

Comment Table, Agency Administrative Draft EIS/EIR

Comment Number	Chapter/ Sub-Chapter	Page Number	Paragraph, Section, or Table No.	Commentor/ Agency	Comment	
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C-111187

1	Entire document	NA	NA	Cdfa	<p>Standing and Basis for Comments by CDFA</p> <p>The California Department of Food and Agriculture is required, under California Law, to protect and promote Agriculture in the State. California Agriculture is an environmental resource that provides the human population with the fundamental necessities of food and fiber. California Agriculture is an element of the existing environment of California under CEQA. California agriculture is not only a resource of statewide significance; it is an environmental resource of global significance.</p> <p>California's' rare combination of the natural resources of climate, land, and water, and the skill and experience of California farmers and farm workers have made agriculture in this State the most productive and diverse in the world. The preservation of this unique aspect of California's environment is essential the basic health and prosperity of future generations of the State and the Nation. Furthermore, the California Legislature has declared that one of the purposes of CEQA is to protect agricultural land.</p> <p>The CDFA has participated in the preparation of the ADEIR. Scoping comments have been provided in several forums. CDFA and other participants in the process have raised the fundamental issues raised in this review many times before, during scoping and preparation of the ADEIR. In particular, the CDFA provided written scoping comments, and responded in writing to the previous Administrative Draft Environmental Impact Statement/Environmental Impact Report dated January 12, 1998.</p>
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Agency Review 2 May 1999

2	Entire document	NA	NA	Cdfa	<p>The administrative draft EIR is not simply inadequate; it is grossly inadequate. Fatal flaws abound. It complies with neither the letter, nor the spirit of CEQA and the CEQA Guidelines. It does not meet the requirements of SB 204, which requires this EIR, and provided funding for CALFED. Nor does it comply even with the principals that CALFED established and at one time determined to operate within. It is flagrantly contrary to the policy CALFED incorporated in the recent Phase II document.</p> <p>The CALFED program, as presented in this document, is a plan to develop ecosystem facilities and future ecosystem water supply by acquisition and conversion of agricultural resources. The legislature and voters of California did not dictate this approach to CALFED. Rather, this was a discretionary decision, apparently made by CALFED staff, without public disclosure or even a façade of alternative analysis, or compliance with any other of the many requirements for disclosure and public accountability, which CEQA places upon public agencies.</p> <p>If the EIR is released for public review and comment in anything remotely resembling the present form, it will not meet the requirements of CEQA, including those for disclosure, and cannot serve as a basis for meaningful public participation or public agency decision making. The EIR is merely a post-hoc rationalization for decisions, apparently made by CALFED staff in an absence of public disclosure and accountability. All of the CALFED planning documents are tainted by the failure of this program to follow the minimum requirements of CEQA. Therefor, none of the programs, projects, land or water acquisitions, or any other discretionary actions described in the myriad of CALFED planning documents may legally be approved by CALFED, or any CALFED member agency, until an adequate Final EIR has been certified.</p>
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Agency Review 3 CALFED

3	Entire document	NA	NA	Cdfa	<p>CEQA requires that the Lead Agency consider a reasonable range of alternatives to avoid, reduce, or mitigate any identified potentially significant adverse impacts on the existing environment. During scoping, the Cdfa, as the public agency responsible under law to protect the agricultural resources of the State of California, identified agricultural resources as elements of the existing environment, which the proposed CALFED program could impact. Rather than consider a range of alternatives capable of avoiding, reducing, or mitigating the impacts identified in scoping, CALFED prepared an EIR that does not consider a range of alternatives capable of achieving this fundamental goal of CEQA. None of the "alternatives" considered in the Draft EIR vary in any meaningful way in their potential to significantly impact elements of the existing environment utilized for agriculture. For this reason the EIR is woefully inadequate and must be rewritten and recirculated.</p>	
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4	Entire document	NA	NA	Cdfa	<p>CEQA requires that the Lead Agency develop mitigation measures for unavoidable impacts. During scoping, and preparation of the EIR, the Cdfa, as the public agency responsible under law to protect the agriculture of the State of California, identified agricultural resources as elements of the existing environment, which the proposed CALFED program could impact. The Cdfa also has proposed potential mitigation measures for impacts to elements of the existing environment utilized for agriculture. In the Phase II document, CALFED contained clear policy that impacts to agricultural resources would be avoided and mitigated at the programmatic as well as subsequent project levels. The Draft EIR does not include the mitigation measures proposed, nor any other meaningful mitigation measures whatsoever for impacts to elements of the existing environment which are utilized for agriculture. The Lead Agency has developed highly detailed plans for achieving program goals (for example, the extraordinarily detailed ERPP), and so cannot claim that the future development is unspecified or uncertain. The failure to develop, disclose, and commit to implement mitigation for the massive adverse impacts on the existing environment which this program element, and the CALFED program as a whole would cause is a fundamental flaw under CEQA. For this reason the EIR is woefully inadequate and must be rewritten and recirculated.</p>	
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5	Entire document	NA	NA	Cdfa	<p>CEQA requires that a Lead Agency prepare an EIR, which considers the whole of the action. The majority of the Program impacts to agricultural resources, as elements of the existing environment, would result from implementation and operation of the so-called "common elements" of the program. These "common elements" are, in fact, discretionary actions. During scoping, the CDFA, as the public agency responsible under law to protect the agriculture of the State of California, identified agricultural resources as elements of the existing environment, which the proposed CALFED program, (in particular, the Ecosystem Restoration Program Common Element) could impact. The EIR contains no meaningful treatment of these "common elements", as CEQA requires for discretionary actions with a potential to significantly impact the existing environment, but rather proceeds as though these were part of the existing environment. The elements of the proposed program with the greatest potential for significant impacts do not vary from one alternative to another. By excluding these "Common Elements" from CEQA review, CALFED has produced an EIR that does not consider the whole of the proposed action. For this reason the EIR is woefully inadequate and must be rewritten and recirculated.</p>	
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6	Entire document	NA	NA	cdfa	<p>CEQA requires that the degree of specificity in an EIR correspond to the degree of specificity involved in the underlying activity described in the EIR. CALFED has developed highly detailed plans for elements of the proposed program. In contrast, the treatment of the existing environment, impacts, alternatives capable of reducing or avoiding impacts and mitigation measures is extremely general, with all analysis of mitigation for significant impacts to aspects of the existing environment used for agriculture deferred to subsequent tiers of projects. Since the degree of specificity of the EIR does not correspond to that of the underlying activity, the EIR is woefully inadequate and must be rewritten.</p>	
7	Entire document	NA	NA	cdfa	<p>In addition to the clear requirements of CEQA regarding the level of specificity of an EIR, SB 204 also has specific requirements for details of the expenditures of funds for ecosystem restoration, and an implicit requirement for impact analysis of the ERPP. Since the EIR fails to meet the requirements of this law, the EIR cannot be used to approve expenditure of those funds. CEQA requires an EIR to contain statements of the uses of the EIR. One of these uses is to satisfy the requirements of SB 204 to enable funds to be expended. If the information required by the legislature is present in the EIR it is well hidden.</p>	

