Public Scoping Report

SAN JOAQUIN RIVER
RESTORATION PROGRAM

December 14, 2007

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ABBREVIATIONS AND ACRONYMS

CalEPA	California Environmental Protection Agency
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
cfs	cubic feet per second
CSLC	California State Lands Commission
CVP	Central Valley Project
CVRWQCB	Central Valley Regional Water Quality Control Board
Delta	Sacramento-San Joaquin Delta
DFG	California Department of Fish and Game
DWR	California Department of Water Resources
ESA	Federal Endangered Species Act
FWUA	The Friant Water Users Authority
M&I	municipal and industrial
MLSRA	Millerton Lake State Recreation Area
NEPA	National Environmental Policy Act
NGO	nongovernmental organization
NMFS	United Stated Department of Commerce, National Marine Fisheries Service
NOI	Notice of Intent
NOP	Notice of Preparation
NRDC	The Natural Resources Defense Council
O&M	operations and maintenance
PEIS/R	Program Environmental Impact Statement/Environmental Impact Report
PMT	Program Management Team
Reclamation	United States Department of the Interior, Bureau of Reclamation
The Reclamation Board	The Reclamation Board of the State of California
Settlement	Stipulation of Settlement in NRDC, et al., v. Kirk Rodgers, et al.

SJR Trust	San Joaquin River Parkway and Conservation Trust
SJRRP	San Joaquin River Restoration Program
SLCC	San Luis Canal Company
TM	Technical Memorandum
USACE	United States Army Corps of Engineers
USFWS	United States Department of the Interior, Fish and Wildlife Service

1.0 Introduction

In 1988, a coalition of environmental groups, led by the Natural Resources Defense Council (NRDC), filed a lawsuit challenging the renewal of the long-term water service contracts between the United States and the Central Valley Project, Friant Division contractors. After more than 18 years of litigation of this lawsuit, known as NRDC, et al., v. Kirk Rodgers, et al., a Stipulation of Settlement (Settlement) was reached. On September 13, 2006, the Settling Parties reached agreement on the terms and conditions of the Settlement, which was subsequently approved by the Court on October 23, 2006. The "Settling Parties" include the NRDC, Friant Water Users Authority (FWUA), and the U.S. Departments of the Interior and Commerce.

The San Joaquin River Restoration Program (SJRRP) will implement the San Joaquin River litigation Settlement. The "Implementing Agencies" responsible for the management of the SJRRP include the U.S. Department of the Interior, through the Bureau of Reclamation (Reclamation) and the Fish and Wildlife Service (USFWS), U.S. Department of Commerce through the National Marine Fisheries Service (NMFS), and the State of California through the Department of Water Resources (DWR), the Department of Fish and Game (DFG), and the California Environmental Protection Agency (CalEPA). Consistent with the memorandum of understanding between the Settling Parties and the State that was signed the same time as the Settlement, the State, through DFG, DWR, the Resources Agency, and CalEPA will play a major, collaborative role in the planning, design, funding, and implementation of the actions called for in the Settlement.

SJRRP is a comprehensive long-term effort to restore flows to the San Joaquin River from Friant Dam to the confluence of the Merced River, ensure irrigation supplies to Friant water users, and restore a self-sustaining fishery in the river.

The Settlement's two primary goals are as follows:

- Restoration Goal – 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.

- Water Management Goal – To reduce or avoid adverse water supply impacts to all of the Friant Division long-term contractors that may result from the Interim Flows and Restoration Flows provided for in the Settlement.

Reclamation and DWR have initiated environmental compliance documentation for the SJRRP. The Implementing Agencies have organized a Program Management Team (PMT) and several Technical Work Groups to develop a plan for implementing the Settlement through a joint National Environmental Policy Act (NEPA) and California

Environmental Quality Act (CEQA) process, which includes preparation of a Program Environmental Impact Statement/Environmental Impact Report (PEIS/R). Reclamation is the lead NEPA agency and DWR is the lead CEQA agency for the SJRRP.

This Public Scoping Report summarizes and reports comments received as a result of a formal public scoping comment period that included four public scoping meetings held in August and September 2007.

1.1 Scoping Purpose and Process

Under NEPA, scoping is an early and open process for determining the scope of issues to be addressed and significant issues to be analyzed in depth in an Environmental Impact Statement. During the scoping process the lead NEPA agency is required to invite affected Federal, State, and local agencies, any affected Indian tribe, and other interested persons to participate in the scoping process. Under CEQA, the lead CEQA agency is required to hold at least one public scoping meeting for projects of statewide, regional, or areawide significance.

Reclamation initiated the NEPA process by issuing a Notice of Intent (NOI) on August 2, 2007, and DWR initiated the CEQA process by issuing a Notice of Preparation (NOP) on August 22, 2007, to prepare a PEIS/R and hold public scoping meetings. Parties are provided 30 days from the date of receiving the NOP to comment on the document. The technical review period of the NOP began August 24, 2007, and ended September 24, 2007. The SJRRP scoping comment period lasted from the issuance date of the NOI until September 26, 2007. Reclamation and DWR received comments from 85 entities including Federal and State agencies, local interest groups, local residents, farmers, landowners, environmental groups, public advocacy groups, Native American community groups, and individuals.

1.2 Scoping Meeting Notification

Reclamation and DWR noticed groups and individuals about the scoping meetings through a variety of methods:

- Posting in the Federal Register (NOI)
- Posting in the State Clearinghouse (NOP)
- Paid advertisements in the main sections of the San Francisco Chronicle, Sacramento Bee, Bakersfield Californian, Fresno Bee, Visalia Times Delta, Merced Sun Star and Modesto Bee
- Distribution of a press release to Reclamation's media lists for the Sacramento and San Joaquin areas that included all of the aforementioned newspapers, as well as Farm Bureau publications for the counties of San Joaquin, Stanislaus, Merced,

Madera, Mariposa, Fresno, Tulare, Kings and Kern, and which also included the California Farm Bureau Federation's "Ag Alert" weekly newspaper, the California Farmer and the Capitol Press

- Post card notice with details for each of the scoping meetings mailed to the a mailing list of approximately 3,800 agencies, organizations, and individuals that have shown interest on the SJRRP or other similar projects in the region

- Information regarding the scoping meetings on the public Web site

In addition to the above outreach, letters were sent to various groups and phone calls were placed to Federal and State elected officials with districts within or close to the project area to invite them to the scoping meetings and encourage their members to attend and voice their thoughts and concerns about the SJRRP. Copies of advertisements, press releases, and meeting notice materials are included in Appendix A.

1.3 Scoping Meeting Format

The Implementing Agencies convened four public meetings, one each in Tulare (August 28, 2007), Fresno (August 29, 2007), Los Banos (August 30, 2007) and Sacramento (September 10, 2007), to inform the public and interested stakeholders about the SJRRP and solicit comments and input on the scope of the PEIS/R.

Each scoping meeting began with presentations by Reclamation, DWR, NRDC, and FWUA. The presentations explained the purpose of the meeting, provided an overview of the Settlement and Program implementation, and described the Public Scoping Report that would be written. The presentation was followed by an "open-house" format in which participants were able to discuss and clarify specific issues of concern with agency and program staff who were available at five different resource-specific stations:

- Program and Process (goals, process and timeline)

- Fish Restoration (fish restoration strategy)

- Water Management (water management options)

- Flood Management (coordination between State flood management program and SJRRP)

- Reach-by-Reach Considerations (key features in each of five river reaches as described in the SJRRP Program Management Plan)

A public comment session was held after the open house portion during which meeting attendees were invited to provide oral comments. These comments are summarized as part of this report.

During the scoping meetings, participants were also encouraged to submit written comments, or to take home comment forms to submit by mail, e-mail, or fax until close of the comment period on September 26, 2007. These comments are also summarized as part of this report and are included in their entirety in Appendix C. Additionally, copies of the meeting materials are included in Appendix B.

