

Jane Farwell - Solvang Comment Letter

From: "Lauren D. Layne" <LLayne@bakermanock.com>
To: "JFarwell@waterboards.ca.gov" <JFarwell@waterboards.ca.gov>, "kobrien@downeybrand.com" <kobrien@downeybrand.com>, "tkuntz@downeybrand.com" <tkuntz@downeybrand.com>, "gkwilkinson@bbklaw.com" <gkwilkinson@bbklaw.com>, "sdunn@somachlaw.com" <sdunn@somachlaw.com>, "econant@youngwooldridge.com" <econant@youngwooldridge.com>, "kkraus@edcnet.org" <kkraus@edcnet.org>, Chris Campbell <CCampbell@bakermanock.com>, "Amy.aufdemberge@sol.doi.gov" <Amy.aufdemberge@sol.doi.gov>, "tmaus@co.santa-barbara.ca.us" <tmaus@co.santa-barbara.ca.us>, "dan.hytrek@noaa.gov" <dan.hytrek@noaa.gov>, "nmurray@dfg.ca.gov" <nmurray@dfg.ca.gov>
Date: 5/31/2011 9:18 AM
Subject: Solvang Comment Letter
CC: "bradv@cityofsolvang.com" <bradv@cityofsolvang.com>, "hanley@hflegal.net" <hanley@hflegal.net>
Attachments: Comment ltr on 2nd RDEIR.PDF

Hello Ms. Farwell,

Attached are the City of Solvang's comments to the Second Revised Draft EIR for the Cachuma Project.

Thank you,
Lauren

Lauren D. Layne
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May 31, 2011

VIA MAIL & EMAIL

(JFarwell@waterboards.ca.gov)

Ms. Jane Farwell
Division of Water Rights
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Re: Comments on the Second Revised Draft Environmental Impact Report Prepared in Connection with Consideration of Modifications to United States Bureau of Reclamation's Water Right Permits 11308 and 11310 (Applications 11331 and 11332) to Protect Public Trust Values and Downstream Water Rights on the Santa Ynez River below Bradbury Dam (Cachuma Reservoir), dated April 2011 (SCH#1999051051)

Dear Ms. Farwell:

The City of Solvang appreciates the opportunity to comment on the above-referenced 2nd Revised Draft Environmental Impact Report ("2nd RDEIR") prepared by the State Water Resources Control Board ("State Water Board").

The City of Solvang is a small city located in the Santa Ynez river watershed adjacent to Alisal Bridge. Solvang is within the Santa Ynez River Water Conservation District ("SYRWCD") and is within the Santa Ynez River Water Conservation District Improvement District No. 1 ("I.D. No. 1") service area. Solvang obtains water from four sources: 1) Diversions from the underflow of the Santa Ynez River pursuant to Permit No. 15878; 2) The State Water Project pursuant to a subcontract with I.D. No. 1; 3) The Cachuma Project through I.D. No. 1 service; and, 4) Upland wells.

As a participant in SYRWCD and as a large water user served by ID No. 1, Solvang has participated in the development of and supports the comments submitted to you by SYRWCD and I.D. No. 1. In particular, Solvang agrees that Alternative 3C is the environmentally superior alternative and is the only feasible alternative that meets all of the project objectives without causing significant (Class I) impacts to our water supply.

Solvang concurs with the SYRWCD and I.D. No. 1 that the 2nd RDEIR resolves many of the issues raised by the 2007 RDEIR, including the clarification that Alternative 3C incorporates the

Settlement Agreement. However, as discussed in Section D(4) of the SYRWCD and I.D. No. 1 2nd RDEIR comment letter, none of the other Alternatives discussed in the 2nd RDEIR are shown to be environmentally superior to Alternative 3C. Alternative 3C is the only alternative that was developed after significant study and compromise, by all stakeholders. Alternatives 5B and 5C have not been subject to the scientific study and scrutiny that has been focused on the other alternatives and would require significant additional releases that result in Class I impacts to water supplies with little or no fishery benefits. Alternatives that do not avoid or lessen significant impacts caused by the proposed project should not be considered (CEQA Guidelines, § 15126.6(a)).

We greatly appreciate your attention to these comments and your efforts in preparing the 2nd RDEIR. If you have any questions or require clarification of any of Solvang's comments please feel free to contact me.

Sincerely,



Brad Vidro
City Manager

Cachuma Project Phase 2 Hearing
Final Service List
(updated 05/13/2011)

*(Based on 01/05/2004 list, updated 07/26/2007, updated 06/08/2010, updated 01/20/2011,
updated 05/13/2011)*

The parties whose email addresses are listed below agreed to accept electronic service, pursuant to the rules specified in the hearing notice.

<p>Cachuma Conservation Release Board Mr. Kevin O'Brien Downey Brand LLP 621 Capitol Mall, Floor 18 Sacramento, CA 95814 kobrien@downeybrand.com tkuntz@downeybrand.com</p> <p><i>updated 01/20/2011</i></p>	<p>City of Solvang Mr. Christopher L. Campbell Baker, Manock & Jensen 5260 N. Palm Avenue, Suite 421 Fresno, CA 93704 clc@bmi-law.com</p>
<p>Santa Ynez River Water Conservation District, Improvement District No. 1 Mr. Gregory K. Wilkinson Best, Best & Krieger, LLP 3750 University Avenue, Suite 400 Riverside, CA 92501 gkwilkinson@bbklaw.com</p>	<p>City of Lompoc Ms. Sandra K. Dunn Somach, Simmons & Dunn 500 Capitol Mall Suite 1000 Sacramento CA 95814 sdunn@somachlaw.com</p> <p><i>updated 06/08/2010)</i></p>
<p>Santa Ynez River Water Conservation District Mr. Ernest A. Conant Law Offices of Young Wooldridge 1800 – 30th Street, Fourth Floor Bakersfield, CA 93301 econant@youngwooldridge.com</p>	<p>California Trout, Inc. c/o Ms. Karen Kraus Environmental Defense Center 906 Garden Street Santa Barbara, CA 93101 kkraus@edcnet.org</p>

The parties listed below did not agree to accept electronic service, pursuant to the rules specified by this hearing notice.

<p>U.S Bureau of Reclamation Ms. Amy Aufdemberg 2800 Cottage Way, Room E-1712 Sacramento, CA 95825 Fax (916) 978-5694 AMY.AUFDEMBERGE@sol.doi.gov</p>	<p>Santa Barbara County Parks Ms. Terri Maus-Nisich Director of Parks 601 Mission Canyon Road Santa Barbara, CA 93105 tmaus@co.santa-barbara.ca.us</p>
<p>Dan Hytrek NOAA Office of General Counsel Southwest Region 501 West Ocean Blvd., Suite 4470 Long Beach, CA 90802-4213 Dan.Hytrek@noaa.gov</p> <p><i>updated 05/13/2011</i></p>	<p>Department of Fish and Game Office of General Counsel Nancee Murray 1416 Ninth Street, 12th Floor Sacramento, CA 95814 Nmurray@dfg.ca.gov</p>