8	Entire document	NA	NA	cdfa	<p>CALFED is proposing actions, to acquire and redirect the places and purposes of use of very large volumes of water. Also, some CALFED actions will greatly increase water usage. In particular, the actions of the ERPP which would result in conversion of irrigated farmland to wetlands, would probably result in very significant changes in the volume and timing of water demand over the existing environmental conditions. The EIR is silent on this extraordinarily important and significant impact, except a single vague, probably incorrect, and totally unsupported assertion that water demand of wetlands was close to that of open water. This failure is especially egregious due to the nexus of this impact to the fundamental needs of California for a reliable water supply, which is one of the very reasons why CALFED was established. Due to this failure, the EIR is woefully inadequate and must be rewritten.</p>	
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9	Entire document	NA	NA	cdfa	<p>At some time in the planning process, CALFED staff apparently determined that the water demands of the proposed program would be met by acquisition of existing developed water resources, rather even examine any other means of achieving the CALFED goals. The EIR does not disclose that this fundamental public policy decision was even made, nor is there any meaningful treatment of the environmental consequences of this decision, or alternatives to it. It appears that this fundamental discretionary decision was made in the absence of CEQA compliance. The addition of a storage component to the program after the ERPP and other "common elements" is simply not adequate, since this is not considered as an alternative to the environmentally damaging approach CALFED has pre-selected. The EIR the EIR is woefully inadequate and must be rewritten to consider this fundamental decision.</p>	
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10	Entire document	NA	NA	cdfa	<p>A programmatic EIR can provide a number of advantages. Among these are:</p> <ul style="list-style-type: none"> <li>• To provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action. CALFED, however, has chosen to prepare an EIR, which has no real difference between the various alternatives in respect to their potential to avoid or reduce significant adverse impacts on elements of the existing environment that are utilized for agriculture.</li> <li>• To ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis. CALFED, however, has chosen to prepare an EIR which defers all mitigation for impacts to agricultural resources to subsequent tiers of CEQA review, where cumulative effects will be difficult to identify and likely impossible to mitigate.</li> <li>• To allow the Lead Agency to consider broad policy alternatives and program-wide mitigation measures. CALFED however chose to prepare an EIR, which does not have broad policy alternatives that differ in any meaningful way in respect to avoiding or reducing impacts to agricultural resources. Without apparent consideration of broad policy alternatives, CALFED has selected a broad policy direction with massive adverse impacts. CALFED has improperly deferred consideration of avoidance and mitigation of impacts to agricultural resources to subsequent site-specific projects, where there are unlikely to be feasible alternatives or program-wide mitigation measures.</li> </ul>	
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11	Entire document	NA	NA	cdfa	<p>By not considering alternatives capable of reducing impacts on the existing environment, and by not considering mitigation measures in the same level of specificity as the underlying programs proposed, CALFED has failed to produce a document which enables the public and decision makers to consider the full costs and consequences of the proposed action. Under CEQA, one of the purposes of both alternatives and mitigation measures are to define and disclose the true costs; financial, environmental, and social, of a proposal. CALFED has failed to produce a document, which accomplishes this fundamental goal. For this reason, the EIR must be rewritten.</p>	
12	Entire document	NA	NA	cdfa	<p>CEQA requires an EIR to focus on the significant effects on the environment. The EIR, and indeed the entire CALFED planning process, have instead focussed on a limited subset of a single approach to meet selected objectives of the program. This is perhaps best demonstrated by the extremely detailed planning documents prepared for the ERPP, prior to any consideration for impacts on the existing environment whatsoever, and wholly without alternative analysis. Throughout the EIR there is an unstated premise that goals of a limited subset of program elements somehow obviates the clear requirements of law, and the principals which CALFED established. For this reason, the EIR, and the underlying planing documents such as the ERPP must be rewritten.</p>	

13	Entire document	NA	NA	cdfa	<p>CEQA requires that an EIR include discussions of any inconsistencies between the proposed project and applicable general plans and regional plans. The analysis shall examine the existing physical conditions as well as the potential future conditions discussed in the plans. The CALFED EIR does not have any such analysis. In fact, the CALFED program was planned prior to any consideration or analysis whatsoever of adopted plans. For this reason, the EIR must be rewritten.</p>	
14	Entire document	NA	NA	cdfa	<p>An EIR must consider all phases of a project when evaluating its impact on the environment. The proposed massive redirection of land use from the existing environmental conditions (predominately irrigated agriculture) to predominately engineered civil works, designed to be operated as managed wetlands. The operation of these constructed facilities will have large impacts on future water use. The EIR has only a few scattered conclusary statements with no analysis whatsoever of the impacts associated with the operation of the proposed works. For this reason, the EIR must be rewritten.</p>	

15	Entire document	NA	NA	cdfa	<p>An EIR is required to have a discussion of areas of disagreements among experts. There is substantial disagreement among experts as to the efficacy of constructing habitat, re-operating reservoirs, and restricting diversions of water to reverse the decline of species in the Bay-Delta system, in particular, aquatic species. The reasons for the decline of aquatic species in the system are not known. As was pointed out by members of the CALFED science review panel, and others, the decline may well be due more to the massive invasion of the system by exotic species during the past 25 years, than to loss of habitat. This is reinforced by the simple fact (ignored in the EIR) that the habitat losses to agricultural use occurred many decades prior to the decline of recently listed species.</p> <p>If this is the case, the huge cost and significant impacts of the proposed program may be wasted. Even worse, the new habitat may simply enhance the populations of exotic species to the detriment of listed species.</p> <p>Consider, for example that over 90% of the biomass of planktonic life in the Bay-Delta system consist of species which were not present in the system 25 years ago. The same is true for the benthic communities of the saline portions of the system. The decline of resident listed species could well be due to trophic effects within the ecosystem. As another example, the stripped bass (an exotic species) is probably responsible for more loss of out-migrating salmon and all life stages (especially adult) of Delta smelt than any other factor, including water diversions from the system. An unlimited commercial and sport stripped bass fishery might well do more to enhance salmon and steelhead runs than all of extraordinarily expensive and environmentally damaging measures CALFED has proposed in the ERPP. Without the basic information, it is impossible for the public and decision-makers to be adequately informed. For this reason, the EIR must be rewritten.</p>
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Agency Review 13 May 1999

