

Salinas Valley Water Coalition



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TRANSMITTED VIA FACSIMILE

District Engineer
Attention: Robert Smith, Regulatory Branch
U.S. Army Corps of Engineers
San Francisco District
333 Market Street
San Francisco, Ca 94105-2197

28 August, 2001

Re: Draft Environmental Impact Report/Draft Environmental Impact Statement (DEIR/DEIS), Salinas Valley Water Project

Dear Mr. Smith,

The Salinas Valley Water Coalition (Coalition) appreciates the opportunity to comment on Monterey County Water Resources Agency's (Agency) Draft Environmental Impact Report/Draft Environmental Impact Statement (DEIR/DEIS) for their proposed Salinas Valley Water Project. The Coalition has supported the Agency in its pursuit and development of a project that meets the stated goals of the Salinas Valley Water Project (SVWP). The implementation of these goals and the associated project must be cost effective, reasonable and hydrologically sound.

The proposed SVWP is subject to the appropriate CEQA and NEPA review that allows for public participation and comment. The DEIR/DEIS is the vehicle by which this takes place. Public participation is an essential part of the CEQA/NEPA process. The Agency has a responsibility to provide for wide public involvement, formal and informal, consistent with its existing activities and procedures, in order to receive and evaluate public reactions to environmental issues related to the Agency's activities. The Coalition believes that the Agency's willingness to commit to public scrutiny along with public participation has been demonstrated this past year. We commend the Agency for its' willingness and commitment to this level of public participation. We strongly believe it is this type of public participation process that makes a difference in the end results.

The Salinas Valley Water Coalition supports full environmental review of the SVWP and its various components. We have always stressed the need for the Agency to consider the adverse impacts to the individual landowners and the various regions of the valley associated with the project components and the measures necessary to mitigate these identified adverse impacts. It is important that the public is informed through the appropriate CEQA/NEPA documents, as to the specific project components, the manner in which they will be operated and managed to meet the project goals, the adverse

environmental and economic impacts associated with them, as well as the mitigation measures necessary to avoid or reduce, significant adverse impacts, and the cost of this mitigation.

The Coalition believes it is by working together through this process that the Project's stated goals can be achieved. We are committed to working with the Agency to achieve a solution to the Salinas Valley Basin's water problems and offer the following comments with regards to the SVWP DEIR/DEIS, for your consideration.

1. **Project Purpose and Objectives:** The DEIR/DEIS states the purpose of the proposed action is to address the critical issues facing the management and longevity of the Basin's water resources by meeting the following objectives:
 - ◆ Stopping seawater intrusion.
 - ◆ Providing adequate water supplies to meet current and future (year 2030) needs.
 - ◆ Improving the hydrologic balance of the groundwater basin in the Salinas Valley (Basin).

It is stated that the proposed action is comprised of a series of structural and program-based components, and that these components will serve, together with the existing Castroville Seawater Intrusion Project, to meet the listed objectives.

The above Project Objectives are slightly different than what has been previously considered for a Project to solve the Basin's water problems – specifically “improving the hydrologic balance” rather than “hydrologically balancing”¹ the ground water basin. Because of this distinction, it is important that the Final EIR/EIS clearly defines the level of “improvement” sought and anticipated and then compared to the level of Project needed to “hydrologically balance” the basin. The public and the decision-makers must be fully informed prior to making their decision. They must be able to weigh the ‘risks’, if any, associated with **not** hydrologically balancing the basin.

2. **Nacimiento Spillway Modification:** Section 3.2.1 states that “as described below, the spillway modification is needed whether the entire SVWP proceeds or not.....Spillway modifications will be made regardless of the SVWP as a Zone 2/2A operation and maintenance project for flood control purposes...”

The Salinas Valley Water Coalition may be willing to support a spillway modification as part of the operation and maintenance costs of Zones 2/2A, however, your draft document does not provide the reader with this option. While it is mentioned, it is not discussed. The public as well as the decision-makers should be informed as to the size and level of such a project needed to meet the existing needs of Zone 2/2A.

