

To: Governor's Office of Planning and Research/State Clearinghouse Unit, Responsible and Trustee Agencies, Stakeholders, and Interested Parties

From: California Department of Water Resources

SCH#: 2009091027

Subject: Revised Notice of Preparation (NOP) of a Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the San Joaquin River Reach 4B, Eastside Bypass and Mariposa Bypass Channel and Structural Improvements Project under the San Joaquin River Restoration Program, Merced County, California; and announcement of Public Scoping Meeting on Monday, December 6, 2010, 6:30 p.m. to 8:00 p.m., Miller & Lux Building, 830 6th Street, Los Banos, California 93635.

CEQA Lead Agency: California Department of Water Resources

NEPA Lead Agency: U. S. Department of Interior, Bureau of Reclamation

Introduction:

Pursuant to the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) (California Public Resources Code (PRC) Section 21000 et seq.) and its implementing regulations, Title 14 California Code of Regulations, Section 15000 et seq. ("CEQA Guidelines"), the Bureau of Reclamation (Reclamation) and the California Department of Water Resources (DWR) propose to prepare a joint EIS/EIR for the San Joaquin River Reach 4B, Eastside Bypass, and Mariposa Bypass Channel and Structural Improvements Project (Proposed Project). These improvements are intended to support Paragraph 11 of the San Joaquin River Restoration Settlement (SJRRS) Act, which specifies actions related to San Joaquin River Reach 4B, the Eastside Bypass, and the Mariposa Bypass. The planning and environmental review for the Proposed Project is authorized under Section 3406(c)(1) of the Central Valley Project Improvement Act and the SJRRS Act. Construction of the Proposed Project is authorized under Section 10004 of the SJRRS Act.

This is a revised NOP to prepare an EIS/EIR for the Proposed Project. The original NOP was published with the State Clearinghouse on September 9, 2009, for a project that consisted of improvements to provide a low-flow channel of at least 475 cubic feet per second (cfs) in Reach 4B of the San Joaquin River. This original project has been augmented to now include additional measures to convey Interim and Restoration flows and incorporate fish habitat through Reach 4B and/or the bypasses. Consequently, this revised NOP has been prepared to notify the State Clearinghouse, responsible and trustee agencies, stakeholders, and interested parties of this change in the Proposed Project; and to announce the public scoping meeting.

Project Location: The Proposed Project location is within Reach 4B of the San Joaquin River and the Eastside and Mariposa bypasses in Merced County, California (Figures 1 and 2). Reach 4B of the San Joaquin River, shown on Figures 1 and 2, begins upstream of the Sand Slough Control Structure at the 4B headgate and extends downstream to the confluence with Bear Creek and the Eastside Bypass.

Project Description:

The Proposed Project includes improving conveyance capacity and providing fish passage in the San Joaquin River from the Reach 4B headgates near Washington Road to the confluence of the Mariposa Bypass with the San Joaquin River, in the Mariposa Bypass, and in the Eastside Bypass from the Sand Slough Control Structure to the confluence of the San Joaquin River near Bear Creek. Conveyance capacity and fish passage may also be improved in both the Eastside and Mariposa bypasses. Actions to improve conveyance and fish passage that will be considered in the EIS/EIR may include but are not limited to, the following:

- excavating the San Joaquin River channel to convey flows of at least 4,500 cubic feet per second (cfs);
- excavating the San Joaquin River channel and the Eastside Bypass to convey split flows totaling 4,500 cfs;
- excavating the Eastside and Mariposa bypasses to convey flows up to 4,500 cfs;
- removing vegetation in the river channel to increase channel capacity (over 8 miles of vegetation removal);
- repairing and improving existing levees (strengthening levees via berms or slurry/cutoff walls, toe berms, or modifying levee crown elevations or widths);
- planting riparian vegetation;
- constructing new setback levees or bypasses; and/or
- removal of the Sand Slough control structure.

These actions could be implemented individually or in combinations.

