

**DRAFT**  
**PLAN OF ACTION**

**PHASE II**

**TIER 1 EIS/EIR FOR CALFED BAY-DELTA LONG TERM PROGRAM**

**OCTOBER 1995**

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## EXECUTIVE SUMMARY

The CALFED Bay-Delta Program is developing a long-term solution to problems in the Bay-Delta system related to ecosystem quality, water quality, water supply and vulnerability of system functions. The intent is to develop a comprehensive and balanced plan which addresses all of the resource problems. The CALFED Bay-Delta Program is being carried out in a three-phase process:

- Phase I is currently underway and it consists of clearly defining the problems to be addressed and the appropriate range of alternative solutions. A description of the Phase I effort is contained in the "Draft Plan of Action - Phase 1" dated June 22, 1995;
- Phase II, the subject of this Plan Of Action (POA), will include the preparation of a Tier 1 (programmatic) environmental document identifying the likely effects of the alternative solutions developed in Phase 1. The environmental document will be prepared in compliance with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA); and
- Phase III will include preparing project specific or Tier 2 environmental documents for individual actions identified during Phase 2.

This POA describes the process and schedule for Phase II of the CALFED Bay-Delta Program. Phase II is scheduled to begin in May 1996 and end in June 1998 with publication of a Tier 1 Environmental Impact Statement/Environmental Impact Report (EIS/EIR) and a Record of Decision/Findings of Fact explaining decisions made and why the preferred alternative was selected. It is conceivable that environmental documents for specific projects may be initiated during the same time period as the Tier 1 document, but none of these environmental documents will be finalized until the Tier 1 document is completed.

Supplemental tasks for Phase I are also included in this POA. These supplemental tasks include:

- describing appropriate level of analysis;
- selecting analytical tools;
- preparing a Purpose and Need statement; and
- describing the No Action Alternative.

Completing these supplemental tasks during Phase I allows CALFED to shorten Phase II by approximately 6 to 9 months.

Phase II continues the process of preparing the Tier 1 EIS/EIR that began in Phase I with the Notice of Intent/Notice of Preparation. It includes completing tasks that are required for the EIS/EIR such as:

- describing the environment of the area to be affected by the project alternatives;
- developing assumptions for implementing the many projects, regulatory requirements and policies that comprise the project and no action alternatives; and
- analyzing the impacts of the alternatives.

Rounding out Phase II will be the production of a Tier 1 draft EIS/EIR which will be distributed for public review and comment and a Tier 1 final EIS/EIR.

The POA is designed to serve the coordination and oversight needs of the CALFED agencies and Program staff. The POA identifies milestones between October 1995 and June 1996 for the Phase I supplemental efforts and milestones and decision points between June 1996 and June 1998 for Phases II efforts. Also, the plan continues the Phase I public involvement program which was implemented to communicate with all Bay-Delta resource stakeholders, interest groups and the general public.

The schedule for tasks needed to complete the Tier 1 EIS/EIR is summarized in Figure 1. The Phase I supplemental tasks are planning efforts that will be utilized in the Tier I EIS/EIR, but they will not be finalized until after "Scoping" pursuant to NEPA and CEQA has been completed.

**Figure 1. Summary Schedule for Tasks Needed to Complete the Tier 1EIS/EIR.**

PHASE	TASKS	1995			1996			1997			1998		
		Jan	Jun	Dec	Jan	Jun	Dec	Jan	Jun	Dec	Jan	Jun	Dec
PHASE I	SCOPING			10/95	---	3/96							
SUPPLEMENTAL PHASE I	TIER I DRAFT EIS/EIR <sup>1</sup>			10/95	-----	6/96							
PHASE II	TIER I DRAFT EIS/EIR				6/96-----		-----	6/97					
	TIER I FINAL EIS/EIR							6/97---				1/98	
	RECORD OF DECISION FINDINGS OF FACT TIER I EIS/EIR												02/98-6/98

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<sup>1</sup>Planning efforts that will be utilized in the Tier I EIS/EIR occur during this timeframe. The actual Tier I EIS/EIR process does not begin until the Notice of Intent/Notice of Preparation is published in the Federal Register and distributed to responsible parties in December 1995.

## **SECTION 1- INTRODUCTION**

The San Francisco Bay/Sacramento-San Joaquin Delta Estuary is a critically important part of California's natural environment and economy. In recognition of the complex resource management decisions that must be made, the State of California and the federal government are working together to stabilize, protect, restore, and enhance the Bay-Delta system.

