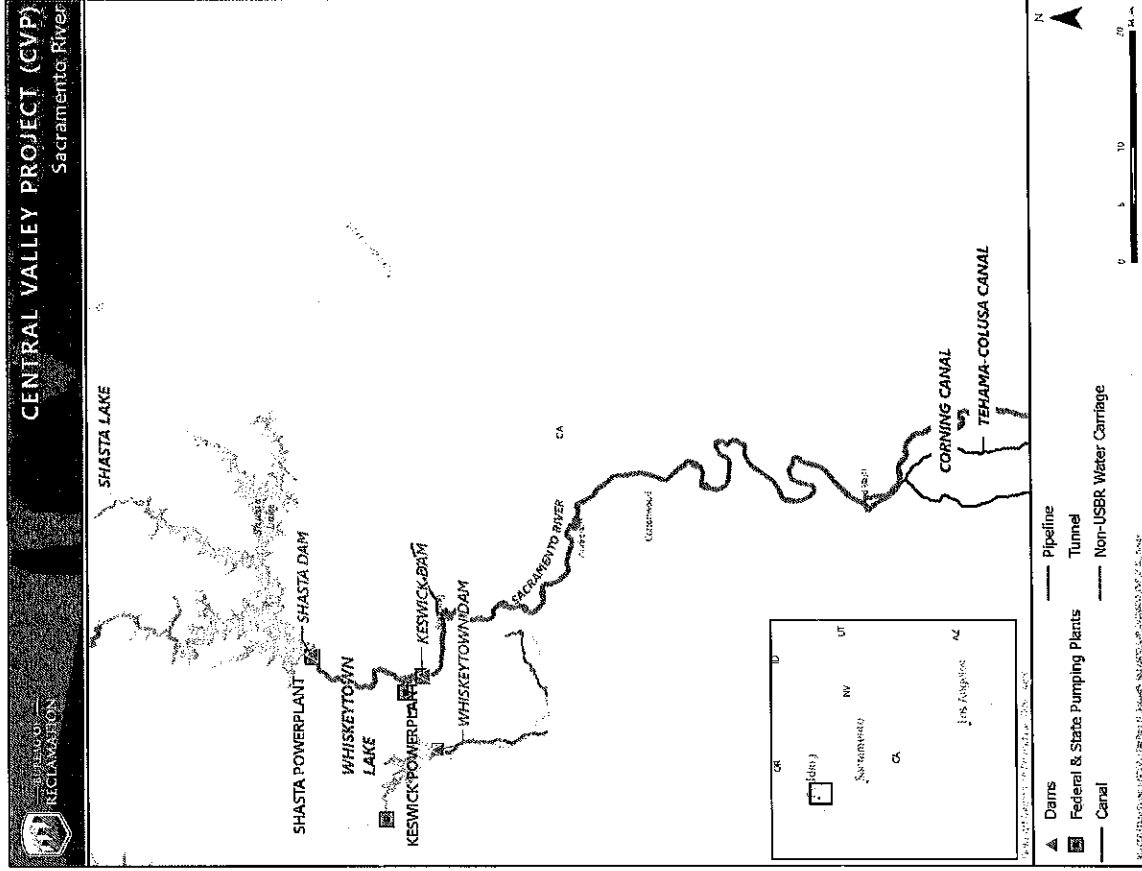
- Key Facilities
- Trinity Dam
- Lewiston Dam
- Clear Creek Tunnel
- Whiskeytown Dam



Shasta and Sacramento River Divisions

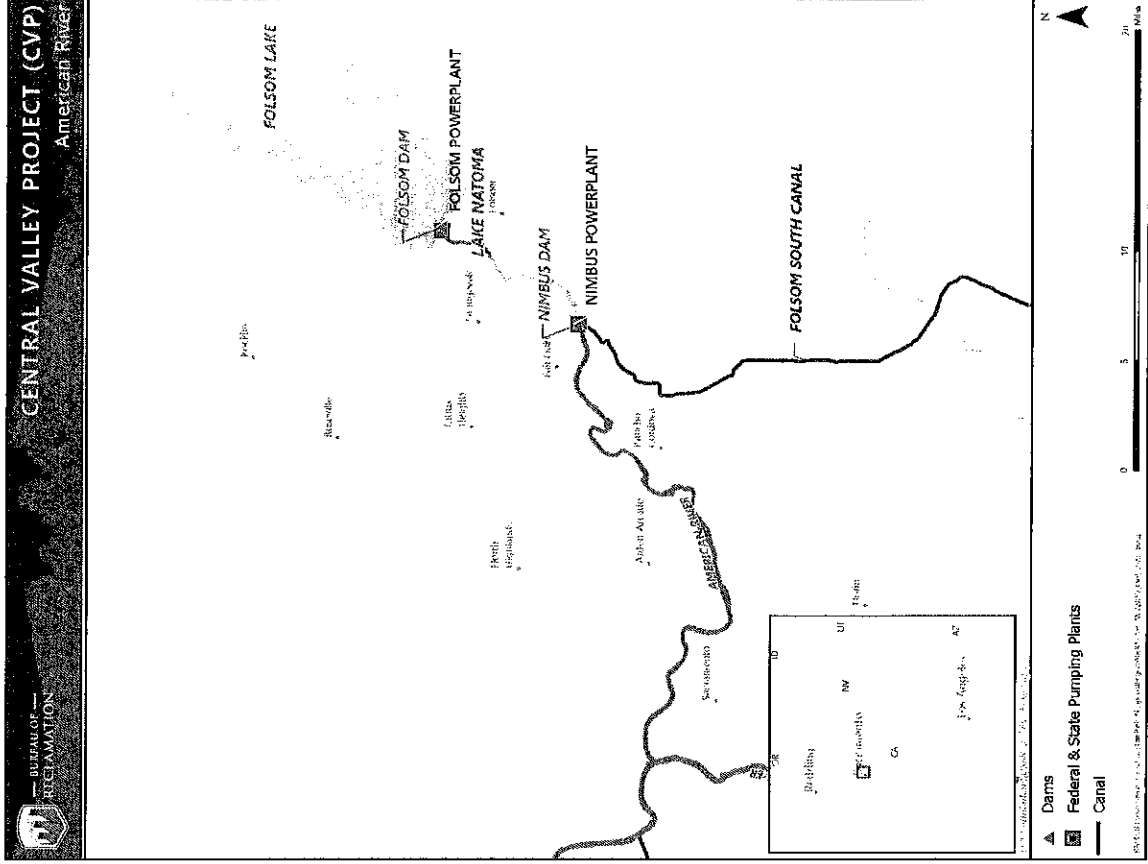
Key Facilities

- Shasta Dam
- Keswick Dam
- Red Bluff Pumping Plant



American River Division

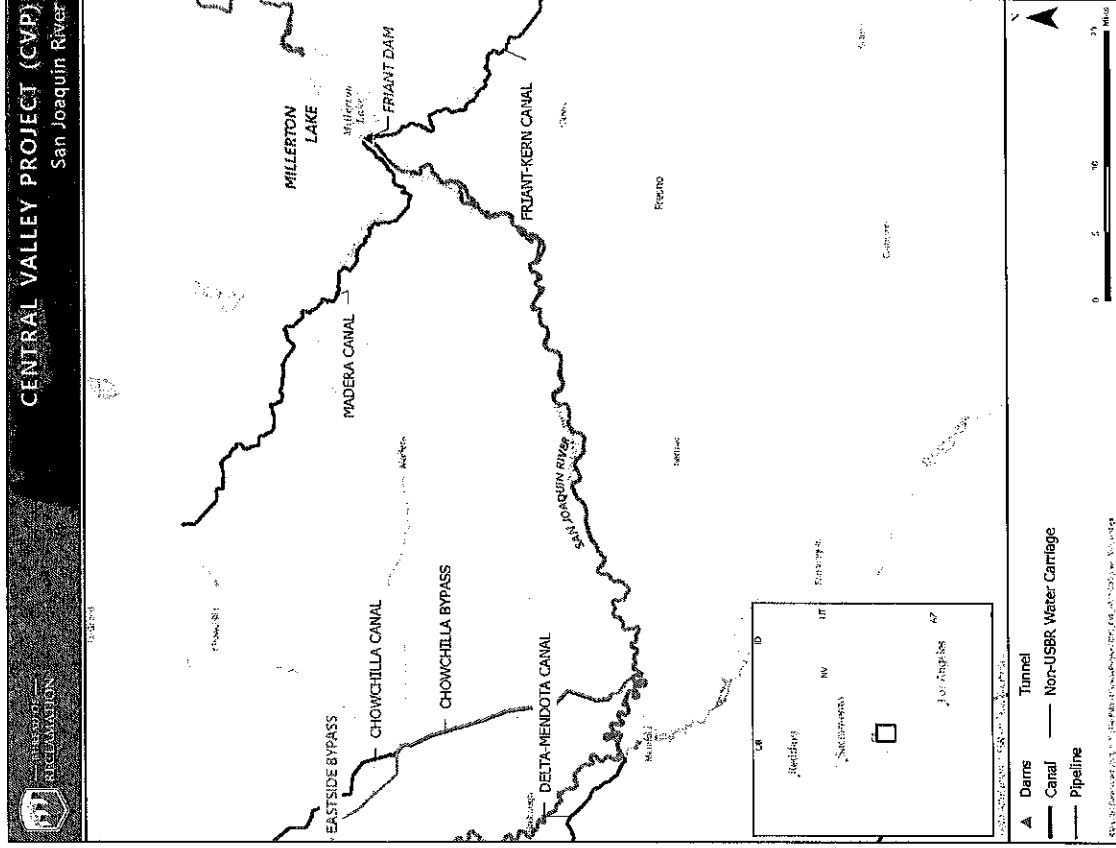
- Key Facilities
- Folsom Dam
- Nimbus Dam
- Folsom South Canal