16	Entire document	NA	NA	cdfa	<p>CEQA requires that an EIR describe the existing environment in order to provide an understanding of the significant effects of the proposed project and the alternatives. There are several areas where the treatment of the existing environment is inadequate. There are inadequate data on the populations of species and suites of species that CALFED is taking actions to enhance. In particular, there are no data on recent trends of these species.</p> <ul style="list-style-type: none"> <li>• During the past decade, especially, there have been massive public and private expenditures and redirection of agricultural land and water resources to enhance populations of waterfowl and fish, especially anadromous fish. The extent to which the populations of these species have benefited from these efforts must be disclosed in the EIR.</li> <li>• Nowhere in the EIR is there a complete discussion of the several factors that cause loss to resident and anadromous fish populations in the CALFED study area. A significant omission is disclosure of predation effects, with quantitative disclosure of species responsible. CALFED has chosen to exclude predator control as a program element, but rather has focussed on very expensive and environmentally damaging alternatives, in order to subsidize a sport fishery.</li> <li>• It appears that CALFED has focussed the agricultural land acquisition and redirection elements of the program on those lands with the most reliable, least cost, and highest quality water resources, and the best soils. Nowhere in the EIR are these fundamental aspects of the existing environment described in meaningful detail. This is essential for an understanding of both the true impacts of the program, and the appropriate level of mitigation.</li> </ul>
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Agency Review 14 May 1999

C-111200

C-111200

17	Entire document	NA	NA	cdfa	<p>The courts have found that piecemeal approval of projects is improper. CALFED has engaged in piecemeal approval of program elements with individually and cumulatively significant impacts on agricultural resources. Specifically, CALFED has made discretionary decisions to approve funding to acquire and convert the use of agricultural land and water prior to completion of the programmatic EIR, and in the face of clearly identified significant impacts. The CDFG has identified acquisition of agricultural land and water as significant impacts on the existing environment, and CALFED has agreed on this basic reality. The EIR must include an enumeration of all discretionary approvals made by CALFED and CALFED member agencies since issuance of the Notice of Preparation for the programmatic EIR, which have a potential to impact agricultural resources. This includes approval of funding to other entities. This must also include a description of the CEQA compliance process undertaken by CALFED and any other entities involved.</p> <p>This may well disclose a pattern of CEQA non-compliance, but this must be disclosed and discussed if CALFED hopes to produce an EIR which meets the fundamental requirements of CEQA for disclosure and informed decision making.</p>
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18	Entire document	NA	NA	cdfa	CEQA requires that an EIR identify the basis for statements and assertions. The EIR is totally devoid of citation or support for many of the fundamental assertions in the document. The EIR is especially devoid of any scientific basis whatsoever for the fundamental approach of conversion of agricultural resources to achieve stated program goals, and as noted above, is silent on significant areas of disagreement among experts where this might point to fundamental flaws and risks in the CALFED approach.
19	Entire document	NA	NA	cdfa	One of the stated goals of the program is to reduce conflicts within the system. The CALFED approach to this is curious: With no treatment of alternatives, impacts, or mitigation, CALFED staff has apparently determined to execute an unprecedented grab of natural resources from agriculture and appropriate them to other uses. Not only does this dramatically exacerbate conflict in the system; the total silence of the EIR on this fundamental discretionary decision poisons the entire CALFED planning effort. It is difficult to envision how this can be rectified without totally starting over, and as CEQA requires, incorporate protection of the environment and CEQA compliance into the process at the earliest stages of planning.
20	Entire document	NA	NA	cdfa	This space intentionally left blank.
21	Entire document	NA	NA	cdfa	This space intentionally left blank.

22	Preface	I	Preferred Program Alternative, Paragraphs 1 and 2.	cdfa	CEQA requires that the degree of specificity of an EIR be the same as the level of specificity of the underlying activity that is the subject of the EIR. CALFED chose to plan certain elements of the proposed program in great detail (Refer especially to the ERPP). Having done so, CALFED cannot simply excuse itself from preparing an EIR that addresses the fundamental requirements of CEQA at that level of specificity. The fundamental approach described, of deferring alternative analysis and mitigation until subsequent tiers of CEQA compliance, while determining to approve highly detailed actions, lacking only the time and details of implementation, is contrary to the basic requirements of CEQA for public disclosure and informed decision-making.
23	Preface	Iii	Last sentence	cdfa	As stated above, the level of analysis in not consistent with the requirements of the CEQA Guidelines.
24	Preface	Iii	Last sentence of penultimate paragraph	cdfa	The statement "Given the...conceptual nature of the proposed actions." Is untrue. CALFED has chosen to plan and approve subsequent actions in great detail. The EIR must be rewritten accordingly.
	List of Acronyms			cdfa	QWEST should be included. I could not find its definition in the document. X2 should also be listed. It is defined in the document.

25	Chapter 1, Project Description	1-i	Second sentence.	Cdfa	<p>The statement "For decades, conflicting demands on the system have resulted in threats to Bay-Delta resources, including declining wildlife habitat, native plant and animal species threatened with extinction..." ignores a fundamental disagreement among experts and betrays CALFED's biased perspective, which taints the entire planning effort to date. There is a substantial body of information and opinion that the most significant factor in the population declines in the system over the past two decades are not due to "conflicting demands" but rather to the massive invasion of exotic species which the trustee agencies for these resources have ignored. Not considering, or even disclosing the eminently testable hypothesis that population declines are largely due to trophic effects, competition, and predation fatally flaws the CALFED program (and the EIR). This is absolutely fundamental to understanding the great risk that CALFED is taking by assuming that the decline of populations can be rectified by construction of habitat works and manipulation of developed water supplies. If the declines are instead due, in any substantial measure, to factors inherent in the invaded ecosystem itself, the present CALFED will very likely fail to achieve the intended goals. The CALFED EIR is silent on any evaluation of the potential for or consequences of failure of the broad policy direction selected.</p> <p>At the very least, if the actions fail to achieve program goals, the existing environment (agriculture) must be restored. Also, the EIR needs to include fundamental information on the populations which the ERPP intends to benefit. This must include recent trends and data on the basic population biology, with frank discussions of areas of uncertainty and disagreement among experts.</p>	
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26	Chapter 1, Project Description	1-1	Paragraph 1	cdfa	The number of species in the system should be broken down to show the relative numbers of native and introduced species.
27	Chapter 1, Project Description.	1-1	Side bar	cdfa	Include 538,000 acres of irrigated agriculture
27a	ch1, proj. descrip.	1-1	last sentence of 2 <sup>nd</sup> paragraph	cdfa	...irrigating <u>the land that grows</u> 45% of the nation's produce.
28	Chapter 1, Project Description	1-10	Section entitled Ecosystem Quality.	cdfa	This section should include a discussion of the fact that the conversion of habitat to the existing environment of irrigated agriculture occurred many decades prior to the precipitous decline of population to the present crisis situation.
29	Chapter 1, Project Description	1-11	Section entitled Ecosystem Quality, last sentence.	cdfa	Rewrite to read" In addition, introduced species in recent years have come to dominate the Bay-Delta system and have dramatically altered the fundamental ecology of the system in ways which are not fully understood, and are not yet fully manifested. Changes in the food web, competition for available space and food, as well as predation of various life stages of native species are all factors. The system is not in equilibrium, and it is uncertain that habitat expansion and re-operation of flow regimes will result in stable populations."

