

7/27/93

TEXT - Additions

TEXT - Deletions

## DRAFT PURPOSE AND NEED STATEMENT

### for the Programmatic Environmental Impact Statement Central Valley Project Improvement Act Public Law 102-575, Title 34

To the Reader: Council for Environmental Quality implementing regulations for the National Environmental Policy Act require that an environmental impact statement "briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action." The purpose and need statement for the Programmatic EIS, which will be part of Chapter 1. Purpose and Need for Action, will briefly describe why Title 34 is needed and what implementation of the law is designed to accomplish.

Chapter 1 will also provide a background discussion of the Central Valley Project and the history leading to Title 34 and contain information on the document's organization, its relationship to other activities, and the issues raised in the public scoping process. These sections are still in preparation.

## DRAFT

### CHAPTER 1 PURPOSE AND NEED FOR ACTION

On October 30, 1992, the President signed into law the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102-575), including Title XXXIV, the Central Valley Project Improvement Act (Act). This Act amends the authorization of the Department of the Interior's California Central Valley Project (CVP) to include fish and wildlife protection, restoration, and mitigation as project purposes having equal priority with irrigation and domestic uses and fish and wildlife enhancement as a purpose equal to power generation. The Act identifies a number of specific measures to meet these new purposes and sets a broad goal of sustaining natural populations of anadromous fishes produced in Central Valley rivers and streams at double their recent average levels from 1967 through 1991. The Act also directs the Secretary of the Interior to operate the CVP and renew existing CVP water service and repayment contracts consistent with these purposes, to meet the Federal trust responsibilities to protect the fishery resources of affected federally recognized Indian tribes, and to meet all requirements of Federal and California law.

## PURPOSE OF AND NEED FOR THE ACTION

The Department of the Interior is developing policies and programs to modify the operations, management, and physical facilities of the CVP, and to renew existing CVP water service and repayment contracts, to comply with the purposes and goals of the Act and the revised purposes of the CVP. These policies and programs will define operational criteria and management and structural priorities for the CVP.

The general purposes of the Act, and of the action proposed by Interior, were identified by Congress in Section 3402:

- (a) to protect, restore, and enhance fish, wildlife, and associated habitats in the Central Valley and Trinity River basins of California;
- (b) to address impacts of the CVP on fish, wildlife, and associated habitats;
- (c) to improve the operational flexibility of the CVP;
- (d) to increase water-related benefits provided by the CVP to the State of California through expanded use of voluntary water transfers and improved water conservation;
- (e) to contribute to the State of California's interim and long-term efforts to protect the San Francisco Bay/Sacramento-San Joaquin Delta Estuary; and
- (f) to achieve a reasonable balance among competing demands for use of CVP water, including the requirements of fish and wildlife, agriculture, municipal and industrial, and power contractors.

In addition, the Act includes a number of specific and general measures, including, for example, the requirements to develop and implement a program to double natural production of anadromous fish and to provide for the renewal of existing long term water service and repayment contracts, that, when implemented, will satisfy the purposes of the Act and the revised purposes of the CVP.

These purposes respond to the need to improve the existing water management practices of the CVP. Fish and wildlife populations and the condition and extent of their habitats have declined drastically from historic levels. Construction and operation of the CVP have contributed to these declines and to the decline in water quality and other environmental conditions in the Delta. In recent years, the pattern of demand for water in California has changed; in particular, municipal and industrial demand has increased. Under previous laws and existing policies, operation of the CVP has been constrained from fully responding to these changing demands and priorities. As a result, existing operations do not display adequate flexibility or reflect a reasonable balance among these competing demands.

By requiring that specific fish, wildlife, and habitat measures be implemented, that existing water contracts be renewed, and that water transfer, conservation, and pricing measures be developed and implemented, Congress, has largely defined the types of actions to be considered in the alternatives. However, the Act also requires Interior to (1) develop and implement a program to double natural populations of anadromous fish; (2) make all reasonable efforts to address other adverse environmental impacts of the CVP not explicitly addressed by the specific fish, wildlife, and habitat measures; (3) administer water service and repayment contracts in conformance with the requirements and goals of the Act; and (4) operate the CVP to meet all obligations under Federal and State law. In light of these broad mandates, the actions to be considered in this environmental impact statement will go beyond the specific measures described in the Act.