Friant Division

Key Facilities

- Friant Dam
- Madera Canal
- Friant-Kern Canal

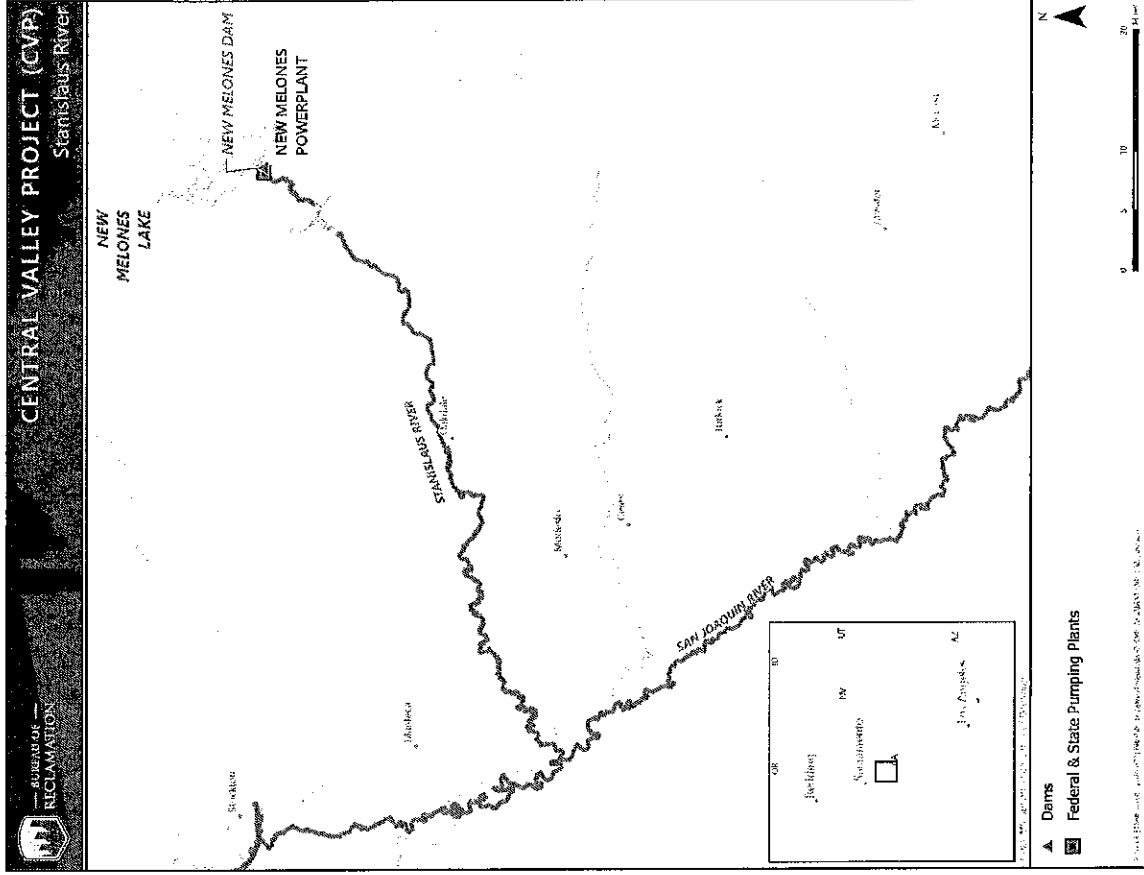


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Eastside Division

Key Facilities

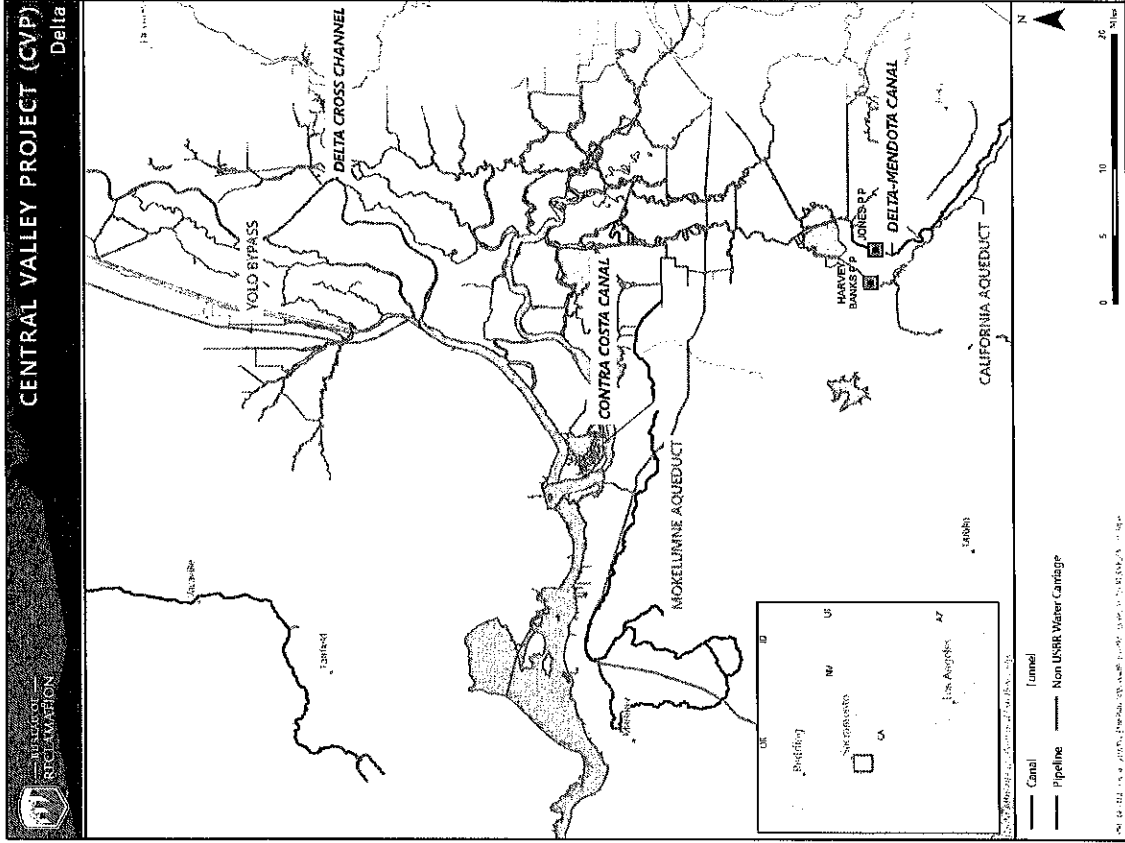
- New Melones Dam



Sacramento-San Joaquin Delta

Key Facilities

- Delta Cross Channel
- Tracy Fish Collection Facility
- Jones Pumping Plant
- Delta Mendota Canal
- San Luis Reservoir
- San Luis Canal



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Public Input During the Scoping Process

- Your input will help shape the Environmental Impact Statement
 - What actions should be considered?
 - What environmental issues should be evaluated?
- What happens to comments?
 - Comments will be compiled in a Scoping Report which will be made available to the public on Reclamation's website: www.usbr.gov/mp/bdo
- Comments due March 30, 2022



Timeline

- Submit additional comments by March 30, 2022, via email or mail:

Cynthia Meyer
U.S. Bureau of Reclamation Bay-Delta Office
801 I Street, Suite 140, Sacramento, CA 95814-2536

Email: sha-MPR-BDO@usbr.gov

- Scoping report – anticipated in 2022
- Public Draft Environmental Impact Statement – anticipated in 2023
- Final Environmental Impact Statement and Record of Decision – anticipated in 2024



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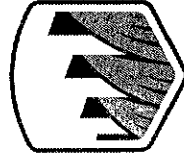
Public Comment Guidelines

- Identify yourself and your affiliation. Please spell out your name for the court reporter
- Honor time limits to ensure everyone's participation
- All comments are recorded
- Meeting materials and project information are posted on our website: www.usbr.gov/mp/bdo
- Online: use the raise hand function



