

# APPENDIX A

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Notice of Intent

**WASHINGTON****King County**

Messenger of Peace Chapel Car, 38625 SE.  
King St., Snoqualmie, 08000998

**Walla Walla County**

Battle of Walla Walla—Frenchtown, Hwy. 12,  
Mile post 328, Lowden, 08000999

**WISCONSIN****Columbia County**

Byrns, Daniel and Nellie, House, 221 Mill St.,  
Lodi, 08001000  
Pruyn, Joel M., Block, 146 S. Main St., Lodi,  
08001001

**WYOMING****Campbell County**

Gillette Post Office, (Historic U.S. Post  
Offices in Wyoming, 1900–1941, TR) 301  
S. Gillette Ave., Gillette, 08001002

**Converse County**

Hotel LaBonte, 206 Walnut St., Douglas,  
08001003

**Natrona County**

Grant Street Grocery and Market, 815 S.  
Grant St., Casper, 08001005

**Platte County**

Platte County Courthouse, 800 9th St.,  
Wheatland, 08001004

[FR Doc. E8–22074 Filed 9–19–08; 8:45 am]

BILLING CODE 4310–70–P

**DEPARTMENT OF THE INTERIOR****Bureau of Reclamation****Franks Tract, Sacramento-San Joaquin Bay-Delta, CA**

**AGENCY:** Bureau of Reclamation,  
Interior.

**ACTION:** Notice of intent to prepare an  
environmental impact statement/  
environmental impact report (EIS/EIR)  
and notice of public scoping meetings.

**SUMMARY:** Pursuant to the National  
Environmental Policy Act (NEPA) and  
the California Environmental Quality  
Act (CEQA), the Bureau of Reclamation  
(Reclamation) and the California  
Department of Water Resources (DWR)  
intend to prepare an EIS/EIR for the  
Franks Tract Project. Reclamation is the  
lead Federal agency under NEPA and  
DWR is the lead State agency under  
CEQA for preparation of the EIS/EIR.

The Franks Tract Project is designed  
to address water quality and fish  
protection issues in the central and  
southern Sacramento-San Joaquin River  
Delta (Delta). The project would consist  
of the construction of barriers around  
Franks Tract to prevent salinity  
intrusion and the movement of sensitive  
fish species into the central and  
southern Delta.

**DATES:** Written comments on the scope  
of the EIS/EIR will be accepted on or  
before November 21, 2008.

A series of public scoping meetings  
will be held to solicit public input on  
alternatives, concerns, and issues to be  
addressed in the EIS/EIR. The meeting  
dates are as follows:

- Monday, October 6, 2008, 10 a.m. to  
12 p.m., Sacramento, CA.
- Tuesday, October 7, 2008, 6 p.m. to  
8:30 p.m., Rio Vista, CA.
- Wednesday, October 8, 2008, 6 p.m.  
to 8:30 p.m., Antioch, CA.
- Thursday, October 9, 2008, 6 p.m.  
to 8:30 p.m., Stockton, CA.

**ADDRESSES:** The public scoping meeting  
locations are:

- Sacramento at the Federal Building,  
Cafeteria Conference Rooms C–1001 and  
C–1002, 2800 Cottage Way.
- Rio Vista at the Memorial Building,  
610 St. Francis Way.
- Antioch at the Contra Costa Public  
Library, 501 W. 18th Street.
- Stockton at the Memorial Civic  
Auditorium, North Hall, 525 North  
Center Street.

Written comments on the scope of the  
EIS/EIR should be sent to Ms. Lynnette  
Wirth, Bureau of Reclamation, 2800  
Cottage Way, Public Affairs,  
Sacramento, CA 95825, e-mailed to  
[lwirth@mp.usbr.gov](mailto:lwirth@mp.usbr.gov), or faxed to 916–  
978–5114.

**FOR FURTHER INFORMATION CONTACT:** Ms.  
Sharon McHale, Reclamation Project  
Manager, at 916–978–5086 (TDD 916–  
978–5608), or via e-mail at  
[smchale@mp.usbr.gov](mailto:smchale@mp.usbr.gov); or Mr. Ajay  
Goyal, DWR Project Manager, at 916–  
651–9823, or via e-mail at  
[agoyal@water.ca.gov](mailto:agoyal@water.ca.gov).

**SUPPLEMENTARY INFORMATION:** The  
project location would be in the vicinity  
of Franks Tract in the Delta. Franks  
Tract is connected tidally to the San  
Joaquin River via False River. During  
low flow conditions, high salinity water  
enters Franks Tract on flood tide while  
fresher water flows back into False River  
during ebb tide. The higher salinity  
water mixes within Franks Tract and is  
drawn into Old River through levee  
breaches on the east side of Franks  
Tract. These conditions impact salinity  
conditions in the adjacent Delta  
channels and the central and south  
Delta.

**Background**

The CALFED Bay-Delta Authorization  
Act of 2004 (Pub. L. 108–361)  
authorized the Secretary of the Interior  
to conduct a feasibility study and  
actions at Franks Tract to improve water  
quality in the Delta. As part of the  
feasibility study, an EIS/EIR is required  
to address environmental effects.

**Objectives**

The objectives of the Franks Tract  
Project are:

- To improve the quality of water in  
the central and south Delta being  
pumped at the Central Valley Project,  
C.W. “Bill” Jones Pumping Plant and  
the State Water Project, Harvey O. Banks  
Pumping Plant.
- To improve fisheries conditions  
throughout the Delta.

**Alternatives**

The following alternatives are  
currently under consideration:

- Operable Gates on False River: This  
alternative involves installation of  
operable gates on the West False River  
near the confluence with the San  
Joaquin River west of Franks Tract. The  
barrier would provide a physical  
obstruction to salt intrusion entering  
Franks Tract via the western end of  
False River.

- Operable Gate on Three Mile  
Slough: This alternative involves  
installation of an operable gate in Three  
Mile Slough. The barrier would be  
closed on ebb tide to prevent water from  
the San Joaquin River from entering the  
Sacramento River. This action serves to  
keep flow in the San Joaquin River and  
increases the net westerly flow past  
Jersey Point.

**Special Assistance for Public Scoping Meetings**

If special assistance is required at the  
public hearings, please contact Ms.  
Lynnette Wirth at 916–978–5100, TDD  
916–978–5608, or via e-mail at  
[lwirth@mp.usbr.gov](mailto:lwirth@mp.usbr.gov). Please notify Ms.  
Wirth as far in advance as possible to  
enable Reclamation to secure the  
needed services. If a request cannot be  
honored, the requestor will be notified.  
A telephone device for the hearing  
impaired (TDD) is available at 916–978–  
5608.

**Public Disclosure**

Before including your name, address,  
phone number, e-mail address, or other  
personal identifying information in your  
comment, you should be aware that  
your entire comment—including your  
personal identifying information—may  
be made publicly available at any time.  
While you can ask us in your comment  
to withhold your personal identifying  
information from public review, we  
cannot guarantee that we will be able to  
do so.

Dated: August 13, 2008.

**Susan M. Fry,**

*Regional Environmental Officer, Mid-Pacific Region.*

[FR Doc. E8-22045 Filed 9-19-08; 8:45 am]

BILLING CODE 4310-MN-P

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-657]

### In the Matter of: Certain Automotive Multimedia Display and Navigation Systems, Components Thereof, and Products Containing Same; Notice of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Institution of investigation pursuant to 19 U.S.C. 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on August 19, 2008, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Honeywell International Inc. of Morristown, New Jersey. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain automotive multimedia display and navigation systems, components thereof, and products containing same that infringe certain claims of U.S. Patent Nos. 6,664,945; 6,700,482; 6,289,277; 6,691,030; 6,308,132; and 5,923,286. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Room 112, Washington, DC 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the

Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Bryan F. Moore, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2767.

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2008).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on September 12, 2008, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain automotive multimedia display or navigation systems, components thereof, or products containing same that infringe one or more of claims 1-7 of U.S. Patent No. 6,664,945; claims 1, 10-12, and 20 of U.S. Patent No. 6,700,482; claims 1, 4, 5, 9, 11, 13, and 20 of U.S. Patent No. 6,289,277; claims 2, 3, and 25 of U.S. Patent No. 6,691,030; claims 1-7 and 17 of U.S. Patent No. 6,308,132; and claim 5 of U.S. Patent No. 5,923,286, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is—  
Honeywell International Inc., 101 Columbia Road, Morristown, New Jersey 07960.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:  
Alpine Electronics, Inc., 1-1-8 Nishi-Gotanda, Shinagawa-ku, Tokyo 141-8501, Japan  
Alpine Electronics of America, Inc., 19145 Gramercy Place, Torrance, California 90501  
Denso Corporation, 1-1, Showa-cho, Kariya, Aichi 448-8661, Japan  
Denso International America, Inc., 24777 Denso Drive, P.O. Box 5047, Southfield, Michigan 48086-5047

Pioneer Corporation, 1-4-1 Meguro, Meguro-ku, Tokyo 153-8654, Japan  
Pioneer Electronics (USA) Inc., 2255 E. 220th Street, Long Beach, California 90810

Kenwood Corporation, 2967-3, Ishikawa-machi, Hachioji-shi, Tokyo 192-8525, Japan

Kenwood USA Corporation, 2201 E. Dominguez Street, Long Beach, California 90810

(c) The Commission investigative attorney, party to this investigation, is Bryan F. Moore, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, Paul J. Luckern, Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: September 15, 2008.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E8-22085 Filed 9-19-08; 8:45 am]

BILLING CODE 7020-02-P

## APPENDIX B

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Notice of Preparation

# NOTICE OF PREPARATION

## ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT FOR THE FRANKS TRACT PROJECT

### CALIFORNIA DEPARTMENT OF WATER RESOURCES

To: Responsible Agencies and Interested Parties

The California Department of Water Resources (DWR) and Federal Bureau of Reclamation (Reclamation) propose to implement the Franks Tract Project to improve water quality and fisheries conditions in the Sacramento-San Joaquin Delta (Delta). The project consists of constructing and operating a flow control facility in the Franks Tract Project area that would allow better management of hydrodynamic (flow) conditions to improve salinity levels and habitat conditions for fish species of concern in the central and south Delta.

DWR, lead agency under the California Environmental Quality Act (CEQA), and Reclamation, lead agency under the National Environmental Policy Act (NEPA), have determined that an environmental impact statement/environmental impact report (EIS/EIR) will be prepared. Responsible and trustee agencies under CEQA may include the California Department of Fish and Game (DFG), Central Valley Flood Protection Board (formerly the Reclamation Board), Central Valley Regional Water Quality Control Board, and State Water Resources Control Board.

DWR and Reclamation need to know your views regarding the scope and content of the environmental information in connection with the proposed project. Four public scoping meetings for this project will be held to receive public comments at the following times and locations:

Date	Time	Location
Monday, October 6, 2008	10:00 a.m.–noon	Federal Building Cafeteria Conference Rooms C-1001 and C-1002 2800 Cottage Way Sacramento, CA 94236
Tuesday, October 7, 2008	6:00–8:30 p.m.	Memorial Building 610 St. Francis Way Rio Vista, CA 94571
Wednesday, October 8, 2008	6:00–8:30 p.m.	Contra Costa Library 501 W. 18th Street Antioch, CA 94509
Thursday, October 9, 2008	6:00–8:30 p.m.	Stockton Memorial Civic Auditorium North Hall 525 North Center Street Stockton, CA 95202

Please submit your comments to DWR at the earliest possible date, but no later than 5:00 p.m. on November 21, 2008. Please send comments to:

Mr. Ajay Goyal, Project Manager  
California Department of Water Resources  
1416 Ninth Street, Room No. 252-18  
P.O. Box 942836  
Sacramento, CA 94236-0001  
E-mail: agoyal@water.ca.gov

The attached information provides a general description of the proposed project and the schedule of public scoping meetings.



Victor Pacheco  
Chief, Delta Conveyance Branch  
Bay-Delta Office, DWR

9-18-08

Date

## INTRODUCTION

CEQA specifies that a public agency must prepare an EIR on any project that it proposes to carry out or approve that may have a significant direct or indirect impact on the environment (Public Resources Code Section 2100[a]). DWR, acting as the lead agency for CEQA compliance, and Reclamation, acting as the lead agency for NEPA compliance, have determined that the proposed project may have significant impacts on the environment and intend to prepare an EIS/EIR on the proposed project. This notice of preparation (NOP) was prepared pursuant to Section 15082 of the State CEQA Guidelines. In addition, on September 22, 2008, Reclamation published the notice of intent (NOI) in the *Federal Register*, consistent with NEPA requirements. CEQA requires only a 30-day public comment period; however, because NEPA requires that an NOI be available for public comment for 60 days, the public comment period for this NOP has been extended to 60 days.

The purpose of the scoping process is to solicit early input from the public and from responsible, cooperating, and trustee agencies regarding the development of reasonable alternatives and potential environmental impacts to be addressed in the EIS/EIR for the Franks Tract Project.

## BACKGROUND INFORMATION

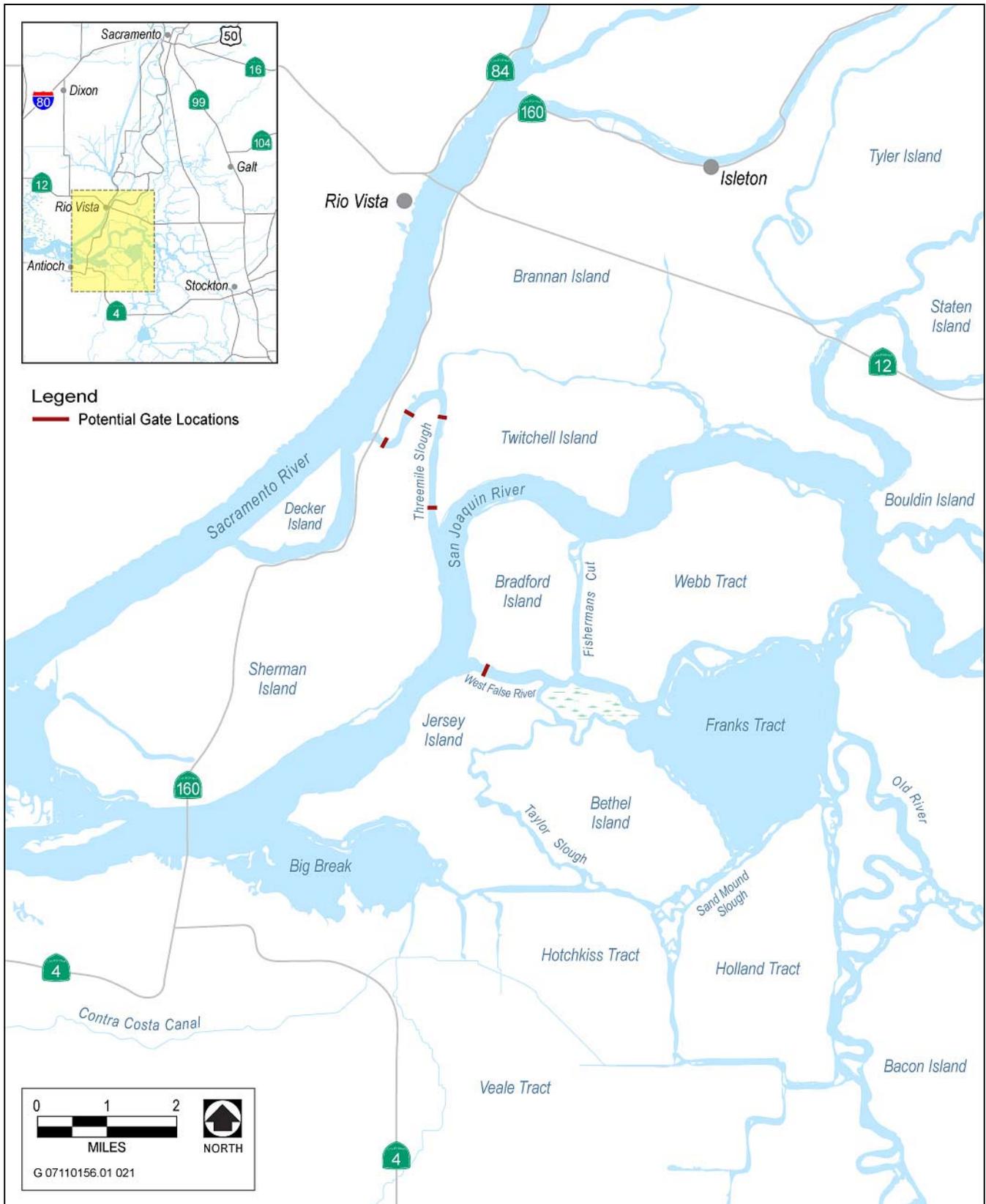
The proposed Franks Tract Project involves constructing a new flow control facility in the Franks Tract Project area of the Delta (Exhibit 1). The new facility would provide DWR and Reclamation with the operational flexibility to better manage hydrodynamic (flow) conditions and salinity concentration in the central and south Delta and thereby improve water quality and fish habitat conditions.

The Delta is the largest estuary on the west coast, providing essential habitat for hundreds of species of fish, wildlife, and plants. It provides water for a wide range of beneficial uses, including drinking water for millions of Californians, irrigation water for millions of acres of agricultural land, and spawning and rearing habitat for aquatic species. Over the past several decades, increasing demand for the Delta's resources has increased conflict between the needs of water users and efforts to sustain the estuary's aquatic ecosystem and support recovery of species listed under the California and Federal Endangered Species Acts.

The increasing conflict between uses of the Delta heightens the continuing need to address water quality and protection of fish habitat. Water quality concerns in the Delta include concentrations of higher salinity water intruding into the central portion of the Delta. Concerns regarding fish protection include the effect of State Water Project (SWP) and Central Valley Project (CVP) operations on Delta hydrodynamics, which affect the distribution and presence of fish species of concern in the Delta. These species include delta smelt (*Hypomesus transpacificus*), longfin smelt (*Spirinchus thaleichthys*), and chinook salmon (*Oncorhynchus tshawytscha*), which are listed under the California and/or Federally Endangered Species Act.

The CALFED Bay-Delta Authorization Act of 2004 (Public Law 108-361, Section 103) authorizes the Secretary of the Interior to carry out a feasibility study of possible actions. Specifically, Section 103(f)(1)(C) of the act allows for funds to be expended for feasibility studies and actions near Franks Tract to improve water quality in the Delta.

Section 103(d)(2)(B) of the act directs Reclamation to evaluate and implement improved operational procedures for the Delta Cross Channel to address fish and water quality concerns, directs Reclamation to evaluate a screened through-Delta conveyance facility on the Sacramento River, and enables funds to be expended on feasibility studies and actions at Franks Tract to improve water quality in the Delta.



Sources: CalWaters 2004, CaSIL 2001, EDAW 2008

Franks Tract Project Vicinity

Exhibit I

On July 17, 2007, Governor Arnold Schwarzenegger directed DWR to take immediate action to improve conditions in the Delta, including helping to restore its natural habitat and protect delta smelt and other species. The Franks Tract Project is included among the governor's immediate actions.

## PROJECT OBJECTIVES

The overall purpose of the Franks Tract Project is to modify hydrodynamic conditions to protect and improve water quality in the central and south Delta, protect and enhance conditions for fish species of concern in the western and central Delta, and achieve greater operational flexibility for pump operations in the south Delta. Specifically, DWR and Reclamation have identified the following objectives for the project:

1. Modify hydrodynamic conditions for fish species of concern, particularly delta smelt and longfin smelt, to positively influence their movement to areas that provide favorable habitat conditions.
2. Improve operational flexibility of the SWP and CVP by:
  - protecting Delta fish resources, which can reduce curtailments in water exports;
  - reducing higher salinity water intrusion into the central and south Delta resulting from normal tidal influences, sea level rise, or catastrophic levee failures; and
  - protecting water quality during extended closures of the Delta Cross Channel; and
3. Develop water quality and fish protection measures consistent with long-term planning efforts for the Delta.

DWR and Reclamation have conducted a series of studies to evaluate the feasibility of modifying the hydrodynamic conditions near Franks Tract to improve Delta water quality and enhance the aquatic ecosystem. The results of these studies indicate that modifying the hydrodynamic conditions near Franks Tract may substantially reduce salinity levels in areas of the Delta and provide improved conditions for fish resources, including the precipitously declining populations of delta smelt.

## DESCRIPTION OF THE FRANKS TRACT PROJECT

The Franks Tract Project involves installing and operating flow control gates on up to two Delta waterways to protect fish resources and reduce seawater salinity intrusion into the Delta. The two waterways are Threemile Slough and West False River. A flow control gate on one or both of these waterways would be implemented as part of the project (Exhibits 2–6).

Four flow control gate locations on Threemile Slough are being considered: The first location is approximately 700 feet east of the State Route (SR) 160 bridge, the second location is approximately 4,100 feet from the SR 160 bridge, the third location is approximately 8,600 feet north of the southwestern corner of Twitchell Island along Threemile Slough, and the fourth location is approximately 1,600 feet north of the southwestern corner of Twitchell Island along Threemile Slough. On West False River, only one flow control gate location is being considered. The location is approximately 1,800 feet east of the confluence with the San Joaquin River. Each of the alternative locations would have the following common components.



Sources: DWR 2008, adapted by EDAW 2008

Threemile Slough Site 1

Exhibit 2



Sources: DWR 2008, adapted by EDAW 2008

Threemile Slough Site 2

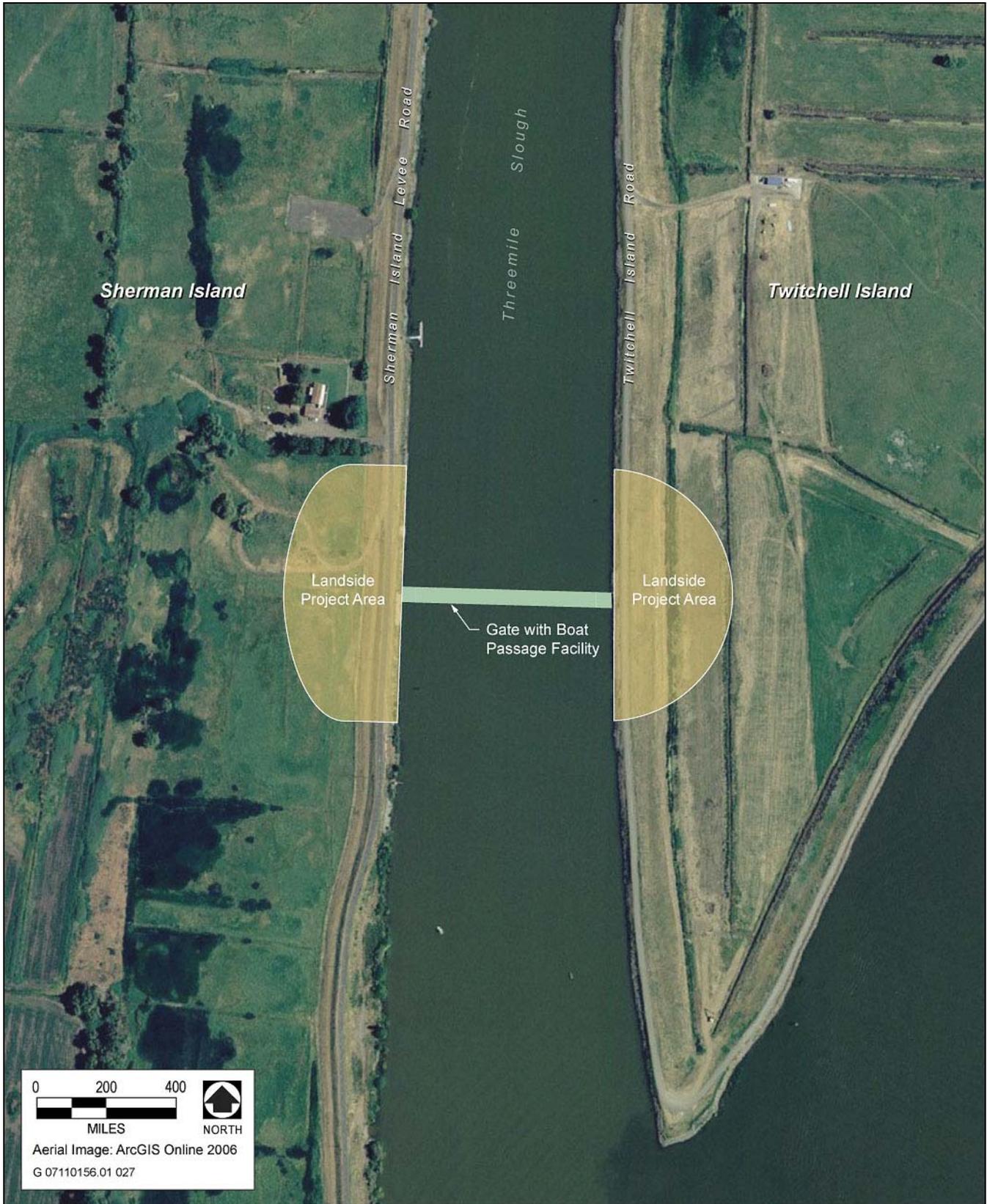
Exhibit 3



Sources: DWR 2008, adapted by EDAW 2008

Thremile Slough Site 3

Exhibit 4



Sources: DWR 2008, adapted by EDW 2008

### Threemile Slough Site 4

Exhibit 5



Sources: DWR 2008, adapted by EDAW 2008

West False River Site

Exhibit 6

## FLOW CONTROL GATE

The flow control structure would include a boat passage facility and gates covering the width of the river channel. It would be built to provide passage for commercial and recreation boats. Several gate design options are being considered. These gate options include bottom-hinged gates, side-hinged flap gates, butterfly gates, wicket gates, and radial gates. The height of the gates would range between 33 feet and 40 feet, depending on the channel bathymetry at each potential gate location.

## LEVEE-STRENGTHENING MATERIALS BORROW SITES

If levees adjacent to the gate structure require strengthening, off-site earthen materials may need to be imported and used for levee improvements. Several potential borrow sites would be considered to provide mineral soils suitable for use as levee fill. The effect of excavating surface soils from these borrow sites will be discussed in the EIS/EIR, including potential effects on terrestrial biological resources, cultural or historic resources, noise and air emissions, and other topics associated with excavating, transporting, and distributing earthen materials for levee-strengthening needs.

## OTHER ON-SITE IMPROVEMENTS

A control building would be constructed to house the operation and maintenance equipment. The building would also house control and electrical power systems for the facility. A road would be constructed to provide access.

## POTENTIAL ENVIRONMENTAL EFFECTS

The EIS/EIR will evaluate the potential effects of installing and operating flow control gates on Threemile Slough and/or West False River, as well as the No-Project/No-Action Alternative. Reasonably foreseeable, direct, indirect, and cumulative effects will be analyzed.

## DELTA HYDRODYNAMIC CONDITIONS AND WATER QUALITY

The project would directly affect the hydrodynamic characteristics and circulation of Delta waterways resulting from operation of flow control gate(s) on Threemile Slough and/or West False River. With changes to Delta hydrodynamic characteristics, Delta waterways could exhibit changes to salinity concentrations, as measured by electrical conductivity. Modifications to SWP and CVP operations and associated effects on Delta flows and water quality also will be evaluated.

## DELTA FISH AND AQUATIC RESOURCES

Changes to Delta hydrodynamic characteristics and water quality would have both direct and indirect effects on the movement and habitat of several Delta fish species of concern, including delta smelt, longfin smelt, and chinook salmon. The EIS/EIR will evaluate the potential effects of changing hydrodynamic characteristics and water quality on the habitat of these fish species.

## BIOLOGICAL RESOURCES

The installation of the flow control gate(s) could directly affect both aquatic and terrestrial species found at the alternative gate locations. Installing gate foundations, establishing paved surfaces and structures, and placing earthen levee materials could result in temporary and/or permanent loss of habitat supporting special-status plant or wildlife species, wetlands, or aquatic species residing in the project area.

## BOATING AND NAVIGATION OF DELTA WATERWAYS

Operation of the gate(s) could impede the movement and navigation of boats on Threemile Slough and/or West False River. Boat passage facilities would be installed to allow boat movement during periods when gates are operating. The EIS/EIR will evaluate potential effects of gate operations on navigation in these Delta waterways.

## OTHER RESOURCE AREAS

Other resource areas to be addressed in the EIS/EIR include, but are not limited to:

- ▶ Soils, Geology, and Seismicity
- ▶ Drainage
- ▶ Water Rights and Water Uses
- ▶ Terrestrial Habitat
- ▶ Cultural Resources
- ▶ Paleontological Resources
- ▶ Land Use
- ▶ Population and Housing
- ▶ Transportation and Circulation
- ▶ Air Quality
- ▶ Noise
- ▶ Recreation
- ▶ Visual Resources
- ▶ Public Services and Utilities
- ▶ Hazards and Hazardous Materials
- ▶ Environmental Justice
- ▶ Climate Change
- ▶ Indian Trust Assets

Comments on the NOP, comments from the public and agency scoping meetings, and further analyses may identify additional environmental resources to be evaluated.

## OPPORTUNITIES FOR PUBLIC PARTICIPATION

This notice is being made available to obtain suggestions and information from agencies and the public on the scope of issues and alternatives to be addressed in the EIS/EIR and to identify important issues raised by the public related to the development and implementation of the Franks Tract Project.

DWR and Reclamation will seek public input on alternatives, concerns, and issues to be addressed in the EIS/EIR through a series of scoping meetings and a request for written comments. Interested parties are encouraged to provide comments on the NOP at the scoping meetings described below or to provide DWR with written comments.

## SCOPING MEETINGS

Four public scoping meetings for this project will be held to receive public comments at the following times and locations:

Date	Time	Location
Monday, October 6, 2008	10:00 a.m.–noon	Federal Building Cafeteria Conference Rooms C-1001 and C-1002 2800 Cottage Way Sacramento, CA 94236
Tuesday, October 7, 2008	6:00–8:30 p.m.	Memorial Building 610 St. Francis Way Rio Vista, CA 94571
Wednesday, October 8, 2008	6:00–8:30 p.m.	Contra Costa Library 501 W. 18th Street Antioch, CA 94509
Thursday, October 9, 2008	6:00–8:30 p.m.	Stockton Memorial Civic Auditorium North Hall 525 North Center Street Stockton, CA 95202

## WRITTEN COMMENTS

Written comments are invited from interested parties to ensure that the full range of issues related to the proposed project is identified. All comments received, including the names and addresses, will become part of the official administrative record and may be made available to the public.

In accordance with State CEQA Guidelines Section 15082, responsible and trustee agencies should indicate their respective level of responsibility for the project to the lead agency. The State CEQA Guidelines further provide that within 30 days after receiving the NOP, each responsible and trustee agency shall provide the lead agency with specific detail about the scope, potentially significant environmental issues, reasonable alternatives, and mitigation measures related to the responsible or trustee agency's area of statutory responsibility that will need to be explored in the EIR portion of the EIS/EIR (State CEQA Guidelines Section 15082[b][1][A]). As stated previously, the public comment period for this NOP has been extended to 60 days.

Because of time limits mandated by State law, all written comments on the scope of the EIS/EIR must be received by DWR by 5:00 p.m. on **November 21, 2008**. Please send all written comments to:

Mr. Ajay Goyal, Project Manager  
California Department of Water Resources  
1416 Ninth Street, Room No. 252-18  
P.O. Box 942836  
Sacramento, CA 94236-0001  
E-mail: [agoyal@water.ca.gov](mailto:agoyal@water.ca.gov)

## FURTHER INFORMATION

Further information regarding the forthcoming Franks Tract Project EIS/EIR can be obtained from the following DWR and Reclamation staff members and at the project Web site:

**<http://baydeltaoffice.water.ca.gov/ndelta/frankstract/index.cfm>**.

Mr. Ajay Goyal, Project Manager  
California Department of Water Resources  
1416 Ninth Street, Room No. 252-18  
P.O. Box 942836  
Sacramento, CA 94236-0001

Telephone: (916) 651-9823  
E-mail: [agoyal@water.ca.gov](mailto:agoyal@water.ca.gov)

Ms. Sharon McHale, Project Manager  
Mid-Pacific Region  
U.S. Bureau of Reclamation  
2800 Cottage Way, MP-730  
Sacramento, CA 95825-1898

Telephone: (916) 978-5086  
E-mail: [smchale@mp.usbr.gov](mailto:smchale@mp.usbr.gov)

# Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # \_\_\_\_\_

**Project Title:** Franks Tract Project

Lead Agency: California Department of Water Resources

Contact Person: Ajay Goyal

Mailing Address: 1416 Ninth Street, Room No. 252-18

Phone: 916/651-9823

City: Sacramento

Zip: 94236-0001

County: Sacramento

**Project Location:** County: Sacramento and Contra Costa City/Nearest Community: Rio Vista

Cross Streets: Various levee roads on Brannon, Bradford, Jersey, Sherman, and Twitchell Islands Zip Code: \_\_\_\_\_

Lat. / Long.: \_\_\_\_\_° \_\_\_\_\_' \_\_\_\_\_" N/ \_\_\_\_\_° \_\_\_\_\_' \_\_\_\_\_" W

Total Acres: Approx. 15 acres

Assessor's Parcel No.: See attachment.

Section: \_\_\_\_\_ Twp.: \_\_\_\_\_ Range: \_\_\_\_\_ Base: \_\_\_\_\_

Within 2 Miles: State Hwy #: 160 Waterways: Threemile Slough, False River, Sac and SJ Rivers

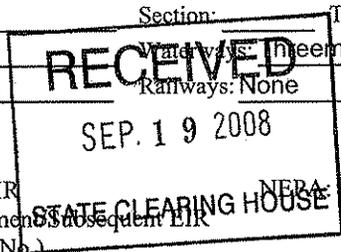
Airports: None

Railways: None

Schools: None

### Document Type:

- |   |   |                                    |  |
|---|---|------------------------------------|--|
| CEQA: <input checked="" type="checkbox"/> NOP | <input type="checkbox"/> Draft EIR                | NEPA: <input type="checkbox"/> NOI | Other: <input type="checkbox"/> Joint Document |
| <input type="checkbox"/> Early Cons           | <input type="checkbox"/> Supplemental/Amended EIR | <input type="checkbox"/> EA        | <input type="checkbox"/> Final Document        |
| <input type="checkbox"/> Neg Dec              | (Prior SCH No.) _____                             | <input type="checkbox"/> Draft EIS | <input type="checkbox"/> Other _____           |
| <input type="checkbox"/> Mit Neg Dec          | Other _____                                       | <input type="checkbox"/> FONSI     |  |



### Local Action Type:

- |   |   |  |  |
|---|---|--|--|
| <input type="checkbox"/> General Plan Update    | <input type="checkbox"/> Specific Plan            | <input type="checkbox"/> Rezone                            | <input type="checkbox"/> Annexation                        |
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Master Plan              | <input type="checkbox"/> Prezone                           | <input type="checkbox"/> Redevelopment                     |
| <input type="checkbox"/> General Plan Element   | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Use Permit                        | <input type="checkbox"/> Coastal Permit                    |
| <input type="checkbox"/> Community Plan         | <input type="checkbox"/> Site Plan                | <input type="checkbox"/> Land Division (Subdivision, etc.) | <input checked="" type="checkbox"/> Other <u>see below</u> |

### Development Type:

- |   |   |
|---|---|
| <input type="checkbox"/> Residential: Units _____ Acres _____                 | <input type="checkbox"/> Water Facilities: Type _____ MGD _____                                 |
| <input type="checkbox"/> Office: Sq.ft. _____ Acres _____ Employees _____     | <input type="checkbox"/> Transportation: Type _____   |
| <input type="checkbox"/> Commercial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Mining: Mineral _____  |
| <input type="checkbox"/> Industrial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Power: Type _____ MW _____   |
| <input type="checkbox"/> Educational _____                                    | <input type="checkbox"/> Waste Treatment: Type _____ MGD _____                                  |
| <input type="checkbox"/> Recreational _____                                   | <input type="checkbox"/> Hazardous Waste: Type _____  |
|   | <input checked="" type="checkbox"/> Other: <u>Installation of flow control gate on waterway</u> |

### Project Issues Discussed in Document:

- |   |  |   |  |
|---|--|---|--|
| <input checked="" type="checkbox"/> Aesthetic/Visual            | <input checked="" type="checkbox"/> Fiscal                     | <input checked="" type="checkbox"/> Recreation/Parks                | <input checked="" type="checkbox"/> Vegetation         |
| <input checked="" type="checkbox"/> Agricultural Land           | <input checked="" type="checkbox"/> Flood Plain/Flooding       | <input type="checkbox"/> Schools/Universities                       | <input checked="" type="checkbox"/> Water Quality      |
| <input checked="" type="checkbox"/> Air Quality                 | <input type="checkbox"/> Forest Land/Fire Hazard               | <input type="checkbox"/> Septic Systems                             | <input type="checkbox"/> Water Supply/Groundwater      |
| <input checked="" type="checkbox"/> Archeological/Historical    | <input checked="" type="checkbox"/> Geologic/Seismic           | <input type="checkbox"/> Sewer Capacity                             | <input checked="" type="checkbox"/> Wetland/Riparian   |
| <input checked="" type="checkbox"/> Biological Resources        | <input checked="" type="checkbox"/> Minerals                   | <input checked="" type="checkbox"/> Soil Erosion/Compaction/Grading | <input checked="" type="checkbox"/> Wildlife           |
| <input type="checkbox"/> Coastal Zone                           | <input checked="" type="checkbox"/> Noise                      | <input checked="" type="checkbox"/> Solid Waste                     | <input checked="" type="checkbox"/> Growth Inducing    |
| <input checked="" type="checkbox"/> Drainage/Absorption         | <input checked="" type="checkbox"/> Population/Housing Balance | <input checked="" type="checkbox"/> Toxic/Hazardous                 | <input checked="" type="checkbox"/> Land Use           |
| <input checked="" type="checkbox"/> Economic/Jobs               | <input checked="" type="checkbox"/> Public Services/Facilities | <input checked="" type="checkbox"/> Traffic/Circulation             | <input checked="" type="checkbox"/> Cumulative Effects |
| <input checked="" type="checkbox"/> Other <u>Climate change</u> |  |   |  |

### Present Land Use/Zoning/General Plan Designation:

See attachment.

### Project Description: (please use a separate page if necessary)

The project involves installing and operating a flow control gate on up to two Delta waterways (Threemile Slough and West False River) to protect fish resources and reduce seawater salinity intrusion into the Delta. The gate(s) would include a boat passage facility to allow passage of commercial and recreation boats.

## Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".  
If you have already sent your document to the agency please denote that with an "S".

<input checked="" type="checkbox"/>	Air Resources Board	<input checked="" type="checkbox"/>	Office of Historic Preservation
<input checked="" type="checkbox"/>	Boating & Waterways, Department of	<input type="checkbox"/>	Office of Public School Construction
<input checked="" type="checkbox"/>	California Highway Patrol	<input checked="" type="checkbox"/>	Parks & Recreation
<input checked="" type="checkbox"/>	Caltrans District # <u>3</u>	<input type="checkbox"/>	Pesticide Regulation, Department of
<input type="checkbox"/>	Caltrans Division of Aeronautics	<input checked="" type="checkbox"/>	Public Utilities Commission
<input checked="" type="checkbox"/>	Caltrans Planning (Headquarters)	<input checked="" type="checkbox"/>	Reclamation Board
<input type="checkbox"/>	Coachella Valley Mountains Conservancy	<input checked="" type="checkbox"/>	Regional WQCB # <u>5</u>
<input checked="" type="checkbox"/>	Coastal Commission	<input checked="" type="checkbox"/>	Resources Agency
<input type="checkbox"/>	Colorado River Board	<input checked="" type="checkbox"/>	S.F. Bay Conservation & Development Commission
<input checked="" type="checkbox"/>	Conservation, Department of	<input type="checkbox"/>	San Gabriel & Lower L.A. Rivers and Mtns Conservancy
<input type="checkbox"/>	Corrections, Department of	<input type="checkbox"/>	San Joaquin River Conservancy
<input checked="" type="checkbox"/>	Delta Protection Commission	<input type="checkbox"/>	Santa Monica Mountains Conservancy
<input type="checkbox"/>	Education, Department of	<input checked="" type="checkbox"/>	State Lands Commission
<input type="checkbox"/>	Energy Commission	<input type="checkbox"/>	SWRCB: Clean Water Grants
<input checked="" type="checkbox"/>	Fish & Game Region # <u>2</u>	<input checked="" type="checkbox"/>	SWRCB: Water Quality
<input checked="" type="checkbox"/>	Food & Agriculture, Department of	<input checked="" type="checkbox"/>	SWRCB: Water Rights
<input type="checkbox"/>	Forestry & Fire Protection	<input type="checkbox"/>	Tahoe Regional Planning Agency
<input type="checkbox"/>	General Services, Department of	<input type="checkbox"/>	Toxic Substances Control, Department of
<input type="checkbox"/>	Health Services, Department of	<input checked="" type="checkbox"/>	Water Resources, Department of
<input type="checkbox"/>	Housing & Community Development	<input type="checkbox"/>	Other <u>Bay-Delta Authority</u>
<input type="checkbox"/>	Integrated Waste Management Board	<input checked="" type="checkbox"/>	Other <u>Central Valley Flood Protection Board</u>
<input checked="" type="checkbox"/>	Native American Heritage Commission		
<input checked="" type="checkbox"/>	Office of Emergency Services		

### Local Public Review Period (to be filled in by lead agency)

Starting Date September 22, 2008

Ending Date November 21, 2008

### Lead Agency (Complete if applicable):

Consulting Firm: EDAW

Address: 2022 J Street

City/State/Zip: Sacramento, CA 95811

Contact: Richard Hunn

Phone: 916/414-5800

Applicant: California Department of Water Resources

Address: 1416 Ninth Street, Room No. 252-18

City/State/Zip: Sacramento, CA 94236-0001

Phone: 916/651-9823

Signature of Lead Agency Representative: \_\_\_\_\_

Date: \_\_\_\_\_

9/18/08

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

## Notice of Completion Attachment

The California Department of Water Resources is the state lead agency for the project. The U.S. Bureau of Reclamation is the federal lead agency for the project. The document to be prepared is a joint environmental impact statement/environmental impact report.

