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## SECTION 12 PUBLIC INVOLVEMENT AND AGENCIES AND PERSONS CONSULTED

### 12.1 INTRODUCTION

In accordance with the requirements of CEQA and NEPA, Metropolitan and BLM implemented a consultation and coordination process for the Cadiz Project. The information received during this consultation and coordination process helped to identify the issues and topics of concern to be addressed in this EIR/EIS. Consultation and coordination activities included publishing announcements in newspapers of general circulation and mailing notices; conducting public scoping meetings; conducting meetings with various organizations, agencies, groups and individuals; conducting an Inter-Nation Consultation with Native American tribes and receiving written comments. Additionally, comments received after the close of the public comment period were also taken into consideration in the preparation of the EIR/EIS. Scoping activities for the Cadiz Project have fulfilled the requirements under CEQA and NEPA.

### 12.2 EIR/EIS SCOPING PROCESS AND INPUT RECEIVED

#### 12.2.1 NOTIFICATION

Copies of the documents, notices, lists, newspaper articles and other materials described in this section are included in the Draft Environmental Impact Report/Draft Environmental Impact Statement Environmental Planning Technical Report No. 1161 (Public Participation Report) incorporated by reference in this EIR/EIS. This Public Participation Report is available for review at Metropolitan's office and at the BLM's offices in Riverside and Needles.

A Notice of Preparation (NOP) of an EIR was distributed by certified mail, advertised in general circulation newspapers and posted in compliance with CEQA. The NOP included a cover letter, seven-page description of the Cadiz Project and the environmental effects to be studied, a notice of the upcoming public scoping meetings, and information on how to submit written comments. A legal notice of the NOP was posted and was published in the *San Bernardino Sun*, a San Bernardino County daily newspaper on February 10, 1999. This notice described the Cadiz Project; solicited public comments; publicized the dates, times and locations of scheduled public scoping meetings; and publicized the deadline for submitting public comments. The *San Bernardino Sun* also published an article that provided an extensive overview of this same information. Additionally, a mailing of the NOP together with a description of the Cadiz Project, the environmental effects to be studied and information regarding upcoming public scoping meetings was sent to approximately 150 parties including but not limited to: federal, state, regional and local agencies; governmental officials from nearby cities; special interest groups; public libraries; and interested individuals. The mailing took place on February 5, 1999 via certified United States mail.

The BLM prepared a Notice of Intent (NOI) to consider an amendment to the CDCA Plan for an exception to the Utility Corridor Element and to prepare an EIR/EIS. The NOI was published in the Federal Register on March 1, 1999 and in the *San Bernardino Sun* on February 10, 1999. A second notice was prepared by the BLM and published in the Federal Register on May 4, 1999. This notice was also published in the *Needles Desert Star* on April 28, 1999, the *San Bernardino Sun* on May 10, 1999 and in the *Paramount Journal* on May 13, 1999. Both of BLM's notices described the Cadiz

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Project; the public comment period schedule; the dates, locations and times of upcoming public scoping meetings; and the address where comments should be sent.

Three public scoping meetings were held: February 23 at the Cadiz Inc. farming operations office at Cadiz; February 25 at the City of Twentynine Palms Council Chambers; and May 10 at the City of Needles Council Chambers.

The public comment period for the Cadiz Project began on February 10, 1999 and concluded on May 30, 1999. As stated above, comments received after the close of the public comment period were also taken into consideration in the preparation of this EIR/EIS and are provided in the Public Participation Report.

In all, nearly 250,000 households received a notification of the proposed Cadiz Project, the environmental process and the public comment period through published newspaper articles. In addition, a brochure that provided a program overview, identified the environmental issues to be studied, and solicited public comment and input was produced and distributed. Since the scoping process formally commenced, approximately 3,000 brochures have been distributed to interested parties.

### 12.2.2 SCOPING MEETINGS

The first scoping meeting was noticed in the Federal Register and the *San Bernardino Sun*, and was held at the Cadiz Ranch on February 23, 1999. Approximately 15 people were in attendance in addition to representatives of the BLM Advisory Council and the National Park Service (NPS). Refer to the Public Participation Report for specific comments received during this scoping meeting.

The second scoping meeting was noticed in the Federal Register and the *San Bernardino Sun* newspaper and was held on February 25, 1999 at the City of Twentynine Palms Council Chambers. Approximately 19 people attended the meeting, including representatives of the City of Twentynine Palms, the Desert Environmental Response Team, the Fort Mojave Indian Tribe, the Joshua Basin Water District, the Morongo Basin Conservation Association and the Morongo Basin Economic Development Consortium. Refer to the Public Participation Report for specific comments received during this scoping meeting.