30	Chapter 1, Project Description	1-17	Conflicts	cdfa	<p>One of the glaring omissions of this list of conflicts is the internal conflict in fisheries management. While extraordinary sacrifices have been made and more are being asked of farmers and urban water interests, the state and federal fisheries agencies allow sport and commercial harvest of endangered species. CALFED fails to even consider predator control for striped bass (an invasive exotic species) as a mechanism to preserve threatened and endangered resident and migratory fish populations. CALFED member agencies continue to pursue a failed policy of enhancing exotic predator populations and allowing commercial and sport take of endangered species, while at the same time demanding extreme measures from others. This is in an absence of adequate science to assure an apprehensive public of the efficacy, let alone the cost effectiveness of their approach.</p>	
31	Chapter 1, Project Description	1-17	Conflicts	cdfa	<p>One of the glaring omissions of this list is the conflict between the existing environment (irrigated agriculture) and the approach CALFED has chosen, in the absence of CEQA compliance, to restore the Bay-Delta system.</p>	

32	Chapter 1, Project Description, Subsection 1.5, Program Alternatives Development Process	Entire Section	Entire Section	cdfa	CEQA requires that an EIR describe a range of reasonable alternatives capable of avoiding or reducing significant impacts on the existing environment, even if the alternatives would impede attainment of project objectives or be more costly. The discussion of alternatives shall focus on eliminating, avoiding, or reducing impacts. As the CDFG has stated many times, none of the CALFED "alternatives" differ in any meaningful way in the avoidance, reduction, or mitigation of impacts on the existing environment. The alternative development process is fundamentally and fatally flawed and this taints the entire EIR and program plans. CALFED's intransigence on this fundamental requirement of CEQA is frankly baffling, and dooms the EIR to failure.	
33	Chapter 1, Project Description, Subsection 1.5,	1-17	Bullet entitled Habitat and Land Use and Flood Protection	cdfa	This bullet may adequately describe the personal dogma of some CALFED staff and participants in the CALFED planning process. It does not serve as an adequate excuse for a public agency failing consider the significant adverse impacts of proposed actions on the existing environment, as required by CEQA. In addition, this is a conclusory statement, without basis or support, and subject to both disagreement among experts and controversy. Delete it.	

33a	ch 1	1-17,18	approaches for resolving conflicts	cdfa	The narrowing process as described does not give the proper insight into how approaches to resolve conflicts were selected or melded together. For example, the decision rationale for determining the CALFED approach to resolving the fisheries/diversions conflict or the habitat/land use/flood protection conflict is not described. A discussion of the trade-offs between approaches is warranted, followed by a discussion of the approach selected with the rationale for and environmental consequences of the decision. Such a discussion is needed for each of the common program elements. The discussion on page 1-18 describes a narrowing of alternatives and actions through discussions and workshops, but fails to describe the logic behind the decisions made to develop the CALFED approach to each common program.
33a1	ch 2	2-24	Env. Superior Alt.	cdfa	Will this include a discussion that CALFED analysis has shown that a Dual Delta Conveyance alternative that includes additional storage facilities is technically the best performing alternative for meeting CALFED objectives?
33b	ch 3	3-2	3.1.3	cdfa	Add to the end of this paragraph: However, CALFED can and must develop mitigation policies at the programmatic level and also must describe a mitigation implementation, monitoring and reporting plan. Mitigation policies pertaining to each resource area can be found in the appropriate chapter, for example in chapter 7.1 for agricultural land and water use. The CALFED mitigation implementation, monitoring and reporting plan is described in chapter 9. (Note: CALFED cannot simply defer analysis and disclosure under the guise of tiering as a substitute to adequately addressing impacts and mitigation. CEQA requires much more than this.)

33c	3.6	3-7 paragraph 1	mitigation for cumulative	cdfa	Studies are mentioned here and many other places in the document as a mitigation measure. Studies are not mitigation. They can be important in planning for appropriate mitigation, but in and of themselves, they are not mitigation under CEQA.
33d	3.6	3-7 bottom of page	"	cdfa	While the reader is referred to various chapters for a discussion of physical mitigation measures, CALFED should include here a brief discussion on how CALFED intends to integrate and use these entities and laws to avoid, reduce and mitigate impacts.
33e	table 3.1- 1	page 8 of table	agriculture land and water	cdfa	First column - <u>Incremental shifts in production ...are expected to continue within the overall trend of slowly declining irrigated acreage in the solution area.</u> Alt. 2 column - Impacts are similar but <u>slightly more pronounced...</u> Other Programs column - The ERP would convert <u>large amounts of (or up to 170,000 acres of) agricultural lands...</u> Preferred Program column - How will changes in ops affect agriculture land and water use – positively or negatively?
33f	"	page 10 of table	agricultural social	cdfa	Alts. 1,2,3 columns - Job losses would be small in comparison to those resulting from other programs. Jobs may increase in the long term with increased water supply reliability resulting from increased storage and improved conveyance.
33g	table 3-2	page 1 of table	agricultural land and water use	cdfa	Increased certainty in availability of irrigation water... or <u>Increased irrigation water supply reliability</u> The latter implies overall improvement in water availability, while the former implies hardening of (reduced?) supplies.
33h	table 3-3	page 1 of table	water supply and management	cdfa	Need to review text.

33i	table 3-3	page 2 of table	agricultural land and water use	cdfa	Entire entry needs to be <b>bold</b> .
33j	table 3-5	page 1 of table	agricultural land and water use	cdfa	Long term loss of agricultural land <u>and water</u> used for program purposes.
33k	table 3-6	page 1 of table	agricultural land and water use	cdfa	Conversion of agricultural land <u>and water</u> to other uses. <u>Decrease in security of water rights and increase in water costs.</u>
33l	ch 4	sec. 4.1 page 4-5	Affected env./existing cond.	cdfa	It should be stated that existing conditions are based on 1995. Note: Much of this analysis does not rely on 1995 conditions, but often stops at 1990 or 1992 conditions. CEQA has unambiguous requirements for the treatment of the existing environment, and this must be rectified. For example, CVPIA was passed in 1992, significantly changing water availability and cost for agriculture. Additional land such as Yolo Basin Wildlife Area was created from agricultural lands.
33m	ch 4	sec. 4.1 pages 4-8,9	mitigation strategies	cdfa	Only a laundry list of mitigation measures is presented for agricultural resources. No general (programmatic) mitigation strategies, and more importantly, no mitigation program and policy is presented. Furthermore, CDFA has suggested other potential mitigation measures that have purposefully been excluded from the document. This is not full disclosure as required by CEQA. Finally, CDFA has proposed several mitigation policies to CALFED that have not been discussed or considered in the document.