¹ Salinas Valley Water Project, Draft Master Environmental Impact Report, December 1998

The DEIR/DEIS states that the spillway modification is included for analysis in the document because of its “relation to reservoir reoperation”. The discussion that follows then states that the flexibility provided by the spillway modification “enables implementation of reservoir reoperation (described in Section 3.3.2²) to the degree needed to meet downstream recharge and diversion requirements.” These statements coupled with the discussion in Section 3.2.2 gives a perception that the spillway modification as discussed is being proposed **solely** so the Agency may implement the reoperation of the reservoir to meet the diversion requirements of the surface diversion component. If this is not the case, then it must be clearly shown. Again, the document does not delineate between the size and level of a spillway modification to meet existing Zone 2/2A needs and that needed to meet the needs of the surface diversion component. Could a smaller level of modification be made to the spillway that would accommodate the additional 50,000 acre foot change in the present flood pool? What is the difference in the level of flood protection achieved by each of these ‘proposed’ alternatives?

The discussion under “Construction & Cost” states that “these costs will be financed apart from the capital costs for the other components of the SVWP preferred alternative.” Is this true? If so on what basis and in what manner?

- 3. Reoperation of Reservoirs:** The DEIR/DEIS states that “Due to the ability to store more water through the wet season, Nacimiento can be reoperated to release less water in the wet season and release it during the irrigation season. San Antonio reservoir will also be reoperated to store more water in the wet season and release it during the irrigation season. This will allow for a greater level of groundwater recharge and will allow diversion of water at the lower Salinas River for direct delivery. Water will be in the Salinas River year round, except during droughts. As a result, existing channel maintenance activities may need to be modified.”

Based on the above statement, it appears that the reoperation of the reservoirs is **solely** for the purpose and benefit of the proposed downstream surface diversion. Section 3.2.2 states that the “proposed spillway modification would allow changes in the way Nacimiento reservoir is operated.” Does this mean that the Nacimiento reservoir would need to be operated in a different manner if the spillway modification was constructed to a smaller modification level as discussed in #2 above? If so, how?

There has been, and continues to be, much confusion surrounding the manner in which the reoperation will occur and the potential impacts, particularly to flooding. Your final document must clearly show that the proposed reoperation of the reservoirs will not increase the risk of flooding and in fact reduce the existing flood protection afforded by the manner in which the reservoirs are currently operated. Your hydrologic modeling must take into account and simulate the storm event of 1995 and then detail the

² This appears to be a typo as there is no Section 3.3.2; I believe it should read Section 3.2.2.

difference(s), if any, between existing conditions – what happened, and proposed conditions – what will happen. What, if any, is the increase risk of flooding? How will the level of flood protection provided under existing operation of the reservoirs differ from the level of flood protection achieved under the proposed reoperation of the reservoirs?

Section 3.2.2 also states that the “.operation of both reservoirs has been, and continues to be, for two primary hydrologic functions: flood control and conservation...” It further states that the preferred reoperation would result in approximately 29,000 AFY of additional stored water that would be available for additional conservation releases and downstream diversion. Section 3.2.3 states that the downstream diversion will average 9,700 AFY. These two numbers seem inconsistent to some individuals and one can speculate that the relationship between the two is not linear. However, it would be clearer to the public and decision-makers if the relationship were specifically explained.

As stated above, the DEIR/DEIS states that “As a result [..of the reoperation of the reservoirs] existing channel maintenance activities **may** need to be modified.” [emphasis added] Will they need to be modified and if so in what manner and at whose expense? Will this channel maintenance program be part of the mitigation and monitoring program or will it be developed and evaluated separately? The Monterey County Water Resources Agency along with many individual landowners have been experiencing difficulty in obtaining the necessary permit to adequately maintain the river channel, primarily because of the endangered species issues. Because of this, it is important that the Final EIR/EIS provides sufficient detail of any proposed channel maintenance program to address anticipated impacts from the reoperation of the reservoirs and any accompanying monitoring program. The Final EIR/EIS should inform the public and decision-makers the manner in which the program will be implemented and any potential adverse impacts to the Preferred Project by not implementing such a program. What is the potential of increased flooding by not implementing an on-going channel maintenance program? What is the impact to the ‘assumed’ water available for downstream diversion?