1.4 Other Public Involvement Strategies

In addition to soliciting and collecting comments on the SJRRP during the scoping period, the SJRRP Public Involvement Plan outlines several public involvement strategies to be undertaken throughout the SJRRP's NEPA/CEQA process to inform and involve all levels of leaders, managers, stakeholders, and the general public about Program activities, progress, actions, and documents.

The strategies include public meetings and workshops; periodic and timely presentations; partnerships with local organizations to reach out and involve constituents; periodic stakeholder involvement in Technical Work Group activities and discussions; briefings for executives, interest groups and community and local agencies; reach-by-reach coordination meetings; information dissemination on the project Web site; publications that include fact sheets, newsletters, and post cards; development of a speakers bureau; media outreach; and frequent and ongoing landowner coordination.

1.5 Document Organization

This document is organized in three sections. Section 1 describes the SJRRP and the scoping process.

Section 2 describes the wide array of comments received during the scoping process, either at public scoping meetings, or as formal comment letters submitted via the project website, e-mail, fax, and postal mail. Several members of the public provided oral comments during public meetings that indicated their intentions to provide formal written comments. Both their oral and written comments were received and are documented in Section 2. Most responses included more than one comment. Given the volume of comments received, each individual comment is not identified in the main body of this scoping report; instead, they are grouped together by issue topics.

Section 3 lists individuals and agencies that provided written and oral scoping comments.

Appendix A includes materials used to notify the public of the scoping meetings. Appendix B contains the meetings materials, including presentations and displays. Appendix C includes the written comments received during the scoping period.

2.0 Public Comments Received Through Scoping

This section summarizes the range of scoping comments received through the scoping period. These comments raised issues that will be taken into consideration by the SJRRP, and may require further coordination with the commenter or the relevant organization. Comments touched on issues important to the topic of restoration, the San Joaquin River, or water management in California. The summary of comments presented in this section is organized by topic area and arranged in alphabetical order. This organization does not represent a relative importance among comments or topic areas, but rather is intended to facilitate presentation of comments in an orderly manner.

2.1 Air Quality

The San Joaquin Valley Air Pollution Control District requested that the PEIS/R include the regulatory environment and existing air quality conditions impacting the area. These comments also recommended that the PEIS/R contain 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 methodology, model assumptions, inputs and results for pollutant emissions; consideration of current existing and planned development both within the project area and in surrounding areas; the short- and long-term local and regional adverse air quality impacts associated with the operation of construction equipment and emission generated from stationary and mobile sources; and emissions projections for the project at the build out of each phase (including ongoing emissions from each previous phase).

Comments also suggested that the PEIS/R consider ozone precursors, toxic air pollutants, carbon monoxide hotspot analysis, and odor analysis, and discuss proposed rules that are being developed that would apply to the proposed project.

Comments suggested that the PEIS/R identify and discuss measures to reduce air quality impacts generated by the project, and describe measures that could lower significant adverse impacts below air quality threshold levels of significance. It was recommended that the PEIS/R identify which mitigation measures would be included in the project, and how each mitigation measure would be implemented, and that the reduction of air quality impacts from implementation of mitigation measures be quantified to the extent possible.

Specific approaches to preventing or mitigating air quality impacts were included in some comments, such as opportunities through project design to encourage alternative transportation (e.g., car pool parking), pedestrian and bicycle access/infrastructure, smart growth design, energy-efficient project and building design, reduced urban heat island impacts, and business programs that would further reduce air pollution in the valley (e.g., carpooling).

2.2 Climate Change

Some comments suggested that the potential consequences of climate change on efforts to restore the San Joaquin River be included in the PEIS/R.

2.3 Collaboration, Consultation, and Coordination

Many comments stated that coordination between the SJRRP and agencies and organizations would be essential to the efficiency and success of the SJRRP. It was recommended that the Implementing Agencies reach out to regionally and locally-based groups that may be planning and/or implementing activities affecting the river. It was requested that the SJRRP take into account existing local restoration efforts and organizational goals to ensure that the Implementing Agencies consider plans and projects already underway. By engaging local governments, nongovernmental organizations (NGOs), and individuals, it was suggested that necessary project work could be completed at a lower cost and in a manner consistent with the unique qualities and needs of the San Joaquin River.

It was requested that restoration efforts on San Joaquin River Conservancy lands should be designed to set the foundation for future parkway projects consistent with the San Joaquin River Parkway Master Plan. It was suggested that opportunities exist to coordinate the SJRRP with planning and restoration of the extensive wetlands and refuge areas along the river, and to provide appropriate alignments, sites, and grades for future parkway trails, fishing and boating access, and ancillary facilities such as staging areas and restrooms.

It was requested that the Riparian Habitat Joint Venture (RHJV) be consulted during development of riparian habitat plans throughout the SJRRP.

One comment suggested that local restoration efforts should be allowed and encouraged to conduct independent research and modeling, and employ information and data collection systems that are compatible with SJRRP databases. It was suggested that the SJRRP provide transparent and user-friendly data and data management systems that can easily be accessed by the public, and develop meaningful two-way communication with groups to ensure that relevant data are developed and collected.

2.4 Cooperating and Responsible Agencies

Several agencies requested identification as Cooperating Agencies under NEPA, including the San Joaquin River Exchange Contractors Water Authority, acting on behalf of its members, and specifically Central California Irrigation District, San Luis Canal Company, and Columbia Canal Company; Arvin-Edison Water Storage District; Chowchilla Water District; Porterville Irrigation District; Saucelito Irrigation District; Terra Bella Irrigation District; The United States Environmental Protection Agency; and FWUA. Several agencies also requested identification as Responsible Agencies under

CEQA, including The Reclamation Board; The San Joaquin River Exchange Contractors Water Authority, acting on behalf of its members, and specifically Central California Irrigation District, San Luis Canal Company, and Columbia Canal Company; Arvin-Edison Water Storage District, Chowchilla Water District, Porterville Irrigation District, Saucelito Irrigation District, and Terra Bella Irrigation District. DFG commented that if the SJRRP could result in the take of a State-listed species, then DFG should be identified in the PEIS/R as a Responsible Agency under CEQA.

2.5 Cultural Resources

One comment discussed the need for the SJRRP to address potential impacts to cultural resources. Specific actions described include determining if a part of, or the entire, project area has been previously surveyed for cultural resources; if any known cultural resources have already been recorded in or adjacent to the SJRRP area; if the probability is low, moderate, or high that cultural resources are located within the SJRRP area; and if a survey is required to determine whether previously unrecorded cultural resources are present. Comments stated that Native American representatives should be consulted for their input on potential project impacts, and that the PEIS/R mitigation plans should provide for identification and evaluation of accidentally discovered archeological resources, disposition of recovered artifacts in consultation with culturally affiliated Native Americans, and discovery of Native American human remains or unmarked cemeteries.

One comment requested that the Dumna Tribe, along with other Native American Peoples be fully informed during the SJRRP and be consulted prior to and during any changes from current river conditions.

2.6 Eastside and Mariposa Bypass Flows

The Eastside and Mariposa bypasses are shown in Figure 2-1 along with the five main reaches of the San Joaquin River as identified in the Settlement. Various comments on how to manage the bypass system were received. Many comments preferred that the bypass be left intact for the sole purpose of flood flow conveyance while other comments expressed strong opposition to increasing channel capacity in the main stem of the river in Reach 4, and favored uses of the bypass channel to support both flood conveyance and restoration flows.

