



3359

**SHASTA COUNTY
BOARD OF SUPERVISORS**

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U.S. Fish & Wildlife Service
Arcata, CA

DAVID A. KEHOE, DISTRICT 1
ERWIN FUST, DISTRICT 2
CLERN BLAWERS, DISTRICT 3
MOLLY WILSON, DISTRICT 4
PATRICIA A. "TRISH" CLARKE, DISTRICT 5

December 15, 1999

FPA 040508

Mr. Joe Polos
U.S. Fish & Wildlife Service
1655 Heindon Road
Arcata, CA 95521

Subject: Trinity River Mainstem Fishery Restoration
Environmental Impact Statement/Report - October 1999 Draft

Dear Mr. Polos:

Thank you for providing us with the opportunity to comment on the subject document. We have the following comments:

CHAPTER 1. INTRODUCTION

SECTION 1.2, PURPOSE AND NEED FOR ACTION

The purpose of the proposed action is to restore and maintain the natural production of anadromous fish. However, one of the project objectives is to minimize high Trinity River water levels (flooding). We are concerned that these may be incompatible.

} 3359-1

CHAPTER 2. DESCRIPTION OF ALTERNATIVES

SECTION 2.1, ALTERNATIVES

Section 2.1.7, State Permit Alternative, Fish Habitat Management. "No additional channel rehabilitation projects would be constructed as part of this alternative because flow would result in river levels lower than any of the proposed projects." Mechanical restoration and maintenance can and should be a part of this alternative. They are very efficient and cost-effective. If the projects that were included in the Preferred Alternative don't work with this alternative, then lower projects should be developed. Even though the State Permit Alternative may not fulfill all of the project objectives, it is very important that it be adequately optimized so as to enable valid comparisons to be made between the various objectives. The "apples to oranges" comparisons made in the subject document between the various alternatives obscure the relative benefits and costs of the various alternatives.

} 3359-2

**Letter from Shasta County Board of Supervisors
Dated December 15, 1999**

3359-1 As stated on page 1-4 of the DEIS/EIR, Section 1.2.2 Goals and Objectives represents the CEQA-required statement of objectives. As the lead CEQA agency, Trinity County has among its objectives the minimization of flooding, as well as a number of other goals and objectives, including the primary goal listed on page 1-4 "to restore and maintain a healthy Trinity River." This objective is only one of many that was used by the co-lead agencies to identify potential alternatives, as evidenced by including the Maximum Flow Alternative and its associated high peak releases within the range of fully analyzed alternatives.

3359-2 As stated in Section 2.1.7 of the DEIS/EIR, additional channel rehabilitation projects were not included as part of the alternative because the river channel geomorphology would not accommodate sufficiently beneficial projects at such a decreased level of flow. The expense of constructing such projects for a relatively minor gain in habitat was judged not to be cost effective. As the commentor points out, the alternative itself does not meet the purpose and need of improving the fishery, and the inclusion of restoration projects was not considered a feasible method to make such an alternative result in any improvement over existing conditions. Such restoration projects are included in the Mechanical Restoration, Percent Inflow, and Flow Evaluation Alternatives.

Letter from Shasta County Board of Supervisors continued

Mr. Joe Polos
 Trinity River Mainstem Fishery Restoration
 December 15, 1999
 Page 2

SECTION 2.2 ALTERNATIVES CONSIDERED BUT ELIMINATED

Absent is a moderate alternative incorporating high pulse flows. Such an alternative would use high pulse flows and mechanical restoration and maintenance to reshape the channel, while maintaining existing or near-existing diversions to the Central Valley. Such an alternative would be very cost-effective, and would have a greater chance of success in restoring natural processes along the Trinity River than the Preferred Alternative.

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3359-3 The commentor's recommended alternative is within the range of alternatives considered in the DEIS/EIR. The Flow Evaluation Alternative is designed to use pulse flows and mechanical restoration to improve habitat and increase natural fish production while continuing to export the majority of natural inflow into Trinity Reservoir. The Flow Evaluation flow schedule and restoration approach is the culmination of a multi-year study to determine the optimum approach to improving inriver habitat.

Based upon the subject document, the benefits of the Trinity Project, in order of their value, are as follows: power (\$156M annually), water (\$100M annually), recreation (\$6M annually), and flood control (\$25M total). Clearly, the power and water supply benefits far outweigh the recreation and flood control benefits. Furthermore, flood control appears to have had a disproportionately high impact upon the character of the Trinity River. Figure 3-9 shows that the historical Trinity River saw many big floods, with 10,000 cfs events occurring even in average years. Also, the Trinity River appears to be "flashy", with abrupt ramp-up and ramp-downs. Such events drastically reshape rivers, faster and more profoundly than a steady stream of water can accomplish. Such floods would entail significant impacts to adjoining properties, which have encroached into the flood plain since the construction of the Trinity Project. However, power and water customers in the Central Valley have also come to rely upon the Trinity Project since its inception, with far greater benefits. It is not feasible or cost effective to rely solely upon power and water supply operations to restore the Trinity River.

3359-4 Impacts of the various alternatives on water supply and power are discussed in Sections 3.3 and 3.10 of the DEIS/EIR. Impacts for water supply were separated regionally, with specific consideration given to the Central Valley. Power resources were evaluated for impacts to power customers.

3359-5 Relative percentages of Trinity water in proportion to other flows is presented in Section 3.3 Water Resources.

3359-6 The \$100/af number cited by the commentor includes multiple use of water. The \$100 million figure cited in text is reflective of this multiple use.

3359-4

Section 2.2.1, Remove Trinity and Lewiston Dams, Lost Benefits to the Central Valley. The text indicates that Trinity diversions represent less than 5 percent of Delta outflow. However, this water is the most valuable of all Delta water, due to its timing and quality. It should also be noted that Trinity diversions would represent only about 5 percent of Klamath River outflows.