The DEIR/EIS has used the hydrologic period of 1949 - 1994 to make the above determination. The Coalition has supported and participated in the development of the SVIGSM as a tool to be used by the public and decision-makers to assist them in evaluating the Agency's proposed project. We have also stated, and continue to believe, that the SVIGSM is a working tool, one that should be constantly updated and refined as new information becomes available. To this end we believe is important that the SVIGSM be updated so the hydrologic model period includes the years 1995 - 1998. As you are aware, there were significant flood events during this period of time and it is important that the Final EIR include a full analysis of these years with specific regards to the potential adverse impact on flood flows as a result of the

reservoir reoperation of the proposed project. Failure to do so may render the EIR inadequate.

The manner in which a project will be operated to achieve the stated goals will determine the various levels of significant adverse impacts associated with the attainment of the goals. CEQA requires that the public and decision-makers be fully informed as to the adverse impacts associated with a Project and forbids agencies from approving projects with significant adverse impacts when feasible alternatives or feasible mitigation measures can substantially lessen such impacts. The DEIR/EIS must be amended to include the above mentioned hydrologic analysis and identify the impacts associated with potential flooding.

In addition, the Coalition believes it would be helpful to have the Final EIR/EIS include a discussion as to the potential, or lack of, increased 10 - and 25-year flood events as a result of the proposed project's reservoir reoperation.

- 4. Surface Diversion/Impoundment:** Section 3.2.3 states that the “conveyance and diversion of reoperated water from the reservoirs would involve, diversion of an average of 9,700 AFY..” and then in the last paragraph of the section it states,..”Up to 12,800 AFY of the impounded water would then be diverted from the river via pumping directly into the existing CSIP pipeline for delivery to agricultural users.” Does this mean that the maximum amount of water that would ever be diverted in one year would be 12,800 acre feet, and that the average amount would be 9,700 acre feet? Under what basis would 12,800 acre feet be diverted? The Final EIR/EIS should clearly analyze those times when the 12,800 acre feet will be diverted and the differences in potential environmental impacts that would occur versus the diversion of 9,700 acre feet.

Section 3.2.4 discusses the Distribution/Delivery of Water under the Proposed Action/Preferred Alternative. It is stated that the preferred delivery system will deliver up to 12,800 AFY to the CSIP area (with an average annual amount of 9,700 AF). This amount coupled with the delivery of recycled water already generated or planned to be delivered in the CSIP area (13,300 AFY), is stated to result in total annual average deliveries of approximately 23,000 AFY. The DEIR/EIS says this level of delivery would halt seawater intrusion based on 1995 demands.

What is the current level of delivered recycled water to the CSIP area? What is the average annual amount of recycled water currently being delivered and expected to be delivered? It seems that the level of delivered recycled water is an important factor in determining the amount of water that needs to be diverted and delivered to the CSIP area to insure that seawater intrusion is stopped. Is there a mitigation plan developed, or planned for development, in the event there is not sufficient recycled water to meet the needs of the CSIP area with the maximum amount of surface water diverted being 12,800 acre feet? Is there a possibility that more surface water would need to be diverted

to meet the needs of the CSIP area? If so, it should be understood that any increase in the amount of surface diversion to meet these needs, requires additional environmental review.