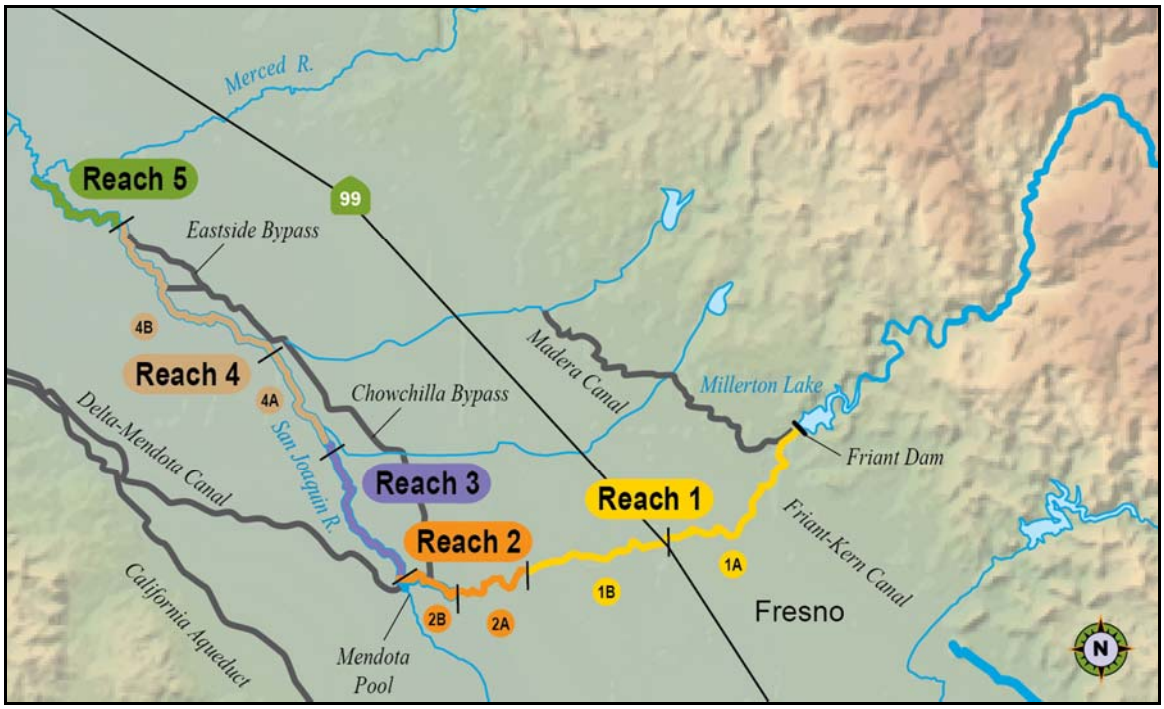

Figure 2-1
Five Main Reaches of the San Joaquin River as Identified in the Settlement

One commenter pointed out that constructing levees to support increased flows would destroy pristine habitat, and recommended that the existing flood bypass channel be used instead of Reach 4B. The comment stated that existing habitat is home to a variety of trees, bushes, and plants that have created a natural habitat for a large variety of animal species, and that in addition to vegetation, cranes, egrets, quail, hawks, and other birds roost in a designated area south of Turner Island Road.

Many comments voiced support for routing restoration flows through the Eastside and Mariposa bypasses. One comment suggested dredging the scoured-out area in the center of the bypass to the best depth and width to help control water temperature for fish.

Another comment suggested that directing flows down the river channel instead of continuing to use the existing bypasses could raise project costs, affect farmland productivity, and take property, including farmland and homes.

2.7 Endangered and Threatened Species

One comment addressed the need to make provisions for how third parties are to deal with the reintroduction of Federal and State listed “threatened” species, such as the spring-run Chinook salmon. The same commenter voiced concern over reintroduction if applicable pending legislation does not pass in its current form.

Another commenter raised concerns regarding potential impacts to State-listed species known or thought to exist in the San Joaquin River area, including bald eagle, Swainson's hawk, burrowing owl, blunt-nosed leopard lizard, Fresno kangaroo rat, San Joaquin kit fox, and delta button celery, among others

2.8 Fisheries in San Joaquin River Tributaries

One comment suggested that the PEIS/R evaluate measures to preclude accidental migration of salmon or other species to rivers other than the main stem of the San Joaquin, including Salt and Mud sloughs, Bear Creek, and the Stanislaus, Merced, and Tuolumne rivers. Similarly, it was suggested that the PEIS/R evaluate the potential impact of SJRRP activities on existing operations and on the existing fisheries in those tributaries and in Millerton Lake and its tributaries, including Dry and Cottonwood creeks.

One comment requested the Implementing Agencies continue to strive to restore other rivers in California that are currently undergoing restoration (particularly, the Merced River).

A comment was received that requested that SJRRP scope not be expanded beyond the restoration of a sustained salmon run on the San Joaquin River.

Another comment indicated that potential SJRRP-related impacts should be evaluated for areas beyond the five main reaches (as shown in Figure 2-1) of the San Joaquin River, including managed aquatic resources in the lower San Joaquin River tributaries and the Sacramento-San Joaquin Delta (Delta), such as fall and late-fall-run Chinook salmon.

2.9 Fish Screening

One comment suggested that the PEIS/R should address the potential for adult spring-run salmon to stray into tributaries that contain unfavorable conditions for salmon, such as Bear Creek and Salt and Mud sloughs.

Some comments raised concerns about the cost of installing and maintaining any fish screens, and the potential liability to the diverter for these costs. Similarly, comments addressed the potential for channel modifications to impact water district pumping capabilities. Further, comments expressed the need for new screens and/or intake channel modifications to account for variation in channel water levels from normal flows to flood flows.

Comments recommended that the PEIS/R identify the costs associated with alternative approaches to preventing salmon from straying into the undesirable areas, such as Mendota Pool.

One comment requested a study of overall impacts on affected species and their recovery if fish screening is not a viable option.

2.10 Flood Management

One comment suggested that additional information is needed regarding flood management, including geotechnical exploration, soil testing, and hydraulic and sediment transport studies. Obtaining specific permitting related to flood management was suggested, and included DFG Streambed Alteration Notification, Federal Clean Water Act Section 404 application, Federal Rivers and Harbors Section 10 Application, and Clean Water Act Section 401 Water Quality Certification.

One commenter suggested that Friant Dam be raised to store more water and provide flood flow conveyance. The commenter also voiced concerns regarding the impacts of flooding on natural resources (stream scouring, etc.) under different alternatives, including the effects of restoring riparian habitat to the channel capacity during flood flows.

The issue of the maintenance or enhancement of historically required and currently existing flood flow capacities was raised in comments, and it was suggested that the US Army Corps of Engineers (USACE) should be involved in the development of alternatives to ensure that no flood control impact will occur.

Additional concerns raised regarding flood management include the provision of sufficient maintenance and design to sustain maximum flood releases, the enhancement of channel and stream capacities to allow for additional restoration flows in combination with historical and anticipated flood flows, and the consideration of existing flood damage reduction criteria established by the USACE for the San Joaquin and Kings River watersheds.

Numerous comments requested that no alternatives be studied that increase flood flow risks or other risks that may impact property or human safety within or upstream from the SJRRP area.

2.11 Funding and Costs

One comment suggested that the SJRRP publicly define its goals, objectives, and priorities as they relate to funding restoration projects on the river. Specifically, the comment urged that priority be established based on a methodology that is defined and made available to the public, and preference should be given to projects and proposals that prove cost-effective, and establish long-range maintenance and sustainability. The comment recommended that proposed projects be cost-effective according to their level of funding, and that a methodology be established, with consideration to relative funding priorities, that expresses a relationship between the cost and the desired outcomes, such as dollars per mile of channel restored or dollars per acre of habitat restored. The comment recommended developing a system for the analysis of cost-effective projects that is transparent, documented, and available to the public.

One comment suggested that the PEIS/R address the annual Operations and Maintenance (O&M) costs of the facilities and the implementation of the Settlement.

One comment suggested that if the Eastside Bypass channel is to become the new river channel as an action toward meeting the Restoration Goal, then the cost of upgrading and maintaining the levees and bridges should be a part of the annual ongoing costs of the SJRRP and not be assumed by local taxpayers.

One comment stated that the PEIS/R needs to consider certain alternatives if the SJRRP does not receive full funding. The comment recommended that the SJRRP could build a scaled-down version of the project that fits within the budget that would have to evaluate cost and feasibility, provide a conceptual model of how the scaled-down version would function, and describe which species could or could not be maintained. Further, this strategy recommended that the scaled-down version should also be designed so that it could be expanded if funds materialize.

