

Shasta Dam Raise Project
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We Advocate Thorough Environmental Review (W.A.T.E.R.) is a California 501(c)(3) non-profit corporation which was incorporated to promote quality local and regional planning, land use and development, as well as to preserve a healthy human and natural environment within Siskiyou County and Northern California.

The building of Shasta Dam in 1941 caused the forcible removal of the Winnemem Wintu Tribe from their homes along the McCloud River without recompense. That former project, and the proposed Shasta Dam raise, are clear examples that the “Manifest Destiny Doctrine” is still alive and well today. This is the belief or doctrine that it was the **destiny** of the U.S. to expand its territory over the whole of North America and to “extend and enhance its political, social, and economic influences to replace darkness with light and ignorance with civilization.” This doctrine is still ingrained in the fabric of the United States. How else could one justify or even consider a proposed raising of Shasta Dam, when this project will further destroy historical Tribal areas.

The Winnemem Wintu Tribe has survived this doctrine, facing genocide and bounty hunting, boarding schools and other attempts at forced assimilation. The Tribe was never recognized Federally. Because of the building of Shasta Dam, they were actually de-recognized. After many years of generational trauma, the Tribe is still here, practicing their way of life. Now with this proposed raising of Shasta Dam, their Tribal Cultural Territory and practices are once again under attack.

Over thousands of years of living in the McCloud River Basin, it is naturally an integral part of the Tribe’s spiritual, cultural/social and medicinal practices and way of life. While many Tribal sacred sites were flooded when the Shasta Dam was built, there are sacred sites that, thankfully, remain unflooded.. This proposed dam raise will wipe out those remaining sites. Sites that would be flooded include Children’s Rock and Puberty Rock, which are vital for the Winnemem Wintu’s empowerment ceremonies for young women. It is wrong that they should have to undergo more forced change and a removal of what is left of their traditional way of life. They must be allowed to live and practice the ways they and their ancestors have for millennia.

Questions and Concerns for the Scoping Process.

Please expand the scope of the Environmental Impact Report to include these issues and clearly, lawfully and scientifically answer the questions, below:

It is against California State law to flood the Historic/Scenic McCloud River. Federal law cannot override State law.

This project is set up for water delivery for corporate interests paid for with tax-payer funds! It is estimated that the \$1.3 billion that the dam raise will cost will only increase water deliveries by an estimated 51,300 acre-feet. That is less than 1/10th of 1 percent of California's annual water budget. And BOR admits that there are "significant uncertainties" whether this project will yield even this estimated amount of water. There are better ways to bring water to the Central Valley than at the expense of a People's way of life.

The US. Fish and Wildlife Service declared in their "Revised Fish and Wildlife Coordination Act Report for the Shasta Lake Water Resources Investigation Project," dated Nov. 15th, 2014 (which the BOR tried to suppress) that the dam raise would have "minimal benefits if any for salmon." (See referenced report at <https://drive.google.com/file/d/0BxpLt7HV7CrZGZSUUVOTFRmd1U/view>)

Why should taxpayers foot half the cost of a dam raise for a project whose proposed objective of "benefitting salmon" is clearly disputed by the U.S. Fish and Wildlife Service?

The Shasta Dam was originally supposed to have a fish ladder to allow salmon access to their historic spawning habitat. The NOP cites "fish and wildlife mitigation, protection and **restoration** as a priority equal to water supply, and fish and wildlife enhancement as a priority equal to hydropower generation." Does this project in any way propose to restore salmon to the upper reaches of the Sacramento, McCloud and Pit Rivers? Wouldn't an increase in the height of the dam greatly complicate attempts to restore historic salmon runs?

How can Westlands Water District, a quasi-governmental agency who receives millions every year in federal subsidies and is the main beneficiary of this proposed project, be allowed to direct the EIR? This truly is a case of conflict of interest, with the "fox guarding the henhouse" and it should not be allowed. Most of the water from the proposed raise would be sold to corporate farms south of the Delta, most likely within the Westlands Water District (WWD). How can WWD possibly be impartial when analyzing the project? This project must be handed over to a proper governmental agency to handle the CEQA process.

WWD also owns land on the McCloud River so they can have junior water rights. How can an 'agency' be a landowner? This is a conflict of interest. We believe that land should be turned over to the rightful caretakers of the land, the Winnemem Wintu Tribe.

Who is going to receive the rights to the supposedly increased amount of water? The NOP states that the Central Valley Project delivers water to the San Luis Reservoir for delivery to the Westlands Water District. Presumably the increased water that might be available would be designated for the WWD. Would the District be allowed to sell the water that is not used to third parties?

The proposal wants to move water in the summer time, which is not the best scenario for the fish. It is well known that moving water in spring is the best time for the health of the fish, and that would happen naturally if the dam were not present on the river. Since the dam is to stay in place, pulsing the water is best for the fish and the associated gravel beds. The majority of water must be moved in spring to decrease the impact on the fish/fisheries.