3359-5

3359-7 As stated on page 1-4 of the DEIS/EIR, the purpose and need of the proposed action is to restore and maintain the natural production of anadromous fish on the Trinity River mainstem downstream of Lewiston Dam. A number of potential harvest management methods were assessed (see Response 5313-6), yet it was judged that while managing harvest would result in greater spawner escapement, these fish in turn would ultimately oversaturate the existing habitat. In essence, more fish would be competing within the existing amount of habitat. As such, natural fish production would actually be expected to decrease, given fish would be expected to be damaging existing redds in an attempt to spawn, and the production of fry and juvenile would exceed the rearing habitat capacity. Given the purpose and need of the proposed action is to increase production, this alternative was eliminated.

The text offers a "very conservative" appraised value of this water of \$100/af. This may be an accurate reflection of the water's value to a single user. However, Trinity diversions are reused repeatedly within the Central Valley. The exceptional quality and timing of the flows make them very valuable, so much so that \$100/af is not particularly conservative, and is certainly well below its replacement cost.

3359-6

Section 2.2.2, Harvest Management. The document contends that any additional harvest management steps would be counter-productive, with density-dependent mortality more than offsetting any benefits from increase runs. Furthermore, Table 2-8 implies that it may be beneficial to relax existing harvest management programs, or even to deliberately destroy migrating salmon, to keep them from competing for spawning

3359-7

Letter from Shasta County Board of Supervisors continued

Mr. Joe Polos
 Trinity River Mainstem Fishery Restoration
 December 15, 1999
 Page 3

habitat. This is counter-intuitive, and brings into question the entire premise and mission of the subject project. Increased return of salmon should be consistent with the goals of the project.

3359-7
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CHAPTER 3. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

SECTION 3.3, WATER RESOURCES

Figure 3-18 and Figure 3-20. There is an apparent error in the Existing Conditions Simulations in all but the driest of years (>70 %-ile). According to Figure 3-18, CVP M&I Water Service Contractors would realize increased deliveries under all alternatives versus the Existing Conditions, 70% of the time. This must be false; there is no way that the Maximum flow Alternative can increase CVP deliveries. It is widely accepted that the Maximum Flow alternative, Flow Evaluation Alternative, and Percent Inflow Alternatives would all adversely impact CVP M&I deliveries, most or all of the time. Comparisons between the various alternatives and the No Action alternative are key to the entire exercise, and great care should be taken to ensure that they are valid.

3359-8

The simulation estimates are in fact correct. As discussed in Section 3.3 Water Resources, pages 3-58 through 3-63, alternatives were analyzed at the 2020 level of development and demand, while the existing conditions model run used 1995 development and demand. The modeling effort assumed that under the 2020 level of development, both the CVP and SWP would deliver more water to M&I to meet projected demands than under existing conditions in most years. Under the Maximum Flow Alternative, for example, CVP M&I (Figure 3-18) deliveries are greater than existing conditions until approximately 70 percent exceedance. Because of this, alternatives were compared to both the No Action and Existing Conditions scenarios to allow for readers to see the projected impacts. The assumptions of the No Action Alternative are addressed on pages 2-4 through 2-7 of the DEIS/EIR. Please see thematic response titled "No Action Alternative/Existing Conditions Scenario and Range of Alternatives."

SECTION 3.8, RECREATION

The significance criteria for impacts to water-dependent recreation was considered to be a 10 percent or greater reduction in recreation use compared to No Action levels. This is far too permissive a standard. For instance, the Maximum Flow Alternative's "non-significant" 8% impact at Shasta would amount to \$5.1M, approximately equal to all recreation at Trinity Lake. Similarly, the Flow Evaluation Alternative's "non-significant" 2% impact at Shasta would amount to \$1.1M, a painful degradation to the resource. These significant impacts should be acknowledged, and mitigated.

3359-9

Two types of recreation impacts are described in the DEIS/EIR: 1) changes in facility availability (e.g., boat ramps), and 2) changes in visitor use and subsequent revenue impacts. In terms of facility availability, the Preferred Alternative (i.e., the Flow Evaluation Alternative plus watershed improvements) would cause minor changes to Shasta Reservoir facilities:

- The McCloud Arm ramps would be available 90 percent of the time compared to 92 percent under the No Action Alternative
- The Sacramento Arm ramps would be available 91 percent of the time compared to 92 percent under the No Action Alternative
- The Pit Arm ramps would be available 96 percent of the time compared to 98 percent under the No Action Alternative

SECTION 3.9, LAND USE

The document assumes that if a water deliver shortfall occurs, additional supplies will be developed to cover the shortfall. However, most Shasta County CVP contractors do not have ready access to alternate supplies. In most cases, the water districts were created because there was a lack of adequate groundwater supplies in the area. Water districts were formed, they entered into CVP contracts, and diversion, transmission, treatment and distribution systems were constructed to supply water to the lands within their district boundaries. These reliable supplies have led to the development of substantial beneficial uses within these districts. These are now productive urban and agricultural areas that remain wholly dependent upon the CVP supplies. There is no ready alternative for these users. The document should acknowledge that the Preferred Alternative would end some of these CVP-dependent land uses,

3359-10

No changes to the Sacramento Arm Marina or the Centimudi Ramp are expected. The lead agencies determined that the limited extent of adverse changes to ramp availability under the Proposed Alternative does not warrant mitigation (e.g., funding ramp extension projects).

In addition, expected visitor use and revenue impacts are described. Visitor use was predicted using a regression equation based partly on reservoir elevations.

