

CH 7

CHAPTER 7. Consultation and Coordination

ENVIRONMENTAL REVIEW AND CONSULTATION REQUIREMENTS

This EIS has been prepared concurrently with environmental review and consultation required by federal environmental law other than NEPA, as required by 40 CFR 1502.25. Compliance with specific environmental review and consultation requirements is described below.

Fish and Wildlife Coordination Act (16 USC Sec. 661 et seq.)

The Fish and Wildlife Coordination Act (FWCA) requires federal agencies to consult with the USFWS and state fish and game agencies before undertaking projects that control or modify surface water (water projects). This consultation is intended both to promote the conservation of wildlife resources by preventing loss of or damage to wildlife resources and to provide for the development and improvement of wildlife resources in connection with water projects. Federal agencies undertaking water projects are required to include in project reports recommendations made by the USFWS and state fish and game agencies, to give full consideration to these recommendations, and to include in project plans justifiable means and measures for wildlife purposes.

Reclamation has extensively coordinated with both the USFWS and DFG throughout preparation of the EIS. The USFWS and DFG were major participants in the EIS scoping process. To meet the intent of the FWCA, Reclamation developed alternatives that provide CVP water supplies to federal and state wildlife refuges. One alternative, Alternative 5, was developed in consultation with the USFWS and DFG; this alternative, which allocates remaining CVP yield to fish and wildlife purposes, is comprehensively evaluated in the EIS.

Reclamation will carefully evaluate USFWS and DFG comments received on the Draft EIS. USFWS has received preliminary drafts of the Draft EIS and begun preparation of a draft FWCA report. USFWS will issue a final FWCA report for inclusion in the Final EIS.

Endangered Species Act (16 USC Sec. 1531 et seq.)

Section 7 of the Endangered Species Act (ESA) requires federal agencies, in consultation with the Secretary of the Interior, to ensure that their actions do not jeopardize the continued existence of endangered or threatened species, or result in the destruction

or adverse modification of the critical habitat of these species. The required steps in the Section 7 consultation process are as follows:

- o Agencies must request from the USFWS (and, if appropriate, the National Marine Fisheries Service [NMFS]) information on the existence within a project area of listed species or species proposed for listing.
- o Following receipt of the USFWS/NMFS response to this request, agencies can prepare a Biological Assessment to determine whether any listed species or species proposed for listing are likely to be affected by a proposed action.
- o Agencies must initiate formal consultation with the USFWS and NMFS if the Proposed Action affects listed species.
- o The USFWS and NMFS must prepare a Biological Opinion to determine whether the action would jeopardize the continued existence of listed species or adversely modify their critical habitat.
- o If a finding of jeopardy or adverse modifications is made in the Biological Opinion, agencies must modify their project to ensure listed species are not jeopardized or their critical habitat adversely modified, unless an exemption from this requirement is granted.

The following activities have occurred, or will occur, as part of the Section 7 consultation process for the three water contracting EIS's:

- o On July 8, 1988, Reclamation requested the USFWS to provide information regarding listed species and species proposed for listing in the vicinity of the three CVP service areas.
- o On August 3, 1988, the USFWS responded and identified listed species and species proposed for listing.
- o Reclamation's Biological Assessment is currently under preparation. It is anticipated at this time that the Biological Assessment will be submitted to USFWS in January 1989.

National Historic Preservation Act (16 USC Sec. 470 et seq.)

Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to evaluate the effects of federal undertakings on historical, archeological, and cultural resources. Agencies are required, within the vicinity of proposed projects, to identify historical or archeological properties, including properties on the National Register of Historic Places, and those that the agency and the State Historic Preservation Officer (SHPO) agree are eligible for listing in the national register. If the federal project is determined to have an adverse effect on national register properties or those eligible for listing in the national register, the agency is required to consult with the SHPO and the

Advisory Council on Historic Preservation to develop alternatives or mitigation measures to allow the project to proceed. Section 106 consultation with the SHPO has been initiated.

The "Cultural Resources" section of Chapter 4 describes potential effects of Reclamation's water contracting alternatives on cultural resources and identifies mitigation measures. The Section 106 consultation process will proceed simultaneously with preparation of the Final EIS.

