



BOARD OF SUPERVISORS

ADMINISTRATION CENTER
25 COUNTY CENTER DRIVE - OROVILLE, CALIFORNIA 95965
TELEPHONE: (530) 538-7224

BILL CONNELLY
First District

LARRY WAHL
Second District

MAUREEN KIRK
Third District

STEVE LAMBERT, Chair
Fourth District

KIM K. YAMAGUCHI
Fifth District

February 22, 2011

Brad Hubbard
Bureau of Reclamation
2800 Cottage Way, MP-410
Sacramento, CA 95825

Frances Mizuno
San Luis & Delta-Mendota Water Authority
P.O. Box 2157
Los Banos, CA 93635

Dear Mr. Hubbard and Ms. Mizuno:

Butte County appreciates the opportunity to provide comments on the scoping of the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the proposed Long-Term 'North-to-South' Water Transfer Program. Butte County and the region have a vested interest to assure that the Long-Term 'North-to-South' Water Transfer Program has the least impact upon its community, agricultural economy and environment. Our region's water resources provide the life blood for our agricultural-based communities, economy and environment. Much of our local water supply comes from the various groundwater basins throughout the region that are recharged through these creek and rivers. The counties of the region - Butte, Colusa, Glenn, Shasta, Sutter and Tehama - have formed the Northern Sacramento Valley Integrated Regional Water Management Group to work collaboratively on regional water and resource management issues. In consultation with our regional partners, Butte County is offering comments and recommendations. Our comments are limited by the fact that there was not a comprehensive project description provided.

The magnitude of the proposed program is daunting and raises considerable concerns. An adequate EIS/EIR may not be possible based on the length and breadth of the proposed program. As explained, it is our expectation that the EIS/EIR will assess project specific impacts including localized groundwater conditions over the entire ten-year time period of the program. The long term duration of the program raises concerns about setting an expectation on a permanent reliance on transfers. The proposed program must address how it will avoid an expectation of a permanent reliance on water provided through this program. The EIS/EIR should discuss how the project complies with SB1X that calls for a reduced reliance on the Delta and to promote regional water supply reliability. Given these overarching concerns, a transfer program of smaller scope and limited timeframe should be considered.

It is imperative that the proposed program adhere to local groundwater ordinances that have been codified since the Drought Water Bank held in the early 1990s. In Butte County, the proposed program must

reference adherence to the Butte County's Groundwater Conservation Ordinance (Chapter 33 of the Butte County Code). Beyond complying with local ordinance requirements, the environmental review must be scoped consistent with the procedures of local ordinances adopted in the Sacramento Valley. Therefore, the proposed program must have an EIS/EIR of its own and cannot rely on previously conducted environmental documents from other programs. For example, the 2009 Drought Water Bank relied on the Environmental Water Account EIS/EIR and failed to adequately recognize the potential impacts.

The proposed project must approach northern Sacramento Valley with a high degree of caution especially in regards to groundwater substitution programs. As previously stated, anything less than an environmental review consistent with the procedures in local ordinances in the Sacramento Valley will not be adequate. The process and procedures (e.g., monitoring, communication, responsibilities, mitigation triggers, etc) of the proposed program must be clear, transparent and unambiguous. The EIS/EIR must include clear and specific documentation and a thorough evaluation of impacts from specific transfers covered by the proposed program over the ten year period. The EIS/EIR must take into consideration groundwater conditions are currently impacted beyond routine seasonal fluctuations as well as projected impacts from climate change. The proposed program referenced a reliance on locally adopted Basin Management Objectives (BMO). In some areas, BMO alert or trigger levels have been reached. The proposed program must clearly describe how BMOs will be utilized and how the program will address current conditions. The EIS/EIR must fully evaluate potential ecosystem impacts. Significant uncertainty exists regarding stream/aquifer interaction and that uncertainty should reflect a cautious approach regarding assessment of upstream ecological impacts. The EIS/EIR must describe potential effects on the operation of Central Valley Project and/or State Water Project facilities, including Lake Oroville. Lake Oroville is more than a part of the SWP system. It is integral to our recreation, economic and ecosystem for those in its Area of Origin. Further, the economic impacts from the program must be assessed in greater detail taking into account regional variability and agronomic conditions.

The lack of clarity on the process to monitor and mitigate third party impacts must be addressed. Transfer programs must have an unambiguous, transparent, locally vetted dispute resolution program. It is imperative that the Long-Term Transfer Program recognize that potential impacts associated with the transfer of water from the Sacramento Valley need to be addressed through this type of approach.

In conclusion, we cannot underscore that actions through the Long-Term Transfer Program could have grave economic and environmental consequences in the Sacramento Valley that must be addressed. We look forward to reviewing a comprehensive project plan. We hope that the concerns of Butte County and the region are fully addressed in the draft EIS/EIR. Thank you for your consideration.

Sincerely,

Steve Lambert, Chair
Butte County Board of Supervisors