Letter from Shasta County Board of Supervisors continued

3359-9
cont'd

Revenue impacts are then estimated by multiplying predicted visitor use by \$10.90 per visitor-day. The resulting values are useful in predicting the relative changes in these outputs relative to the No Action Alternative. For Shasta Reservoir, revenues from recreation are predicted to decrease from about \$61.9 million per year to about \$60.9 million per year. The lead agencies determined that the extent of this change is not significant. Although \$1 million is a large amount of money, it does not represent a substantial change relative to the overall financial benefit (> \$60 million) that Shasta Reservoir contributes to the region.

Letter from Shasta County Board of Supervisors continued

Mr. Joe Polos
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 December 15, 1999
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with accompanying decommissioning and replacement impacts and costs. Furthermore, these impacts should be mitigated.

SECTION 3.11, SOCIOECONOMICS

Sacramento Valley 2020 impacts to water supplies, electricity costs and agricultural production would amount to \$12.1M annually, with impacts concentrated in CVP service areas and Preference Power areas. These impacts are real, negative, and significant, and should be acknowledged as such.

This concludes our comments. Thank you for the opportunity to comment on the subject document. If you have any questions, please contact Pat Minturn at (530/225-5133.)

Very truly yours,


 Glenn Hawes, Chairman
 Board of Supervisors

GH/PJM/mlc

3359-10
 cont'd

3359-11

3359-10 Contrary to the comment, the DEIS/EIR does not assume that "additional supplies will be developed to cover the shortfalls with regard to irrigation districts." For agricultural impacts, the model used to analyze impacts considers groundwater pumping and changes in agricultural practices to adjust to changes in CVP water delivery, as described on page 3-321 of the DEIS/EIR.

In essence, it is assumed that CVP water is replaced with groundwater (to the extent that groundwater is available and/or that such pumping is economically feasible) or lands will be fallowed. Where land fallowing is projected to occur due to reduced CVP supplies, the resultant decrease in agricultural production is identified in Environmental Consequences as well as Section 3.11 Socioeconomics. No other sources of water are assumed. Even though options such as water transfers have occurred in the past and could lessen impacts, the DEIS/EIR conservatively assumes that such actions are speculative and are therefore not considered in the model.

With regard to M&I supplies as described on page 3-302 of the DEIS/EIR, additional supplies are assumed to be developed to meet demand in times of shortfall, at an increased price. In general, it is assumed that unlike farmland that can be fallowed, M&I demand must be met, which during drought conditions can result in very costly replacement supplies. Similar to the agricultural impact analysis, these increased costs and associated environmental impacts are presented in Environmental Consequences, as well as Section 3.11 Socioeconomics. Mitigation that is determined to be feasible is identified for all environmental impacts judged to be significant. Those impacts that are significant but cannot be feasibly mitigated are deemed significant and unavoidable.

3359-11 Section 3.11 Socioeconomics identifies a number of potential adverse as well as beneficial economic impacts. Those that are judged to be substantial are acknowledged as such, although it is recognized that opinions vary greatly as to what qualifies as "substantial." The term "significant" is not used in this section given CEQA defines significant impacts as those that can only occur to environmental resources. Regardless, the document and associated Socioeconomic Appendix G presents a detailed identification of potential socioeconomic impacts throughout the state of California.

Letter from Tom and Charlene Mills Dated December 9, 1999

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DEC 18 1999

U.S. Fish & Wildlife Service
Arcata, CA 12/9/99

Mr. Joe Polos
Trinity River EIS/EIR Project Mgr.
U.S. Fish and Wildlife Service
1655 Heindorn Rd.
Arcata CA 95521

Dear Mr. Polos:

We are the owners of Lots 21, 22 + 23 located at Bucktail subdivision in Lewiston. Our mobile home and carport are situated on Lot 23, with a workshop on Lot 22.

We have reviewed several letters and documents pertaining to the increased flow of the Trinity River for the purposes of "cleaning the river banks" and "increasing the fish population". We are concerned about the possibility of flooding our property, and others, should this increase take place. There are several properties in our immediate area that would be flooded, as well as the streets surrounding us.

For a letter dated 7/2/97 from Arnold Whitridge of the Trinity County Planning Dept., we are told that we would have 6" of water over the floor of our residence on Lot 23. If this estimate is correct, at a flow rate of 20,500 cfs, there would be approximately 5+ feet of water at the intersection of Salmon Drive and Steelhead Circle.

We are also concerned about possible

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The Preferred Alternative prescribes maximum Lewiston Dam releases of 11,000 cubic-feet-per-second (cfs), which with tributary accretion would produce maximum prescribed flows of 11,500 cfs at Bucktail subdivision. Flows of this magnitude are well within the range of river fluctuations that riparian parcels experience under existing conditions and No Action, though the Preferred Alternative would likely increase their frequency. A similar flow occurred most recently at this location on New Year's Day of 1997. For reference, the 100-year flood volume at this location is 20,500 cfs.

No residences at Bucktail subdivision would be inundated at the maximum prescribed flow of 11,500 cfs. A study conducted by the California Department of Water Resources (Trinity River Damage Report, Lewiston to Douglas City-May, 1997) indicates that the lowest floor of commentors' residence would remain 4 feet above the maximum flood surface elevation during 11,500-cfs flows.

One section of roadway would be inundated by the prescribed flows in its current alignment; this section would be replaced by the proposed Bucktail Bridge replacement, with the result that no roads in this neighborhood would be inundated during 11,500-cfs flows.

3360-1

Letter from Tom and Charlene Mills continued

- 3360-2 The Preferred Alternative prescribes maximum flows at Bucktail subdivision of 11,500 cfs for 5 days in late May/early June of "extremely wet" years. Under the criteria used, about 12 percent of the years for which records exist have been "extremely wet." Sections 1.1 (Introduction), 1.2 (Purpose and Need), 1.4 (Legislative and Management History), and 1.5 (Indian Tribes) of the DEIS/EIR discuss the reasons for the proposed action.

contamination of the domestic water system for Bucktail subdivision should the area be flooded, possibly resulting in broken water pipes and damage that could happen to the septic tanks we all have.