Farmlands Policy

Council on Environmental Quality (CEQ) memoranda to Heads of Agencies, dated August 30, 1976, and August 11, 1980, and the Farmlands Protection Policy Act of 1981 require agencies in their EIS's to include farmlands assessments designed to minimize adverse impacts on prime and unique farmlands. As described in the "Land Use" section of Chapter 4, none of the alternatives are expected to adversely affect prime or unique farmlands.

Executive Order 11988 - Floodplain Management; Executive Order 11990 - Protection of Wetlands

Floodplain Management

EO 11988 requires federal agencies to prepare floodplain assessments for proposals located within or affecting floodplains. If an agency proposes to conduct an action within a floodplain, it must consider alternatives to avoid adverse effects and incompatible development in the floodplain. If the only practicable alternative involves siting in a floodplain, the agency must minimize potential harm to or within the floodplain and explain why the action is proposed within the floodplain. As explained in the "Land Use" section of Chapter 4, neither the Proposed Action nor the alternatives are expected to cause development-related adverse effects or incompatible development in floodplains).

Wetlands

EO 11990 requires federal agencies to prepare wetlands assessments for proposals located within or affecting wetlands. Agencies must avoid undertaking new construction located in wetlands unless no practicable alternative is available and the proposed action includes all practicable measures to minimize harm to wetlands.

Reclamation proposes that no long-term commitment for delivery of CVP water will be made to lands currently untilled that are wetlands unless the agency replaces such wetlands in accordance with USFWS's Mitigation Policy (Federal Register, Vol. 46, No. 15 Notices).

Based on the "Land Use" and "Vegetation and Wildlife" sections of Chapter 4, the following wetland findings are made:

- o Reclamation's water contracting alternatives would not directly result in new construction located in wetlands.
- o Reclamation's water contracting alternatives would indirectly result in construction or accommodate growth in wetlands in the absence of mitigation.

PUBLIC INVOLVEMENT

Reclamation has implemented a major public involvement program for the three water contracting EIS's. Public involvement activities include scoping, public information meetings, opportunities to comment on the Draft and Final EIS's, and distribution of fact sheets.

Scoping

Purpose of Scoping

CEQ regulations (40 CFR 1500-1508) for implementation of NEPA require "an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action. This process shall be termed scoping." The purposes of the EIS scoping processes were to identify the significant issues for study in each EIS and to determine the scope of the research for each issue.

Scoping is designed to explore issues for environmental assessment, to ensure that important considerations are not overlooked, and to discover concerns that might otherwise go unrecognized. By scoping, Reclamation endeavored to make the EIS more meaningful and useful to federal decision makers and to those affected by proposals or alternatives.

Scoping Meetings

Scoping efforts for each EIS included meetings with individuals, agencies, and interest groups. These meetings are described below.

Sacramento River Water Contracting EIS

Public Scoping Meetings. Reclamation held two public meetings in the SRSA. Notice was published in the Federal Register and mailed to more than 300 federal, regional, state, and local agencies, organizations, and interest groups. Legal notices were published in local papers circulated in the project area. The meetings were held in Redding (June 1985), and Willows (June 1985).

Individual Scoping Meetings. Reclamation representatives interviewed the manager of each water district within the SRSA holding a federal water contract to gather relevant information and to identify issues and concerns related to water contracting.

Agency and Interest Group Scoping Meetings. Reclamation held three scoping meetings for agencies and interest groups on the dates listed below.

September 25, 1986 - Six persons representing two agencies and Reclamation attended the scoping meeting.

September 29, 1986 - Fifteen persons representing nine different interest groups and agencies and Reclamation attended the meeting.

October 2, 1986 - Fifteen persons representing four different agencies and Reclamation attended the scoping meeting.

American River Water Contracting EIS

Public Scoping Meetings. Reclamation held two public scoping meetings in the ARSA. Notice was published in the Federal Register and mailed to more than 300 federal, regional, state, and local agencies, organizations, and interest groups. Legal notices were published in local papers circulated in the project area. The meetings were held in Sacramento (December 1986) and Folsom (December 1986).

Agency and Interest Group Scoping Meetings. Reclamation held four scoping meetings for agencies and interest groups on the dates listed below.

May 22, 1987 - Seventeen people representing 13 different environmental organizations, interest groups, agencies, and congressional representatives, and Reclamation personnel attended the scoping meeting.

