



United States Department of the Interior

BOARD OF SUPERVISORS

BUREAU OF RECLAMATION
Mid-Pacific Region
Bay-Delta Office
801 I Street, Suite 140
Sacramento, CA 95814-2536

2012 AUG 20 A 1 42 ✓

IN REPLY
REFER TO:

BDO-400
ENV-7.00

AUG 17 2012

Stanislaus County Board of Supervisors
1010 10th Street, Suite 6700
Modesto, CA 95354

Subject: Invitation to Participate as a Cooperating Agency in Preparation of the Environmental Impact Statement for the Remanded Biological Opinions on the Coordinated Long-Term Operation of the Central Valley Project and State Water Project

The Bureau of Reclamation is initiating preparation of an Environmental Impact Statement (EIS) for the Remanded Biological Opinions (BOs) on the Coordinated Long-term Operation of the Central Valley Project (CVP) and State Water Project (SWP) (Remand EIS). The U.S. District Court for the Eastern District of California remanded portions of the U.S. Fish and Wildlife Service and National Marine Fisheries Service (NMFS) BOs to their respective agencies. The Remand EIS responds to the District Court's order that Reclamation analyze and disclose, in accordance with the National Environmental Policy Act (NEPA), the potential impacts of implementing the Reasonable and Prudent Alternatives developed pursuant to the remanded Service and NMFS BOs.

On March 28, 2012, Reclamation issued a Notice of Intent (NOI) to conduct public scoping meetings and prepare an EIS on the remanded BOs. Five scoping meetings were held in April/May in Marysville, Sacramento, Madera, Los Banos, and Diamond Bar, California. The public comment period originally ended on May 29, 2012, and was extended to June 28, 2012. Reclamation is moving forward with the process of developing the environmental analysis to be included in the Remand EIS.

As the Federal lead agency for this project, Reclamation has requested that the Service, NMFS, the Environmental Protection Agency (USEPA), the Army Corps of Engineers (USACE), and the Bureau of Indian Affairs be cooperating agencies under NEPA. Reclamation is also providing non-Federal agencies with the opportunity to participate in the NEPA process for the Remand EIS as a cooperating agency. Eligible governmental entities include State and local agencies and Federally-recognized tribes that are qualified to participate in an EIS by virtue of jurisdiction by law, or by virtue of special expertise in regard to any environmental impact associated with the action being considered.

Subject: Invitation to Participate as a Cooperating Agency

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If your agency is interested in being a cooperating agency in the Remand EIS NEPA process, it must meet the following criteria, which are based on NEPA regulations and the Council on Environmental Quality guidance:

- Must be a governmental entity (state, tribal or local), and
- Be qualified to participate in the development of the Remand EIS by virtue of:
 - Jurisdiction by law, such as: agency authority to approve, veto, or finance all or a part of the proposal, or
 - Special expertise with respect to any environmental impact associated with the action being considered.

The merits of each submittal will be evaluated by Reclamation on an individual basis. Entities that meet the specified criteria for cooperating agencies will be required to enter into a Memorandum of Understanding (MOU) with Reclamation to memorialize their participation as a cooperating agency. The purpose of the MOU will be to define the needs of Reclamation in regards to the cooperating agencies, the scope of participation by the cooperating agencies, and roles and responsibilities of the cooperating agencies and the Federal lead agency. Reclamation retains all decision making authority for preparation of the Remand EIS.

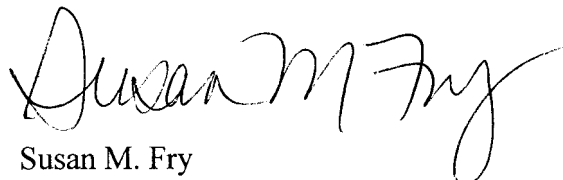
Non-Federal governmental entities that are invited to participate as a cooperating agency for the Remand EIS will be listed on Reclamation's website at www.usbr.gov/mp/BayDeltaOffice.

Please submit your written request for cooperating agency status on the Remand EIS to:

Janice Piñero
U.S. Bureau of Reclamation
Bay-Delta Office
801 I Street, Suite 140
Sacramento, CA 95814-2536

If you have any questions regarding this process, please contact Janice Pinerio at (916) 414-2426 or via email at RemandEIS@usbr.gov.

Sincerely,



Susan M. Fry
Area Manager