Assessor's Parcel Number	Present Land Use	Zoning	General Plan Land Use Designation
<b>Contra Costa County</b>			
026-040-005	Reclamation District 2059	A-2	Delta Recreation
027-010-005	Ironhouse Sanitary District	A-3	Public Semi-Public
<b>Sacramento County</b>			
157-0110-024	Brannan Island State Recreation Area, natural gas production	AG-80 - Delta Waterway	Open space - recreation area
157-0130-010	Agriculture	AG-80 - Delta Waterway	Open space - recreation area
158-0010-017	Agriculture	AG-80 - Delta Waterway	Agricultural
158-0010-030	Agriculture, grazing	AG-80 - Delta Waterway	Agricultural
158-0010-053	Agriculture, natural gas production	AG-80 - Delta Waterway	Agricultural

FIRST NAME	LAST NAME	ORGANIZATION	ADDRESS	ADDRESS 2	CITY	ST	ZIP
LOUISE W.	BEDSWORTH, PH.D.	BAY AREA AIR QUALITY MANAGEMENT DISTRICT	939 ELLIS STREET		SAN FRANCISCO	CA	94109
LAUREN	HASTINGS	CALIFORNIA BAY-DELTA AUTHORITY	650 CAPITOL MALL, 5TH FLR		SACRAMENTO	CA	95814
		CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE	1220 N ST		SACRAMENTO	CA	95814
		CALIFORNIA DEPARTMENT OF PARKS AND RECREATION OFFICE OF HISTORIC PRESERVATION	1416 NINTH ST	ROOM 1442	SACRAMENTO	CA	95814
PAT	WESTON	CALIFORNIA DEPARTMENT OF TRANSPORTATION	1120 N ST		SACRAMENTO	CA	
		CALIFORNIA PUBLIC UTILITIES COMMISSION	505 VAN NESS AVE		SAN FRANCISCO	CA	94102
KENNETH D.	LANDAU	CONTROL BOARD, CENTRAL VALLEY	11020 SUN CENTER DR	SUITE 200	RANCHO CORDO	CA	95670
TERRY	ROBERTS	CALIFORNIA STATE CLEARING HOUSE	1400 10TH STREET	ROOM 212	SACRAMENTO	CA	95814
PAUL D.	THAYER	CALIFORNIA STATE LANDS COMMISSION	100 HOWE AVE	SUITE 100 SOUTH	SACRAMENTO	CA	95825
GREG	WILSON	CONTROL BOARD	1001 I STREET		SACRAMENTO	CA	95814
DAN S	FUA	CENTRAL VALLEY FLOOD PROTECTION BOARD	3310 EL CAMINO AVE	ROOM LL40	SACRAMENTO	CA	95821
JIM	JAKEL	CITY OF ANTIOCH	CITY HALL	THIRD & H STREETS	ANTIOCH	CA	94531
J. GORDON	PALMER, JR.	CITY OF STOCKTON	425 N EL DORADO STREET		STOCKTON	CA	95202
JOSEPH M.	TANNER	CITY OF VALLEJO	555 SANTA CLARA STREET		VALLEJO	CA	94590
DENNIS M.	BERRY, AICP	CONTRA COSTA COUNTY COMMUNITY DEVELOPMENT DEPARTMENT	651 PINE STREET	4TH FLOOR NORTH WING	MARTINEZ	CA	94553
JULIE	BUEREN	CONTRA COSTA COUNTY DEPARTMENT OF PUBLIC WORKS	255 GLACIER DRIVE		MARTINEZ	CA	94553
LEAH	ORLOFF	CONTRA COSTA WATER DISTRICT	1331 CONCORD AVENUE		CONCORD	CA	94520
RICHARD	DENTON	CONTRA COSTA WATER DISTRICT	1331 CONCORD AVENUE		CONCORD	CA	94520
LINDA	FIACK	DELTA PROTECTION COMMISSION	14215 RIVER RD		WALNUT GROVE	CA	95690
		DEPARTMENT OF CONSERVATION	801 K STREET	MS 24-01	SACRAMENTO	CA	95814
LUCIA	BECERRA	DEPT OF BOATING & WATERWAYS	2000 EVERGREEN ST	SUITE 100	SACRAMENTO	CA	
SCOTT	CANTRELL	DFG	1416 NINTH ST	ROOM 1342C	SACRAMENTO	CA	95814
		NATIVE AMERICAN HERITAGE COMMISSION	916 CAPITOL MALL	RM 364	SACRAMENTO	CA	95814
BRUCE	OPPENHEIM	NMFS	650 CAPITOL MALL	Suite 8-300	SACRAMENTO	CA	95814
JOYCE	HORIZUMI	SACRAMENTO COUNTY DEPARTMENT OF ENVIRONMENTAL REVIEW AND	827 7TH STREET		SACRAMENTO	CA	95814
MIKE	PENROSE	SACRAMENTO COUNTY DEPARTMENT OF TRANSPORTATION	906 G STREET	SUITE 510	SACRAMENTO	CA	95814
		SACRAMENTO COUNTY PLANNING DEPARTMENT	827 7th ST	ROOM 230	SACRAMENTO	CA	95814
LARRY	GREENE	SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT	777 12TH STREET	3RD FLOOR	SACRAMENTO	CA	95814
DAVID B.	OKITA, PE	SOLANO COUNTY WATER AGENCY	6040 VACA STATION ROAD		ELMIRA	CA	95625
MICHAEL	FINAN	U S ARMY CORPS OF ENGINEERS	1325 J ST	ROOM 1480	SACRAMENTO	CA	95814
	COMMANDING OFFIC	US COAST GUARD	1 YERBA BUENA ISLAND		SAN FRANCISCO	CA	94130
		U S COAST GUARD NAVIGATION CENTER	7323 TELEGRAPH RD		ALEXANDRIA	VA	22315
PETER	JOHNSON	USFWS	2800 COTTAGE WAY	W-2606	SACRAMENTO	CA	95825
DISTRICT	OFFICE	RECLAMATION DIST 341	18419 STATE HWY 160		RIO VISTA	CA	94571
DEBBIE	PHULPS	BALMD - RD 2067 - DCC ENGINEERING	P O BOX 929		WALNUT GROVE	CA	95690
JIM	MICHAELS	CA STATE PARKS GOLD FIELDS DISTRICT	7806 FOLSOM-AUBURN RD		FOLSOM	CA	95630
DENNIS	NUNN	RD 830 IRONHOUSE SANITARY DISTRCT Administrative Services Manager	450 WALNUT MEADOWS DR		OAKLEY	CA	94561
		RECLAMATION DISTRICT NO 1601	2360 WEST TWITCHELL ISLAND RD		RIO VISTA	CA	94571
ANGELINA	TANT	RECLAMATION DISTRICT NO 2059	6080 BETHEL ISLAND RD		BETHEL ISLAND	CA	94511

FIRST NAME	LAST NAME	ORGANIZATION	ADDRESS	ADDRESS 2	CITY	ST	ZIP
TONY	ROSENTHAL		870 NICHOLAS CT		BRENTWOOD	CA	94513
ALFRED & CURT	MEDDERS		17900 SHR MN IS E LV RD		RIO VISTA	CA	94571
ANDY	CROWE		17924 S HWY 160		RIO VISTA	CA	94571
PAT & BOB	NOACK		17400 SHERMAN ISLAND EAST LEVEE RD		RIO VISTA	CA	94571
LAURA	WRIGHT & JOE DAVI	DW RAVEN	18164 SHERMAN ISLAND RD		RIO VISTA	CA	94571
MYRON & REBECCA	CABRAL		P O BOX 399		RIO VISTA	CA	94571
DONALD & CHRISTINE	COLVIN		1737 CR DR		ISLETON	CA	95641
VIC	SWANSON & SUE KATELEY		21 AMADOR CR	(17124 E Sherman)	RIO VISTA	CA	94571
PAUL	SOSONOWSKI		15 REBELO LN		NOVATO	CA	94947
KAREN & SMITH	CUNNINGHAM		P O BOX 513		CLAYTON	CA	94517
CHARLES	STRECKFUSS		344 LAUREL WY		MILL VALLEY	CA	94941
LEONARD	HODGSON	OUTRIGGER MARINA	741 EAST ST #240		WOODLAND	CA	95776

## APPENDIX C

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### Meeting Announcements



## **News for Immediate Release September 22, 2008**

**Contacts:**

- Ted Thomas, DWR Chief Information Officer, 916-653-9712
- Lynnette Wirth, Public Affairs, U.S. Bureau of Reclamation, 916-978-5102

### **Public Scoping Meetings Scheduled for Franks Tract Project**

Sacramento – The California Department of Water Resources (DWR) and the federal Bureau of Reclamation (Reclamation) announce four public scoping meetings for the Franks Tract Project. The purpose of the Franks Tract Project is to help improve the health of the Sacramento-San Joaquin Delta. The October meetings are part of the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) process.

Meetings will be held:

- **Sacramento** – Monday, October 6, 10 a.m. to Noon, Federal Building Cafeteria Conference Rooms C-1001 and C-1002, 2800 Cottage Way
- **Rio Vista** – Tuesday, October 7, 6 to 8:30 p.m., Memorial Building, 610 St. Francis Way
- **Antioch** – Wednesday, October 8, 6 to 8:30 p.m., Contra Costa Library, 510 W. 18th Street
- **Stockton** – Thursday, October 9, 6 to 8:30 p.m., Stockton Civic Auditorium, North Hall, 525 North Center Street

More information about these meetings or the Franks Tract Project is available on Reclamation's Web site (<http://www.usbr.gov/mp>) and DWR's Web site (<http://baydeltaoffice.water.ca.gov/ndelta/frankstract>).

Written scoping comments on the project and EIS/EIR are due by Friday, November 21, 2008, to Ms. Sharon McHale, Reclamation Franks Tract Project Manager (916-978-5086, [smchale@mp.usbr.gov](mailto:smchale@mp.usbr.gov)) or to Mr. Ajay Goyal, DWR Franks Tract Project Manager (916-651-9823, [agoyal@water.ca.gov](mailto:agoyal@water.ca.gov)).

###

*The Department of Water Resources operates and maintains the State Water Project, provides dam safety and flood control and inspection services, assists local water districts in water management and water conservation planning, and plans for future statewide water needs.*

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*Reclamation is the largest wholesale water supplier and the second largest producer of hydroelectric power in the United States, with operations and facilities in the 17 western states. Its facilities also provide substantial flood control, recreation, and fish and wildlife benefits. Visit our Web site at <http://www.usbr.gov>.*

# Delta e-News

**Thursday, Sept. 25, 2008**

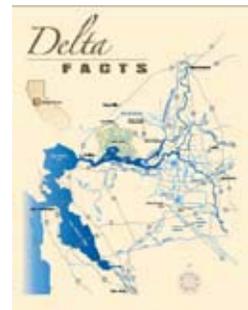
**This electronic newsletter is designed to keep you current on issues affecting the Sacramento-San Joaquin Delta. We welcome your comments and suggestions. Contact us at [delta@water.ca.gov](mailto:delta@water.ca.gov)**

## **Public invited to comment on scope of Franks Tract environmental reports**

The California Department of Water Resources and U.S. Bureau of Reclamation propose to install gates in Threemile Slough or West False River, or both, to protect fish and to reduce salinity intrusion into the Delta. The two agencies must prepare an environmental report on the project. The public is invited to comment on the scope of the report at four public meetings: In Sacramento on Oct. 6; Rio Vista, Oct. 7; Antioch, Oct. 8; and Stockton, Oct. 9. [Details can be found here.](#)

## **Handy guide has many answers about the Delta**

Can you name the six counties that share the Sacramento-San Joaquin Delta? There are four railroads in the Delta; can you name them? How many major reclaimed islands are there in the Delta? The answers to these questions and many other facts can be found in a handy pamphlet called Delta Facts. It also includes an easy-to-read map. [You can download a copy here.](#)



## **Officials to brief Delta panel on state programs at Antioch meeting today**

At its meeting today in Antioch the Delta Protection Commission will hear updates about the Bay Delta Conservation Plan, California Water Plan Update, and Delta Vision Strategic Plan. It will also hear an update about the Department of Fish and Game's use of dogs to detect invasive mussels. The meeting begins at 5:30 p.m. [A meeting agenda and materials are posted here.](#)



## **California Water Plan sets workshop on ag water conservation**

A California Water Plan Advisory Committee workshop on Agricultural Water Use Efficiency will be held on Thursday, Oct. 2, from 9 a.m. to 2 p.m. at the Center for Collaborative Policy in Sacramento, 815 S St. The purpose of the workshop is to increase clarity in discussing agricultural water use efficiency (WUE), revise Ag WUE actions for the Water Plan Update 2009 Objectives, and update the Ag WUE regional management strategy. [Details are posted here.](#)

## **Report examines computer-based decision tools in resource science**

The U.S. Climate Change Science Program and NASA have published a report that examines the computer-based decision support tools that many government agencies use to make predictions and forecasts in areas such as agricultural productivity, air quality, renewable energy resources, and water management. [Read more.](#)



**Subscribe**

**Unsubscribe**

**Delta Outreach Web site**

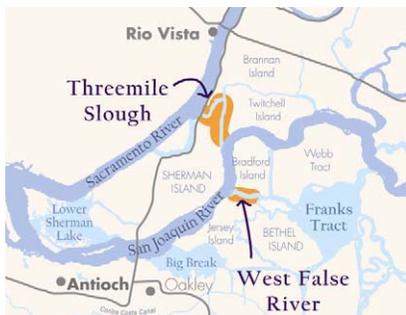
*For more information about the Delta go to: <http://www.water.ca.gov/deltainit/>*



*The Franks Tract Project seeks to improve conditions for fish species of concern*



*DWR and Reclamation are the lead agencies under CEQA and NEPA respectively*



*Franks Tract Project potential operable gate locations*

#### For more information, contact:

**Ajay Goyal**  
DWR Project Manager  
[agoyal@water.ca.gov](mailto:agoyal@water.ca.gov)  
(916) 651-9823  
Department of Water Resources  
PO Box 942836  
Sacramento, CA 94236

**Sharon McHale**  
Reclamation Project Manager  
[smchale@mp.usbr.gov](mailto:smchale@mp.usbr.gov)  
(916) 978-5086  
Bureau of Reclamation  
2800 Cottage Way  
Sacramento, CA 95825

## Franks Tract Project

**Notice Posted in  
Project Area  
10/01/08**

### Project Description:

The Franks Tract Project is designed to protect fish resources and reduce seawater salinity intrusion into the Delta. The California Department of Water Resources (DWR) and U.S. Department of the Interior, Bureau of Reclamation (Reclamation) are evaluating installing operable gates to control the flow of water at key locations (Threemile Slough and/or West False River) to limit the entry of certain fish species of concern and higher salinity water into Franks Tract. In addition to improving water quality, the gates would limit migration of fish species of concern into the central and south Delta where their survival rates are reduced. By protecting fish resources, this project also would improve operational reliability of the State Water Project (SWP) and Central Valley Project (CVP) because curtailments in water exports (pumping restrictions) likely would be less frequent.

The project gates would be operated seasonally and during certain hours of the day, depending on fisheries and tidal conditions. Boat passage facilities would be included to allow for passing of watercraft when the gates are in operation. The Franks Tract Project is consistent with ongoing planning efforts for the Delta to help balance competing uses and create a more sustainable system for the future. Preparation of a joint environmental impact report/environmental impact statement (EIR/EIS) for the project is underway, and public input is strongly encouraged. For more information, please visit: <http://baydeltaoffice.water.ca.gov/ndelta/frankstract/index.cfm>.

### Project Goals:

1. Modify hydrodynamic conditions to protect fish species of concern, particularly delta smelt and longfin smelt.
2. Improve operational flexibility of the SWP and CVP by protecting Delta fish resources; reducing higher salinity water intrusion resulting from normal tidal influences, sea level rise, or catastrophic levee failures; and protecting water quality during extended closures of the Delta Cross Channel.
3. Develop water quality and fish protection measures consistent with long-term planning efforts.

### Schedule and Milestones:

Fall 2008 – Scoping and public outreach to solicit input on project

Spring 2009 – Draft EIR/EIS released for 45-day public comment period

Fall 2009 – Final EIR/EIS released

Fall 2009 – EIR certification and Record of Decision

Winter 2010 – Issuance of regulatory approvals and permits

Summer 2010 – Begin construction



**Notice Posted in  
Project Area  
10/01/08**

# Franks Tract Project Public Scoping Meeting Schedule Fall 2008

- October 6**      **10 am – noon**      **Sacramento**  
*Federal Building Cafeteria*  
*Conference Rooms C-1001 and C-1002*  
*2800 Cottage Way*
- October 7**      **6 pm – 8:30 pm**      **Rio Vista**  
*Memorial Building*  
*610 St. Francis Way*
- October 8**      **6 pm – 8:30 pm**      **Antioch**  
*Contra Costa Library*  
*501 W. 18<sup>th</sup> Street*
- October 9**      **6 pm – 8:30 pm**      **Stockton**  
*Stockton Memorial Civic Auditorium*  
*North Hall*  
*525 North Center Street*

<http://www.water.ca.gov/frankstract/>



# FRANKS TRACT PROJECT

NEWS UPDATE 1

SEPTEMBER 2008

**G**reetings!

We are pleased to share with you this first news update for the Franks Tract Project and to invite you to participate in the public input process.

The Franks Tract Project is one of several actions being proposed to improve the health of the Delta ecosystem and the operational reliability of State and Federal water projects. The project is proposed to protect fish resources, particularly species of concern, such as the delta smelt and longfin smelt, and to reduce seawater salinity intrusion into the Delta. The project involves installing operable gates to control the flow of water at key locations (Threemile Slough and/or West False River) to limit the movement of these fish species and higher salinity water into Franks Tract during certain times of the year.

We are currently conducting surveys of recreational usage in local waterways and reaching out for public input on the project. We encourage you to attend one of the upcoming public scoping meetings, which are scheduled for October 6 in Sacramento and October 7, 8, and 9, 2008, in the Delta. (Please see back for details.) We look forward to seeing you,

*The Franks Tract Project Team*

## FRANKS TRACT PROJECT - PUBLIC SCOPING MEETINGS

**October 6, 2008**

10 a.m. - noon

Sacramento

**October 7, 2008**

6 - 8:30 p.m.

Rio Vista

**October 8, 2008**

6 - 8:30 p.m.

Antioch

**October 9, 2008**

6 - 8:30 p.m.

Stockton



## PROJECT HISTORY

### FROM FLOODED ISLANDS STUDY TO THE FRANKS TRACT PROJECT

The CALFED Record of Decision (August 2000) identified Franks Tract as the location of one of 600 programmatic Ecosystem Restoration Program (ERP) actions. The action described for Franks Tract was intended to provide improvements in ecosystem restoration, recreation, and Delta water quality.

DWR, under CALFED funding, carried out a feasibility study of the ecosystem and water quality benefits associated with restoration of Franks Tract, Big Break, and Lower Sherman Lake. This study investigated several alternative strategies to benefit water quality (e.g., reducing salt trapping and mixing), the ecosystem (e.g., increasing habitat values for fish and wildlife, including protected species, and inhibiting invasive plants), and recreation (e.g., retaining boat access, maintaining sport fisheries, improving amenities). The analysis performed for the Flooded Islands Pre-Feasibility Study Report (June 2005) resulted in the identification of four alternatives that involved installing operable gates in certain river channel(s), restoring levees, or implementing a combination of gates and levees.



*Recreation surveys are documenting boat traffic in Threemile Slough and West False River to understand potential impacts on recreational users.*

Using their knowledge of Delta hydrodynamics and how seawater moves into the Delta, DWR modelers looked into a new alternative that involves installing an operable gate in Threemile Slough. Threemile Slough, located northwest of Franks Tract, connects

two major waterways in the western Delta: the Sacramento and San Joaquin Rivers. The gate in Threemile Slough could be operated to increase net flows in the San Joaquin River, resulting in reduced seawater movement into the central and south Delta. In addition, the gate could be operated to enhance conditions for fisheries.

The Franks Tract Project team evaluated and added this new alternative in 2007.



A Value Engineering Team composed of fish, environmental, engineering, and construction experts (2007) evaluated these operable gate and levee alternatives and recommended further evaluation of the alternatives involving installation of operable gates in Threemile Slough and/or West False River.

### PLANNING THE DELTA'S FUTURE

There are several large-scale planning efforts underway in the Delta, including Delta Vision (<http://deltavision.ca.gov>) and the Bay Delta Conservation Plan development (<http://www.water.ca.gov/deltainit/bdcp.cfm>).

The Franks Tract Project is one of several interim actions (<http://www.water.ca.gov/deltainit/action.cfm>) to address fish and water quality concerns in the near future. It would be consistent with longer term planning efforts for the Delta to help balance competing uses and create a more sustainable system for the future.

### PURPOSE & FUNCTION OF THE GATES

The proposed gates would be operated to reduce movement of seawater into the central and south Delta and to positively influence the movement of sensitive fish species (e.g., delta smelt) to areas in the west Delta and Suisun Bay/Marsh that provide favorable habitat conditions at certain times of the year. By improving water quality and providing enhanced conditions for sensitive fish resources, this project could increase operational reliability of the State Water Project and Central Valley Project because curtailments (pumping restrictions) in water exports may be less frequent.

## PROJECT GOALS

- 1** Modify hydrodynamic conditions to protect fish species of concern, particularly delta smelt and longfin smelt.
- 2** Improve operational flexibility of the State Water Project and the Central Valley Project by protecting Delta fish resources; reducing higher salinity water intrusion resulting from normal tidal influences, sea level rise, or catastrophic levee failures; and protecting water quality during extended closures of the Delta Cross Channel.
- 3** Develop water quality and fish protection measures consistent with long-term planning efforts.



## SCHEDULE & MILESTONES

Preparation of a joint environmental impact statement/environmental impact report (EIS/EIR) for the project is underway, and public input is strongly encouraged.

### Fall 2008

Scoping and public outreach to solicit input on the project\*

### Spring 2009

Draft EIS/EIR released for 45-day public comment period\*

### Fall 2009

Final EIS/EIR released\*  
EIR certification and Record of Decision

### Winter 2010

Issuance of regulatory approvals and permits

### Summer 2010

Construction to begin

\* *Public participation opportunity*



The proposed gates would be operated seasonally and during certain hours of the day, depending on fish and tidal conditions. Several gate designs are being considered. Boat passage facilities would be included to allow for passing of watercraft when the gates are in operation.

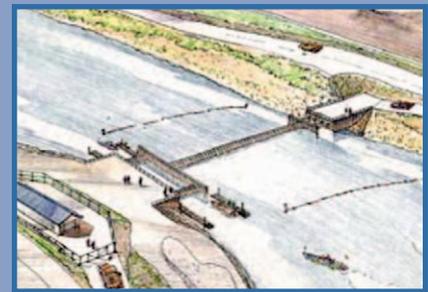
## GATE EXAMPLES



*The existing radial gate at Suisun Marsh with boat passage facility*



*Bottom-hinged gate example*



*A conceptual design of proposed gates for South Delta Improvement Plan*

## LOCATIONS OF PUBLIC SCOPING MEETINGS



### October 6, 2008

10 a.m. - noon  
Federal Building  
Cafeteria Conf. Rooms  
C-1001 & C-1002  
2800 Cottage Way  
Sacramento, CA 94236



### October 7, 2008

6 - 8:30 p.m.  
Memorial Building  
610 St. Francis Way  
Rio Vista, CA 94571



### October 8, 2008

6 - 8:30 p.m.  
Contra Costa Library  
501 W. 18th Street  
Antioch, CA 94509



### October 9, 2008

6 - 8:30 p.m.  
Stockton Memorial Civic  
Auditorium, North Hall  
525 North Center Street  
Stockton, CA 95202



### Department of Water Resources

PO Box 942836  
Sacramento, CA 94236

#### Project Contact

Ajay Goyal  
DWR Project Manager  
agoyal@water.ca.gov  
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#### DWR Media Contact

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DWR Media and  
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anorris@water.ca.gov  
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### Bureau of Reclamation

2800 Cottage Way  
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Please e-mail or call us or sign up on our Web site if you would like to be on the mailing list to receive future updates.  
For more information, please visit: <http://baydeltaoffice.water.ca.gov/ndelta/frankstract/index.cfm>.



Ajay Goyal  
Department of  
Water Resources  
PO Box 942836  
Sacramento, CA 94236

# Delta e-News

**Thursday, Oct. 2, 2008**

**This electronic newsletter is designed to keep you current on issues affecting the Sacramento-San Joaquin Delta. We welcome your comments and suggestions. Contact us at [delta@water.ca.gov](mailto:delta@water.ca.gov)**

## **State Grange schedules Delta symposium for Oct. 15 in Sacramento**

The California State Grange will hold a Water Symposium on the California Delta at 1:30 p.m. on Wednesday, Oct. 15. It will be held as part of the annual State Grange convention in Sacramento. Among those scheduled to speak are Rita Schmidt Sudman of the Water Education Foundation; Keith Coolidge, deputy director of the CALFED Bay Delta Program; Jason Peltier, chief deputy director of Westlands Water District; Zeke Grader, executive director of the Pacific Coast Federation of Fishermen's Associations; and Mike Robinson, a Delta farmer and chairman of the San Joaquin County Farm Bureau Delta Committee. [You can find more information on the Grange Web site.](#)



## **Governor signs bill for Delta emergency response; OKs \$842 million for drought**

Gov. Arnold Schwarzenegger on Tuesday signed SB 27 requiring the Office of Emergency Services to establish an interagency Multi-Hazard Coordination Task Force that would develop an emergency response strategy for the Delta. He also signed three other water bills and OK'd an \$842 million appropriation (SBx2.1) that will help water agencies address the current drought and help invest in water supply reliability. [Read more.](#)



## **Lower Yolo Bypass panel will meet Oct. 7 to OK charter, rules**

The Lower Yolo Bypass Planning Forum will hold its third meeting on Oct. 7. The panel will finalize its charter and operating rules, and discuss these issues: The history and effect of the Deepwater Ship Channel on the Bypass as a flood conveyance facility; state-of-the-science topographic data; and hydrologic modeling tools used for the Bypass. [The meeting agenda, location, and project background information can be found online here.](#)

## **DWR flood center sets coordinating sessions in Sacramento, Stockton**

The Department of Water Resources Flood Operations Center will host two Preseason Flood Coordination Meetings – Oct. 15 in Sacramento and Oct. 16 in Stockton – for water managers, emergency responders, and managers that deal with flood preparedness and response. The meetings will include an overview of weather conditions and a Flood Operations Center update. For more information contact Wendy Stewart at [wstewart@water.ca.gov](mailto:wstewart@water.ca.gov) or (916) 574-2619. [Or see the agenda here.](#)

## **Public invited to comment on scope of Franks Tract environmental report**

The California Department of Water Resources and U.S. Bureau of Reclamation propose to install gates in Threemile Slough or West False River, or both, to protect fish and to reduce salinity intrusion into the Delta. The two agencies must prepare an environmental report on the project. The public is invited to comment on the scope of the report at four public meetings: In Sacramento on Oct. 6; Rio Vista, Oct. 7; Antioch, Oct. 8; and Stockton, Oct. 9. [Details can be found here.](#)

**Subscribe**

**Unsubscribe**

**Delta Outreach Web site**

*For more information about the Delta  
go to: <http://www.water.ca.gov/deltainit/>*



F4 The Sacramento Bee | Thursday, October 2, 2008 | ELK GROVE/LAGUNA



PAUL KITAGAKI JR. Sacramento Bee file, 2007

Pete and Cindi Glasier of Napa cheer as their gourd sets a state record.

## Harvest: Regatta draws visitors

FROM PAGE F1

Peter Glasier of Napa won bragging rights when he weighed in his 1,545.5-pound orb last year. His winning entry set a new state record.

Staby said part of the uncertainty for growers is whether their pumpkins will collapse or crack before they are taken out of the field.

"It's always down to the wire for the growers," she said.

But this year, recent cool weather could mean huge pumpkins, said Brian Myers, a

Wilton pumpkin grower. He says the public may see entries in the 1,400-pound range.

Another fun feature of the festival is the Pumpkin Regatta in which pumpkin lovers paddle giant orbs across Strauss Lake. It made its debut at the festival last year.

To give the giant pumpkin growers a little time to prepare and build their boats, the regatta was moved from Saturday to Sunday, Staby said.

Call The Bee's Sandy Louey, (916) 478-2654.

### EVENT

**What:** Elk Grove Giant Pumpkin and Harvest Festival  
**Where:** Elk Grove Regional Park, 9950 Elk Grove Florin Road, Elk Grove  
**When:** 10 a.m. to 5 p.m. Saturday and Sunday  
**Cost:** Free admission with a \$5 charge for parking  
**More information:** www.yourcsd.com or (916) 405-5300.

### SATURDAY SCHEDULE

7 a.m. Check-in for giant pumpkin and produce weigh-off  
9 a.m. Check-in for scarecrow contest  
9 a.m. to 1 p.m. Giant pumpkin and produce weigh-off  
10 a.m. Judging for scarecrow contest  
4 p.m. Awards for weigh-off

### ENTERTAINMENT SCHEDULE

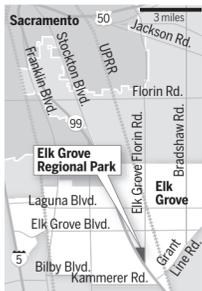
**The Party Platform Stage**  
10:30 a.m. Elk Grove Swing Time Orchestra  
2 p.m. Alameda All Stars  
**Freedom Stage**  
11:30 a.m. Magician Dennis Loomis  
12:15 p.m. Chinese lion dance  
12:45 p.m. "Uncle Sam Says" contest  
1:30 p.m. Magician Dennis Loomis  
2:15 p.m. Chinese lion dance  
2:45 p.m. "Uncle Sam Says" Contest  
3 p.m. Christopher Yates' variety act

### SUNDAY

10 a.m. to 4 p.m. Car show  
10 a.m. Pumpkin boat building  
10 a.m. SacBeeMomsClub.com pumpkin recipe contest finals  
Noon Pumpkin Regatta  
1 p.m. Encore Dance Studio  
1:30 p.m. SacBeeMomsClub.com pumpkin recipe contest awards  
2 p.m. Scarecrow contest awards  
3 p.m. Pumpkin Regatta awards

### ENTERTAINMENT SCHEDULE

**The Party Platform Stage**  
10:30 a.m. Sidetracked  
2 p.m. Solsa  
**Freedom Stage**  
11 a.m. Claddagh Dance Company  
11:45 a.m. Elk Grove Hoedowners  
12:30 p.m. "Uncle Sam Says" contest  
1 p.m. Claddagh Dance Company  
2 p.m. Fenix Drum and Dance Co.  
3 p.m. Claddagh Dance Company



MITCHELL BROOKS  
mbrooks@sacbee.com

## YOUR SPACE

### PEOPLE

Officials of the National Merit Scholarship Corp. recently announced the names of about 16,000 semifinalists in its annual scholarship program. These seniors have an opportunity to continue in the competition for 8,200 national Merit Scholarships worth more than \$35 million. Among the semifinalists are four students from Elk Grove high schools - **Brandon Thai** of Franklin High School, **Rachel Rivas** of Laguna Creek High School, **Kelly Wong** of Monterey Trail High School and **Matthew Vaca** of Pleasant Grove High School. **Christophe Anslinger** of Galt Union High School was also a semifinalist.

Army Pvt. **Bo C. Wegner** has graduated from Infantryman One Station Unit Training at Fort Benning, Columbus, Ga.

The training consists of basic infantry training and advanced individual training. During the nine weeks of basic combat training, the soldier received training in drill and ceremonies, weapons employment, map reading, tactics, military courtesy, military justice, physical fitness, first aid skills and Army history, core values and traditions. The advanced individual training course is designed to train infantry soldiers to perform reconnaissance; employ, fire and recover anti-personnel and anti-tank mines; locate and neutralize land mines and operate target and sight equipment; operate and maintain communications equipment and radio networks; construct field firing aids for infantry weapons; and perform infantry combat exercises and battle drills, which includes survival procedures in a nuclear, biological or chemical contaminated area. Wegner is the son of **Gene Wegner** of Elk Grove.



Cid R. Bartolome

Air Force Airman **Cid R. Bartolome** has graduated from basic military training at Lackland Air Force Base in San Antonio.

During the six weeks of training, the airman studied the Air Force mission, organization and military customs and courtesies; performed drill and ceremony marches, and received physical training, rifle marksmanship, field training exercises and special training in human relations. He is the son of **Conrado Bartolome Jr.** of Elk Grove.

### LETTERS

#### Goodbye, Elk Grove section

If this letter is printed, it is Oct. 2 and in the last issue of the Elk Grove section of The Bee.

Thursday morning's Bee was always a treat because we got to read what "scoop" columnist Bob Walter had for us just left of what big-city news story made the headline.

Over the years, we have had some excellent reporters we have come to know by name, whether it be Sandy Louey at Cosumnes Community Services District meetings, Melissa Nix at Elk Grove Unified School District board meetings or Loretta Kalb braving Elk Grove and Galt council meetings.

However, the journalistic treasure through it all has been editor Diana Lambert. Just when Diana brought back the "Political Watch" column, in an election year with the local races causing people to sit up and take notice, we are losing her special insight just weeks before we vote and we now have to say good bye. But before doing so, thank you, Elk Grove bureau, for your professionalism, your journalistic integrity, for caring about our community, reporting the tough stories while never losing sight of the human factor that came with an edition that was about our home.

- Constance V. Conley  
Elk Grove

### MARKETPLACE

## Boots are tailored for wearer

By MELISSA NIX  
mnix@sacbee.com

In a gesture that bodes well for retail, Red Wing Shoes, manufacturer of work boots since 1905, is refurbishing its store in the Laguna Gateway shopping center, next door to Bebe Salon.

The company sells 250 styles of boots tailored for a variety of industries.

Red Wing has a distinctive customer service approach, said Peter Engel, the company's director of marketing and communications.

"First thing we'll do, we'll ask you what your job is and what do you do (on that job)," Engel said.

For example, Engel said, if you are working on a skyscraper, you want a shoe with a wedge sole, not a defined heel that could catch on the edge of the beam. And electricians don't want any metal in their shoes, he said.

"Next, we'll sit down and measure your feet. Say you have one foot that is a 9 and the other a 9 1/2, we can actually sell you a pair of mismatched shoes. Then we'll ask you what your budget is."

Red Wing has shoes from \$90 to \$270. "We fit your job,

fit your feet and fit your budget," he said.

Engel said Red Wing is one of the last remaining footwear manufacturers that makes its product in the United States. Three factories, in Potosi, Mo., Red Wing, Minn., and Danville, Ky., produce 2 million pairs annually.

#### Visit Wilton pumpkin patch

Brian Myers, Elk Grove Unified School District board president and a deputy district attorney for Sacramento County, is multi-talented.

In addition to his duties to the board and the county, he manages a successful pumpkin patch in Wilton.

This year, he grew about 80 pumpkins, 20 of which have already been sold, he said. Prices range from \$25 to \$40.

Myers says his round pumpkins are perfect for carving, "porch-sitting" or just for garnering the admiration of your neighbors.

To get your great pumpkin, visit the patch at 9376 Montevideo Drive in Wilton. Call Myers at (916) 505-7180 or e-mail wiltonca@aol.com.

Call The Bee's Melissa Nix, (916) 478-2653.



## Grand Opening



FOOD GAMES TOURS  
RAFFLE ANIMALS

Saturday, October 11  
11:00am to 3:00pm

(916) 683-4000

10207 Franklin Boulevard, Elk Grove  
(1.5 miles south of Elk Grove Blvd.)

## Regional Transit Master Plan

### Creating A New Transit Vision...Together



Over the last six months, the Sacramento Regional Transit District (RT) received valuable input from over 2,000 community members who agree that the vision for the Sacramento region includes a high quality and high frequency transit system. Now, RT needs your input to determine how we can fund future transit services and improvement projects that were identified as important to the region.

Please join us at a community workshop as we work together to make decisions about transportation investment priorities. You will have the opportunity to participate in an interactive exercise that will shape the future of transit in the Sacramento region.

#### Rusch Park Auditorium

7801 Auburn Boulevard, Citrus Heights  
Thursday, October 9  
6 p.m. to 7:30 p.m.

#### City of Rancho Cordova

American River North Room  
2729 Prospect Park Drive  
Wednesday, October 15  
6 p.m. to 7:30 p.m.

#### Samuel Pannell Meadowview Community Center

2450 Meadowview Road, Sacramento  
Tuesday, October 21  
6 p.m. to 7:30 p.m.

#### City of Folsom Community Center

52 Natoma Street  
Thursday, October 23  
6 p.m. to 7:30 p.m.

#### South Natomas Community Center

2921 Truxel Road, Sacramento  
Tuesday, October 28  
6 p.m. to 7:30 p.m.

#### Tsakopoulos Library Galleria

East Meeting Room  
828 I Street, Sacramento  
Thursday, October 30  
5 p.m. to 6:30 p.m.

#### Carmichael Park Community Clubhouse

5750 Grant Avenue  
Thursday, November 6  
6 p.m. to 7:30 p.m.

#### City of Elk Grove Council Chambers

8400 Laguna Palms Way  
Thursday, November 13  
6 p.m. to 7:30 p.m.

Refreshments will be served. To RSVP, call 916-556-0302 or e-mail rsvp@sacrt.com. Reservations are not required, but are encouraged. For more information or to fill out an online survey, visit www.sacrt.com and click on the TMP logo.

If you need special assistance to participate in the meetings, please call 916-556-0302. RT will provide meeting materials in alternative formats or make arrangements for sign language interpreters and sighted guides upon request. Notification at least 72 hours before the meeting will allow RT to make reasonable arrangements to ensure accessibility to the meetings.

Regional Transit

Moving You Forward

## Franks Tract Project Scoping Meetings in the Delta

The California Department of Water Resources and Federal Bureau of Reclamation are proposing the Franks Tract Project to protect fish resources and to reduce seawater intrusion into the Delta. The project proposes installation of operable gates in Threemile Slough and/or West False River.

Public scoping meetings to provide input on the content of the EIS/EIR will be held on:

**October 6** at 10am in **Sacramento**  
2800 Cottage Way, Federal Building Cafeteria  
Conference Rooms C-1001 & C-1002

**October 7** at 6pm in **Rio Vista**  
610 St. Francis Way, Memorial Building

**October 8** at 6pm in **Antioch**  
501 W. 18th Street, Contra Costa Library

**October 9** at 6pm in **Stockton**, 525 North Center Street, Stockton Memorial Auditorium, North Hall



For more information, please visit:  
<http://www.water.ca.gov/frankstract/>

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# PEOPLE

## Buy Spears' L.A. home for \$7.9M

Britney Spears is unloading her six-bedroom, six-bathroom Studio City home for \$7.9 million, a Spears rep told Us Weekly's Web site magazine.com. The sale was first reported in the Los Angeles Times.

Wow — \$7.9 million. It's just another indication how one can't go wrong investing in California real estate.

The gated, Italian Renaissance-inspired villa has about 7,500 square feet and features a wet bar, a library, a den, high ceilings and stone and mosaic tile floors. The master bedroom has a fireplace and a loggia. (Not Robert Loggia.)

The pad also comes complete with a pool, spa, arbor and three garages. And, the rep stressed, all the Burger King wrappers and Starbucks cups have been cleaned up.

In other exciting news of the Spears clan, Britney's mom, **Lynne Spears**, is speaking out about the media's hypocrisy embracing the pregnancy of **Bristol Palin**, 17-year-old daughter of **John McCain** running mate **Sarah Palin**, while criticizing the pregnancy of her 17-year-old daughter, **Jamie Lynn**.

Just for the record, we hate our hypocrisy.

Lynne wasn't very happy when it was revealed Jamie Lynn was with child last year, but Palin is getting a pass, she told Newsweek. "It's a totally different reaction. It's as if (Sarah Palin) became celebrated. I mean, the mother, Palin, was celebrated for this. Every woman in the world has applauded her strength and her convictions, and poor little old Jamie Lynn — you saw how she was crucified. ... I just feel like it's been a very hypocritical situation."

And since we're here, **Hugh Hefner** told OK! magazine that, should 44-year-old Palin lose the November election, he wants her to pose naked in Playboy magazine.

"Palin would make a great centerfold," said Hefner, still the greatest man who's ever lived, even if he doesn't realize he's talking about a potential world leader. "I don't know what it is, but there's



DOUGLAS C. PIZAC/ASSOCIATED PRESS

**SCIENTISTS AGREE** that this is what happens to corn when you sing enough bad music in its presence. For some reason, the image of former "American Idol" star David Archuleta provides the design for the 13th annual Cornbelly's Corn Maze and Pumpkin Fest on Wednesday in Lehi, Utah.

something about a really sexy-looking woman wearing glasses. Imagine what she's like when those glasses come off. It would be a new definition of the word 'vice' in vice president."

Old people are cute.

**HULK JR. BREAKS OUT EARLY:** Thanks to his good behavior behind bars, **Hulk Hogan's** son **Nick Bollea** is being released from jail three months early, according to Entertainment Tonight.

He is due to be released Oct. 21 from jail in Clearwater, Fla.

Bollea, 18, was serving eight months in jail after pleading no contest to reckless driving charges stemming from an August 2007 crash that left his best friend, **John Graziano**, in critical condition.

**O'BRIEN BACK TO REHAB:** Today's celebrity rehab check-in is TV host **Pat O'Brien**, back for the second

time this year in a bid to kick his alcohol addictions.

According to **PerezHilton.com**, the 60-year-old is seeking help at an undisclosed location, just days after he was fired as co-presenter of celebrity news show "The Insider."

**BESIDES THIS COLUMN, WHY PEOPLE THINK REPORTERS ARE STUPID:** At the United Nations on Wednesday to discuss a nuclear test ban treaty, **Michael Douglas** had to field questions about the financial turmoil shaking world markets from reporters recalling his role in the 1987 film "Wall Street."

At a news conference, the actor urged the United States and eight other holdout nations to ratify a nuclear test ban treaty. **Douglas** won an Academy Award for portraying rapacious banker **Gordon Gekko**, who said "greed is good."

After world leaders condemned the "boundless greed" of world markets, **Douglas** was asked to compare nuclear Armageddon with the "financial Armageddon on Wall Street." A reporter asked, "Are you saying, **Gordon**, that greed is not good?"

"I'm not saying that," **Douglas** replied. "And my name is not **Gordon**. He's a character I played 20 years ago."