33n	ch 4	sec. 4.3 page 4-10 3rd para.	estimated land use changes	cdfa	The ERP is moving forward under Category III, resulting in impacts to agricultural resources during phase II. This should be noted, emphasizing the need for an agricultural resources mitigation policy. It appears to many participants in the CALFED planning process that this is an illegal piecemeal approval of program elements in the face of identified significant impacts on the existing environment, during preparation of the programmatic EIR. This apparent conflict with state law should be fully discussed.
33o	ch 4	sec. 4.3 page 4-11	"	cdfa	The water transfers program may likely influence land use changes if transfers from agriculture to urban or environmental uses are facilitated under the program.
33p	ch 4	sec 4.3.1 page 4- 12,14 bullets	ERP	cdfa	The first, third and fifth bullets are not mitigation measures and do not reduce the impacts of ERP actions on the agricultural resource base.
33q	ch 4	sec 4.3.4 page 4-15	storage	cdfa	It should be discussed that for Sites/Colusa and Thomes/Newville storage, the agricultural land converted to surface water storage would most likely be unirrigated grazing land or land of marginal agricultural productivity. It should also be noted that the Delta Islands storage would occupy an area of 18,000 to 19,500 acres of mostly irrigated agricultural land with prime soils, and long histories of high production with minimal inputs of chemical fertilizers.
33r	ch 4	table 4-3	important farmland affected	cdfa	This table should include a "grand total" for the estimated high and low affected acres.
33s	ch 5	5.1-1		cdfa	Will this include a detailed discussion of the EWA?

33t	ch 5	5.1-1 and table 5.5.5-1	Preferred program alt.	cdfa	Improving the economic utility of water supplies through various actions is not technically mitigation under CEQA.
33u	ch 5	5.1.3.5 5.1-18	South of Delta SWP and CVP Service Areas	cdfa	The same level of detail for the description of the CVP in the second paragraph should be provided as the level of detail provided for the SWP in the first paragraph. How much water does the CVP deliver; how much is contracted for? What is the probability for full deliveries at '95 demand levels?
33v	ch 5	5.1-28 and 5.1-30	existing conditions	cdfa	Define for the lay reader what X2 and QWEST are.
33w	ch 5	5.1-31,32	table 5.1.4-4	cdfa	The information would be much more meaningful if the cfs figures could be translated into water supply (flow) requirements in TAF, with a total presented. CEQA requires that EIRs be written in readily understandable terms.
33x	ch 5	5.1-47 ERP Delta	Consequences of Common Program Elements	cdfa	The ERP would have a significant impact on water supplies. The ERP would result in an increased water demand of 196,800 to 280,800 acre feet of water associated with the development of habitat in the Delta. (pg 7.1-18), these estimated numbers are likely low, as described elsewhere in these comments. The security of water rights of the overall agricultural production system would diminish if over 100,000 acres of agricultural land in the Delta with riparian water rights were converted to habitat. It is likely that any new land brought into production would not have similarly secure water rights, unless an appropriate mitigation program was implemented. The quantities of agricultural water which would be redirected to other uses also needs to be disclosed.

33y	ch 5	5.1-49 ERP Sac/SJR	"	cdfa	Implementation of the ERP would result in <u>both beneficial and adverse</u> effects on water supply within both the Central Valley and the Delta.
33z	ch 5	5.1-48,50,51 WUE	"	cdfa	Improved WUE does not necessarily equate with reducing water demand. The first sentence of each of these sections should be deleted. The WUEP most probably will not reduce the amount of water diverted in the SJR or SWP/CVP areas, the latter being chronically water constrained.
33aa	ch 5	5.1-57,59	Preferred Prog. Alt. ERP acquisitions	cdfa	These sections state that ERP water would be acquired through purchases (transfers) from willing sellers resulting in reduced water diversions from rivers by fallowing land. Except for limited fallowing of drainage impaired land, land fallowing is not a part of the CALFED solution. These sections need to be reworded. If the Policy Group decides that land fallowing is an appropriate means of obtaining ERP water, then the additional adverse impacts to agricultural resources need to be included in the PEIS/R. This must include alternative analysis and mitigation for unavoidable impacts.
33ab	ch 5	5.1-98,99	Mit. Strategies & Pot. Sig. Unavoid. Impacts	cdfa	The increase ERP water demands embodied in flow and habitat requirements, if not met by new water supplies, but rather met by reallocating agricultural water supplies, would be a significant impact to the agricultural environment, and as such must be mitigated. The basis for this statement should be presented. Does it mean that there are impacts that can be mitigated? Are there short term or local impacts of significance that may require mitigation?

33ac	ch 6	6.2-4 Areas of Controversy	Mit. vs ERP implement.	cdfa	This approach of separate mitigation flies in the face of all that CALFED stands for: a holistic approach to a Delta solution. The ERP is supposed to restore the ecosystem. It is supposed to be well integrated with the other CALFED program elements. A similar integrated approach should be implemented with regards to agricultural resources. If this approach is continued, then agricultural resources impacts will be underestimated and need to be re-evaluated to include impacts resulting from additional wildlife mitigation that may be needed, and would most likely take place on agricultural land.
33ad	ch 6	"	Conflicts with current policies	cdfa	The purpose of a programmatic EIR is to provide policies in these areas. It is just not true that these issues can only be addressed at the project-specific level. On the contrary, it would be far more effective for CALFED to develop a policy and program framework that specifies how these conflicts will be addressed and how CALFED will integrate these sometimes conflicting policies into a unified approach.
33ae	ch 6 6.2.3.2	6.2-9	Natural and agricultural communities	cdfa	There is no mention of agricultural resources in this section. A sentence or two should be included - grazing, vineyards, etc.
33af	ch 6 6.2.3.3	6.2-12	"	cdfa	There is no information on the 1995 existing environment in this section. There needs to be.
33ag	ch 7	7.1-1	summary	cdfa	The side bar pertains to agricultural economic issues, not to agricultural land and water. We suggest: "California agriculture is the most productive and diverse in the world, due in large measure to the unique combination of high quality soils, favorable climate, and the ability to manage water."

33ah	ch 7	7.1-1	" second paragraph, last sentence	cdfa	Agriculture in the state is facing <u>increasing competition for demands on</u> the water it uses...
33ai	ch 7	7.1-2	second paragraph	cdfa	The PPA would convert a <u>significant amount of some</u> agricultural lands... Add after the second sentence: <u>Increase water demand from the ERP will reduce water supply reliability to agriculture.</u>
33aj	ch 7	7.1-2,3,4	Potential sig. adverse impacts and mit. strats.	cdfa	CDFA has suggested many additional potential mitigation measures that should be included in this section. If CALFED wishes to discard them, then the appropriate discussion should be included.
33ak					Add the following impact: Conflicts with adjacent land uses (21)
33al					Add: Use public lands to demonstrate the efficacy of habitat development action prior to acquiring private agricultural land for ERP purposes.
33am					Change 18, or add as new measure. - Developing water for habitat purposes prior to project implementation so as not to impact agricultural water supplies.
33an					Please explain how measures 5, 7, 23, and 27 are considered mitigation for agricultural resources impacts. In our view, they are not. Measure 27 is particularly inappropriate here, since it addresses water quality, not agricultural land and water. This measure would also reduce agricultural productivity by fallowing land - a measure CDFA has consistently opposed. This controversial measure is included, yet many potential measures suggested by CDFA, though controversial to some, have not been included.
33ao					The reader should be referred to ch 9 for what is hoped to be a more complete discussion of a CALFED mitigation implementation, monitoring and reporting strategy.