We understand the interest in increasing the fish population for the enjoyment of the locals and the tourists. We too have enjoyed fishing a Bucktail, as have our visitors. But at the risk of destroying peoples' properties, we will be happy to settle for a smaller fish population.

In 1990 we gave permission to the U.S. Bureau of Reclamation to go on to our property to enhance the natural fish side channel, and to put in two spawning ponds, with no expectation of compensation for use of our land to complete these projects (see copy of newspaper article and photos enclosed). The side channels, at Bucktail, Cemetery and Salt Flat would be totally wiped out, thus making all of this previous work absolutely useless.

Our main question is: Why would you ever do this? What would be the need to increase the river flow to 10,000 or 20,000 cfs? And if it did take place, for how long - a day, a week, a month?

3360-2

Letter from Tom and Charlene Mills continued

No matter the time frame, considerable damage would be done!

We purchased this property in 1984 and have made several costly improvements through the years - a new snow roof, an added room and outside decks, as well as upgrading of plumbing and electrical wiring with the intention of retiring there in the future.

We would appreciate a timely response to this letter. Thank you.

Respectfully,

Tom + Charlene Mills
Tom + Charlene Mills
785 Cornell Drive
Santa Clara CA 95051

c.c.: Arnold Whitridge
Trinity Co. Planning Dept.

c.c.: Edward J. Selbos, Jr.
Bureau of Reclamation

Page 8 TRINITY JOURNAL January 17, 1990

Trinity River

Work begins on restoration contract

The U.S. Bureau of Reclamation announced recently that a coordinated effort is currently under way on Hoadley Road in Lewiston under the Trinity River Restoration Program to reduce erosion problems currently existing which are contributing to putting sand or sediment into the Trinity River.

A contract has been awarded to Dean Hammond of Anderson to enhance drainage characteristics on Hoadley Road by installing 46 drop inlets and 20 culverts. Work began on December 15.

Trinity River Conservation Camp crews have been working in the area cleaning ditches and drains. Another contract will be awarded shortly to deliver road base material which will be placed next spring on two miles of the roadway.

The Trinity County Road Department will haul and spread the material. The Department has already completed some regrading on Hoadley Road. The work is being funded under the Trinity River Restoration Program by the Bureau of Reclamation with the U.S. Soils Conservation Service providing the designs and the Trinity County Resources Conservation District coordinating the construction activities through agreements with the Bureau.

The RCD is also currently under contract with the Restoration Program to enhance natural fish side channels previously constructed under Bureau construction contracts at Bucktail, Cemetery and Salt Flat in Lewiston. Placing cobbles and constructing hydraulic controls that will improve the fish habitat is largely being performed with inmate labor from the Trinity River Conservation Camp.

The crews began at the Bucktail Channel on December 28 and proceeded to Cemetery and then Salt Flat, taking a total of about one month to complete. Grasses will also be planted in the spring on these channels.

The side channels were designed by



Conservation crews work on Bucktail side channel. Above, the fish side channel is in the foreground, with the Trinity River behind. In lower photo the river is in the foreground.

—Photography by
John McCulliah

the Bureau and the U.S. Fish and Wildlife Service and have been shown during recent studies to have significantly increased fish production.

The Trinity River Basin Field Office which is composed of Bureau and Fish and Wildlife employees is planning to construct additional channels adjacent to the river next summer as well as to continue the sand dredging program to include areas below Grass Valley Creek. Landowners affected will be contacted in the near future to solicit their concurrence in these activities.

Letter from Tom and Charlene Mills continued

Letter to Tom and Charlene Mills from Trinity County Dated July 2, 1997



**TRINITY COUNTY
PLANNING DEPARTMENT
NATURAL RESOURCES DIVISION**

98A CLINIC AVE.
P.O. BOX 156
HAYFORK, CA 96041-0156
(916) 628-5949 FAX (916) 628-5800
E-mail: tepar@trcos.trinity.k12.ca.us

July 2, 1997

Tom and Charlene Mills
785 Cornell Drive
Santa Clara, CA 95051

Dear Mr. and Mrs. Mills,

Because your Bucktail Subdivision parcels are susceptible to flooding, you may wish to consider the opportunity presented by the federal Floodplain Easement Program, which was re-funded in the "disaster bill" signed into law by President Clinton last month. If enough affected property owners are interested, we will apply to this program for funds to purchase development rights on flood-prone parcels, or to purchase the parcels outright, depending on the preferences of the owners. If you are (or even if you might be) interested in either of these options, please let me know by late July, as summary proposals must be submitted to Washington D.C. by August 1.

For your information, I'm enclosing a report to the Trinity County Board of Supervisors which discusses flooding and flood hazard reduction along the Trinity River.

According to the Department of Water Resources study referred to in the report, the Trinity River begins to inundate the high ends of your parcels at a flow of 10,000 cubic feet of water per second. A "100-year" storm would swell the river to 20,500 cubic feet per second at Bucktail and put about five feet of water over much of your high ground, and about six inches over the floor of the residence on parcel 25-51-23.

As discussed in the report to the Board of Supervisors, two leading restoration flow alternatives propose maximum Lewiston Dam releases of 11,000 and 14,000 cubic feet per second respectively. If selected, these alternatives could inundate the high ends of your parcels as often as annually, at depths which would depend on the concurrent flow levels of Rush Creek.