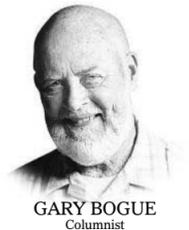
**HIS SHARK IS JUMPED:** **Ted McGinley** has been associated with the downfall of television shows on which he joined the cast. But he didn't last long enough to jinx "Dancing with the Stars."

The actor and his professional partner, **Inna Brayer**, were eliminated Wednesday from the seventh season of ABC's dancing competition. He was the second celebrity to be dismissed, following comedian **Jeffrey Ross** on Tuesday.

Today's People Column was compiled by **Tony Hicks** and **Vicki Walker** from news service reports. Comments? Write to us c/o the Times, P.O. Box 8099, Walnut Creek, CA 94596-8099. Or call 925-943-8262, fax 925-943-8265, or e-mail [thicks@bayareanews-group.com](mailto:thicks@bayareanews-group.com).

## Is it normal for gray foxes to be in this area?

Cold early morning  
Bright shining stars overhead  
Pick up newspaper.  
— haiku, Virginia Larson,  
San Ramon



GARY BOGUE  
Columnist

**Dear Gary:**  
We live in Concord on a hillside off Pine Hollow Road. We have quite a bit of wildlife in our area.

Our latest visitor is a beautiful gray fox. I'm sure he has helped with the gopher and ground squirrel problems. We noticed him for the first time last week. He seems to be making regular visits. I'm glad our only pet is an inside kitty.

Behind our house is a steep hillside. Quail and many other birds hang out there. Do you think the fox is interested in them? Yesterday afternoon they were eating wild bird seed side-by-side. He didn't try to attack them.

If the fox sees us, he just looks up as if to say hello and then goes about his business.

Is it normal for gray foxes to be in this area?

**Cathy, Concord**

**Dear Cathy:**  
Gray foxes are all over the Bay Area, but they're usually shy. You're lucky to have spotted that one.

Foxes love to have dinner with quail and other birds, ground squirrels, gophers, mice, snakes, lizards, berries, etc. Maybe he was already full of gophers when he saw the quail. Things could be different the next time he encounters them.

Glad you're enjoying your wild neighbors.

### BEASTLY THINGS TO DO

■ **Animal Activist Training Class** at Animal Place sanctuary, 3448 Laguna Creek Trail, Vacaville, 9 a.m.-noon Saturday (Sept. 27); \$10 per person. An interactive and informative training session with facts about farmed animals and tools on how you can help. Learn effective letter writing, legislation, tabling, leafleting, personal ways to help and more. Sanctuary tour is included. Call 707-449-4814 to sign up, or visit [www.animalplace.org](http://www.animalplace.org) and click on Animal Activist Training under Upcoming Events.

■ Our second annual Dress Up Your Pet Contest runs through Oct. 16. Send us a photo of your dog, cat or other domestic animal in a pet-friendly costume.

Contest categories: Cute as a Button, Fame Becomes Me (best impersonation of a his-

torical figure or celebrity), Oh So Girlie, Macho Man, I'm So Ashamed (the more embarrassing, the better), Just Like Me (owner and pet should dress up in complementary costumes) and Just Because We Like It (if your pic doesn't fit any other category).

Like last year, we'll also have a Reader's Choice category, where you help select the winner. Photos will be posted online at [ContraCostaTimes.com/Living](http://ContraCostaTimes.com/Living), where readers can vote for the one they like best. Photos of all winners will run in the newspaper Oct. 27.

We can upload photos for you, or you can upload them yourself at [ContraCostaTimes.com/Living](http://ContraCostaTimes.com/Living). To be an official entry, you must send us a copy of the photo, your name, pet's name, city and a daytime phone where you can be reached. Send entries to [atanko@bayareanews-group.com](mailto:atanko@bayareanews-group.com) (indicate if your photo is already uploaded), or to [ContraCostaTimes.com](mailto:ContraCostaTimes.com), P.O. Box 8099, Walnut Creek, CA 94596-8099. Entries must be received no later than 5 p.m. Oct. 16. Please include "Pet Contest" in the subject line or on the envelope.

■ **Contra Costa Avian Society's** monthly club meeting is Friday (Sept. 26), 7:30 p.m., at Contra Costa Water District, 1331 Concord Ave., Concord. **Shelley Parker** will talk about "Avian Vocal Learning: Exploring Heterospecific Vocal Mimicry in Cassin's Finches."

■ **Lemonade and Cookie Sale** by 9-year-old **Michaela** and 6-year-old **Miles Carbaat**, noon-3 p.m. Saturday (Sept. 27), Walnut Avenue and Naranja Drive, Walnut Creek. Sale proceeds benefit **Ventana Wilderness Society's** California Condor Program. (The lemonade is yummy!)

Find more Gary in his blog at [www.ibabuzz.com/gary-bogue](http://www.ibabuzz.com/gary-bogue) or write Gary, P.O. Box 8099, Walnut Creek, CA 94596-8099; old columns at [ContraCostaTimes.com](http://ContraCostaTimes.com), click on Columns; e-mail [garybug@infonline.net](mailto:garybug@infonline.net).

### Milestones

**Birthdays:** Broadcast journalist **Barbara Walters** (79), Defense Secretary **Robert Gates** (65), actor-producer **Michael Douglas** (64), model **Cheryl Tiegs** (61), actor **Mark Hamill** (57), actor **Michael Madsen** (50), actress **Heather Locklear** (47), actress **Aida Turturro** (46), actor **Tate Donovan** (45), basketball player **Scottie Pippen** (43), actor **Will Smith** (40), actress **Catherine Zeta-Jones** (39), rock musician **Mike Luce** of Drowning Pool (37), rapper **T.I.** (28), singer **Diana Ortiz** of Dream (23).

## THE TIMES

CONTRA COSTA TIMES • WEST COUNTY TIMES  
EAST COUNTY TIMES • VALLEY TIMES • SAN RAMON VALLEY TIMES  
Tri-Valley Herald • San Joaquin Herald  
Established June 1, 1911 • Bay Area News Group • East Bay

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| DAILY & SUNDAY     |         |                        |         |
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| West County Times  | \$11.83 | Valley Times           | \$10.90 |
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Mail rates are \$23 monthly for daily delivery and \$15 monthly for Sunday only. A 52-week, Tuesday-through-Sunday subscription is \$39.98, which includes all Mondays except for the first Monday in September and the last Monday in December. Prices are subject to change and include applicable state and local taxes. Copyright © 2008 Bay Area News Group • East Bay

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Assistant Managing Editor Katherine Rowlands ..... 925-943-8379  
Assistant Managing Editor Martin Reynolds ..... 510-208-6433  
Contra Costa Times, Local Andrew McCall ..... 925-943-8227  
East County Times, Local Craig Lazeretti ..... 925-779-7136  
West County Times, Local Todd Perlman ..... 510-262-2731  
Valley/San Ramon Valley Times, Local Kelly Gust ..... 925-847-2112  
Business Editor Drew Voros ..... 925-943-8099  
Sports Editor Tom Barnidge ..... 925-977-8591  
TimeOut/A&E Editor Lisa Wrenn ..... 925-943-8251  
Opinion/Readers Forum Dan Hatfield ..... 925-977-8430

### CALIFORNIA LOTTERY

SuperLotto Plus Estimated jackpot: \$29 million

Wednesday, Sept. 24 draw ... **1 6 20 40 41** Mega: **18**

Mega Millions Friday's estimated jackpot: \$24 million

Tuesday, Sept. 23 draw ... **9 32 34 43 52** Mega: **4**

Fantasy 5

Wednesday ..... **2 10 24 35 37**

Daily 3

Early draw ..... **8 0 3** Wednesday ..... **8 0 9 4**

Late draw ..... **0 6 0**

Daily Derby

Wednesday:

No. Horse Winning Time

1. 06 Whirl Win ..... 1:44.63

2. 11 Money Bags

3. 08 Gorgeous George

Prizes Sept. 20 draw

Combo Winners Prize

Jackpot (all 6) 0 \$27 million

5 of 5 7 \$11,415

4 of 5 + Mega 19 \$2,102

4 of 5 642 \$103

3 of 5 + Mega 1,096 \$54

3 of 5 27,082 \$10

2 of 5 + Mega 14,747 \$10

1 of 5 + Mega 74,691 \$2

Mega only 117,483 \$1

SuperLotto past draws

Sept. 20 12 23 33 37 44 Mega: 5

Sept. 17 19 26 27 40 47 Mega: 21

Sept. 13 6 13 19 21 41 Mega: 16

Lottery information

650-875-2200; 800-LOTTERY

Web: [www.calottery.com](http://www.calottery.com)

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## Franks Tract Project

### Scoping Meetings in the Delta

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**PROTECT & SERVE**

# Fire safety tips you can use

**T**his week, I am going to continue to talk about your home fire safety inspection. Just take this article with you and go through your home, one room at a time, to find all those pesky little trouble spots where a fire could start. This exercise could dramatically minimize your family's chances of having a disastrous home fire.

First things first — a working smoke detector on every level of your home and in each bedroom will cut the chances of someone dying in a fire in your house in half. Test them monthly and change the batteries every year, whether you think they need to be changed or not.

In every room, check the electrical hazards. In the living room, family room, dining room, bedrooms, laundry room and restrooms, electrical hazards are among the key "hot spots." Annually, an estimated 28,300 electrical home fires cause 360 deaths, 100 injuries and \$995 million in direct loss.

Also look for the following:

- Only use UL-listed or safety-tested appliances.
  - Unplug appliances when not in use whenever possible.
  - Check cords and plugs for wear, cuts, frays and exposed wiring. Replace any problem cords or appliances.
  - Supervise children when using appliances.
  - If you keep tripping circuits or experiencing electrical anomalies, contact an electrician right away.
  - Don't overload or overuse extension cords.
- Other "hot spots" to check:
- Check that all heating devices have a safe, clear area of at least 3 feet surrounding them.
  - Be sure to keep all lighters and

matches out of the reach of children.

- If there are smokers in your home, be sure they use heavy ashtrays that won't tip over.
- No smoking in bed; mattress fires kill upwards of 600 people a year!

The garage is its own special target zone in which fire potential is great — the following precautions should be taken:

- All flammable liquids, such as gasoline, should be in specially designed flammable liquid containers (gas cans) that self-close when not in use.
- Gas cans and other flammables, including oils, solvents and paints, must be kept away from ignition sources. Remember, your water heater has an open flame.
- The water heater should be off the floor, to keep flammable gases from reaching the pilot light.
- Oily rags can auto-ignite in the presence of heat and air, so keep them in an airtight container.

Kitchen fire safety was the theme of Fire Prevention Week in 2007, and the following is a list of some of the key dangers in your kitchen:

- Never walk away from food that is cooking.
  - Always supervise children who are cooking and never allow children to play where cooking is taking place.
  - All pot handles must be pushed away from the front of the stove to prevent their being knocked over and causing burn injuries.
  - Keep pot holders, towels and other fabrics away from heat sources.
- Stay tuned! My next article will include more life-saving tips for you and your family!

■ *This is an occasional column in Our Town written by law-enforcement officers. Maria Dele Peterson is a fire engineer for the Tracy Fire Department.*



**MARIA DELE PETERSON**

**CANCER NOTES**

# Go ahead, have that orange sherbet

By Sue Mudd  
Our Town

"I don't know what happened. Life got in the way."

I hear that said and wonder how "life" gets in the way, and what is it blocking: time, family, friendships, accomplishments? Are people allowing life to pass by without doing the things that matter most? Is your life as fulfilling as you desire it to be, and with few regrets?

Take the time to act out your New Year's resolutions or bucket list, and you'll be rewarded a hundredfold.

My friend, Kathleen, an American Cancer Society volunteer, tells a story of a roadblock in her life. Her mother, Pat, was admitted to the oncology department in the hospital because she was so weak and sick. Pat was having trouble eating and was suffering severe side effects from chemotherapy for breast cancer. Pat wasn't hungry; she was tired, and didn't want to go through chemo anymore. Pat's husband, Dick, who loved her unconditionally, wanted her to eat to get stronger. He lovingly tried to coerce her into eating, but she wanted no part of it. She told him what she really wanted was orange sherbet.

Four days later, Pat passed away. Dick was

distraught and said to Kathleen: "If I knew she was going to leave us so soon, I would've let her eat all the orange sherbet she wanted."

Kathleen's mantra is to eat orange sherbet.

This year, about 142,070 Californians will be diagnosed with cancer, equivalent to more than 16 new cases every hour of the day. For many people, death is their roadblock. Cancer got in the way of life. Thankfully, 10 million-plus cancer survivors alive today have persevered, struggled and driven right over that barrier.

The ACS has been the map in the cancer journey for 97 years and guides us on a cancer-free trip by working to eliminate cancer through research, education, patient services and advocacy. Since 1946, the ACS has invested more than \$3 billion toward life-saving research. It disseminates the message of healthy eating, exercise, early cancer prevention and detection methods, all of which has played a huge part in lifestyle and behavioral changes that allow a longer life journey.

ACS patient services such as the toll-free number and Web site are available 24/7, 365 days of the year, so you have help anytime in your journey.

Through ACS advocacy efforts, we can boast no-smoking bars, restaurants, schools and parks, increased tobacco taxes, establishing the nation's strongest school food nutrition standards, and a ban on smoking in a car when a minor is present. (For current advocacy issues, log on to [www.acscan.org](http://www.acscan.org).)

Today is a great day for orange sherbet. In fact, have all 31 flavors, for no one knows when the trip will end. But you do have the power to navigate your life on a road with less construction and wrong turns by riding shotgun with the ACS by making a donation or becoming a volunteer.

Visit the American Cancer Society booth at the Sutter Tracy Community Hospital Fun, Fit and Healthy Fair on Saturday, or for more information: [www.cancer.org](http://www.cancer.org); or 941-2679.

■ *Sue Mudd is a volunteer with the American Cancer Society.*

## Real Estate Seminar

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RSVP to Laura Olson at (925) 447-5001 ext. 1185 by Monday, September 22<sup>nd</sup>

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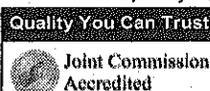
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## Franks Tract Project

Scoping Meetings in the Delta

The California Department of Water Resources and Federal Bureau of Reclamation are proposing the Franks Tract Project to protect fish resources and to reduce seawater intrusion into the Delta. The project proposes installation of operable gates in Threemile Slough and/or West False River.

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501 W. 18th Street, Contra Costa Library

**October 9** at 6pm in **Stockton**, 525 North Center Street, Stockton Memorial Auditorium, North Hall



For more information, please visit:  
<http://baydeltaoffice.water.ca.gov/ndelta/frankstract>

# Book Crisis

BY TIM CREW  
Staff Writer

A firestorm of emails flew around Rio Vista due to the absence of books at Rio Vista High School last week. According to Amy Egger, vice principal at RVHS, a new district change in science and math was adopted by the board to compliment the new curriculum in May of 2007. This change was led by Kathy Wright, the vice president of Delta High School, Amy Eggers, and teaches responsible for the subjects.

According to Eggers, the timing of this adoption was based upon a state requirement not district policy. The textbooks were ordered soon after school dismissed in 2008.

The lack of English textbooks also concerned the public. Eggers, who have been at RVHS less than a year was not sure why the decision to work without a textbook for ten plus years in English was made, but the WASC committee took exception to this.

According to Eggers, we worked with the district office and Delta High School to deal with this issue. The English teachers were not happy with the texts being used at Delta High School and a new plan was created. It was decided, by the teachers, district office and school administration to purchase the books desired by the RVHS staff and use them for three years.

This provides a three-year pilot program with the new textbooks. When the new adoption cycle emerges the two different books will be compared to determine a district wide policy, according to Eggers.

The publisher's representative suggested RVHS use the 2009 edition and assured everyone it would meet California's standards. This turned out to be untrue and the English staff now had the option to use a non-conforming book or send them back for the correct version. Now teachers were instructing students with the curriculum they had used previously.

After declining to use the new books, a hurricane hit Texas, where the books were being shipped from, slowing down the process.

The books are on a truck somewhere headed here. Once they are released from the hurricane area we will be ready to move forward with them. The district has sent two teachers into training on the texts already.

Eggers suggests the Spanish book issue started at the end of the 2007-08 school year when the Spanish teacher left abruptly, leaving no end of year inventory. The administration went through a hiring process three times and offered a contract to the third applicant. When Cecilia Sandoval, the new Spanish teacher, inventoried the books she determined they were significantly under inventory.

There has been a dramatic increase in Spanish students leading to the retirement of the French teacher, Mary Christopher and the cancellation of her program.

It was determined by the staff and those working with the books to fill the gaps this year and move towards a district, which meets the state requirement.



BY TIM CREW  
Staff Writer

During the spring of 2008 the Western Association of Schools and College [WASC] visited the Rio Vista High School campus. The organization provides accreditation to schools. Those that are denied by the WASC are unable to attend universities. Presently Rio Vista High School obtains a one-year accreditation and a list of items to resolve.

Principle of Rio Vista High School, Jim Lake, prominently focused on this issue and initiated a plan of attack. Faculty team leader Bill Fulk, a teacher at RVHS, is in charge of leading the plan as well.

Under this leadership, Fulk broke down the issues the WASC commission found on campus and delegated each issue to a team lead by teachers, students, administration, parents and community members.

The WASC report focused on five areas. Fulk devised five departments, which will function as teams to resolve WASC issues. According to Fulk, they will also remain department heads to ensure each department and area move towards an "A plus program but will remain as department heads to insure that each department and area continually move towards and A plus program, pointed out Fulk.

These departments determine who's able to be on their teams and what issues are going to be tackled. Over the next several months the teams will research projects, due October 19, and individual tasks are to be planned by November 19th. This allows Fulk to take time over the

Thanksgiving Holiday to review the plans and ensure they meet the WASC Committee's requirements. After guaranteeing the requirements Fulk has to condense the plans into a single document by Christmas. The next step will be to collate the plans into a single document by Christmas.

"The blame game is over. No more blame game. Rio Vista cannot blame anyone," said Fulk. "We need to satisfy what the WASC wants and get it done period."

With the plan done, the real work will begin in actuality, functionally completing the task while performing the primary function of teaching and educating.

According to Fulk, there are good aspects to the WASC report. He liked the close relationship between teachers and students, and teachers and parents.

With a smile on his face Fulk said, "The good thing is we get along, the bad thing is we get along."

WASC reported that there were no department head within those departments. The teams were shocked.

"The WASC team was surprised that we did not have departments with department heads, but this is a challenge give the teaching duties on campus," said Fulk. "Heany and I teach solely in social studies but other teach across departments."

Currently there are one hundred twenty classes on campus with a third offered once a day. Teachers, such as Al Montgomery, provide education across diverse subject areas. He is currently teaching biology and physical

education. Others can have as many as five preparations across three departments.

The process for determining the issues that need to be resolved started in 2001 when the previous WASC report was finished. According to Fulk, at this time the school received a maximum six-year accreditation accompanied by a three-year review.

"Since 2003 we have had three superintendents, three principals, and five vice principals." Said Fulk. "This

provided a leadership vacuum at the top and the teachers did what teachers do...taught."

**River Herald  
Tear Sheet 9/24/08**

facility modernization and construction equipment filled the campus. There was no district office, no principle, and no vice principle to organize the WASC. This chaos bought the school one year but in 2008 RVHS did not pass WASC standards. Today there is a new



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See WASC, Page A3

WASC

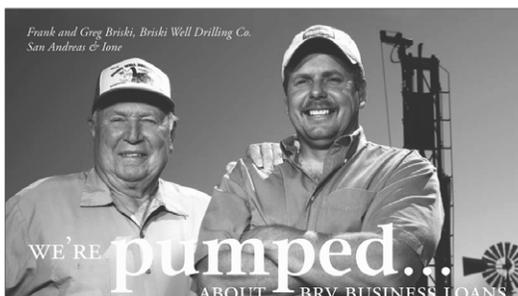
From Front Page

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(707) 374-2700

# The Fishsniffer Event Schedule – Screenshot October 2008

Upcoming Events - Microsoft Internet Explorer provided by AECOM

http://www.fishsniffer.com/cgi-bin/calendar/calendar.pl?calendar=default&month=10

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Upcoming Events

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## Upcoming Events Schedule

If you would like to have your event included here, [EMAIL](#) us the details!

< 2007 Jan Feb Mar Apr May Jun Jul Aug Sep **Oct 2008** Nov Dec 2009 >

**Monday, October 6**

- 10:00 am -12:00 pm : [Franks Tract Project Scoping Meeting: Sacramento](#)

**Tuesday, October 7**

- 6:00 pm -8:00 pm : [Franks Tract Project Scoping Meeting: Rio Vista](#)

**Wednesday, October 8**

- 6:00 pm -8:00 pm : [Franks Tract Project Scoping Meeting: Antioch](#)

**Thursday, October 9**

- 6:00 pm -8:00 pm : [Franks Tract Project Scoping Meeting: Stockton](#)

**Friday, October 10**

- [Rio Vista Bass Derby and Festival](#)

**Saturday, October 11**

- [Future Pro Tour](#)
- [Rio Vista Bass Derby and Festival](#)
- [Shasta Lake 8th Annual Trout Derby](#)

**Sunday, October 12**

- [Rio Vista Bass Derby and Festival](#)
- [Shasta Lake 8th Annual Trout Derby](#)

**Saturday, October 18**

- [Future Pro Tour](#)

If you would like to have your event included here, [EMAIL](#) us the details!

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## APPENDIX D

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Franks Tract Web Site Materials

Screen shots from the DWR Web site for the Franks Tract Project – <http://www.water.ca.gov/frankstract>  
 October 2008

**Franks Tract - Microsoft Internet Explorer provided by AECOM**

http://www.water.ca.gov/frankstract/

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Franks Tract

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## Franks Tract Project

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- Delta Conveyance Branch
- Fishery Improvements
- Franks Tract Project
- Through Delta Facility and Delta Cross Channel Reoperation

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The California Department of Water Resources (DWR) and U.S. Department of the Interior, [Bureau of Reclamation \(Reclamation\)](#) propose to implement the Franks Tract Project to improve water quality and fisheries conditions in the Sacramento-San Joaquin Delta (Delta). DWR and Reclamation are evaluating installing operable gates to control the flow of water at key locations (Threemile Slough and/or West False River) to reduce sea water intrusion, and to positively influence movement of fish species of concern to areas that provide favorable habitat conditions. By protecting fish resources, this project also would improve operational reliability of the State Water Project (SWP) and Central Valley Project (CVP) because curtailments in water exports (pumping restrictions) are likely to be less frequent.

**Franks Tract Project Objectives**

The overall purpose of the Franks Tract Project is to modify hydrodynamic conditions to protect and improve water quality in the central and south Delta, protect and enhance conditions for fish species of concern in the western and central Delta, and achieve greater operational flexibility for pump operations in the south Delta. Specifically, DWR and Reclamation have identified the following objectives for the project:

1. Modify hydrodynamic conditions to protect fish species of concern, particularly delta smelt and longfin smelt;
2. Improve operational flexibility of the SWP and CVP by:
  - protecting Delta fish resources, which can reduce curtailments in project water exports;
  - reducing higher salinity water intrusion into the central and south Delta resulting from normal tidal influences, sea level rise, or catastrophic levee failures; and
  - protecting water quality during extended closures of the Delta Cross Channel; and

**RELATED ITEMS**

- Delta Initiatives
- DWR Interim Delta Actions
- Delta Vision
- Bay Delta Conservation Plan
- South Delta Improvement Program
- CALFED
- Reclamation Mid-Pacific Region

**PROJECT LIBRARY**

- Notice of Preparation (pdf download, 1.3mb)
- Franks Tract News Update #1 (pdf download, 3mb)
- Project Fact Sheet (pdf download, 192kb)
- Franks Tract Study Reports
- Flooded Islands Feasibility Studies 2005-2006
- West Delta Islands Study 2000 CALFED

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Franks Tract

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- » Calendar & Meetings

3. Develop water quality and fish protection measures consistent with long-term planning efforts for the Delta.

**Project Background**  
 DWR and Reclamation have conducted studies to evaluate the feasibility of modifying the hydrodynamic conditions near Franks Tract to improve Delta water quality and enhance the aquatic ecosystem. The results of these studies have indicated that modifying the hydrodynamic conditions near Franks Tract may substantially reduce salinity in the Delta and protect fishery resources, including the sharply declining populations of delta smelt, a federally listed and state-listed species that is endemic to the Delta. The studies are available in the "Project Library."

The project gates would be operated seasonally and during certain hours of the day, depending on fisheries and tidal conditions. Boat passage facilities would be included to allow for passing of watercraft when the gates are in operation. The Franks Tract Project is consistent with ongoing planning efforts for the Delta to help balance competing uses and create a more sustainable system for the future. Preparation of a joint environmental impact statement/environmental impact report (EIS/EIR) for the project is underway, and public input is strongly encouraged. The public scoping period to provide comments on the preparation of the EIS/EIR begins on Monday, September 22, 2008. It will end after 60 days, on November 21, 2008. Public scoping meetings are scheduled for early October 2008. The [notice of preparation \(NOP\)](#) is available for download in the library section on the right sidebar.

The public scoping meetings are being held on October 6, 7, 8, and 9, 2008, in the following locations:

|           |            |                                                                                                     |
|-----------|------------|-----------------------------------------------------------------------------------------------------|
| October 6 | Sacramento | 10 a.m. – noon<br>Federal Building Cafeteria Conference Rooms C-1001 and C-1002<br>2800 Cottage Way |
| October 7 | Rio Vista  | 6 p.m. – 8:30 p.m.<br>Memorial Building<br>610 St. Francis Way                                      |
| October 8 | Antioch    | 6 p.m. – 8:30 p.m.<br>Contra Costa Library<br>501 W. 18th Street                                    |
| October 9 | Stockton   | 6 p.m. – 8:30 p.m.<br>Stockton Memorial Civic Auditorium<br>North Hall<br>525 North Center Street   |

For more information and directions to the meeting locations, please download the "[Franks Tract News Update #1](#)".

To provide comments via this Web site, or to sign up for the Franks Tract Project mailing list, please click [here](#).

**Key Milestones of the EIS/EIR Process**

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DWR Franks Tract

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**Key Milestones of the EIS/EIR Process**

|                                                             |              |
|-------------------------------------------------------------|--------------|
| Scoping and public outreach to solicit input on the project | October 2008 |
| Draft EIS/EIR released for 45-day public comment period     | Spring 2009  |
| Final EIS/EIR released                                      | Fall 2009    |
| EIR certification and Record of Decision                    | Fall 2009    |
| Issuance of regulatory approvals and permits                | Winter 2010  |
| Construction to Begin                                       | Summer 2010  |

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http://www.water.ca.gov/frankstract/FTcalendar.cfm

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### Franks Tract Calendar

Home -> Franks Tract -> Franks Tract Calendar

Franks Tract | Nov | 2008 | Jump To

| Sunday | Monday                                                   | Tuesday                                                  | Wednesday                                                | Thursday                                                 | Friday | Saturday |
|--------|----------------------------------------------------------|----------------------------------------------------------|----------------------------------------------------------|----------------------------------------------------------|--------|----------|
|        |                                                          |                                                          | 1                                                        | 2                                                        | 3      | 4        |
| 5      | 6<br>10:00AM Franks Tract Project Public Scoping Meeting | 7<br>08:00PM Franks Tract Project Public Scoping Meeting | 8<br>08:00PM Franks Tract Project Public Scoping Meeting | 9<br>08:00PM Franks Tract Project Public Scoping Meeting | 10     | 11       |
| 12     | 13                                                       | 14                                                       | 15                                                       | 16                                                       | 17     | 18       |
| 19     | 20                                                       | 21                                                       | 22                                                       | 23                                                       | 24     | 25       |
| 26     | 27                                                       | 28                                                       | 29                                                       | 30                                                       | 31     |          |

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## Involvement Opportunities

Home -> Franks Tract -> Involvement Opportunities

Please submit your comments in the form below. If you would like to receive information including notices of public meetings, workshops, forums & newsletters, be sure to include your contact information.

(Note: Contact information provided will be kept confidential and will not be sold, shared or provided for commercial purposes)

### MAILING LIST SIGN-UP & COMMENTS

First Name:  Last Name:

Organization:

Street Address:

City:  State:  Zip:

E-mail:  Phone Number:

Please fill out the comment form below and click "submit". If you would like to be able to receive a response, please fill out the address or email address fields above.

### COMMENTS:

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Bay-Delta Office

Delta Conveyance Branch

Fishery Improvements

Franks Tract Project

Through Delta Facility and Delta Cross Channel Reoperation

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**INVOLVEMENT OPPORTUNITIES**

Sign up for the mailing list

## APPENDIX E

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### Scoping Meeting Materials



# FRANKS TRACT PROJECT

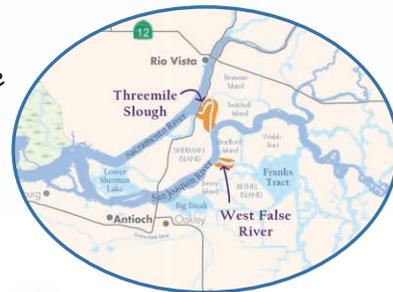
## WELCOME!

Thank you for joining us and participating in the planning process for the Franks Tract Project.

The Franks Tract Project is one of many interim efforts by the Department of Water Resources and the Bureau of Reclamation to help improve water quality and conditions for fish in the Franks Tract area.

The proposed strategy includes installing one or more operable gates in Threemile Slough and/or West False River that will be consistent with any long-term strategic plan for the Delta.

This is at the beginning of the public scoping period, which is part of the environmental review process. We would appreciate your comments on the project.

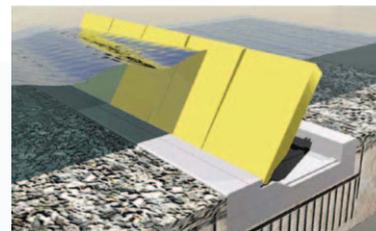
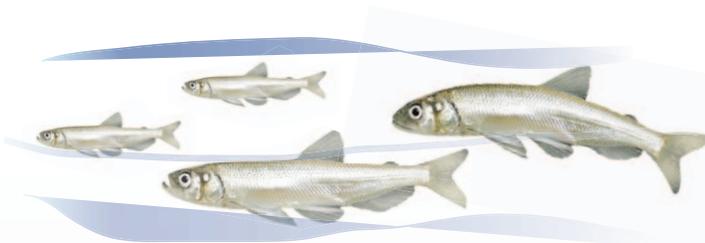


## PURPOSE & FUNCTION OF THE GATES

The proposed gates would be operated to fulfill the following purposes:



- 1 Positively influence the movement of sensitive fish species (e.g., delta smelt) to areas in the west Delta and Suisun Bay/Marsh. These areas provide favorable habitat conditions at certain times of the year.
- 2 Reduce the movement of seawater into the central and south Delta.
- 3 Reduce higher salinity water intrusion into the Delta from tidal influences, storms, or catastrophic levee failures and help to protect water quality during extended closures of the Delta Cross Channel.



The gate option currently being considered is a bottom-hinged gate that can be raised and lowered when needed. When not in operation, it would lie flat on the channel bottom, which would allow boat passage over it.

When the gate is up and in operation, a boat passage facility would allow the watercraft to pass.

By improving water quality and conditions for sensitive fish resources, this project could increase operational reliability of the State Water Project and Central Valley Project.



# FRANKS TRACT PROJECT

## DELTA OVERVIEW MAP



**POSTER BOARD**



# FRANKS TRACT PROJECT

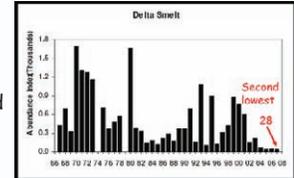
## DELTA FISH SPECIES OF CONCERN



Photo: U.S. Fish and Wildlife Service

### DELTA SMELT

The delta smelt is a small, slender-bodied fish with a typical adult length of 2-3 inches that is found only in the Sacramento-San Joaquin Delta. Historically, it was one of the most common species in the Delta; however, the population declined dramatically in the early 1980s. The delta smelt was listed as a threatened species by the U.S. Fish and Wildlife Service in March 1993 and the California Department of Fish and Game in December 1993.



Source: Baxter et al. 2008 (POD Update, January 2008)

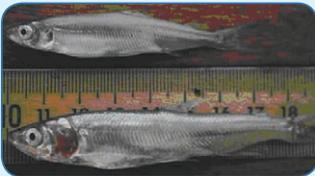
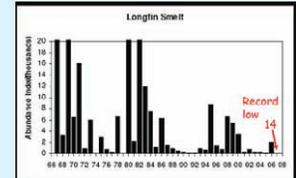


Photo: California Department of Fish and Game

### LONGFIN SMELT (bottom fish in photo)

The longfin smelt is found in estuaries and lakes along the northern Pacific coast of North America, in both saltwater and freshwater areas, typically in the middle or deeper parts of the water. Like delta smelt, it was once common in the Delta and is now much less so. Longfin smelt recently has been petitioned for listing under the California Endangered Species Act.

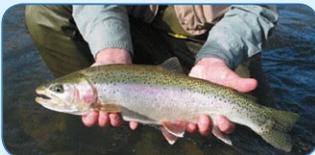


Source: Baxter et al. 2008 (POD Update, January 2008)



### CHINOOK SALMON

The Chinook salmon is the largest of the salmon species. It is found from northern Alaska to central California on the North American coast and on the east coast of Asia. The spawning populations in the Sacramento and San Joaquin Rivers are the southernmost populations of the species, and the Sacramento River and its tributaries are the only system in the world that supports four separate races (runs) of Chinook that use the system for spawning year round: the fall, late-fall, winter, and spring runs. The San Joaquin River and its tributaries support a fall-run of Chinook salmon. The Sacramento River winter-run is listed as federally and state endangered; the Central Valley spring-run is listed as federally and state threatened; and the Central Valley fall-/late fall-run is considered a federal and state species of concern.



### STEELHEAD

The steelhead is the anadromous (sea-run) form of rainbow trout, a salmonid species indigenous to western North America and the Pacific coast of Asia. Recognized as a prized and sought-after game fish, steelhead is also listed as a threatened species by the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service.



### GREEN STURGEON

The green sturgeon has roamed the Pacific Ocean and select rivers on the west coast since the age of the dinosaurs, remaining almost unchanged in appearance for more than 200 million years. It is among the largest and longest living species found in freshwater, living up to 70 years, reaching lengths of more than 7 feet, and weighing up to 350 pounds. This ancient fish historically migrated in huge numbers; however, its numbers are in decline and it is currently listed as a threatened species by the NOAA National Marine Fisheries Service.

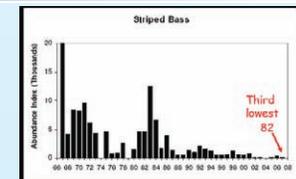
### Other Recreationally and Ecologically Important Fish Species



Photo: California Department of Fish and Game

### STRIPED BASS

Originally introduced to the Delta in 1879, the nonnative, sea-run striped bass has long been one of California's top-ranking sport fish. About 300,000 sport anglers fish for stripers in California each year. Estimated abundances of striped bass have generally been in decline since 2000.



Source: Baxter et al. 2008 (POD Update, January 2008)



Photo: California Department of Water Resources

### SACRAMENTO SPLITTAIL

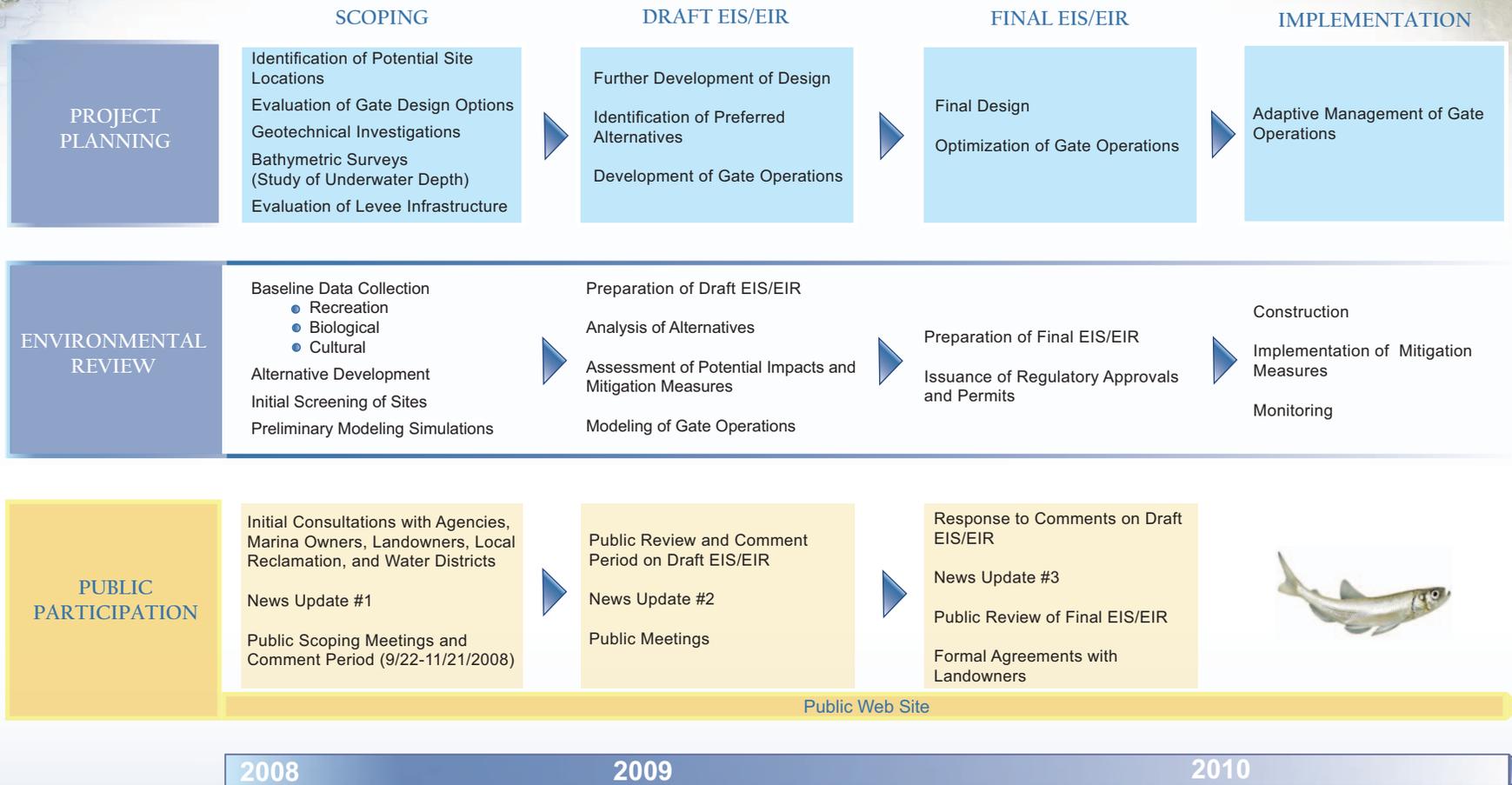
The Sacramento splittail is a minnow that is found only in the Delta and Central Valley rivers. It lives in rivers and fresh to brackish waters, moving into shallow flooded areas in the late winter/spring to spawn on flooded vegetation. The splittail was delisted from threatened status by U.S. Fish and Wildlife Service in 2003.

Because these species collectively represent a diversity of life histories and environmental requirements, and because they are among the most sensitive to environmental change, findings from assessments made for these species may provide information on potential effects of gate operations for these and other fish species using the Delta.



