

From: [Frank Egger](mailto:Frank.Egger@sitesproject.org)
To: EIR-EIS-Comments@sitesproject.org
Subject: Comments: Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS)
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January 27, 2022

To: Comments@sitesproject.org for the Sites Project Authority and U.S. Bureau of Reclamation

Re: Sites Reservoir proposal, Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS)

From: North Coast Rivers Alliance

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The insufficiency of the Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement is startling. The RDEIR/SDEIS relies on "out of date" Data on Delta Smelt, does not recognize Conflicts of Interest, is silent on conflicts with State Law (raising of Shasta Dam), ignores the fact that historic snow levels are dropping, includes no information of the current long term California Drought, is silent on climate change, does not mention the fact that California has been selling paper water on an overdrafted water resource system for decades, states Sites would be filled with surplus/excess Sacramento River water when there is no excess or surplus water in the River, offers no solutions to preserve, protect and restore Central Valley salmonid runs currently teetering on extinction, includes no recommendations for fish passage, either conventional or volitional, on dams that have blocked spawning & rearing rivers and streams for listed salmonid species like Shasta, Trinity, Oroville and New Bullards Bar, allows Sites to encroach on habitat for federally protected Golden Eagles, places the Sacramento River and Delta water systems in extended crisis mode and will drive their Coho & Chinook Salmon, steelhead, Sturgeon and Delta Smelt fisheries into extinction and then the RDEIR/SDEIS completely ignores all Tribal rights.

Sites threatens the wild and scenic Eel and Black Butte Rivers:

According to California water supply history as reported by Friends of the Eel River: "Three months after California voters approved the State Water

Project, in 1961, Department of Water Resources planners wrote a blueprint for the state's water future called State Water Bulletin 76. The bulletin envisioned capturing the middle fork Eel River's water and shunting it through more than 30 miles of ditches and tunnels to the proposed Paskenta-Newville Reservoir in Glenn County. Construction of the latter reservoir was a crucial engineering component of the plan to divert the Eel into the Sacramento, then onto the California Aqueduct."

The location of the proposed Sites Reservoir and lack of water to fill it will put pressure on reviving the Dam on the Eel River at Dos Rios that will flood Round Valley and Tribal grounds and require the construction of the tunnel originally proposed to move water from two wild and scenic rivers, the Eel and Black Butte, to now Sites which is only 17 miles southeast of the previously proposed Paskenta-Newville Project that was to feed the Sacramento River and then on to the California State Water Project. It is clear that Sites Reservoir is the reincarnation of the Paskenta-Newville Reservoir Project

From UC Davis: "Despite the rain and snow that closed out 2021, California could be entering a third drought year as weeks of dry weather open the new year. The State has experienced drought in 15 of the last 20 years, according to UC Davis. Experts say California is in the grip of a "megadrought." "It looks like, with a warming climate and climate change, it's going to become more like this," said Jay Lund, professor of civil and environmental engineering at UC Davis and director of the Center for Watershed Sciences. ..." According to a study from the University of California, Davis, "appropriative water rights filed for consumptive uses are approximately five times greater than estimated surface water withdrawals." What this restrained academic language reveals is a management crisis: no matter how much it rains and snows in California, we will always have a chronic water shortage because of over-allocation.

Why is this happening? As the [UC Davis study](#) found, the state has promised five times more water than could be delivered. Accelerating climate change only compounds the problem: Virtually all reputable computer models confirm California will receive less snow in coming decades, meaning our water deficit will only grow.

Sites Reservoir, if ever constructed, will reduce flows in the Sacramento

River and Delta, drown nearly 14,000 acres of existing oak woodlands, grasslands, wetlands, and agricultural land in the western Sacramento Valley. Impacts associated with the reservoir footprint would harm the federally protected golden eagle, a host of other sensitive wildlife species, several rare plants and significant historical and cultural Tribal resources.

One example of out of date Data and a Conflict of Interest: According to the RDEIR/SDEIS, Attachment 6A-2 Excerpts from "Water Supply Impact Analysis of December 2008 Delta Smelt Biological Opinion," by Paul Hutton, Metropolitan Water District of Southern California, February 2009". Using 13+ year old Data for the Delta Smelt Biological Opinion and having it written by an agency, the MET, that will benefit from the Sites says it all.

Next the RDEIR/SDEIS makes the case for raising Shasta Dam 18 & 1/2 feet even though it is in direct conflict with California State Law, and, water temperature-related impacts are now year round, not just July through November:

"Ecosystem Enhancement Storage Account (EESA) Actions/Operation
 EESA-1: Shasta Coldwater Pool (All alternatives) Improve the reliability of cold-water pool storage in Shasta Lake to increase operational flexibility to provide suitable water temperatures in the Sacramento River. This action would operationally translate into the increase of Shasta Lake May storage levels, and improved retention of cold-water pool storage, with particular emphasis on Below Normal, Dry, and Critical water year types. DP-1 BN, D, C + ++ ++ ++ ++
 EESA-2: Sacramento River Flows for Temperature Control (All alternatives) Provide releases from Shasta Dam of appropriate water temperatures, and subsequently from Keswick Dam, to improve water temperatures year-round at levels suitable for all species and life stages of anadromous salmonids in the Sacramento River between Keswick Dam and Red Bluff Pumping Plant, with particular emphasis on the months of highest potential water temperature-related impacts (i.e., July through November) during Below Normal, Dry, and Critical water year types".