### **Basis for Cooperation**

State-federal cooperation was formalized in June 1994 with the signing of a Framework Agreement by the involved state and federal agencies. The state agencies include the Resources Agency, the Department of Water Resources, the Department of Fish and Game, the California Environmental Protection Agency, and the State Water Resources Control Board. Federal Agencies include the Bureau of Reclamation and the Fish and Wildlife Service, within the Department of the Interior, the Environmental Protection Agency, and the National Marine Fisheries Service, part of the Department of Commerce. These agencies with management and regulatory responsibility in the Bay-Delta system are working together as CALFED, and will provide policy direction and oversight for the process.

The Framework Agreement pledged that state and federal agencies would work together in three areas of Bay-Delta management:

- Water Quality standards formulation;
- Coordination of State Water Project and Central Valley Project operations with regulatory requirements; and
- Long-term solutions to problems in the Bay-Delta system.

Since June of 1994, significant progress has been made in all three areas. These management efforts have included close cooperation not only among state and federal agencies, but involvement of urban and agricultural water users, fishing interests, environmental organizations, business, and others. These groups--the stakeholders in resources of the Bay-Delta system--play an important role in the collaborative process of solving problems.

### **Water Quality Standards**

On December 15, 1994, state and federal agencies, working with stakeholders, reached agreement on recommended water quality standards and related provisions that would remain in effect for three years. The agreement was based on a proposal developed by urban, agricultural, and environmental interests. Elements of the agreement include springtime export limits expressed as a percentage of Delta inflow, regulation of the salinity gradient in the Estuary so that a salt concentration of two parts per thousand (X2) is positioned where it may be more beneficial to aquatic life, specified springtime flows on the lower San Joaquin River to benefit Chinook salmon, and intermittent closure of the Delta Cross Channel gates to reduce entrainment of fish into the central Delta.

A second category of provisions is intended to reconcile operational flexibility and compliance

with the federal Endangered Species Act (ESA). Compliance with provisions of the ESA is intended to result in no reduction in water supply from what would be available for export under other operational requirements of the agreement. This will be accomplished in part by better monitoring for the presence of aquatic organisms of concern, faster interpretation of monitoring information, and immediate response in the operation of export facilities. This is known as real time monitoring.

A third category of provisions is intended to improve conditions in the Bay-Delta Estuary that are not directly related to Delta outflow. Some of these "Category III" measures may include screening of unscreened water diversions, waste discharge control, and habitat restoration. Parties to the agreement committed to implementation and financing of such measures, and estimated that a financial commitment of \$60 million would be required in each of the three years of the agreement.

Many of the elements of the December 15 agreement were incorporated into the State Water Resources Control Board's "Draft Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary" dated December 1994. Public hearings on the draft were held and extensive comments were received. In response to these comments, the water quality objectives were modified as appropriate. The Final Bay/Delta Plan was adopted on May 22, 1995. In response to a petition by the USBR and DWR, a water right hearing was held and a water right order was subsequently adopted by the SWRCB on June 8, 1995. This order removed conflicts between existing water right decisions for the Bay/Delta and the 1995 Bay/Delta Plan. It also allowed additional operational flexibility with SWRCB oversight.

### **Operational Coordination**

Operators of the California State Water Project and the federal Central Valley Project recognized that compliance with endangered species protections, water quality standards, and provisions of the Central Valley Project Improvement Act would require project operations to be coordinated even more closely than in the past. To help ensure this coordination, representatives of the two projects and the other CALFED agencies meet regularly to provide oversight of project operations. The deliberations of this Operations Group or "Ops Group" are conducted in consultation with water user, environmental, and fishery representatives.

### **Long-Term Solutions--The CALFED Bay-Delta Program**

The third element of the Framework Agreement called for a joint state-federal process to develop long-term solutions to problems in the Bay-Delta system related to ecosystem quality, water supply reliability, vulnerability of system functions, and water quality. The intent is to develop and implement, in compliance with NEPA/CEQA, a comprehensive and balanced plan that addresses all of the resource problems. This effort will be carried out under the policy direction of CALFED. The public will have a central role in the development of long-term solutions with opportunities to offer input through workshops and other measures. In addition, a group of more than 30 citizen-advisors selected from California's agricultural, environmental, urban, business, fishing, and other interests who have a stake in finding long-term solutions for the problems of

the Bay-Delta system has been chartered under the Federal Advisory Committee Act as the Bay-Delta Advisory Council (BDAC). BDAC will provide advice on the program mission, problems to be addressed, and objectives for the CALFED Bay-Delta Program. These citizen advisors will also provide a forum to help ensure public participation, and will review reports and other materials prepared by CALFED Bay-Delta Program staff. Figure 2 shows the overall organization of the program participants.

Following are brief descriptions of roles of several organizational groups within the CALFED Partnership. These include the CALFED Policy Group, the CALFED Program Staff, and the Bay-Delta Advisory Council (BDAC). Organizations outside the CALFED structure such as environmental organizations and water user associations, will also play an important role as information conduits with their constituents. The planned roles are described below.