# FRANKS TRACT PROJECT

## PROJECT PLANNING AND REVIEW PROCESS





# Franks Tract Project

Public Scoping Meetings  
October 2008

## AGENDA

### Welcome

Yanna McLaughlin

Meeting Facilitator, EDAW

### Introduction and Overview

Victor Pacheco

California Department of Water Resources

Sharon McHale

U.S. Bureau of Reclamation,  
Division of Planning

### Presentation of Franks Tract Project

Ajay Goyal

Franks Tract Project Manager  
California Department of Water Resources

Chris Fitzer

Senior Fisheries Biologist, EDAW

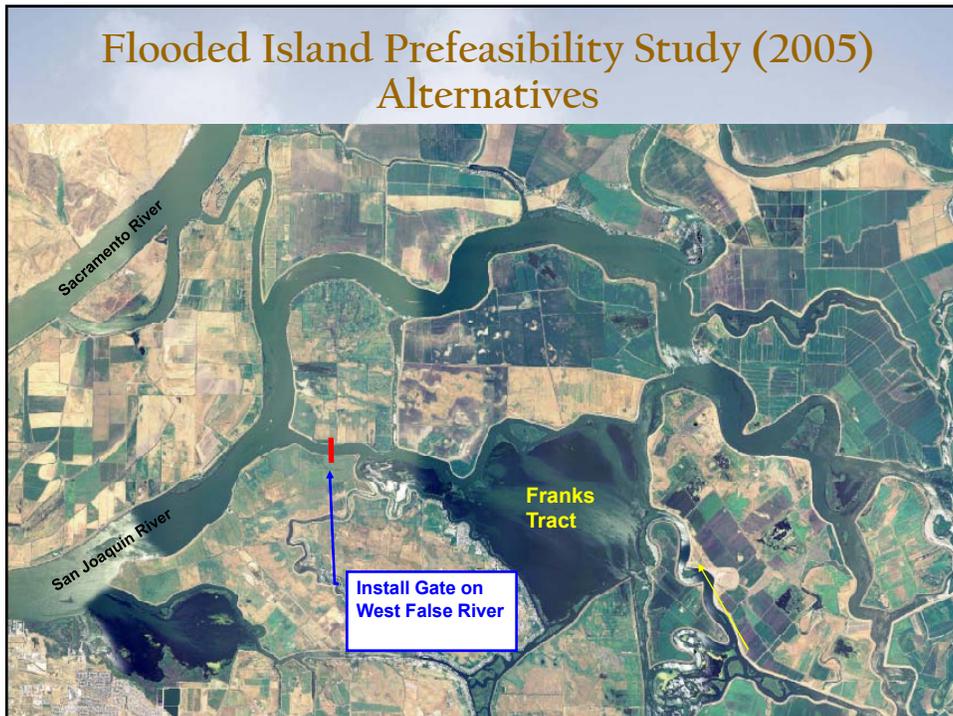
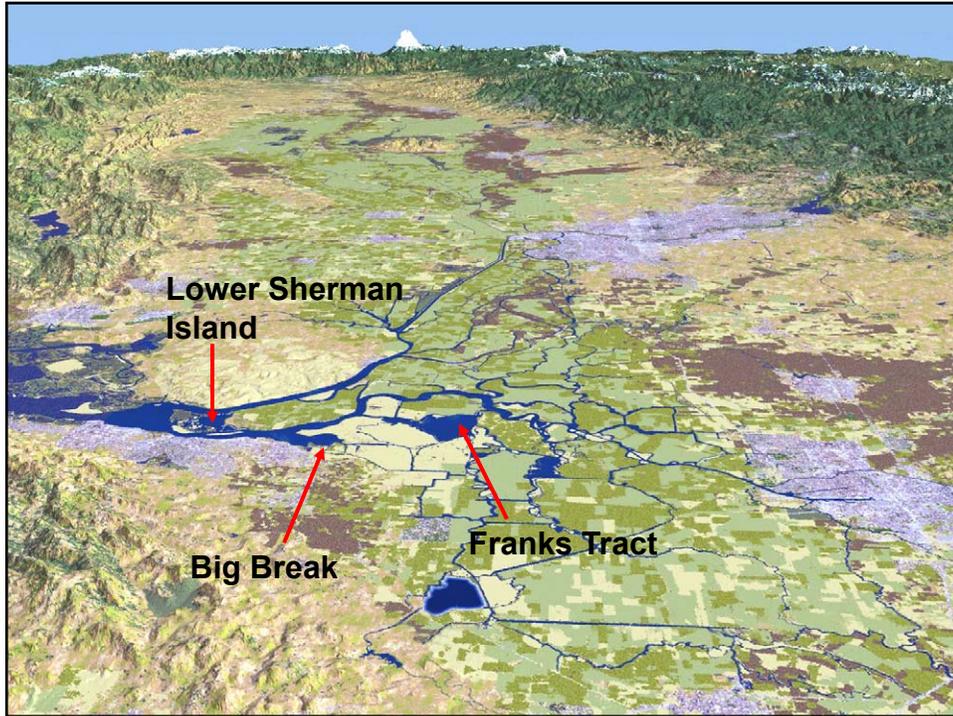
### Questions & Answers, Scoping Comments

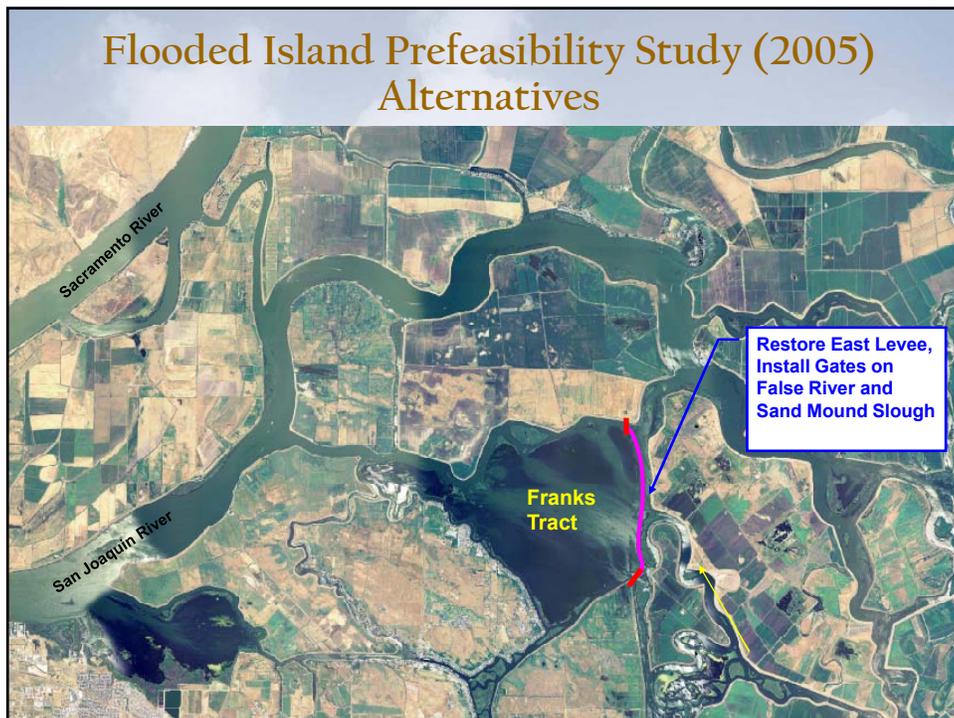
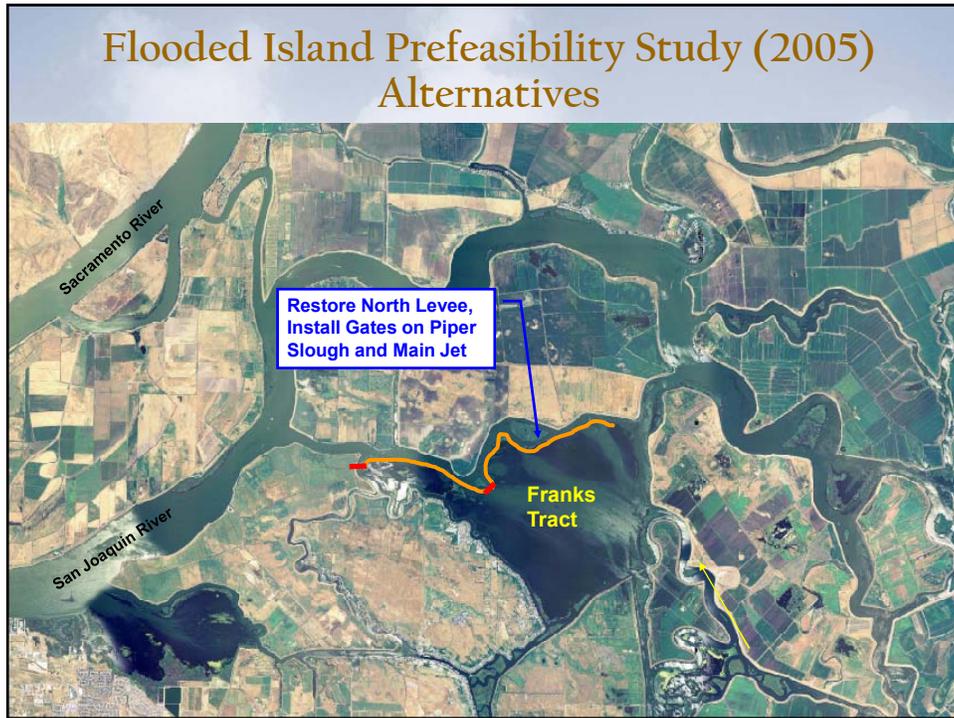


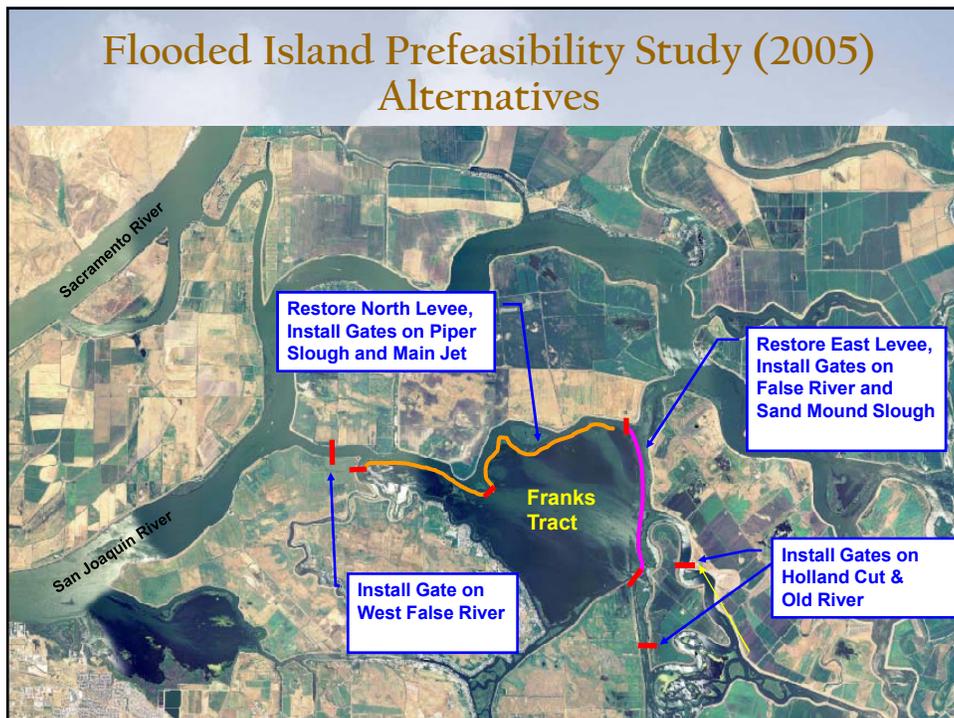
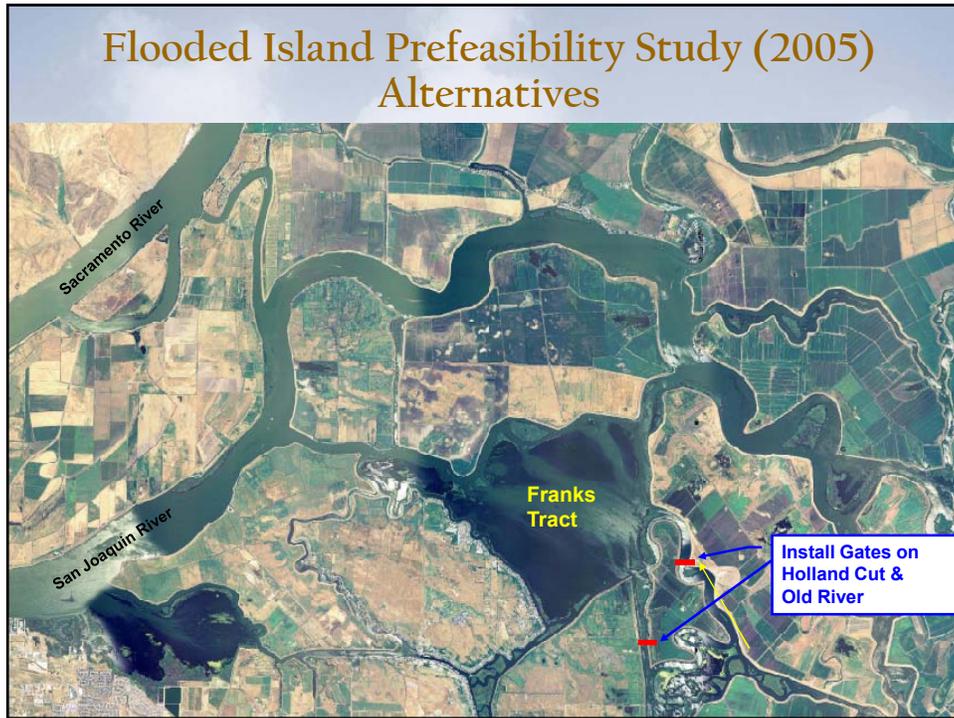
Franks Tract Project

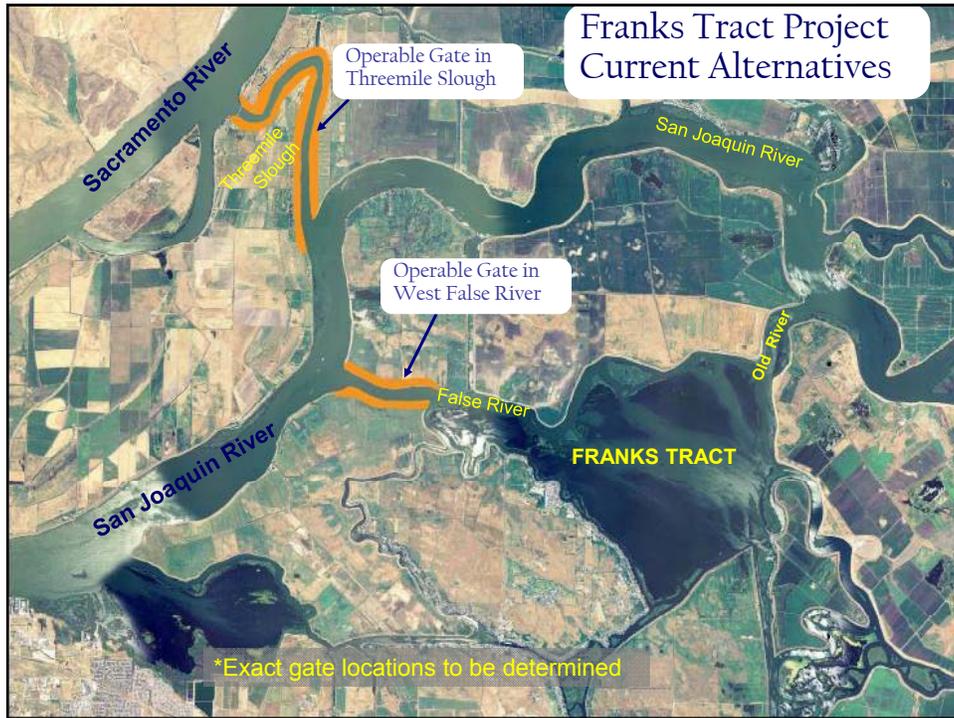
**Presentation Overview**

- ♦ Project Background and Overview – Victor Pacheco, DWR
- ♦ Federal Interest – Sharon McHale, Reclamation
- ♦ Project Need and Objectives, Preliminary Operations (Fisheries) – Chris Fitzer, EDAW
- ♦ Preliminary Operations (Water Quality, Boating), Preliminary Site Selection, Next Steps – Ajay Goyal, DWR











Franks Tract Project



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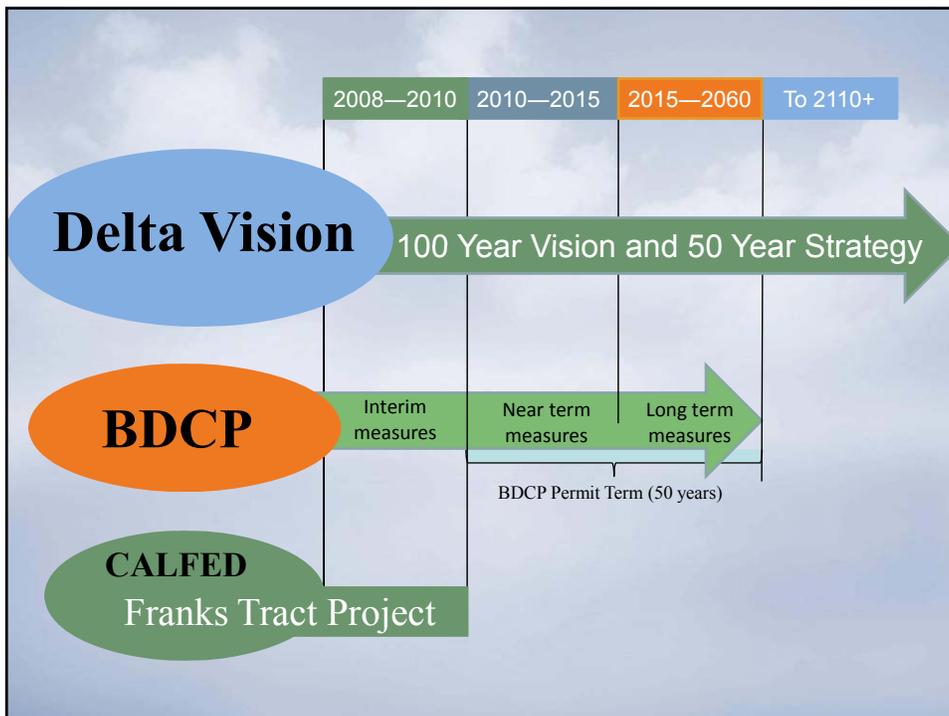


Franks Tract Project



### Federal Interest

- ♦ Franks Tract study authorized in CALFED Bay-Delta Authorization Act of 2004 (Public Law 108-361)
- ♦ Feasibility Report to determine federal interest in funding
- ♦ Federal lead agency on the EIS/EIR









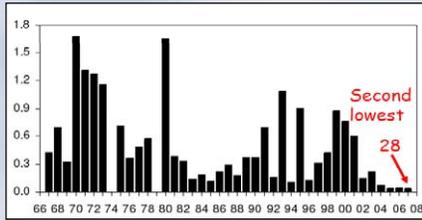
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## Why This Project?

- ◆ Decline in abundance of sensitive fish species

### Delta Smelt



### Longfin Smelt

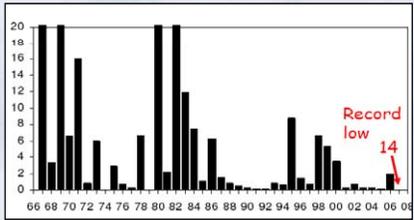
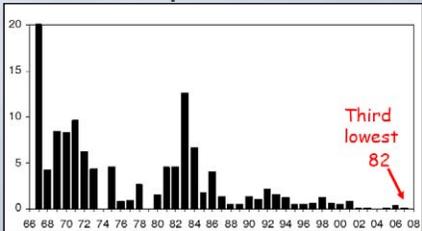




Photo: USFWS

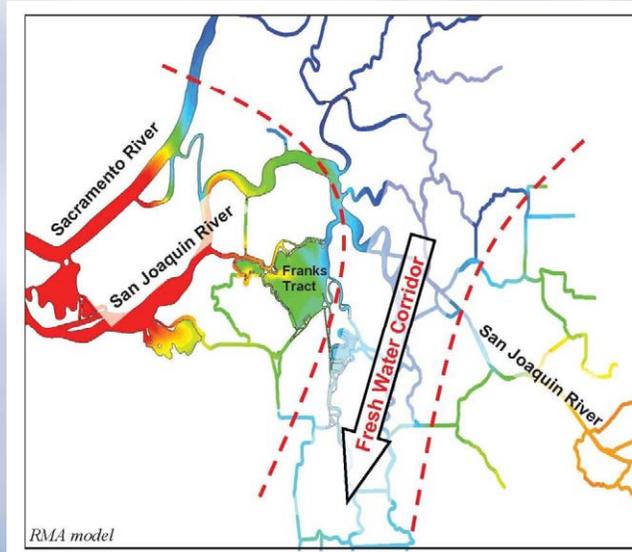
### Striped Bass



Source: Baxter et al. 2008 (POD Update, January 2008)

## Why This Project?

- ♦ Salinity Intrusion and Salt Transport Processes

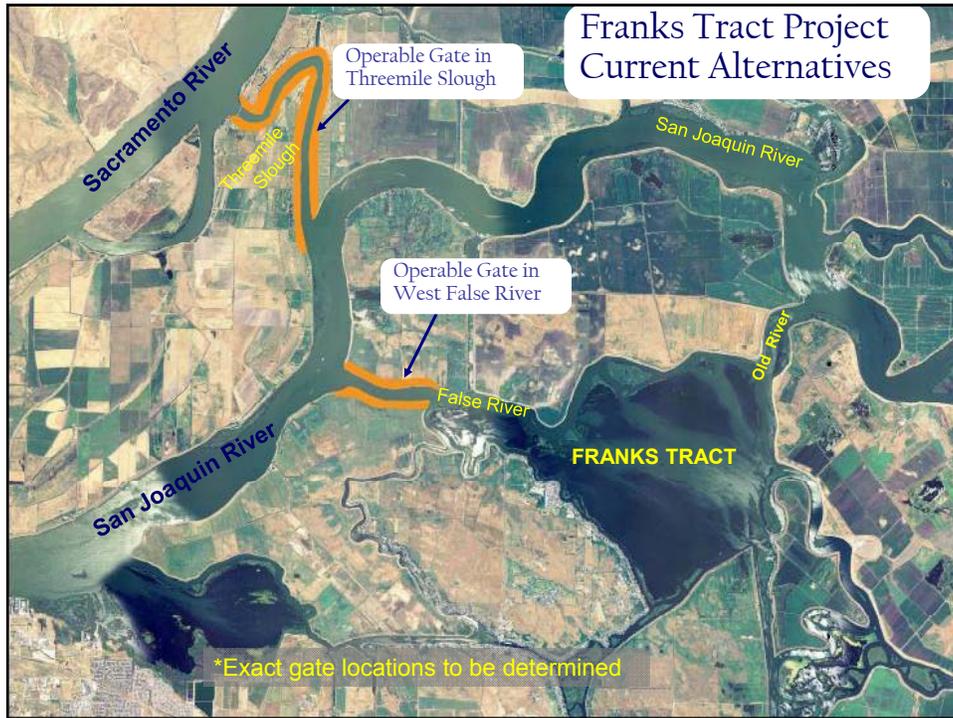


Franks  
Tract Project



## Franks Tract Project - Objectives

- ♦ Protect sensitive fish species and reduce seawater intrusion through modifications of flow conditions in the western Delta
- ♦ Improve operational flexibility of SWP/CVP
- ♦ Develop water quality and fishery protection measures consistent with long-term planning efforts



Franks Tract Project



### Factors for Site Selection

- ◆ Hydrodynamic influence
- ◆ Fish movement patterns
- ◆ Water quality
- ◆ Recreation and navigation
- ◆ Levee and channel stability
- ◆ Constructability
- ◆ Cost



### Objectives for Project Operations by Season

| Period    | Gate Operation                           | Objectives                                                                                                                                     |
|-----------|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Jan - May | Operated for Fisheries Improvements      | Increased movement of delta and longfin smelt, chinook salmon and steelhead to favorable rearing habitat and reduced movement to central Delta |
| Jun - Sep | Operated for Water Quality Improvements  | Operate for water quality; planktonic life-stages are generally not present                                                                    |
| Oct - Dec | Operated for Fisheries and Water Quality | Maintain water quality; do not impede or delay migration of adult fishes (operations may be modified to improve fisheries protection)          |



### Objectives for Project Operations by Season

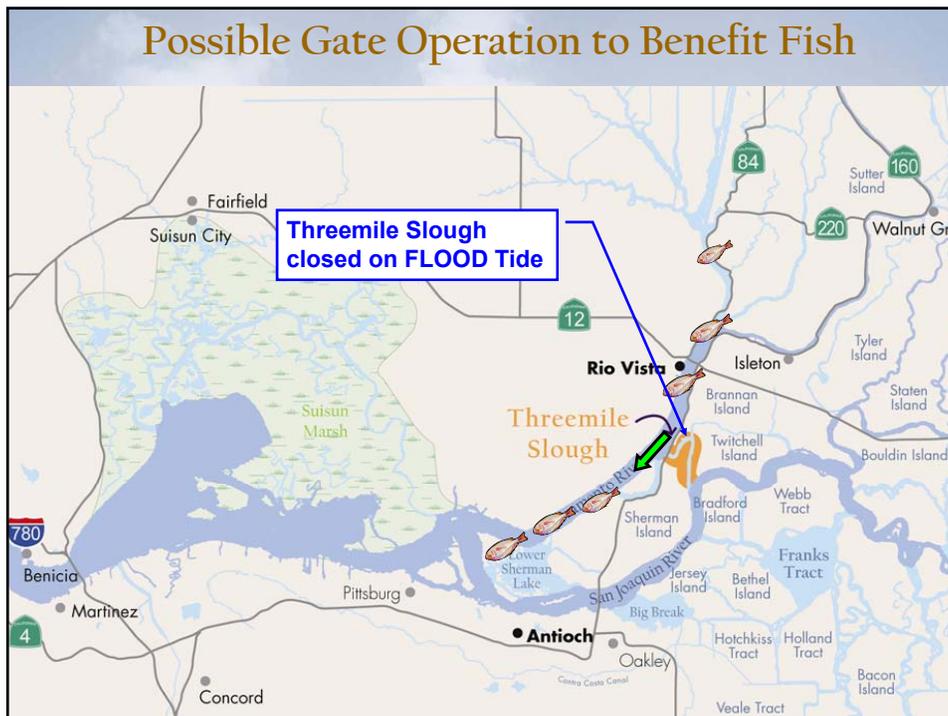
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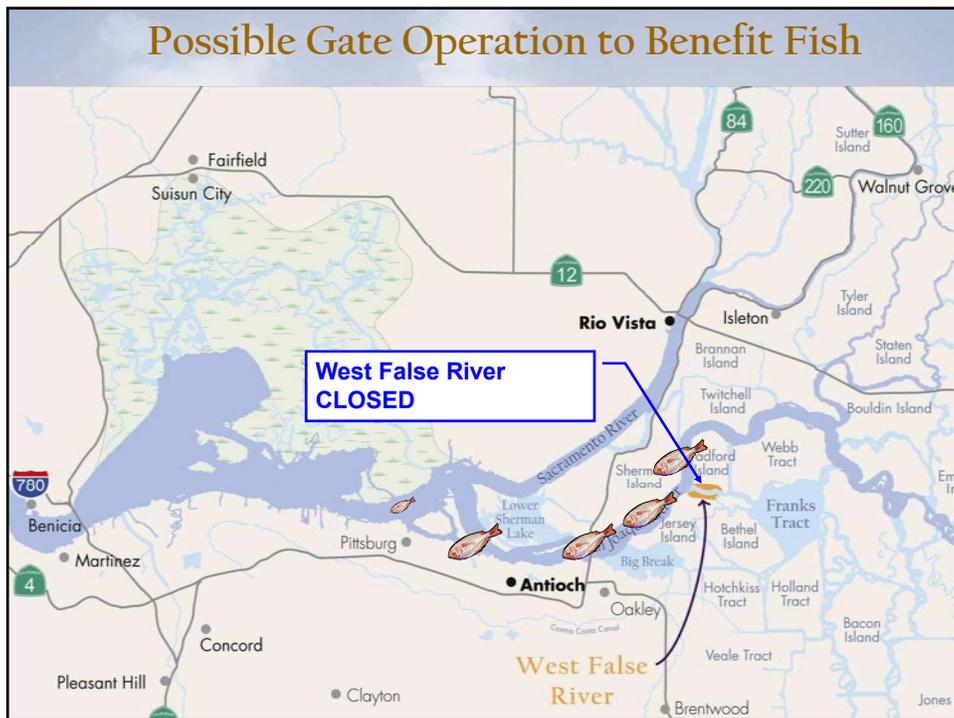
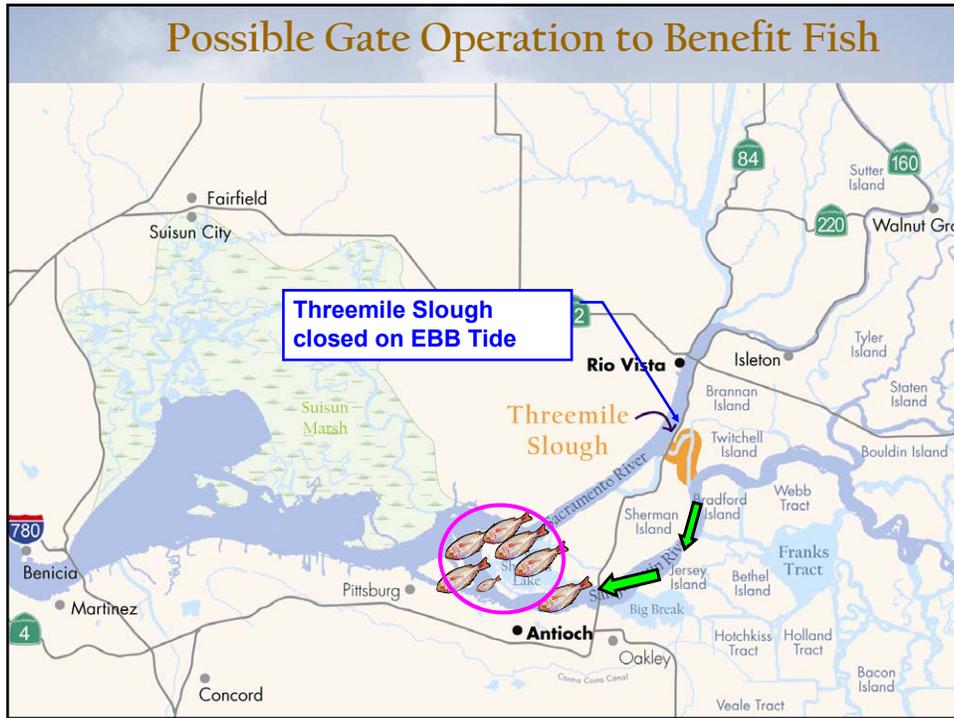
Franks Tract Project




## Objectives for Project Operations by Season

| Period    | Gate Operation                           | Objectives                                                                                                                                     |
|-----------|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Jan - May | Operated for Fisheries Improvements      | Increased movement of delta and longfin smelt, chinook salmon and steelhead to favorable rearing habitat and reduced movement to central Delta |
| Jun - Sep | Operated for Water Quality Improvements  | Operate for water quality; planktonic life-stages are generally not present                                                                    |
| Oct - Dec | Operated for Fisheries and Water Quality | Maintain water quality; do not impede or delay migration of adult fishes (operations may be modified to improve fisheries protection)          |



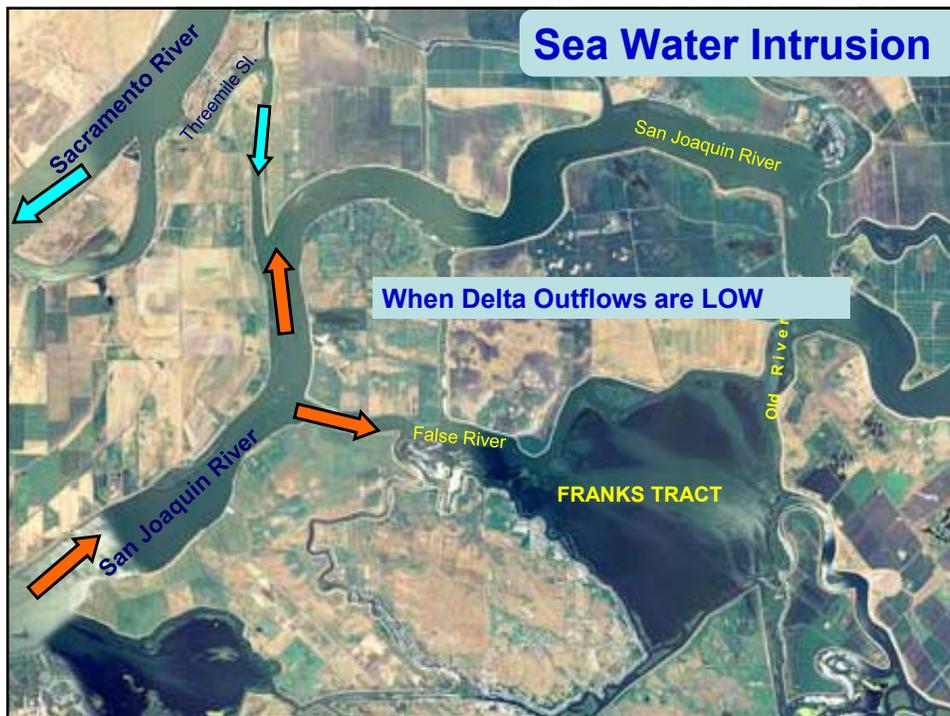


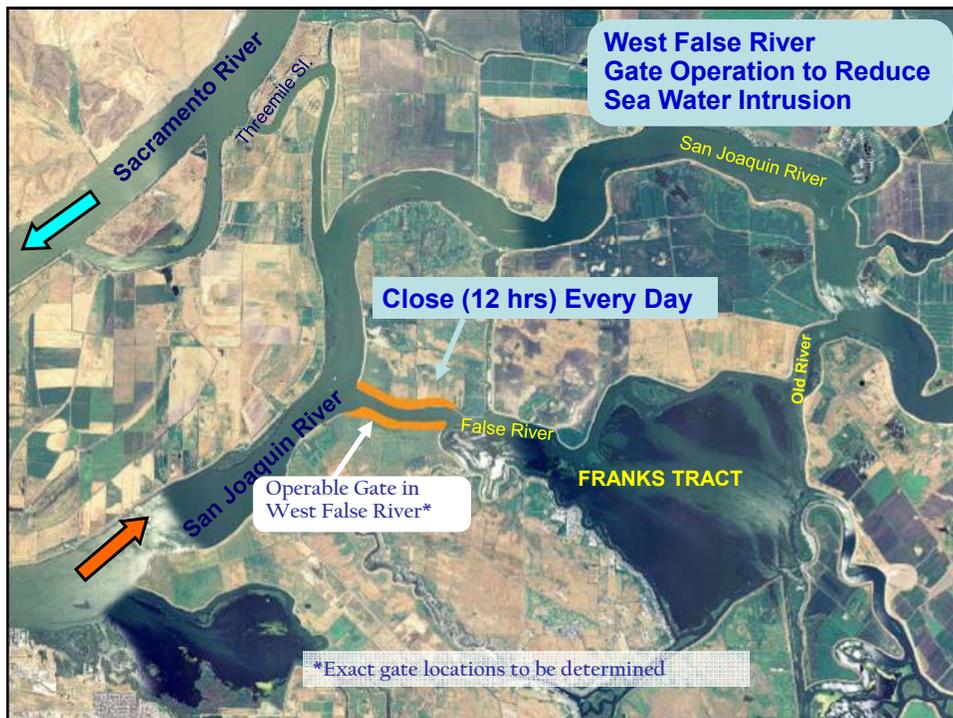
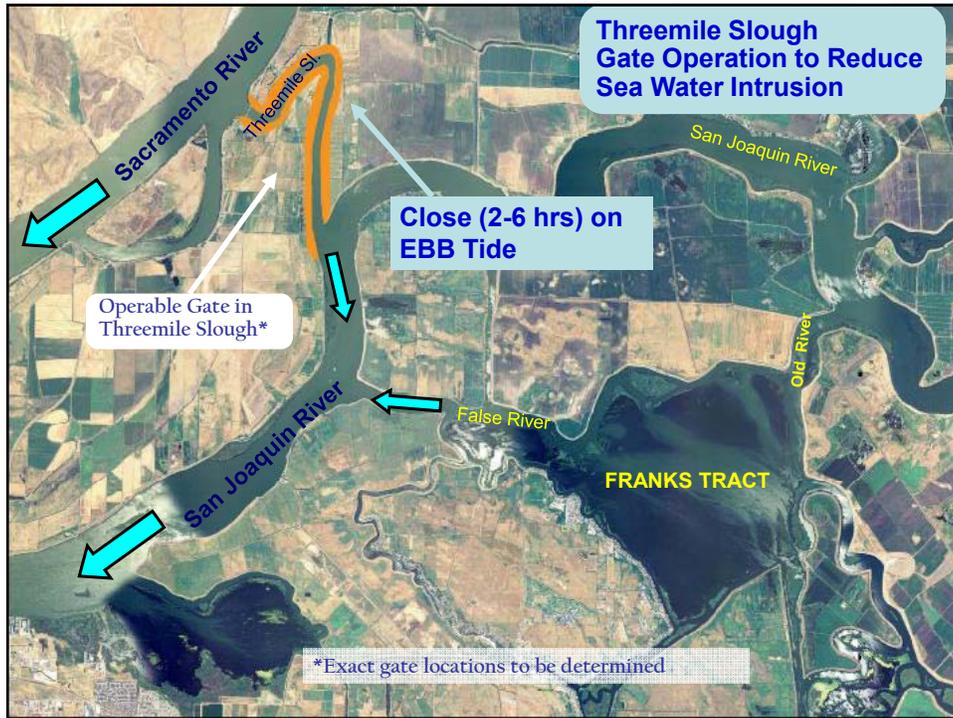
Franks Tract Project



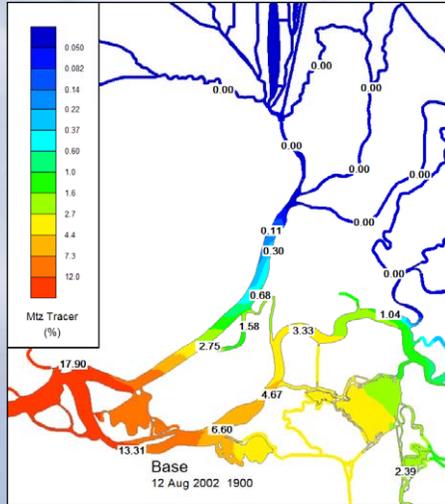
## Presentation Overview

- ♦ Project Background and Overview – Victor Pacheco, DWR
- ♦ Federal Interest – Sharon McHale, Reclamation
- ♦ Project Need and Objectives, Preliminary Operations (Fisheries) – Chris Fitzner, EDAW
- ♦ Preliminary Operations (Water Quality, Boating), Preliminary Site Selection, Next Steps – Ajay Goyal, DWR



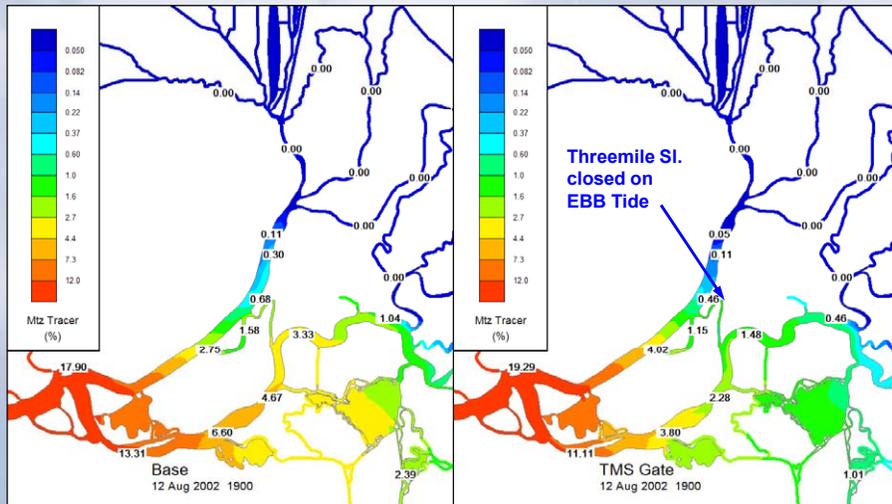


### Threemile Slough Alternative Seawater Intrusion Analysis



Without Project

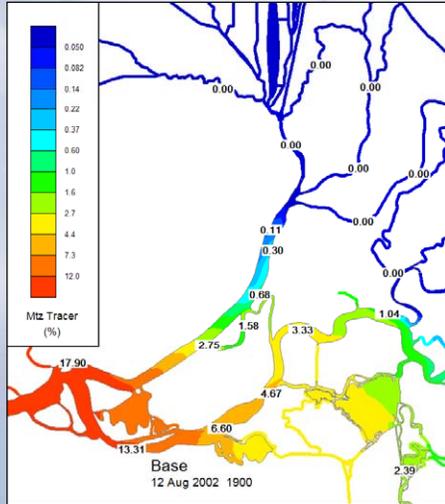
### Threemile Slough Alternative Seawater Intrusion Analysis



Without Project

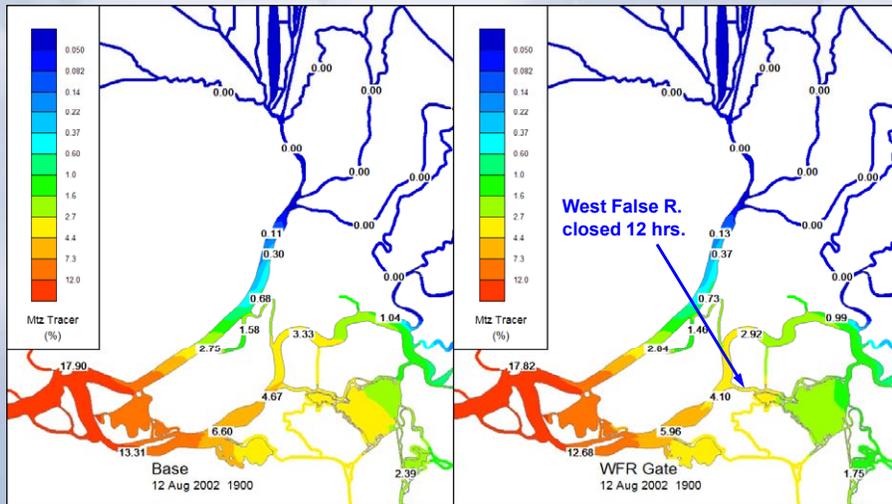
With Project

### West False Alternative Seawater Intrusion Analysis



Without Project

### West False Alternative Seawater Intrusion Analysis



Without Project

With Project

### Objectives for Gate Operations by Season

| Time Period                            | Objective                                         | Gate Operations                                              |
|----------------------------------------|---------------------------------------------------|--------------------------------------------------------------|
| Jan - May                              | Operate for Fish                                  | Gate Closed on Flood Tides<br>or<br>Gate Closed on Ebb Tides |
| June - Dec                             | Operate for Fish and Water Quality                | Gate Closed on Ebb Tides                                     |
| High Flows in Sacramento and SJ Rivers | Not Operate                                       | Gates Open                                                   |
| Specific Holidays and Sport Events     | Operate to allow full boat passage during daytime | Gates Operated During Nighttime                              |