The third scoping meeting was held in the City of Needles Council Chambers on May 10, 1999 and approximately 20 persons attended, including representatives of the City of Needles, the County of San Bernardino, People Against Radioactive Dumping and the NPS. Refer to the Public Participation Report for specific comments received during this scoping meeting. Handouts were provided at all these scoping meetings. Copies of the scoping meeting handouts are included in the Public Participation Report.

### 12.2.3 WRITTEN COMMENTS

During the public review period, a total of 25 written comment letters were received. Several governmental agencies, organizations and individuals submitted written comments including: the United States Fish and Wildlife Service (USFWS); California Department of Fish and Game (CDFG); Fort Mojave Tribe; Southern California Association of Governments; County of San Bernardino Public Services Group; All American Pipeline, L.P.; Tetra Technologies, Inc.; San Bernardino Valley Audubon Society; California Native Plant Society; People Against Radioactive Dumping and private residents. Additionally, comments received after the close of the public

comment period for the NOP/NOI were also considered in the preparation of this EIR/EIS. See the Public Participation Report for the specific written comments.

#### 12.2.4 OVERVIEW OF COMMENTS

Many of the comments received at the scoping meetings and from written correspondence addressed similar issues of concern. A summary of the issues is provided here and written comments received are provided in the Public Participation Report.

- **The inter-relationship of groundwater basins in the area.** Will the Cadiz Project affect neighboring groundwater basins? Are the groundwater basins in the area hydrologically connected?
- **Water quality.** What happens to water quality when you import Colorado River water into the groundwater basin?
- **Withdrawals of indigenous water during dry years.** Will withdrawals of indigenous water impact the groundwater basin or the water supplies of neighboring communities?
- **Monitoring.** Through what mechanism will the storage and withdrawal of water be monitored to ensure safe operation of the groundwater basin?
- **Evaporation.** Will a large amount of water evaporate off the spreading basins during storage operations, and should injection wells be considered as an alternative?
- **Earthquakes.** Could earthquakes create fractures within the neighboring groundwater basins, allowing stored Colorado River water to travel to those neighboring basins? Could the storage of water instigate future fault activity?
- **Endangered, threatened and sensitive species.** What would be the Cadiz Project's potential impact on native plant and animal species? Would appropriate mitigation measures be implemented to offset adverse impacts?
- **Contingency Plans.** Will there be a contingency plan to prevent flooding or erosion in the event of a failure of the water conveyance facilities?
- **Economic and population impacts.** Are there any potential economic and population impacts in the Lower Colorado River Valley?
- **Use of Canals.** Would the use of canals, as conveyance facilities, impact native animal species?

This document only addresses comments received on environmental issues. Some comments received raised issues which are not environmental issues under CEQA and NEPA, and therefore are not addressed in the Draft or Final EIR/EIS.

### 12.3 AGENCY CONSULTATION

Metropolitan and the BLM jointly prepared this EIR/EIS. As such, Metropolitan and the BLM have coordinated extensively with other agencies and public bodies to attempt to formulate a broadly accepted project alternative, while attempting to avoid or minimize environmental effects. Specifically, Metropolitan focused on the following objectives:

- Avoid environmental impacts to the extent practicable, and where not possible, mitigate such impacts.
- Attempt to integrate the Cadiz Project mitigation needs with the broader open space and ecological values of the project region.
- Obtain a cost-effective dry-year supply of water to help meet anticipated water shortages over the life of the Cadiz Project.

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A listing of agency and special interest group coordination activities for the Cadiz Project is provided in Table 12-1. The initial coordination efforts for the Cadiz Project focused on briefings regarding protocols for the reconnaissance studies that were being conducted. Later meetings addressed specific topics dealing with the issues raised by these studies, mitigation planning and the development of mitigation and management agreements for the mitigation areas.