- By phone: press *5 to raise your hand

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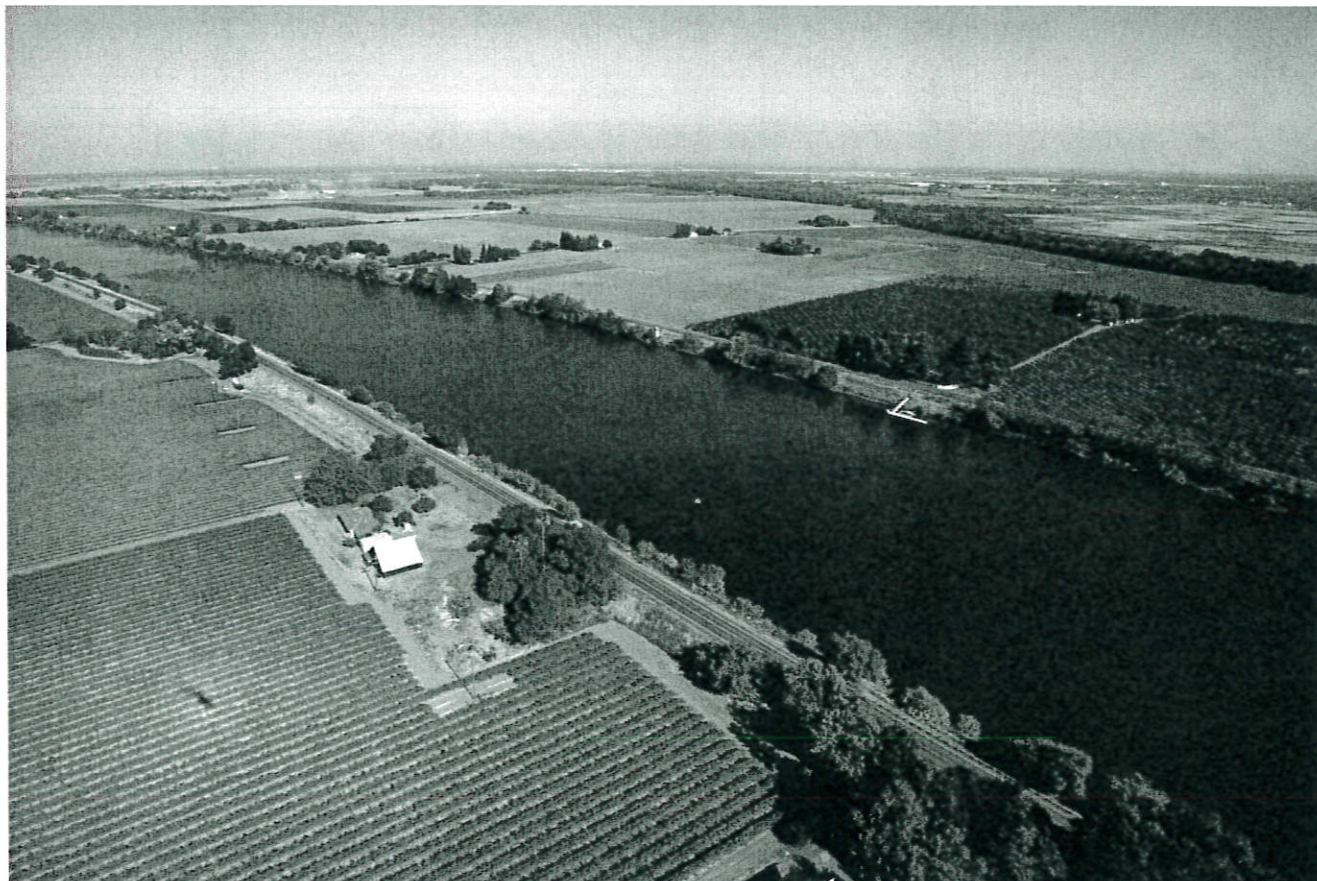


DELTA INDEPENDENT SCIENCE BOARD: Delta Conveyance Project update

mavensnotebook.com/2022/02/24/delta-independent-science-board-delta-conveyance-project-update/

Maven Meetings February 24, 2022 0

February 24, 2022



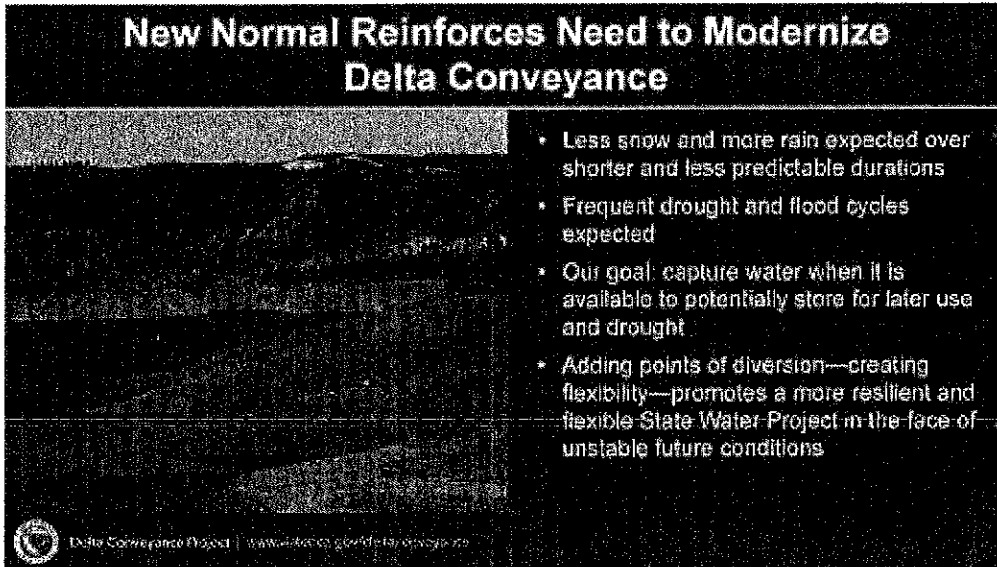
Update includes a project overview, the alternatives selected and analyzed, project operations, and more ...

This year, California faces a big decision as the long-awaited environmental documents for the Delta Conveyance Project are expected to be released mid-year.

The Delta Conveyance Project is the latest iteration of a controversial project to construct intakes in the North Delta and a tunnel to convey the water to the existing export facilities in the South Delta. Proponents of the project say it is necessary to modernize the State Water Project and protect the reliability of project deliveries and that by having more operational flexibility, conditions for aquatic species could be improved. However, Delta advocates say that the northern intakes would divert water away from the Delta, worsening water quality in the Delta and threatening the already fragile and ailing ecosystem.

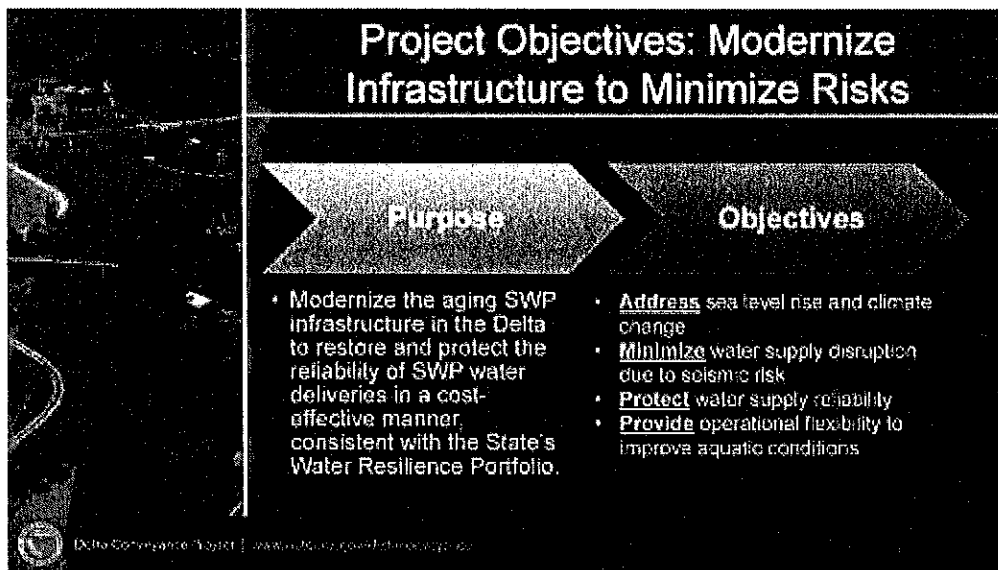
The Delta Independent Science Board is preparing to review the environmental documents for the project when they become available later this year. At the January meeting of the Delta Independent Science Board, Carrie Buckman from the Department of Water Resources provided an overview and an overview update on the project.

Ms. Buckman began by noting that the previous presentations had discussed the changes in precipitation and climate that the Central Valley Project and the State Water Project operate within.



“As DWR is the owner and the operator of the State Water Project, we understand that this new normal and these changes will persist, and it does reinforce the need to modernize the Delta conveyance system,” she said. “We do expect less snow and more rain over a shorter and less predictable duration, and we expect more frequent drought and flood cycles. So the goal that we’re considering through the Delta Conveyance Project is to try to capture water when it’s available to store for later use in droughts. So we’re hoping that by adding points of diversion and creating flexibility, it will promote a more resilient and flexible State Water Project in the face of these unstable future conditions.”

The last few years provide an example of how this could work, she said. The last few years have been dry, and last year, the State Water Project diverted almost no water from the Delta except for health and safety purposes. The deliveries that the State Water Project was able to make were associated with diversions that occurred in prior years in 2019. So the ability to capture water when it’s available becomes even more important moving into the future as climate conditions continue to change.