2.12 Gravel

Many commenters discussed the need for gravel throughout the project area and indicated that the PEIS/R should evaluate this need, as well as the potential sources of gravel to be used to enhance and create spawning habitat, and whether those sources would involve mining.

2.13 Habitat

Comments addressed the importance of close integration of riparian and floodplain habitat in the SJRRP, to benefit not only salmon and other native fish, but all of the species that rely on the San Joaquin River and its adjacent habitats. Commenters recommended that the SJRRP describe and delineate salmon spawning habitat areas, if these are to be enhanced or created.

It was suggested that riparian and wetland habitats that are hydraulically connected to the river be expanded to benefit salmonids, as salmonids have higher growth rates and survival when rearing on inundated floodplains compared to in the main channel.

Many comments stressed the importance of completing restoration and revegetation of the river and channels before fish are reintroduced. Comments also recommended addressing the geomorphic changes that may be necessary to provide fish passage and survival during rearing and migration.

The issue of how the SJRRP will affect the wider range of species and natural communities that represent biodiversity in the area was raised. Comments included opportunities within the SJRRP to expand floodplain riparian habitats, including the recovery of important community types such as 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, mammals, and amphibians, according to comments received.

Comments were received on the potential benefits of the SJRRP to interconnect natural habitats, such as wetlands, and alkali scrub, a habitat type that is situated on the rim of wetland basins in the area. It was suggested that benefits to these habitats would in turn benefit wetland species, including giant garter snake, western pond turtle, and tricolored blackbird.

One comment remarked on potential project-related impacts to wildlife and habitat, and offered examples of associated regulatory relationships of specific impacts to the jurisdiction of DFG. DFG comments also included various State-listed species known or thought to exist in the San Joaquin River area, including bald eagle, Swainson's hawk, burrowing owl, blunt-nosed leopard lizard, Fresno kangaroo rat, San Joaquin kit fox, and delta button celery, among others.

2.14 Hatchery and Fish Selection

Several comments raised the issue of using hatcheries in the SJRRP, and of appropriate selection of stock fish. One commenter recommended that wild-caught salmon would be preferred over hatchery fish because of potential genetic issues. Further, the commenter suggested that a hatchery could potentially be modified and funded to perform a wild salmon program, rearing salmon from wild eggs. Other hatchery considerations raised in the comments include limiting the amount of wild fish in the hatchery because of overcrowding of fish to prevent disease, and separating wild salmon from hatchery fish. Comments recommended consideration of conditions for releasing hatchery-raised fish, including size, native predators, and exotics, and how to provide cover for released fish.

Comments recommended that the PEIS/R address the issue of restoring and monitoring all historic components of San Joaquin River fish fauna, including all salmonids (spring-run Chinook, fall-run Chinook, and steelhead).

2.15 Invasive Species

Many comments addressed invasive species of both flora and fauna that inhabit aquatic and terrestrial environments, and the importance of identifying these species within the SJRRP. Comments stressed the control and management (removal) of nonnative riparian and aquatic species within reach of SJRRP activities, and recommended that these issues be part of the planning process and data needs of the SJRRP planning and program evaluation stage.

2.16 Levees

Many comments addressed concern about existing channel capacity and new levees that might be built. Several comments noted that levees may need to be modified to convey flood conveyance, restoration, and agricultural flows. Some comments requested that levees and channels be enhanced to convey historically required or existing flood flow conveyance capacities. It was expressed that moving levees would cause disruption of existing ditches, drains, and other facilities, and would require mitigation. Commenters requested that the PEIS/R provide cost-benefit analyses of levee removal and floodplain expansion or wetland creation in areas impacted by poorly maintained or permeable levees. One comment suggested that natural river processes should be taken into account to avoid damage to the existing or future levee system as occurred during high flows in 2006.

Some comments suggested that long-term water quality and flood damage reduction benefits could be realized through the SJRRP. One comment recommended using levees for floodplain or wetland habitat, as some agricultural land has experienced flooding in previous high flow events due to permeable substrate or levee failure. These commenters asked that the Implementing Agencies consider the beneficial impacts of levee removal and floodplain creation or expansion on long-term flood management. It was suggested that levee removal and floodplain expansion may be employed for gravel pit filling or isolation in Reach 1, and that expansion of the floodplain to allow natural expansion and slowing of flood flows would provide downstream flood benefits and should be evaluated as a flood control measure.

Several commenters raised concerns regarding the stability of existing levees under their stated design capacities. It was suggested that all fieldwork for levee banks be done in the SJRRP planning and program evaluation stage.

2.17 Mendota Dam, Sack Dam, and Arroyo Canal

Some commenters suggested that the SJRRP consider alternatives to screen Mendota Dam. Commenters also raised concerns about the potential effects of backwater from the Mendota Pool to the proposed bifurcation structure and Mendota Pool Bypass.

Some comments requested that premises liability, including personal and property damage, be considered at both Sack Dam and the Arroyo Canal Diversion. It was also noted that Sack Dam is privately owned and would need to be modified or replaced to provide fish passage. Considerations raised for Sack Dam include ownership, operations, funding of construction, and daily O&M.

Some comments noted that the Reach 3 levee system would need to convey agricultural demands to the Arroyo Canal Diversion in conjunction with the maximum flows needed for fish passage as stated in the Settlement hydrographs. Commenters noted that a maximum of 800 cubic feet per second (cfs) daily at the Arroyo Canal should be accounted for in the SJRRP, and pointed out that the current diversion at the Arroyo

Canal is unscreened. Other concerns raised include ownership, operations, funding of construction, and daily O&M at these facilities.

2.18 Monitoring

It was suggested that the SJRRP consider comprehensive monitoring and assessment to track restoration and water management. Comments proposed that the PEIS/R should review the state of monitoring of the San Joaquin River for water quality, biota, and other parameters of concern; address any key gaps; and discuss how monitoring, assessment, and reporting to support the restoration effort will be accomplished.

2.19 Natural River Processes

One comment indicated that natural river processes should be incorporated to promote a healthy river. Some of the specified processes include meandering stream channels, anastomosing braided stream channels, marsh and wetlands adjacent to and connected with the meandering/anastomosing braided stream channels, wide natural floodplains where high volume flood waters may dissipate, sediment movement and storage along river channels, lack of new sediment inputs to river channels due to dams upstream, channel avulsion and migration, and the relationship between dead instream and overhanging live vegetation to fisheries.

Several comments expressed concern that specific processes be allowed for, including the ability for the channel to migrate, meander, and anastomose on a wide natural floodplain; the ability to pool and form marshes and wetlands within and between channels; and to receive a continuous sediment input that is moved by high flow regimes. One reason included for allowing these processes to occur is that a wide floodplain would allow high flood volumes to spread out, dissipate, percolate, drop sediment, and be less of a hazard to anthropogenic infrastructure, and would not put as much pressure on any levees still confining the river. Additional reason provided for incorporating a continuous sediment supply is that sediment input is necessary for the river to operate naturally and avoid erosion.

These comments also suggested that the SJRRP look at the channels under natural conditions, at wide flood plumes, to see how water and sediment move within the natural system, how sand from channels should move, how levees are treated, how water spreads out, and how local aquifers can be naturally recharged.

One comment asked that the PEIS/R consider how river capacity decreases over time because of the build-up of debris in the river after every storm event.

One comment suggested exploring the biological needs of different habitats that would support fish, birds, mammals and others in relation to the shift back to natural river processes.

2.20 Outreach

Many comments suggested that Program restoration work be advertised to all local stakeholders as well as the communities in which work is to be conducted, including making outreach and advertisements available in multiple languages, and using appropriate language in context to take into account regional barriers to participation.

One comment suggested that establishment of the Public Affairs Team and Speaker's Bureau should be publicized to stakeholders, with further information and contacts for public interaction. It was requested that the Web site clearly list all of the Implementing Agencies' staff and participants involved with the various aspects of implementation, establish key points of contact at each agency, list all significant dates and actions initiated or completed by the team, and provide a list of upcoming events. The comments stated that these public outreach steps should be implemented before any project implementation activities occur.

