Brian Deason
El Dorado Irrigation District
2890 Mosquito Road
Placerville, CA 95667

Dear Mr. Deason:

Subject:2020 El Dorado Irrigation District Temporary Transfer
NEGATIVE DECLARATION (ND)
SCH# 2020039045

The California Department of Fish and Wildlife (Department) received and reviewed the Notice of Intent to Adopt an ND from El Dorado Irrigation District (EID) for the 2020 EID Temporary Water Transfer (Project) pursuant the California Environmental Quality Act (CEQA) statute and guidelines.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, native plants, and their habitat. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that the Department, by law, may need to exercise its own regulatory authority under the Fish and Game Code.

DEPARTMENT ROLE

The Department is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). The Department, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Fish & G. Code, § 1802). Similarly, for purposes of CEQA, the Department provides, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

The Department may also act as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) If implementation of the Project may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be obtained.

PROJECT DESCRIPTION SUMMARY

EID proposes to transfer up to 8,000 acre-feet (af) of water to buyers from three EID reservoirs. Water will be released from Weber Reservoir (up to 850 af) and Caples/Silver Lake (up to 8,000 af). Transfer water will be made available by re-

operation of water that would have been consumed by EID customers and/or remained in storage within the EID network of reservoirs in 2020. Water will be transferred during summer and early fall 2020.

COMMENTS AND RECOMMENDATIONS

The Department offers the comments and recommendations below to assist EID in considering potential impacts to fish and wildlife (biological) resources. The Department is primarily concerned with the Project's potential impacts to listed and other special-status species and their habitats.

The comments provided herein are based on the information provided in the ND and Department knowledge of species and habitats that may be affected by the Project. Comments are limited to the Project and activities that are likely to result in impacts to biological resources.

COMMENTS

The Department has concerns over the potential direct and cumulative adverse impacts from changes in the quantity, timing, and duration of water transfers on the sensitive anadromous and/or resident fisheries within the Lower American River (LAR). Based on guidance on water quality standards to protect cold water salmonids from the Environmental Protection Agency (EPA), LAR meets the criteria for temperature impairment (U.S. EPA 2003). LAR water temperatures frequently exceed optimal conditions for the summer rearing of juvenile steelhead and for fall-run Chinook salmon spawning in October and November. Under Folsom Reservoir operations, water transfers into and out of Folsom substantially influence temperature management decisions and conditions in the LAR. For instance, the temperature, timing, and magnitude of transfer water coming into the reservoir influences storage volume and the cold-water pool in Folsom Reservoir. A water transfer into Folsom completed in early spring may help to build cold-water pool volume whereas a transfer into Folsom Reservoir completed in mid or late summer may not have this same beneficial effect for temperature management. Water transfers released from Folsom Reservoir can similarly have both positive and negative effects on habitat quality and quantity in the river. Increasing reservoir releases in spring may encourage emigration of juvenile salmonids and improve survival whereas a transfer completed in summer or fall may cause rearing steelhead to redistribute to less desirable habitat (Snider 2001).

The Department recommends close coordination with U.S. Bureau of Reclamation (USBR) and regulatory agencies on the release timing of transfer water into Folsom to maximize cold-water pool gains associated with a water transfer. In recognition that Folsom Reservoir summer releases affect habitat quantity and quality and that warming associated with water residence time in Lake Natoma can be minimized at specific reservoir releases, the Department further recommends working closely with USBR and regulatory agencies on adaptively accounting for transfer water. As opposed to block releases of transfer water that can result in substantial flow fluctuations and can result in

a large usage of cold-water pool, we recommend optimizing releases to provide stable flows across summer and fall months at a targeted release rate that minimize warming in Lake Natoma. Targeting a stable optimized flow within which transfer water can be accounted for will decrease cold-water pool usage associated with releasing transfer water and will better maintain rearing habitat for steelhead. This is particularly important considering the potential for the impacts of multiple transfers to be cumulative; transfer releases are typically done in addition to releases for south of Delta exports, and high summer releases out of Folsom Reservoir depart substantially from historical unimpaired flow patterns.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNNDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by the Department. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

CONCLUSION

Pursuant to Public Resources Code §21092 and §21092.2, the Department requests written notification of proposed actions and pending decisions regarding the proposed project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to r2CEQA@wildlife.ca.gov.

The Department appreciates the opportunity to comment on the ND to assist in considering impacts on biological resources. Department personnel are available for consultation regarding biological resources and strategies to minimize and/or mitigate impacts. Questions regarding this letter or further coordination should be directed to Briana Seapy, Water Program Supervisor at (916) 508-3345 or Briana.Seapy@wildlife.ca.gov.

Sincerely,

Gabriele (Gabe) Quillman
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ec: Brian Deason, bdeason@eid.org
El Dorado Irrigation District

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Department of Water Resources

Office of Planning and Research, State Clearinghouse, Sacramento

REFERENCES

Snider, B. 2001. Evaluation of effects of flow fluctuations on the anadromous fish populations in the lower American River. California Department of Fish and Game, Habitat Conservation Division. Stream Evaluation Program. Tech. Reports No. 1 and 2 with appendices 1-3. Sacramento, California.

U.S. Environmental Protection Agency. 2003. EPA Region 10 Guidance for Pacific Northwest State and Tribal Temperature Water Quality Standards. EPA 910-B-03-002. Region 10 Office of Water, Seattle, WA