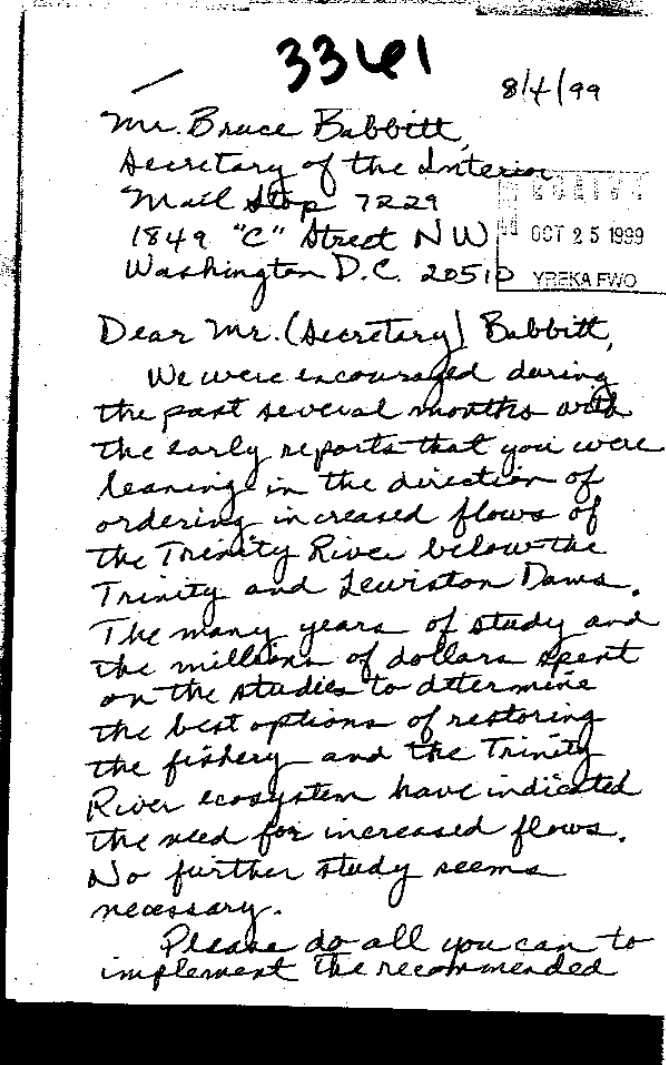
If you have any questions or suggestions about our flood hazard reduction program, please feel free to contact me at the address above or at (916) 623-6688.

Sincerely,

Arnold Whitridge, Flood Hazard Reduction Program Project Specialist

Letter from Stewart E. Clegg Dated August 4, 1999

3361-1 Thank you for your comment. Your comment has been noted. No response is required.



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Letter from Stewart E. Clegg continued

tion now. Reject the }
delaying action injected
into the House "Energy and
Water Development Appropria-
tions Bill" through the "back
door politics" of the greedy
Cal Fed and Central Valley
interests.

3361-1
contd.

You have the support
of the statutorily mandated
requirement to restore and
maintain the fishery of
the Trinity River. Please
take that action now!

Sincerely yours,
Stewart E. Clegg
P.O. Box 234
Trinity Center,
Ca. 96091

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TRINITY RIVER EIS AND FLOW STUDY

Denver Nelson
Humboldt County Fish and Game Commission

PUBLIC TRUST

In section 1.5 of the EIS the Tribal Trust responsibility is well described. The legal basis for Tribal Trust Responsibility is based on numerous court cases and reaffirmed by the U.S. Supreme Court in 1983 in U.S. vs. Mitchell.

The Public Trust Doctrine is not adequately described or dealt with in the EIS. It is mentioned three times. Sections 1.2, 1.7, and 5.1 make reference to the Public Trust Doctrine, but there is no tie in to the Trinity River flows. } 3362-1

The Public Trust Doctrine is remarkable both for its age and its vigor. Rooted in the customs of the sea faring Greeks and Romans, it has evolved to become one of the most effective safeguards of public rights. Basically, the trust reflects an understanding of the ancient concept that navigable waters, their beds and their banks, should be enjoyed by all the people because they are too important to be reserved for private use.

From earliest times, societies have recognized the importance of waterways to their people. In Roman times, rivers, the sea and its shore were held in common. Any person was at liberty to use the seashore to the highest tide, to dry his nets on the shore and to fasten vessels to the banks. These principles survived in Spanish a law (which once governed California), in the civil law in effect in the continental European countries and in England, where they became incorporated into the Magna Carta.

In America, the concept of public rights to public waters was recognized since the early days of the Massachusetts Bay Colony where the Great Pond Ordinance of 1641 guaranteed the right to fish and fowl in the ponds greater than 10 acres, along with the freedom to pass-through private property to do so.

In 1821 the American courts were pronouncing the law of public trust as we know it today. In Arnold vs. Mundy, a New Jersey decision, it was held that (1) the British crown had held the beds of navigable waters in trust for the common use of the people; (2) these rights passed to the people of the respective states after the revolution, and (3) grants purporting to divest the citizens of these common rights were void.

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US Fish & Wildlife Service
Arcata, CA

Letter from Denver Nelson Dated December 6, 1999

3362-1

Under California law, the state has a continuing affirmative duty to evaluate the impacts of water allocations on public uses of navigable waters, including, but not limited to, uses for navigation, commerce, fishing, recreation, and ecological benefit, and to prevent or minimize harm to such uses so far as feasible. California's Supreme Court has determined that the state's public trust responsibilities are perpetual and cannot be relinquished; state-issued permits to divert water from navigable water bodies or their tributaries must be reviewed in light of changing conditions and changing public priorities, and may be revoked or amended as necessary to protect public trust interests.

The U. S. Supreme Court has held that, under the Reclamation Act of 1902 (and subsequent amendments), management of federal water projects must be consistent with state laws unless Congress explicitly directs otherwise. Congress has not directed otherwise in the case of the Trinity River. To the contrary, the Central Valley Project Improvement Act (P.L. 102-575, Sec. 3406(b) has directed that the CVP be operated to meet "all decisions of the California State Water Resources Control Board establishing conditions on applicable licenses and permits for the project." Therefore, the Public Trust doctrine is applicable to Reclamation's operation of the CVP through permit terms and conditions imposed by the SWRCB.

