

A #	#	Page Number	Line, Figure, or Table No.	Commentor	Comment	T	P
76	209	11-1		Steve Shaffer, CDFA	Ch 11 - There is no discussion of compliance with State laws and policies, but there needs to be: Wm. Act; Delta Protection Commission; Coastal Commission; State Water Rights; other ag. land policies; etc.		
1258	210	11-1 thru 9 (Insert)	Section 11.2	FWS	Please omit all of the text in the section on State and Federal Endangered Species Act Compliance; the ESA Compliance Team will provide revised text to replace the text in this draft. Revised text on ESA compliance will be submitted under separate cover.		
660	211	11-1	11.2	Rick B., CALFED	Delete this whole section and add the new stuff from FWS that you have.		
669	212	11-10	11.11	Rick B., CALFED	Delete last sentence of 1st paragraph; Replace "Chapter 8 of the EIS/EIR" with "Chapter 8" and "various alternatives" for "Preferred Alternative" in the 1st sentence of the 2nd paragraph and delete "These documents indicate that" from the beginning of the 3rd sentence; delete "of the EIS/EIR" from the 1st sentence of the 3rd paragraph; delete everything following "...undertaken by CALFED" and start a new sentence "Besides the general outreach opportunities described in the overall public involvement plan, CALFED also developed a separate document detailing plans for multicultural public outreach. The plan's components include one-on-one research with a variety of ethnic community leaders throughout the state, a media relations campaign focusing on ethnic media and identification of speaking opportunities including public forums to be hosted by CALFED and various community-based organizations.		
670	213	11-10	11.12	Rick B., CALFED	repeat information in section 8.11 here then add that " A description of effects of the alternatives on Indian Trust Assests can be found in Section 8.11.2"		
672	214	11-10	11.13	Rick B., CALFED	delete this section.		

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671	215	11-10	11.14	Rick B., CALFED	Insert the following before the current paragraph "Global climate change is a serious environmental concern which, given the current state of scientific knowledge, must be viewed under NEPA as a reasonable foreseeable impact of continued emmissions and changes in sinks of greenhouse gases. Thus federal agencies must analyze the intent to which both their proposed and ongoing programs or other activities might influence such emissions and sinks, thereby contributing to, or reducing, the problems of global warming. Such analysis can best be done in the context of NEPA and should look at how federal actions may affect global climate change and, to the extent possible given the urrent state of scientific knowledge, how federal actions may be affected by global climate change."		
661	216	11-3	11.3	Rick B., CALFED	Delete 1st paragraph.		
662	217	11-4	11.4	Rick B., CALFED	Rearrange this section as follows: 1st paragraph as is; 5th paragraph "A 404 permit..."becomes 2nd paragraph; 4th "Many features..."becomes 3rd; 3rd "According to..." becomes 4th; delete first sentence of 2nd para "EPA's guidelines to..." and "Under the Corps evaluation" from the 2nd sentence. What is left "An analysis of..." becomes the 5th paragraph; and the 6th stays the 6th but, we need to delete "with the EPA Guidelines"		
1106	218	11-4	11.4	HB, EPA	Edit: 1. Para 2: sentence beginning "EPA's Guidelines... provide <u>part of the substantive....</u> " "Under the Corps evaluation, an analysis of practicable alternatives is a screening mechanism used to determine the appropriateness.... The Corps evaluation also includes <u>analysis of compliance with other requirements of the 404(b)(1) Guidelines, a public interest....</u> " 2. Column 2 of 11.4: delete second half of paragraph beginning "A 404 permit is not required..."-- Delete from "Nevertheless..." to end of paragraph. Substitute the following: <u>Nevertheless, the alternatives under consideration in the CALFED process are being analyzed in light of the requirements of the 404(b)(1) Guidelines so that when the Corps of Engineers is required to determine whether particular Phase III projects comply with the Guidelines, it will have the benefit of an analysis as to the consistency of the CALFED preferred alternative with the 404(b)(1) Guidelines at a programmatic level.</u> Delete the next paragraph entirely.	**	
1107	219	11-5	Table 11.4-1	HB, EPA	Delete Table 11.4-1 (does not represent an agreed-upon 404 process).		