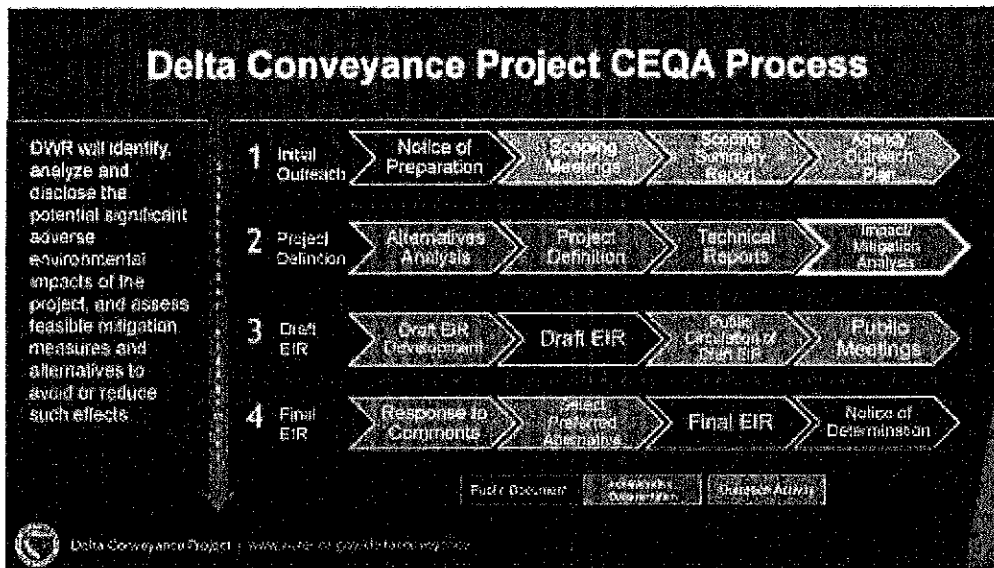


The stated purpose of the Delta Conveyance Project is to modernize the aging State Water Project (SWP) infrastructure in the Delta to restore and protect the reliability of SWP water deliveries cost-effectively, consistent with the state's water resilience portfolio. The project objectives are to address sea level rise and climate change, minimize water supply disruption due to seismic risk, protect water supply reliability, and provide operational flexibility to improve aquatic conditions.

Environmental Impact Report (EIR)

The purposes of an environmental impact report (or EIR) include:

- To present information based on the best available science to demonstrate an effort to inform the public and decision-makers about a project's potential significant environmental impacts and ways to avoid, minimize, reduce, or compensate for them.
- To demonstrate that the environment is being considered before approving the project, and that the agency has considered the environmental implications of this action.
- To ensure the prevention of environmental damage where possible by requiring the implementation of alternatives or mitigation measures.



The slide provides an overview of the CEQA process. The process started with Notice of Preparation in January of 2020; scoping meetings were conducted, and reports were prepared that summarized the process and included all the comments received, both oral and written. An agency outreach plan was developed.

The project then moved to a definition phase, where alternatives were identified and defined. This work was done in collaboration with the Delta Conveyance Design and Construction Authority, which formed a stakeholder engagement committee to help identify ways to avoid effects to local communities through the design and construction process.

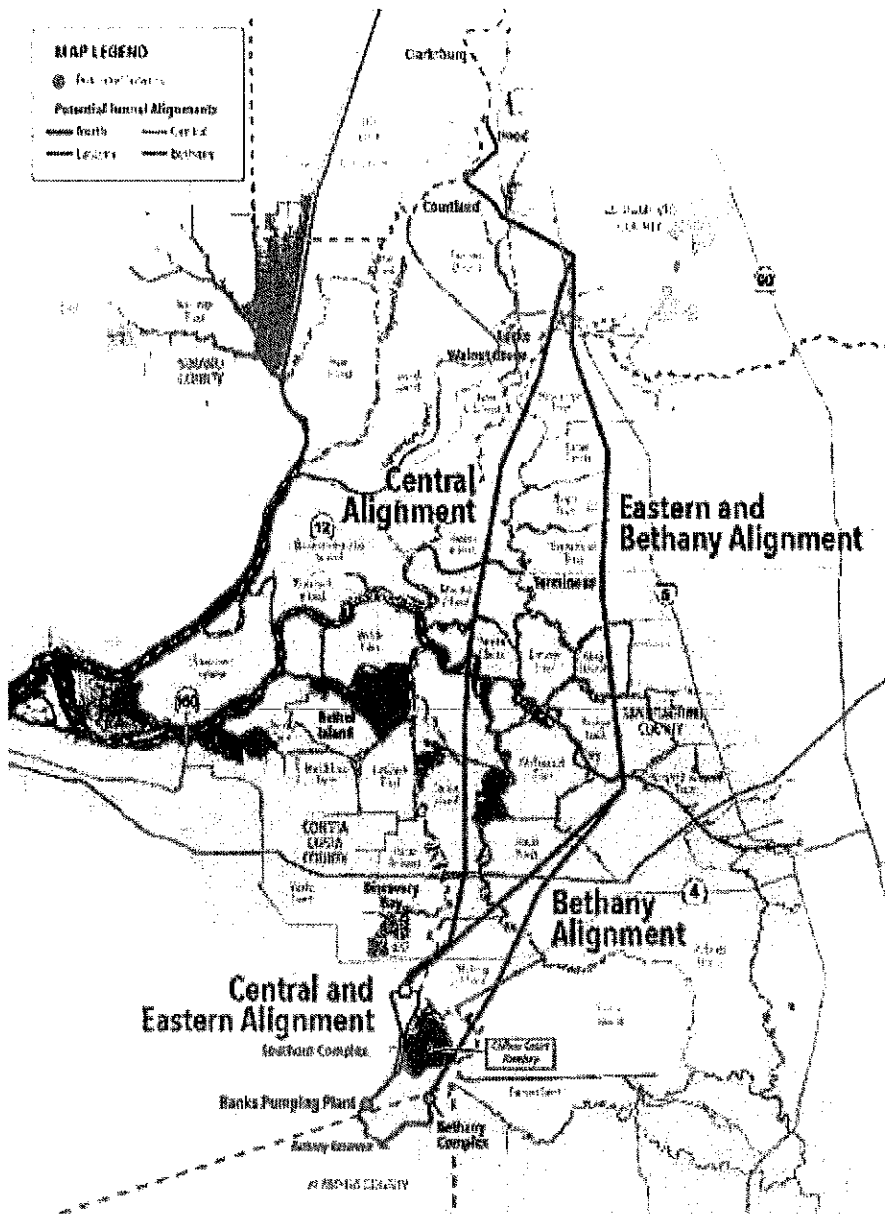
Reports were then prepared to understand the technical aspects of the potential effects of those alternatives.

The Department is currently analyzing the impacts of the alternatives based on all of that information and, where appropriate, including mitigation. They will next develop the EIR for release in mid-2022. It will then be circulated for public comment, and public meetings will be held to collect comments. The Department will then respond to those comments, make changes in the draft EIR, select a preferred alternative, release a final EIR, make a decision, and issue a notice of determination.

Alternatives

All of the alternatives went through a screening process. The alternatives were collected from various sources, including the scoping comments, alternatives from past documents, and ideas that technical experts had. All of the alternatives were screened using CEQA criteria to identify if they had the potential to meet most of the project objectives and potentially reduce the significant environmental impacts of the proposed project.

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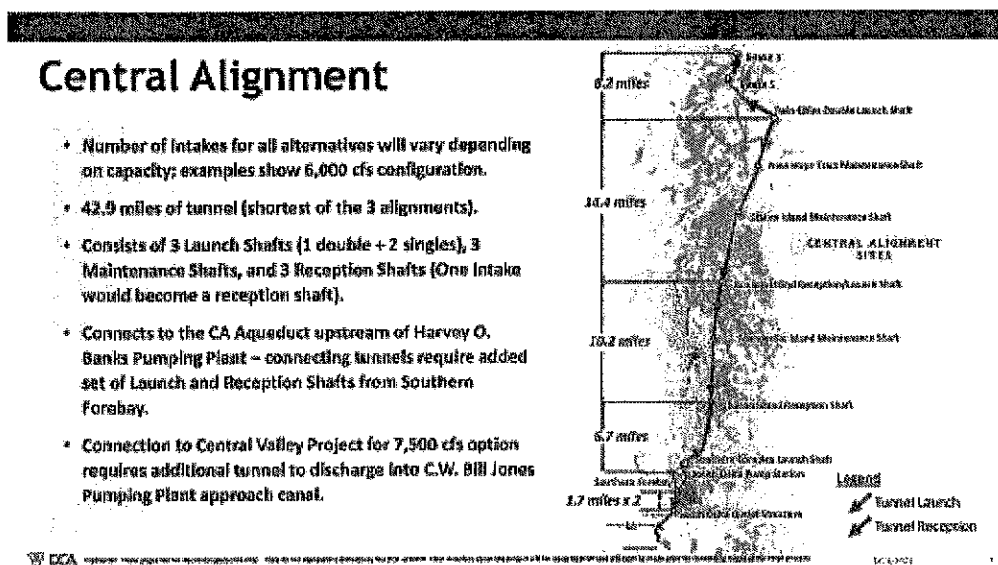
Based on the screening, alternatives were identified to be analyzed in detail in the EIR. Those include:

- **A central alignment**, shown in orange, which is similar to the alignment for the California Water Fix. They are considering multiple capacities of 3000 CFS, 4500 CFS, 6000 CFS, and 7500 CFS.
- **An eastern alignment** closer to I-5, shown in blue. They are considering multiple capacities of 3000 CFS, 4500 CFS, 6000 CFS, and 7500 CFS.
- **The Bethany Alternative**, which follows the eastern alignment partway down and then shifts south to connect directly to Bethany Reservoir; it would have a capacity of 6000 CFS.

One thing that was said in the public comments was that, rather than only looking at the Delta Conveyance Project, the Department should consider alternate supplies within the water agency service areas.

“The idea is that if the State Water Project didn’t provide that water, then water agencies could take other actions to provide alternate supplies,” said Ms. Buckman. *“That does not meet our fundamental objective for this project, which is to continue having a reliable water supply from the State Water Project. But we recognize those are likely efforts that water agencies would take if the Delta Conveyance Project were not to move forward. So as a result, we are including other potential actions as part of our no project alternative and analyzing the potential impacts and benefits there.”*

Central alignment



The number of intakes on the Sacramento River varies depending upon capacity. The figure on the slide shows a 6000 CFS facility with two intakes, intakes 3 and 5. The 7500 CFS alternative would have three intakes; the 3000 CFS only one.