### Objectives for Gate Operations by Season

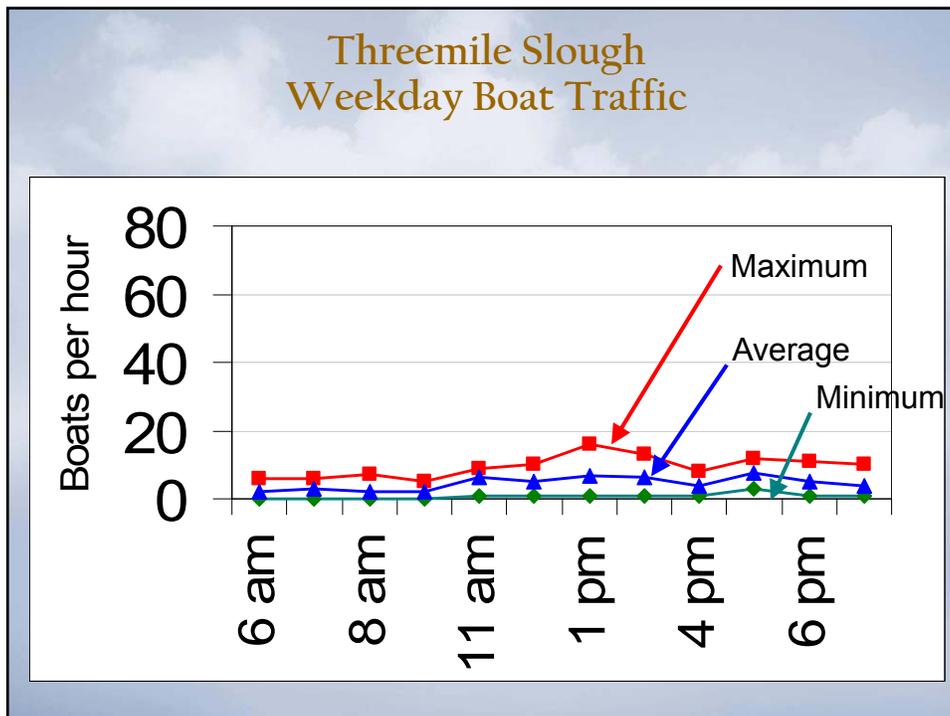
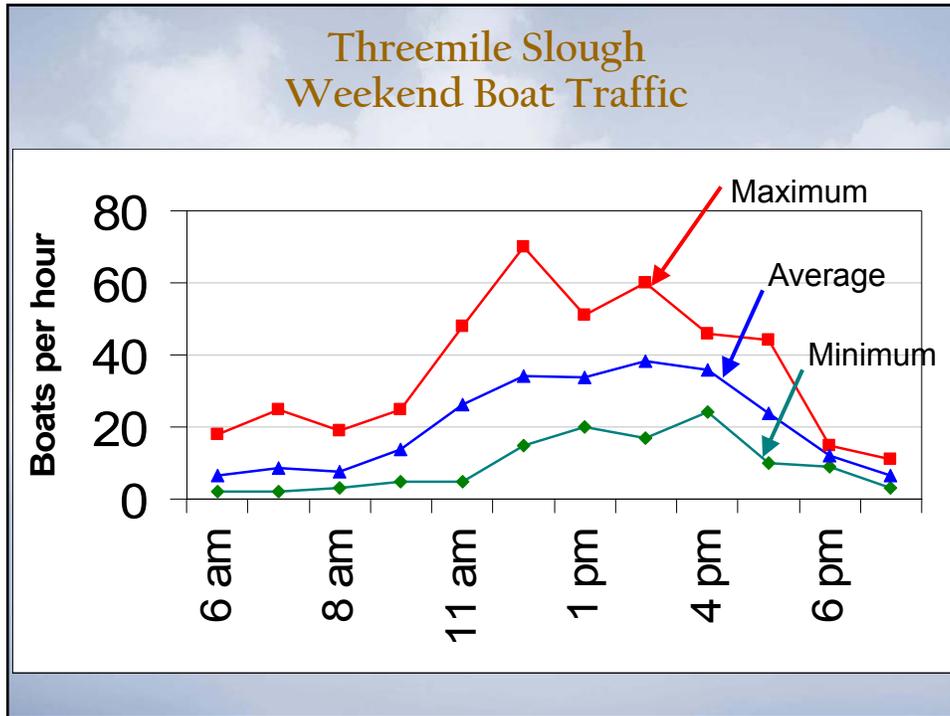
| Time Period                            | Objective                                         | Gate Operations                                              |
|----------------------------------------|---------------------------------------------------|--------------------------------------------------------------|
| Jan - May                              | Operate for Fish                                  | Gate Closed on Flood Tides<br>or<br>Gate Closed on Ebb Tides |
| June - Dec                             | Operate for Fish and Water Quality                | Gate Closed on Ebb Tides                                     |
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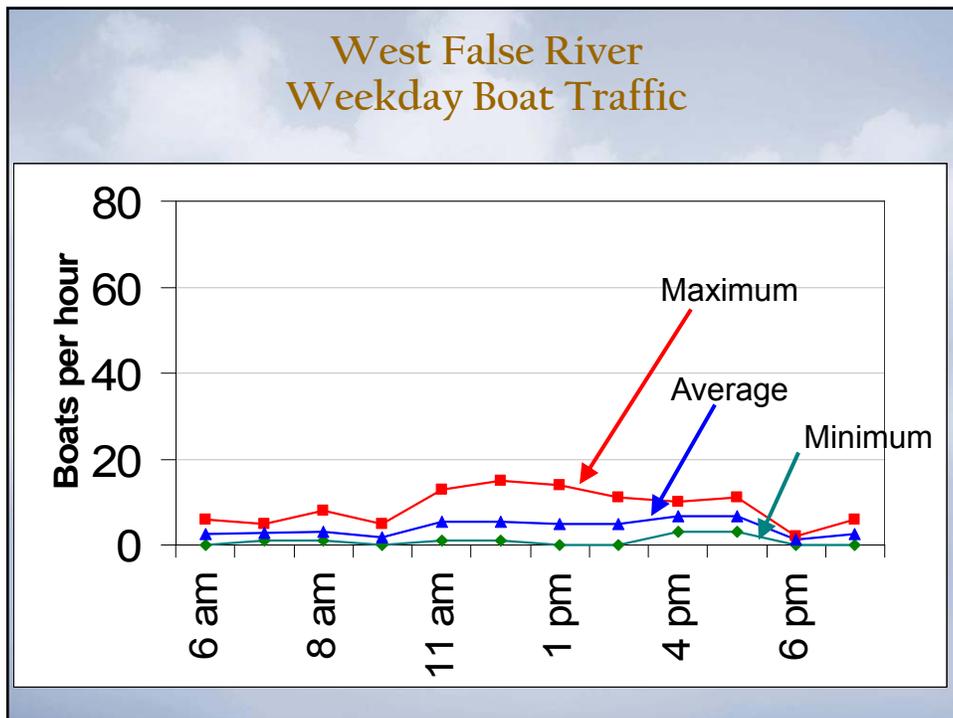
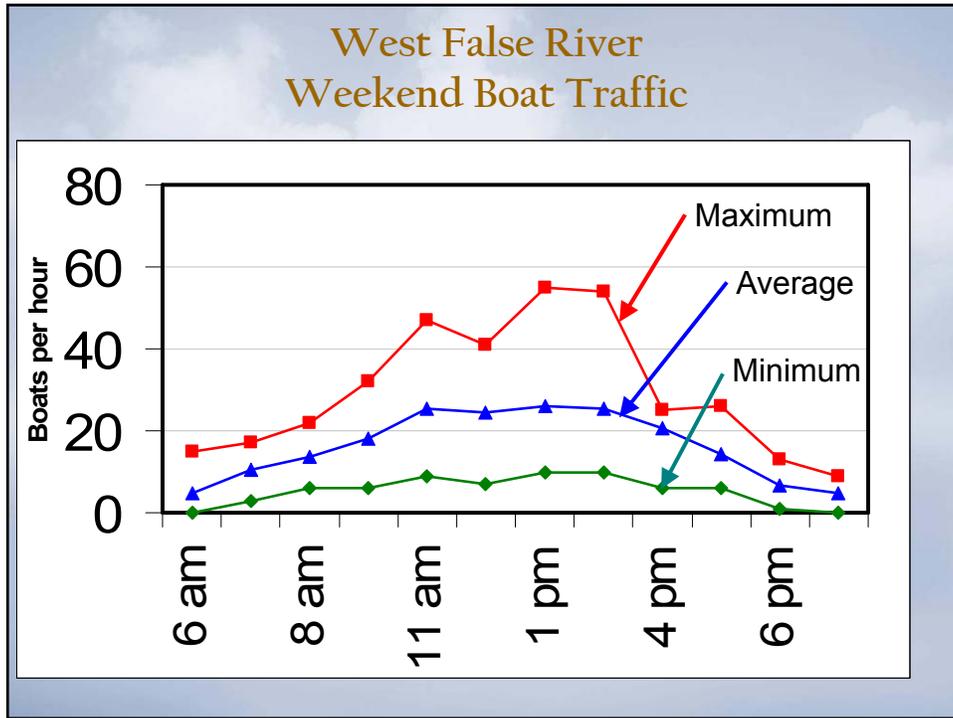
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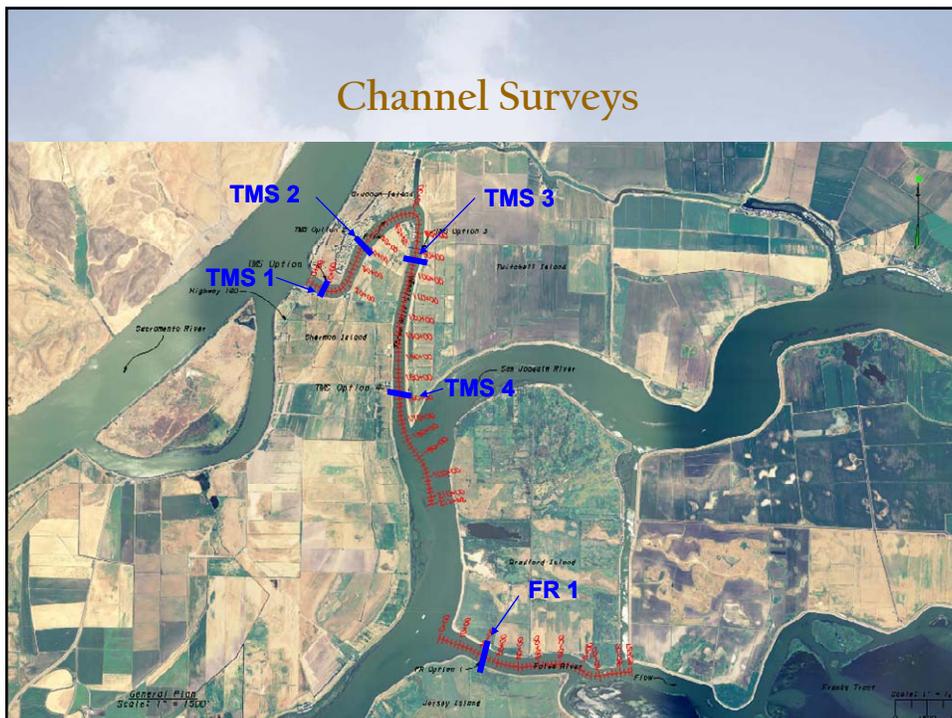


Franks Tract Project



## Secondary Recreation - Data Collection

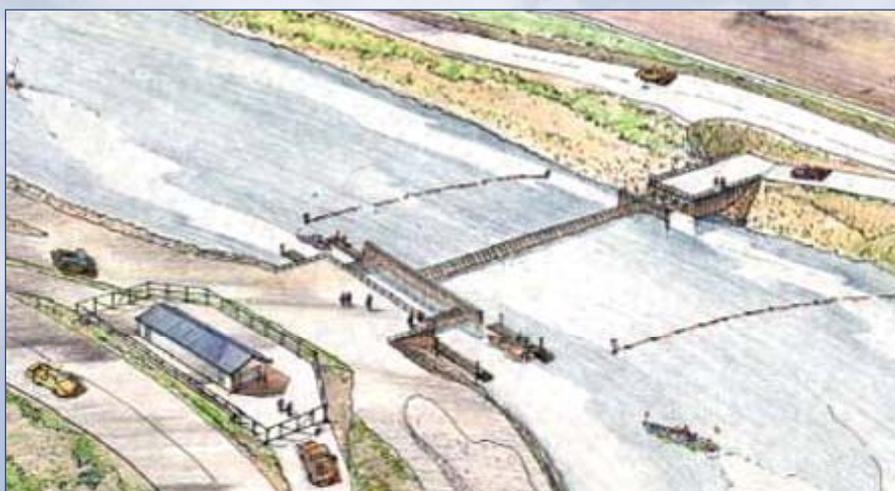
- ◆ Brannan Island State Recreation Area
- ◆ Regional marina and resort owners
- ◆ Angling organizations
- ◆ Federal/state/local agencies that patrol the Delta



### Comparison of Physical Parameters

|                       | Threemile Slough | West False River |
|-----------------------|------------------|------------------|
| River Width           | 550 ft           | 850 ft           |
| River Depth below MSL | 20 ft            | 27 ft            |
| Gate Area             | 15000 sq.ft      | 23000 sq.ft      |

### Conceptual Facility Layout



South Delta Improvement Program



Franks Tract Project



### Schedule and Milestones:

|                    |                           |
|--------------------|---------------------------|
| <b>Spring 2009</b> | <b>Draft EIS/EIR</b>      |
| <b>Fall 2009</b>   | <b>Final EIS/EIR</b>      |
| <b>Winter 2010</b> | <b>Obtain Permits</b>     |
| <b>Summer 2010</b> | <b>Begin Construction</b> |



Franks Tract Project

## Recent - Public Outreach Activities

- ◆ **Several meetings with land owners**
- ◆ **Presentations to Reclamation Districts**
- ◆ **Local marina owners**
- ◆ **Periodic news updates**
- ◆ **Project fact sheets**
- ◆ **Project website:**  
<http://www.water.ca.gov/frankstract/>



Franks Tract Project

## Potential Project Funding Sources

- ◆ **State proposition funds**
- ◆ **Federal funds**
- ◆ **Other**

Franks Tract Project

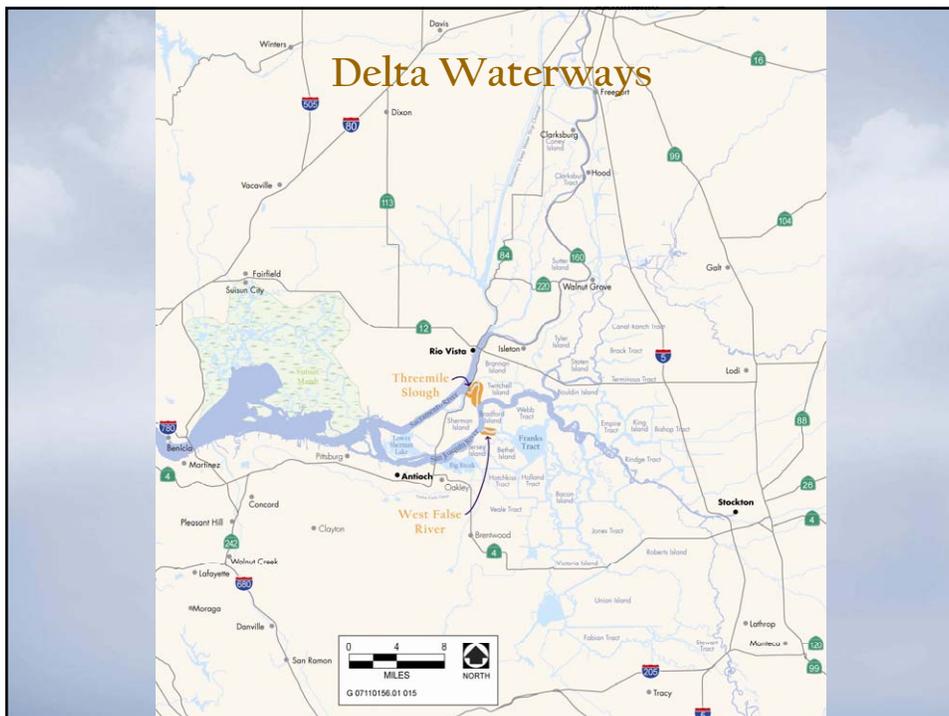


# Questions

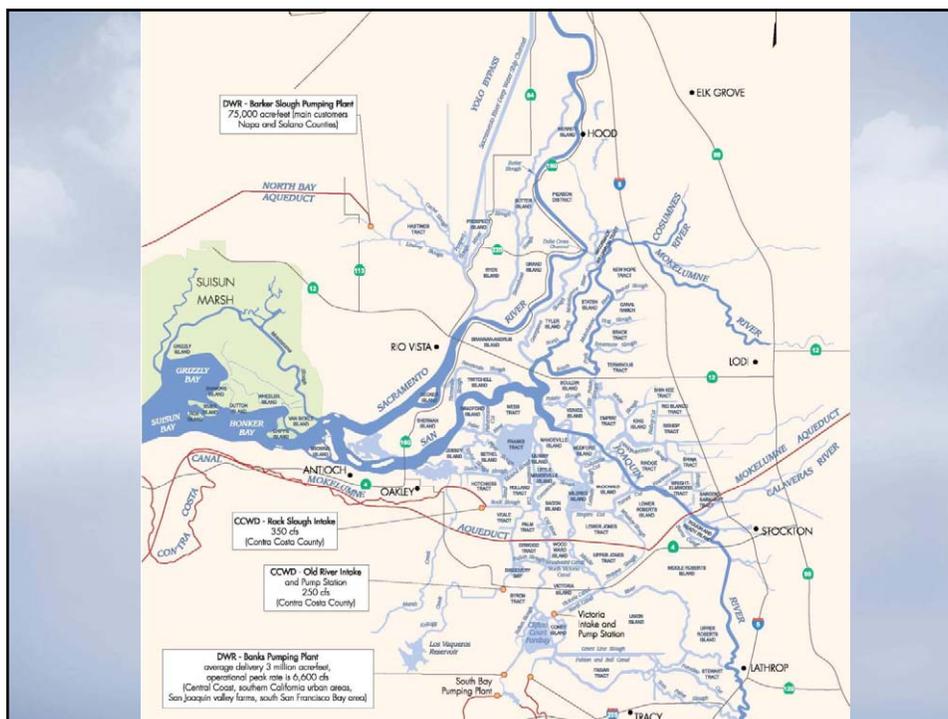
Department of Water Resources  
**Ajay Goyal**  
916-651-9823  
[agoyal@water.ca.gov](mailto:agoyal@water.ca.gov)

U.S. Bureau of Reclamation  
**Sharon McHale**  
916-978-5086  
[smchale@mp.usbr.gov](mailto:smchale@mp.usbr.gov)

Franks Tract Project Website  
<http://www.water.ca.gov/frankstract/>



# Franks Tract Scoping Meeting Presentation







## APPENDIX F

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### Meetings and Scoping Comments

Franks Tract Initial Outreach and  
Information Meetings, April-October 2008

## Franks Tract Initial Outreach and Information Meetings

| <b>Reclamation District (RD)/ Meeting</b>                                          | <b>Meeting Date(s)</b>               | <b>Meeting Location</b>                           | <b>Key Participants</b>                                                                                                       |
|------------------------------------------------------------------------------------|--------------------------------------|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| Twitchell Island RD 1601                                                           | 4/15/2008                            | 2300 W Twitchell Island Rd, Rio Vista, CA 94571   | Board of Trustees, Staff/representatives for RD 1601; Landowners; and DWR Staff.                                              |
| Bradford RD 2059                                                                   | 5/1/2008                             | 6080 Bethel Island Road, Bethel Island, CA, 94511 | Board of Trustees, Staff/Representatives for RD 2059; Landowners; DWR Staff                                                   |
| Sherman Island RD 341                                                              | 5/13/2008;<br>8/26/2008              | 18419 State Highway 160, Rio Vista, CA 94571      | Board Members and Staff/Representatives for RD 341; Landowners; Marina Owners; DWR Staff                                      |
| Jersey RD 830/& Ironhouse Sanitary District                                        | 5/19/2008                            | 450 Walnut Meadows Drive, Oakley, CA 94561        | Board of Trustees and Staff/Representatives for RD 830 and Ironhouse Sanitary District; DWR Staff                             |
| Brannon Island RD 2067 and Brannan-Andrus Levee Maintenance District (BALMD)       | 5/8/2008                             | 310 2nd St, Isleton, CA 95641                     | Board of Directors and Staff/Representatives of RD 2067 and BALMD; Interested Parties; DWR Staff                              |
| Brannon Island State Park and Recreation (Department of Parks and Recreation, DPR) | 6/3/2008;<br>10/7/2008               | DWR Headquarters, Sacramento                      | Representatives of DPR and DWR                                                                                                |
| Landowner Meetings                                                                 | 5/12/2008;<br>9/5/2008;<br>9/11/2008 | 18419 State Highway 160, Rio Vista, CA 94571      | Landowners; RD Board Members, RD Trustees and Staff/Representatives; Marina Owners/& Operators; Interested Parties; DWR Staff |
| Marina Owner/& Operator Meeting                                                    | 9/3/2008,<br>1/27/2009               | Bethel Island                                     | Marina Owners/Operators; Interested Parties; DWR Staff                                                                        |
| North Delta Water Agency                                                           | 10/1/2008,<br>1/7/2009               | 14120 Grand Ave, Walnut Grove, CA 95690           | Board of Directors and Staff; Interested Parties; DWR Staff                                                                   |

# Notes from the Public Scoping Meetings for the Franks Tract Project October 2008

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## **Presenters:**

Victor Pacheco, DWR; Sharon McHale, Reclamation; Ajay Goyal, DWR; Chris Fitzer, EDAW

## **Staff and Team members:**

Bijaya Shresta, DWR; Kathleen Buchnoff, DWR; Amy Norris, DWR; Matt deGroot, DWR; Loredana Potter, Reclamation; Duane Marti, Reclamation

Debra Bishop, EDAW; Kim Christensen, EDAW; Yanna McLaughlin, EDAW; Mark Leu, CH2MHILL; Russ Grimes, Jones&Stokes

These notes are a summary of comments and questions captured at the Franks Tract Public Scoping Meetings in Sacramento, Rio Vista, Antioch and Stockton on respectively October 6, 7, 8, and 9, 2008. Notes were captured by a staff person in the audience, by a note taker transcribing key comments on a flipchart visible to the audience, and recorded on CD with an audio recording device.

C. stands for "comment", Q. for Question. The commenters name is listed in brackets, where available.

## **Public Scoping Meeting 1, October 6, 2008, Sacramento, CA Scoping Question & Comments Session**

**Note taker - K. Buchnoff, California Department of Water Resources, Kim Christensen, EDAW**

Q. (Joe Miyamoto/EBMUD) The draft EIS/EIR needs to address the potential impacts to salmon and steelhead migration to the Mokelumne River tributaries on the east side. The migration period for salmon is primarily Apr-June and Mar-Jun for steelhead. There is a current project involving restoration of salmon on the Mokelumne River. And they have been found to migrate through West False River (WFR) back to the ocean. (Four Steelhead released from the Mokelumne Hatchery with transmitters went through WFR this year.)

C. (Joe Miyamoto/EBMUD) Don't just focus on the Sacramento River, look at the entire Delta.

Q. Will the gates have a tendency to produce a rise in water surface elevation? If so, explain or show minimum impacts on water level.

C. Wind and wake are additional issues that need to be addressed in the EIS/EIR. Because even if it is a small increase, people with levees may be affected.

C. (Tony Rosenthal/Twitchell Island Landowner) I'm very concerned as an owner as I am trying to sell his property and the State now says they don't want to buy it. The website for the Franks Tract project currently shows two of the four proposed gate locations on his property. I am here to get some clarification. It sounds like you already made your decision. You are acting as you are being fair, but actually taking away my property. I can offer a solution: TMS-4 is actually shallower than bathymetry shows. How about constructing a set-back levee and avoid the weak point in the levee and use the property for emergency

## Notes from the Public Scoping Meetings for the Franks Tract Project October 2008

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flood fighting purposes? That way you could also cut off part of the levee that you need to protect; and save somewhere between \$5 and 30 million dollars.

Add'l Q. Is the objective of the gate to provide flood protection?

Q. Why is the lower portion of Threemile Slough denoted as a "non-project" levee while the upper portion is "project levee"? Check status of levee categorization north of TMS4.

### **Public Scoping Meeting 2, October 7, 2008, Rio Vista, CA Scoping Question & Comments Session**

Note takers - M.Leu, CH2MHILL, Debra Bishop, EDAW

Q. Has anyone thought about reducing exports at canals to improve Delta water quality? Reducing deliveries can resolve some problems? There is no need for this project with reduced exports. Look at salinity effects of reducing export via canals/intakes.

Q. If you let the natural water flow, we don't need this project. This is a step towards the Peripheral Canal. I see Franks Tract project as a way to facilitate the Peripheral Canal.

Q. (Gary Dew/Novato): This is another water grab. If water is a necessity, why not develop desalination plants, and pipe it to the Central Valley and stop screwing with our Delta. Why not feed farmers with desal plants being built now?

Q. (Leonard, Owner Outrigger Marina in Rio Vista): Models are 1-D. Models show what might happen. No one monitors sedimentation rates that could impact hydraulic capacity or impact marinas nearby.

Q2. (Leonard): The model doesn't describe how project is beneficial to fish. The BDCP says that best habitat is in floodplains not in channels.

Q. (Leonard): Why not fish hatchery development?

Q. How will project affect fish in Suisun Marsh? They are tied together.

Q. (Linda Bendson/Recreational Boaters of CA, on Delta Vision stakeholder group): Boaters do not want barriers across waterways but see that they are inevitable. Pleased that gates are operable. Pleased with lock.

Q. (Linda Bendson). What size of boats can go through lock - Boats 50' long are possible. How wide? Manned 24 hours? We are concerned with depth & size of lock for large boat size.

Q. (Linda Bell): What is background and basis for existence of the Department of Water Resources (DWR)? Is the Peripheral Canal already half built? What is the intent of the Peripheral Canal?

## Notes from the Public Scoping Meetings for the Franks Tract Project October 2008

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Q. Has DWR bought the land where it wants to put the gates? Does DWR own land for Peripheral Canal? Does State own land for Franks Tract?

Q. (John Pfund/Discovery Bay Yacht Sales): Heard ad on radio about DWR taking land from farmers, is this related to this project?

C. (Tony Rosenthal re Twitchell Island) Own property on east side of project on TMS.

Q. Are you looking at gate for seismic activity? How will this study look at seismic events with gate design? In regards to catastrophic levee failure, how does the gate protect?

Q. Would the gate be better at flood or ebb tide?

Q. Looking at multiple levee failure – Why did DWR put failure on levee privately owned, not owned by State (taking land)? You can not come on Twitchell Island to do your study, thus EIS/EIR is flawed. Easement is for flood control only. So, you are stuck. Devaluing our properties. Wasting time and money. Look at seismic first. You will not be allowed to get on property for habitat.

Q. (Matthew Emerick resident on Sherman Island): Are you coordinating study with BDCP? BDCP looking at flooding Sherman Island, this conflicts with the Franks Tract project.

Q. (M. Emerick): Project is to close TMS to increase San Joaquin River flow – but, there is no San Joaquin River flow in the fall. Where will the water come from?

Q. Historically, Sac River used to be flowing into San Joaquin River but not now since system is so re-operated. Is it possible for public to review the model? Are models publicly available? TMS was once a significant tributary to the San Joaquin River. Are you also looking at impacts to fish?

Q. (Ray Bell): Have you already made up your mind to do this? Does it matter what public thinks?

Q. Why not wait until Sherman Island future is determined when BDCP done? This is wasting money.

Q. (Tony Rosenthal): DWR already decided to flood some islands – Twitchell and Sherman.

Q. (Tony R): If you pre-flood islands (with rice and tule and make soil) you reduce flood problem.

Q. (Leonard): When you close gate (Site 3) what is water rise at Outrigger Marina? (300 yards behind “F Dock”). The bar and restaurant do not float.

Q. (Walt Williams/Freemont): I’ve been boating on the Delta all my life. There is no salinity problem if we are not pumping water south. Have you looked at benefits/cost for storage in the Central Valley for winter runoff instead of taking more Delta water?

Q. Shasta is so low they cancelled the bass tournament? Is there any water to fill new reservoirs?

## Notes from the Public Scoping Meetings for the Franks Tract Project October 2008

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Q. (Ray Tomlinson, Discovery Bay) With water pumped into the CA Aqueduct, killing fish at pumps, what are you doing about fish killed?

Q. Pumping Plant was taking more fish after they installed screens. Bait fish reduced. System was better letting fish go through the pumps.

Q. (Walt Williams): It's 27 nautical miles going around Three Mile Slough. There is Coast Guard station in Rio Vista. Have you thought about safety issues when the gate is closed?

Q. Observation: All this is necessary because of exports.

Q. (Ray Tomlinson /Discovery Bay): Stop smelt from going to pumps? If you stop migration to Discovery Bay you mess with striped bass feeding grounds.

Q. Who is supportive? Poll?

### **Public Scoping Meeting 3, October 8, 2008, Antioch, CA Scoping Question & Comments Session**

Note takers - Kathleen Buchnoff, DWR, Debra Bishop, EDAW

C. The State has no money.

C. (Casey Curry): DWR is decreasing the levels of salinity in the water in order to sell it to Southern California.

Q. On your surveys taken, did you ever turn off the pumps and then measure the salinity?

C. Regulating pump flow is the easiest solution,

C. This project will pollute water more,

C. There won't be money to operate the gate.

C. (George): pointed out that he sees only one scientist on tonight's panel. Is a science perspective adequately included in the analysis?

Q. Will they put a gate below Antioch when the Threemile Slough and False River gates are operating?

C. (Jim Dawson): Closing the gates at night – we can't get back if the gate is closed.

C. (George): See largely reduced boat traffic due to cost of fuel. Night time is a bad time to travel.

C. (Phil Harrington): The city of Antioch has senior water rights. They have a fresh water in-take. This water source allows them to keep low water rates (\$). They have taken water out of the western portion of the Delta for a very long time and an increase in Salinity would cause problems. The Delta loop is the primary loop for boating (circulation pattern). Increased fuel prices causes decreased boating. City of Antioch has been part of the process, BDCP and Delta Vision; however, they see no regional concept in the solution.

## Notes from the Public Scoping Meetings for the Franks Tract Project October 2008

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Q. Where is the water going after (when the gates are closed)?

C. (Lenora Clark, Recreational Boaters of CA): I'm here to hear from boaters and how this project directly affects our ability to recreate. There is no other way to go around the gates. The public has the right to navigate in the waters of the State, even before the State of California became a state (referenced Navigable Delta Waterway).

C. (Roger Mammon): You are forgetting about the Delta Protection Act. You are forgetting who's backyard this is. You guys did not pick a location suitable for the meeting. The Delta is a tidal estuary. Exports resulted in a collapsed ecosystem. Since CVP we have seen a decline in population. The estuary needs to function as nature intended. The gate barrier will stop people from coming to the Delta. Need to restore flows.

C. (Anthony): 40 years ago there was no salinity intrusion. Stop pumping; instead build more dams.

C. (Sportsman Yacht Club): Upstream diversions. Historical water flows pre-dated SWP. Diversion flows will not work. Project won't function as planned. The tide in Threemile Slough is unpredictable. If you protect fish – water will flow [south].

Q. Is this project "a go"?

Q. Who makes the final decision?

Q. (Doug): What are the project alternatives?

C. Requested to re-hold public meetings once project alternatives are developed (before draft EIR/EIS is completed). Water quality, COD, BOD, and toxins all need to be addressed in the EIR. A good alternative to the proposed structure is to do upstream releases and decrease pumping. The proposed project would increase water stagnation (key factors: increased eugeria, gate operation may create sedimentation). The action of the gates would decrease water velocity in Franks Tract. Benefits are based on a "numerical model," without model verification. Need to do better with this (EIR/EIS) than the EIR/EIS of SDIP.

C (Gary Adams, representative for fisherman): NO stakeholder comments were seen in the Blue Ribbon Task Force Report.

Q. Who pays for this project?

Q's. (Tony Rosenthal): What happened to the Delta cross channel gate? Is it a part of this EIR/EIS (study)?

C. Threemile Slough is the cheapest alternative. Was WFR "eliminated"?

C. A barrier would reduce fisheries in False River. WFR has productive fishing grounds due to tidal flows.

C. Need to include the cumulative effects of other barriers.

C. You'll need access to Twitchell island for the EIS/EIR; I won't give it to you as it only 'hurts' me.

## Notes from the Public Scoping Meetings for the Franks Tract Project October 2008

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C. Coordinate with other projects/planning efforts.

Q. What happened to the recreational beaches planned for Little Franks Tract (Flooded Islands project)?

### **Public Scoping Meeting 4, October 9, 2008, Stockton, CA Scoping Question & Comments Session**

**Note takers - Kathleen Buchnoff, DWR, Kim Christensen, EDAW**

C. (Walt Vance/Fremont Boater/Director PICYA (Pacific Interclub Yacht Association), Representative of Bay Area Yacht Clubs/Oxbow Yacht Club)

As a boater, closing the gate in the nighttime will have very little effect on boaters. Boating was down due to increase fuel costs (RE: Recreation Study for the Franks Tract Project). Recommended to include a representative of picya.org (yacht club) to be on the committee for marina owners/& boating and recreation. This wouldn't be all necessary if you built more storage.

Q. (John Bank, CA Stripped Bass Assoc.)

Where on Threemile Slough will the gate be located (in relation to Brannan Island State Park boat launch ramp)?

Q. The boat ramp at Brannan Island State Park is the best in the area and is a high usage ramp. Time frame – is the date summer 2010 for construction carved in stone?

Q. Is the intent to go ahead with the project regardless of public input? Has the answer already arrived?

C. I'm not a Hydrologist, but I have an easy solution: should release more water out of Friant Dam, instead of pumping in the Delta, to deal with all this mess.

Q. (Ron Riopeo, Boaters of California)

What's boat clearance needed when gate open? What is the minimum draft elevation?

C. Pumping water south has decreased due to the court order; is the problem actually caused by diversions?

Q. If they build the Peripheral Canal in 20 yrs, will that solve the salinity problem?

Q. Process and permits-question: wondering about the status of the funding of the project.

C. Don't want to see issues with funding of the project cut costs by eliminating part of the project, such as the boat locks later.

C. Please make sure there is a boater is on the Task Force.

C. (Name not captured) The SDIP project – do the operable gates include boat locks?

## Notes from the Public Scoping Meetings for the Franks Tract Project October 2008

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C. (Tony Rosenthal/Twitchell Island Landowner)

That was an exciting meeting last night in Antioch. Your troops handled it well and I wanted to commend you for that.

C. Some TMS locations would abut my property – apart from my own concerns, levee strengthening would have to occur. How would this be accomplished?

C. Consider levee defense dollars and coordinating those dollars in your alternatives, as there is another alternative for response – for defense of the levee (as part of the Delta Risk Management Strategy (DRMS)). Is there a way to use both funds together? Has there been anything in the NOP about this possibility?

C. The Threemile Slough alternative was mentioned as the preferred alternative according to the Value Engineering Study for the Franks Tract Project.

Q's. Re: Feasibility; in relationship of the Franks Tract Study, what is the amount of money spent up to this point? Does the feasibility show Threemile Slough is the best alternative?

C. I'm requesting to propose another alternative. My parcel (Eastern portion along Threemile Slough/runs north and south) has existing road, power, and building. Recommend constructing a setback levee (build a small cross-levee) to Threemile Slough (bolsters the levee). This creates an area to store dredge materials (garner potential spoil site for dredged materials), mitigation opportunities, create wetlands or return existing wetlands. Connect setback levees to TMS. Could save \$5-30M. Tip area could be place for dredge or wetland mitigation – could savings help spoils?

C. (Chris Neudeck, Reclamation District 1601, District Engineer)

This is an area that we've looked at for a while for some time. Making TMS seismically resistant will be the biggest challenge on this Project. Creating seismic resistance to the levee would be a challenge. Need to make decision based on levee foundation materials, the bathymetric surveys don't tell you about those. Using only bathymetric data to select the site would be a mistake.

Q. How would the dredging of the channel work if there is a permanent structure within the channel?

C. Cutting of Chevron Point (Re: Proposal of T Rosenthal), could be a win-win situation, using the area as a wetland restoration,...

C. (Tony Rosenthal/Twitchell Island Landowner)

You need a control building, maintenance building and access road. Twitchell Island has a road and building! You could save money by picking TMS4.

Q. (Bob Riopeo, Boaters of California)

Draft Environmental Impact Statement (EIS)/EIR in spring – will it have a preferred project identified?

## Notes from the Public Scoping Meetings for the Franks Tract Project October 2008

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Q. Issue of strengthening levee – will it be there?

Q. Is the plan for these decisions to be made by the Final EIS?

C. (Dante Nomellini/ Attorney for Central Delta Water Agency)

Historically, we talked about Dutch Slough, Fisherman's Cut and WFR barriers in the 60's – so, you don't need them anymore?

Q. Have you concluded that Fisherman's Cut and Dutch Slough aren't necessary anymore to achieve the benefits of the Franks Tract Project?

C. Should be looking at the Delta as a non-sustainable system – to preserve it.

C. Should look at 1960's Master Levees Program. Master levees should be part of our document planning if there is significant sea level rise. Levees on south side of San Joaquin River – will your gate withstand sea level rise? Are you factoring sea level rise in?