May 27, 1987 - Fourteen people representing five water users and one federal agency, and Reclamation personnel attended the scoping meeting.

May 28, 1987 - Ten people representing five different federal, state, and local agencies, and Reclamation personnel attended the scoping meeting.

May 29, 1987 - Eight people representing three environmental groups, one congressional representative, and Reclamation personnel attended the scoping meeting.

Additional meetings were held with Save the American River Association and other interested groups.

Delta Export Water Contracting EIS

Public Scoping Meetings. Reclamation held four public scoping meetings in the DESA. Notice was published in the Federal Register and mailed to more than 300 federal, regional, state, and local agencies, organizations, and interest groups. Legal notices were published in local papers circulated in the project area. The meetings were held in Fresno (June 1987), Bakersfield (June 1987), Sacramento (June 1987), and Concord (June 1987).

Agency Scoping Meeting. Reclamation also held a scoping meeting in June 1987 in Sacramento for agencies. Nine people representing five different agencies attended the scoping meeting. At the meeting, Reclamation personnel made a brief presentation that included an overview of water contracting plans and the approach to be used in completing the EIS.

Format of Public Scoping Meetings. At each formal public scoping meeting mentioned above, each meeting attendee received a handout describing the proposed alternatives, the project area, the purpose of scoping, and the evening's agenda. Each handout had comment sheets to facilitate response.

A Reclamation representative opened each scoping session by explaining the agenda, describing the purpose of scoping, the project study area, and alternatives being considered. Time was provided for previously prepared statements from participants. Attendees were then asked to describe issues relating to the EIS that they felt were important. Reclamation representatives summarized all concerns expressed during the session, and the group agreed on the accuracy of the record.

Each public session was recorded. Issues and concerns raised during the public meetings were summarized and responded to in the Scoping Reports for each EIS.

Scoping Comment Letters

For each EIS, Reclamation also sent a letter explaining the EIS status, scope, and alternatives to all persons, districts, and agencies that were considered likely to be interested. This letter requested that each recipient send a list of issues to Reclamation to help focus the EIS. Issues raised in these letters were summarized in the Scoping Reports for each EIS.

Scoping Reports

Scoping Reports for the SRWC EIS, ARWC EIS, and DEWC EIS were distributed in July 1987, September 1987, and September 1987, respectively. Copies of the full Scoping Report or an executive summary of the Scoping Report were mailed to all participants in each EIS scoping process. Each Scoping Report described Reclamation's water contracting program and the alternatives, major issues to be addressed in the pertinent EIS, and methods for addressing each major issue.

Public Information Meetings

Three public information meetings were held during the course of Draft EIS preparation. The meetings were held in Willows (May 1988), Sacramento (May 1988), and Fresno (May 1988). At each meeting, Reclamation summarized the status of the water contracting EIS's, and discussed preliminary results of the CVP water needs analysis and alternative development. The public and agency representatives attending each meeting then participated in a question-and-answer session.

Opportunities to Comment on the Draft and Final EIS's

The public will have opportunities to submit written comments on the Draft and Final EIS's and for to make oral presentations at public meetings to be held for each EIS.

Fact Sheets

A series of public fact sheets is being widely distributed at key points in the water contracting EIS process. Fact Sheet No. 1, dated August 1987, described the scoping process, major issues and alternatives, and public involvement program for the EIS's. Fact Sheet No. 2, dated February 1988, was an update on the progress and schedule of the EIS's, Fact Sheet No. 3, dated December 1988, summarized the findings of the Draft EIS's and described opportunities for public review and comments. Fact Sheet No. 4, to be issued in December 1989, will summarize the findings of the Final EIS's and Reclamation's Record of Decision.