Salamanders: There are three endangered species of Salamanders that must be protected. All plans put these species at further risk so the "no plan" alternative must be fully considered.

Was the Shasta Dam originally engineered to accommodate the additional strains that will be imposed by the increased volume of water constrained behind the heightened dam?

Please give us a detailed outline for dam collapse and what plans are in place for this contingency. We know that the Oroville Dam spillway had extremely serious issues and even produced its own series of earthquakes. See reference: <https://www.sfchronicle.com/news/article/What-caused-nearly-20-000-quakes-at-Oroville-Dam-13473254.php?fbclid=IwAR0lg6-6jOh2R3gsgLNqCElpp1Eid5lJbz-nOOna7KJGuaxujV8Nezmy--Q>

Please give us examples of “like projects” to compare to so we can review those mitigations.

There are a significant number of older reports and studies that you have mentioned in Chapter 3, References. When doing the Draft EIR, do not just reference those reports but share the material inside the DEIR. There is no way for the public to find, read and digest 15 reports that are up to 35 years old.

How has the building of the Shasta Dam already damaged the historical/traditional salmon runs (particularly the winter run Chinook Salmon) and other native fish in the Sacramento River?

How has the “The Central Valley Project Improvement Act (CVPIA), from 1992, actually worked to improve fish mitigation, protection and restoration of the winter run Chinook Salmon?

The SLWRI 18 years old (from 2000) and thus needs to be redone for current updates.

“WWD has federal contracts to provide water to 700 family-owned farms that average 875 acres in size.” Averages are not helpful in fully understanding who the water is contracted to. Please itemize each of the farms, their owners and exact size of each farm.

Exactly how will WWB **evaluate and monitor** the two Primary Objectives:

- 1) Increase the survival of anadromous fish populations in the Sacramento River, primarily upstream from the RBPP
- 2) Increase water supply and water supply reliability for agricultural, M&I, and environmental purposes to help meet current and future water demands

How exactly can you increase water supply when all predictions from Climate Change models show a decrease in precipitation for the Watershed Recharge areas that would supposedly “fill” Shasta Dam. The increased evaporation from an enlarged lake would actually reduce the total amount of water available in the long run. In drought periods when the water levels in the lake are greatly lowered year after year as we have seen lately, there is no additional water available for “increasing irrigation and M&I deliveries.” And in critical years (whatever that means) even smaller proportions of water are allocated for increasing M&I deliveries and instead prioritize irrigation to the “700” farms.

Under Secondary Objectives, how does “Reduce flood damage along the Sacramento River “ actually benefit the River? For thousands of years, rivers have needed periodic high water events to flush gravel downstream. How is capturing and slowing down high water events going to improve the winter run Chinook Salmon and other fish in the

Sacramento River when we know that these events are needed to flush gravel beds in the River? The US Fish & Wildlife Service report that if side channels fill in, it is not good for fish. How will capturing more water allow flushing to happen? What mitigations will be in place to take care of this vital issue?

“Reduce demand” – All action alternatives would include a water conservation program to augment current water use efficiency practices.” What plans if any, are there to reduce the amount of farms down south in the desert lands that require water? If increased water from this project is supplied to Southern California agriculture, what is to prevent the planting of even more water intensive export crops? Crops formally grown in the Westlands Water District, like cotton - an already thirsty crop, have been replaced by crops such as almonds which require up to **40% more water** for irrigation. The choice to not irrigate an almond orchard during a drought is not feasible. How is this consistent with the objective of reducing the demand for water?

“Maintain or improve water quality” – All action alternatives would maintain and potentially improve water quality by increasing Delta outflow during drought years and reducing salinity during critical periods, and may also provide additional operational flexibility for responses to Delta emergencies. “ If it is already known that water quality is an issue for the river and the fish that live in it, why would this project maintain the status quo? If one of the “Primary Objectives” is to “Increase the survival of anadromous fish populations in the Sacramento River, primarily upstream from the RBPP,” then maintaining the status quo is a non-starter for the very first objective.

Additionally, it is known that the fish in Lake Shasta have high levels of mercury contamination largely from abandoned mines in the area. Wouldn't further flooding of the land around Lake Shasta increase the amounts of contaminants leaching into the water by flooding even more old abandoned mines? There is also the issue of polluting discharges into the lake by houseboats. Enlarging the lake would allow for a likely increase in the numbers of houseboats on the lake exacerbating this problem and reducing water quality further.

Under CP1 and all other “action alternatives,” an objective is to improve “Reclamation’s ability to release cold water from Shasta Dam and regulate seasonal water temperatures for fish in the upper Sacramento River during critical periods.” If less snowpack is an effect of climate change, then rainwater is what will be filling Shasta Dam. Therefore, the water going in will automatically be warmer than snowmelt and therefore the objective cannot be met. What will you do to meet the objective?