A tunnel 42.9 miles long would connect the intakes from the North Delta to the South Delta. The tunnel would include three launch shafts, three maintenance shafts, and three reception shafts.

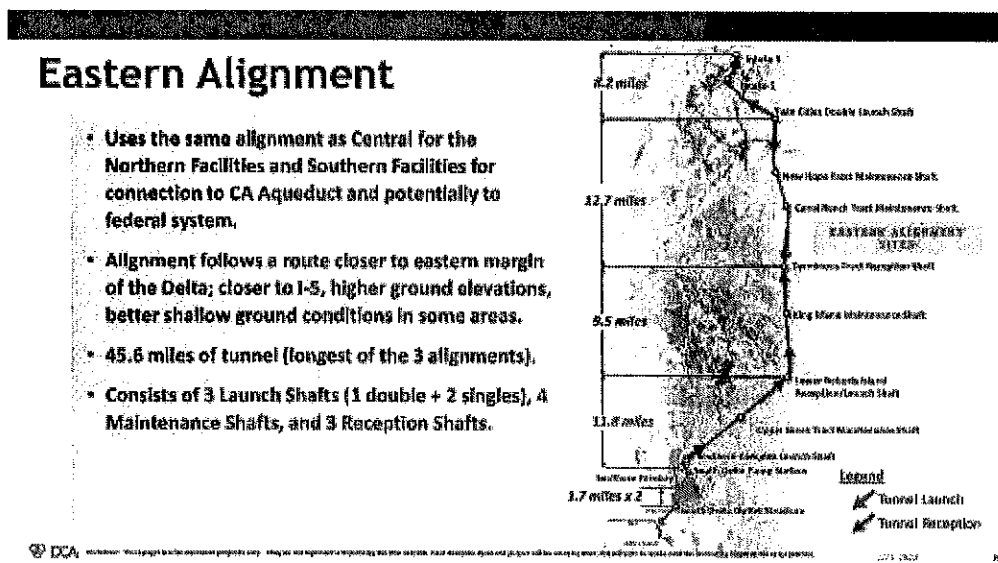
The green arrows on the map show where the tunnel boring machines would launch. There would be a double launch shaft in the north at Twin Cities; one tunnel boring machine would launch north and come out at the northernmost intake, and another would launch south to be removed at Bouldin Island. Bouldin Island would also be a launch shaft where a tunnel boring machine would be launched south where it would meet the tunnel boring machine coming north from the southern forebay at Bacon Island.

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At the southern end of the tunnel, a pump station would pump the water from the tunnel up to a southern forebay that would help reregulate the flows; it would then connect to the Banks Pumping Plant to pump the water again up into the California Aqueduct. She noted that because there would be two pump stations, the forebay is needed for reregulating the water. There are a set of tunnels 1.7 miles long to connect the southern forebay to the Banks Pumping Plant.

The 7500 CFS option includes a connection to the Central Valley Project and requires an additional tunnel to connect to the Jones Pumping Plant approach channel.

Eastern alignment



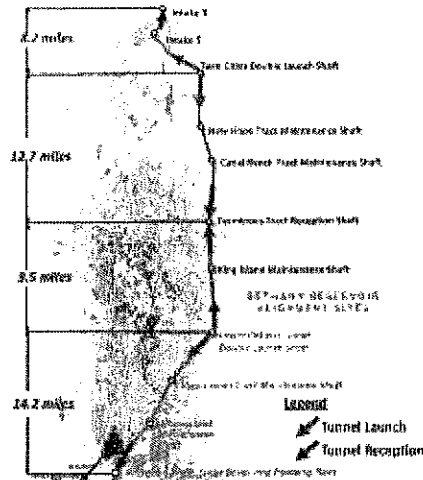
The eastern alignment had the same facilities as the central alignment at the northern and southern ends; the tunnel's alignment is what's different. From Twin Cities launch shaft north, it would be the same facilities. But from Twin Cities moving south, instead of going through the Central Delta, this alignment stays closer to I-5. The idea is that it might simplify logistics so that the construction traffic doesn't need to go into the Delta, and there are higher ground elevations and better shallow ground conditions for tunneling.

This tunnel would be 45.6 miles, and there would be three launch shafts, four maintenance shafts, and three reception shafts. The launch shaft at Twin Cities would again be a double launch shaft; another launch shaft at Lower Roberts Island would launch north, meeting the tunnel boring machine from Twin Cities for removal at Terminus Tract. The tunnel boring machine in the south would go north towards Lower Roberts Island, a reception shaft.

Bethany Alternative

Bethany Reservoir Alignment

- Uses the same Northern Facilities as Central/Eastern and follows Eastern Alignment to Lower Robert Island.
- Delivers water directly to Bethany Reservoir through new pumping plant and discharge structure.
- 44.6 miles of tunnel.
- Consists of 2 Launch Shafts (2 doubles), 5 Maintenance Shafts, and 3 Reception Shafts (including shaft at Surge Basin).
- Requires 3 miles of 4 aqueduct pipelines



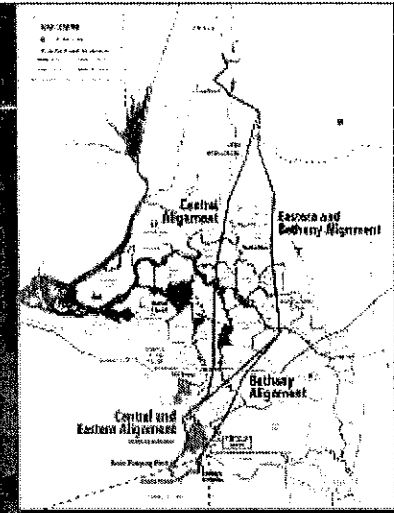
The Bethany alternative has not been considered in past efforts. This alternative uses the same northern facilities as the central and eastern alignments; from Twin Cities to Lower Roberts Island, it is the same as the Eastern alignment. But from Lower Roberts Island south, there are some pretty substantial differences.

So instead of going to a new set of southern facilities, the Bethany alternative would have a tunnel that connects to Bethany Reservoir, a regulating facility, and a 'wide spot' on the California Aqueduct. This alternative would have a pump station from the tunnel into Bethany Reservoir. Since only one pump station pumps the water from the tunnel to the aqueduct, the southern forebay, a large facility in the South Delta, would not be needed.

This alternative includes 44.6 miles of tunnel, two launch shafts, a double launch shaft at Twin Cities, and a double launch shaft at Lower Roberts Island. There are five maintenance shafts, three reception shafts, and about 3 miles of four pipelines going from the pump station to the Bethany Reservoir.

The Bethany alternative is the proposed project

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**CEQA Proposed Project:
Bethany Alternative**

- DWR has identified the Bethany Alternative as the proposed project that will be identified in the Draft EIR because it has the least impacts to wetlands and waters
- DWR sent a letter to the U.S. Army Corps of Engineers (USACE) to amend DWR's Section 404 permit application to make the application consistent with the proposed project
- This letter is available [here](#), with a Q&A available [here](#)

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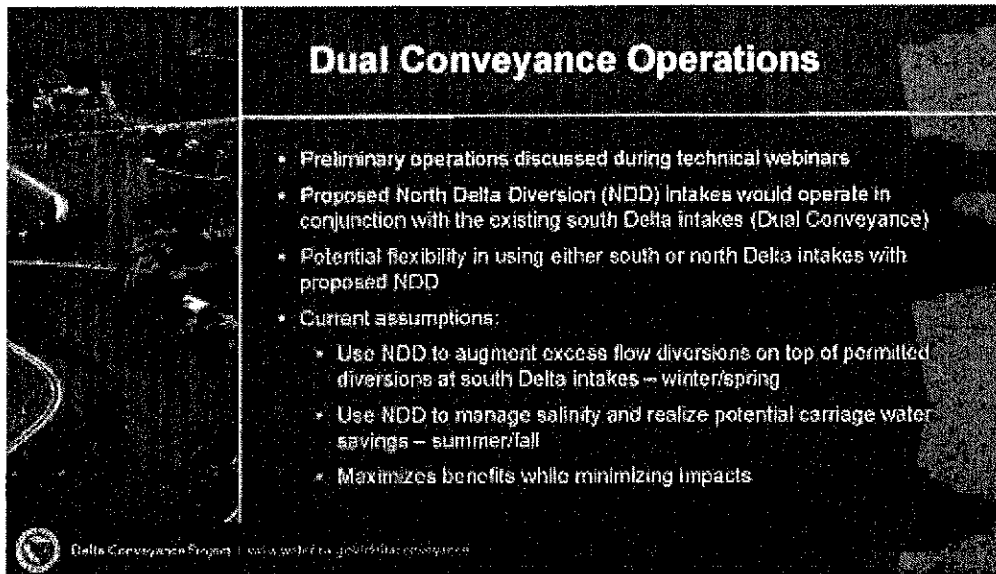
When the Notice of Preparation was released in January of 2020, the proposed project was identified as having either a central or an eastern alignment. However, now they are identifying the Bethany alternative as the proposed project in the draft EIR, so the Department recently sent a letter to the Corps of Engineers to amend their 404 permit application to include the Bethany alternative.