AGENCIES AND INDIVIDUALS RECEIVING COPIES OF THE DRAFT EIS SACRAMENTO RIVER EIS

Federal Agencies

(Submitted by the Commissioner, Bureau of Reclamation
for review and comment)

U. S. Department of the Interior

Bureau of Indian Affairs
Bureau of Land Management
Bureau of Mines
Fish and Wildlife Service
Geological Survey
National Park Service
Western Regional Office - Secretary of the Interior

Other Federal Agencies

Advisory Council on Historic Preservation
Department of Agriculture
Department of the Army

Department of Commerce
Department of Energy
 Bonneville Power Administration
 Federal Energy Regulatory Commission
Department of Health and Human Services
Department of Housing and Urban Development
Department of Transportation
Environmental Protection Agency

(Submitted by the Commissioner, Bureau of Reclamation
for information only)

U. S. Senators

Honorable Alan Cranston
Honorable Pete Wilson

U. S. Congress

Honorable Doug Bosco
Honorable Wally Herger
Honorable George Miller

Federal Agencies

(Submitted by the Regional Director, Bureau of Reclamation
Mid-Pacific Region, for review and comment)

U. S. Department of the Interior

Assistant to the Secretary, DOI, Sacramento, CA
Bureau of Indian Affairs, Sacramento, CA
Bureau of Land Management, Sacramento, CA
Bureau of Mines, Spokane, WA
Fish and Wildlife Service, Portland, OR; Sacramento, CA (3)
Geological Survey, Sacramento, CA; Menlo Park, CA (2)
National Park Service, San Francisco, CA
Regional Environmental Officer, DOI, San Francisco, CA

Other Federal Agencies

Army Corps of Engineers, Sacramento, CA; San Francisco, CA
Department of Health and Human Services, San Francisco, CA
Environmental Protection Agency, San Francisco, CA (3)

Federal Emergency Management Agency, San Francisco, CA
Federal Highway Administration, San Francisco, CA
Forest Service, San Francisco; Willows; Yreka; Weaverville
Geological Survey, Sacramento, CA
Heritage Conservation and Recreation Service, San Francisco, CA
National Marine Fisheries Service, Santa Rosa, CA
National Park Service, San Francisco, CA
Soil Conservation Service, Davis; Weaverville, CA
Western Area Power Administration, Sacramento, CA

State and Local Agencies

(Submitted by the Regional Director, Bureau of Reclamation,
Mid-Pacific Region, for review and comment)

State Senate

Honorable John Doolittle
Honorable Barry Keene
Honorable Jim Nielsen

State Assembly

Honorable Chris Chandler
Honorable Lloyd Connelly
Honorable Tom Hannigan
Honorable Bev Hansen
Honorable Stan Statham
Honorable Norman Waters

State Agencies (California)

California Air Resources Board
California Assembly Committee on Agriculture, Sacramento
California Assembly Committee on Water, Parks and Wildlife, Sacramento
California Assembly Natural Resources Committee, Sacramento
California Assembly Office of Research, Sacramento
California Chamber of Commerce, Sacramento
California Coastal Commission, San Francisco
California Department of Boating and Waterways, Sacramento
California Department of Conservation, Sacramento
California Department of Fish and Game, Sacramento (4), Redding (2), Yreka
California Department of Food and Agriculture, Sacramento
California Department of Forestry, Sacramento
California Department of Health Services, Sacramento (2)

California Department of Parks and Recreation, Sacramento
California Department of Transportation, Sacramento
California Department of Water Resources, Sacramento (5), Red Bluff
California Native American Heritage Commission, Sacramento
California Office of Historic Preservation, Sacramento
California Regional Water Quality Control Board, Central Valley Region,
Sacramento (2), Shasta Cascade Branch
California San Francisco Bay Conservation & Development Commission, San
Francisco
California State Clearinghouse, Sacramento, (20 copies)
California Water Commission, Sacramento
California Wildlife Conservation Board, Sacramento
Office of Governor Deukmejian, Sacramento
State Attorney General's Office, San Francisco
State Lands Commission, Sacramento (2)
State Reclamation Board, Sacramento
State Water Resources Control Board, Sacramento (6)