It was requested that the SJRRP seek public input, recommendations, comments, and advice from the interested public. Suggested notification processes include a wide array of media for advertising Program activities (newspapers, public radio and television announcements, and direct mailings) to residents of all counties with San Joaquin River tributaries, including the Mokelumne, Stanislaus, Tuolumne, and Merced rivers watersheds.

The San Joaquin River Parkway and Conservation Trust (SJR Trust) suggested incorporating several of the SJR Trust activities to facilitate outreach, including activities such as public forums, guided walks and hosted meetings, SJR Trust publications, outreach events, information booths, public presentations, field trips, and a historical display of restoration progress at the Coke Hallowell Center for River Studies.

Other comments suggested that stakeholders and the public be able to provide input regarding proactive initial outreach and ongoing outreach and involvement at project milestones, partnerships with local organizations to reach out and involve constituents and explore opportunities for joint public outreach and involvement opportunities, and opportunities for stakeholder participation in Technical Work Group discussions. It was indicated that these core strategies have not yet emerged and should be implemented before or concurrent with the formation of Technical Work Groups or any SJRRP progress.

It was also suggested that the SJRRP consider quarterly or triennial scheduled meetings to inform the public of project progress. It was recommended that milestones should be established, and consultation with the public should occur as the milestones are reached, and that there should be open and public negotiation for changes in law and related legislation for water distribution in the San Joaquin River Valley.

One comment stated that Third Party input and other stakeholder input programs would benefit from a "third party litigant" subcommittee and an "other stakeholder"

subcommittee, which could provide forums and focus for such parties to discuss and resolve issues.

The California State Lands Commission (CSLC) suggested that the lead agencies conduct agency/public workshops to formulate Program alternatives. One comment suggested presenting information the cumulative annual flows for both fisheries and flood control functions to help the public understand the physical implications of the Program.

2.21 Permitting and Enforcement

DFG submitted comments regarding the agency's role in the SJRRP from a regulatory standpoint, and in the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. Specifically, if the SJRRP could result in the "take" of any species listed as threatened or endangered under the California Endangered Species Act (CESA), DFG stated that it should be identified as a responsible agency in the PEIS/R, as DFG may need to issue an Incidental Take Permit for the project. In addition, DFG submitted comments stating that CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species.

Some comments requested that the SJRRP consider approaches for long-term ESA and CESA compliance, including assurances and compliance for take of salmon associated with O&M activities after the ESA Section 10(j) experimental population status is removed.

Comments suggested that The Reclamation Board of the State of California (The Reclamation Board) ensure the integrity of the flood management system through a permitting process, prior to initiating any activity, including excavation, construction, removal or planting of landscaping within floodways, levees, and 10 feet landward of the landside levee toes.

One comment addressed salinity levels in the river, and suggested that Implementing Agencies encourage the Central Valley Regional Water Quality Control Board (CVRWQCB) to implement and enforce the State's nondegradation plan by putting salinity protection standards and restrictions in place that cap the salt load entering the river. It was stated that additional salt loads could impact the revived fishery.

It was requested in comments by CSLC that CSLC boundary staff evaluate on a case-by-case basis site-specific improvements for the SJRRP.

One comment expressed concern about enforcement issues, and indicated that one game warden is not sufficient to control poaching and other illegal activities that may result from Program activities.

Other comments suggested that the SJRRP consider potential impacts of poaching, over-harvesting, and entrapment of fish to achieving the Restoration Goal.

2.22 Pollution

Concerns were expressed that increased public access to the river would encourage trespassing, litter, and theft, impacts that must be mitigated, and that widening and deepening the river would increase pollution and issues on how to remediate pollution. A number of comments stated that local agencies should take responsibility for removal of trash and debris from the river.

One comment also indicated that the SJRRP would need to identify whether any part of the SJRRP is within a hazardous waste site, as required by Public Resources Code. Other comments suggested that the SJRRP consider impacts to restoration efforts from industrial, urban, and agricultural runoff and effluent in proximity to the San Joaquin River.

2.23 Program Area

Many comments requested that the PEIS/R describe a project study area, which has not yet been defined. One comment also addressed the area above Friant Dam, and requested that the SJRRP consider the strategic importance of the San Joaquin River source watershed above Friant Dam, as this watershed provides virtually all of the water that flows into the San Joaquin River and affects the quantity and quality of the river water. The comment noted that the foothill and mountain areas in the watershed are under tremendous pressure for rural and urban development and could negatively affect the river downstream from the Friant Dam.

The San Joaquin River Conservancy requested that the PEIS/R describe areas within San Joaquin River Conservancy lands that would be affected by significant restoration projects.

Comments requested that the project study area include the entire San Joaquin River from Friant Dam to the Delta, the Delta region, water service contract areas, and areas which may be affected by proposed water transfers or other actions related to the Water Management Goal. Similarly, one comment recommended including the health of the entire San Joaquin River system, including areas beyond the five primary reaches, to support reintroduced fish species.

2.24 Program Process and Implementation

Many comments suggested strategies for implementation of the SJRRP. One strategy suggested was that water and fish should not be introduced into any reach of the river until all related work within that area is completed so that the reach could be fully functional to meet the Restoration Goal prior to proceeding with actions in other river reaches. Similarly, another strategy suggested was that one project be completed before the next begins. Another strategy suggested was that SJRRP activities begin at Reach 1

and move sequentially downstream, and that implementation not proceed until all work within a certain reach is completed and all facilities are in place and operational.

One comment suggested that the SJRRP consider itself as a means to achieve successful restoration of the San Joaquin River as a goal, and not be limited to implementation by the terms of the Settlement. Other comments suggested that the Restoration Goal should be approached in an integrated manner with other issues related to restoration, an approach that places fisheries restoration in the context of the other beneficial uses associated with the San Joaquin River, such as wetlands, wildlife habitat, municipal supply, terrestrial vegetation, habitat restoration, and erosion control.

Several commenters requested that the Water Management Goal be developed concurrent with the approach for achieving the Restoration Goal. Many comments also indicated a desire for Water Management Goal implementation activities to be broad-based and include recirculation, recapture, exchanges, transfers, groundwater banking, and other programs to mitigate for water losses called for in the Settlement. One comment suggested that water deliveries should not be diverted until a canal system is in place to return the downstream water. Some comments proposed using the California Aqueduct to move water to the Cross Valley Canal to reenter the Friant water system. Some comments stated that water should not be released to benefit spring-run salmon introduced into the system until the necessary infrastructure to replace water released for restoration purposes has been constructed.

Some commenters stated that there should not be any flow releases until all necessary studies and planning have been completed and appropriate funding has been appropriated. It was also requested that projects on land that is in public ownership, and where willing partners exist, be prioritized, rather than rigidly adhering to the staging schedule described in the Settlement.

It was suggested that funding be made available to local and regional groups and nonprofits engaged in restoration activities to carry out the activities necessary for successful Program implementation to address external issues that pose significant impacts to the success of a coordinated restoration effort. One comment suggested that the PEIS/R evaluate the added costs of potential unintended consequences.

Concerns were raised as to which parties would be responsible for O&M, and how O&M would be accomplished and funded.

One comment suggested that Program projects which take into consideration overall benefits to water conservation efforts, groundwater overdraft solutions, conjunctive use, beneficial water transfers, water quality enhancements, land acquisitions for floodplain and riparian restoration, and other beneficial regional goals should be given priority and special consideration, whenever feasible. This strategy suggested that all projects be prioritized based on their merits relative to the priorities of each project stage, and lists made available to the public for early analysis and review.

Comments recommended that special attention be given to reasonably expected future changes and activities, and projects within the San Joaquin River region that may affect river restoration. Comments suggested that the SJRRP conduct an analysis of external issues that impact water quality, habitat, and viability of a successful restoration program.

One comment suggested that the Technical Work Groups include a broad spectrum of experts in water quality, hydrogeology, air quality, and aquatic and terrestrial resources. FWUA raised the issue of determining the proper lead agency under CEQA, and requested that it be designated the lead CEQA agency, because FWUA was party to the Settlement.