“The idea of alternatives analysis under CEQA is to consider a range of alternatives that has the potential to reduce significant environmental effects,” said Ms. Buckman. *“We found that the Bethany alternative does reduce effects for wetlands and waters, which are important, not just for CEQA, but also for Section 404 permitting with the Corps of Engineers.”*

Ms. Buckman did have a few caveats. *“We’re changing the proposed project, but that doesn’t mean that we’ve made a decision. CEQA case law requires that we include a proposed project in our draft EIR, and so it just represents our current thinking. Right now, we think the Bethany alternative would reduce effects compared to central or eastern alignment, but we recognize that the public comment period could bring new issues to bear. So we’re not making any decisions on which alternative to implement, or to implement the project at all, until after the public comment period is complete, and we’ve responded to and addressed those comments.”*

Project operations

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The new North Delta diversion intakes would operate in a dual conveyance system, where the northern intakes would be operated jointly with the existing South Delta intakes and the Banks Pumping Plant. The new diversions would give the flexibility to use either the southern or northern facilities. So in analyzing the project, they need to put together a set of assumptions about how the North Delta intakes would be operated with the South Delta facilities.

“With the California WaterFix, there was an assumption that the two facilities would be operated pretty equally,” said Ms. Buckman. “But as we have gotten into this in more detail and talked to our operators, that’s not how they think they really would operate the facilities. They think that they would first operate from the South Delta. So during the winter and spring, they would use the South Delta to operate to the permit diversion capacity. And then the North Delta would augment excess diversions during really high flow periods. So it would just be used to augment diversions when there are high flows in the Sacramento River.”

“During the summer and fall, there may be some shifting from south to north to help manage salinity and realize potential carriage water savings, but those are fairly small,” she continued. “We think that these assumptions will help maximize benefits while also minimizing impacts.”

Operational Criteria for New Intakes

Existing Delta Operations
(Use 2020 ITP Criteria)

- Delta Outflow Requirements
- D-1641 E/I Ratio computation (Account for ND diversion as part of export)
- OMR
- Export limits

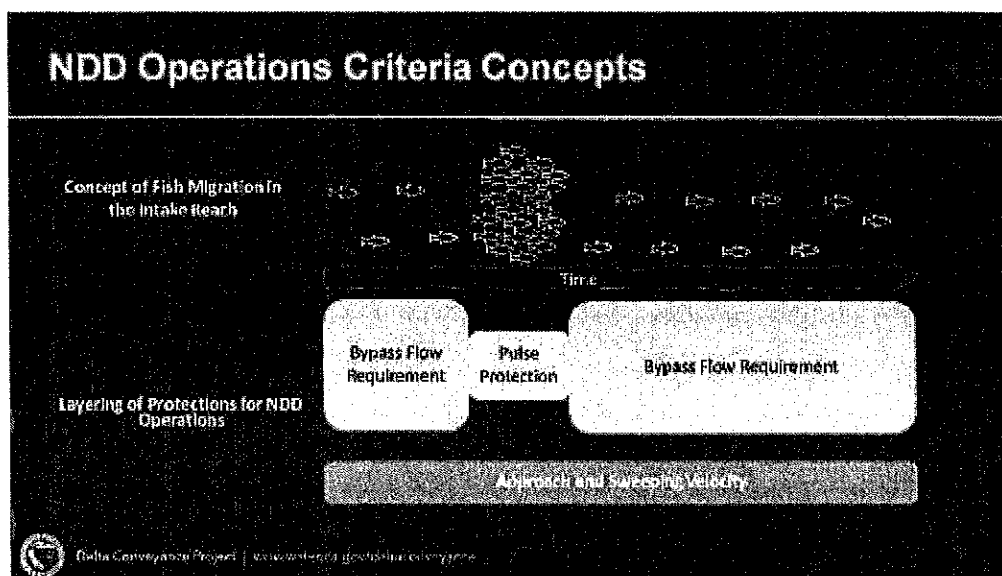
New Criteria for the proposed North Delta Intakes

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The Department is developing a set of new operational criteria for the intakes while also making sure that existing Delta operational criteria are met. The criteria are primarily based on the 2020 Incidental Take Permit for long-term operation of the State Water Project that DWR holds with the Department of Fish and Wildlife.

The D-1641 requirements from the State Water Board include the export inflow ratio, and the new project would account for the North Delta diversion as part of the exports in that calculation. It also includes meeting Old and Middle River flow requirements and export limits from the Incidental Take Permit.

“Our operational criteria are a starting point for the analysis,” said Ms. Buckman. “What we’re planning to do is take these criteria, analyze operations, and if we have effects, then we may consider either mitigation or changes to these operational criteria to try to help reduce those effects.”



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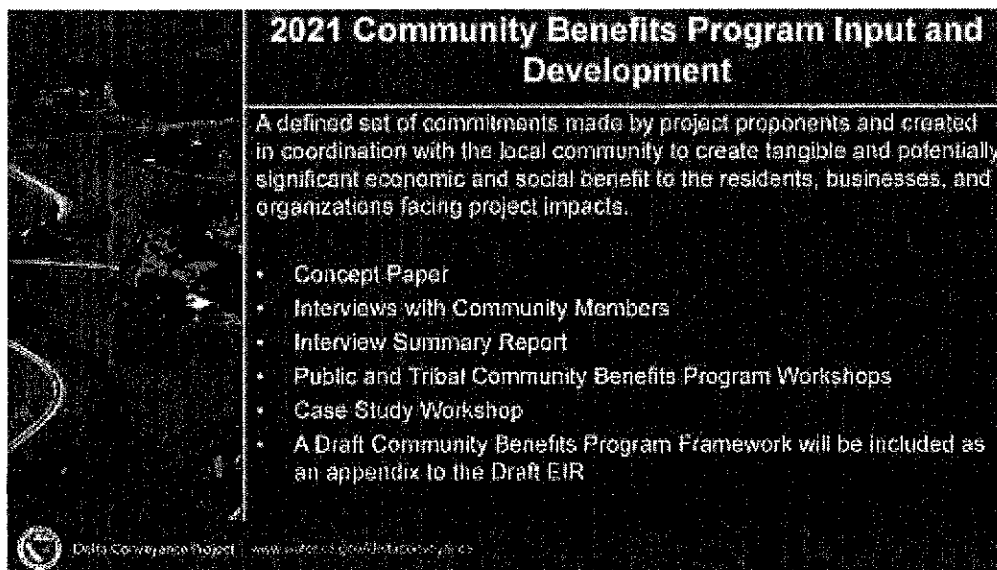
The criteria are to avoid effects to fish; they are based on the conceptual model that there are periods throughout the wet season where juveniles are outmigrating, and pulse flows based on cues for the fish.

“We’re developing a set of criteria that will have a set of bypass flow requirements that are always in place,” said Ms. Buckman. *“The idea is that when the river flow is very low, there will be no diversion. Then generally, there will be a low flow diversion. Then, when the river level reaches a certain point, we can gradually increase diversions from the North Delta facility until flows are very high when we would meet the 6000 CFS.”*

“I think that there’s a perception that if this project were built, it would be operated at 6000 CFS year-round, and that that’s not the case,” she continued. *“We would only be able to operate that under pretty high flow conditions in the Sacramento River. In addition, we would layer on a set of pulse protection requirements, so during times that there are pulses of fish, we would further reduce those flows to protect the fish pulses.”*

There will also be a set of approach and sweeping velocity requirements for the reach of the intakes that must be constantly met. The approach velocity is how fast the water moves into the fish screen and through the fish screen; the sweeping velocity is how fast the water moves past the fish screen. The fisheries agencies set those requirements to ensure the water helps the fish move past the intakes and reduces near-field impacts of the fish screen.

Community benefits program



2021 Community Benefits Program Input and Development

A defined set of commitments made by project proponents and created in coordination with the local community to create tangible and potentially significant economic and social benefit to the residents, businesses, and organizations facing project impacts.

- Concept Paper
- Interviews with Community Members
- Interview Summary Report
- Public and Tribal Community Benefits Program Workshops
- Case Study Workshop
- A Draft Community Benefits Program Framework will be included as an appendix to the Draft EIR

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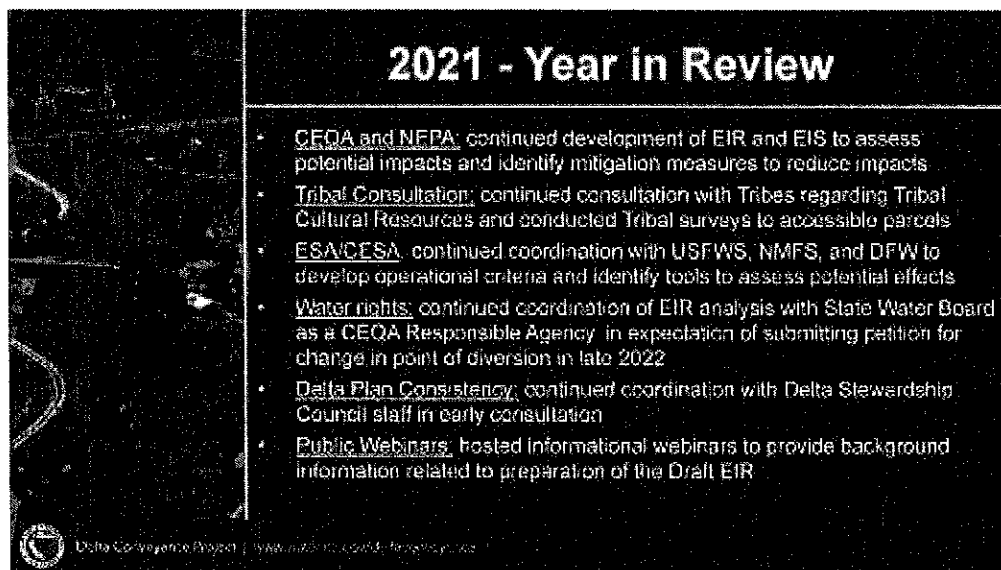
In 2021, the Department focused on developing a community benefits program to incorporate into the proposed project. Given that this is a program for the community, the Department has been working to gather input from the community.