33ap	7.1.3.1	7.1-5	table 7.1-1	cdfa	Provide the total - 6,834,594 acres. These are 1996 figures. Shouldn't 1995 figures be used?
33aq	7.1.3.1	7.1-6	table 7.1-2	cdfa	Why are figures used from years ranging as far back as 1986? Data should be from 1995.
33ar	7.1.3.1	7.1-7	table 7.1-3	cdfa	This table should use more recent data - 1995 if available, certainly post-CVPIA and post drought. A normalized 1995 use would be appropriate, with 1995 cost figures. Cost figures should be broken out by SWP, CVP, and local districts.
33as	7.1.3.2	7.1-8 3rd paragraph	Delta region agricultural land use	cdfa	Use the DPC report and the DOC report. Agricultural land converted to habitat was also a significant land use change.
33at	7.1.3 & 7.1.6		Existing env. & no action alt.	cdfa	The discussions are region by region only. A summary of these sections that pertains to the entire solution area would be helpful. The reader must use pen and paper or mentally sum regional data to obtain an overall picture. The document should provide this overall picture.
34	7.1.4 Assessment Methods	7.1-12	Assessment methods, paragraph 4	cdfa	This argument for not assessing impacts is invalid, and in fact is not consistent with the approach taken for impacts to other elements of the existing environment. For example, refer to the Multi-species Conservation Strategy document circulated as an attachment to the EIR. Table Q (pages un-numbered) has highly specific criteria for mitigation. CALFED has improperly curtailed analysis of selected impacts to certain aspects of the existing environment throughout the document.

35	7.1.4 Assessment Methods	7.1-13	Paragraph 2.	cdfa	The statement that wetlands evapotranspiration generally is considered about equal to open-water evaporation is unsupported and in conflict with expert opinion. The EIR must have actual data on this potentially important impact of the proposed program. Also, this analysis ignores the potential for wetlands to lose large volumes of water to percolation, compared to existing environmental conditions. Data on actual water use on managed wetlands in various regions of California should be presented.
36	7.1.4 Assessment Methods	7.1-13	Second sidebar.	cdfa	In addition to measures to minimize impacts, CEQA requires development of mitigation. One obvious mitigation, proposed many times, is for new water supplies be developed to meet the increased water demand of the proposed program, without acquisition and redirection of existing developed water from agriculture.
37	7.1.5 significance Criteria	7.1-14	Fifth bullet	cdfa	Add the following: "This would include any conversion to non-agricultural use, or restrictions on agricultural practices of any land with agricultural zoning at the time the CALFED Notice of Preparation for this EIR was first issued."
38	7.1.	7.1-14	Add new section	cdfa	There also must be a section of mitigation standards for impacts to aspects of the existing environment utilized for agriculture. This has apparently been done for other aspects of the existing environment, and fairness and consistency, in addition to the clear requirements of CEQA demands that this be included. Since CALFED has chosen not to develop mitigation standards for these impacts, the CDFA, as the public agency responsible under the law for agriculture, has previously prepared mitigation standards and submitted them to CALFED. It is appropriate to include these in this chapter.

39	7.1.	7.1-14	Add new section	cdfa	The significance criteria are only for "implementing a CALFED action." This is a programmatic EIR and it is required that CALFED address programmatic level impacts. This logically includes significance criteria and mitigation standards, in addition to the CEQA requirements for a range of reasonable alternatives to avoid or reduce impacts.
39a	7.1.6.3	7.1-15	Sac r & SJR	cdfa	Second sentence of first paragraph - 1 million acres is misleading; a better figure to use is about 9,000 to 10,000 acres of irrigated agricultural land per year, over 30 years (270,000 to 300,000 acres). Third to last and next to last sentences - This may not be true. County ordinances and other policies will be implemented to strengthen protection of area of origin water rights.
39b	7.1.7.1	7.1-17	consequences all regions	cdfa	Conversion of agricultural lands conflicts with state policies also. The DPC should be listed as well as the five Delta counties.
39c	7.1.7.2	7.1-18	delta region ERP	cdfa	Last sentence of first paragraph - Delete the first clause. It is very unlikely that these uses will shift to other regions either for lack of water or inappropriate growing conditions. Last sentence of last paragraph (top of page 7.1-19) add to the end of the sentence - <u>resulting in an overall diminishment of agricultural water supply reliability.</u>

40	7.1.15	7.1-34		cdfa	<p>A more appropriate name for this section would be "Significant Impacts For Which CALFED has Not Considered Alternatives or Mitigation." These impacts cannot be termed unavoidable since CALFED has not evaluated avoidance or mitigation in planning the program elements that would cause the impacts.</p> <p>Add to the list of impacts in this section is the increased water demands (especially the dry and critically dry year demands) to operate the engineered ecosystem restoration works proposed, and given, though likely underestimated, on page 7.1-18. These figures are only for the Delta Region, and projections must be made for the entire CALFED area.</p>	
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41	7.1.14	7.1-32	Mitigation Strategies	cdfa	<p>Add the following:  “CALFED recognizes that at the site-specific level of subsequent tiers of CEQA review, alternatives or on-site mitigation may not appear feasible. Remote mitigation for impacts, including, but not limited to provisions to provide mitigation water supplies to replace lost agricultural productivity may be needed, and these will not be precluded by any use of Statements of Overriding Considerations at subsequent tiers of implementation. CALFED recognizes that the costs of mitigation will be borne by CALFED at the subsequent tiers of implementation.”</p> <p>Also, add the following bullets:</p> <ul style="list-style-type: none"> <li>• Develop water needed to meet water demands of the proposed program and projects in ways other than redirection of agricultural water to other uses.</li> <li>• Provide adequate and reliable water elsewhere to replace the agricultural productivity of lands converted from agricultural use to other uses.</li> <li>• Establish and fund an agricultural water account to mitigate impacts to agricultural resources.</li> </ul>	
42	7.1.	7.1-34	Add new section	cdfa	Add a new section defining standards for mitigation. The mitigation standards previously provided by CDFA would be appropriate.	

43	7.1	7.1-i	Subchapter Heading	cdfa	Change Heading to read: "The CALFED Program would acquire large acreage's of agricultural land for conversion to non-agricultural uses, and would also redirect significant quantities of agricultural water to other uses, predominately ecosystem uses. The CALFED program might ultimately provide some measure of increased water reliability for some agricultural uses in some areas of the State, but the overall quantities of water for agricultural use would be permanently reduced, and the cost of water to agriculture will increase. This will result in adverse impacts on humans"	
44	5.1	5.1-3	Potentially Significant Adverse Impact number 1	cdfa	It appears that CALFED has selected an alternative, which, to some degree impairs achieving one of the fundamental goals of CALFED, that is, water supply reliability. This fundamental discretionary decision must be emphasized in the CALFED EIR. If CALFED chooses to make this decision, it must be based on substantial evidence, and made only after the required analysis of alternatives and mitigation. The CALFED EIR in its present form does not support this fundamental decision to abandon one of the fundamental goals of the program.	