#### CALFED Policy Group

The CALFED Policy Group includes the senior agency officials representing the Federal and State agencies who have signed the Framework Agreement<sup>2</sup> to create CALFED. These officials will be responsible for reviewing program activities and recommendations from staff and the public. They will provide policy direction and oversight of the planning process. These officials will play an important role in establishing the principles and goals of the program and ensuring full consideration of issues and consistency with federal and state regulations and requirements.

#### CALFED Program Staff

The CALFED Program Staff direct the day-to-day activities of the CALFED Bay-Delta Program, including implementing the planning process, coordinating technical analyses, conducting the public involvement program, administering consultant service contracts, and coordinating with other programs related to the Bay-Delta.

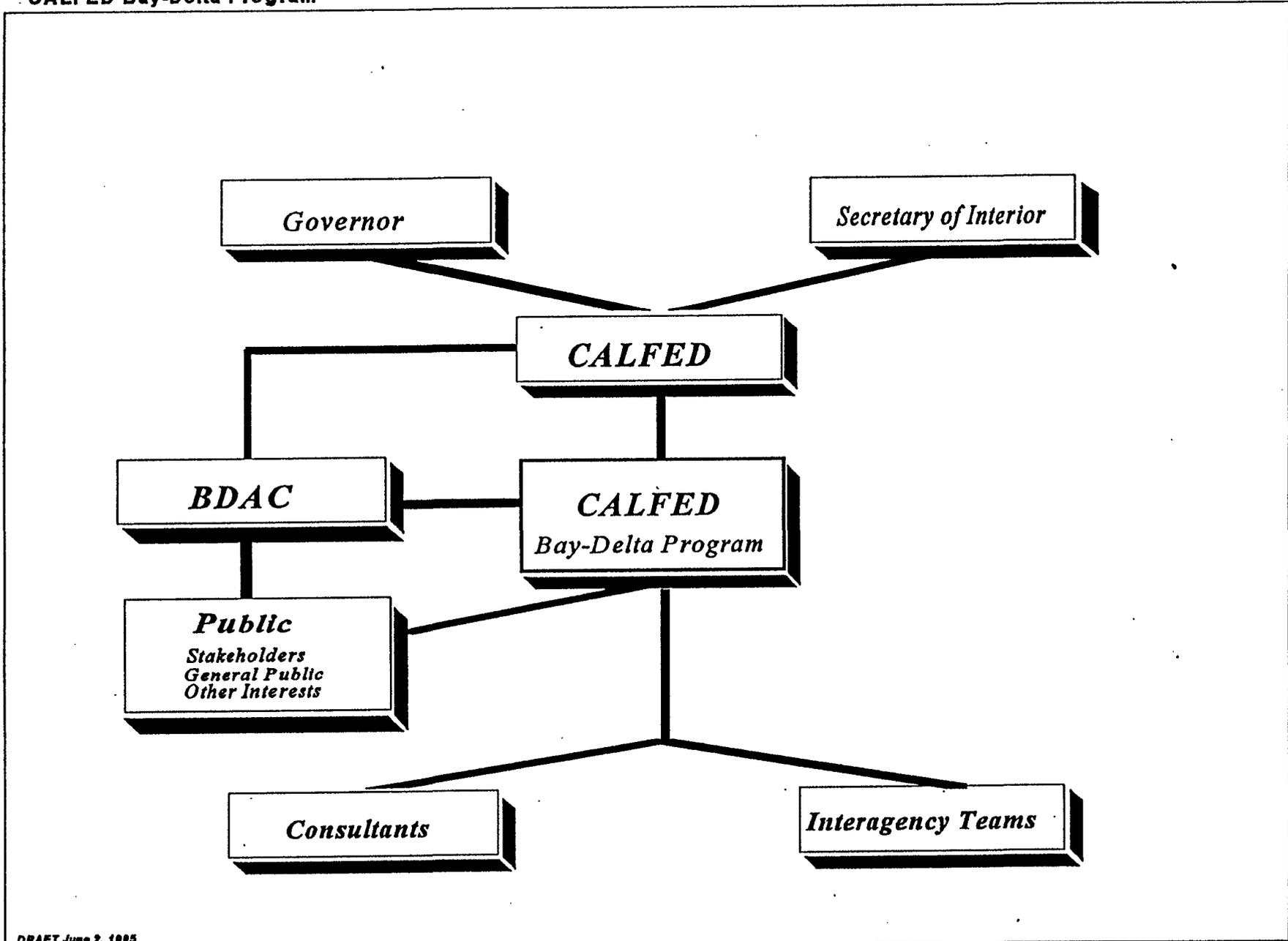
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<sup>2</sup>**Federal Agencies:** US Environmental Protection Agency, Department of Interior (Bureau of Reclamation and Fish and Wildlife Service), Department of Commerce (National Marine Fisheries Service)