Improvements may also include modifications to the Reach 4B headgate and the Sand Slough, Eastside Bypass, and Mariposa Bypass control structures. Actions to improve these facilities may include, but are not limited to, the following:

- installing radial gates or roller gates into the structures,
- installing, retrofitting, or replacing culverts (step-pool or roughened channel) or fish ladders to allow for fish passage through the structures,
- modifying the Mariposa and Eastside Bypass control structures with spillway crest notching to allow fish passage, and/or
- installing arch culverts or bridges at road crossings to allow fish passage.

Lastly, fish habitat into Reach 4B of the San Joaquin River and/or the Eastside and Mariposa bypasses will be incorporated into the Proposed Project. Actions to add fish habitat may include, but are not limited to, the following:

- re-contouring the channel bed to provide complexity in water depths and velocities in-channel;
- adding physical structure (boulders, root wads, large woody debris) to provide resting areas for adult and juvenile salmon during migration;
- planting native riparian species streamside to provide long-term shade, food, rearing habitat, and habitat complexity; and
- excavating areas to create vegetated floodplain benches that could be inundated at a range of flows and create rearing habitat for juvenile fish migrating downstream.

The current flood operations and conveyance capacity of the system would be maintained during construction and operation of the Proposed Project.

Probable Environmental Effects:

A primary purpose of the EIS/EIR is to fully disclose the environmental consequences of the Proposed Project and alternatives, including direct, indirect, cumulative, and growth-inducing impacts. In addition, the EIS/EIR will identify and discuss feasible mitigation to avoid, minimize, rectify, reduce or eliminate, or compensate for such impacts. Impacts to resources will be evaluated for both the temporary construction period and long-term maintenance and operations. The Proposed Project would likely have the most substantial effects on the following resource areas.

Biological Resources

There are known occurrences and the potential for occurrences of several special-status plant and wildlife species native to the San Joaquin River corridor, specifically the area in and adjacent to the Proposed Project. Effects to terrestrial biological resources could occur from excavating a new channel or modifications to levees in both the San Joaquin River and in the bypasses, conducting any levee-related actions, or increasing flows down the San Joaquin River and bypasses. Special-status plant species most likely to be affected by the Proposed Project include Delta button celery. Special-status animal species most likely to be affected by the Proposed Project include giant garter snake, valley elderberry longhorn beetle, blunt-nosed leopard lizard, San Joaquin kit fox, California tiger salamander, and Swainson's hawk and numerous migratory bird species. Impacts to species and their habitats are regulated through Federal programs via the Endangered Species Act (ESA) and through State programs via the California Endangered Species Act (CESA). By law, assessment, coordination, permitting, and avoidance, minimization, and mitigation for impacts to special-status species and their regulated habitats must be incorporated into the Proposed Project.

Flooding Conditions and Flood Management System

Flood conditions and flood management facilities within the Proposed Project study area could be directly and indirectly affected by changes to existing facilities and facility operations, and changes to overall flood management within the system. The Proposed Project will not negatively impact the current operational flexibility or conveyance capacity of this reach of the SJR flood system. The EIS/EIR will address potential changes to flood protection levels and construction, configuration, operations, and maintenance of flood management facilities.

Cultural and Historical Resources

The Proposed Project has the potential to affect cultural and historical resources within Reach 4B of the San Joaquin River and the Eastside and Mariposa bypasses due to potential channel excavation and grading, levee improvements and new levees, land use changes, and increased flows. Increased flows downstream could also have potential effects. Impacts to cultural and historical resources must be avoided, minimized, rectified, reduced or eliminated, or compensated for such impacts, when feasible.

Hydrology and Water Quality

Because Reach 4B has not had natural water flowing in it for over 40 years, and has only been utilized for agricultural water conveyance, storage, or drainage, the Proposed Project could directly affect the hydrologic characteristics and circulation. With changes to hydrology the river and bypasses could exhibit changes to sediment and salinity concentrations and other water quality parameters. The EIS/EIR will address potential changes to flows and water quality resulting from increasing the capacity of the river channel and flow releases into this section of the river and bypasses.