## Table of Written Comments

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**Form Letter**

| Date                | E-mail (E), or online comment (OC), Mailing list sign up (M), comment sheet (CS), written (W), form letter (FL) | Stakeholder/Interested Individual (Name)  | Organization                                         | Address                                                           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------|-----------------------------------------------------------------------------------------------------------------|-------------------------------------------|------------------------------------------------------|-------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10/7/2008           | CS                                                                                                              | Yvonne Wood                               |                                                      | 994 Vintage Court<br>Rio Vista, CA 94571                          | Please include in your plan/modeling: 1) desalination plants as a solution, 2) effects of reduced flow from peripheral canal, 3) effects on salinity if current diversions stopped, and 4) what happens to sediment.                                                                                                                                                                                                                                                                                         |
| 10/7/2008           | CS                                                                                                              | Matthew Emrick                            | Law Offices of Matthew Emrick                        | 4721 Fresno Way<br>El Dorado Hills, CA                            | Project must consider downstream WQ impacts to Antioch Delta fresh water intake - at intake near marina.                                                                                                                                                                                                                                                                                                                                                                                                     |
| 10/14/2008          | W                                                                                                               | David Riggs                               | Sugar Barge Marina<br>Sacramento                     | 1440 Sugar Barge Road<br>Bethel Island, CA                        | See Letter in Appendix G                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 10/20/2008          | W                                                                                                               | Karen Huss                                | Metropolitan Air Quality Management                  | 777 12th Street, 3rd Floor<br>Sacramento, CA 95814                | See Letter in Appendix G                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 10/24/2008          | CS                                                                                                              | Jay Uhalt                                 | Homeowner                                            | 18075 ST HWY 160<br>Rio Vista, CA 94571                           | The Gates will be very expensive and won't change the fish or water quality much. Seems like the better water quality is only [for] the water headed south? Let them pay for it - how will you ever get the \$ to pay for it?]                                                                                                                                                                                                                                                                               |
| 11/13/2008          | W                                                                                                               | Linda Bendsen                             | Recreational Boaters of                              | PO BOX 984<br>Suisun City, CA 94585                               | See Letter in Appendix G                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 11/14/2008          | W                                                                                                               | Bill Worrell                              | Sportsman Inc. Yacht Club                            | 1200 August Way<br>Antioch, CA 94509                              | See 7 Letters in Appendix G                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 11/14/2008          | W, FL                                                                                                           | 53 Form letters submitted by Bill Worrell |                                                      |                                                                   | See Form Letter 1 in Appendix G                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Received 11/12/2008 | W, FL                                                                                                           | Rick and Anita Hinds                      |                                                      | 934 Kenston Drive<br>Clayton, CA 94517                            | See Form Letter 1 in Appendix G                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 11/14/2008          | W                                                                                                               | Betty Miller                              | Community Development Division of Transportation     | MS-32<br>1120 N Street<br>P.O. Box 942874<br>Sacramento, CA 94274 | See Letter in Appendix G                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 10/11/2008          | W (fax)                                                                                                         | Myron Cabral                              | Landowner along Threemile Slough (Sherman Island).   |                                                                   | My concern with this project is if the locks are closed at high tide for 2 to 6 hours and the San Quin [Joaquin] is lower and wider (which drains faster than the Sac) what effect would the North end of Sherman have on our siphon irrigation to crop lands. If this occurs, is the state going to correct this by lowering siphons or installing pumps?<br><br>Also, who has the authority and will it be in print on amount of time it can be closed. Possibly causing hardship on farmers and Ranchers. |
| 11/13/2008          | E, W, FL                                                                                                        | Wade Menard                               | Delta Bass Tactics Club Member                       |                                                                   | See Form Letter 2 in Appendix G                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 11/13/2008          | W, FL                                                                                                           | Dean Ziemer                               | Delta Bass Tactics Club, President                   |                                                                   | See Form Letter 2 in Appendix G                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 11/13/2008          | W, FL                                                                                                           | Rick Sauls                                | Delta Bass Tactics Club Member                       | 3625 Jeffrey Drive<br>Modesto, CA 95357                           | See Form Letter 2 in Appendix G                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 11/12/2008          | W, FL                                                                                                           | Rich Hanset, Commodore                    | Weber Point Yacht Club                               | 1376 Berlin Way<br>Livermore, CA 94550                            | See Form Letter 3 in Appendix G                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 11/18/2008          | W                                                                                                               | Alexander Coate                           | EBMUD                                                | 375 Eleventh Street<br>Oakland, CA 94607                          | See Letter in Appendix G                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 11/20/2008          | W                                                                                                               | Scott Nakaji (submitted by Jim Micheaels) | Gold Fields District of California State Parks (DPR) | 7806 Folsom-Auburn Road<br>Folsom, CA 95630                       | See Letter in Appendix G                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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|------------|-----------------------------------------------------------------------------------------------------------------|------------------------------------------|---------------------------------------------------------------------------------------------|------------------------------------------------------------------|---------------------------------|
| 11/17/2008 | W, FL                                                                                                           | Thomas L. Coss                           |                                                                                             | 426 Superior Way<br>Discovery Bay, CA                            | See Form Letter 2 in Appendix G |
| 11/18/2008 | W                                                                                                               | Gail Newton                              | Chief, Division of Environmental Planning and Management, California State Lands Commission | 100 Howe Ave, Suite 100-South<br>Sacramento, CA 95825            | See Letter in Appendix G        |
| 11/21/2008 | W, FL                                                                                                           | Thomas M. Lee                            | Discovery Bay Yacht Club                                                                    |                                                                  | See Form Letter 3 in Appendix G |
| 11/21/2008 | W                                                                                                               | Leah Orloff                              | Water Resources Manager, CCWD                                                               | P.O. Box H20<br>Concord, CA 94524                                | See Letter in Appendix G        |
| 11/21/2008 | W                                                                                                               | Linda Fiack                              | Delta Protection Commission, Resources Agency<br>City of Antioch                            | 14215 River Road<br>Walnut Grove, CA 95690                       | See Letter in Appendix G        |
| 11/20/2008 | W                                                                                                               | Phillip L. Harrington                    | Director of Capital Improvements/Water Rights<br>Town of Discovery Bay                      | 200 "H" Street<br>P.O. Box 5007<br>Antioch, CA 94531-5007        | See Letter in Appendix G        |
| 11/21/2008 | W                                                                                                               | Shannon Murphy-Teixeira                  | Bay Community Services District                                                             | 1800 Willow Lake Road<br>Discovery Bay, CA 94505-9376            | See Letter in Appendix G        |
| 11/21/2008 | W                                                                                                               | Joseph Schofield                         | DOWNEY BRAND for North Delta<br>USEPA, Manager                                              | 621 Capitol Mall, 10th Floor                                     | See Letter in Appendix G        |
| 11/21/2008 | W                                                                                                               | Kathleen M. Goforth                      | Environmental-Review Office<br>Communities and Ecosystems                                   | REGION IX<br>75 Hawthorne Street<br>San Francisco, CA 94105-3901 | See Letter in Appendix G        |

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|-----------|-----------------------------------------------------------------------------------------------------------------|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9/22/2008 | E, M                                                                                                            | LaDonna Bubak                            | Latitude 38 Magazine, Associate Editor                                                                                      | Thanks for putting me on your mailing list about Franks Tract Project progress. I do have a quick question: The flyer says "Boat passage facilities would be included to allow for passing of watercraft when the gates are in operation." Can you tell me what the depth limit would be? Our main focus is on sailing and sailboats so I'm wondering if these passages would be deep enough for them to pass. Thanks!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 9/23/2008 | OC                                                                                                              | John Anderson                            | Oxbow Marina                                                                                                                | I do not understand why so many gates are needed. These complex solutions appear to cause all kinds of issues with restricted navigation, fish migration, cost, and complexity. Why not just one large set of gates / locks at the point where all of the west-flowing rivers converge: Pittsburg? Everything east of the Pittsburg gates would be fresh water...guaranteed! See my link below, which I submitted last year: <a href="http://deltavision.ca.gov/Correspondence/John_Anderson_10-16-07_.pdf">http://deltavision.ca.gov/Correspondence/John_Anderson_10-16-07_.pdf</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 9/23/2008 | E                                                                                                               | Bob Raney                                | Bethel Island Property Owner                                                                                                | <p>Years back while fishing on the Sacramento River, I witnessed the Dept of Fish and Game trolling the river with a net to catch Delta Smelt. At that time I got to speak with an officer and he reported that each year they would drag a net along the bottom of the river to count the numbers of Delta Smelt. That year they caught only 11. They were very concerned over the rapid decline of this fish; which is located at the bottom of the food chain, and extremely important for the health of the Delta. They also informed me that they do not know how these fish breed when; where; or the required water temp, salt, etc. I was informed that they die in captivity. Hopefully, you now have these answers since you are proposing installing these gates to help these fish.</p> <p>Now; am I mistaken, but weren't there a number of island adjacent to Frank's tract that were purchased by the State for flooding in the winter time to hold water which would be later sold in the summer time when there was a big demand in So. Cal. Wouldn't these gates defeat that purpose?<br/>Or is Uncle Sam up to their tricks again at our expense????</p> <p>I would like a detailed report on the Delta Smelt, breeding, etc. so we all can do our part in restoring the Delta. I would not be in favor of installing flood gates for more water to be shipped South.</p>                                                                                                        |
| 9/24/2008 | M, OC                                                                                                           | Shirley Sorbet                           | Bethel Island Property Owner                                                                                                | I have property on Bethel Island. How will this affect water levels and level maintenance?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 9/24/2008 | M, OC                                                                                                           | Elizabeth J. Reuter                      | Delta Recreational Boater                                                                                                   | I am very concerned about your plans to "gate" Three Mile Slu and/or False River. I cruise those waters in my boat, which is slipped at Bethel Island, several times a summer and sometimes during the winter months also. I will be attending one of your informational meetings to learn more. Please include me on all emailings regarding any Delta Water Issues. Thank you, M/V Flutterby Bethel Island, CA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 9/26/2008 | E                                                                                                               | Clare & Dave Spensley                    |                                                                                                                             | <p>It is with extreme distress and anxiety that I write to you. It is not fair nor environmentally ethical for you or your cronies to take any more water out of the CA Delta. The proposed locks/gates on three miles slough and/or West False River is the wrong thing to do to "save" the Delta fish. You and the government bean counters need to consult the people who grow crops, live, play and work in the Delta before you damn any of the rivers here. How will the Dutra Barges from Rio Vista go from the Sacramento River to the San Joaquin River? What about the businesses that depend on the river traffic to survive?</p> <p>My husband and I have been coming to and vacationing summers in the Delta for over 33 years. How can you people in good conscience suggest that cutting off a river would be of a benefit to the Delta in any possible way? Pumping less water from here is the only thing that matters.</p> <p>No, I am not interested in attending any of your meetings. We went to two of the the "Delta Vision" meetings, they were a sham and the only vision that group has in mind is the peripheral canal to funnel more water to southern California.</p> <p>No we do not want the Franks Tract Project -- Nor do we want a canal to move Delta water to South of the Delta.</p> <p>Go back to the drawing board and consider again the Auburn Dam!!</p> <p>Please include this comment in the public comments section of your report and web site!!!!</p> |
| 9/26/2008 | E                                                                                                               | Reg Smith                                | Pacific Inter-Club Yacht Association                                                                                        | Invitation to talk at organization's Fall Management Conference at Benicia Yacht Club 10/4. Members concerned about boat passages on navigable waters and want to hear first hand what is planned. Over 100 officers and directors of Bay Area yacht clubs will be in attendance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 9/29/2008 | OC                                                                                                              | Cathy Akers                              |                                                                                                                             | I think 3 mile slough would be a bad location due to the influx of boat traffic, including barges, recreational, etc                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 9/30/2008 | E                                                                                                               | Mike Guzzardo                            | 94505.com; Delta Sun Times; Realtor @ Broker - Associate Marples & Associates Realtors - Discovery Bay / Brentwood / Oakley | long time water resident (having grown up on San Francisco Bay now living here). I am going to attend the Antioch meeting however wanted to see if you can answer a few quick questions for me. I'm interested more from a personal nature, however I'd also like to be able to be informed and write/add important information to my website and the paper. Where exactly are the proposed gates going to be installed? Is there a tentative map? Will boaters still be able to leave the southeast delta and travel through false river toward Antioch? Is this solution part of a larger solution (i.e. de-salination stations in Southern California and here in Northern California)? To me that's the best solution for our long term water needs...Where would I find a good 30,000 foot overview of the entire water plan for the Bay and Delta? Or specifically the Delta? You've got a lot of good information on your website, however is there 1 page or article that pulls it all together? Is there a local committee in my area that I can get on re: water quality and managing the delta's agricultural and business needs versus recreational?                                                                                                                                                                                                                                                                                                                                    |
| 10/2/2008 | M, OC                                                                                                           | Ian Boyd                                 | Restoration Resources                                                                                                       | As a contractor, I am interested in receiving background information, engineer's estimates, Notice of Intents, Requests for Proposals or Qualifications for implementing the construction                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 10/4/2008 | OC                                                                                                              | Jim LaFond                               | Delta Yacht Club                                                                                                            | I hear a lot about the Ecosystem in the delta and putting in dams and changing the water flow and digging a channel around the delta so they can have more fresh water and ship more water south. My problem is that I hear nobody taking about what is REALLY DESTROYING THE DELTA and that is all of the evasive weeds that are chocking off the delta. If something is not done about these weeds and soon it will make no difference how many dams you put in neither fish or boats will be able to move in the water. Also the seal population is taking over in the delta. I started boating in the delta in 1956 and you never saw a seal past Martinez as recent as 15 years ago. Now you see seals all the way to Sockton. Unless you address these two issue nothing you do will save the delta at that is fact. Jim LaFond                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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|----------------------|-----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10/6/2008            | OC                                                                                                              | Mark Galbraith                                         |                              | I am, in principal, opposed to any activities which would create impediments to the safe and continued access to the Delta waterways by recreational boaters. The installation of gates at Three-mile Slough and/or False River would interfere in the free flow of recreational boat traffic in the area. I further call into question the validity of such activities, if the stated goal is to prevent salt-water intrusion into the Delta waterways. The way to keep the salt-water from intruding upstream is to INCREASE the flow of water downstream, not curtail it. The proposed gates will temporarily preserve the quality of water behind the gates for potential export to other areas in the State, however they will do great harm to the waterways downstream of the gates. Eventually, all of the lower delta will be a brackish, salt-water marsh, suffering from salt-water intrusion and lack of fresh water. This will have a disastrous effect on these water ways, probably including the kill-off of many native fish and plant species in the area. This is a bad idea, and I urge you to reconsider. Diverting additional water from the Delta will cause further harm and must be stopped. In fact, we should be looking at ways to return some of the water flow currently being diverted back into the Delta. Without fresh water, the Delta as we know it will cease to exist.                                                                                                                                                                                                                                                                                                                                             |
| 10/7/2008            | M, OC                                                                                                           | Jim Gibson                                             |                              | Rather than figuring out better and easier ways of taking the Delta water, can there be a concerted and focused effort on using LESS water? The Delta is dying, much like the Colorado River basin did, and until Californians stop taking cheap waer for granted, it will never get better. Try raising the price of water 5X - it cut back on gas usage                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 10/15/2008           | OC                                                                                                              | Dennis Greene                                          |                              | I only learned of the proposal for gates on 3 Mile Slough this past week and was unable to attend any of the "public scoping" meetings. I have a 26ft sailboat which is berthed at Rio Vista. Our family frequently uses 3 Mile Slough to journey into the San Joaquin River east of 3 Mile Slough. I am totally opposed to the proposal to place flow control gates in 3 Mile Slough - regardless of locks or other facilities to allow boat passage. It is very hard for me to imagine locks which can handle the weekend traffic on 3 Mile Slough without horrendous delays. If such gates were to be installed and the lock system cannot handle enough boat traffic, trying to maneuver a sailboat in heavy boat traffic in the narrow confines of a slough would be a nightmare. Also the only alternative would be a 21 mile journey down the Sacramento & up the San Joaquin -something that is totally impractical in a reasonable period of time for an eco-friendly vessel powered by the wind. As a taxpayer, I am also very concerned about the cost of such a project when the federal government has a mind-boggling national debt and the State of California cannot manage it's budget year after year after year after ... (you should have the picture by now). Were the project to be funded by bonds I would also be opposed on a fiscal basis because that merely passes the cost on to future taxpayers - that would also be me .. and my children. I would appreciate these comments being appropriately inserted into the dialog regarding this project. Sincerely, Dennis Greene, Concerned Sailor, Walnut Creek, Ca.                                                                                                          |
| 10/30/2008           | E, M                                                                                                            | Barbara Joy Davis                                      |                              | I am writing to you about the Franks Tract Project. I have a summer home on Bethel Island, CA. I was out of town and missed the meetings, but am very concerned about what I am reading and hearing in the news. Reading the pamphlet, I understand the concept is to build gates to "protect fish resources and reduce seawater salinity intrusion into the Delta".<br>1. KCBS is calling it a way to keep water going to Southern California not a "health of the Delta ecosystem solution".<br>I was under the impression the smelt are being killed by the pumps that are pumping our Delta water to various places. Salt water coming into the Delta again is because we are pumping our water OUT of the Delta to our Southern CA. neighbors.<br>2. KCBS also was reporting a moratorium on building more houses in the Delta.<br>We on Bethel Island fought the Delta Coves project and lost. We now have lagoons cut through our wonderful island and a defunct business with no houses, just tacky docks and gangways so close together you could jump from one to the other and no homes. What was once a beautiful island is now an unsightly mound of dirt and weeds with holes of water in the middle. Where was our government stopping development in the Delta when we were trying to do the same?<br>Every time our engineers "mess with Mother Nature" we find, after the project is finished, there are problems that were never thought of at the beginning of the project.<br>I highly recommend if we are going to spend money in our Delta, shore up the failing levees and don't mess with gates and projects that may cause more damages than solutions to our Ca. water systems. I will be writing more in the spring of 2009. |
| 11/14/2008           | E, M                                                                                                            | Edwin Coats                                            |                              | LA has a water problem and believe that this is just "the first step" in getting more Northern Ca. water. Please prove me wrong                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 10/21/2008 at 5:51pm | E (phone message)                                                                                               | Ken Champion phone call (e-mail notes from Ajay Goyal) | Caltrans District 3 Planning | At this point, closest point of impact from Franks Tract Project would be mainly where the gate with boat lock facility is closest to the State Route 160 bridge. Ken is interested in knowing if the gate would change in any flood stage, or what effect the gate will have on river stage near the bridge. Would the gates be operated year round or certain months of the year for fish? The other locations of gate are further away from the bridge. They would like to know if there will be any flood impact from the gates.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

## Sign-in Sheets and Comments from Public Scoping Meetings



# Franks Tract Project SIGN-IN SHEET

10-6-08

Sacto



| NAME                                            | ORGANIZATION            | MAILING ADDRESS                                      | CITY/STATE/ZIP       | E-MAIL & PHONE NO.                     | ADD NAME TO MAILING LIST? (Y/N) |
|-------------------------------------------------|-------------------------|------------------------------------------------------|----------------------|----------------------------------------|---------------------------------|
| Denise Alvar                                    | Rd 830                  | Po Box 1105                                          | OAKLEY 94561         | nunnw@shcgl.com<br>956-2279            |                                 |
| Joe Miyamoto                                    | EBMUD                   | 500 San Pablo<br>Dam Rd, CA                          | Orinda 94563         | miyamoto@<br>ebmud.com                 |                                 |
| Tom Catarella                                   | USACE                   | 3125 J St<br>Sacto CA 95814                          | Sac, CA              | Thomas M. Catarella<br>@USACE.army.mil |                                 |
| Craig Muehlberg                                 | BOR                     | 2800 Cottage Way<br>Sacramento CA                    | Sac CA               | cmuehlberg@<br>mp.usbr.gov             |                                 |
| Javier Miranda                                  | DWR                     | Rm 252-35<br>1416 9th Street<br>Sacramento, CA 95814 | Sac CA 95814         | jmiranda@water.ca.gov<br>916-654-7467  | N                               |
| Judi Quen                                       | CA Alliance<br>for Jobs | 2700 Clayton Rd.<br>#490                             | Concord, CA<br>94520 | Juan@relnidca.org                      | yes                             |
| Didn't sign in:<br>Tony Rosenthal<br>Bill Wells |                         |                                                      |                      |                                        |                                 |
|                                                 |                         |                                                      |                      |                                        |                                 |
|                                                 |                         |                                                      |                      |                                        |                                 |
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# Franks Tract Project SIGN-IN SHEET

10-6-08  
Sacto



| NAME              | ORGANIZATION | MAILING ADDRESS                         | CITY/STATE/ZIP         | E-MAIL & PHONE NO.               | ADD NAME TO MAILING LIST? (Y/N) |
|-------------------|--------------|-----------------------------------------|------------------------|----------------------------------|---------------------------------|
| Katherine Maher   | DWR          | 1416 9th St.<br>Rm 252-34               | Sacramento<br>CA 95814 | kmaher@<br>water.ca.gov          | Y                               |
| Joe Green-Heffern | CH2M HILL    | 2485 Natomas<br>Park Dr. #600           | Sac, CA<br>95833       | joe.green-heffern<br>@ch2m.com   | Y                               |
| Bob Nozulka       | DWR          | <del># 951</del><br>901 P St. Suite 334 | Sacto 95816            | bobn@water.ca.gov                | Y                               |
| Debra Greene      | KRIBK        |                                         |                        | debragreene@<br>clearchannel.com |                                 |
| BOB YEADON        | DWR          | 1416 9th St<br>Rm 1601                  | SAC 95814              | ryeadon@water.<br>Ca.gov         | Y                               |
|                   |              |                                         |                        |                                  |                                 |
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# Franks Tract Project SIGN-IN SHEET

10-6-08  
Sacto



| NAME           | ORGANIZATION             | MAILING ADDRESS           | CITY/STATE/ZIP      | E-MAIL & PHONE NO.             | ADD NAME TO MAILING LIST? (Y/N) |
|----------------|--------------------------|---------------------------|---------------------|--------------------------------|---------------------------------|
| MIKI FUJITSUBO | CORP OF ENGINEERS        | 1325 "S"                  | SACRAMENTO<br>95814 | miki.fujitsubo@USACE/MIAMI.MIL | Y                               |
| John Herrick   | South Delta Water Agency | 4255 Pacific Ave<br>Ste 2 | Stockton<br>95207   | Jherrick@swa.com               | Y                               |
| Kevin Clark    | DWR                      | 1416 9th St<br>Rm 252-35  | Sacramento<br>95814 | kclark@water.ca.gov            | N                               |
| Jim Wilde      | DWR                      | "<br>Rm 252-17            | "                   | wildeje@water.ca.gov           | N                               |
|                |                          |                           |                     |                                |                                 |
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# Franks Tract Project SIGN-IN SHEET



Rio Vista

| NAME                  | ORGANIZATION                              | MAILING ADDRESS                          | CITY/STATE/ZIP  | E-MAIL & PHONE NO.    | ADD NAME TO MAILING LIST? (Y/N) |
|-----------------------|-------------------------------------------|------------------------------------------|-----------------|-----------------------|---------------------------------|
| Tony & Barb Rosenthal | Property Owner                            | 870 Nicholas Ct<br>Brentwood, Ca         |                 | Rahdnt2@MSN.com       |                                 |
| JOHN PFUND            | YACHT SALES                               | BOX 2852<br>ANTIOCH CA                   | CA              | JPPB1@YAHOO.COM       | YES                             |
| Philip Delano         | Vessel Assist<br>Yachting Specialties Inc | PO Box 2169<br>Belle Island<br>CA 94511  | CA 94511        | vcaade14@aol.com      | Yes                             |
| Linda Bendson         | RBOC                                      | PO Box 984<br>Shisun CA 94588            |                 | lbendson@pacbell      | yes                             |
| Bob Yeada             | DWR                                       | 14116 9th St                             | SAC             | ryeada@dwr.ca.gov     | NA                              |
| George Stephens       |                                           | 461 W. Brannan<br>Island Rd Juleta 92041 | Juleta CA 92041 | Broker gws@aol.com    | Yes                             |
| Todd Bruce            | Outra                                     | 615 River Rd<br>Rio Vista                | Rio Vista       | Tbruce@outragroup.com | Yes.                            |
| Ray Tomlinson         | DBYS                                      | Disco. Bay<br>1937 Dolphin Pl            | Disco. Bay      | raysnow@pacbell.net   | Yes                             |
| Yvonne Wood           | PICYA                                     | 994 Umatac Ct<br>Rio Vista               | Rio Vista       |                       | yes                             |



# Franks Tract Project SIGN-IN SHEET



| NAME             | ORGANIZATION         | MAILING ADDRESS                     | CITY/STATE/ZIP         | E-MAIL & PHONE NO.                  | ADD NAME TO MAILING LIST? (Y/N) |
|------------------|----------------------|-------------------------------------|------------------------|-------------------------------------|---------------------------------|
| David DeLano     | Yachting Sierra Club | PO Box 2169                         | Bethel Island CA 94511 | djd@workboots.net<br>(925) 684-2183 | yes                             |
| Vern Bendson     | PICYA                | Box 984                             | Suisun CA 94588        | vbendson@pacbell.net                | yes                             |
| LEONARD          | OUTRIGGER            | 741 EAST ST # 240<br>WOODLAND 95776 |                        | OUTRIGGER MARINA<br>@EARTHLINK.NET  | YES                             |
| Cunningham       |                      |                                     |                        |                                     |                                 |
| SEM call         | OUTRIG               |                                     | River Vista CA         | 707-332-4738<br>JIN@OUTRIGGER.COM   | Y                               |
| Gary Dew         | DYC                  |                                     | NOVATO, CA             | deepdewdew@comcast.net              | Y                               |
| Tom Tonge        | DBYS<br>2067 RD      | 5600 marlin Dr<br>Disco Bay, CA     | Disco Bay, CA          | Tom.Tonge@SBCGlobal.net             | Y                               |
| Manuel Rebelo    |                      |                                     |                        |                                     |                                 |
| WALT VANCE       | Ox Bow Marina        | 100 Ox Bow<br>MARINA WAY            | ISLETON CA             | TAPNER@AOL.COM                      | Y                               |
| LINDA & RAY BELL | indiv                |                                     |                        | RaylinSpaniel@a<br>Sbcglobal.net    | Y                               |



# Franks Tract Project SIGN-IN SHEET



| NAME                         | ORGANIZATION           | MAILING ADDRESS       | CITY/STATE/ZIP            | E-MAIL & PHONE NO.                 | ADD NAME TO MAILING LIST? (Y/N) |
|------------------------------|------------------------|-----------------------|---------------------------|------------------------------------|---------------------------------|
| MATT EMRICK                  | Antioch                | 4721 Freno Way        | EL Dorado Hills, CA 95762 | MATTHEW@MURLAN.com<br>916 337-0361 | Y                               |
| Richard Silva<br>Noeme Silva | Rio Vista              | 340 Sierra            | Rio Vista, CA             |                                    | Y                               |
| JASON CANGER                 | SOMACH, SIMMONS & DUNN | 813 6TH ST, 3RD FLOOR | SACRAMENTO, CA 95814      |                                    | Y                               |
|                              |                        |                       |                           |                                    |                                 |
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# Franks Tract Project SIGN-IN SHEET



| NAME                       | ORGANIZATION                 | MAILING ADDRESS                      | CITY/STATE/ZIP               | E-MAIL & PHONE NO.            | ADD NAME TO MAILING LIST? (Y/N) |
|----------------------------|------------------------------|--------------------------------------|------------------------------|-------------------------------|---------------------------------|
| George<br>ANTHONY          | Brayton<br>Sportsman's       | 311 CALVERT                          | 94509<br>CA ANTIOCH          | —                             | Y                               |
| SILNO                      | SPORTSMEN YC                 | 153<br>KINCINN PL                    | PITTSBURG<br>CA 94565        | NIENOCNO@YAHOO.COM            | N                               |
| George + Sandra<br>McElvan | Home Owner                   | PO BOX 328<br>328                    | Bethel Island<br>94511       | GSMCELVIN@ATT.NET             | Y                               |
| PATTI<br>ANTHONICO         | MARINA<br>Owner              | P.O. BOX<br>577                      | Bethel Isl.<br>CA 94512-0577 | 925 684 2101                  | yes                             |
| JAY + MARLA<br>UHART       | HOMEOWNER                    | 180755 HWY 160                       | RIO VISTA<br>94571           |                               | ON IT                           |
| Brian Bellante             | home owner<br>business owner | 810 W. TENTH ST.<br>Antioch CA 94509 | Antioch CA<br>94509          | 925-778-3221                  | X                               |
| Jane Parsons               | Apartment<br>YC              | 2812 PATRICIA                        | ANTIOCH                      | (925) 757-0235                | N                               |
| Gary Adams                 | CSBA                         | 1301 Plumleigh<br>LN                 | Concord CA<br>94521          | (925) 686-4064                |                                 |
| Gary Adams                 | CSBA                         | " "                                  | " "                          | " "                           | gary.adams@com                  |
| Howard Crittenden          |                              | 117 Heather Dr<br>Atherton CA 94027  |                              | hcrittenden@<br>5bcglobal.net | Y                               |



# Franks Tract Project SIGN-IN SHEET



| NAME                    | ORGANIZATION             | MAILING ADDRESS                 | CITY/STATE/ZIP    | E-MAIL & PHONE NO.         | ADD NAME TO MAILING LIST? (Y/N) |
|-------------------------|--------------------------|---------------------------------|-------------------|----------------------------|---------------------------------|
| MARGUERITE LAWRY        | SAN JOAQUIN Yacht club   | P.O. BOX 429                    | Bethel Island CA  | lawry e prodigy.net        |                                 |
| Bill Worrell            | Sportsmen Inc yacht club | 1200 August Way                 | Antioch Ca 94509  |                            |                                 |
| Tim Lamb                | ✓                        | 400 Bedford<br>Lamp             | Oakley CA         | MRLAMBinstor<br>@YAHOO.COM |                                 |
| Christopher Connelly    | N/A                      | 8 PO Box 523<br>Oakley CA 94544 | Oakley CA 94561   |                            | N                               |
| JOHN PFUMD              |                          |                                 | PITTSBURG         | JPPBA @ XA 1000. com       | Y                               |
| Doug Lovell             | Fed Fly Fishers          | POB 8330                        | Berkeley CA 94701 | douglovell@att.net         | Y                               |
| CASEY CURRY             | SPORTSMEN YC             |                                 | ANT. CA           | MCURRY@ATT.NET             | Y                               |
| Tony Rosenthal          | Property Owner           | 870 Nicholas Ct                 | Brentwood         | Palachint2@MSN.COM         |                                 |
| Greiner George & Jeanie |                          | PO Box 1023                     | Bethel Is 94511   |                            | Y                               |
| KAY POWER               | SPORTSMEN Y.C.           | 800 DONHAM CT                   | ANTIOCH, CA 94509 | KAYPOWER @ COMCAST.NET     | Y                               |



# Franks Tract Project SIGN-IN SHEET



| NAME                             | ORGANIZATION                             | MAILING ADDRESS              | CITY/STATE/ZIP         | E-MAIL & PHONE NO.                  | ADD NAME TO MAILING LIST? (Y/N) |
|----------------------------------|------------------------------------------|------------------------------|------------------------|-------------------------------------|---------------------------------|
| Joe Aaron                        | C.S.B.A                                  | 3115 Elizabeth<br>Antioch CA | 94509                  | 925 757-0799                        |                                 |
| David DeLong                     | Spontaneous                              | 3701 Wilbur                  | 94509                  |                                     |                                 |
| Ed Elledge                       | SPORTSMEN<br>BRIFTWOOD<br>COI STRIP PASS | 6325 Bridgehead              | 94509                  | 925 753 1824                        |                                 |
| Bill<br>Bate                     |                                          | 1725 Elm Rd<br>Car           | CONCORD<br>CA 94519    | 925 595-1641                        |                                 |
| Mike Hall                        | CSBA                                     | 58 Cloverleaf Cir            | Brentwood, Ca<br>94513 | 925-634-6356                        |                                 |
| Marilyn Boston<br>Karee<br>Smith |                                          | PO Box 1065                  | Bethel Is.<br>94511    | boston42@comcast.net                |                                 |
| DAW Lizzy                        | SPORTSMEN 4C                             | PO BOX 3272<br>ANTIOCH CA    | ANTIOCH                | LWEMAW@comcast.net<br>925) 634-1552 | X                               |
|                                  |                                          |                              |                        |                                     |                                 |
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# Franks Tract Project SIGN-IN SHEET



| NAME            | ORGANIZATION                          | MAILING ADDRESS                    | CITY/STATE/ZIP         | E-MAIL & PHONE NO.          | ADD NAME TO MAILING LIST? (Y/N) |
|-----------------|---------------------------------------|------------------------------------|------------------------|-----------------------------|---------------------------------|
| LENDRA CLARK    | RBOC / DBW                            |                                    |                        |                             |                                 |
| RICHARD CLARK   | Ebony Boat Club                       |                                    |                        |                             |                                 |
| V. MAMMON       | CSBA, RESIDES THE DELTA, L.S.I.D.H.A. | 4720 Oak Forest Ave<br>D           | DAKOTA, CA<br>94561    | v.mammon@att.net            | N                               |
| DENNIS HIGGINS  | SPORTSMEN YACHT CLUB                  | P.O. Box 315                       | Bethel Island CA.      |                             | N                               |
| Phil Harrington | City of Antioch                       | 200 "H" Street<br>Antioch CA 94531 | PO BOX 5007<br>Antioch | Harrington@ci.antioch.ca.us | Y                               |
| charlie katosi  |                                       | 119 Saecle Ave<br>Antioch CA 94531 | Antioch                |                             | Y                               |
| Lynelle Rendon  | Sportmen Yc                           | 3923 Rammer<br>Antioch Ca          | Antioch Ca             | alynelle@SBCGLOBAL.NET      |                                 |
| Ed Joslyn       |                                       | Bethel Is. 1065                    | 94511                  |                             | Y                               |
|                 |                                       |                                    |                        |                             |                                 |
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# Franks Tract Project SIGN-IN SHEET



| NAME            | ORGANIZATION                | MAILING ADDRESS                         | CITY/STATE/ZIP  | E-MAIL & PHONE NO. | ADD NAME TO MAILING LIST? (Y/N) |
|-----------------|-----------------------------|-----------------------------------------|-----------------|--------------------|---------------------------------|
| Alice Gibsom    | Sportsmen YC                | 67 W. Leland Rd                         | Pittsburg 94565 |                    | Y                               |
| Robert Pyke     | Arceadis                    | 1086 Coral Lane #136<br>Lafayette       |                 |                    |                                 |
| Marlene Moore   | Diablo YC                   | 4633 Menona<br>Antioch, CA 94531        |                 |                    |                                 |
| CLARK J. DAWSON | Sportsmen YC.               | 3205 CAMBY RD<br>Antioch CA 94509       | Antioch         |                    | Y                               |
| Bill Moore      | DIABLO YACHT CLUB           | 4633 MENONA CT.<br>ANTIOCH, CA 94531    |                 |                    | Y                               |
| Cathy Daw       |                             | PO Box 1056<br>Bethel Island            |                 |                    | Y                               |
| Darlene Dawson  | Delta Protection Commission | 3205 Camby Rd.<br>Antioch, Ca.<br>94509 |                 | 510-207-8498       |                                 |
|                 |                             |                                         |                 |                    |                                 |
|                 |                             |                                         |                 |                    |                                 |
|                 |                             |                                         |                 |                    |                                 |





# Franks Tract Project SIGN-IN SHEET

10/9/2008



| NAME                  | ORGANIZATION   | MAILING ADDRESS         | CITY/STATE/ZIP        | E-MAIL & PHONE NO.                   | ADD NAME TO MAILING LIST?<br>(Y/N) |
|-----------------------|----------------|-------------------------|-----------------------|--------------------------------------|------------------------------------|
| Bob Riopel            | RBOC           | 18239 Lake Forest Drive | Penn Valley, CA 95946 | riopel@sbcglobal.net<br>530-432-9274 | ✓                                  |
| Tony & Barb Rosenthal | Property Owner | 870 Nicholas St<br>1    | Brentwood CA 94513    | Paladintr2@msu.com                   |                                    |
| Matt Franck           | CH2M HILL      | -                       | -                     | matthew.franck@ch2m.com              | Yes!                               |
|                       |                |                         |                       |                                      |                                    |
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# Franks Tract Project SIGN-IN SHEET

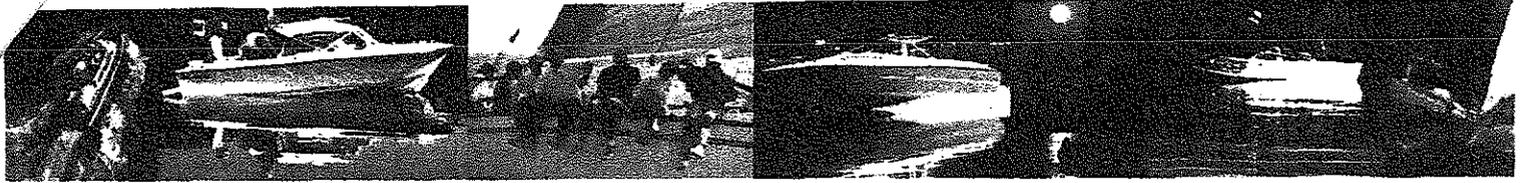


| NAME               | ORGANIZATION                  | MAILING ADDRESS                             | CITY/STATE/ZIP | E-MAIL & PHONE NO.              | ADD NAME TO MAILING LIST? (Y/N) |
|--------------------|-------------------------------|---------------------------------------------|----------------|---------------------------------|---------------------------------|
| John H<br>BANKS    | CALIF<br>STAIR-20 BOSS        | 2114 E Washington                           | Stockton 95205 | Trooper 200 AOL<br>209 948-2543 | ✓                               |
| Dante<br>Nomellini | Central Delta Water<br>Agency | P.O. Box 1461<br>Stockton, CA 95201         |                | ngmpks@pacbell.net              | Y ✓                             |
| WANT<br>VANCE      | OXBOW YACHT<br>CLUB           | 3615 D MALTA<br>FRONT ST<br>FRANCE CA 95336 | FREEMONT 94536 | THANSAI@AOL                     | ✓                               |
|                    |                               |                                             |                |                                 |                                 |
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# APPENDIX G

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## Scoping Letters



**RBOC**  
Protecting your boating interests.

925 L Street • Suite 220  
Sacramento CA 95814  
916.441.4166  
www.rbo.org

**Walt Kadyk**  
President

**David Breninger**  
Vice President - North

**Anne Sachs**  
Vice President - South

**Bob White**  
Secretary - Treasurer

**Lenora Clark**  
Past President

**Legislative Advocates**  
**Jerry Desmond**  
Executive Vice President

**Jerry Desmond, Jr.**  
Director of  
Government Relations

**Directors**  
Joe Balunco  
Linda Bendson  
Greg Gibeson  
Cleve Hardaker  
Gail E. Hine  
Doug Hipsley  
Tom Kiwan  
Jack R. Michael  
Debernia Madison  
Jim Mahaffy  
Robert Riopel  
Russ Robinson  
Mike Silvey  
Paul Swanson

**Ex Officio Directors**  
Richard Schwartz (BoatU.S.)  
Margaret Podlich (BoatU.S.)  
Fred Goodwin (PICYA)  
Mark Hansen (SCYA)

**Past Presidents**  
Ward Cleveland 1968  
Lee Kellerhouse 1969  
Albert H. Allen 1970  
Donald S. Manhard 1971  
Gordon M. Curtis, Jr. 1972  
William M. Hynes 1973  
Richard P. Belden 1974  
W. Burbeck Johnson 1975  
George L. Fisher 1976  
William H. Gray, Jr. 1977  
Charles B. McElroy 1978  
Albert W. Thews 1979  
Barry R. Labow 1980  
Louis B. Haberman 1981  
Joseph R. Steele 1982  
Robert D. Carden 1983  
Norton H. Nelson 1984  
Peter J. Nardini 1985  
John C. Robinson 1986  
Robert J. Hoffman 1987  
Burton Jay, M.D. 1988  
Nils Anderson 1989  
Roger C. Wilson 1990  
Clem A. Hunter 1991  
S. A. "Bud" Zacher 1992  
Milton E. Morgan, Jr. 1993  
Dorothy G. Deegan 1993  
Gail E. Hine 1994  
Richard C. Tipton 1995  
Jim Clark 1996  
George Neill 1997  
Joe Balunco 1998  
Linda Newland 1999  
Bill Lewis 2000  
Joan Marsh-Clane 2001  
James Ensign 2002  
Russ Robinson 2003  
William Patton 2004  
Doug Hipsley 2005  
Jerry Loumsbury 2006  
Lenora Clark 2007

## RECREATIONAL BOATERS OF CALIFORNIA

### Policy Statement: Preservation of Recreational Boating Access to Navigable California Delta Waterways - June 13, 2008 -

Recreational Boaters of California (RBOC) will advocate to protect the rights of recreational boaters to assure access for continued navigation by recreational boats the waters of the California Delta where ever any "control structure" (such as, but not limited to gates or barriers whether temporary or permanent) is planned for placement across a navigable Delta waterway. RBOC will seek assurances that as any changes are contemplated which further alter Delta navigable waterways that alternatives are identified and implemented to the satisfaction of RBOC that will best preserve and sustain recreational boat passage at each location. RBOC will seek to have operable boat locks installed as an integral design component to mitigate for the placement of any control structure across any navigable Delta waterway. All control structures and boat locks or other alternatives satisfactory to RBOC for recreational boat passage are to be installed, maintained and operated without cost or expense to recreational boaters.

###

10-11-08

Cabral Livestock Sherman Isl.

Attn: To Kathleen Bucknoff.  
DWR Delta Conveyance Branch

My concern with this project is if the locks are closed at High tide for 2 to 6 hours. And the San Queen is lower and wider (which drains faster than the Sac) what effect would the North end of Sherman have on our siphon irrigation to Croplands. If this occurs is the state going to correct this by lowering siphons or installing pumps?

Also. Who has the authority and will it be in print on amount of time it can be closed. Possibly causing hardship on farmers and Ranchers

Myron Cabral



# SUGAR BARGE RESORT & MARINA

1440 SUGAR BARGE ROAD · P.O. BOX 1440 · BETHEL ISLAND, CA 94511  
925-684-9075 · (800) 799-4100 · FAX (925) 684-8549

Restaurant & Bar

Banquets & Catering

Outside Patio Bar & Grill

114 Site

Full Hook-up RV Park

On-Site RV Rental

Swimming Pool

Covered Berths

Weekend Guest Berths

Courtesy Berthing

Bait Shop

Convenience Store

Fuel Dock

Launch Ramp

RV & Boat Storage

October 14, 2008

Ajay Goyal  
State Of California, DWR  
1416 Ninth St. Rm # 252-18  
PO Box 942836  
Sacramento, CA 94236-0001

Dear Mr. Goyal,

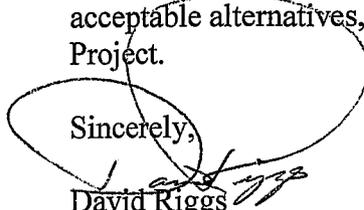
In November of 1995, I began developing Sugar Barge Resort on Bethel Island. The Sugar Barge fronts Piper Slough along the Western side of Franks Tract State Recreation area and consists of approximately 60 acres. The Resort is a multimillion dollar development consisting of 114 RV sites, Marina, Launch Ramp, Boat Rentals, Fuel Dock, Restaurant, Bait Shop and 250 unit Boat Storage Complex with recent approval for an additional 500 unit expansion.

Our customer base is largely water enthusiasts, such as fishermen, hunters, skiers/wake boarders and general boaters. Over the years, we have been faced with many challenges in the delta region which have jeopardized our business, such as declining fish population due to water diversion, invasive water weeds, mitten crabs, levee breaches and many more. Now we are faced with the real possibility of water diversion gates being installed in 3 mile slough and or False River (The Franks Tract Project).

I believe the installation of these gates could have a significant negative impact on the users of these waterways and thus a major financial impact on my business as well as all of the businesses that rely upon the users of the Delta. I believe that the second we begin blocking or restricting vessel traffic on certain days or certain times we begin causing doubt and uncertainty in the minds of the people who use the Delta. Simply put, it becomes cumbersome.

In closing, I urge you and all other agencies involved to seek other acceptable alternatives, if any, and not implement the Franks Tract Project.

Sincerely,

  
David Riggs

Owner

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

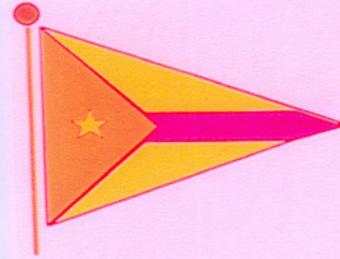
Regarding Frank's Track Project:

I am a resident of Contra Costa County and rely on the Delta for my domestic water. I am a recreational boater and fisherman in the lower Sacramento and San Joaquin river delta, and oppose any damming of the rivers and sloughs in this area for the following reasons:

1. Will restrict and/or stop safe passage of recreational boating
2. Will hinder commercial passage and emergency passage of boats engaged in Search and Rescue operations.
3. Will violate the Riparian water rights of the city of Antioch by increasing the salt content of the river at their pumping station, making it unusable for domestic use. This is a violation of the State Constitution, article X, Section 2.
4. Will cost much too much for any possible benefit. This state is in a recession, and cannot afford frivolous projects.
5. According to Cal-Fed mandates, this damming will not provide the desired benefits without other projects, such as increasing the capacity of the through-Delta passage.
6. You projected salt reading are computer-generated and may or may not be what really happens.
7. The citizens of California can no longer subsidize water for farmers, especially corporate farms growing crops for export to foreign countries, many of which are also Federally subsidized.
8. This project will alter the whole West Delta Suisun Marsh eco system. There is no proof it will provide better habitat for fish, but will most likely introduce species now only found in the Bay.
9. I am opposed to anything leading to a Peripheral Canal, no matter what you call it.
10. Your actions are in violation of the Public Trust. Shame on You.

*Rick & Anita Gind*  
934 KENSTON DR  
CHAYTON, PA. 94517  
925-672 1503

**WEBER POINT YACHT CLUB**  
**1376 Berlin Way**  
**Livermore, CA 94550**



November 12, 2008

Mr. Ajay Goyal, Project Manager  
California Department of Water Resources  
1416 Ninth Street, Room No. 252-18  
PO Box 942836  
Sacramento, CA 94236-0001

Thank you for the opportunity to comment on the advisability of the "Franks Tract Project". The Weber Point Yacht Club has a significant interest in preserving the quality of Delta life as we are all active boaters residing throughout the area.

The cover letter of your packet of information states the purpose to ... "allow better management of hydrodynamic (flow) conditions to improve the salinity levels and habitat conditions for fish species of concern in the central and south Delta." While some general statements about these issues are contained elsewhere in your packet, no specific information is provided to support this as an issue or problem. To suggest a solution for a problem, it would seem that very specific non-refutable data would be provided to support this project.

Elsewhere in the material you have provided "Boat passage facilities would be installed to allow boat movement during periods when gates are operating." A significant mystery exists as to what that means. Since most of us regularly transit both of the waterways affected, this is a cause of great concern. The alternatives to visit Rio Vista, the Bay area, Antioch, Pittsburg, etc. are both costly and time consuming and involve using excessive fuel.

This project seems ill advised because:

- It lacks significant specific reasons for its development.
- It would use significant financial resources to develop, install and operate as well as defend in litigation.
- It would create a significant additional cost and inconvenience to Delta boaters.
- 

For these reasons the Weber Point Yacht Club registers its strong opposition to the proposal to restrict the waterways of the Delta.

Sincerely,

WEBER POINT YACHT CLUB

*Rich Hanset*

Rich Hanset, Commodore

Mr. Ajay Goyal, Project Manager  
California Department of Water Resources  
1416 Ninth Street, Room No. 252-18  
P.O. Box 942836  
Sacramento, CA 94236-0001  
E-mail: [agoyal@water.ca.gov](mailto:agoyal@water.ca.gov)

Nov 13, 2008

Dear Mr. Goyal,

The Delta Bass Tactics Club consists of appx. 18 members who boat and fish on Delta Waters frequently, and who collectively represent hundreds of years of experience with this body of water.