**State Agencies:** California Resource Agency, Department of Water Resources, Department of Fish and Game, State Water Resources Control Board and California Environmental Protection Agency

**Figure 2**

**CALFED Bay-Delta Program**



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## Bay-Delta Advisory Council

The Bay-Delta Advisory Council (BDAC) has been formally established under the Federal Advisory Committee Act to provide advice to the federal and state governments on issues and solutions related to the Bay-Delta. BDAC includes a broad cross section of representatives from environmental, urban, agricultural, business, fishing, and local government interests. BDAC serves as a forum to receive and consider public comments and provide advice to the CALFED Policy Group. BDAC members will assist in communicating key issues to the public and identifying valuable suggestions and important issues to be addressed in the planning process.

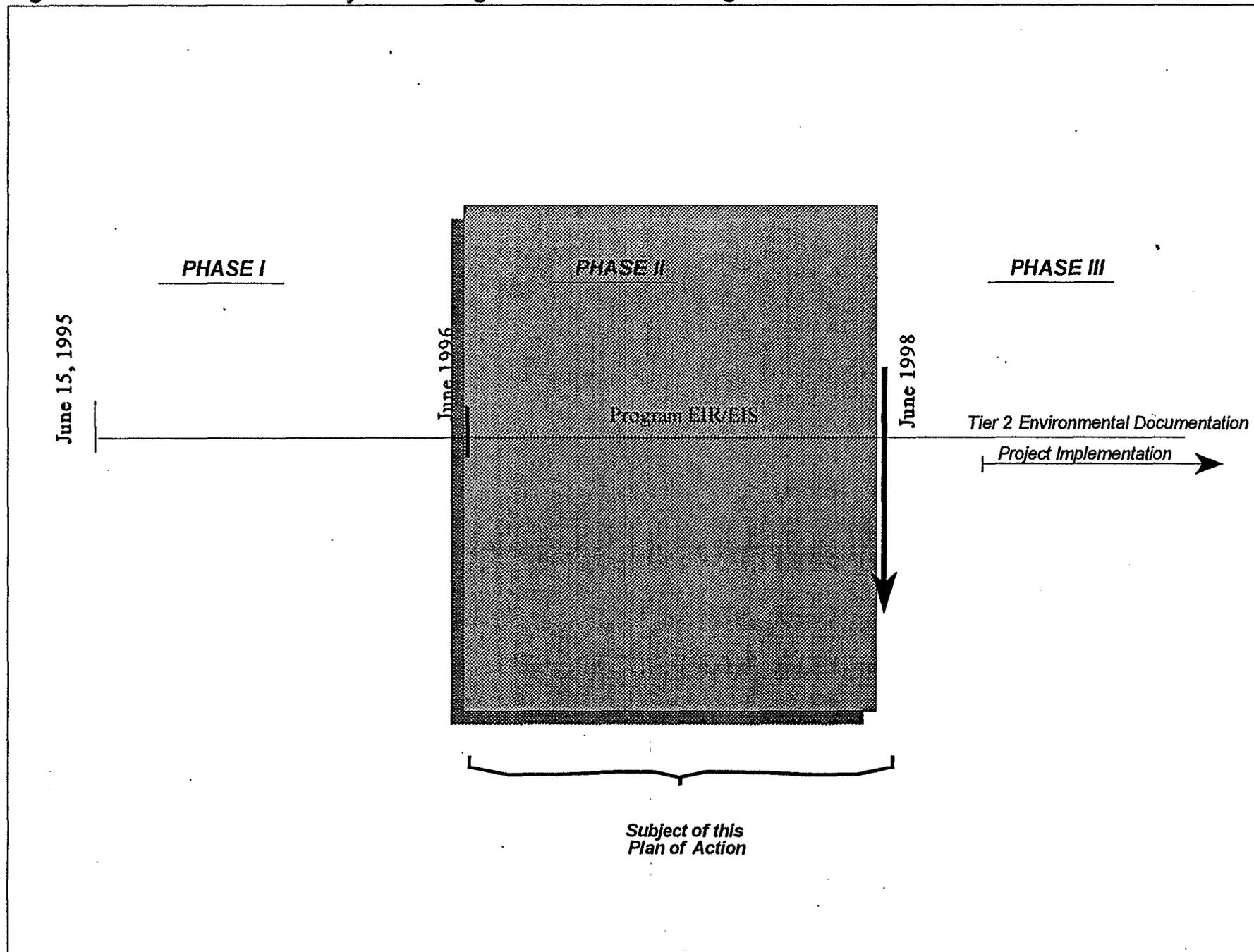
## Other Organizations

Because the Bay-Delta Program has broad reaching benefits and impacts throughout California, other organizations will play a critical role in communicating program activities and soliciting suggestions and concerns. The CALFED Program Staff will attempt to utilize a broad cross section of public and private organizations to disseminate information and solicit suggestions and concerns. The CALFED Bay-Delta Program will be managed by an interdisciplinary, interagency staff team and will be assisted by technical experts from state and federal agencies as well as consultants. The CALFED Bay-Delta Program will carry out a three-phase process to achieve broad agreement on long-term solutions:

- Phase I Clearly define the problems to be addressed and define an appropriate range of alternative solutions;
- Phase II First-tier CEQA/NEPA documentation identifying likely effects of the alternative solutions; and
- Phase III Second-tier environmental documentation for individual actions of the preferred alternative.

Figure 3 shows a schematic of these three phases of the program. The work tasks for Phase II are represented by the shaded portion of the figure. Supplemental tasks for Phase I will be completed by June 1996. Refer to the Plan of Action dated June 22, 1995 for a description of the remainder of the Phase I tasks.

Figure 3. CALFED Bay-Delta Program Schematic Program Schedule



## SECTION 2 - COMPLETION OF TIER 1 EIS/EIR

This POA describes the tasks to be completed by the CALFED Bay-Delta Program to conclude Phase II (Preparation of a Tier 1 EIS/EIR). Also, the POA describes supplemental tasks which will take place during Phase I. This Section begins with a discussion about the differences between a Tier 1 EIS/EIR and a Tier 2 EIS/EIR and it includes several examples illustrating the different level of detail that will be used in each type of document. This discussion leads into CALFED's rationale for preparing a Tier 1 EIS/EIR rather than a Tier 2 EIS/EIR during Phase II. This is followed by a brief description of each of the Phase I supplemental tasks and Phase II tasks.

### **Difference Between a Tier 1 EIS/EIR and a Tier 2 EIS/EIR**

A Tier 1 EIS or EIR is prepared on a "broad action" such as the adoption of a regulation, policy, program or plan. In addition, a Tier 1 EIS or EIR is prepared for a series of actions that can be characterized as one large project. Although the elements required for a Tier 1 EIS or EIR are the same as for a Tier 2 EIS or EIR, the Tier 1 effort results in a "big picture" discussion of resources and positive and negative impacts.

Preparation of a Tier 1 EIS or EIR presents an opportunity for the decision maker/agency:

- to make broad preliminary decisions regarding direction and approaches;
- to evaluate the potential cumulative impacts of the reasonably foreseeable actions;
- to avoid reconsideration of recurring policy issues in subsequent documents; and
- to consider broad policy alternatives and programmatic mitigation measures at an early stage when an agency has greater flexibility to incorporate them into its project planning and development.

A Tier 2 EIS or EIR is prepared for an individual undertaking, such as a construction project or a private development activity. The document consists of:

- specific descriptions of alternatives;
- specific resources that will be effected by those alternatives;
- beneficial and detrimental consequences to those resources as a result of implementing the alternatives; and
- mitigation plans.

The Tier 2 document affords the decision maker the information needed to make specific decisions and take definite actions regarding the project and its implementation. Tier 2 environmental documents including EISs and EIRs will be prepared during Phase III of the CALFED Long Term Program.

Figure 4 provides a representation of different levels of detail or specificity for describing a problem and the solution, which becomes a component of an alternative, to that problem and for analyzing consequences in a Tier 1 EIS/EIR as compared to a Tier 2 Environmental Document.

**Figure 4. Representation of Different Levels of Detail or Specificity for a Tier 1 Versus a Tier 2 Environmental Documents**

**APPROPRIATE LEVEL OF DETAIL FOR THE TIER 1 EIS/EIR**

**Habitat Restoration**

<b>PROBLEM</b>	<b>SOLUTION</b>	<b>IMPACT ANALYSIS</b>
Lack of juvenile rearing habitat for striped bass, splittail, steelhead and salmon.	Restore shaded riverine aquatic habitat in the northeast section of the Delta as well as along the mainstem Sacramento River from Colusa to Rio Vista and along the Eastside streams.	Consequences of restoring a range of acres/miles of shaded riverine aquatic habitat for the northeast section of the Delta and applicable upstream tributaries in qualitative terms and in terms of ranges of impacts.