Agricultural/Land Use Resources

The land surrounding the San Joaquin River channel is developed primarily for agricultural purposes, and much of the area in the bypasses is used as grazing land. A small portion of the land adjacent to the river and bypasses is used for residential purposes. Any changes to these areas have the potential to affect land uses. The EIS/EIR will address effects on agriculture and land use.

Seepage

The Proposed Project may increase seepage into adjacent agricultural lands due to the increased flow frequency, quantity, and duration in the San Joaquin River channel or the bypasses and floodplain under the restoration flows. The potential for increased seepage will be evaluated in the EIS/EIR. If potentially significant seepage impacts are identified, they could be addressed through flow restrictions, easements, or engineering controls (such as constructing levee cut-off walls or dewatering wells or drains).

Other Resource Areas

The Proposed Project could also affect a variety of other resource areas, both temporarily and in the short-term, through construction activities and, in the long-term or permanently, through changes to land uses, and operations and maintenance. Therefore, the EIS/EIR will also address potential direct, indirect, and cumulative effects on the following resource areas:

- Aesthetics
- Air quality
- Climate change/Greenhouse Gases
- Energy
- Geology, soils, and seismicity (including mineral and paleontological resources)
- Groundwater resources
- Hazards and hazardous materials
- Noise
- Population, employment, and housing
- Recreation
- Socioeconomics
- Public services
- Transportation and traffic
- Utilities and service systems

In addition, the EIS/EIR will provide a consistency determination with the environmental justice policy of the California Natural Resources Agency, evaluate growth-inducing impacts, and identify any irreversible changes to the environment. For all resource areas, the EIS/EIR will identify cumulative impacts and any significant effects that cannot be avoided if the Proposed Project is approved.

Scoping Process:

In accordance with CEQA Guidelines Section 15082, DWR has prepared this Notice of Preparation (NOP) to notify the Governor's Office of Planning and Research/State Clearinghouse Unit, responsible and trustee agencies, and stakeholders and interested parties that a Draft EIS/EIR will be prepared for the San Joaquin River Reach 4B, Eastside Bypass and Mariposa Bypass Channel and Structural Improvements Project. This NOP is soliciting guidance from these entities as to the scope and content of the environmental information to be included in the Draft EIS/EIR.

DWR requests comments from State, Federal, and local agencies with respect to the scope and content of the environmental information that is germane to each agency's statutory responsibilities in connection with the Proposed Project. To ensure that a range of feasible

alternatives is evaluated in the Draft EIS/EIR and that all pertinent issues are addressed, DWR also invites written comments from all other interested parties. All comments received, including names and addresses, will be made available to the public. Comments that were previously submitted in response to the original NOP will be fully considered. Due to the 30-day time limit mandated by CEQA Guidelines Section 15082(b), written comments on the scope of the EIS/EIR must be received by 5:00 p.m. on December 20, 2010. Comments must be sent to:

Fran Schulte
California Department of Water Resources
South Central Region Office
3374 E. Shields Ave.
Fresno, California 93726

Fax: (559)230-3301
Email: fschulte@water.ca.gov

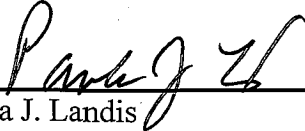
Scoping Meetings:

A scoping meeting has been scheduled to solicit agency and public input on the scope of the Proposed Project and to ensure incorporation of any issues and concerns that should be addressed in the EIS/EIR. The meeting date, time, and location is as follows:

- Monday, December 6, 2010, 6:30 p.m. to 8:00 p.m.,
Miller & Lux Building, 830 6th Street, Los Banos, California 93635.

FOR FURTHER INFORMATION: Please see the website at <http://www.restoresjr.com> or contact: Ms. Margaret Gidding, Bureau of Reclamation, 2800 Cottage Way MP-170, Sacramento, CA 95825, by telephone at 916-978-5461, TDD 916-978-5608 or via fax at 916-978-5469; or Karen Dulik, California Department of Water Resources, South Central Region Office, 3374 E Shields Ave. Fresno, California 93726: telephone (559) 230-3300, e-mail: kdulik@water.ca.gov.

If special assistance is required at the scoping meeting, please contact Ms. Margaret Gidding via the phone number or e-mail listed above prior to the meetings.