Section 3.2.4 also states that while the SVIGSM indicates that seawater intrusion will be halted by the project (in conjunction with the CSIP deliveries) based on current 1995 demand, with a projected increase in water demands (primarily associated with urban development) in the north valley area in the future, seawater intrusion may not be fully halted based on year 2030 projections. Because of this it is suggested that the amount of surface diversion be increased and the delivery area expanded to agricultural uses outside of the CSIP area to fully halt seawater intrusion in the year 2030. In order to achieve this, the document states that diversion from the Salinas River would be increased from an average of 9,700 AFY to 18,300 AFY. This is almost double the amount of diversion planned to meet existing needs.

It is not clear how the monitoring of the implementation of the 'Project' will take place, what the program consists of or the criteria that will be used to make the decision as to move forward in the implementation of the 'Project Plus' – the Final EIR/EIS should explain this. It should also explain who will be making this decision and how the implementation will occur. Will this be the subject of a separate environmental review process at some level other than what is presented in the current document? It is important that the public and decision-makers fully understand the decision that is being made – is it the implementation and construction of the Preferred 'Project' or is it the implementation and construction of the Preferred 'Project Plus'?

- 5. Delivery Area Pumping Management:** Section 3.2.5 discusses the need to manage and limit pumping by those water users who receive direct water deliveries from the proposed project. It states that management measures are already in place in the CSIP area as part of the CSIP implementation and that this type of restriction would continue to be necessary to ensure the project's effectiveness in meeting its stated objectives and needs. The DEIR/DEIS states, "pumping management within the project delivery area has been incorporated to hydrologic model evaluations."

The DEIR/DEIS does not state what management measures are in place within the CSIP area, the manner in which they are being implemented, and their impact, or lack of impact, on meeting the stated objectives and goals of the Proposed Project. The public and decision-makers must be fully informed and therefore this information needs to be included within the Final EIR/EIS along with what "pumping management" that's been incorporated to hydrologic model evaluations. Are there any potential environmental impacts due to the implementation of such measures? The management measures and pumping limits being proposed for implementation is important to the landowner subject to these proposed measures as well as the public and decision-makers. What is the potential impact to them, to their businesses, and to the overall success of the Proposed Project? It should be clearly

understood if the success of the Proposed Project to meet its objectives and goals is based, in part or in whole, on the implementation of such measures, and what the impacts are associated with the implementation and with not achieving the project's stated goals.

If an expanded delivery system is needed as discussed in Section 3.2.4, what type of management measures and pumping limits would need to be implemented to ensure the success of the project goals and the halting of seawater intrusion? How would the implementation occur and by whom? What are the adverse impacts by not implementing such measures?

- 6. Drought Contingency Planning:** Section 3.2.6 discusses drought contingency planning and states that based on the SVIGSM evaluations assuming that groundwater is pumped whenever river diversions are not available or are not adequate to meet the needs of the designated delivery area, "groundwater supplies are adequate to meet project objectives without re-establishing intrusion in the Salinas Valley through droughts of historic record."

The manner in which a "preferred alternative" is managed and operated during times of drought should be analyzed within the Final EIR/EIS. The manner that a project will be operated during periods of drought will determine the level of significant adverse impacts, and the associated mitigation measures necessary to avoid or reduce the impacts. While it is stated that "groundwater supplies are adequate...", at what level of pumping do they become inadequate? Over what period of time? What are the impacts? What is the mitigation plan to avoid such impacts? These same questions need to be answered for the Preferred Project 'Plus'.

The Salinas Valley Water Coalition supports the Agency in their development of a Drought Contingency Plan and believes it is a necessary component for the successful implementation of the Salinas Valley Water Project. The DEIR/DEIS does not fully define a 'drought contingency plan' and it should. The plan should be based on specific criteria for what determines a drought, or other water shortage emergency and the plan should define the specific goals it will achieve. It needs to be clear to the public, exactly what the Agency's objective is implementing the drought contingency plan. Is the Agency developing a policy and plan, which will require the subsequent adoption of an ordinance to implement the program once the "trigger", is pulled?