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"A community benefits program is a defined set of commitments made by the project proponent, in coordination with the local community, to create tangible and potentially significant economic and social benefits for residents, businesses, and organizations facing project impacts," said Ms. Buckman. "We understand that CEQA is a pretty prescriptive process. And so the things that are analyzed under CEQA and mitigated under CEQA may not consider the full suite of effects felt by the local communities during construction of this project."

"We wanted to consider ways that we can provide benefits to the local community above and beyond what is required under CEQA," she continued. "We started with a concept paper at the beginning of 2021. We then spent time interviewing community members and produced an interview summary report. We then held public and tribal community benefits program workshops to collect additional information and talk through some ideas. And we had a case study workshop where three participants in other community benefits programs came and talked about lessons learned and how they organize their programs. And we're working towards having a framework for the community benefits program included as part of the draft EIR."

The 2021 year in review



2021 - Year in Review

- **CEQA and NEPA:** continued development of EIR and EIS to assess potential impacts and identify mitigation measures to reduce impacts
- **Tribal Consultation:** continued consultation with Tribes regarding Tribal Cultural Resources and conducted Tribal surveys to accessible parcels
- **ESA/CESA:** continued coordination with USFWS, NMFS, and DFW to develop operational criteria and identify tools to assess potential effects
- **Water rights:** continued coordination of EIR analysis with State Water Board as a CEQA Responsible Agency in expectation of submitting petition for change in point of diversion in late 2022
- **Delta Plan Consistency:** continued coordination with Delta Stewardship Council staff in early consultation
- **Public Webinars:** hosted informational webinars to provide background information related to preparation of the Draft EIR

Delta Conveyance Project | www.water.ca.gov/delta | <https://www.water.ca.gov/delta>

Most of the work in 2021 focused on CEQA and NEPA. They have continued to develop the EIR and EIS to identify potential impacts and mitigation measures to reduce impacts. The Department has also been consulting with tribes and will continue to identify potential effects on tribal cultural resources and consider impacts and mitigation. The Department has also worked with the tribes to conduct surveys on accessible parcels.

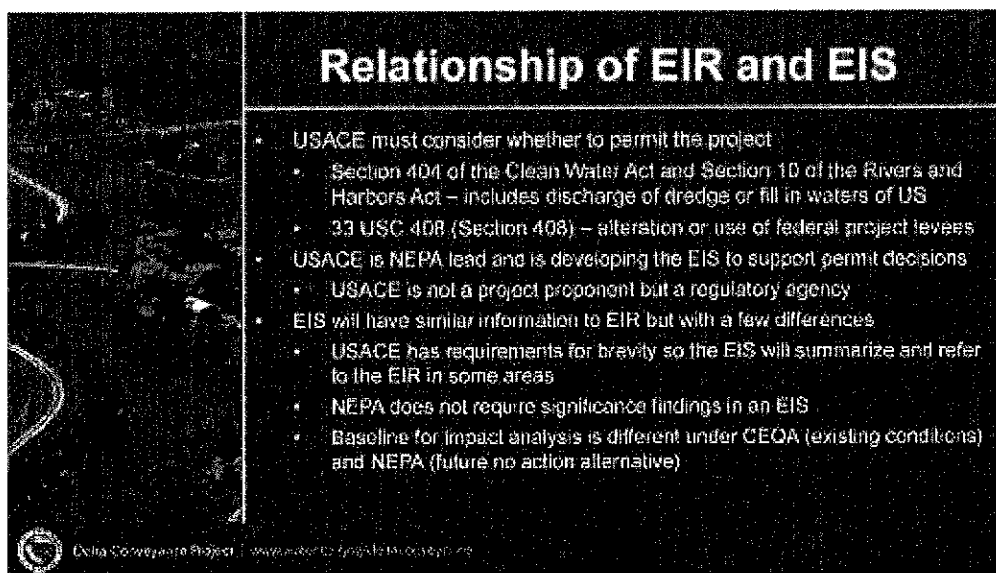
The Department has continued consultation with the resource agencies on developing the initial set of operational criteria to meet the requirements under the Endangered Species Act and California Endangered Species Act. They have also been working with the resource agencies to identify tools to assess potential effects.

Regarding the water rights process, the Department plans on submitting a petition for a change in the point of diversion in late 2022. The State Water Board will be a CEQA responsible agency, so the Department has been coordinating with the State Water Board about what is needed as part of the EIR to utilize that in their process. Additionally, the Department is coordinating with the Delta Stewardship Council through the early consultation process to prepare for certifying consistency with the Delta Plan.

They also hosted a series of informational webinars last fall to provide background information in preparation for the release of the draft EIR.

“We’ve heard from several sources that it can be somewhat impenetrable for a public audience, so we wanted to provide some background information that would help people review it when they get the document this year.”

The relationship between the Environmental Impact Report (EIR) and the Environmental Impact Statement (EIS)



Relationship of EIR and EIS

- USACE must consider whether to permit the project
 - Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act – includes discharge of dredge or fill in waters of US
 - 33 USC 408 (Section 408) – alteration or use of federal project levees
- USACE is NEPA lead and is developing the EIS to support permit decisions
 - USACE is not a project proponent but a regulatory agency
- EIS will have similar information to EIR but with a few differences
 - USACE has requirements for brevity so the EIS will summarize and refer to the EIR in some areas
 - NEPA does not require significance findings in an EIS
 - Baseline for impact analysis is different under CEQA (existing conditions) and NEPA (future no action alternative)

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The environmental impact report (or EIR) is a document prepared under the California Environmental Quality Act, and the environmental impact statement is prepared under the National Environmental Policy Act.

For the Delta Conveyance Project, the Army Corps of Engineers must consider whether to permit the project under two permitting requirements:

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- Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act regulate the discharge of dredge or fill in Waters of the US.
- Section 408 considers alterations of federal levee projects.

The Army Corps of Engineers is functioning as the NEPA lead and is developing an EIS to support their permitting decisions.

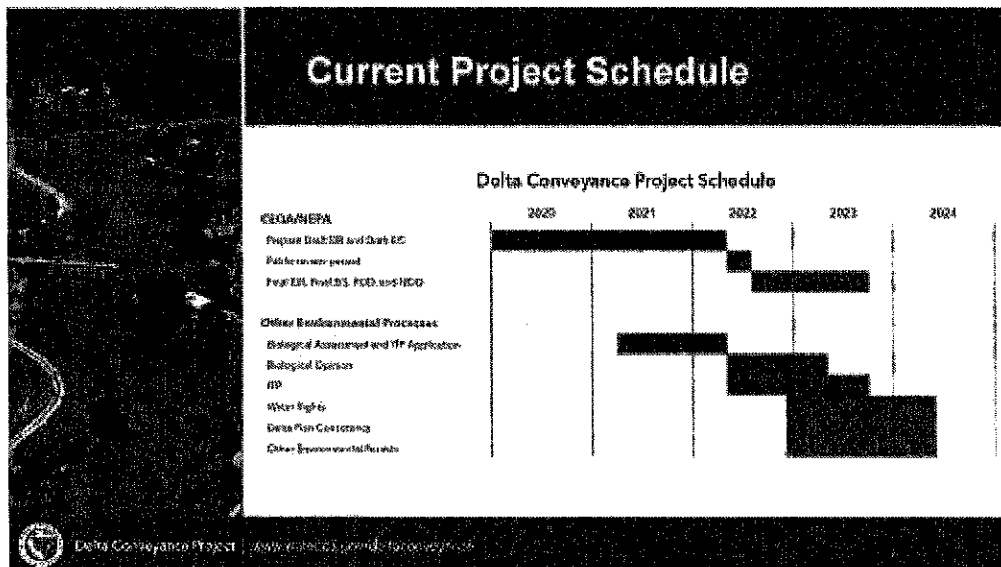
“I want to be really clear that they’re not a project proponent, but a regulatory agency,” said Ms. Buckman. “Often, the NEPA lead would be an agency that is also helping to fund or implement a project. But that’s not the case here; the Corps is permitting the project potentially, and so they’re doing this as a regulating agency.”

The EIS will have similar information to the EIR, but there are a few key differences:

- The Corps has requirements for brevity, so the document will be shorter and will refer to the EIR in some areas.
- NEPA does not require significant findings in an EIS, but the CEQA does.
- The baseline for impact analysis is different. Under CEQA, the potential impacts of alternatives are compared to existing conditions, which are the conditions that existed at the time of the publishing of the Notice of Preparation, which was January of 2020. For NEPA, the Corps will compare the alternatives to a future no-action alternative, or what would happen in the future absent the project.

Ms. Buckman acknowledged these aren’t all of the differences, just a few of the key ones. There will be two separate documents for review.

Project schedule



The Department is currently preparing the draft EIR. The Army Corps is preparing the draft EIS; public review of these documents is expected later this year, currently anticipated to be May or June of 2022. Although the Department is anticipating a 90-day review, the Corps is contemplating a shorter period. Still, they are trying to align most of the public review period so those reviewing the documents will be able to look at both simultaneously.