Then the RDEIR/SDEIS continues to make the out of date and incorrect claims regarding excess water in the Sacramento River, there is none. "The proposed Sites Reservoir would be filled through the diversion of excess Sacramento River water that originates from unregulated tributaries to the Sacramento River downstream from Keswick Dam. These unregulated

tributaries contribute over 3 MAF of flow to the Sacramento River on an average annual basis. Therefore, less than 1 percent of diversions to Sites Reservoir are assumed to be provided by flood releases or spills that flow through Lake Shasta. Sacramento River water would be diverted at the existing Hamilton City and Red Bluff diversion locations, as well as via a new Delevan intake and pipeline for Alternative A. Excess flows are defined as river flows, in addition to those required to meet the following:

- Senior downstream water rights, existing CVP and SWP and other water rights diversions including SWP Article 21 (interruptible supply), and other more senior excess flow priorities (diversions associated with Freeport Regional Water Project and existing Los Vaqueros Reservoir)
- Existing regulatory requirements including State Water Resources Control Board D-1641, CVPIA 3406(b)(2), the 2008 USFWS BO, and the 2009 NMFS BO and other instream flow requirements
- Flow conditions needed to maintain and protect anadromous fish survival and Delta water quality Sites Reservoir Diversion Bypass Requirements Excess Sacramento River flow diversions to Sites Reservoir would only take place when flow at critical locations along the river is higher than the bypass flow requirements. Several existing and additional proposed bypass flow criteria were assumed at specified locations, as part of the Project. These flow criteria are designed to make certain only excess water would be diverted into Sites Reservoir to maintain and protect existing downstream water uses. Excess Sacramento River flow diversions to Sites Reservoir would only take place when flow monitoring indicates that bypass flows are present in the river due to storm event flows. Several existing and additional proposed bypass flow criteria were assumed at specified locations."

The RDEIR/SDEIS then identifies the significant and unavoidable impacts which alone should terminate consideration of Sites:

ES.5.1 Identified Significant and Unavoidable Impacts As shown in Table ES-2, the proposed Project action alternatives would likely result in the following potentially significant and unavoidable direct and indirect impacts.

ES.5.1.1 Terrestrial Biological Resources (Golden Eagle) Construction and filling of the proposed Sites Reservoir Inundation Area, as well as construction of the proposed Recreation Areas, would result in the permanent loss of foraging and nesting habitat for the golden eagle. Although implementation of compensatory mitigation including land

preservation and/or acquisition is proposed, these measures would not reduce this loss of habitat to less-than-significant levels.

ES.5.1.2 Paleontological Resources Construction of the proposed Project facilities could affect paleontological resources. Mitigation measures would reduce the impacts, but not to a less-than-significant level if such resources are encountered during construction.

ES.5.1.3 Cultural Resources (Historical and Tribal Resources, Human Remains) Construction of the proposed Project facilities would affect built historical and tribal resources, as well as human remains associated with a designated cemetery and adjacent areas. If these resources and/or areas are determined to be eligible for listing in the California Register of Historical Resources or National Register of Historic Places, mitigation measures would not reduce the impact to less-than-significant levels.

ES.5.1.4 Land Use (Community of Sites and Existing Land Uses) Construction and filling of the proposed Sites Reservoir Inundation Area would result in the physical division and loss of the community of Sites, resulting in a significant and unavoidable impact. Construction of the proposed Project facilities would result in conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance to non-agricultural use, resulting in significant and unavoidable impacts. Implementation of mitigation measures would not reduce these impacts to less-than significant levels.

ES.5.1.5 Air Quality (PM₁₀, ROG, and NO_x) Construction activities associated with all proposed Primary Study Area Project facilities, as well as activities (such as use of roads, recreation, electricity generation and consumption, and sediment dredging) associated with the long-term operation and maintenance of the Project, would result in significant and unavoidable emissions of particulate matter less than 10 microns in diameter (PM₁₀), reactive organic gas (ROG), and nitrogen oxide (NO_x).
Executive Summary SITES RESERVOIR PROJECT DRAFT EIR/EIS ES-20

ES.5.1.6 Climate Change and Greenhouse Gas Emissions The greenhouse gas (GHG) emissions estimated for construction, operation, and maintenance of the Project when compared to applicable county standards

would contribute to a cumulatively considerable effect that would be significant and unavoidable.

ES.5.2 is beyond common sense. ES.5.2 Growth-inducing Impacts: Implementation of the Project would improve water supply reliability for agricultural, urban, and environmental uses; provide more options for water management; increase recreational opportunities; and increase temporary and permanent employment opportunities. Although it is not anticipated that the water made available from the Project would result in a direct increase in population or employment, the potential exists for the quantity of water made available by the Project to result in secondary effects of growth consistent with local general plans and regional growth projections in an agency's respective service area.

ES.5.3 Cumulative Impacts Projects considered in the cumulative impacts analysis included other relevant multi-region projects and actions; water supply, water quality, and hydropower projects and actions in the vicinity of the proposed Project facilities and/or potentially affected by CVP and SWP operations; and ecosystem improvement projects and actions in the vicinity of the proposed Project facilities and/or potentially affected by CVP and SWP operations (refer to Chapter 35 Cumulative Impacts for the names and descriptions of each of project considered).

Then the RDEIR/SDEIS makes an unbelievable claim: "Implementation of the Project would not result in the cumulatively considerable incremental contribution to an overall significant cumulative adverse effect."

As a result of the insufficient RDEIR/SDEIS for Sites Reservoir, the Sites Project Authority and Bureau of Reclamation have two choices, 1. to order the withdrawal of the Sites RDEIR/SDEIS because it fails to fully address the harmful impacts on the Sacramento River and the Delta and order a new revision to better address critical issues and re-release for additional public review and comments, or 2., **to cut their financial losses and outright reject and abandon the Sites Reservoir Project. The second option is the logical solution.**

Thank you, Frank Egger for the North Coast Rivers Alliance.