**TABLE 12-1  
AGENCIES, ORGANIZATIONS AND INDIVIDUALS CONTACTED**

<b>Date</b>	<b>Organization/Individual</b>
July 2001	U.S. Fish and Wildlife Service California Department of Fish and Game
May 2001	California Department of Fish and Game U.S. Fish and Wildlife Service
February 2001	California Department of Fish and Game
January 2001	University of California, San Diego
December 2000	Association of Groundwater Agencies Public Meeting, Los Angeles National Parks Conservation Association Cucamonga County Water District Victor Valley Water Agency Baldy Mesa Water District County of San Bernardino Environmental Protection Agency Mojave Desert Air Quality Management District
November 2000	Morongo Basin Conservation Association Public Meeting: City of Twentynine Palms Office of Assemblymember Kevin Shelley Northern California Water Association Saracino-Kirby, Inc. Office of Assemblymember Dennis Cardoza Office of Senator John Burton The Nature Conservancy
October 2000	Environmental Defense Natural Resources Defense Council National Park Conservation Association Office of Senator Diane Feinstein Public Meeting: Barstow, BLM Desert Advisory Council Meeting Association of San Bernardino County Special Districts Sierra Club of California California Department of Water Resources Association of California Water Agencies Office of Senator Jim Costa California Resources Agency County of San Bernardino
September 2000	Mojave Water Agency Inland Empire Economic Partnership

**TABLE 12-1**  
**AGENCIES, ORGANIZATIONS AND INDIVIDUALS CONTACTED (Continued)**

Date	Organization/Individual
	Baldy Mesa Water District Victor Valley Water District
July 2000	Mojave Water Agency Program & Resources Committee Inland Counties Water Association Assemblymember John Longville Inland Empire Economic Partnership Cucamonga County Water District Callegus Municipal Water District
June 2000	Fourth Annual Environmental Ranch Tour Local Community Day Twentynine Palms/San Bernardino Day Needles Community Day Office of Senator Nell Soto Mojave Water Agency Tour
May 2000	Environmental Protection Agency
April 2000	San Bernardino Associated Governments Board of Directors
March 2000	California Department of Water Resources Water Education Foundation – Annual Lower Colorado River Tour – 55 attendees
February 2000	Morongo Basin Conservation Association Meeting
January 2000	Morongo Basin Conservation Association Morongo Basin Economic Development Consortium High Desert Regional Economic Development Authority California Department of Fish and Game
December 1999	Public Meeting: City of Needles Public Meeting: City of Twentynine Palms Public Meeting: Cadiz Ranch
November 1999	Mojave Water Agency Lee Chemical National Chloride Pacific Gas & Electric
October 1999	County of San Bernardino, Supervisor's Office U.S. Fish & Wildlife Service California Department of Fish & Game Arizona & California Railroad Questar/Paragon Partners Tate & Associates San Bernardino County Grand Jury TETRA Technologies, Inc. Santa Ana Watershed Project Authority Inland Empire Utilities Agency San Bernardino Valley Municipal Water District

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**TABLE 12-1  
AGENCIES, ORGANIZATIONS AND INDIVIDUALS CONTACTED (Continued)**

Date	Organization/Individual
	San Bernardino Associated Governments Western Municipal Water District Orange County Water District Eastern Municipal Water District
September 1999	Catellus Development Corporation Association of Groundwater Agencies Chino Basin Watermaster Watermaster, Upper Los Angeles River Area Tehachapi-Cummings County Water District Eastern Municipal Water District San Bernardino Valley Water Conservation District Orange County Water District Main San Gabriel Basin Watermaster Chino Basin Water Conservation District Inland Empire Utilities Agency Navigant Consultants Montgomery Watson Regional Water Quality Control Board California Department of Water Resources Psomas Calleguas Municipal Water District Santa Ana Watershed Protection Agency All American Pipeline Operating Company Burlington Northern Santa Fe Corporation Lee Chemical County of San Bernardino
July 1999	County of Los Angeles, Supervisor's Office Arvin-Edison Water Storage District Kern County Water Agency Kern Delta Water District Madera Irrigation District Semitropic Water Storage District Shafter-Wasco Irrigation District Wheeler Ridge-Maricopa Water Storage District Cawelo Water District Paramount Farming Company
June 1999	National Park Service Fort Mojave Indian Tribe United States Bureau of Indian Affairs Office of Governor Gray Davis California Department of Water Resources Senate, Agriculture & Water Resources Committee Assembly Rules Committee County of San Bernardino, Supervisor's Office Department of Transportation/Flood Control County of Los Angeles, Supervisor's Office Utility Board, City of Needles City of Twentynine Palms Heal the Bay