Paula J. Landis
Chief, Division of Integrated Regional Water Management
California Department of Water Resources

11-22-10

Date

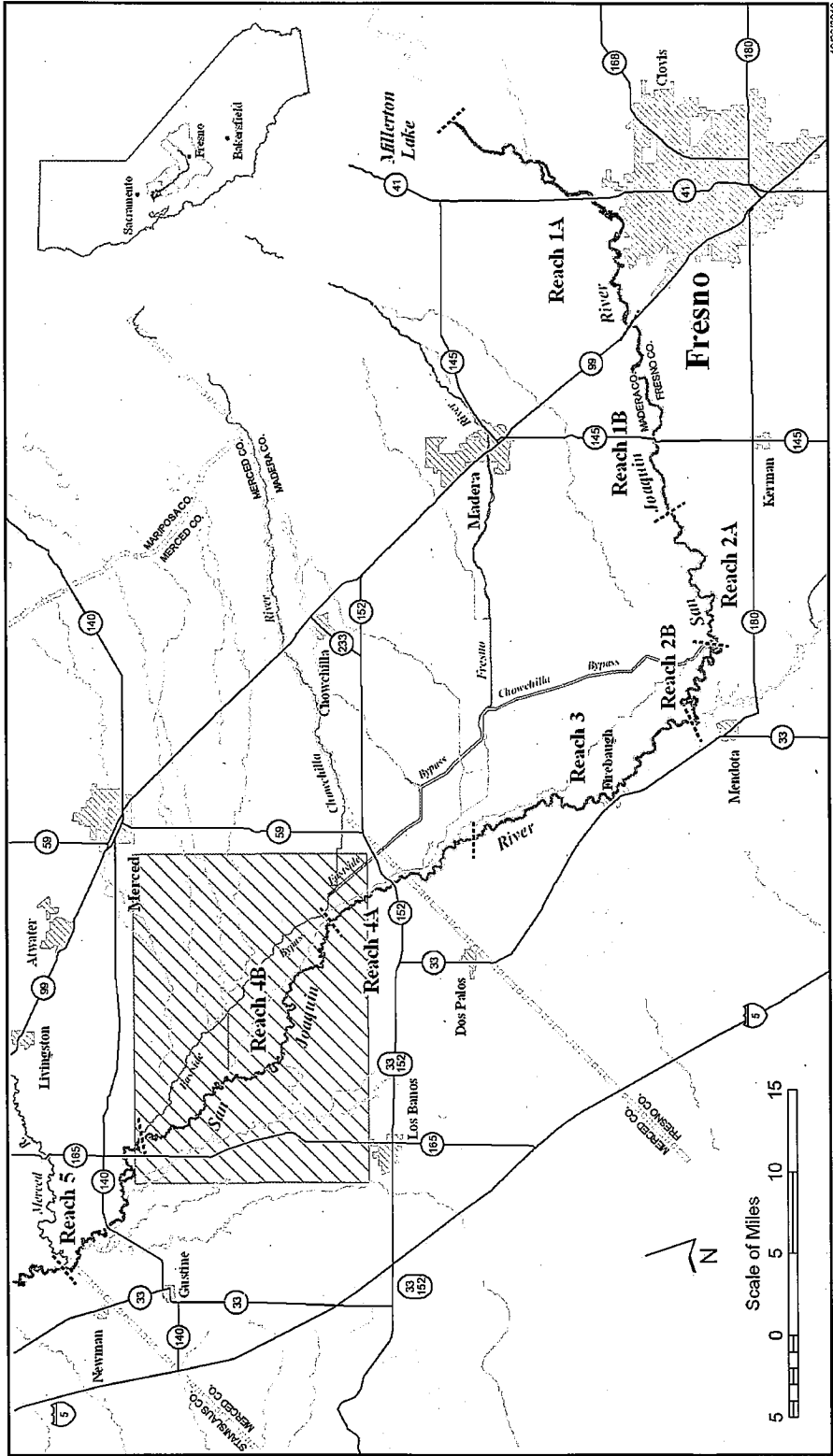