7. No Action – Total Demand Management:

This section discusses the Agency actions in the absence of a physical solution. It is stated that the MCWRA has not made determinations of how reductions would occur, and at the same time it states, "in order to stop seawater intrusion and balance the Basin, it is assumed that a 30 to 50%

reduction in existing ground water pumping would be required." The DEIR/DEIS does not provide any documentation to support this statement. On what basis was a 30 - 50% reduction assumption determined? The DEIR/DEIS should be amended to clarify that no determination has been made nor any analyses, hydrological or environmental, completed which would support a uniform basin-wide pumping reduction.

It is stated that under the No Action - Total Demand Management Alternative, seawater intrusion would be stopped and the Basin would be brought into a forced hydrological balance. The DEIR/DEIS fails to provide any documentation which shows that seawater intrusion would be stopped using a Total Demand Management Alternative, and under what operational scenario. Again, the DEIR/DEIS must be amended to either clarify this statement or delete it, as there is no scientific basis for it.

The DEIR/DEIS does not fully evaluate environmental impacts associated with a Total Demand Management Alternative. The Final EIR/EIS must inform the public and decision-makers that in order to implement a Total Demand Management Alternative a separate, independent EIR would need to be completed. This separate EIR would then analyze the environmental impacts associated with a Total Demand Management Alternative along with analyzing the various pumping reduction scenarios which could achieve the alternative's stated goal(s). CEQA requires the Agency to examine the individual activities to determine the significant adverse impacts associated with the individual activity. The SVWP DEIR/DEIS does not fulfill this requirement with regards to the Total Demand Management Alternative, and the Final EIR/EIS must clearly state this.

8. Water Rights: The proposed Preferred Project includes the diversion of surface water and it is stated that the Agency will be required to obtain a permit from the State Water Resources Control Board. Is a water right permit required for the spillway modification component and/or the reservoir re-operation component, and/or are amendments to any existing water right permits required?

It is our understanding that in granting water right permits, the SWRCB must determine under what conditions water may be taken and used, and a permit is issued when the SWRCB has determined that the proposed appropriation will best serve the public interest. In deciding whether to issue permits, the SWRCB considers the needs of the proposed project, existing rights and uses of water within the proposed area, and the protection of the environment. If the SWRCB determine that the use of the water applied for by the MCWRA is available, would best serve the public interest, is in accordance with the CEQA, and **would not impair existing rights**, then a permit is issued.

The appropriation of water is governed by laws and procedures which, together, allow for the orderly development of the state's water resources

while protecting existing right holders, and guarding against waste and unreasonable use. The Monterey County Water Resources Agency must recognize the prior water rights of individuals when considering the implementation of any proposed Project. This recognition and the evaluation of significant impacts to these rights, should be assessed within the scope of EIR/EIS. The approval of any project must also provide recognition, and protection of, existing water rights. Without this recognition and protection, implementation of the project will not be possible.

The Final EIR/EIS should include a discussion of this recognition and protection with regards to the proposed surface diversion and the proposed spillway modification and re-operation of the reservoirs. It is important that individual landowners and water right holders are provided the assurance that the proposed project will not interfere with their rights.

It is through the EIR/EIS that the public and the Agency will be informed regarding the impacts of the proposed Project, its components and the associated mitigation measures necessary, including ones necessary to make the individual landowners whole. The Salinas Valley Water Coalition supports full environmental review of the Proposed Project and appreciates the opportunity to comment on the draft document. We support the development and implementation of the Project as proposed predicated on the above issues, questions, etc., being appropriately addressed. The Community of the Salinas Valley must continue to work together to successfully implement the project that will provide a solution to our water problems and meet the long-term needs of the basin.

Sincerely,



Nancy Isakson, Consultant
For Salinas Valley Water Coalition

Cc: Curtis Weeks, General Manager
Monterey County Water Resources Agency

WEBSITE: [SALINAS VALLEY WATER PROJECT DRAFT EIR/EIS](#)