The purpose and need statement of this DEIS/EIR and the proposed federal action are consistent with protection of public trust assets under state law; and the document provides the information necessary for the state to carry out its public trust responsibilities, should the matter ever come to the State Water Resources Control Board (see DEIS/EIR, pages 1-21 and 5-3), and for the federal agencies to take action consistent with state law in this regard. The public trust assets of the Trinity River (fishing, recreation, navigation, and ecological benefits) are the same resources that will benefit from implementation of the Preferred Alternative.

Letter from Denver Nelson Dated December 6, 1999 continued

In California, the Public Trust has constitutional dimensions. Article X, section 4 of the State Constitution guarantees the free navigation of our state's waters. In *People vs. El Dorado County* an appellate court invalidated a county ordinance prohibiting rafting on the American River " because it denies the constitutional right of the public use and access to a navigable stream."

The protections of the Public Trust go beyond the tide lands and the major lakes and rivers. Obviously, if the tributaries serving a public trust water are diverted, serious damage can occur. In *National Audobon Society vs. Department of Water and Power*, Mono Lake was seriously threatened by diversions from the streams feeding it. The California court held that the state has an affirmative and continuing duty to evaluate the impact of water allocations on trust resources, and to protect the public trust uses whenever feasible.

The Public Trust Doctrine obviously applies to the Trinity River diversion and should be included and given as high a priority as the Tribal Trust Doctrine.

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cont'd

Denver Nelson
Eureka, California



3363

AFFILIATED RESEARCHERS LLC
an environmental consulting firm

Letter from Affiliated Researchers, LLC Dated December 15, 1999

TRANSMITTAL

TO: Mr. Joe Poulos, U.S. Fish and Wildlife Service
FROM: John McKeon
DATE: 15 December 1999
RE: Trinity River EIS/EIR

Dear Mr. Poulos:

Please find enclosed my revised comments pertaining to the Trinity River EIS/EIR public hearing held on 23 November 1999. Please call me directly with any questions. Thank you.

John McKeon

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DEC 20 1999

US Fish & Wildlife Service
Arcata, CA

1055 West College Avenue, #155
Santa Rosa, California 95401
(707) 566-7233

12036 Nevada City Hwy, #307
Grass Valley, California 95945
(530) 274-2341



AFFILIATED RESEARCHERS LLC

an environmental consulting firm

**COMMENTS BEFORE THE TRINITY RIVER EIS/EIR PUBLIC HEARING
HELD BY THE**

**U.S. FISH AND WILDLIFE SERVICE, U.S. BUREAU OF RECLAMATION,
HOOPA VALLEY TRIBE, AND TRINITY COUNTY.**

23 NOVEMBER 1999

The Trinity River Flow Studies have focused primarily on the physical habitat parameters created by reduced flow and changed flow regimes in the Trinity River itself. The wider ecological impacts to a much greater environmental sphere have received relatively little attention.

Have the Trinity River Flow Studies given consideration to the temperature ameliorating effects that the historically massive spring and summer snow melt flows of the Trinity had on the temperature plagued Klamath River? Before reduction of flows, the almost fifty miles of the Klamath River below its confluence with the Trinity River was once likely a highly productive nursery habitat for out-migrating juvenile salmonids of both rivers. Historically created by the warmer mineral rich waters of the Klamath River flowing from the Oregon deserts, mixing with the cold oxygen rich water of the Trinity River from mountain snowmelt; these were classic ecological conditions for a biological bloom. The loss of this nursery has reduced the size and thus survivability at ocean entry of both Klamath and Trinity salmonid out-migrants. Manipulation of physical habitat parameters cannot mitigate the present impact of the Clair Engle Dam. Return of unimpeded natural flows in the Trinity River is the only possible method of recreating the historically productive nursery habitat of the Klamath - Trinity River System.

Have the Trinity River Flow Studies investigated the impact of the yearly loss of hundreds of millions of salmonid out-migrants of the Klamath - Trinity system on the predator-prey relationship of so called "Ocean Conditions"? William Pearcy in Ecology of North Pacific Salmonids reported, "the Common Murre population of Coos Bay Oregon were estimated to consume coho smolts at a rate of at least 60,000 per day in 1982." With the crash of Klamath - Trinity salmonid populations, the highly mobile predators of the sea (both avian and mammalian) flock to and congregate at the mouth of other rivers along the coast, and prey heavily on the limited populations of the smaller rivers to include: the Chetco, Elk, Redwood Creek, Smith, Mad, Eel, Mattole, Sixes, and Pistol, and others. It is my opinion as a professional biologist, that arguments of similar coast-wide fluctuations of salmonid populations which point to the vaguely defined "Ocean Conditions" can be attributed to

Letter from Affiliated Researchers, LLC December 15, 1999 continued

3363-1 Thank you for your comment; however, the commentor is referring to the technical merits and considerations of the Trinity River Flow Evaluation Study (TRFES), not the DEIS/EIR. The TRFES was subject to its own review process. The DEIS/EIR used the conclusions of the TRFES as an alternative (the Flow Evaluation Alternative) and considered the environmental effects of implementation of that alternative. Please see thematic responses titled "Fisheries."

3363-1

1055 West College Avenue, #155
Santa Rosa, California 95401
(707) 566-7233

12036 Nevada City Hwy, #307
Grass Valley, California 95945
(530) 274-2341

Letter from Affiliated Researchers, LLC December 15, 1999 continued

this impact of Clair Engle Dam on the ocean predator – prey relationships. Again, return of unimpeded natural flows to the Trinity River is the only possible method of rebalancing the predator – prey relationship and protecting the smaller rivers from over predation.