Alternative CP5 (and all other action alternative plans) calling for the “raising Shasta Dam 18.5 feet; implementing the set of eight common management measures described above; constructing additional resident fish habitat in Shasta Lake and along the lower reaches of its tributaries (the Sacramento River, the McCloud River, and Squaw Creek); constructing shoreline fish habitat around Shasta Lake;” How does the additional construction in any way, provide for enough mitigation for the loss of Winnemem Wintu ceremonial sites and the loss of the untouched, Wild and Scenic River status of the McCloud River? The dam raise would flood portions of the McCloud River that are protected by the state’s The Wild and Scenic Rivers Act. Under this law, new reservoirs that would inundate the river are prohibited.

Chapter 2: The environmental check lists rely heavily on the 2014 SLWRI Final EIS, and

give little rationale for why topics were deemed significant or not. Because of this, the DEIR for this project MUST revisit and justify every instance where an impact is deemed less than significant, no impact, as well as less than significant with mitigation incorporated and potentially significant.

Under Chapter 2: Environmental Evaluation, the “Land Designation” in no way discusses that the ‘Primary Study Area’ includes land uses in of the Winnemem Wintu . This area is the tribe’s Traditional Cultural territory and they are a California Historic Tribe. It’s as if WWD thinks these people no longer exist. While you may wish this were the case, let us assure you, these people are alive and well; still practicing their way of life along the McCloud River, its access points at the lake and village sites that now lay under water from the original creation and flooding of the Shasta Dam. Not naming them in this section is misleading to the public and agencies reviewing the project and must be fixed and resubmitted.

Geology and Soils

Given that the additional water impounded by the dam raise is destined to be used for irrigation in the Westlands Water District, an area known for the excess of selenium and boron in its soil which caused the Kesterson National Wildlife Refuge fiasco in the 1980’s, how will this increased irrigation affect the soils in the district in the long run, and how will additional runoff affect the San Joaquin River?

Aesthetics Checklist Form: item 2.2-1a

To say that there is a “less than significant impact” to ‘Substantially damage scenic resources, including but not limited to, trees, rock outcroppings and historic buildings...’ ignores the Tribal Cultural Resources in the area of the Winnemem Wintu Tribe. These must be considered and flooding these areas would obviously result in a “Potentially Significant Impact” designation.

Table 2.2-4b. Impacts from 2014 SLWRI Final EIS Corresponding to CEQA Guidelines Questions for Biological Resources

Impact Aqua-5: Effects on Special-Status Fish Species

To check off a “Less Than Significant Impact” is in complete error. This project will all but insure that there are never gravel flushing events on the Sacramento River, below the Shasta Dam.

Impact Aqua-12: A less than significant impact is still an impact that the Salmon & Steelhead cannot afford, as they are teetering on the brink of extinction. This must be mitigated to a “no impact” status or the “no project” alternative must be chosen.

Impact Aqua-16 must also be mitigated to a “no impact” status due to their status.

Chapters 12 & 13, “Botanical Resources and Wetlands” Section 12.3, “Environmental Consequences and Mitigation Measures” and “Wildlife Resources”

If the project cannot mitigate each and every impact here, the “no project” alternative must be chosen.

2.2.5 Cultural Resources

AB 52 must be completed and Traditional Cultural resources must be protected.

Table 2.2-13a. Population and Housing Section

This section must be fully outlined or how can we comment on it?

If the Westlands Water District is allowed to transfer (sell) its water rights to third parties (Kern Water Bank), will this allow the development of Mountain Village at Tejon Ranch, Grapevine at Tejon Ranch and Centennial at Tejon Ranch to be built by the Tejon Ranch Company? <http://tejonranch.com/our-communities/>

In Conclusion:

There are many more cost effective ways to invest in increasing water supply such as desalination, groundwater restoration, water reclamation, fixing leaky infrastructure and conservation. Perhaps we should consider that growing food in a desert area is not a good plan for the sustainable future, particularly when we consider the predicted, and already present, issues of climate change.

And finally, for helping restore the Chinook Salmon, the Bureau of Reclamation gave a "Biological Opinion" in 2009, that said in order to protect endangered salmon from climate change, they should be restored to their original territory above the Shasta Dam. Therefore, a "swim around" for the salmon to return to their traditional territory, should be included in these plans.

Because the Winnemem Wintu Tribe and Chinook salmon are both intricately woven together over millennia, the "no project" alternative and "swim around" should be seriously considered to allow the Winnemem Wintu Tribe and Chinook Salmon to continue their way of life and provide both, their best chance to survive the current Shasta Dam size as well as climate change.

We request a notification of release and a copy of the Draft EIR be sent directly to: flyraven@sbcglobal.net and mountshastawater@gmail.com

We also request that a Draft EIR copy for public viewing be delivered to the Mt. Shasta Library at 515 East Alma Street, Mt. Shasta, CA

Respectfully Submitted,

Raven Stevens
Board of Directors
We Advocate Thorough Environmental Review