**APPROPRIATE LEVEL OF DETAIL FOR TIER 2 ENVIRONMENTAL DOCUMENTS.**

**Habitat Restoration**

<b>PROBLEM</b>	<b>SOLUTION</b>	<b>IMPACT ANALYSIS</b>
Lack of juvenile rearing habitat for salmon.	Restore shaded riverine aquatic habitat along 6 miles of the Mokelumne River, in specific areas, from the City of Woodbridge to the confluence with the mainstem San Joaquin River.	Specific consequences of restoring a specific number of acres/miles along specific sections of the Mokelumne River.

## **CALFED Selected Tier 1 EIS/EIR for Phase II**

The CALFED Bay-Delta Program will develop a comprehensive and balanced plan that addresses resource problems related to ecosystem quality, water supply reliability, water quality and vulnerability of system functions in the Bay-Delta system. The actions to be considered in the plan will be as diverse as the resource problems being studied, geographically dispersed throughout large portions of the State and will be progressively implemented over the course of several years. The exact nature of many of these actions is unknown at this time but, it is expected that some of the actions will be well defined and others will be conceptual when the Tier 1 document is finalized.

Because of this disparate mixture of actions, their widespread distribution, the different timing for implementation and because many of the efforts will be conceptual and general in nature, the CALFED Bay-Delta Program concluded that a Tier 1 EIS/EIR rather than a Tier 2 EIS/EIR was appropriate. Given the immensity and uncertainty of the overall undertaking, the CALFED Bay-Delta Program believed a broad overview of all the actions and their interrelationships was necessary to ensure that decision makers are informed about the environmental dimensions of the proposed actions. Armed with this information, they will be able to make preliminary decisions regarding the direction and approaches for the long-term plan and subsequent specific actions.

During Phase III, subsequent environmental documents will evaluate the specific actions comprising the preferred alternative identified in the Tier 1 EIS/EIR.

### **Task Overview**

The National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) help agencies make informed decisions regarding the environmental soundness of a proposed action. The process required by NEPA and CEQA follows the fundamental principles of any sound decision making procedure and, if applied correctly, can expedite and facilitate project approval, greatly increase the quality and timeliness of agency decisions and protect the human environment. There are some differences between the process and elements contained in a NEPA as opposed to a CEQA document. For example, a NEPA document must discuss all alternatives in relatively similar level of detail whereas a CEQA document's focus is on the merits of the proposed action. In all cases, the more strict requirement will be followed.

When a need for an action has been identified by the lead agency or as in this case lead agencies (California State Resource Agency, U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, U.S. Bureau of Reclamation and U.S. National Marine Fisheries Service), the multi-step process for preparing an environmental document, under NEPA and CEQA, begins with "Scoping" the focus and content of the document. The public and agencies provide extensive input into this scoping effort.

Once the scope of the document has been clarified, a draft environmental document is prepared which identifies alternative means for meeting the need and describes the consequences of

implementing each alternative. The draft environmental document is distributed to the public and agencies for review and comment. The draft is succeeded by a final environmental document which contains revisions to the draft and responses to comments raised on the draft and is provided again for public and agency review and comment. Finally, the lead agencies make a decision taking into consideration the analysis and comments provided during the review process. As noted, public participation is an integral part of the effort.

This section briefly describes the tasks that need to be completed in preparing the Tier 1 EIS/EIR. It also identifies the NEPA/CEQA related tasks being completed during Phase I as well as the supplemental items that will be completed during the Phase I timeframe. A generalized flow chart of the tasks is shown in Figure 5. Opportunities for public participation are noted within various tasks. The Figure should be reviewed with the task descriptions which follow.



**Figure 5. Generalized Tier 1 EIR/EIS Schedule**

Task Name	1995												1996												1997															
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A
Review and Conduct Public Hearings																																								
Prepare Tier 1 Final EIS/EIR																																								
DECISION/FINDINGS																																								
Prepare Record of Decision/Findings																																								
Prepare Environmental Commitment Plan																																								

## Scoping

### Task 1 - Prepare a Notice of Intent/Notice of Preparation

The Notice of Intent/Notice of Preparation (NOI/NOP) is the first formal NEPA/CEQA step in the preparation of the program EIS/EIR. The notice is published in the Federal Register and sent to the State Clearinghouse for distribution to responsible and trustee agencies at least 15 days prior to holding the first scoping workshop with the public. It is currently estimated that Scoping workshops will be held in late January and early February. The NOI/NOP will include:

- a range of draft alternatives;
- a draft purpose and need for the effort;
- a description of the proposed scoping process and location of meetings; and
- the name and address of persons to contact regarding the EIS/EIR.

A map of the project location will be included with the NOI/NOP that is distributed by mail and posted in county clerk's offices.