Have the Trinity River Flow Studies considered the impacts of Clair Engle Dam on the salmonid metapopulation structure of the Klamath – Trinity system? Cooper and Mangel in a 1998 study titled, "*The Danger of Ignoring Metapopulation Structure For The Conservation of Salmonids*"¹ found that various *demes* or populations of individual streams of the Columbia River system could be classified as either *sources or sinks* of the greater metapopulation of the system. They attribute this phenomenon to the *Evolutionarily Stable Strategy*, documenting up to 27% straying of the Chinook populations and up to 40% straying Coho in their spawning returns to fresh water. They found that fisheries investigations error when simply monitoring so called *pilot indicator streams* (such as Pine Creek on the Klamath River or New River or Horse Linto Creek on the Trinity River) as results become greatly affected by the percentage of the population straying away from source streams. With the change from source streams to sinks through habitat degradation or the inability to successfully complete out-migration, entire metapopulations of salmonids can crash with little or few warning indications. Clair Engle Dam effectively eliminated many likely source stream population demes.

Genetic studies as early as 1980² identified unique alleles carried by up river stocks of the Columbia Basin metapopulation. The loss of the genetic diversity of alleles carried by the fish once spawning and rearing in the year-round cold water streams above Clair Engle Dam cannot be mitigated by existing processes or procedures instituted at the Trinity River Hatchery. Again, return of unimpeded natural flows to the Trinity River is the only possible method of rebuilding to historic levels a genetically viable and diverse Klamath – Trinity metapopulation of salmonid stocks.

John P. McKeon
Senior Associate

spartic/mckecompcomment23nov99

¹ Published in Volume 97 #2 The Fishery Bulletin of the National Marine Fisheries Service.

² Salmonid Ecosystems of the North Pacific; Population Structure of Indigenous Salmonid Species of The Pacific Northwest, Fred M. Utter et.al.

Official Public Comment

3364

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: GUY MICHAEL TURNER
 Address: 1791 RAINEE LN.
 City/State/Zip: ARCATA, CA 95521-9654

Postcards from Guy Michael Turner, Alice L. Bachelder, and Michael Rokeach

- 3364-1 Please see thematic responses titled "Fisheries."
- 3365-1 Please see thematic responses titled "Fisheries."
- 3366-1 Please see thematic responses titled "Fisheries."

Official Public Comment

3365

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name:  Alice L. Bachelder
 Address: 49 Summit Rd.
 City/State/Zip: San Anselmo, CA 94960-2240

Official Public Comment

3366

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: MICHAEL ROKEACH
 Address: 594 CHAYOR RD
 City/State/Zip: NOVATO CA 94947

Official Public Comment

3367b

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Kirsten Olson

Name:

KIRSTEN OLSON

Address:

14431 Old Westside Rd.

City/State/Zip:

GRENADA CA 96038

Postcards from Kirsten Olson, Mari Erin Roth, and Jodie Newton

- 3367-1 Please see thematic responses titled "Fisheries."
- 3368-1 Please see thematic responses titled "Fisheries."
- 3369-1 Please see thematic responses titled "Fisheries."

Official Public Comment

3368b

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Mari Erin Roth

Name:

MARI ERIN ROTH

Address:

990 OAK ST

City/State/Zip:

COSTA MESA, CA 92627

Official Public Comment

3369b

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name:

Jodie Newton

Address:

222

Official Public Comment

3370
3370

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: C. MARK Rockwell
Address: 950 Woodside Rd. #1
City/State/Zip: REDWOOD CITY, CA.

C. Mark Rockwell & Co. 94061

Postcards from C. Mark Rockwell, Barbara Ogden, and Ronald K. Ashley

- 3370-1 Please see thematic responses titled "Fisheries."
- 3371-1 Please see thematic responses titled "Fisheries."
- 3372-1 Please see thematic responses titled "Fisheries."

Official Public Comment

3371

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: Barbara Ogden
Address: 130 Flood Lane
City/State/Zip: Suburban, CA. 95603

Official Public Comment

3372

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: RONALD K. ASHLEY
Address: 3182 ROQUE RIVER DRIVE
City/State/Zip: EAGLE POINT, OR 97524

Postcards from Roger Herick, Mark Adams, and Kristian Morley

Official Public Comment

3372

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: Roger Herick
 Address: Box 5181
 City/State/Zip: Arcata, Ca. 95518

- 3373-1 Please see thematic responses titled "Fisheries."
- 3374-1 Please see thematic responses titled "Fisheries."
- 3375-1 Please see thematic responses titled "Fisheries."

Official Public Comment

3374

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: Mark Adams
 Address: PO Box 211
 City/State/Zip: BaySide CA 9524

Official Public Comment

3375

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: Kristian Morley
 Address: 1598 11th St
 City/State/Zip: Arcata, CA 95521

Official Public Comment

3376

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: Cory Sbarbaro
 Address: 112 Myrtle Ct.
 City/State/Zip: Arcata, CA 95521

Official Public Comment

3377

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: Alan D. Barron
 Address: 1093 Hwy 101 N.
 City/State/Zip: Eureka City, CA 95531

Official Public Comment

3378

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: Rebecca Aalts
 Address: PO Box 96
 City/State/Zip: Willow Creek CA 95578

Postcards from Cory Sbarbaro, Alan D. Barron, and Rebecca Aalts

- 3376-1 Please see thematic responses titled "Fisheries."
- 3377-1 Please see thematic responses titled "Fisheries."
- 3378-1 Please see thematic responses titled "Fisheries."

Official Public Commem

3379

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: Patricia L. Kibbee
 Address: 3192 Regan River Dr.
 City/State/Zip: Eagle Pass, TX 77524

Postcards from Patricia Ashley, Lucille Kibbee, and Linda Stile

- 3379-1 Please see thematic responses titled "Fisheries."
- 3380-1 Please see thematic responses titled "Fisheries."
- 3381-1 Please see thematic responses titled "Fisheries."