Local Government Agencies

Butte County Board of Supervisors, Oroville
City of Galt, Galt
City of Roseville, Roseville
City of Sacramento, Department of Planning and Development
City of Sacramento, Department of Public Works
City of Sacramento, Sacramento City Council
City of Sacramento, Water Division
Colusa County Board of Supervisors, Colusa
County of Sacramento, Department of Parks and Recreation, Sacramento (2)
County of Sacramento, Water Resources Division, Sacramento (2)
County of Sacramento, Board of Education, Sacramento
County of Sacramento, Environmental Division, Sacramento
Glenn County Board of Supervisors, Willows
Humboldt County Board of Supervisors, Eureka
Humboldt County Department of Public Works, Eureka
Napa County Board of Supervisors, Napa
Office of Research, Sacramento
Rural Caucus, Sacramento
Sacramento Area Council of Governments, Sacramento
Sacramento County Board of Supervisors, Sacramento
San Francisco City and County Board of Supervisors, San Francisco
Shasta County Board of Supervisors, Redding
Solano County Board of Supervisors, Fairfield
Sutter County Board of Supervisors, Yuba City
Tehama County Board of Supervisors, Red Bluff
Trinity County Board of Supervisors, Weaverville (3)
Yolo County Board of Supervisors, Woodland
Yuba County Board of Supervisors, Marysville

Local Organizations

Audubon Society, Sacramento (2)
California Cattlemen's Association, Sacramento
California Chamber of Commerce, Sacramento
California Farm Bureau - Butte, Oroville
California Farm Bureau - Colusa, Williams
California Farm Bureau - Glenn, Orland
California Farm Bureau - Napa, Yountville
California Farm Bureau - Sacramento, Sacramento
California Farm Bureau - Shasta, Cottonwood
California Farm Bureau - Solano, Vacaville
California Farm Bureau - Tehama, Red Bluff
California Farm Bureau - Yuba/Sutter, Meridian
California Farm Bureau Federation, Sacramento
California Fly Fishermen Unlimited, Citrus Heights
California Native Plant Society, Sacramento
California State Grange, Sacramento
California Trout, Sacramento
California Water Agencies, Sacramento
California Water Resources Association, Sacramento
California Wildlife Federation, Sacramento
California Waterfowl Association, Sacramento
Central Valley Project Water Association, Sacramento
Citizens for Better Forestry, Hayfork
Clear Creek Community Services District, Anderson
Concerned Citizens of Calaveras County, Campo Seco
Defenders of Wildlife, Sacramento
Ducks Unlimited - Pacific Flyway, Stockton
Environmental Council of Sacramento, Sacramento
Fair Oaks Horseman's Club, Fair Oaks
Fair Oaks Sportsman's Club, Orangevale
Farmer's Rice Coop, Sacramento
Federal California Farm Bureau, Sacramento
Federal Land Bank of Sacramento, Sacramento
Federation of Fly Fishermen, Woodland
Friends of the River, Sacramento
Greater Redding Chamber of Commerce, Redding
Hoopa Valley Business Council, Hoopa (3)
Hoopa Valley Tribe, Salyer
Humbolt State University, Arcata
League of Women Voters - Sacramento, Sacramento
Northern California Fly Fisherman, Carmichael
Northern California Salmon/Steelhead Association, Anderson
Pacific Coast Federation of Fishermen's Association, Sacramento
Planning Conservation League, Sacramento
Rice Growers Association, Sacramento
Sacramento County Grange, Fair Oaks
Sacramento Municipal Utility District, Sacramento

Sacramento River Preservation Trust, Chico
Sacramento Tree Foundation, Sacramento
Sacramento Valley Landowners Association, Sacramento
Safe Alternatives for Our Forest Environment, Hayfork
Share Chamber of Commerce, Redding
Shasta Bassmasters, Redding
Shasta County Water Agency, Redding
Shasta Flyfishers, Redding
Shasta Lake Resourt Owners, O'Brien
Sierra Club, Sacramento
Sierra Club - Redwood Chapter, Fort Bragg
Sierra Club - Redwood Chapter North Group, Arcata
Sierra Club Northern California Water Resources, Berkeley
South Fork Mountain Defense Committee, Eureka
Tehama Fly Fishers, Red Bluff
The Water Coalition, Sacramento
Water Education Foundation, Sacramento
Western Education Foundation, Sacramento
Wildlife Society-Sacramento Chapter, Rancho Cordova