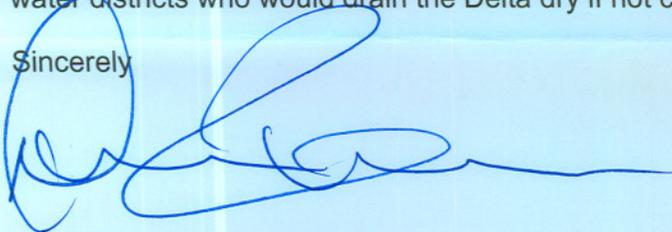
As President of the club, I wish to submit comments in opposition to the proposed Delta "flow control" project on behalf of the club,

It is unfortunate that the public agencies which supposedly represent the Delta user community resort to legalese and double speak to hide their true intentions. It seems clear to us that fish are not the priority of this project. It is equally clear that paving the way for increased water exports out of the Delta is the priority of this proposed project. Over the years, we have experienced the fishery decline associated with water export pumping. The statistics representing fish killed on the intake screens is appalling. We have experienced pumping velocities which actually reverse tidal conditions. We do not agree that closing a gate(s) to retain incoming tidal water (thus converting tidal flow to one-way flow) will do anything to reduce or control salinity intrusion.

No project should be contemplated that attempts in any way to modify the normal in/out tidal flow that is the natural condition of the Delta estuary. The only acceptable Delta change would be to extend the water export curtailment temporarily put into place by the courts.

The Delta Bass Club wishes to take strong exception to the notion that the proposed "flow control" project will do anything to constructively improve conditions for anyone other than the water districts who would drain the Delta dry if not controlled by the courts.

Sincerely



Dean Ziemer

President

Delta Bass Tactics Club



Mr. Ajay Goyal, Project Manager  
California Department of Water Resources  
1416 Ninth Street, Room No. 252-18  
P.O. Box 942836  
Sacramento, CA 94236-0001  
E-mail: [agoyal@water.ca.gov](mailto:agoyal@water.ca.gov)

Nov 13, 2008

Dear Mr. Goyal,

The Delta Bass Tactics Club consists of appx. 18 members who boat and fish on Delta Waters frequently, and who collectively represent hundreds of years of experience with this body of water.

As a member of that club, I wish to submit my comments in opposition to the proposed Delta "flow control" project.

It is unfortunate that the public agencies which supposedly represent the Delta user community resort to legalese and double speak to hide their true intentions. It seems clear to us that fish are not the priority of this project. It is equally clear that paving the way for increased water exports out of the Delta is the priority of this proposed project. Over the years, we have experienced the fishery decline associated with water export pumping. The statistics representing fish killed on the intake screens is appalling. We have experienced pumping velocities which actually reverse tidal conditions. We do not agree that closing a gate(s) to retain incoming tidal water (thus converting tidal flow to one-way flow) will do anything to reduce or control salinity intrusion.

No project should be contemplated that attempts in any way to modify the normal in/out tidal flow that is the natural condition of the Delta estuary. The only acceptable Delta change would be to extend the water export curtailment temporarily put into place by the courts.

I wish to register my very strong opposition to the notion that the proposed "flow control" project will do anything to constructively improve conditions for anyone other than the water districts who would drain the Delta dry if not controlled by the courts.

Sincerely

*Rick Sauls*  
*3625 Jeffrey Dr.*  
*Modesto Ca 95357*

Delta Bass Tactics Club Member

Mr. Ajay Goyal, Project Manager  
California Department of Water Resources  
1416 Ninth Street, Room No. 252-18  
P.O. Box 942836  
Sacramento, CA 94236-0001  
E-mail: [agoyal@water.ca.gov](mailto:agoyal@water.ca.gov)

Nov 13, 2008

Dear Mr. Goyal,

The Delta Bass Tactics Club consists of appx. 18 members who boat and fish on Delta Waters frequently, and who collectively represent hundreds of years of experience with this body of water.

As a member of that club, I wish to submit my comments in opposition to the proposed Delta "flow control" project.

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Sincerely

Wade Menard

Delta Bass Tactics Club Member

14 November 2008  
Antioch, California

Ajay Goyal, Project Manager  
1416 9th Street, Room 252-18  
Sacramento, CA 95814

RE: Frank's Tract Project

As a resident, fisherman and boater of the Sacramento - San Joaquin Delta I am appalled by the Project Director Ajay Goyal's quote in the November 14, 2008 edition of the Antioch Press stating "MANY local marina owners have said they are pleased with the proposal" (Frank's Tract Project).

According to the latest Delta Protection Commission, recreational boating and fishing survey of the Sacramento - San Joaquin Delta state the majority of the year-round fishing and boating takes place in the western Delta. I have had recent contact with most of the commercial and private yacht club harbors in the west Delta and no one is in favor of the project, and many feel the Frank's Tract Project of Rock dams will adversely affect their businesses.

I think Project Director Ajay Goyal should name the "MANY" local marinas, their location, and the size and type of services.

In my humble opinion, this statement is very misleading to the general public, and for sure is a violation of the public trust.



Bill Worrell  
1200 August Way  
Antioch, CA 94509

14 November 2008  
Antioch, California

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th Street Room 252-18  
Sacramento, CA 95814

RE: Frank's Tract Project

Placing dams near the 3 Mile Slough bridge would create a very dangerous situation for recreational and commercial water craft. The prevailing northwest and north winds combined with the strong tides of the Sacramento river at the confluence of the Sacramento river, Horseshoe Bend and 3 Mile Slough combine with, at times, three-foot waves and the bend of 3 Mile Slough close to the bridge make passage very difficult, if not unsafe. Adding a dam in the area makes just one more hazard.

Any dam or obstruction in 3 Mile Slough would hamper emergency or search and rescue missions from the Coast Guard Station at Rio Vista. Station Rio Vista is the only emergency response facility in the Delta and most boating activity takes place on the San Joaquin system. Depending on weather, hours could be added to response time, as the closest crossing would be Pittsburg.

Any dam or obstruction in 3 Mile Slough would restrict recreational boating from Brannan Island State Park. Brannan Island State Park has a boat launching ramp and berthing for visiting boaters. Because of current economic conditions and the high cost of fuel, Brannan Island State Park is becoming increasingly popular because of its closeness to the population centers of the Bay Area. The state park system is planning improvements to the park to meet the increased demand. Water skiers and fishermen launching at Brannan Island normally leave the immediate area via 3 Mile Slough. Any dam or obstruction in 3 Mile Slough would limit the activities and add to air pollution, making people travel further for their recreation activities.



Bill Worrell  
1200 August Way  
Antioch, CA 94509

14 November 2008  
Antioch, California

Ajay Goyal, Project Manager  
1416 9th Street, Room 252-18  
Sacramento, CA 95814

RE: Frank's Tract Project

As a recreational boater on the Sacramento - San Joaquin River Delta for nearly 60 years, I am very concerned about the effects of the Frank's Tract Project on the recreational boater and marina operators of the West Delta. If salt intrusion is allowed to progress further and further upstream, with the salt water will come barnacles and worms that will attack the bottoms of recreational and commercial craft.

Environmental Protection has mandated the poison content of marine bottom paints, making them less effective repelling barnacles and worms. If salt intrusion is allowed to migrate farther up the Delta displacing the fresh water, maintenance costs will increase on all craft kept in water. If your project is continued, together with ever increasing export of water, the Department of Resources should be responsible for mitigation costs to offset increased maintenance costs.

These same organisms will also attack berth and dock flotation, shorten the life of pilings used to secure docks and form breakwaters. These increased maintenance costs will also need to be mitigated.

Barnacles and marine growth that will attack vessel bottoms will also cause severe resistance to the vessels passing through the water, causing an increase in the need for fuel to accomplish the same work, causing an increase in the emissions produced. The Frank's Tract Project will definitely have a negative effect on the environment and the economy, and will need to be mitigated.



Bill Worrell  
1200 August Way  
Antioch, CA 94509

14 November 2008  
Antioch, California

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th Street, Room 252-18  
Sacramento, CA 95814

RE: Frank's Tract Project

The Department of Water Resources is spending millions of dollars on the Delta Emergency Rock and Transfer Facilitation Project at Rio Vista. Damming 3 Mile Slough will mean the rock barges and cranes will add hours to any emergency response to the West or Central Delta -- they will have to go all the way to Pittsburg to cross over into the San Joaquin and then back up river, adding many hours to any emergency response.

*Bill Worrell*

Bill Worrell  
1200 August Way  
Antioch, CA 94509

14 November 2008  
Antioch, California

Ajay Goyal, Project Manager  
1416 9th Street, Room 252-18  
Sacramento, CA 95814

RE: Frank's Tract Project

As a lifelong resident of Antioch, a West Delta sports fisherman, recreational boater, and former Coast Guard Auxiliary Patrol Vessel Commander in Search and Rescue in the West Delta and Suisun Bay, I wish to express my opposition the Frank's Tract Project as proposed.

Unlike what was stated at the Antioch scoping meeting, the Frank's Tract project does not include the features of the Cal-Fed project, as the computer simulated salinity readings are based on the total project plus enlarging the Delta through channel by over 50%.

The Cal-Fed Frank's Tract Project included levees around Frank's Tract and Little Frank's Tract, plus dredging a channel through Frank's Tract. Although it will not affect the hydrology, it also included four sandy beaches inside Frank's Tract as a mediation (I would assume) for restricting safe passage through the Delta for recreational and commercial and emergency vessels.

I have fished and boated on the Sacramento-San Joaquin Delta for nearly 60 years -- and over the years have experiences major changes in the flow of the many channels of the Delta. As a layman I cannot trust your computer generated figures for salinity changes of your partial project. Also as a layman I question why the Corps of Engineers Bay and Delta model, in Sausalito, was not used for establishing your figures of probable salinity change.

To a concerned citizen, this project is a violation of the State Constitution, article X, section 2, and for sure a violation of the Public trust.



Bill Worrell  
1200 August Way  
Antioch, CA 94509

14 November 2008  
Antioch, California

Ajay Goyal, Project Manager  
1416 9th Street, Room 252-18  
Sacramento, CA 95814

RE: Frank's Tract Project

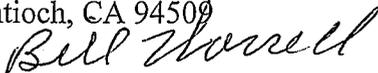
As a lifelong resident of Antioch, I am very concerned for our city's water supply. Antioch has pre-1914 Riparian water rights to take water for domestic use from the San Joaquin River. Although this doesn't supply enough for our total needs of today, it is a considerable help in keeping our water rates reasonable. The city has a considerable investment in our river water supply system, including recently replaced pumping facility, pipeline from the river to the treatment plant, and improvements to our local reservoir.

I have always been proud of our local water supply. Antioch was an early municipality to add fluoride to our domestic water in the 1950's. It was called by some a Communist plot to poison our children, but our local dentists have praised our early fluoridation, and credit it with improved dental health of our children and adults who have had the fluoride benefit their whole lives. I'm also proud that our water people have been able to keep our water within federal standards through blending, even with the reduced water quality of the San Joaquin river, since the export of Delta water by the Central Valley Project, and the California Aquaduct.

At the October 8, 2008 scoping meeting for the Frank's Tract Project held at the Antioch Public Library, your staff present including the Project Manager, Ajay Goyal, stated they were not aware of Antioch's water rights, and we had to use a map one of the community participants had brought to the meeting to show where the city pump is located!

The Water Resource staff also stated that if the Frank's Tract Project were built, the salt water intrusion would be well upstream of the Antioch bridge, which is well upriver of Antioch's pump. This project would surely be in violation of the California constitution, article X, section 2. This project would violate the Public trust.

Bill Worrell  
1200 August Way  
Antioch, CA 94509



cc: Antioch City Council

Senator Tom Torlakson

Assemblyman Mark DeSaulnier

Barbara Barrington Parrilla, Restore the Delta

Dan Bacher, Fish Sniffer

Craig Hanson, Bay and Delta Yachtsman

Ruth Roberts, Antioch Press

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF TRANSPORTATION PLANNING, MS-32

1120 N STREET

P. O. BOX 942874

SACRAMENTO, CA 94274-0001

PHONE (916) 653-0808

FAX (916) 653-4570

*Flex your power!  
Be energy efficient!*

November 14, 2008

Ajay Goyal, Project Manager  
California Department of Water Resources  
Room 252-18  
PO Box 942836  
Sacramento, CA 94236-0001

**SCH2008092081, Notice of Preparation, Environmental Impact Statement/  
Environmental Impact Report for the Franks Tract Project, Sacramento-San Joaquin Delta**

Dear Mr. Goyal:

The California Department of Transportation (Caltrans) appreciates the opportunity to participate in the scoping of environmental analysis for the Franks Tract Project. The Franks Tract Project involves installing and operating flow control gates on Threemile Slough, and possibly, West False River.

Four flow control gate locations are being considered on Threemile Slough: (1) Approximately 700 feet east of the SR-160 bridge; (2) approximately 4,100 feet from the SR-160 bridge; (3) approximately 8,600 feet north of the southwestern corner of Twitchell Island along Threemile Slough; and, (4) approximately 1,600 feet north of the southwestern corner of Twitchell Island along Threemile Slough. One flow control gate location is being considered on the West False River, approximately 1,800 feet east of the confluence with the San Joaquin River. The flow control gates would range between 33 and 40 feet in height. The potential exists for levees adjacent to gate structures to require strengthening, thus adding a need to import off-site earthen materials for levee improvements.

Pursuant to California's Public Resources Code Section 21080.4 and Code of Regulations Section 15082(b)(1)(A)(B), please be advised that Caltrans is a Responsible agency for the subject proposed project. Further, the following comments contain the scope and content of the information that should be addressed in the proposed project's environmental analysis and are as specific as we can provide at this stage of review. Caltrans will be available to provide applicable technical assistance as may be needed.

The Environmental Impact Statement/Environmental Impact Report (EIS/EIR) should address impacts to the State Highway System (SHS): Specifically potential impacts to the structural integrity and operation and maintenance of State Route 160 (SR-160); and, generally to any other SHS facility that would be used to transport loads exceeding statutory limitations on the size, weight, and loading of vehicles.

**SR-160 Structure and Operation and Maintenance:**

1. Caltrans operates a draw bridge on SR-160. It is a very busy draw, with recreational and commercial traffic, including barges carrying rocks for levee rocking projects on the San Joaquin River or vicinity. Of potential concern to the structural integrity of the bridge would be a change in the hydraulics resulting from the proposed project.

The environmental analysis should include the potential impact to water surface elevation; impact to sediment transportation; and any other potential impacts to the bridge, such as change of flow, change of flow directions, drainage, etc.

2. The proposed gate height of 33 to 40 feet should be reviewed to consider whether it would limit the sight distance for the bridge to observe vessel traffic.
3. Consider the potential influence of the gates on the amount of logs and other flotsam against the bridge.
4. Ensure that contingency plans address the possibility of a gate being damaged by an impact or otherwise being unable to operate as designed and engineered. (the SR-160 bridge was hit by a commercial barge earlier this year.)
5. Describe planned operation of the control building/s (one for each site or each gate?) and the monitoring schedule (24/7?).
6. Describe anticipated open/close schedule and configuration of gates in both positions.

General:

1. It appears that the first two gates proposed for Threemile Slough channel are on blind curves. Another consideration should be the seasonal dense fog in the proposed project area. Describe type/s of warning devices to be installed on the gates to warn large commercial vessels, as well as recreational boaters, when conditions would be unsafe and the channel not passable.
2. Consider potential impact to private marina operations near proposed gate locations.
3. Consider potential impact to Brannon Island Recreational area.

Construction Activities:

1. Oversized truck loads on SR-160 would require a Transportation Permit issued by Caltrans. Please refer to <http://dot.ca.gov/hq/traffops/permits/>, if applicable. Likewise, if access to the SHS right of way is needed for project activities, an Encroachment Permit will be required. Please access <http://dot.ca.gov/hq/traffops/developserv/permits/>, if applicable.
2. Consider potential impact to SR-160 drawbridge operation due to increased construction traffic.
3. Consider potential impact to integrity of levee roads due to construction traffic.

Please contact Hadi Behrooj, Sr. Bridge Engineer, at telephone 916-227-9474 or via E-mail: [hadi\\_behrooj@dot.ca.gov](mailto:hadi_behrooj@dot.ca.gov) for questions regarding the specifics of hydraulic reports.

Please contact Robert Songey, Delta Region Maintenance Manager, at telephone 925-926-6123 or via E-mail: [robert\\_songey@dot.ca.gov](mailto:robert_songey@dot.ca.gov) if you have questions about the potential impacts to SR-160 operation and maintenance activities.

Sincerely,



Betty Miller

Statewide Local Development-Intergovernmental Review Coordinator  
Office of Community Planning

- c: L. Carboni, Chief, IGR/CEQA Branch, District 4  
L. Courington, Coordinator/Multi-County Reviews, District 4  
J. Peterson, Spr. Transportation Engineer, District 4  
R. Songey, Delta Region Maintenance Manager  
H. Behrooj, Sr. Bridge Engineer, HQ, Division of Maintenance, SM&I  
S. Morgan, Assistant Deputy Director & Senior Planner, State Clearinghouse

14 November 2008  
Antioch, California

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9<sup>th</sup> Street - Room 252-18  
Sacramento, Ca 95814

Please find enclosed comments about the Franks Tract Project. These are the result of small group meetings of sportsmen Inc Yacht Club and Driftwood Yacht Club. The folks that developed and signed these questions are long time Boaters and Fishermen in the West Delta. Many attended the Scoping meeting in Antioch. As a group we think your project is ill advised and does not follow the Cal-Fed recommendation. We are lacking of information of the project other than what was presented at the scoping meeting much of which seemed to be incomplete and not accurate. Hopefully these comments will give you direction to develop a better project.

Bill Durwell  
(925) 757-5525

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

Regarding Frank's Track Project: ~~ALAMON~~

I am a resident of Contra Costa County and rely on the Delta for my domestic water. I am a recreational boater and fisherman in the lower Sacramento and San Joaquin river delta, and oppose any damming of the rivers and sloughs in this area for the following reasons:

1. Will restrict and/or stop safe passage of recreational boating
2. Will hinder commercial passage and emergency passage of boats engaged in Search and Rescue operations.
3. Will violate the Riparian water rights of the city of Antioch by increasing the salt content of the river at their pumping station, making it unusable for domestic use. This is a violation of the State Constitution, article X, Section 2.
4. Will cost much too much for any possible benefit. This state is in a recession, and cannot afford frivolous projects.
5. According to Cal-Fed mandates, this damming will not provide the desired benefits without other projects, such as increasing the capacity of the through-Delta passage.
6. You projected salt readings are computer-generated and may or may not be what really happens.
7. The citizens of California can no longer subsidize water for farmers, especially corporate farms growing crops for export to foreign countries, many of which are also Federally subsidized.
8. This project will alter the whole West Delta Suisun Marsh eco system. There is no proof it will provide better habitat for fish, but will most likely introduce species now only found in the Bay.
9. I am opposed to anything leading to a Peripheral Canal, no matter what you call it.
10. Your actions are in violation of the Public Trust. Shame on You.

*Joann M. Tucker*  
JOANN TUCKER  
3250 FLEMINGTON CT.  
PLEASANTON, CA. 94588

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

Regarding Frank's Track Project:

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Angelica & Gary Hubert  
4061 S Royal Links Circle  
Antioch, CA 94509

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

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Janet Alvarez  
349 Round Hill Dr.  
Brentwood CA 94513  
(925) 628-1730

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

Regarding Frank's Track Project:

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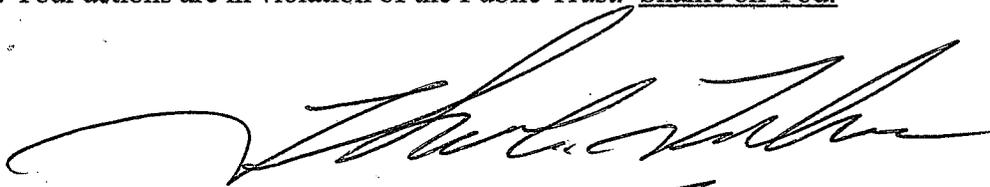
  
Thom C. Parrino  
4505 Wildcat Circle  
Antioch, CA 94531

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

Regarding Frank's Track Project: *ALAMEDA*

I am a resident of Contra Costa County and rely on the Delta for my domestic water. I am a recreational boater and fisherman in the lower Sacramento and San Joaquin river delta, and oppose any damming of the rivers and sloughs in this area for the following reasons:

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THOMAS TUCKER  
3280 FLEMINGTON CT.  
PLEASANTON, CA. 94588

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

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Donna McClane  
4840 Valley Way  
Antioch, CA 94531

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

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Bryan W. Smith  
Bryan W. Smith  
3660 Holmes Rd  
Oakley, CA 94561

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

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Delta Sub  
3660 Holmes Rd.  
Oakley, Ca. 94561

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

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Ed Salmon

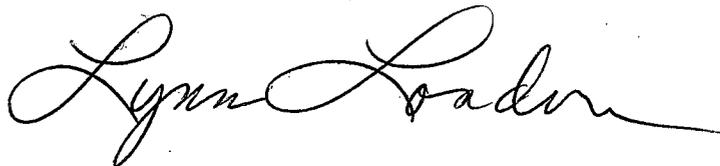
1165 Ranch Pt. Wy Antioch CA 94531

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Department of Water Resources  
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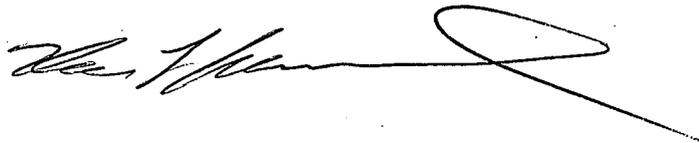
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KEVIN L SHROPSHIRE

703 CASCADE CT

WC CA 94584



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Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

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George H. Green  
3097 Arbolado Ct.  
Walnut Creek CA  
94598

Ajay Goyal, Project Manager  
Department of Water Resources  
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Sacramento, CA 95814  
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*Kenneth L Williams*  
1561 LYMAN CT  
CONCORD CA, 94521

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Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
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David L. Williams  
1725 Fairhaven Ct.  
Oakley, CA 94561

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Department of Water Resources  
1416 9th St., Room 252-18  
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CAROL J. FRAY,  
4681 PINOT CT  
OAKLEY, CA  
94561

*Carol J. Fray*

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
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4681 PINOT CT  
OAKLEY, CA.  
94561

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STEVEN W. JOCKMAN  
804 MARIE AVE  
MARTINEZ, CA. 94553

Steven W. Jockman

Ajay Goyal, Project Manager  
Department of Water Resources  
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E L Elledge

6325 Bridgehead Rd

Antioch CA 94509

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Cynthia Lane Mammen  
4720 Oak Forest Ave  
Oakley Ca 94561

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*Mario Pulante*  
*1295 Jensen DR*  
*Pittsburg CA 94565*

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114 MERRILL DR,  
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ROD KRESS  
3325 ANIM CT  
ANTIOCH CA, 94509

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*Steve Goyal*

20 EL TORO CT

ERAYTON CA 94517

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Department of Water Resources  
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George Brayton

311 Calvert Ct

Antioch 94509

Jim Brayton

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*Mary Soliz*

Mary Soliz

50 E 19th Street

Antioch, CA 94509

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Manuel Soliz Jr.  
MANUEL SOLIZ, JR.  
50 E. 19<sup>th</sup> ST.  
ANTIOCH, CA 94509

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
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Russell Lof  
2840 Carmona way  
Antioch ca 94509

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Ray Tomlinson  
1937 Dolphin Pl.  
Discovery Bay Ca 94505

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JOHN PFUND  
BOX 2852  
ANTIOCH, CA. 94531

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John Tonner  
1930 Maybelle DR.  
Pleasant Hill, Ca  
94523

John Tonner

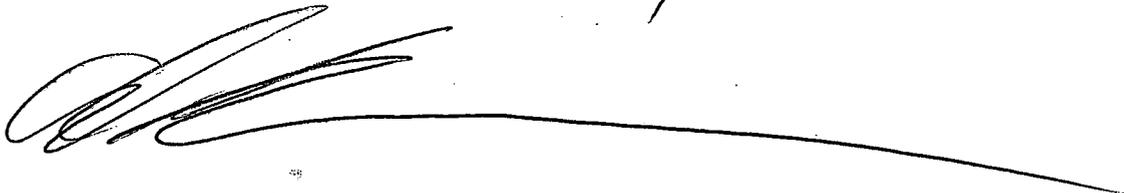
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Adam Lalouise  
1707 San Jose Dr.  
Antioch CA 94509



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Department of Water Resources  
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BOB & SHIRLEY KARR  
P.O. BOX 1316  
SUTTER CREEK, CA. 95685

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1832 Orlone Hts  
Clayton CA 94517

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DAN PERRYMAN  
545 JOAN CT  
MERCED CA 95390

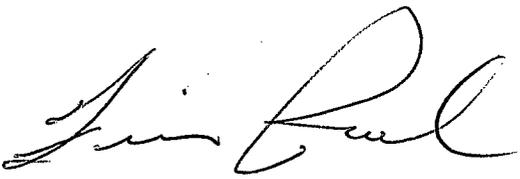


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400 Bed Road Ln  
Oakley, CA 94561

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George Brayton  
311 Caldwell Ct  
Antioch Ca 94509

John Hunter  
1832 OALone ldrS  
Clayton CA  
94517

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Alice Nelson  
67 W. Leland Rd  
Fittsburg CA  
94525

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Anthony V. Russo  
4216 Null Dr.  
Antioch, CA 94509

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Anthony H. Sine  
153 ENCINAL PL  
PITTSBURG CA 94565

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Kelly Odum  
1304 Birmingham St  
Oakley Ca 94561

Ann Marie Clark  
5 Wilbur Ave  
94509

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*Ken Conyn*

*4681 CLIPPER DR*

*Discovery Bay, Ca 94505*

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Shy  
SARAH Young  
4681 CLIPPER Dr  
Discovery Bay Ca 94505

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

Regarding Frank's Track Project:

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*Cher Jaitma*  
*504 Marie Ave.*  
*Martinez CA*

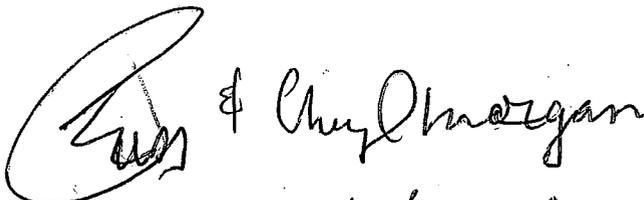
94553

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1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

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Sun & Cheryl Morgan  
4542 Gostree Ct  
Pleasanton CA

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Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

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Jay Smith  
3150 Ashley Way  
Antioch CA 94509

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

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Patrick J. Bowen  
811 Bowton CT  
Antioch, CA 94509  
(925) 437-3535

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

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1562 HOMER ROAD AVE.  
WALNUT CREEK, CA. 94598

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

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Paul & Sharon Selby  
330 Eastridge Drive  
San Ramon, Ca 94582

Ajay Goyal, Project Manager  
Department of Water Resources  
1416 9th St., Room 252-18  
Sacramento, CA 95814  
(916) 651-9823

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STEVE A. MARTINEZ  
500 W 7TH ST.  
ANTIOCH CA.  
94509

Steve A. Martinez

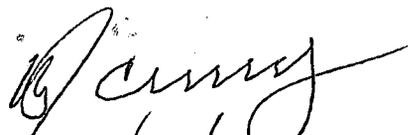
(925) 783-8401

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(916) 651-9823

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11/7/08

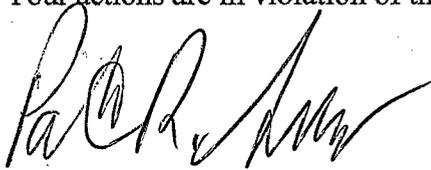
805 BARRETT WAY.  
ANTIOCH, CA 94509  
925-776-4276

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PATRICK R. SEBERGS

11/7/08

1501 MARIE AVE  
ANTIOCH, CA. 94509

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Vincent Rafanan  
2150 Canyon Lakes Dr  
San Ramon, CA 94582

Mr. Ajay Goyal, Project Manager  
California Department of Water Resources  
1416 Ninth Street, Room No. 252-18  
P.O. Box 942836  
Sacramento, CA 94236-0001

Nov 17, 2008

Dear Mr. Goyal,

I wish to submit my comments in opposition to the proposed Delta "flow control" project.

It is unfortunate that the public agencies which supposedly represent all the citizens of this state resort to legalese and double speak to hide their true intentions. It seems clear to us that fish are not the priority of this project. It is equally clear that paving the way for increased water exports out of the Delta is the priority of this proposed project. Over the years, we have experienced the accelerating fishery decline associated with water export pumping. The statistics representing fish killed on the intake screens is appalling. We have experienced pumping velocities which actually reverse tidal conditions. We do not agree that closing a gate(s) to retain incoming tidal water (thus converting tidal flow to one-way flow) will do anything to reduce or control salinity intrusion.

The only solution to Delta water issues will come when the amount of water to be exported is tied to the amount of water entering the system from the rivers which feed it. When inflows are up, pumping could be increased. When inflows are down, pumping should be curtailed or shut off entirely. Appropriate Delta water levels can be ascertained by applying statistical techniques to historical data. Salinity intrusion results from taking too much water out of the system, there is no rocket science involved. The large water districts that derive their prosperity from Delta water need to develop their own water generation and holding facilities commensurate with their needs, and stop draining the Delta to line their pockets.

No project should be contemplated that attempts in any way to modify the normal in/out tidal flow that is the natural condition of the Delta estuary. The only acceptable Delta change would be to increase the water export curtailment temporarily put into place by the courts.

I wish to register my very strong opposition to the notion that the proposed "flow control" project will do anything to constructively improve conditions for anyone other than the water districts who would drain the Delta dry if not controlled by the courts.

Sincerely

Thomas L. Coss

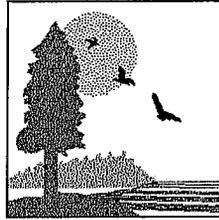
426 Superior Way

Discovery Bay, CA 94505

A handwritten signature in black ink, appearing to read 'T. Coss', is written over a faint, circular stamp or watermark.

**CALIFORNIA STATE LANDS COMMISSION**

100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202



**PAUL D. THAYER**, *Executive Officer*  
(916) 574-1800 FAX (916) 574-1810  
*Relay Service From TDD Phone 1-800-735-2929*  
*from Voice Phone 1-800-735-2922*

**Contact Phone: (916) 574-1900**  
**Contact FAX: (916) 574-1885**

November 18, 2008

File Ref: SCH #2008092081

Ajay Goyal, Project Manager  
CA Department of Water Resources  
1416 Ninth Street, Room #252-18  
P.O. Box 942836  
Sacramento, CA 94236-0001

**Subject: Notice of Preparation for the Franks Tract Project**

Dear Mr. Goyal:

The California State Lands Commission (CSLC) staff has reviewed the Notice of Preparation (NOP) for the Franks Tract project (Project). For this project, the CSLC is both a trustee agency and a responsible agency under the California Environmental Quality Act (CEQA).

By way of background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the State for statewide Public Trust purposes, which include waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation and open space. The boundaries of these State-owned lands generally are based upon the last naturally occurring location of the ordinary high or low water marks prior to artificial influences which may have altered or modified the river or shoreline characteristics. On tidal waterways, the State's sovereign fee ownership extends landward to the ordinary high water mark as it last naturally existed. On navigable non-tidal waterways, the State holds fee ownership of the bed landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high water mark, as they last naturally existed. Such boundaries may not be readily apparent from present day site inspections. The State's sovereign interests are under the leasing jurisdiction of the CSLC.

Staff has reviewed the information submitted for the five proposed project sites to determine the extent of the CSLC jurisdiction. This is to advise that Three-Mile Slough and False River are State-owned sovereign lands under the jurisdiction of the CSLC. Therefore, any activities waterward of the ordinary high water mark in the bed of Three-Mile slough and False River will require a lease from the CSLC.

Based on a review of the NOP, the CSLC recommends that the following be included as a part of the Draft Environmental Impact Statement/ Draft Environmental Impact Report (DEIS/DEIR):

- An evaluation should be made of potential submerged cultural resources in the project area. Any submerged archaeological site or submerged historic resource remaining in state waters for more than 50 years is presumed to be significant. The title to all abandoned shipwrecks and all archaeological sites and historic or cultural resources on or in the tide and submerged lands of California is vested in the state and under the jurisdiction of the CSLC. The CSLC maintains a shipwrecks database of known and potential vessels located on the state's tide and submerged lands; however, the location of many shipwrecks remains unknown. The recovery of objects from any submerged archaeological site or shipwreck requires a salvage permit under Public Resources Code (PRC) section 6309. On statutorily granted tide and submerged lands, a permit may be issued only after consultation with the local grantee and a determination by the CSLC that the proposed salvage operation is not inconsistent with the purposes of the legislative grant. A federal Code of Federal Regulations section 106 evaluation should be made as well to determine any potential terrestrial cultural resources in the project areas where construction can occur.
- Queries of the California Department of Fish and Game (CDFG) Natural Diversity Database (CNDDDB) and the U.S. Fish and Wildlife Service (USFWS) Special Status Species Database should be conducted to identify any special-status plant or wildlife species that may occur in the region. Their potential for occurrence on the project site or in the project area should be included in the DEIS/ DEIR.
- The California Department of Fish and Game (DFG) regulates the take of listed species under California Fish and Game Code (FGC) section 2050-2085, and the alteration of the bed, bank and channel under FGC section 1600. Additional permits may be required according to these sections of state law, and these permits may require additional mitigation.
- One of the major stressors of the Delta is introduced species. Therefore, the DEIS/DEIR should consider a range of alternatives for prevention programs for aquatic invasive species (including quarantine, early detection and early response) to slow the introduction of invasive species, such as the Quagga mussel, into high demand and sensitive areas. The programs considered should include adequate detail to determine if their effectiveness will exceed that currently in place in the Delta. As part of the alternative analysis, the design of the proposed project should take into consideration the current and proposed aquatic invasive species prevention programs. In addition, in light of the recent decline of pelagic organisms and in order to protect at-risk fish species, the

DEIR/DEIS should examine the objectives of the project and determine if the project would favor non-native fisheries within the Delta.

- An evaluation of the noise impacts on fish and/or marine mammals from construction activities in the water, as well as construction on the levees and land-side supporting structures for the proposed flow control barriers, should be included in the DEIS/DEIR. Mitigation measures may be needed that would include species-specific work windows as defined by DFG, USFWS, and NOAA Fisheries.
- An evaluation of the impacts on water quality including: turbidity on benthic species and habitat as a result of dredging and other construction activities in the water, should be included in the DEIS/DEIR.
- The Central Valley Flood Protection Board (CVFPB) permit for a geotechnical evaluation of the suitability of the project location as well as an encroachment permit, and the CVFPB action for placing large structures within the channels of the Delta, may be required. Additional coordination with the CVFPB may include working within the established flood season windows.
- A Federal section 10/404 permit may be required from the US Army Corps of Engineers (COE). The COE works closely with the CVFPB and both are tasked with protecting and regulating the Federal and State adopted plans of flood control, which includes the Sacramento River (33 CFR Section 208.10, California Code of Regulations (CCR) Title 23, and California Water Code Sections 8534, 8608 and 8710-8723). Section 10/404 determinations by the COE will also trigger the Central Valley Regional Water Quality Control Board (CVRWQCB) to issue a section 401 Water Quality Certification. Additional permits may be required to alter the Federal project levee system under 33 United States Code (U.S.C.) Section 408.
- Greenhouse gas emissions information consistent with the California Global Warming Solutions Act (AB 32) should be included in the DEIS/DEIR. This would include a determination of the greenhouse gases that will be emitted as a result of construction and ongoing operations and maintenance, a determination of the significance of the impacts, and mitigation measures to reduce impacts.
- An evaluation of the temporary and permanent loss of recreation resources in the area during the construction and operation of the proposed flow control barriers should be included in the DEIS/DEIR. These impacts should include mitigation measures for the residents and tourists for the area. The document should also specifically state the designed passage criteria for commercial and recreational vessels so that adequate mitigation can be designed.
- Discuss the potential changes and impacts to current transportation routes into and out of the area during the construction and operation of the proposed flow

control barriers should be included in the DEIS/ DEIR. Once again, these impacts should include mitigation measures for the residents and tourists of the area.

- As this NOP only considers one of three currently envisioned projects in this vicinity of the Delta, this DEIS/DEIR will need to carefully and thoroughly evaluate the cumulative impacts of this Franks Track Project (with gates proposed on Threemile Slough and West False River), the other Franks Track Project (with gates proposed on Old River and Connect Slough), and the proposed work at Horseshoe Bend State Recreation Area (Horseshoe Bend SRA) by the US Army Corps of Engineers and DFG. The two Franks Tract projects involve altering hydrodynamic conditions in proximity of Franks Tract, with the same stated project objectives of providing better water and fish habitat quality, and perhaps should be evaluated fully in the same DEIR/DEIR (CCR section 15378). Regardless of the type of document used to evaluate these projects, the cumulative analysis will need to look at the combined effects of these three projects on the navigation, recreation, transportation, public access, and natural resources of the area.

As a responsible agency, the CSLC will need to rely on this document for the issuance of a lease, and therefore, we hope that you consider our comments prior to adoption of the final EIS/EIR. If you have any questions involving the Shipwreck and Historic Maritime Resources Program please contact Staff Counsel Pam Griggs at (916) 574-1854 or by email at [griggsp@slc.ca.gov](mailto:griggsp@slc.ca.gov). If you have questions on the environmental review, please contact Christopher Huitt at (916) 574-1938 or by email at [huittc@slc.ca.gov](mailto:huittc@slc.ca.gov). If you have any questions concerning the CSLC's jurisdiction or leasing information, please contact Michelle Clark, Public Land Management Specialist, at (916) 574-0200 or by email at [clarkm@slc.ca.gov](mailto:clarkm@slc.ca.gov).

Sincerely,



Gail Newton, Chief  
Division of Environmental Planning  
and Management

cc: Office of Planning and Research  
Linda Fiack, Delta Protection Commission  
P. Griggs, CSLC  
C. Huitt, CSLC



ALEXANDER R. COATE  
DIRECTOR OF WATER AND NATURAL RESOURCES  
(510) 287-1663  
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RICHARD G. SYKES  
MANAGER OF NATURAL RESOURCES  
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rsykes@ebmud.com

November 18, 2008

Ajay Goyal, DWR Project Manager  
California Department of Water Resources  
1416 Ninth Street, Room 252-18  
Sacramento, California, 95814

**Subject: EBMUD Comments on Notice of Preparation for Franks Tract Project  
Draft EIR/EIS**

Dear Mr. Goyal:

Thank you for the opportunity to provide scoping comments on the Department of Water Resources (DWR) process to prepare an Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Franks Tract Project. In this letter we will provide background on the East Bay Municipal Utility District (EBMUD), describe potential impacts of the Franks Tract Project, and suggest additional monitoring for consideration by DWR as it prepares the EIR/EIS for the project.

**Background**

East Bay Municipal Utility District (EBMUD) is a publicly-owned utility that supplies water and provides wastewater treatment for parts of Alameda and Contra Costa counties. The District's water system serves approximately 1.3 million people in a 325-square-mile area of the East Bay portion of the San Francisco Bay Area. The wastewater system serves approximately 642,000 people in an 83-square-mile area.

The lower Mokelumne River runs 29.6 miles from the base of Camanche Dam to the tidal influence of the Sacramento-San Joaquin River Delta ("Delta"). The river is inhabited by a number of native anadromous fish species including fall-run Chinook salmon, *Oncorhynchus tshawytscha*, and California Central Valley steelhead, *O. mykiss*. Because of the geographic connection between the Mokelumne River and the Delta, the interior Delta provides rearing habitat and is an important migratory pathway for these salmonids.

EBMUD invests significant resources in the protection of the natural resources on the Mokelumne River. During the 1992 Mokelumne River hearings and the 1998 Bay-Delta hearing, leading to the State Water Resources Control Board Decision 1641, the District developed and presented extensive data regarding riverine conditions for the Mokelumne fishery. In November 1996, EBMUD reached a joint settlement agreement (JSA) with U.S. Fish & Wildlife Services, the California Department of Fish & Game and the Federal Energy Regulatory Commission regarding flow and non-flow measures to conserve and restore the anadromous fishery in the Lower Mokelumne River. In meeting the terms of the JSA, EBMUD has expended significant resources including \$12.5

million for a hatchery upgrade and a \$2.0 million partnership habitat restoration fund. EBMUD continues to invest in ongoing programs to preserve and enhance fishery conditions in the Lower Mokelumne River. Because of this long-term investment, EBMUD has significant interest and concern about the potential effects of the proposed project and operations on the fisheries resources of the lower Mokelumne River.

Based on the information presented at the October 6, 2008 public scoping meeting in Sacramento, the goal of the project is to develop water quality and fish protection measures consistent with long-term planning efforts for the Delta. Specifically the gates in Threemile Slough and West False River will be operated to modify hydrodynamic conditions to keep salinity and Delta smelt, longfin smelt and Sacramento origin salmonids from entering the central and south delta. The gates will be operated seasonally and during certain hours of the day, depending on fish and tidal conditions. The gates will be closed tidally from January through May to meet fisheries objectives and June through September for water quality improvement. The gates will be kept open from October through December to avoid delaying the upstream migration of adult fishes.

### **Issues and Potential Impacts**

EBMUD supports the project objectives of improving fish protection for at risk species and enhancing the flexibility of SWP and CVP project operations in a manner that is consistent with long term fish protection measures in the Delta. However, EBMUD has a number of concerns related to fish protection and recommends the following issues and potential impacts be addressed in the DEIR/S.

Overall: The lower Mokelumne River has been identified as a separate and distinct management unit within the larger Central Valley region, as part of what has been identified as the "eastside tributaries" (CALFED Ecosystem Restoration Program Final EIR/EIS 2000; USFWS Anadromous Fish Restoration Program) which are distinct from the San Joaquin River and its tributaries. The Franks Tract Project should also make this distinction and consider potential impacts consistent with this delineation.

Specific Concerns: 1) Delays in downstream outmigration of juvenile salmon and steelhead from the Mokelumne River 2) Delays in upstream migration of adult salmon and steelhead to the Mokelumne River 3) Congregation of predators near the operable barriers 4) Increased entrainment risk at the south delta export pumps because juvenile salmonids from the Mokelumne River are blocked from migrating downstream to the western delta and 5) Changes in hydrology that may create slough habitat more favorable to warmwater predatory fishes upstream of the barriers.