45	5.1	5.1-8	2/5.1.3.3	cdfa	<p>Additional historical and comparative context information is needed to understand the existing Sacramento River system. In particular, the downsizing of Shasta dam in order to achieve short-term economic objectives is needed, along with a discussion of the physical site potential for significant expansion. This is well studied and CALFED has this information. Also, the ratio of average annual flow to total reservoir capacity should be given for this, as well as the other major rivers in the system. This should then be compared to other significant western rivers, including the Colorado, where increased flow manipulation for certain environmental benefits has been made with minimal impacts to other aspects of the existing environment. Without this basic background information and context for the existing environment, the public and decision-makers cannot have meaningful participation or make informed decisions regarding basic CALFED alternatives, impacts, and potentially feasible mitigation measures.</p>	
46	9	Entire Chapter	Entire Chapter	cdfa	<p>CEQA requires that an EIR identify mitigation measures for any significant environmental effect identified. This draft only addresses site-specific mitigation for impacts of later tiers of projects subsequent to the Certification of the Programmatic EIR. The programmatic EIR must address programmatic level mitigation for program level impacts. This must also be addressed in Chapter 9, or perhaps in a separate chapter. Without mitigation at the programmatic level, the programmatic EIR will be inadequate.</p>	

47	9	9.1	9-1, second paragraph	cdfa	<p>The second paragraph contains the following: "An institutional framework is required to conduct the mitigation and monitoring program. One possibility is to include the mitigation strategies monitoring and reporting program in the CMARP process. CMARP is a planning process that is developing the institutional framework and funding requirements to monitor, assess, and conduct research necessary to evaluate and guide the implementation of Program elements."</p> <p>This is not correct. Under SB 204, the Resources Agency is responsible for implementing CALFED until such time as the Legislature designates another entity, and thus is responsible for mitigation of impacts.</p>	
48	9	9.2		cdfa	<p>The regurgitation of the CALFED goals in the sidebar at the beginning of section 9.2 is inappropriate. It would be appropriate to state a CALFED policy for mitigation of the significant adverse impacts of the proposed program, and site-specific implementation projects. The failure of the CALFED Program to adequately or consistently deal with mitigation for those impacts, which after adequate analysis (which has not been done) are found to be truly unavoidable is one of the more serious of the many fatal flaws of this EIR.</p>	

49	9	9.2	Entire section, especially page 9-2, last paragraphs.	cdfa	<p>The thrust of the discussion in 9.2 is that all specifics of mitigation will be deferred until subsequent tiers of approvals. CEQA requires that the degree of specificity of an EIR correspond to the degree of specificity of the underlying activity, which is described in the EIR. CALFED has chosen to develop highly detailed plans for certain elements of the proposed program, for example, the 1,000 plus page ERPP. Having done so, CALFED cannot simply abrogate its responsibility to produce an EIR with the same level of specificity for mitigation measures as it has for the proposed program elements. Mitigation is part of the project, and it must be developed and disclosed at the same level of specificity as the proposed actions in order for the public and decision makers to understand the whole of the proposed program, including the costs. This is particularly vexing in the context of CALFED staff statements, made early in the process, prior to analysis, that impacts to agricultural elements of the environment would not be mitigated and that Statements of Overriding Considerations would be written instead. Also, the simple fact that CALFED has identified very specific mitigation standards and policies for impacts to certain other aspects of existing environment makes this excuse for lack of specificity a bare lie. This is a clear abuse of discretion and cannot be allowed to proceed.</p>	
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50	9	9.3	9-3 to 9-4	cdfa	<p>Section 9.3, Monitoring and Reporting Process, begins with the following: <b>'9.3 MONITORING AND REPORTING PROCESS</b> The discussion about the monitoring and reporting process contained in this document is consistent with the programmatic nature of CALFED Phase II environmental documents. The discussion is general because most specific actions have not been determined at this time."</p> <p>This is simply untrue. The CALFED program has developed highly detailed plans, and as noted above, unless each of these incorporates impact analysis and mitigation in the same detail as the underlying proposal, the EIR will remain inadequate. Also, as noted above some elements of the proposed CALFED program do incorporate highly detailed mitigation. Furthermore, nowhere is there programmatic level mitigation, as is appropriate for a programmatic EIR.</p>	
51	5.1	5.1-11	3/Feather River	cdfa	<p>Is CALFED considering the massive reduction of minimum carryover storage blithely mentioned at the end of the last complete paragraph of this page? This would have very adverse impacts on the existing environment and if this is being considered as an element of the CALFED program, or as a project of some CALFED member agencies, this merits very extensive development in the EIR. Also, the storage and power facilities that exist above Oroville Dam merit a more detailed and quantitative description.</p>	

52	5.2	5.2-1	5.2.1.1	cdfa	In the second paragraph of this section a maximum capacity of the proposed screened diversion at Hood is given. The sizing of this diversion is a decision with potential to impact the environment. The basis for the sizing and a discussion of alternatives and mitigation for potentially significant effects is required, and appears to be lacking. This appears to another example of the EIR not considering the whole of the action.	
53	5.2	5.2-2	1/5.2.2	cdfa	The first sentence is incorrect. "Under CEQA areas of controversy involve factors that are currently unknown or reflect differing opinions among technical experts." Under CEQA controversy and disagreements among experts are entirely separate, and this is quite apparent from the clear English of the CEQA guidelines. This is a consistent flaw in the EIR. For example, there is no disagreement among experts that the CALFED program described in the EIR will result in redirection of developed water resources from one use to another, however, there is much controversy regarding this. CALFED has used this unique interpretation of the Guidelines to avoid addressing the areas of controversy. This is a significant flaw in the EIR.	

54	5.2	5.2-2	1/5.2.2	cdfa	The third paragraph of this section has a brief mention of the regional social and economic importance of agriculture in the Delta. Under CEQA, agriculture is an element of the existing environment. CALFED has acknowledged this in principal, but failed to consider impacts to aspects of the exiting environment utilized for agriculture as environmental impacts. This inconsistency is a serious flaw in the EIR. This particular example, where significant adverse effects on the existing environment, are reduced to mere economic and social effects is only one of many which permeate the EIR and the underlying CALFED planning effort. It is improper for CALFED to not consider these environmental impacts at the programmatic level and defer all analysis until future tiers of documents. This is a fatal flaw.
55	5.2	5.2-3	2/5.2.3.1	cdfa	In addition to the discussion of the existing Delta, there should be information on the history of the SWP, as it pertains to the never-completed "Delta Facilities". There is a substantial body of expert opinion that many of the problems of the present Delta stem from the failure to complete the SWP, as the voters originally authorized it. This applies also to water quality, the subject of Chapter 5.3.
56	5.2	5.2-4	2/5.2.3.1	cdfa	The discussion of unallocated flows in the fifth paragraph needs to be expanded greatly. The capture of a portion of this water for use by the CALFED program is a broad programmatic alternative to the single approach CALFED has improperly limited itself to. This could avoid many of the significant adverse impacts, which CALFED has called unavoidable in the absence of analysis.