Other Agencies and Organizations

California Natural Resources Federation, Berkeley, CA
California Sport Fishing Protection Alliance, Paradise, CA
California Women for Agriculture, Santa Barbara, CA
East Bay Municipal Utility District (EBMUD), Oakland, CA
Environmental Defense Fund, Berkeley, CA
Environmental Policy Institute, Washington, DC
Klamath/Trinity River Coalition, Mountain View, CA
National Audubon Society, Washington, DC
National Wildlife Federation, Washington, DC
Natural Resources Defense Council, San Francisco, CA
Sierra Club Northern California Water Resources, Berkeley, CA
The Nature Conservancy, San Francisco, CA
United Anglers of California, Berkeley, CA
Waterfowl Habitat Owners Alliance, San Marino, CA
Wildlife Management Institute, Washington, DC
Wildlife Society, Bethesda, MD

Media

Advocate News, Fort Bragg
Associated Press, Sacramento
Benicia Herald, Benicia
California Farm Bureau Federation, Sacramento
California State Water Contractors, Sacramento

California Water Agencies, Sacramento
Colusa County Farmer, Williams
Corning Daily Observer, Corning
Davis Enterprise, Davis
Eureka Times Standard, Eureka
Fairfield Daily Republic, Fairfield
Neighbors, Sacramento
Neighbors, Fair Oaks
Orland Press - Register, Orland
Redding Record Searchlight, Redding
Sacramento Bee, Sacramento
Stockton Record, Stockton
Trinity Journal, Weaverville
United Press International, Sacramento
Western Water Education Foundation, Sacramento
Willows Journal, Willows
Winters Express, Winters
Woodland Daily Democrat, Woodland

Libraries and Depositories

Butte County Library, Oroville
California State Library, Sacramento
California State University Library, Sacramento
Colusa County Free Library, Colusa
Contra Costa County Library, Pleasant Hill
Corps of Engineers Library, Sacramento
Hayfork Public Library, Hayfork
Humbolt County Library, Eureka
Orland Free Library, Orland
Resources Agency Library, Sacramento
Sacramento Public Library, Sacramento
San Francisco Public Library, San Francisco
Shasta County Library, Redding
Solano County Library, Fairfield
Stockton-San Joaquin County Public Library, Stockton
Tehama County Library, Red Bluff
Trinity County Library, Weaverville
U.C. Davis Library, Davis
University of California, Water Resources Center Archives, Berkeley
Willows Public Library, Willows
Yolo County Library, Woodland

Water Districts and Municipal and Industrial Entities Requesting CVP Water

City of Davis
City of Fairfield
City of Vacaville
City of Woodland
Colusa County Water District, Colusa
Colusa Drain Mutual Water Company, Colusa
Colusa National Wildlife Refuge
Corning Water District, Corning
Delevan National Wildlife Refuge
Glenn-Colusa Irrigation District, Willows
Glide Water District, Willows
Grey Lodge Wildlife Management Area, Gridley
Holthouse Water District, Maxwell
Kanawha Water District, Willows
Orland-Artois Water District, Orland
Rancho Saucos Water District, Tehama
Sacramento National Wildlife Refuge, Willows
Shasta Dam Area Public Utility District, Central Valley
Solano County Public Works Department, Fairfield
Solano Irrigation District, Vacaville
Sutter National Wildlife Refuge
Tehama Ranch Mutual Water Company, Gerber
Willow Creek Mutual Water Company, Willows
Yolo County Flood Control & Water Conservation District, Woodland
Yolo-Zamora Water District, Woodland

Individuals

Borcalli Ensign & Buckley (c/o Francis Borcalli)
Boyle Engineering Corporation (c/o Alan Solbert)
Butte County, Supervisor District 3 (c/o Karen Vercruse)
Keith Bray
California Farm Bureau - Butte (c/o Vic Jugum)
Colusa Drain Mutual Water Company (c/o Don Kienlen)
East Bay Municipal District (c/o Jon Myers)
Frost, Krup, and Atlas (c/o J. Mark Atlas)
John Holland
Humboldt County Board of Supervisors (c/o Anna Sparks)
Mackay & Soms (c/o Arnie Spiess)
Murray Smith & Associates (c/o Ed Gillum)
R.W. Beck & Associates (c/o Paul Hendrix)
Resource Management International, Inc (c/o George "Buzz" Link, PE
Stuart Somach
The Benham Group (c/o Gerald King)

The Spink Corporation (c/o Rick Morales)
Trinity County Board of Supervisors (c/o Stanley Plowman)
Trinity County Board of Supervisors (c/o Howard Myrick)
Yolo-Zamora Water District (c/o Frank Clendenen)

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