**TABLE 12-1**  
**AGENCIES, ORGANIZATIONS AND INDIVIDUALS CONTACTED (Continued)**

Date	Organization/Individual
May 1999	Association of California Water Agencies Twentynine Palms Water District Joshua Basin Water District Baker Community Services District East Valley Water District San Bernardino Valley Water Conservation District Valley Water District Santa Ana Watershed Project Authority Joshua Tree Water District Office of Governor Gray Davis Natural Resources & Environment Committee California Resources Agency California Department of Parks Senate Budget Committee CalFed Bay Delta Program California Highway Patrol/Needles Department County of San Bernardino, Supervisor's Office City of Twentynine Palms/Council Meeting City of Needles/Council Meeting City of Needles Morongo Basin Conservation Association San Diego County Water Authority Twentynine Palms Water District Santa Ana Watershed Project Authority
April 1999	Bay Delta Advisory Committee California Department of Water Resources County of San Bernardino, Supervisor's Office County of San Bernardino, Department of Transportation/Flood Control County of San Bernardino, Supervisor's office Planning & Conservation, Sierra Club (San Gorgonio Chapter) Mojave Resource Conservation District Inland Empire Utilities Agency Northern California Environmental Water Caucus Catellus Development Corporation
March 1999	United States Department of the Interior United States Fish and Wildlife Service County of San Bernardino, Supervisor's Office Department of Transportation/Flood Control, County of San Bernardino
February 1999	County of San Bernardino, Supervisor's Office Department of Transportation/Flood Control Association of the San Bernardino County Special Districts Morongo Basin Conservation Association Imperial Irrigation District Conservation Committee Coachella Valley Water District City of Twentynine Palms Cadiz Ranch, Public Scoping Meeting City of Needles/Council Meeting Sierra Club of California

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### 12.3.1 COORDINATION WITH BIOLOGICAL RESOURCE AGENCIES

Metropolitan sought input from various resource agencies in addition to BLM including the USFWS, CDFG and the United States Army Corps of Engineers (ACOE) early in the planning process to help identify potentially acceptable mitigation measures associated with the Cadiz Project. Pursuant to the federal Endangered Species Act, BLM initiated formal Section 7 consultation with the USFWS in December 1999 with submittal of its Biological Assessment for Cadiz Project. Following development of the Management Plan element of the Cadiz Project and publication of the Supplement to the Draft EIR/EIS, BLM submitted an Addendum to its Biological Assessment in July 2001. The Biological Opinion will be incorporated in the Record of Decision.

### 12.3.2 COMPLIANCE WITH HISTORIC RESOURCE REQUIREMENTS

Pursuant to Section V of the State Protocol Agreement (1998) between the BLM in California and the California State Historic Preservation Officer, and in accordance with 36 CFR Part 800, BLM has identified historic properties that may be located within the area of potential effect (APE) for the Cadiz Project, has assessed the effect of the Cadiz Project on the historic properties, and has determined that with modifications that have been incorporated into the Cadiz Project, it will have no effect on any qualities or values that may qualify any cultural resource located within the APE for inclusion on the National Register of Historic Places. This determination was made in July 2001, and is included as Appendix D to this Final EIR/EIS.

### 12.3.3 NATIVE AMERICAN CONSULTATION

Metropolitan and the BLM also coordinated and consulted with the California Native American Heritage Commission regarding the Cadiz Project. In addition to the California Native American Heritage Commission, the following Native American tribes were notified of the Project by Metropolitan during scoping for the proposed project:

- Agua Caliente Indian Reservation
- Augustine Indian Reservation
- Cabazon Band of Mission Indians
- Chemehuevi Indian Reservation
- Colorado River Indian Tribes
- Fort Mojave Indian Tribe
- Los Coyotes Indian Reservation
- Morongo Indian Reservation
- Torrez Martinez Indian Reservation
- Twentynine Palms Indian Reservation

The BLM also notified the following American Indian tribes to determine their interest in a government to government consultation:

- Chemehuevi Indian Reservation
- Colorado River Indian Tribes
- Fort Mojave Indian Tribe

Only the Fort Mojave Indian Tribe responded to the initial notification and a meeting was held with the Tribe in June 1999. A copy of their written response to the proposed project is found in the Cadiz Groundwater Storage and Dry-Year Supply Program, Draft Environmental Impact



Report/Draft Environmental Impact Statement: Public Participation (Metropolitan Report No. 1161). The major concerns raised in their letter address potential impacts to cultural resources and biological resources within the Colorado River region and concern over the continued exportation of Colorado River water from the area. The letter notes the senior water rights to Colorado River water held by the Tribe.

Additionally, by letter dated July 2001, BLM again requested consultation with the Chemehuevi, Fort Mojave, and Colorado River Indian Tribes on the EIR/EIS for the Cadiz Project and invited the tribes to submit any final concerns on the project. A meeting with the Colorado River Indian Tribes was held on August 17, 2001 to discuss cultural and religious issues. Any concerns raised by the tribes will be addressed in the Record of Decision.