### Task 2 - Develop Public Outreach Plan

The Public Outreach Plan (POP) is being developed during Phase I to complement and support the iterative planning process. One of its goals is to provide an overall approach, including strategy and scheduling of major events, for the entire EIS/EIR public involvement program. The POP identifies issues of concern, key stakeholders and publics, and methods and techniques to establish and maintain a two-way exchange of information between the lead agencies and the publics. Public involvement strategies address audiences and issues at the local, state and national levels.

### Task 3 - Describe Purpose and Need

A draft Purpose and Need Statement is being developed during Phase I. Developing alternatives is predicated upon the description of the Purpose and Need Statement. The statement specifies the underlying purpose and need that is to be addressed by the alternatives. The statement of purpose and need is also important in determining the range of alternatives to be evaluated in the program EIS/EIR. The Purpose and Need Statement will be finalized after the scoping process is completed and before the action alternatives are finalized.

### Task 4 - Conduct Scoping Workshops for the Tier 1 EIS/EIR

Scoping is the early and open process for determining significant issues to be addressed in the Tier 1 EIS/EIR. Scoping will be conducted during Phase I with agencies, stakeholders and the public and will identify the type of actions, alternatives and impacts that should be considered in depth and will eliminate from detailed study issues not important to the decision at hand. A report will be prepared which will summarize the input received during the workshops and present the final Purpose and Need statement and known alternatives.

## **Tier 1 Draft EIS/EIR**

### **Task 1 - Define Appropriate Level of Detail**

The level of detail will be described for the affected environment and for analyzing the consequences of implementing the Tier 1 EIS/EIR alternatives. Although the required elements of a Tier 1 EIS/EIR are the same as a Tier 2 EIS/EIR, the discussion of impacts, alternatives and mitigation measures are more general in nature. Accordingly, during Phase I, a description of the level of detail will be developed and presented to the public for comments/refinements.

### **Task 2 - Define Analytical Tools**

The most appropriate analytical tools will be described, documented and utilized for analyzing the consequences of implementing the various alternatives in the Tier 1 EIS/EIR. For example, models and procedures will be described for evaluating the social and economic consequences associated with implementing the various alternatives. These models and procedures will be documented and presented to the agencies and public for review, comment and refinement.

### **Task 3 - Define the Alternatives**

The process for developing the alternatives is described in the Phase I POA. The alternatives are the heart of an environmental document. All reasonable alternatives will be rigorously explored and objectively evaluated. The alternatives will be finalized following Scoping. It is expected that there will be about 3 to 5 alternatives plus the no action alternative that will be carried forward for evaluation in the Tier 1 EIS/EIR.

There are several other actions that will be completed with the description of alternatives. These additions include describing the assumptions for implementing the alternatives (Task 4 (B)) and describing the future physical and biological environment with the alternatives in place (Task 4(C)).

### **Task 4 - Define the No Action Alternative**

The No Action alternative provides the NEPA benchmark for comparing the environmental effects of the various alternatives. The No Action alternative consists of projects, regulatory requirements and policies that would be in place in the absence of the actions that will be considered in the Tier 1 EIS/EIR. Tasks in developing the No Action alternative include:

- developing screening criteria to aid in the selection of projects, regulatory requirements and policies that should be included in the no action alternative;
- identifying a list of potential no action alternative projects, regulatory requirements and policies; and
- using the criteria to screen the items on the list and determine whether there is sufficient support and commitment to be considered as part of the No Action alternative.

There are several efforts that will be completed along with the No Action alternative. These include identifying cumulative effect actions, describing the assumptions for implementing the No Action alternative and cumulative actions and describing the future No Action alternative environment.

#### Task 4 (A) Identify Cumulative Effect Actions

The Tier 1 EIS/EIR must address direct, indirect and cumulative effects. Cumulative effects result from the incremental impact of the proposed alternatives when added to other past, present and reasonably foreseeable actions. Cumulative effect actions will be identified by cataloging "related" past, present and reasonably foreseeable actions. Normally, the past and present actions and consequences are displayed in the affected environment section of the EIS/EIR. The description of the "Affected Environment" task follows subtask 4(C). The identification of cumulative effect actions will require:

- developing screening criteria to aid in the selection of "related" actions;
- identifying a list of potential "related" actions; and
- using the criteria to screen the actions on the list and determine if they should be considered in the cumulative impact analysis.

#### Task 4B - Describe the Assumptions for Implementing Alternatives/Cumulative Actions

Once the alternatives including the No Action alternative and the cumulative effect actions have been identified, it will be necessary to describe assumptions regarding how the projects, regulatory actions and policies will be operated, maintained, and implemented.

#### Task 4C - Describe the Future Environment of the Affected Area

Once the alternatives including the No Action alternative have been identified, it will be necessary to describe the future physical and biological environment of the affected area with the action and No Action alternatives in place.