After the public review period, the agencies will respond to comments and finalize the documents with a decision expected in late 2023. Most of the work on the permitting processes is expected to occur in 2023 and 2024.

Standard of adequacy for EIRs

Ms. Buckman then turned to discuss the standard of the adequacy of an EIR. A lot of the public comments are focused on whether the EIR is good enough. CEQA does have some guidelines:

- The EIR should provide decision-makers with a sufficient degree of analysis to provide information to make a decision that intelligently takes account of environmental consequences as evidenced by substantial evidence in the agency's administrative record.
- The evaluation doesn't need to be exhaustive. Information should be reviewed in light of what is reasonably foreseeable.
- Disagreement among experts does not make an EIR inadequate, but it does need to disclose and summarize their disagreement.
- Perfection is not the standard. So the EIR is reviewed for adequacy, completeness, and a good faith effort at full disclosure.

Key content issues for comment

Ms. Buckman also noted the types of content issues provided in public comments:

- Project description: is the project adequately described to understand the potential environmental effects?
- Environmental setting: Is the physical environment at the time of the Notice of Preparation adequately described based on existing and available information?
- Impacts: Are the impacts evaluated in light of what's reasonably foreseeable? The impacts need to include direct and indirect, growth inducing, and cumulative effects.
- Alternatives: Are feasible alternatives evaluated that meet the project objectives and would avoid or reduce potential significant impacts of the proposed project?
- Mitigation and monitoring: Are mitigation measures included to address the potentially significant impacts, and are monitoring requirements incorporated?

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Upcoming outreach

In anticipation of the release of the draft environmental documents, the staff is focused on three areas:

- Information and resources to help the public be able to review the documents, including videos, website information, factsheets, graphics, and other materials.
- Outreach and engagements through emails, meetings, briefings, and presentations.
- Opportunities for review and provide formal comments through workshops, fliers, publicity, putting information in libraries, and translating materials. They will be continuing their tribal consultation and environmental justice outreach processes.

QUESTIONS AND ANSWERS

QUESTION: What's the diameter of the tunnel? And how deep is it buried?

Ms. Buckman: *"The tunnel diameter varies based on the capacity; it's about 40 feet diameter on the inside diameter, but that it's smaller for some and larger for others. And the depth to the top of the tunnel is about 100 feet, but that also varies depending on where the tunnel is. So there is about 100 feet on the top and about 150 on the bottom."*

QUESTION: Is the scope of the EIR going to be principally on the impact of the construction of the tunnel? Or will it also be 'equally weighted' on the operation or resulting changes in flow that the tunnel will cause and environmental impacts related to that?

Ms. Buckman: *"We're working on trying to capture the full suite of environmental impacts, which can include impacts from construction operations and maintenance. I wouldn't necessarily talk about weighting; we're not saying that one set of potential effects is more important than another, but we are trying to consider and disclose all of them."*

QUESTION: How many pages long will the EIR be? The last one was something like 30,000 pages ...

Ms. Buckman: *"It's not written yet. We just are starting to draft it, so I don't think I can answer that. But I will say that you are not the first person to mention that the California WaterFix document was too long to read for most people. And so, we are trying to make a concerted effort to make this shorter, more concise, and easier to get through. How successful we will be, I don't know yet. But, hopefully, in our next discussion, I'll be able to give you more details."*

QUESTION: What will happen to all the excavated material for the tunnel?

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Ms. Buckman: *"We are seeking to try to reuse it as part of project construction where that's possible. So for the central and eastern alignments with a southern forebay facility, there is the reuse of material to construct the embankments around that facility. For all of the alternatives, there is some reuse at the shaft site because those shafts need to be built up to above-ground a bit to maintain flood protection. So there will be some reuse there as well."*

"The material that can't be reused is going to be stockpiled at the launch site at Twin Cities and somewhat at Lower Roberts Island as well. That material, we do allow to be reused in the future for other projects, potentially levee projects in the Delta, other projects in the Greater Sacramento or Stockton areas. But we don't know where those projects could be, and to make assumptions about that would be speculative. So we're analyzing leaving it there so that we can look at the potential impacts of having those stockpiles and make sure that we disclose those in the EIR."

QUESTION: **I don't understand why this project needs to take place. Could you summarize for me just quickly why this project is even being proposed?**

Ms. Buckman: *"The main issues are related to the future and continued degradation of State Water Project diversion [capability] in the Delta. As we look forward, because of climate change, primarily sea level rise, potential earthquake risk, and changing regulations in the Delta, we anticipate future supplies for the state water project are going to decrease pretty substantially."*

"With climate change, we do expect future conditions to be different. Right now, the snowpack provides essentially another kind of storage, and we anticipate substantially less snow in the future. So we will have flashier winter storms with more rain and less snow, and that alone will change the ability of the State Water Project to capture that water. So, having a program like Delta Conveyance Project where you can take those high flows and divert them will help provide a more sustainable future water supply."

QUESTION: **How much consideration was given to the fact that rivers need high flows to maintain their ecological vitality? Without those high flows, they just become canals. And it seems to me that, looking in from the outside, is why can't the river continue to be the primary form of conveyance during the period of high flows?**

Ms. Buckman: *"We are definitely considering the potential effects to fish and other conditions within the river associated with the diversion. One of the things that we were talking about is that this would be during high flow conditions where diverting the potential up to 6000 CFS wouldn't change the flows ... these are really high flow periods. And so this would still be a very wet period on the river; it wouldn't be taking all of the water and resulting in a dry condition in the Delta, if that makes sense."*



"So, while we are diverting water, it is during high flow conditions where the difference is a smaller percentage of the flow. The other thing is, we're looking at the conditions and how that could affect fish, water quality, and other resources in the Delta. The way we're looking at this project is, it doesn't really have the potential to affect the situation upstream from the river or upstream from the Delta in the river system. We're not looking at changing operations of the reservoirs upstream or the river systems; those will be operated the same way that they are absent the Delta Conveyance Project."

QUESTION: Will the public or the ISB have an opportunity to comment on how the EIR or EIS will be structured? I ask this because I've been involved in these in the past, and the bar for both the EIRs and EISs I've reviewed has been shockingly low from an ecological perspective. So will we have an opportunity to comment on how these documents might be structured?

Ms. Buckman: *"That was the point of the comments in the Notice of Preparation ... The ISB provided comments on the Notice of Preparation for CEQA, some to that effect, and we are considering those during the development of the EIR. I don't know if the ISB provided comments on the environmental impact statement to the Corps, but the Corps conducted scoping in August 2020. And at this point, we're further down the road. But that was the time to provide those comments."*

DISB Chair Dr. Steve Brandt added that based on our previous EIR review, they submitted a number of comments on how to present the material.

QUESTION: I understood that you said that you have not decided upon the Bethany alternative, but is the EIR going to be based on the Bethany alternative? And what happens if you decide on the central alignment, which is quite some distance from the Bethany alternative?

Ms. Buckman: *"Most EIRs focus on a proposed project and analyze the alternatives in much less detail. And that's what CEQA directs. But because we're partnering with an environmental impact statement that has to consider all alternatives at a similar level of detail, we are looking at all alternatives at the same level of detail. So while we are identifying the Bethany alternative as the proposed project, we are fully evaluating central and eastern and the variety of different capacities. So because we would have all of that impact analysis in the EIR, we would still have the flexibility later to say, we understand that there are these other factors and so, therefore, we are looking at considering this different proposed project."*

QUESTION: I had a question about the community benefits program. Could you give more detail as to the types of benefits that would be considered or might be being discussed? How does that program factor into the decision-making process, if at all?

Ms. Buckman: *"I gave a very broad overview because I can easily talk for a half-hour about the community benefits program alone. Right now, we're looking at two key pieces associated with the community benefits program. One of them is the Delta community fund. The idea is that it would fund potential efforts of the community in support of maintaining the Delta's ecological, economic, recreation, cultural values, as they're trying to fundamentally help Delta as a place. It would be funded with the construction costs. And that's not funded by DWR; it would be paid for by the water agencies that receive the water."*

"The other piece of the effort is implementation commitments. The idea is that there are some pieces of project implementation that may provide benefits to the community. Examples of those are things like, we're building park and rides, and the communities may want those to stay after the project construction is done. Another one is the internet; we're bringing high-speed internet to the intake facilities, and we could very easily provide a way for local communities to connect to that. So those are the key things that we're talking about. We asked for project ideas and got a lot of them."

"We're putting together a framework based on what we've heard and what we've discussed with community members. That will be part of our EIR, and it will be in all of the alternatives, so it's not specific to an alternative. This is something we think matters for all of the alternatives, and so it's included across the board."

QUESTION: Is Reclamation involved in any consequential way in its operation?

Ms. Buckman: *"No, at this point, they haven't indicated an interest in participating as a lead agency, so they are not. This is a State Water Project-only facility, although we do have some alternatives that include the potential for them to be involved. And that's partially because we have a record that they had been involved in WaterFix. So because people want to see how the impacts and benefits would change, we did include them in alternatives, but the Bureau of Reclamation has not indicated an interest in being part of the project."*

QUESTION: Is May a realistic timeframe, so we should start setting aside three months of our lives starting in May?

Ms. Buckman: *I'm saying May or June. I don't have a date yet. But I do think that that's that at the moment. We're looking pretty solid on releasing them in May or June."*

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