The RMC offered to contribute its local knowledge throughout the SJRRP alternative development process.

2.25 Property

Many comments emphasized the need to develop safeguards for landowners who own land directly adjacent to, and/or are otherwise affected by, restoration efforts. It was suggested that the SJRRP implementation not interfere with existing property rights, and that not all riverfront property be open to restoration or additional recreation opportunities.

Some comments expressed concern with the proposed schedule for property acquisition. Specifically, that the Settlement does not provide for acquisition of any property interests until Stage 3, although it calls for using a portion of the Eastside Bypass and all of the Mariposa Bypass for interim restoration flows during Stage 2.

Many landowners asked that the SJRRP identify a typical annual release program from Friant Dam that presents cumulative flows anticipated for both fisheries and flood flow conveyance functions. This would help landowners understand the physical implications of how the river will affect existing uses located near the river's banks.

Other comments indicated that additional flow releases would seep through sandy soil, raise groundwater levels, and cause crop losses and reduced revenue for farmers. Many comments addressed the issue of seepage and suggested specific areas for mitigation. To reduce seepage impacts in Reaches 3 and 4, comments suggested that monitoring wells be installed at key locations prior to interim flows to determine seepage impacts and to adequately monitor groundwater and seepage conditions for mitigation and water recovery.

One comment encouraged the Implementing Agencies to acquire land only through willing-buyer, willing-seller transactions rather than use eminent domain for any land or easement acquisitions.

One commenter asked the SJRRP to consider transportation issues and solutions, such as including funding to create an island or home site with a bridge connecting property to roads, if it is determined that the restoration flows would run in the old river channel.

It was anticipated in comments by the CSLC that identifying lands already owned by the State for the SJRRP would save significant funds allocated for Program implementation, and that any improvements involving modifications to the river would require authorization from the CSLC. CSLC stated that CSLC hopes to provide its expertise and services to save taxpayer dollars for the SJRRP.

2.26 Recreation

Many comments were received about potential impacts to, and opportunities for new or enhanced, recreational activities within the study area. It was suggested that the PEIS/R evaluate risks and impacts to recreation in the study area, and mitigate the impacts through a variety of proposed measures.

Numerous comments focused solely on maintaining areas for outdoor recreation, fishing, and waterfowl hunting, as well as maintaining habitat in optimal condition. It was expressed that the SJRRP is an opportunity for the public to have and maintain reasonable hunting access. It was requested that hunting and fishing programs, with public access points, be incorporated into the PEIS/R.

Commenters requested that opportunities for outdoor activities be maintained and enhanced, including fishing, camping, hunting, boating, canoeing, walking, hiking, biking, bird watching, exploring horticulture, school field trips, festivals, painting, photography, scenic vistas, picnicking, and family gatherings.

Many comments focused on the Millerton Lake State Recreation Area (MLSRA). It was expressed that changing water levels at Millerton Lake creates a struggle to maintain suitable habitat for fisheries and to provide premium campsites, and that restoring river flows below the lake may adversely impact the quantity and quality of recreational use at the MLSRA due to earlier drawdown, especially in dry years.

Comments stated that lower lake levels would be expected earlier in the year, resulting in highly concentrated use of open water for the boating public. It was stated that this higher concentration of boats on the water would result in lowering the value of the recreational experience for the boaters and may result in the need for more law enforcement. Additionally, comments suggested that as the lake level drops, campsites that were once located near the shore would be much farther away and much less attractive to campers. It was requested that the PEIS/R assess forecasts of lake levels and lake surface area for each month during the recreation season during both normal and dry years, as well as impacts on the Millerton Lake fisheries, which support striped bass, American shad, and spotted bass. These forecasts are requested for the purpose of considering cumulative effects of the SJRRP, potential additional storage upstream from Millerton Lake, and climate change. Further, it is suggested that the PEIS/R assess effects on the MLSRA's ability to meet increasing public demand, traffic impacts from restoration activities, and SJRRP-related construction, and propose mitigation measures for adverse effects.

Many comments on potential impacts to recreational fishing were received. It was suggested that the SJRRP evaluate how to effectively provide, control, and manage public access and recreational fishing on the river, while meeting SJRRP objectives.

One comment suggested that impacts to Lost Lake Park and recreational activities be evaluated in the PEIS/R, and that the SJRRP consider potential negative impact that implementation of the Settlement could have on Lost Lake Park, which has substantial river frontage and areas now devoted to recreation that may be reduced or lost when flows increase.

One comment indicated that the design and creation of a conservation zone from the river parkway to the San Francisco Bay Area would create a long-lasting amenity for the region and result in a more attractive and accessible river region.

2.27 River Reaches

Several comments received referred directly to individual reaches of the river, as identified in the Settlement and shown in Figure 2-1. The issue of increased flows in the river raised concerns of levee stability and seepage problems, and exceedence of channel flow capacities in some reaches. It was suggested that levee and channel improvements are needed in Reaches 2A, 2B, 3, 4A, 4B, and the Eastside Bypass to safely convey Restoration Flows.

Comments recommended improvements to reduce or eliminate impacts to levee stability and adjacent lands from increased seepage, including coordination throughout all reaches, with other improvements such as riparian habitat restoration, water supply, and flood management operations.

Comments also voiced concerns regarding the quality of existing riparian habitat in all reaches.

2.27.1 Reach 1

One comment recommended that levee removal and floodplain expansion may provide an opportunity for gravel pit filling or isolation in Reach 1. Another comment suggested that the SJRRP consider potential impacts of new and expanded mining operations to restoration efforts. Some commenters suggested that Reach 1 may require gravel augmentation and other improvements to provide spawning habitat.

One comment stated that diversions in Reach 1 will need to be screened, and that existing road crossings in Reach 1 will need removal or modification to allow for migration.

The San Joaquin River Conservancy suggested that in Reach 1, the SJRRP can be planned, designed, and implemented in cooperation with the San Joaquin River Conservancy, its member agencies, and nonprofit partners to enhance benefits and reduce costs.

The San Joaquin River Parkway and Conservation Trust (SJR Trust) stated that it has completed numerous land acquisition and conservation easement projects in this reach, and suggested coordination with SJRRP to protect and restore river lands in Reach 1.

2.27.2 Reach 2

One comment stated that Reaches 2B and 3 of the San Joaquin River provide critical water supply conveyance for the delivery of water under existing water rights. Comments suggested that the SJRRP consider the potential of SJRRP projects or actions to impact these water supply operations through insufficient channel capacities and operations of new structures, including the proposed Mendota Pool Bypass. Comments recommended that Settlement actions must be carefully planned and designed to maintain flexibility in water supply operations throughout the river system.

One comment suggested that the Chowchilla Bifurcation Structure be modified to allow for fish passage. The same commenter stated that diversions in Reach 2 will need to be screened, and that San Mateo Road in Reach 2B may need to be modified.

Comments also suggested that the SJRRP look at alternatives to screen Mendota Pool to prevent straying.

Several comments addressed the proposed Mendota Pool Bypass channel and bifurcation structure. These comments suggested that the bifurcation structure be screened, and constructed to withstand potential backwater effects from Mendota Pool. Comments also noted that the Columbia Canal Company maintains facilities that will need to be considered in the construction of the Mendota Pool Bypass.

2.27.3 Reach 3

Previously mentioned comments discussed the need for the levee system in Reach 3 to be able to handle agricultural demands at the Arroyo Canal Diversion in conjunction with the maximum flows needed for fish passage. Similar to comments regarding Reach 2, one comment stated that the SJRRP has the potential to impact critical water supply conveyance in Reach 3. Comments requested that any new facilities maintain flexibility in water supply operations.

The same commenter suggested that Sack Dam be modified to provide fish passage, and that Arroyo Canal and other diversions be screened to prevent fish entrainment.

