





CHICO 350



California Water Commission  
P.O. Box 942836  
Sacramento, CA 94236-0001

March 17, 2019

Subject: Need for Recirculated DEIS/EIR for Proposed Sites Reservoir

Dear Mr. Yun and Members of the California Water Commission;

We write to you under your role as a responsible agency under the California Environmental Quality Act<sup>1</sup> regarding the environmental documentation for the proposed Sites Reservoir Project. While the CWC is not the CEQA lead agency for Sites, you will be required to use the EIR prepared by the Sites Project Authority. In order to ensure timely awarding of construction funds, you have a vested interest to ensure that a legally adequate EIR is prepared.

Attached is a letter we sent to the Sites Project Authority documenting the multiple inadequacies in the Draft EIS/EIR for the project. Most importantly, the project as described to date does not resolve the fundamental issue of what will be the minimum bypass flows for the Sacramento River. This is a key issue that underlies the basic water yield and economic feasibility of this project.

The California Department of Fish and Wildlife has recommended a much higher minimum bypass flow in the Sacramento River than is being proposed by the (13,000 cfs compared to 3,250 cfs at Red Bluff, 4,000 cfs at Hamilton City and 5,000 cfs at Wilkins Slough).<sup>2</sup> The impacts to the Sacramento River fishery have not been adequately described in the DEIS/EIR, nor is there an alternative analyzed in the DEIS/EIR that would provide the flow recommendations by CDFW.

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<sup>1</sup> See PowerPoint Presentation on CWC's role under CEQA for the WSIP at [https://cwc.ca.gov/-/media/CWC-Website/Files/Documents/2015/06\\_June/June2015\\_Agenda\\_Item\\_11\\_Attach\\_2\\_Powerpoint\\_King.pdf](https://cwc.ca.gov/-/media/CWC-Website/Files/Documents/2015/06_June/June2015_Agenda_Item_11_Attach_2_Powerpoint_King.pdf) It should be noted that slide 12 says that CWC as a responsible agency should provide comments on the public review draft EIR, but according to the Sites Project Authority, the CWC did not provide comments.

<sup>2</sup> See CDFG letter of 1/12/18, page 9 "CDFW recommends the Project proponents revise the bypass flow requirement to maintain at least 13,000 cfs past all diversion facilities prior to the diversion of water to reduce impacts on out-migrating juvenile salmonids." Accessed at <https://www.friendsoftheriver.org/wp-content/uploads/2018/09/1-12-2018-CDFW-Sites-Project-Letter.pdf>

It is impossible for anybody to know if this project is cost effective and promised environmental public benefits can be delivered until the Sacramento River minimum bypass flow issue is resolved. The Sites Project Authority's recommendation for Sacramento River minimum bypass flows appears to justify a finding of financial feasibility, but how feasible will the project be if CDFW's minimum bypass flows are legally required?

We believe this issue must be fully and adequately analyzed in the DEIS/EIR, prior to any water rights hearing or other permitting process that will rely on the information in the DEIS/EIR.

Based on the inadequacies identified in the attached letter, we encourage you to strongly recommend that the Sites Project Authority prepare a recirculated Draft EIS/EIR.

Sincerely,

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Attachments: Coalition Letter to Sites Project Authority  
Kamman Hydrology Analysis of Sites DEIS/EIR on Trinity River

cc: California Water Commission Members  
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Hoopa Valley Tribe

Yurok Tribe  
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