#### Task 5 - Describe Affected Environment

The Tier 1 EIS/EIR will describe the existing physical and biological environment of the area to be affected by the alternatives under consideration. Emphasis in the description of the affected environment will be placed on environmental parameters that will be significantly affected by the alternatives. Only brief treatment will be given to those characteristics that would not be affected. As available, the description will include changes and trends in resources leading up to the present conditions. This description will also serve as the No Project Alternative and provide the CEQA baseline needed to compare alternatives and assess consequences.

#### Task 6 - Develop Strategies for Complying with Related Environmental Requirements

In addition to NEPA and CEQA, the CALFED Program must comply with related environmental requirements. A list of the related requirements will be developed, strategies for compliance identified and agreements will be reached with responsible agencies. The list will include items such as but not limited to:

- the Federal and California Endangered Species Acts;
- the National Historic Preservation Act;
- Section 404 of the Clean Water Act; and
- the Farmland Protection Policy Act.

#### Task 7 - Impact Analysis

Impacts will be analyzed once all the information on alternatives including the No Action alternative, cumulative actions and the affected environment is developed. The type of impacts that will be described include both present and future as well as direct, indirect and cumulative. During this period of analysis, efforts will be undertaken to comply with the related environmental requirements. Also during this period:

- significant impacts will be highlighted and appropriate mitigation measures identified and evaluated;
- adverse effects that cannot be avoided or mitigated will be described;
- the relationship between short-term uses of the environment and the maintenance and enhancement of long-term productivity will be discussed;
- irreversible and irretrievable commitments of resources will be displayed; and
- growth inducing impacts identified.

#### Task 8- Prepare Tier 1 Draft EIS/EIR

There will be two Tier 1 administrative drafts prepared and reviewed before the Tier 1 draft EIS/EIR is written. The Tier 1 draft EIS/EIR will then be filed with the Environmental Protection Agency and sent to the State Clearinghouse with a Notice of Completion. In accordance with CEQA, a Notice of Availability will be sent to any person or organization requesting a copy of the EIS/EIR and published in a newspaper of general circulation. At the same time, a notice will be published in the Federal Register notifying the public of the availability of the draft which will be distributed for a 60 day public review period.

#### **Tier 1 Final EIS/EIR**

##### Task 1 - Public Hearings

Approximately 30 days into the review period, Public Hearings will be held on the Tier 1 draft EIS/EIR. The date and location of the Public Hearings will be included in the notice of availability of the Tier 1 draft EIS/EIR. After the comments are reviewed and responses are developed, public workshops will be held to inform the agencies, stakeholders and public of the adjustments that will be made before the Tier 1 draft EIS/EIR is finalized.

## Task 2 - Prepare the Tier 1 Final EIS/EIR

As with the draft, a Tier 1 administrative final EIS/EIR will be prepared and reviewed prior to finalizing the Tier 1 EIS/EIR. Notification of the availability of the Tier 1 final EIS/EIR will be published in the Federal Register, the Tier 1 final EIS/EIR will be filed with the Environmental Protection Agency and the State Clearing House and it will be distributed for a 45 day review period. The lead agencies will certify that the final EIS/EIR was prepared in compliance with CEQA and was reviewed and considered before any decisions were made.

## Decision

### Task 1 - Prepare Record of Decision/Findings of Fact/Notice of Determination

A Record of Decision/Findings of Fact will be prepared to accompany a decision making package. The Record of Decision, under NEPA, is a written public record explaining why a particular course of action was selected. Findings, under CEQA, are a written statement made at the time of a decision which explain how each significant impact and alternative was dealt with in the EIS/EIR. A draft Record of Decision/Findings of Fact will be circulated for review and comment to agencies, stakeholders and the public. Following review of comments, a final Record of Decision/Findings of Fact package will be prepared. If the proposed action includes unavoidable environmental effects, a Statement of Overriding Considerations, under CEQA, will be prepared explaining why the benefits of the project outweigh the unavoidable significant impacts.

A Notice of Determination will be filed in the offices of the County Clerk and with the State Office of Planning and Research, following a decision by the lead agencies to go forward with specific projects and programs.

### Task 2 - Prepare an Environmental Commitment Plan/ Mitigation Monitoring Program

An Environmental Commitment Plan/Mitigation Monitoring Program will be developed to list and oversee implementation of environmental commitments/mitigation measures described in the Tier 1 final EIS/EIR and Record of Decision/Findings of Fact. The purpose of the plan is to set forth in one place, those commitments that the lead agencies will carry out, to offset impacts particularly significant impacts and assure that all environmental project features are included, developed and operated concurrent with other project features. Some examples of environmental commitments include:

- protecting and enhancing Federal and California listed threatened and endangered species; and
- preserving, enhancing and salvaging of historic and prehistoric archeological sites;