Official Public Commem

3380

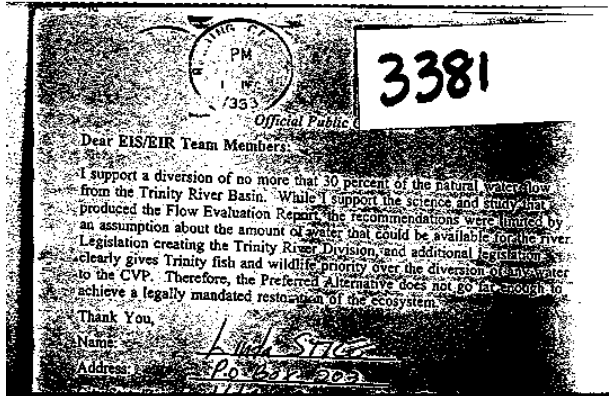
Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: Lucille Kibbee
 Address: P.O. Box 2385
 City/State/Zip: Weaverville, CA 96083

3381



Official Public Comment

3382

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: Thomas McKenna
 Address: 1400 Valencia Rd
 City/State/Zip: Alta CA 95003

#####

Official Public Comment

3383

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: C. Ferrara
 Address: PO 173
 City/State/Zip: Mad River, CA 95552

Official Public Comment

3384

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: Tom Frame
 Address: P.O.B. 173
 City/State/Zip: Mad River, CA 95552

Postcards from Thomas McKenna, C. Ferrara, and Tom Frame

- 3382-1 Please see thematic responses titled "Fisheries."
- 3383-1 Please see thematic responses titled "Fisheries."
- 3384-1 Please see thematic responses titled "Fisheries."

Official Public Comment

3385

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name:

Ted Weston

Address:

1276 Pacific ave

City/State/Zip:

Crescent City CA 95531

Official Public Comment

3386

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name:

NICHOLAS HINZ

Address:

5928 STOVER RD

City/State/Zip:

BLUE LAKE, CA 95525

Official Public Comment

3387

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name:

Mullaney Hardesty

Address:

620 13th St, Apt A

City/State/Zip:

Acosta CA 95521

Postcards from Ted Weston, Nicholas Hinz, and Mullaney Hardesty

- 3385-1 Please see thematic responses titled "Fisheries."
- 3386-1 Please see thematic responses titled "Fisheries."
- 3387-1 Please see thematic responses titled "Fisheries."

Official Public Comment

3388

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: David Coppedge
 Address: 1340 Seville Ct.
 City/State/Zip: Sacramento CA 95833

Postcards from David Coppedge, Gabriel Ross, and Jason Sevier

- 3388-1 Please see thematic responses titled "Fisheries."
- 3389-1 Please see thematic responses titled "Fisheries."
- 3390-1 Please see thematic responses titled "Fisheries."

Official Public Comment

3389

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: Gabriel Ross GABRIEL ROSS
 Address: Box 85C
 City/State/Zip: North San Juan, CA 95960

Official Public Comment

3390

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: JASON SEVIER
 Address: 1780 PACIFIC DR
 City/State/Zip: Yuba City, CA 75991

Official Public Comment

3391

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: Graysen Gaine
 Address: 320A California St.
 City/State/Zip: Santa Cruz, CA 95060

Postcards from Graysen Gaine, Mary Gillis, and Tom Beck

- 3391-1 Please see thematic responses titled "Fisheries."
- 3392-1 Please see thematic responses titled "Fisheries."
- 3393-1 Please see thematic responses titled "Fisheries."

Official Public Comment

3392

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: Mary Gillis
 Address:
 City/State/Zip:  Ms. Mary Gillis
 1524 Courtney Avenue
 Los Angeles, CA 90046-2717

Official Public Comment

3393

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name: Tom Beck
 Address: 371 Granite Creek Rd
 City/State/Zip: Santa Cruz, CA 95065

Official Public Comment

3374

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name:

Norm Lipperd

Address:

1226 Crimblee Rd

City/State/Zip:

MADISA, CA 93638

Official Public Comment

3395

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name:

John Schinnerer

Address:

966 Panama Ave.

City/State/Zip:

Albany, CA 94706

Official Public Comment

3396

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Name:

Charles D. Aalts

Address:

P.O. Box 96

City/State/Zip:

William Creek CA 95573

Postcards from Norm Lipperd, John Schinnerer, and Charles D. Aalts

- 3394-1 Please see thematic responses titled "Fisheries."
- 3395-1 Please see thematic responses titled "Fisheries."
- 3396-1 Please see thematic responses titled "Fisheries."

Postcards from Diane C. Brown and Vince Chafin

Official Public Comment

3397

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Diane C. Brown

Name:

Address:

City/State/Zip:

MS. DIANE BROWN
1500 P. J. MURPHY MEM DR.
KLANATH CA 95548

Official Public Comment

3398

Dear EIS/EIR Team Members:

I support a diversion of no more than 30 percent of the natural water flow from the Trinity River Basin. While I support the science and study that produced the Flow Evaluation Report, the recommendations were limited by an assumption about the amount of water that could be available for the river. Legislation creating the Trinity River Division, and additional legislation clearly gives Trinity fish and wildlife priority over the diversion of any water to the CVP. Therefore, the Preferred Alternative does not go far enough to achieve a legally mandated restoration of the ecosystem.

Thank You,

Vince Chafin

Name:

Address:

City/State/Zip:

415 A HOT SPRINGS RD
SANTA BARBARA CA 93108



- 3397-1 Please see thematic responses titled "Fisheries."
- 3398-1 Please see thematic responses titled "Fisheries."