2.27.4 Reach 4

Many comments raised concerns about discretionary actions regarding irrigation canals and drainage facilities in Reach 4. Comments also addressed the need to eliminate seepage concerns and minimize effects to landowners along Reach 4B. Many comments recommended using the existing Eastside Bypass instead of Reach 4B.

The San Luis Canal Company (SLCC) provided comments specific to Reach 4B and indicated that the company owns land along the south boundary of the 4B channel. SLCC raised several items to consider, including the protection of SLCC water rights if land is purchased during the SJRRP implementation; construction of new facilities that

may be necessitated by moving levees, and associated relevel and/or redesign of the fields to accommodate the changes; groundwater protection in terms of quality and the ability to retain groundwater pumping rights for local agricultural production; and test wells that may need to be installed in Reach 4B prior to the Interim Flows, in close cooperation with the landowners. SLCC also indicated that flows would need to occur in winter to minimize damage to existing crop rotations, and that if crop and field damage does occur, landowners must be compensated for the losses. SLCC also expressed interest in agreeing on when maximum flow levels have been achieved during Interim Flows.

One comment stated that restoring flow in Reach 4 may require screening diversions and the Sand Slough Control Structure. The same comment stated that the Sand Slough Control Structure and Mariposa Bifurcation Structure and drop structure may need modifications to provide for fish passage, and that road crossings in Reach 4B may need modification to allow flow.

2.27.5 Reach 5

One commenter stated that existing diversions in Reach 5 may need to be screened to prevent fish entrainment. The same commenter stated that Salt and Mud sloughs will need to be screened.

2.28 Social and Economic Impacts

One comment stated that the economic impact of restoring the San Joaquin River is far-reaching, and affects other regions in addition to the State of California. Specifically, it was stated that a consistent loss of water would diminish the ability to sustain today's agricultural economy.

Another comment suggested that restoring the San Joaquin River could create a community resource that would benefit the workforce of the San Joaquin Valley, and enhance the quality of life for all residents, thereby enabling the area to attract and retain the professional and skilled workforce needed by the valley's economy.

One comment requested that the SJRRP consider population growth and demands on water supply in the San Joaquin Valley and throughout California.

Some comments stated that the PEIS/R should identify lands needed to implement the Settlement, and evaluate the environmental and social impacts of removing land from agricultural production.

Another comment suggested that the SJRRP consider the potential impacts of the SJRRP to rural, low-income, minority, communities of color, and other populations.

2.29 Stakeholder Groups

One comment suggested that the SJRRP initiate participation by local stakeholder groups, and stated that local organizations should receive equal opportunity to participate during the process to ensure a long-term commitment to the restoration effort. The comment suggested that local and regional NGOs working toward restoration of the San Joaquin River have a unique knowledge of the river and its ecosystem, as well as an intimate knowledge of external factors that could impact water quality and habitat necessary for a successful restoration effort. The comment suggested that these NGOs also have the capacity to mobilize large groups of volunteers and provide low-cost labor needed to conduct cost-effective restoration solutions. It was suggested that the SJRRP engage these groups to create a locally based workforce that is invested in restoration and can plan for the long-term viability of restoration efforts.

One comment stated that the SJRRP should avoid any and all impacts to the Third Party stakeholders.

2.30 Vegetation

Many comments proposed incorporating revegetation of the floodplains and riverbanks for San Joaquin River salmon populations throughout the river. Comments suggested that native riparian vegetation is a critical habitat feature for self-sustaining salmon populations, potentially providing shade for water temperature control, insects for food, hosts food for salmonids (terrestrial insects and vegetation) and woody debris for the salmon to rest behind in the current. Comments suggested that revegetation in the floodplain could augment erosion control along the banks, thereby reducing sedimentation of spawning beds and sediment trapping, and could recharge groundwater.

Comments suggested that the PEIS/R consider ways of optimizing spawning habitat, summer and other seasonal holding habitat, riparian habitat, cover (boulders and flow relief), temperature, evaluations of adverse water quality impacts (chemical and physical), and water flows and flow timing. Similarly, comments suggested that the PEIS/R describe the benefits potentially provided by an increase in stream-side vegetation such as shade, runoff pollutant filtration, and woody debris necessary for instream cover.

2.31 Water and Irrigation Districts

One comment requested that the SJRRP consider irrigation districts that do not have water contracts, and the effect that water diversions could have on these districts, if no water is available for them to purchase.

The Central California Irrigation District, San Luis Canal Company, Columbia Canal Company and the Exchange Contractors indicated that various approvals, actions, or authorizations would be required from their organization, including discretionary actions

related to their Main Intake Canal, discretionary actions related to Mendota Dam, replacements or modifications to Sack Dam for fish passage, fish screening at Arroyo Canal, and discretionary actions to irrigation canals and drainage facilities in Reach 4.

Several water and irrigation districts requested identification as Responsible (CEQA) and/or Cooperating (NEPA) Agencies, as discussed in the Cooperating and Responsible Agencies section, above.

2.32 Water Exchanges, Transfers, and Recovery

Some comments suggested that exchanges and/or transfers among various water districts to facilitate the water conveyance aspects of the SJRRP be addressed in the PEIS/R.

It was suggested that no alternatives should assume that water can be recovered for use by the Friant Division of the Central Valley Project (CVP) via exchanges or arrangements with other parties, or by using other conveyance or river systems, unless those arrangements have been negotiated in advance.

One comment suggested that a Recovered Water Account, groundwater banking, expansions of the Friant-Kern and Madera canals, and other projects presented by water districts should be evaluated at a project level and not be limited to conceptual review at a program level in the PEIS/R.

2.33 Water Rights and Long-Term Water Contracts

Various comments addressed water rights on the river and indicated that the PEIS/R should evaluate water rights and how implementation of the Settlement would be accomplished without impacting water rights or water right properties. One example provided is as follows: the Merced Irrigation District should not be required to make additional releases of cold water in the event that water from the upper San Joaquin River is too warm for downstream fisheries.

Commenters suggested that the PEIS/R should recognize the water rights of lands downstream from Friant Dam, and that the SJRRP should not be detrimental to the free exercise of such rights.

One commented noted that current releases from Friant Dam include water for long-term contracts as well as Holding Contracts and that these contract types should be recognized in the evaluations.

2.34 Water Shortages

Some comments requested that the Water Management Goal be thoroughly articulated so that water shortages in the region would be fully mitigated. Projects enabling FWUA districts to capture more water from the San Joaquin River during times when the water is

not needed for required fishery purposes, such as projects for expansion of the capacity of the Friant-Kern Canal, were suggested.

One comment expressed a need for Reclamation to make supplies lost to water contractors available through a variety of methods.

Several comments suggested that water conservation measures, such as practicing drip irrigation, and rotating energy sources with down time, be considered to partially compensate for water shortages.

2.35 Water Storage, Supply, and Availability

Numerous comments stressed the need for a comprehensive water storage program. Recycling agricultural and domestic waste waters was identified in comments as a method for maximizing water storage. Comments highlighted concerns regarding legal or jurisdictional issues about reduced deliveries during dry years to all users, and asked that the SJRRP address those issues. Other comments suggested that underground water storage and groundwater recharge be evaluated, in addition to water transfers and surface storage, as ways to meet the Water Management Goal.

Some comments stated that the SJRRP alternatives must assume that all water supplies needed for restoration would come from Friant Division CVP supplies, and no alternatives should assume that water would be made available from other sources, unless those sources have been secured.

Many comments addressed concerns about water supply, and significant economic losses if the water supply releases for Restoration Flows is not replenished.

Many comments specified Water Management Goal projects that could mitigate for the loss of water supplies dedicated to the Restoration Goal be ready for implementation when Restoration Flows commence, as discussed in the section above on Program Process and Implementation.

One commenter suggested that the level of Friant Dam be raised to store more water, as this could provide more water to stream flows in dry water years.

