

CHAPTER 2

PUBLIC OUTREACH PROCESS

This chapter describes the scoping and public outreach process that was followed for the Proposed Yuba Accord EIR/EIS. The public outreach efforts were conducted in accordance with both CEQA and NEPA to determine the focus and content of this EIR/EIS.

2.1 PUBLIC OUTREACH EFFORTS

Numerous outreach efforts were undertaken to inform stakeholders about the Proposed Yuba Accord and to solicit their input. These efforts are described here.

2.1.1 NOTICE OF PREPARATION/NOTICE OF INTENT

YCWA and Reclamation circulated a Notice of Preparation (NOP)/Notice of Intent (NOI) to prepare a joint EIR/EIS for the Proposed Yuba Accord on July 20, 2005.

The NOP was filed with the California State Clearinghouse, the NOI was published in the Federal Register, and both notices were published in several local newspapers, including the Sacramento Bee and the Marysville Appeal Democrat. Additionally, a separate notice of scoping meetings was distributed to over 800 individuals on the Yuba Accord mailing/distribution list.

Although there is not a specific time period during which scoping begins and ends, scoping activities for the Proposed Yuba Accord were formally initiated with the release of the NOP and NOI on June 20, 2005.

2.2 SCOPING PROCESS

NEPA requires a formal scoping process for the preparation of an EIS (40 CFR 1501.7). Scoping is a less formalized process under CEQA, but is encouraged as part of early public consultation for a project.

Scoping is used under both CEQA and NEPA to determine the focus and content of an EIR or EIS. The main objective of the scoping process is to provide the public and potentially affected resource agencies with information on the proposed project and to solicit public input regarding the issues and concerns that should be evaluated in the environmental documentation. The scoping process is generally intended to provide the lead agencies with information regarding the range of actions, alternatives, resource issues, and mitigation measures that are to be analyzed in depth in the EIR/EIS and to eliminate from detailed study those issues found not to be significant. The scoping process for the Proposed Yuba Accord was designed to elicit comments from public agencies, other interested organizations and the public on the scope of the potential environmental effects and issues to be addressed in the Draft EIR/EIS.

2.2.1 SCOPING MEETINGS

Reclamation and YCWA held four public scoping meetings over two days: two on July 19, 2005 in Sacramento, California, and two on July 20, 2005 in Marysville, California. Attendees at the meetings included various federal, state, and local agency representatives, non-governmental

organization (NGO) representatives, and local residents. The first portion of each meeting was an informal discussion and display session. Four information stations were set up around the meeting room, displaying information related to the three agreements comprising the Proposed Yuba Accord and explaining the EIR/EIS process. Lead agency representatives and consultant team members answered questions related to the Proposed Yuba Accord and EIR/EIS process, and collected public comments. A brief slide presentation of the history and overview of the Proposed Yuba Accord was made. At the conclusion of the slide presentation, meeting attendees were given the opportunity to make verbal comments. The meetings concluded with additional time for meeting attendees to view, ask questions, and comment upon the information display stations and meeting materials. Questions and comments were taken throughout each meeting and attendees were encouraged to provide their comments to the lead agencies in writing.

As a result of the solicitation of verbal and written comments, various federal, state, and local agencies and private citizens submitted comments and letters that identified several issues which were either evaluated in the Draft EIR/EIS or were determined to be out of the scope of the Proposed Yuba Accord EIR/EIS. A summary of the comments received during the public scoping period is provided in the Scoping Summary Report, which was distributed in March 2006.

Although the comment period for scoping purposes ended on August 5, 2005, the lead agencies continued to keep the public and stakeholders informed at key milestones throughout the EIR/EIS process, including providing the opportunity to submit comments on the Draft EIR/EIS, which was released to the public for review on June 25, 2007.

2.3 DRAFT EIR/EIS AVAILABILITY

Pursuant to CEQA and NEPA, the Draft EIR/EIS was developed by YCWA, Reclamation, and DWR and was made available for a 60-day public review and comment period which commenced on June 25, 2007 and extended until August 24, 2007. As described in Chapter 1, the EPA requested an extension for the EPA review period, which was granted, and EPA's comment deadline was extended to September 7, 2007.

A notice of availability of the Draft EIR/EIS published in the Federal Register, filed with the California State Clearinghouse, and published in local newspapers, including the Sacramento Bee, the Marysville Appeal Democrat, and the Grass Valley Union. The purpose of the notice was to inform interested parties of the availability of the Draft EIR/EIS document for public review and comment. A separate notice of public hearings was distributed by Reclamation to all agencies and individuals on the Yuba Accord mailing/distribution list.

Also, copies of the Draft EIR/EIS were made available for public review at the following locations:

- Bureau of Reclamation, 2800 Cottage Way, Sacramento, CA 95825
- Yuba County Water Agency, 1220 F Street, Marysville, CA 95901
- Department of Water Resources, Division of Environmental Services, 1416 Ninth Street, Sacramento, CA 95814
- Sacramento Public Library, 828 I Street, Sacramento, CA 95814
- Yuba County Library, 303 2nd Street, Marysville, CA 95901

2.4 PUBLIC HEARINGS ON THE DRAFT EIR/EIS

As part of the CEQA/NEPA process, two public hearings were held, which allowed individuals an opportunity to provide verbal or written comments on the Draft EIR/EIS. The hearings occurred from 2:00 pm to 3:00 pm and from 6:00 pm to 7:00 pm on Wednesday, August 1, 2007 in Marysville, California. Three verbal comments and one written comment were received during the afternoon hearing and no comments were made during the evening hearing.

2.5 OUTREACH EFFORTS ASSOCIATED WITH THE COMPLETION AND THE CERTIFICATION OF THE FINAL EIR/EIS

CEQA (California Code of Regulations, Title 14, Section 15088 (b)) requires that, "...The lead agency shall provide a written proposed response to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report."

The public agencies that provided comments on the Draft EIR/EIS are:

- Environmental Protection Agency
- U.S. Department of Energy, Western Area Power Association
- California Department of Water Resources
- State Water Resources Control Board
- California Department of Fish and Game
- Cordua Irrigation District
- Contra Costa Water District
- Dry Creek Mutual Water Company

YCWA provided written proposed responses to each public agency listed above and provided each agency with a minimum of 10 days to review the proposed responses before certification of the Final EIR/EIS. Separate packages were sent to each of the public agencies that provided comments on the Draft EIR/EIS. These packages contained: (1) a transmittal letter; (2) a scanned copy of that agency's original comment letter (with specific comments labeled), and (3) the proposed written responses to each of the comments identified in the agency's letter. Each comment was addressed in detail, and rationale explaining why specific comments and suggestions were or were not accepted was included as part of the response. The 10-day review period for all public agencies listed above ended on October 14, 2007.

YCWA will provide one additional opportunity for members of the public to make comments about the Proposed Yuba Accord during the YCWA Board Meeting/Public Hearing that will occur when the YCWA Board will decide whether or not to certify the Final EIR/EIS and approve the Proposed Project. The YCWA Board Meeting/Public Hearing is scheduled for 8:30 am on October 23, 2007 at the Yuba County Government Center, 915 8th Street, Board Chambers, Marysville, California.