57	5.5	Entire chapter	Entire chapter	cdfa	Early in the CALFED effort, CDFA identified the farmland mapping and monitoring program as a source for information on the existing environment that is essential to identify impacts, impact avoidance, and mitigation for the CALFED program. This information appears to be totally lacking in the EIR. This Chapter would be an appropriate location for it.
58	7.8	Entire Chapter	Entire Chapter	cdfa	The option of developing water supplies needed for CALFED program water demands, especially ERPP water demands could have substantial flood control benefits. This should be included in this Chapter.
59	1	1-7	1.2.2	cdfa	The first sentence of the section entitled "Ecosystem Quality" is telling. What is given as the goal of ecosystem restoration, actually describes the means, which CALFED has pre-selected to achieve the goals. The goals themselves are at the end of this sentence. Revise the sentence accordingly, and follow the requirements of CEQA to evaluate a reasonable range of alternatives to achieve the goals, and at the same time avoid and reduce the potential for significant adverse impacts on the existing environment, even though this may, to some degree, impede achieving program goals, or are more costly.
60	1	1-10	1.2.2	cdfa	The last paragraph on the page gives the gross acreage of overflow and seasonally inundated lands in the system that have been converted to other uses. In addition some overflow and seasonally inundated lands have been created. The net figures need to be presented.

61	1	1-14	1.4.1	cdfa	<p>Last paragraph of section: The various sources of salmon mortality should be given. This should include perdition by exotic species. The extent of take of adult by sport and commercial fisheries must be given also. This information is needed to make informed decisions on the program, and to disclose the potential for alternative approaches to achieving the goals which CALFED was established to achieve. One potential solution is mentioned: Other potentially feasible solutions need to be given, for example, transport of adult migrating salmon above major barriers to utilize upstream spawning habitat, predator control, limiting sport and commercial harvest to eliminate take of endangered populations, etc.</p>
62	1	1-21	1.5.2	cdfa	<p>The descriptions of alternatives: CALFED has selected the alternative that has the greatest potential to adversely impact the existing environment. This must be disclosed, discussed, and explained, as CEQA requires. Again, CDFA points out the requirement of CEQA for a reasonable range of alternatives capable of avoiding of reducing the potentially significant effects.</p> <p>In the second to last paragraph of this section it is stated that the preferred program alternative is similar to alternative 2. However, table 4-3 suggests some undisclosed differences between these.</p> <p>If a Lead Agency selects an alternative other than that with the least environmental damage (as CALFED has done) this must be disclosed and discussed. As it stands, CALFED has not presented a basis to support this fundamental decision.</p>

63	2	all	all	cdfa	The maps in Chapter 2 do not include any disclosure of the agricultural lands that would be impacted by the proposed alternatives. This makes it impossible for the public and decision-makers to adequately participate in the program and make informed decisions. CDFA requested maps early in the process and provided data sources to CALFED for GIS databases that could be utilized. The failure to include maps showing the lands subject to significant adverse impacts is a basic and fatal flaw of the EIR.
64	2	2.1.2	List of actions	cdfa	Add the acquisition and conversion of farmland and agricultural water resources as actions included in the ERPP. CEQA requires an EIR to focus on the significant environmental effects, alternatives, and mitigation. This chapter instead focuses on the pre-selected means that may or may not be the least environmentally damaging ways of achieving program goals.
65	2	2-10	2.1.2	Cdfa	There are several references to BMPs. BMPs are not adequately described in the EIR. In particular there is no meaningful discussion of the potentially significant effects on the existing environment of BMPs, and CEQA compliance generally for the process of setting BMPs.

66	2	2.1.2	2-10	cdfa	The sixth bullet includes land fallowing. This discretionary decision must be made after CEQA compliance with alternative analysis and mitigation for unavoidable impacts.
67	2	2.4	2-27	cdfa	Configuration of 3F, second paragraph. This discussion fails to disclose the significant adverse impact of conversion of agricultural land (and associated water) to other uses, yet acknowledges the habitat value of such lands, and the plan for other program elements to convert these same lands. This is one of the more glaring examples of CALFEDs total failure to consider agricultural resources as elements of the existing environment as CEQA clearly requires and CALFED has agreed to in principal. This is a fundamental flaw that poisons the entire CALFED effort.
68	2	2.4	2-29	cdfa	Under Configuration 3I, second bullet: adverse impacts on stripped bass should be viewed as having positive effects on threatened and endangered species which are among the prey of this exotic predator.
69	3	3.1.3	3-2	cdfa	CALFED has made no effort to avoid significant adverse impacts on agricultural resources, and has made no effort to mitigate these impacts. Therefor these cannot be included among the impacts considered in this section.

70	3	3.2	3-3	cdfa	<p>Second whole paragraph. The shift to higher value crops would likely occur for other reasons as well, for example higher water costs. It needs to be pointed out that higher value crops tend to make water demands of agriculture more firm, decreasing the potential for temporary reallocation of agricultural water resources to other uses during prolonged droughts.</p> <p>The mention that increased water supply and reliability could allow additional agricultural land to be developed is true, but only if this water is allocated to agricultural use. This is one of the potentially feasible mitigation measures which the CDFA has proposed for CALFED to implement in order to mitigate for the significant adverse impacts which CALFED has chosen to classify as unavoidable and cannot be mitigated, without the analysis CEQA requires.</p>
71	3	Table 3.3	-	cdfa	<p>The seventh page of these un-numbered tables, under "Other Programs" CALFED has ignored vegetation changes due to conversion of farmland to other uses. This vegetation is the human food supply, and this merits consideration under CEQA. Refer to the CEQA Guidelines, environmental checklist.</p>
72	3	Table 3.3	-	cdfa	<p>The eighth page of these un-numbered tables, Under Alternative 1, Other Programs, and Preferred Program Alternative. Give acreages of impacted lands and the reason why the impacts would occur if the program were approved as proposed.</p>
73	3	Table 3.3	-	cdfa	<p>The eighth page of these un-numbered tables, under Other Programs, and Preferred Program Alternative. Define what is meant by "affect." If this means significant adverse impacts to the existing environment utilized for agriculture, say so, and treat this as a significant impact under CEQA.</p>

74	3	Table 3.3	-	cdfa	The ninth page of these un-numbered tables, the adverse impacts to agricultural economics need to be quantified. This is essential for full disclosure and informed decision making. This must also include impacts to local property tax bases, so that the public can understand fully the economic and social, as well as the environmental consequences of the proposed program to acquire and redistribute the land and water resources of California.
75	4	Table 4-3	4-13	cdfa	If the PPA is supposedly similar to Alternative 2, why are the acreage impacts equal to alternative 3, which has the greatest adverse impacts in terms of loss of agricultural land?
76	4	Table 4-3	4-13	cdfa	Show these acreage's on maps, as CEQA recommends. Failure to provide maps makes it appear that CALFED is trying to hide the magnitude of the impacts of the proposed program.
77	4	4.3.3	4-14	cdfa	Where is the alternative analysis for the siting of the levee system modifications, which results in this magnitude of significant adverse impacts?
78	4	4.3.3	4-14	cdfa	Where is the required treatment of mitigation for those truly unavoidable impacts of the levee system modifications?

