

Jane Farwell - OBJECTION-Cachuma FEIR

From: Chandra Ferrari <CFERRARI@dfg.ca.gov>
To: <jfarwell@waterboards.ca.gov>
Date: 1/9/2012 11:45 AM
Subject: OBJECTION-Cachuma FEIR
Attachments: pdf Cachuma Proj-objection letter BC.pdf

Ms. Farwell,

Attached, please find the Department's objection letter. If you have any questions, please let me know. Thank you.

Chandra Ferrari, Staff Counsel
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State of California - The Natural Resources Agency

DEPARTMENT OF FISH AND GAME

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EDMUND G. BROWN JR., Governor

CHARLTON H. BONHAM, Director



January 9, 2012

Jane Farwell
Environmental Scientist
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Re: Objection-Cachuma Project Final Environmental Impact Report

Dear Ms. Farwell:

The Department of Fish and Game (Department) objects to the inclusion of the Final Environmental Impact Report (FEIR) into the State Water Resources Control Board (SWRCB) administrative record for the Cachuma Project. Many statements and conclusions contained in the FEIR related to public trust resources in the Santa Ynez River are misleading, false, and in many cases, outdated. The Department is concerned that these statements and conclusions will be given the same evidentiary weight as evidence presented during the hearing proceedings without receiving the same level of scrutiny and examination.

It does not appear to be an unusual practice for the SWRCB to make its FEIR consultants available for cross-examination in the context of a water right proceeding. In fact, the Department was recently a party to a water right proceeding concerning the water right application of the El Sur Ranch, and the SWRCB's EIR consultants were presented as witnesses and made available for cross-examination during that hearing. Given the amount of time that has passed between the conclusion of the Cachuma Project water right hearing and the availability of the FEIR, the Department requests that the SWRCB allow the parties opportunity to cross-examine the factual statements and conclusions contained in the FEIR before it is formally accepted into the administrative record.

Sincerely,

Edmund Pert
Regional Manager
South Coast Region