2.36 Water Temperature and Quality

It was suggested that the PEIS/R address the potential impacts of stream-side and upland habitat restoration on water temperature, water quality, and fish survival. One comment indicated that the PEIS/R should evaluate if water released from Friant Dam in April and May would exceed the safe temperature limits for migrating fall-run Chinook salmon fry when it reaches the Merced River. Also suggested to be evaluated were alternatives or mitigation measures that could reduce or eliminate temperature impacts to the existing fall-run Chinook salmon fishery in the Delta and San Joaquin River and its tributaries below the confluence with the Merced River.

Many comments addressed the issue of potential water quality impacts to the San Joaquin River and the Delta as a result of increased releases from Friant Dam. It was requested that the PEIS/R address how changing Friant Dam releases and manipulating other aspects of San Joaquin River flow associated with the SJRRP could impact water quality, pollutants, contaminants, and water chemistry in the river and in the Delta. Comments suggested that without increased flows from Friant Dam, a number of costly and extreme control measures would be required to meet current and likely future water quality objectives. It was suggested that releases from Friant would be beneficial by promoting less onerous pollutant control programs for urban and agricultural interests affected by the SJRRP.

One set of comments asked that the Implementing Agencies ensure that any new water releases from Friant Dam to the river for the purpose of meeting instream flow needs for fisheries not be diverted along the river, before reaching Turner Cut or the Stockton Deep Water Ship Channel. Comments suggested that the release of high-quality water from Friant Dam to the river channel could benefit water quality conditions in the San Joaquin River below the Merced River.

Some comments requested that the PEIS/R assess the impact of flow diversions that would be adverse to water quality improvements which would otherwise occur if the diversions did not take place. These comments suggested estimating the economic effect to wastewater and storm water dischargers, such as cities and industry, as well as agricultural interests, associated with diversions of Friant Dam flow releases that would otherwise improve water quality in the river. Further, it was suggested that the PEIS/R discuss the follow-up monitoring/studies that would be needed to fully evaluate the impact of the Friant Dam flow releases and other flow alterations on all aspects of water quality.

Concerns were raised regarding increasing pressure along the length of the river from development (housing, commercial, and industrial) and agriculture. Comments suggested that all of these "offstream" users have the potential to pollute the San Joaquin River or alter natural water chemistries and temperatures.

Several comments raised the issue of existing and potential water quality stressors in the watershed, and asked that the PEIS/R take into account other programs and projects addressing these issues, such as local watershed groups and water quality coalitions.

One comment suggested that the increased river flow make improvement in river water quality, specifically regarding salinity levels. The commenter was concerned with enforcement of the State’s non-degradation plan and suggested salinity caps. Additionally, the comment addressed the need to establish such limits before reintroduction of fish species begins.

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3.0 Commenters

Agencies, organizations, and individuals providing oral or written scoping comments are listed below in Tables 3-1 and 3-2. Table 3-1 lists those individuals who provided comments (oral or written) during scoping meetings. Table 3-2 lists the agencies, organizations, and individuals who provided written comments during the scoping period outside of scoping meetings. Written comments received are included in Appendix C.

Table 3-1
Comments Received During Scoping Meetings

Comments Received During Scoping Meeting in Tulare, California, August 28, 2007	
Oral Comments	
Name	**Affiliation**
Steve Collup	Arvin-Edison Water Storage District
Paul Hendrix	Tulare Irrigation District
Written Comments	
Name	**Affiliation**
Patti Clinton	U. S. Bureau of Reclamation
Comments Received During Scoping Meeting in Fresno, California, August 29, 2007	
Oral Comments	
Name	**Affiliation**
Dennis Fox	Individual
Written Comments	
Name	**Affiliation**
Carla Carter	Friends of the San Joaquin
David Cehrs	Hydrologist
Lynn DeFehr	Individual
Dennis Fox	Individual
Reno and Suzanna Lanfranco	Individuals
Jeffrey T. Roberts	Millerton Lake Area Chamber of Commerce
Richard F. Sloan	RiverTree Volunteers, Incorporated
Comments Received During Scoping Meeting in Los Banos, California, August 30, 2007	
Oral Comments	
Name	**Affiliation**
Basilo Amaro	Individual
Mike Case	Individual
Steve Chedester	San Joaquin River Exchange Contractors Water Authority
Mari Martin	Resource Management Coalition
Jose Antonio Ramirez	City Manager, Firebaugh
Lynn Skinner	Wolfson Land Cattle Company
Stacy Small	River Partners
Gary Temple	Sierra and Foothill Citizens Alliance
Chris White	Central California Irrigation District, Resource Management Coalition
Written Comments	
Name	**Affiliation**
Gary Martin	Pikalok Farming
Lauren Singleton	River Partners San Joaquin Valley Project
Comments Received During Scoping Meeting in Sacramento, California, September 10, 2007	
Oral Comments	
Name	**Affiliation**
Gary Adams	California Striped Bass Association
Darren Belk	San Joaquin River Association
Written Comments	
Name	**Affiliation**
David Neubert	River Partners

Table 3-2
Written Comments Received During the Scoping Period Outside of Scoping Meetings

Federal and State Agencies	
Name	**Affiliation**
Nova Blazej	U.S. Environmental Protection Agency
Marina R. Brand	California State Lands Commission
Christopher Huitt	California Department of Water Resources
W. E. Loudermilk	California Department of Fish & Game
Dan Ray	California Department of Parks and Recreation
Dave Singleton	Native American Heritage Commission
Melinda S. Marks	San Joaquin River Conservancy
Craig Trombly	California Department of Water Resources, Water Contracts Branch, State Water Project Analysis Office
David Warner	San Joaquin Valley Air Pollution Control District
Local Agencies	
Name	**Affiliation**
Steve Chedester	San Joaquin River Exchange Contractors Water Authority
Steve Collup	Arvin-Edison Water Storage District
Sean Geivet	Porterville Irrigation District
Sean Geivet	Saucelito Irrigation District
Sean Geivet	Terra Bella Irrigation District
J. Paul Hendrix	Tulare Irrigation District
Chase Hurley	San Luis Canal Company
Carl Janzen	Madera Irrigation District
Thomas J. Keene	Lower San Joaquin Levee District
Kevin M. O'Brien	Columbia Canal Company
David Orth	King River Conservation District
Jose Antonio Ramirez	City of Firebaugh
Don Roberts	Gravelly Ford Water District
Kole M. Upton	Friant Water Users Authority
Douglas Welch	Chowchilla Water District
Organizations	
Name	**Affiliation**
Chris Acree	Revive the San Joaquin
Lee Ayres	Project Coordinator, TreeTOPS
Raymond L. Carlson	San Joaquin River Association
Jane Fortune	Executive Director, Tree Fresno
Arthur F. Godwin	San Joaquin Tributaries Association
Steven Haugen	Kings River Water Association
Steve Haze	Millerton Area Watershed Coalition
Mari Martin	Resource Management Coalition
Laura Wass	American Indian Movement
Sharon Weaver	San Joaquin River Parkway and Trust
Peter Yolles	The Nature Conservancy

Table 3-2
Written Comments Received
During the Scoping Period Outside of Scoping Meetings (Continued)

Individuals	
Name	**Affiliation**
James Areias	Landowner
Dr. David Cehrs	Hydrologist
Stanely Cotta	Stanley Cotta Farms
Tom Ehrich	None
Tyler Gullick	Student, California State University Chico
Laura Heckman and Family	Sequoia Investments, Incorporated
Denise Jepson	None
G. Fred Lee PhD, PE, DEE, and Anne Jones-Lee, PhD	G. Fred Lee & Associates
Jesse Limas, Sr.	None
Michael Martin, Ph.D.	None
Steve Marvier	None
D. McNamara	Landowner
Tony Mellilo	Farmer
Patrick T. Miller	Berkeley Landscape Station
Jim & Betty Morehead	Morehead Farms
James L. Nickel	Nickel Family Limited Liability Corporation
Pat Palazzo	Palazzo Farms
Fred Petroni	Landowner/Farmer
Gene Rose	None
John Roselli	None
Stacy L. Small, Ph.D.	Restoration Ecologist, River Partners, San Joaquin Valley Project
Peter E. Weber	None
Dennis Westcot	None