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886	220	11-57		Holt, USBOR	The watershed management discussion should acknowledge the potential benefits of improved forest management on yields. The SNEP report's discussion on the subject would suggest that the wetter areas--that is northern California forests-- could yield up to 2 more inches of water per 10% decrease in cover or biomass (the portion of the SNEP report I have seen on this subject seems unclear on the units of treatment). Extrapolating that to the whole of the forest area suggests additional yields on the order of another Shasta Dam. While such numbers can readily be debated and must be used with some care, it is obvious forest management has potential to augment supplies. Similarly, the Plumas Corp estimates that 200,000 acre feet of cold water storage could be obtained by restoration of alpine meadows. Even allowing for actual gains being less than these by some sizeable fraction, the potential increments are large enough to warrant careful scrutiny. Moreover, altered grazing practices can lead to the restoration of perennial flows in foothills drainage that have been dry for decades as evidenced by work initiated by the Glenn County RCD under the leadership of Dennis Nay and Wendell Gilgert).		
1108	221	11-6		HB, EPA	Last 2 paragraphs of 11.4: Edit last sentence, para 1: "In Phase II, the three alternatives <u>are being</u> subjected to further analysis <u>and refinements, and will result in</u> the eventual selection of the preferred alternative." Next paragraph: "This process <u>is</u> consistent with the Section 404(b)(1) Guidelines in that the screening of alternatives <u>is intended</u> to lead to the <u>selection of the</u> least.... Implementation....documentation that <u>specific proposals comply</u> with EPA's Section 404(b)(1) Guidelines."		
663	222	11-6	11.4	Rick B., CALFED	Delete the last paragraph of this section "This process..."		
664	223	11-6	11.5	Rick B., CALFED	Change 1st sentence of 3rd paragraph as follows: "The eventual CALFED preferred alternative would include projects (either..."		
1109	224	11-7	11.5	TH, EPA	The text indicates that CALFED has prepared a consistency determination for CZMA. Clarify substance of this determination and the approval process (who approves).		

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665	225	11-7	11.6	Rick B., CALFED	Change 3rd sentence of the 1st paragraph as follows: "This information is presented in Section 8.6 of this document. Change the 4th sentence as follows: " In the second step, Federal agencies will follow the procedures in 36CFR800 when they implement..." Move the 2nd and 3rd paragraphs to 11.6.1 following the 1st paragraph in that section.		
666	226	11-7	11.6.1	Rick B., CALFED	Last sentence 2nd paragraph should be changed as follows: "compliance is provided in the "Compliance with Applicable Laws, Policies and Plans Technical Appendix"		
23	227	11-8	Section 11-7	Robin Reynolds, CDFA	"Before taking any action that would result in the conversion of designated prime or unique farmland for nonagricultural purposes, the federal agencies must examine the potential impacts of the proposed action and, if there are adverse effects on farmland preservation, consider alternatives to lessen those effects." CALFED is not in compliance with this clear requirement of law to consider alternatives.		
667	228	11-8	11.7	Rick B., CALFED	2nd paragraph - delete "in Chapter 5 and"		
668	229	11-9	11.9	Rick B., CALFED	delete the 9 bullets and replace with the 5 elements outlined in Chapter 2 at 2.2.3.4.		
494	1585	Ch 11 Pg 5	Tbl 11.4.1	Monroe, USCOE	The table, as presented, should not be included in this discussion, if the intent is to display compliance with the Guidelines at a programmatic level. It left out two steps. The first is an analysis of the alternative variations identified at Steps 3/4 of Phase II, where comparison of the substantive information on each alternative identifies the least environmentally damaging practicable alternative (LEDPA), assuming that all alternative variations at this stage are both practicable and substantially satisfies the Program's purpose. The second stage would be an evaluation of the alternative that makes it through the above described analysis for consistency with the substantive requirements of the Guidelines, at 40 CFR 230.10 (b)-(d).		
496	1586	Ch 11 Pg 6	Col. 1 Para. 1	Monroe, USCOE	Language in this paragraph says that projects that need Sec. 404 permits in Phase III may need to demonstrate compliance with the Guidelines. If these projects need standard Sec. 404 permits, they will (not may) need to demonstrate compliance with the Guidelines.		

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495	1587	Ch 11 Pg 6	Col. 1 Para. 1	Monroe, USCOE	The first complete paragraph makes a conclusory statement that the screening process identified the LEDPA. As mentioned in comment 2, there needs to be a discussion that this was the result of a substantive comparison of environmental impacts, which does not appear to be part of the alternative selection process. Add language that identifies the existence of the step in the screening process, if you want to make this assertion. Also, it needs to be presented as a position that CALFED is taking, and not in its current conclusory form. USACE, in its Regulatory capacity, makes the final determination as to whether an alternative is the LEDPA.		
493	1588	Ch 11 Pg 4	Col.2, Para. 2	Monroe, USCOE	<p>Due to previously identified staff and funding levels, USACE Regulatory's review of the Admin Draft PEIS was cursory and limited to the section discussing compliance with the Sec. 404(b)(1) Guidelines.</p> <p>Replace second sentence of paragraph with the following text: Nevertheless, the alternatives under consideration in the CALFED process are being analyzed in light of the requirements of the Sec. 404(b)(1) Guidelines, so that when the USACE is required to determine whether the particular Phase III projects that require Sec. 404 permits comply with the Sec. 404(b)(1) Guidelines, it will have the benefit of an analysis as to the consistency of the CALFED preferred alternative with the Guidelines at a programmatic level.</p>		