Cumulative Impact Analysis: Cumulative impacts on Mokelumne origin salmonids from operable barriers in West False River and Three Mile Slough; inoperable and operable barriers in Connection Slough and Old River; extended closures of the Delta Cross Channel; and changes in operations at the State Water Project and Central Valley Project.

The scoping document needs to identify measures to reduce the project impact on salmonids originating from the Delta eastside tributaries. Based on acoustic telemetry studies on Mokelumne steelhead, Franks Tract is a migratory pathway for juvenile salmonids. EBMUD conducted fish tagging studies over the last two years. Based on the studies, of six tagged yearling steelhead released at the Mokelumne Hatchery and detected at the Golden Gate Bridge, four of them passed a receiver station in False River. Of 32 steelhead that migrated through the Delta to Chipps Island, 25% chose the pathway through Franks Tract, 66% used the Mokelumne Forks and 9% migrated through the Delta Cross Channel.

Key migration periods for Mokelumne River origin salmonids are summarized in the table below. The data is based on captures in rotary screw traps and bypass traps below Woodbridge Dam for downstream migration and video counts and carcass surveys for upstream migration.

| <b>Key migration periods for Mokelumne origin salmonids</b> |                         |                              |
|-------------------------------------------------------------|-------------------------|------------------------------|
| <b>Steelhead</b>                                            | <b>Migration Period</b> | <b>Peak Migration Period</b> |
| Adult immigration                                           | October – March         | December -- January          |
| Fry emigration                                              | March – June            | April – May                  |
| Smolt emigration                                            | April – July            | June                         |
| Yearling emigration                                         | January -- May          |                              |
| <b>Fall-run Chinook</b>                                     | <b>Migration Period</b> | <b>Peak Migration Period</b> |
| Adult immigration                                           | September – January     | October – November           |
| Fry emigration                                              | January – April         | February – March             |
| Smolt emigration                                            | April – June            | April – May                  |
| Yearling emigration                                         | January – April         | April                        |

Based on the table, the critical months for providing for steelhead outmigration would be April through June and February through May for Chinook salmon outmigrants. In addition to protecting juvenile salmonids, upstream migrating adult salmon and steelhead need to have access to the lower Mokelumne River if gated structures or bladder dams are placed on Three Mile Slough or False River. These structures need to provide access during key upstream migration periods which extend beyond the October through December period identified at the October public scoping meeting. Modifying the gate operations to accommodate these migration periods would help meet the goal of the project to provide fish protection measures consistent with long-term planning efforts for the Delta.

#### **Additional Data Needs**

In order to protect salmonids originating from the Mokelumne River, a monitoring program needs to be set up to determine route selection and reach specific survival probabilities for Mokelumne origin salmon and steelhead in West False River and Three

Mr. Ajay Goyal  
November 18, 2008  
Page 4

Mile Slough. Vemco tags should be implanted in Mokelumne Hatchery both salmon and steelhead to track their movements using the existing array managed by the UC Davis and NOAA Fisheries fish tracking consortium and additional receivers placed in the interior portion of False River near Fisherman's Cut to evaluate this area as a migration corridor.

Didson cameras should be set up in the vicinity of the barriers to determine the activity of predators on both sides of the barriers.

Fish community surveys should be conducted in West False River upstream of the project site in West False River and Three Mile Slough. The Fishery Foundation found significant juvenile salmon rearing habitat in Three Mile Slough (Tom Cannon, Fishery Foundation Personal Communication). Hydrodynamic studies should be conducted to determine the changes from riverine to slough habitat upstream of the barriers and combined with the results from the fish community surveys.

We hope that you find these comments useful in your impact analysis and identification of mitigation and monitoring measures. If you have any questions, please contact Joe Miyamoto at (510) 287-2021 or email [miyamoto@ebmud.com](mailto:miyamoto@ebmud.com).

Sincerely,



Alexander R. Coate  
Director of Water and Natural Resources

**CITY OF ANTIOCH**  
P.O. Box 5007, Antioch, CA 94531-5007



(925) 779-7050  
FAX (925) 779-7062

November 20, 2008

Mr. Ajay Goyal  
Project Manager  
Department of Water Resources  
1416 9th Street, Room 252-18  
Sacramento, CA 95814

Dear Mr. Goyal:

Thank you for allowing the City of Antioch to comment on the proposed Franks Tract Project ("Project") and accompanying Environmental Impact Statement/Environmental Impact Report ("EIR"). These written comments are in addition to the comments made on behalf of the City at the public hearings in Rio Vista (October 7, 2008) and Antioch (October 8, 2008).

1. The Project must protect downstream water quality. The City of Antioch takes its municipal water supply directly from the San Joaquin River downstream of the Project. The City provides domestic water service to over 100,000 citizens pursuant to its pre-1914 Appropriative Water Rights to the San Joaquin River.
2. The Project needs to ensure adequate Sacramento River flow into the San Joaquin River at Three Mile Slough. The Sacramento River is partially tributary to the western San Joaquin River and these flows are part of the City's water rights.<sup>1</sup> The City of Antioch depends on the tributary flows of the Sacramento River for maintaining the City's water supply and quality.
3. Because of the potential impacts to the City of Antioch, the Project should include as part of the Project's description specific measures to protect the City's water supply and quality. Part of any such measure should include a plan to coordinate operation of the gate(s) on Three Mile Slough (and False River) with the City of Antioch.
4. The Project must consider the cumulative impacts of other proposed and contemplated projects impacting the Delta such as the Bay-Delta Conservation Plan ("BDCP"), the South Delta Improvements Program, and the Delta Vision process. For example, at the scoping meetings for the Project, Department of Water Resources staff members stated that they were not considering the cumulative impacts of the BDCP and that the Project

<sup>1</sup> In Town of Antioch v. Williams Irrigation District (1922) 188 Cal. 451, the California Supreme Court held:

*"It is important here to state some additional facts to explain how this pollution comes about and why diversions from the Sacramento River may or do affect the volume and quality of the water flowing down the San Joaquin River by the city of Antioch into Suisun Bay . . . For many miles above the entrance of the two rivers into said bay the land between them is flat and threaded with sloughs in which water either stands or flows. From the Sacramento River at two points, one about eight [3 Mile Slough] and the other about twenty-three miles above its mouth, sloughs diverge, into which parts of its waters escape and flow through said sloughs and into the San Joaquin River at points several miles above the place of the diversion by the city of Antioch."*

Department of Water Resources

November 20, 2008

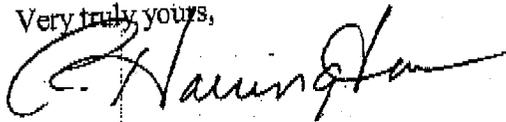
Page 2

was not in any way connected to the BDCP. However, during recent meetings of the BDCP Steering Committee, certain documents have indicated that gates at Three Mile Slough and False River could be considered as potential components of the BDCP.

5. Antioch takes pride in being one of the Gateways into the Western Delta. As an owner/operator of a municipal marina, we are very concerned about the impacts this project will have on the circulation patterns of recreational vessels in the Western Delta. Unrestricted access to Three Mile Slough was a key issue at the planning session held in Antioch as the recreational boating community clearly expressed their objections to this project.

Thank you for allowing us to comment on the scoping for the proposed Project. Please call me at (925) 779-7050 if you have any questions or would like any additional information.

Very truly yours,



Phillip L. Harrington  
Director of Capital Improvements/Water Rights

c: Jim Jakel, City Manager  
Lynn Tracy Nerland, City Attorney



FAX TRANSMITTAL  
FROM  
CAPITAL IMPROVEMENTS DEPT.

DATE: Nov 20, 2008

TO: Dept. of Water Resources

ATTENTION: Ajay Goyal

FAX NUMBER: (916) 653-9574 NUMBER OF PAGES: \_\_\_\_\_

COMMENTS: Comments on the proposed  
Franks' Tract Project.

FROM: City of Antioch  
Capital Improvements Department  
200 "H" Street  
P.O. Box 5007  
Antioch, CA 94531-5007  
FAX 925.779.7062  
Phone 925.779.7050

Please contact us if you have any questions or have not received all pages. Thank you.



Gold Fields District  
7806 Folsom Auburn Road  
Folsom, CA 95630  
(916) 988-0205, FAX (916) 988-9062

November 20, 2008

Mr. Ajay Goyal, Project Manager  
California Department of Water Resources  
1416 Ninth Street, Room No. 252-18  
Sacramento, CA 94236-001

**RE: Notice of Preparation, Environmental Impact Statement/Environmental Impact Report for the Franks Tract Project – SCH #2008092081**

The purpose of this letter is to provide comments regarding the Notice of Preparation for the Franks Tract Project for the Gold Fields District of California State Parks. The Gold Fields District manages Brannan Island State Recreation Area (SRA) and Franks Tract State Recreation Area. The Franks Tract Project is assessing five potential locations for flow control gates in the Delta, along Three Mile Slough and False River. Two of the proposed locations would directly involve portions of Brannan Island SRA. State Parks staff has had several meetings with Department of Water Resources (DWR) project managers regarding the Franks Tract Project. State Parks has granted a right of entry permit to DWR data gathering and geotechnical investigations at Brannan Island SRA associated with the environmental review of this Franks Tract Project.

State Parks supports the goals of the Franks Tract Project of improving the water quality conditions in the Delta and protecting and enhancing for fish species of concern which are dependent on the Delta environment. However, this project does have the potential to impact both existing and future recreation use and facilities at Brannan Island SRA and Franks Tract SRA.

**Affected State Park Units**

Brannan Island SRA is 328 acres of land owned by State Parks located at the confluence of Three Mile Slough and the Sacramento River. The average visitor attendance at Brannan Island SRA over the past dozen years is 130,000 visitors annually. Facilities at Brannan Island include a six lane paved boat ramp and parking, a small marina, a developed campground with 140 sites, a large group picnic area, a day use picnic and beach area, a group campground and a small visitor center. Camping, picnicking, swimming, beach use, and boating access for fishing and other aquatic recreation are all important recreation activities at Brannan I SRA. The management of Brannan Island SRA is guided by several planning documents including the "General Plan for Brannan Island and Franks Tract State Recreation Areas" (February 1988) and the "Recreation Assessment, Brannan Island State Recreation Area" (June 2008). State parks can provide copies of these documents to DWR.

Franks Tract is 3,522 acres of primarily water, a flooded former reclaimed Delta island, also owned by State Parks. Franks Tract is only accessible via boat and the primary recreation uses are fishing and waterfowl hunting. Over the past twelve years attendance at Franks Tract has averaged 14,000 visitors annually.

As delineated in the California Environmental Quality Act Guidelines (Section 15386), California State Parks is a trustee agency for the park units within the State Parks system and may also be a responsible agency for this project.

### **Potential Land Use and Construction Impacts**

As previously mentioned, two of the proposed flow gate locations would involve lands within Brannan Island SRA along Three Mile Slough and would have impacts to existing and future facilities and uses. Site 2 in the Franks Tract NOP would have impacts to the existing campground at Brannan Island SRA. Site 1 would impact an existing dirt service road which is used as an informal trail. Fishing and other informal use of the Three Mile Slough shoreline occurs in the area of both Sites 1 and 2. Use of Site 1 may have impacts to potential future facilities and use of this area for group camping area or trails. In addition to the potential direct impacts to facilities and future use of these areas for the purposes of the SRA, the construction of the flow gate facility may have impacts on public access to and recreation use of Brannan I SRA.

The construction of the gate facility at either Site 1 or 2 may involve impacts to vegetation within Brannan Island SRA, including elderberry which is the host of the federally listed Valley Elderberry Longhorn Beetle.

### **Potential Operational Impacts – Boating and Recreation Use**

State Parks understanding of the operation of the flow gates is that they may be closed on a daily basis for periods of hours depending upon tides and season. We also understand that the gates would include a lock system to allow boating traffic to pass through the gate when closed. The operation of the gates, including the delays involved in use of the lock, has the potential to have substantial impact to recreational boating traffic along Three Mile Slough and the use of Brannan Island SRA as a launching point. This could have long term impact to the recreation use of Brannan Island SRA which in turn would impact revenues generated from park user fees. A gate facility at Sites 1 or 2 may affect the quality of the camping and other upland recreation experiences at Brannan Island SRA, including noise, lighting and other issues associated with the facility.

The operation of the flow gates could also impact boating access to and use of Franks Tract SRA, particularly if a gate were constructed at the False River site.

### **Mitigation for Impacts to Recreation Use and Facilities**

State Parks believes there may be options to mitigate the impacts to recreation use resulting from project construction and operation. This could include development of new recreation facilities or improvements to existing facilities at Brannan Island SRA such as assistance with the development of a new small visitor center or other improvements to the existing day use or overnight facilities. State Parks believes that interpretation and education regarding the purpose of the flow gate, the resources it is designed to protect and the complex ecology, hydrology and human use of the Delta would help the recreating public better understand and accept the flow gate facility which will have impacts on recreation and boating use. A new visitor center would provide a better opportunity to provide this education and interpretation. State Parks could envision an ongoing partnership or collaboration with DWR regarding such a visitor center. Another option is to provide improved facilities for boating, such as improvements to the boat launch or marina which may help mitigate impacts to boating use. State Parks is interested in further exploring

mitigation possibilities with DWR.

State Parks looks forward to working with DWR and participating in the environmental review process for this project. If you have any questions regarding this letter, please contact Jim Micheaels, Senior Park and Recreation Specialist on the Gold Fields District at (916) 988-0513. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Nakaji', written in a cursive style.

Scott Nakaji  
District Superintendent



**CONTRA COSTA  
WATER DISTRICT**

1331 Concord Avenue  
P.O. Box H20  
Concord, CA 94524  
(925) 688-8000 FAX (925) 688-8122

November 21, 2008

**Directors**

Joseph L. Campbell  
*President*

Elizabeth R. Anello  
*Vice President*

Bette Boatman  
John A. Burgh  
Karl L. Wandry

Walter J. Bishop  
*General Manager*

Mr. Ajay Goyal, Project Manager  
California Department of Water Resources  
1416 Ninth Street, Room No. 252-18  
P.O. Box 942836  
Sacramento, CA 94236-0001

**Subject: Contra Costa Water District Comments on Scope of EIS/EIR for the  
Franks Tract Project**

Dear Mr. Goyal: *Ajay*

Contra Costa Water District (CCWD) appreciates this opportunity to provide scoping comments on the Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) that is being prepared for the Franks Tract Project (Project). CCWD is fully supportive of this effort to address critical habitat needs and improve water quality in the Delta through a flow control facility in the vicinity of Franks Tract. Such efforts are urgently needed in order to find solutions for the challenges that face the Delta. CCWD is providing comments to help ensure that the project can attain the maximum benefit for both fisheries and water quality in the Delta.

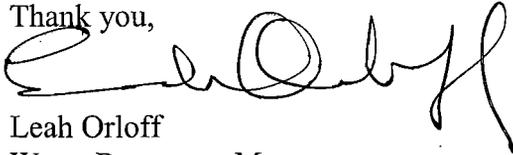
- As stated in the Notice of Preparation, the Project will be operated for both fisheries and water quality benefits. The EIS/EIR should include examination of the potential water quality impacts during the period where the Project is operated primarily for fisheries benefits. The EIS/EIR should also consider that any improvements to water quality may allow changes to water supply operations that may offset the potential water quality improvements.
- The ability to adaptively manage the project for both water quality and fisheries benefit in response to actual Delta conditions should be incorporated in the EIS/EIR analysis.
- Locations of the three current and one future CCWD intakes should be included. These consist of Mallard Slough, Rock Slough, Old River and the AIP on Victoria Canal which is currently under construction. CCWD staff would be happy to provide additional information on these locations.
- Potential benefits (e.g. entrainment reductions, improved access to suitable habitat) to all listed fish species in the Delta should be determined, and the spatial extent and timing of such benefits should be documented.

Mr. Ajay Goyal, California Department of Water Resources  
Comments on Scope of EIS/EIR for Franks Tract Project  
November 21, 2008  
Page 2

- Cumulative analysis discussion in the EIS/EIR should include the 2-barrier project that is being implemented south of Franks Tract. These two projects present an opportunity to work together in a synergistic and complementary fashion. Continued coordination of the projects will allow the highest benefits to be realized efficiently and effectively. As the 2-barrier project is similar to the Project, any actual operating results that become available could be utilized to guide the planning and design of the Project.

If you wish to discuss any of the comments provided, please call me at (925) 688-8083 or write to [lorloff@ccwater.com](mailto:lorloff@ccwater.com). CCWD looks forward to reviewing the Draft EIS/EIR for the Project. Please include me on any future notifications that are sent regarding this Project.

Thank you,



Leah Orloff  
Water Resources Manager

LO/BK:crp

## STATE OF CALIFORNIA – THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

## DELTA PROTECTION COMMISSION

14215 RIVER ROAD

P.O. BOX 530

WALNUT GROVE, CA 95690

Phone (916) 776-2290 / FAX (916) 776-2293

E-Mail: [dpc@citlink.net](mailto:dpc@citlink.net) Home Page: [www.delta.ca.gov](http://www.delta.ca.gov)

November 21, 2008

Contra Costa County Board of Supervisors

Sacramento County Board of Supervisors

San Joaquin County Board of Supervisors

Solano County Board of Supervisors

Yolo County Board of Supervisors

Association of Bay Area Governments

Sacramento Area Council of Governments

San Joaquin Council of Governments

Central Delta Reclamation Districts

North Delta Reclamation Districts

South Delta Reclamation Districts

West Delta Reclamation Districts

Bay Delta Authority

Department of Boating and Waterways

Department of Fish and Game

Department of Food and Agriculture

Department of Water Resources

State Lands Commission

State Parks

Delta Landowner – Outdoor Recreation

Delta Landowner – Production Agriculture

Delta Landowner – Wildlife Conservation

Ajay Goyal, Project Manager  
 Department of Water Resources  
 P.O. Box 942836  
 1416 Ninth Street, Room No. 252-18  
 Sacramento, California 94236-0001

Dear Mr. Goyal,

SUBJECT: Department of Water Resources Franks Tract Project – Contra Costa County

The staff of the Delta Protection Commission (Commission) has reviewed the subject document. From the information provided, staff has determined that the proposed project is located within the Primary Zone of the Legal Delta, and is therefore subject to consistency with the Land Use and Resource Management Plan for the Primary Zone (Management Plan) and appeal to the Commission.

The Delta Protection Act (Act) was enacted in 1992 in recognition of the increasing threats to the resources of the Primary Zone of the Delta from urban and suburban encroachment having the potential to impact agriculture, wildlife habitat, and recreation uses. Pursuant to the Act, a Management Plan was completed and adopted by the Commission in 1995.

The Management Plan sets out findings, policies, and recommendations resulting from background studies in the areas of environment, utilities and infrastructure, land use, agriculture, water, recreation and access, levees, and marine patrol/boater education/ safety programs. As mandated by the Act, the policies of the Management Plan are incorporated in the General Plans of local entities having jurisdiction within the Primary Zone, including Contra Costa County. The Act and Management Plan are available at the Commission's website, [www.delta.ca.gov](http://www.delta.ca.gov).

The policies and recommendations from the Management Plan that are relevant to this project include, but are not limited to, the following:

**Water**

- **Policy-1:** Local governments shall ensure that salinity in Delta waters allows full agricultural use of Delta agricultural lands, provide habitat

Mr. Ajay Goyal  
November 21, 2008  
Page Two

- for aquatic life, and meeting requirements for drinking water and industrial uses.
- **Policy-3:** Water agencies at local, State and federal levels shall work together to ensure that adequate Delta water quality standards are set and met and that beneficial uses of State waters are protected consistent with the CALFED Record of Decision dated August 8, 2000.

**Recommendations for carrying out Policies:**

- **Recommendation 1:** The Delta waterways should continue to serve as a primary transportation system moving water to the State's natural and developed water Systems.
- **Recommendation 2:** Delta water rights should be respected and protected.
- **Recommendation 3:** Programs to enhance the natural values of the State's aquatic habitats and water quality will benefit the Delta and should be supported.
- **Recommendation 6:** Water quality monitoring programs should measure Delta waters to ensure they meet water-contact recreation and other water quality standards.

**Recreation and Access**

- **Policy -3:** Local governments shall develop siting criteria for recreation projects which will ensure minimal adverse impacts on: agricultural land uses, levees, and public drinking water supply intakes, and identified sensitive wetland and habitat areas.

**Recommendations for carrying out Policies:**

- **Recommendation-8:** Local governments should develop funding sources to provide adequate enforcement of existent laws to protect health, safety and welfare of Delta recreational users.

While these policies are cited specifically, it is recommended that you review all the policies of the Commission's Management Plan to determine those relevant for consideration as to consistency in the continued development of the proposed project.

Thank you for the opportunity to provide input into the application review process for the proposed project. Please contact me at (916) 776-2292 or [lindadpc@citlink.net](mailto:lindadpc@citlink.net) if you have any questions or need clarification regarding the comments provided herein.

Sincerely,



Linda Fiack  
Executive Director

cc: Commissioner Kelly  
Commissioner Piepho  
Chairman Simonsen  
Commissioner Dawson  
Roberta Goulart

14215 River Road  
PO Box 530  
Walnut Grove, California 95690  
(916)776-2290  
(916)776-2293 Fax  
dpc@citlink.net



# Fax

|                        |                                 |
|------------------------|---------------------------------|
| <b>To:</b> Ajay Goyal  | <b>From:</b> Sheila Singleton   |
| <b>Fax:</b> 653 9574   | <b>Pages:</b> 3 including cover |
| <b>Phone:</b> 651 9823 | <b>Date:</b> 11/21              |
| <b>Re:</b>             | <b>cc:</b>                      |

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**• Comments:** Select this text and delete it or replace it with your own. To save changes to this template for future use, choose Save As from the File menu. In the Save As Type box, choose Document Template. Next time you want to use it, choose New from the File menu, and then double-click your template.



# Discovery Bay Yacht Club

*Established in 1975*

Mr. Ajay Goyal  
Project Manger  
California Department of Water Resources  
1416 Ninth Street, Room No. 252-18  
PO Box 942536  
Sacramento, CA 94236-0001

Thank you for the opportunity to comment on the advisability of the "Franks Tract Project". The Discovery Bay Yacht Club has a significant interest in preserving the quality of Delta life as we are all active boaters residing throughout the area.

The cover letter of your packet of information states the purpose it to – "allow better management of hydrodynamic (flow) conditions to improve the salinity levels and habitat conditions for fish species of concern in the central and south Delta." While some general statements about these issues are contained elsewhere in your packet, no specific information is provided to support this as an issue or problem. To suggest a solution for a problem, it would seem that very specific non-refutable data would be provided to support this project.

Elsewhere in the material you have provided, it states "Boat passage facilities would be installed to allow boat movement during periods when gates are operating." A significant mystery exists as to what that means. Since most of us regularly transit both of the waterways affected, this is a cause of great concern. The alternatives to visit Rio Vista, the Bay area, Antioch, Pittsburg, etc. are both costly and time consuming and involve using excessive fuel.

This project seems ill advised because:

- It lacks significant specific reasons for its development.
- It would use significant financial resources to develop, install and operate as well as defend in litigation.
- It would create a significant additional cost and inconvenience to Delta boaters.

For these reasons the Discovery Bay Yacht Club registers its strong opposition to the proposal to restrict the waterways of the Delta.

Thomas M. Lee  
Commodore Discovery Bay Yacht Club

November 21, 2008

**VIA EMAIL (AGOYAL@WATER.CA.GOV) AND MAIL**

Ajay Goyal, Project Manager  
California Department of Water Resources  
1416 Ninth Street, Room No. 252-18  
P.O. Box 94236-0001

**SUBJECT:** Comments on the Notice of Preparation of an Environmental Impact Statement and Environmental Impact Report (EIS/EIR) for the Franks Tract Project

Dear Mr. Goyal:

The North Delta Water Agency (NDWA) respectfully submits these comments on the Notice of Preparation of an Environmental Impact Statement / Environmental Impact Report for the Franks Tract Project (NOP) posted by the Department of Water Resources on September 22, 2008 with comments accepted until November 21, 2008.

***Background***

The Legislature formed NDWA by special act in 1973. (North Delta Water Agency Act, Chapter 283, Statutes of 1973). NDWA's statutory boundaries encompass 277,000 acres of land, including all of the Sacramento-San Joaquin Delta (as defined in Water Code § 12220) located in Sacramento, Yolo and Solano Counties. NDWA also includes New Hope Tract, Canal Ranch and Staten Island in northeastern San Joaquin County.

Beginning approximately 160 years ago, farmers within the area now comprising NDWA began reclaiming lands from flooding, appropriating water to beneficial use and establishing vibrant agricultural communities. Then in the late 1930s, the Bureau of Reclamation (Bureau) began constructing the Central Valley Project (CVP), damming the major Sacramento River tributaries and withholding substantial quantities of the Delta water supply. As it did with landowners along the Sacramento River, the United States conducted extensive studies and negotiations to ensure a sufficient supply for water right holders in the northern Delta. Discussions with Delta landowners were protracted, however, due to the complex issues of both water quantity and quality, and the issues only intensified with the construction of the State Water Project (SWP) by the California Department of Water Resources (DWR).

Against this backdrop, NDWA was formed to represent northern Delta interests in negotiating a contract with both the Bureau and DWR to mitigate the Projects' water rights impacts.<sup>1</sup> From 1974 to 1979, NDWA, the Bureau and DWR determined the outflow necessary to meet water quality standards for irrigated agriculture and reviewed the paramount water rights of landowners within NDWA's boundaries. The agencies also evaluated the Delta channels' historical function as natural seasonal storage. Before the Projects began retaining much of the Sacramento River system's high winter flows, the Delta channels stored sufficient fresh water to sustain water quality in the northern Delta throughout and often beyond the irrigation season. Since the Projects commenced, however, the Delta functions more like a flowing stream and, as a result, relatively minor decreases in outflow can have a serious impact on northern Delta water quality.

In 1981, DWR and NDWA executed the Contract for the Assurance of a Dependable Water Supply of Suitable Quality (1981 Contract). The 1981 Contract's fundamental guarantee is that the State of California, on an ongoing basis, will ensure that suitable water will be available in the northern Delta for agriculture and other beneficial uses. The 1981 Contract requires DWR to operate the SWP to meet specified water quality criteria on the Sacramento, San Joaquin, Mokelumne, and North Fork Mokelumne Rivers and on Steamboat Slough while providing enough water to satisfy all reasonable and beneficial uses of water within NDWA's boundaries. (1981 Contract, Art. 2) In return, North Delta makes an annual payment to DWR. (*Id.* Art. 10).

## **Comments**

### *Water Quality*

The Franks Tract Project involves installing up to two flow control gates on Delta channels in the Franks Tract area in order to manage flow conditions and salinity in the central and southern Delta. As recognized in the NOP, installation of the proposed gates will have inevitable effects on the circulation of Delta waterways, and consequent effects on water quality. Because four of the proposed gate locations are on Threemile Slough, which is entirely within NDWA, it will be necessary for the EIS/EIR to make a detailed evaluation of the potential water quality effects on all Delta channels within NDWA's boundaries. The areas of primary concern are those channels in the immediate vicinity of the proposed gates: Threemile and Sevenmile Sloughs and the Sacramento and San Joaquin Rivers. But given the potential for adjustments in the operation of the CVP and SWP in connection with the proposed Franks Tract Project, the modeling must also address the potential effects on Delta channels in other reaches of the northern Delta. The Franks Tract Project is intended to provide water quality benefits in the central and southern Delta; but those improvements must not come at the cost of reduced quality in the northern

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<sup>1</sup> Section 4.1 of the Agency Act states: "The general purposes of the agency shall be to negotiate, enter into, executed, amend, administer, perform and enforce one or more agreements with the United States and with the State of California . . . To protect the water supply of the lands within the agency against intrusion of ocean salinity; and . . . To assure the lands within the agency of a dependable supply of water of suitable quality sufficient to meet present and future needs."

Delta. If the modeling indicates that there may be a reduction in quality, the EIS/EIR must explain how the State of California intends to continue to meet its water quality obligations under the 1981 Contract.

#### *Cumulative Impacts on Water Quality*

The water quality analysis must not be restricted only to the direct effects of the Franks Tract Project. Section 15130 of the CEQA Guidelines requires consideration of cumulative impacts within an EIR. Cumulative impacts are defined as two or more individual effects which, when considered together, are considerable or which compound or increase other effects. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment, which results from the projects when added to other closely related projects.

Several projects closely related to the Franks Tract Project are being proposed in the Delta. Section 5.1 of the Final Delta Vision Strategic Plan (October 2008) proposes a dual conveyance facility using a combination of through-Delta and isolated facility improvements. The Plan says the new water conveyance must allow flexibility in the timing and quantities of diversions to shift away from periods with highest impacts on Delta and upstream ecology while still providing predictable and acceptable volumes of quality water for diverted uses. Two of the four alternatives explored as part of the Bay Delta Conservation Plan process also rely on construction of an isolated conveyance facility as a means of exporting water from the Delta. The modeling for the Franks Tract Project must clarify the proposed gates' effects on flow conditions and salinity in conjunction with the alternatives proposed in the Final Delta Vision Strategic Plan and as part of the Bay Delta Conservation Plan process, and those results must be incorporated and analyzed in the EIS/EIR and mitigation measures proposed accordingly.

Other potential projects must also be accounted for in the modeling and the EIS/EIR, including marsh and habitat creation, potential upstream storage projects such as raising Shasta Dam, and other projects to receive funding under the CALFED Bay-Delta Authorization Act, as well as the Freeport Regional Water Project, which is scheduled to begin deliveries in December 2009.

#### *Water Supply*

With up to two gates being proposed for installation within or near the boundaries of NDWA, the potential exists for water levels in the Delta channels to decrease or increase in localized areas fairly quickly. Landowners rely on the water levels in those channels for irrigation and other beneficial uses, and the 1981 Contract obligates the State not to alter the water surface elevation in Delta channels to the detriment of the NDWA water users. Therefore, the EIS/EIR must evaluate the potential for gate openings and closings to impact nearby pumping operations. In addition, gate-induced water fluctuations may cause seepage or erosion damage to the Delta channels, impacts that are also prohibited by the 1981 Contract. The EIS/EIR must analyze the

potential for such impacts, and propose alternatives that avoid the impacts or propose enforceable mitigation measures accordingly.

*Species-Related Impacts*

The Franks Tract Project also contemplates changing water quality in order to benefit Delta aquatic species. Consequently, the project has the potential to foster threatened and endangered fish species in the vicinity of the existing water intakes of NDWA water users, thereby potentially leading to entrainment, particularly for intakes that are not currently outfitted with positive fish screen barriers. To mitigate for the environmental effects on such species, the EIS/EIR must address the need to install fish screens and undertake other measures to protect aquatic and terrestrial species introduced into new locations in the Delta. Without appropriate mitigation measures in place, longstanding water users may be said to inadvertently "take" these listed species under the Federal and State Endangered Species Acts, even though the species would not exist in those locations were it not for the project. These measures to protect introduced and enhanced listed species must be enforceable and should include funding for the construction, operation, maintenance, repair and replacement of these measures, in perpetuity. Local landowners within the Delta should not have to pay to implement mitigation measures that are necessitated by a proposed project that is intended to improve water quality in other parts of the Delta.

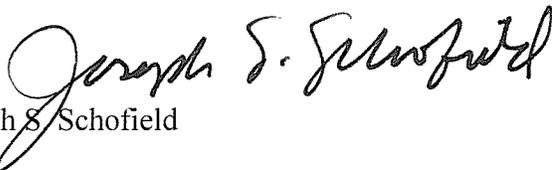
*Transportation and Recreation*

The installation of gates in the Delta channels will have obvious impacts on navigability, transportation and beneficial use of the local waterways for recreation, including boating, waterskiing, and fishing. The EIS/EIR must identify the significant effects on these uses, including longer travel distances and safety, and propose sufficient mitigation measures to address those impacts.

We appreciate the opportunity to comment on the NOP. Thank you in advance for your attention to these comments.

Respectfully submitted,

DOWNEY BRAND LLP



Joseph S. Schofield

cc: Melinda Terry, Manager, North Delta Water Agency  
Gary Kienlen, MBK Engineers  
Kevin O'Brien (firm)

969065.2



# TOWN OF DISCOVERY BAY CSD

1800 Willow Lake Road, Discovery Bay, CA 94505-9376  
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## Board Members

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| President-Shannon Murphy-Teixeira | smt@politician.com     |
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| Director-David Piepho             | DApiepho@sbcglobal.net |
| Director-Dave Dove                | ddove@sbcglobal.net    |

November 21, 2008

Supervisor Mary N. Piepho, District III  
Contra Costa County Board of Supervisors  
1200 Central Boulevard, Suite B  
Brentwood, CA 94513

Mr. Ajay Goyal, Project Manager  
California Depart. Of Water Resources  
1416 Ninth St., Rm. No. 252-18  
P.O. Box 942836  
Sacramento, CA 94236-0001

## **RE: Comments to Environmental Impact Statement/Environmental Impact Report Preparation for the Franks Tract Project**

Dear Honorable Supervisor Piepho and Mr. Ajay Goyal:

This letter is in response to the California Department of Water Resources "Notice of Preparation" requesting comments on the above-mentioned subject by "Responsible Agencies and Interested Parties". At a recent Town of Discovery Bay Community Services District public meeting this item was discussed with the general public and we have listed below some of the major highlights or concerns.

First, the community of Discovery Bay is made up of just under 6,000 homes, of which a majority of these homes sit along and near Indian Slough, Kellogg Creek and the various other water bays that tie directly into these two (2) water-ways. This community of Discovery Bay is a major boating / recreational community, where many of our residents can be seen daily, boating, fishing and enjoying our beautiful wildlife. These beautiful water front homes allow the homeowners to have a visual of the delta waters in real-time. For example; either from their decks, boat docks, and windows these homeowners can also see the current water quality condition as well as any active wildlife in and out of these water bodies that they reside on.

1. Some of our residents also feel very strongly that this proposed Franks Tract Project is just a piece of the overall puzzle to construct what has been widely discussed within California, the Peripheral Canal.

2. Many members of our boating community are very concerned about the possible navigational delays as they travel through the Delta water ways heading towards the various ports of call along the Sacramento River and the other various sloughs and then on their return back towards Discovery Bay.

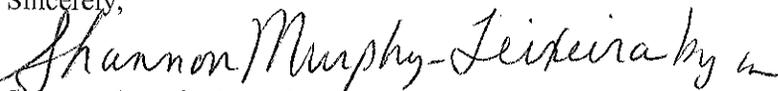
3. Many of the same boating community are very concerned about the extra fuel that would be needed to travel around these various "flow control gates", since many of these boaters, operate vessels that are larger than the normal ski-boat or run-about type of boats. For example, if one was heading to Rio Vista from Discovery Bay and they traveled up the San Joaquin River and then turned on to Threemile Slough, they could or may come across these proposed flow control gates and have to then turn around and head south around Sherman Island to get to the Sacramento River, hence the extra fuel.

4. Some of the Discovery Bay residents also feel or believe that these proposed "flow control gates" will hamper the natural fish flow, their populations, and their food source on the various species within these and nearby water ways and even further south within the various Delta sloughs.

5. Many of our residents are very concerned about the possible short and long-term water quality issues that may result because of these new proposed barriers.

Thank you so much for allowing us to comment on this very critical proposal.

Sincerely,

A handwritten signature in cursive script that reads "Shannon Murphy-Teixeira by u".

Shannon Murphy-Teixeira, Board President  
Town of Discovery Bay CSD

VK/ca



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105-3901

November 21, 2008

Ms. Lynnette Wirth  
Public Affairs  
Bureau of Reclamation  
2800 Cottage Way  
Sacramento, CA 95825

Subject: Scoping Comments for the Franks Tract Project, Sacramento-San Joaquin River Delta, California

The U.S. Environmental Protection Agency (EPA) has reviewed the Federal Register Notice published September 22, 2008 requesting comments on the Bureau of Reclamation and California Department of Water Resources decision to prepare an Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the above action. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

The overall purpose of the Franks Tract Project is to modify hydrodynamic conditions to protect and improve water quality in the central and south Sacramento-San Joaquin River Delta (Delta), protect and enhance conditions for fish species of concern, and achieve greater operational flexibility for water supply pump operations in the south Delta. The project involves installing operable gates to control the flow of water at key locations (Threemile Slough and/or West False River) to limit the movement of these fish species and higher salinity water into Franks Tract during certain times of the year.

EPA appreciates the leadership and significant resources being invested in the effort to address challenging Delta issues. It is clear that the current approach to water management in the Sacramento-San Joaquin River Delta is unsustainable. The Franks Tract Project is one of several interim actions to address fish and water quality concerns in the near future. There are also a number of long-term planning efforts for the Delta such as Delta Vision and the Bay Delta Conservation Plan.

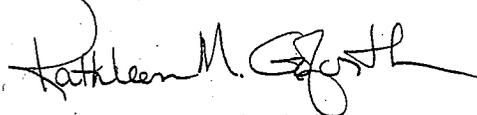
We recommend the Draft EIS (DEIS):

- Demonstrate the functional and economic justification for this project in the context of long-term planning efforts in the Delta.
- Account for the hydrodynamic effects of other Delta projects in the analysis, if appropriate.

- Consider use of Central Valley Regional Water Quality Control Board (CVRWQCB) information and tools created during the development of their Central Valley Drinking Water Policy.
- Address potential effects on salmon, steelhead, pelagic organisms in decline, and other aquatic resources.
- Coordinate design and implementation of monitoring, assessment and reporting activities with the CVRWQCB's Delta regional monitoring strategy.

Our detailed comments are enclosed. We appreciate the opportunity to provide comments on the preparation of the EIS. We look forward to continued participation in this process. Given our interest in Delta issues, we would be interested in reviewing and discussing, as needed, water quality analyses as they become available. Please send three copies of the DEIS to the address above (mail code: CED-2). If you have any questions, please contact me at (415) 972-3521, or contact Laura Fujii at 415-972-3852 or [fujii.laura@epa.gov](mailto:fujii.laura@epa.gov).

Sincerely,



Kathleen M. Goforth, Manager  
Environmental Review Office  
Communities and Ecosystems Division

cc: Ajay Goyal, Dept. of Water Resources  
Lori Rinek, US Fish and Wildlife Service

**The Planning Context**

*Clearly demonstrate project justification in the context of long-term planning efforts for the Delta.* The Franks Tract Project is one of several interim actions to address fish and water quality concerns in the near future. There are several long-term planning efforts such as the Delta Vision and the Bay Delta Conservation Plan (BDCP) that will set the context for specific projects such as Franks Tract. It is our understanding that the Franks Tract Project is among the actions included under the BDCP which will satisfy regulatory requirements for listed species protection and set appropriate conservation measures. Thus, implementation of the Franks Tract Project will depend on successful completion of the BDCP and the accompanying environmental documents.

EPA recently accepted the invitation of the U.S. Fish and Wildlife Service to participate as a cooperating agency in the development of the environmental analysis and documentation for the BDCP consistent with our expertise and jurisdictional interests. In doing so, EPA expressed concern with the broadly stated purpose and need of the proposed BDCP program and the feasibility of the National Environmental Policy Act (NEPA) evaluation schedule.

***Recommendation:***

As an interim action focused on a through-delta approach to water supply and ecosystem objectives, it will be important to clearly demonstrate in the draft environmental impact statement (DEIS) the functional and economic justification for this project in the context of long-term planning efforts for the Sacramento-San Joaquin River Delta (Delta).

*Account for the hydrodynamic effects of other Delta projects in the analysis, if appropriate.* Other actions taking place in or involving the Delta include proposed deepening of the Sacramento and San Joaquin River ship channels by the U.S. Corps of Engineers (Corps) and levee improvements. These actions could influence existing conditions and affect the analysis of potential effects of the Franks Tract Project on the physical, biological and chemical characteristics of water within the Delta and water quality objectives.

***Recommendations:***

The DEIS analysis should take into account the potential changes that may result from proposed Corps ship channel deepening projects, levee improvement projects, and other Delta modification actions which may influence hydrodynamic conditions in the Franks Tract area of influence.

*Consider use of Central Valley Regional Water Quality Control Board information and tools.* The Central Valley Regional Water Quality Control Board (CVRWQB) is in the process of developing a Central Valley Drinking Water Policy. In the course of this effort, information and tools have been developed that may be useful in estimating the effect of the Franks Tract Project on water quality in the Delta.

***Recommendation:***

We recommend using information and tools developed by CVRWQB during the development of their Central Valley Drinking Water Policy.

**Effects on Fisheries and Aquatic Resources**

***Address potential effects on salmon and steelhead migration and other aquatic species and resources.*** The Franks Tract Project would modify hydrodynamic conditions within the Delta to protect fish species of concern, particularly delta smelt and longfin smelt. The project would install operable gates to control the flow of water at key locations (Threemile Slough and/or West False River) to limit the movement of these fish species and higher salinity water into Franks Tract during certain times of the year.

While this change in the delta environment could be beneficial for certain species and for water supply, there is the potential for these gates to interfere with successful migration of salmon smolt from rivers to San Francisco Bay through the Delta. Furthermore, in the Fall, the altered hydrodynamics--conveying Sacramento River water to the South Delta in a manner that reduces mixing with saltier waters--could result in adverse impacts on adult salmon and steelhead migration.

***Recommendations:***

The DEIS should address potential effects on salmon and steelhead migration, pelagic organisms in decline, and other aquatic species and resources. We recommend the DEIS describe in detail any resource trade-offs between the various fishery and water supply objectives. Project design measures and mitigation to avoid and minimize adverse effect should be described in the DEIS.

**Monitoring, Assessment, and Reporting**

***Coordinate design and implementation of monitoring, assessment and reporting activities with the Delta regional monitoring strategy.*** The Franks Tract Project has significant water quality objectives and, in altering delta hydrodynamics and flow patterns, could affect physical, biological and chemical characteristics of water within the Delta. Therefore, it will be important to conduct adequate monitoring, reporting, and evaluations of project effects for use by project managers and regulatory agencies, and for informing the interested public. These activities should be coordinated with the CVRWQCB, which has initiated, with the State Water Resources Control Board, a regional monitoring strategy for the Delta.

***Recommendation:***

We recommend the lead project agencies work with the CVRWQCB to ensure the design and implementation of Franks Tract monitoring and assessment activities are consistent with the regional monitoring strategy for the Delta.