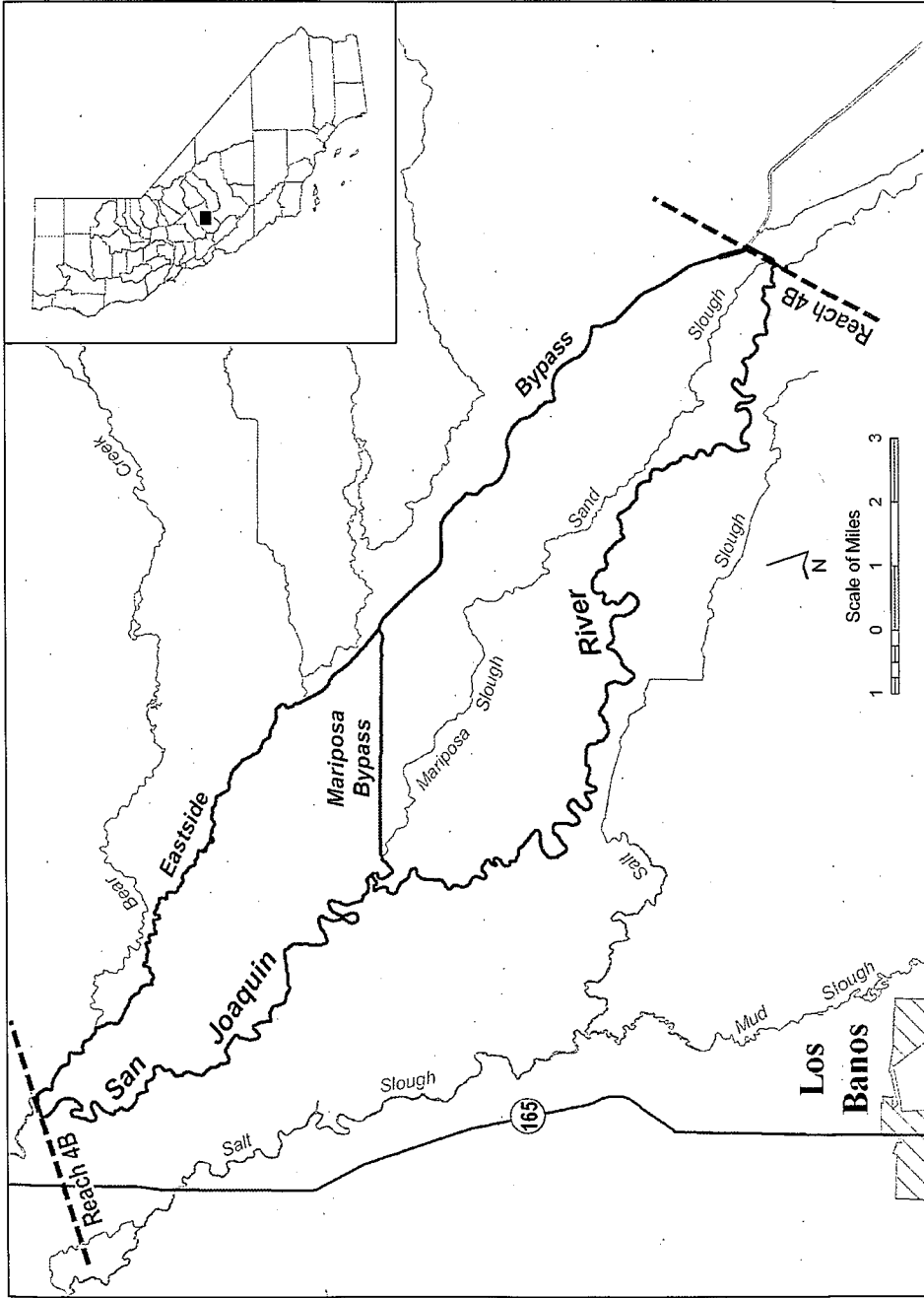


Figure 1. Proposed Project Area (hatched area).

10/28/2010



10/26/2010

Figure 2. Proposed Project Location.