

Bureau of Reclamation
South Central California Area Office
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STATE WATER RESOURCES
CONTROL BOARD
OCT 7 2003
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DIVISION OF RIGHTS
SACRAMENTO

SCC-411
ENV 7.0

Any Fecko
Division of Water Rights
State Water Resources Control Board
1001 I St
Sacramento CA 95814

Subject : Draft Environmental Impact Report, Consideration of Modifications to the U.S. Bureau of Reclamation's Water Right Permits 11308 and 11310 (Applications 11331 and 11332) to Protect Public trust values and Downstream Water Rights on the Santa Ynez River below Bradbury Dam (Cachuma Reservoir) dated August 2003.

Dear Mr. Fecko:

The Bureau of Reclamation has reviewed the above-referenced document and is providing comments. The draft Environmental Impact Report (EIR) has been prepared by the State Water Resources Control Board (Board) pursuant to the California Environmental Quality Act (CEQA).

The project analyzed in the draft EIR consists of potential modifications to the U. S. Bureau of Reclamation's water right permits for the Cachuma Project in order to appropriate protection of downstream water rights and public trust resources on the Santa Ynez River. The EIR analyzed the impacts of seven (7) alternatives and determined that alternatives 3B, 3C, 4A, and 4B would result in at least one (1) significant, unmitigable impact (Class I). This impact pertains to the loss of oak trees along the margins of Cachuma Lake due to surcharging.

The document fails to establish the basis of uniqueness of blue oak and valley oak trees along the shoreline of the lake. These species are not characterized as sensitive plant species per Section 4.8.1.3 and as a subject of the EIR, they lack any narrative discussion regarding their unique nature or feature. The impact analysis is limited and lacks established criteria of significance. Thus the conclusion is inevident and arbitrary.

Reclamation supports alternative 3C because it fully complies with Reclamation's requirement to implement the terms and conditions of the Biological Opinion issued by the National Marine Fisheries Service (NMFS).

Alternative 3A (Environmentally Preferred Alternative) in the Board's EIR mischaracterizes the 3.0 surcharge. The alternative (3A) states that the long-term rearing and passage releases

required in the Biological Opinion would be met by the 0.75 surcharge and from project yield rather than from the 3.0 surcharge. The Board doesn't understand that the issue is not just the supply of water from project yield and it's utility. Rather and more importantly it's the biological and hydrological basis that are the foundation for triggers to supplementation of storm events. The use of project yield, as stated misses the role of the climatic conditions to watershed that occur during the year(s) when a 3.0 surcharge is achieved. The readiness of the tributaries in the lower river, groundwater saturation and the breaching of the sand bar across the mouth of the Santa Ynez River are not accomplished unless the climatic conditions of 3.0 surcharge plus the spills associated during that season of storms (as stated in the Biological Opinion) occur and year following the spill. These events are a fundamental and essential requirement to "prepare" the lower river's habitat for migration of adults and smolts. This would not occur in the scenario describe for Alternative 3A. Thus habitat for migrating steelhead would not be available and potentially this would cause and adverse affect to steelhead. This adverse affect conclusion in turn requires consultation by the Board with the NMFS under the Endangered Species Act.

Reclamation has the following suggestions for text change.

Page 2-1. Last sentence 1st paragraph. The outlet works of Bradbury Dam is frequently used above 100 ft³/sec during water rights release and has significant utility for ramping down these releases as required by the Biological Opinion.

Page 2-2. The contract between reclamation and Santa Barbara County for the Cachuma Recreation Area has been extended until 2005.

Page 2-2 and 2-3. Confirm population size. In the EIR it varies between 207,000 and 270,000.

Page 2-3. 2nd paragraph. What is the source of the definition of Safe Yield?

Page 2-3. Last sentence 1st paragraph. The sentence is true however, the water would have to be treated first and there are none treatment facilities at Bradbury Dam.

Page 2-7. Last paragraph. The Biological Opinion stipulates a ramp down requirement as water rights releases are reduced.

Page 2-10. First paragraph. SWP water cannot be physically delivered to the lake when water is delivered through the outlet works. However, an accounting credit is given equal to the amount of SWP water that is delivered through the hollow jet valves that in turn convey the water to the Santa Ynez River.

Page 2-14. The correct name for the lake is Cachuma Lake. The EIR uses Cachuma Lake and Lake Cachuma interchangeably.

Page 3-4. Recreational fishing in the Santa Ynez River is prohibited by the California Department of Fish and Game, due to the presence of steelhead/rainbow trout, an endangered species. Also, the EIR should clearly identify largemouth bass as a public trust resource because

as stated in the EIR, page 2-2, Cachuma Lake is known as a favorite southern California bass fishing lake.

This concludes Reclamation's comments to the subject EIR. Thank you for the opportunity for review the EIR. It is important that Reclamation implements the Biological Opinion by surcharging Cachuma Lake by 3.0 feet. It is Reclamation's opinion that the climatic and associated hydrologic conditions occurring in the watershed of Santa Ynez River during a surcharge year would ensure a suitable environment for steelhead/rainbow trout passage.

If you have questions please contact me at 559 487-5127.

Sincerely,


David K. Young
Environmental Specialist