


From: Ben King bking@pacgoldag.com 
Subject: Request for CEQA and NEPA Review For Dam and Reservoir on Colusa Basin Drain
Date: April 5, 2023 at 10:48 PM
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BK

April 5, 2023

Dear Supervisor Corona and Vice Chair Ponciano ,

I became aware of the GCID SOI and MSR update a few weeks ago after reading the legal notice in the Pioneer Review. It has taken some time to get up to speed on the specifics of the LAFCo process and the GCID documents and it is my opinion that the SOI and MSR drafts are deficient concerning environmental impacts, material contractual relationships and probably most importantly the dam and reservoir that GCID that GCID apparently manages at the south- eastern edge of the Colusa National Wildlife Refuge.

It appears that the current MSR was adopted on November 1, 2006 and the current SOI was adopted March 6, 2008. A lot has happened in the last 15 years regarding water and regulatory issues in California which impact GCID yet the GCID documents offer minimal transparency. If you compare the SOI for RD 2047 which has the same geographical footprint to the GCID documents the lack of transparency in the GCID relative to the RD 2047 documents is glaring. Additionally, the GCID documents do not discuss its contractual relationships with the Tehama-Colusa Canal Authority, the Colusa Drain Mutual Water Company or its contractual obligations under the 5 Party Agreements. There is no mention of SGMA nor the fact that GCID is members of two JPA controlling the Colusa Subbasin and in a Cooperation Agreement for SGMA Management of the Corning Subbasin. Finally, there is no mention about the requirements or potential impacts of the Bay Delta plan nor the Voluntary Agreements – just several references on how they seem to be expecting financial problems with no explanation why.

Regarding the dam and reservoir on the property owned by the United States of America at the south eastern edge of the Colusa National Wildlife Refuge – it appears that were three parcels sold Sycamore Family Revocable Trust to the United States of America a few months after the current GCID SOI was adopted in 2008 covering approximately 388 acres (see attachment). This sale or real estate materially expanded the refuge to the east and importantly to the eastern side of the channel of the Colusa Basin Drain which includes the site of the reservoir that is created by the dam on the Colusa Basin Drain just below the south eastern corner of the Refuge. This was a surprise to me and it is of great concern since I am not aware of any environmental review that was done with this purchase of real estate by the USA on behalf of the Colusa National Refuge.

It would be good to know what environmental review was done before deciding on exempting GCID from CEQA.

Unless the LAFCo Commission knows that an EIR and NEPA was done with this transaction, the Commission should deny the requested exemption from CEQA and request that a NEPA review also be done by GCID since the reservoir is on Federal Property. The dam and reservoir appear to be a de facto project whereby the dam creates a reservoir for drainage and tail water coming down the GCID canal system and down the channel of the Colusa Basin Drain. Putting it simply this is where all the gunk coming out of rice fields comes and settles for most of rice fields on the west side of Glenn and Colusa Counties and it has been that way for apparently 60 years because

it appears that GCID has owned the west half of the channel of the Colusa Basin Drain where the dam is since 1963. There are a couple studies I will reference below but this means that sixty years of excess fertilizer, pesticides and natural contaminants have made it way down to the stagnant summer water behind this dam to settle in the soil and habitat in this reservoir – this covers a quite sizeable portion of acreage within the boundaries of the Refuge. It was one thing when the property was owned by a private family but now it is owned by the United States of American and managed by US Fish and Wildlife – THERE NEEDS TO BE AN ENVIRONMENTAL REVIEW OF THIS PROJECT! Growing up in Colusa I knew that one should not eat crayfish and catfish caught from rice fields and sloughs because of the contamination potential – this area literally takes all of that water and supports the aquatic life, riparian habitat and flora and fauna on a National Refuge. Would you eat cray fish or a catfish caught from this reservoir?

Please review the photos that I am forwarding below the text taken on August 8, 2023 – you will see the water flowing in from the GCID conveyance canal and water backing up on to the Refuge in the channel of the Colusa Basin Drain and the overflow on the Refuge itself – a very large body of primarily stagnant water in the middle of summer.

If the Commission does not want to require a CEQA process, it should at least ask GCID about what type of environmental review has happened at the site and how water quality is measured at the site of the dam and reservoir. I know of two monitoring sites upstream of the dam in the Glenn-Colusa Subbasin referenced in the **2019 Sacramento Valley Water Quality Coalition Annual Monitoring Report**. If you refer to page 12 of this Report – the closest is several miles upstream at Freshwater Creek and the other is way up in Glenn County at Walker Creek. The other report detailing water quality problems in the Colusa Trough which aggregate in the Colusa Basin Drain is the **Sites Reservoir Project Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement dated November 2021 – Chapter 6 Surface Water Quality**. The Sites EIR details how surface water quality is generally lower in the Colusa Trough – more salt and more contaminants.

The Sacramento Valley Water Quality Commission Annual Monitoring Report details the monitoring sites on Figure 1 page 10 and you will see that there are no monitoring sites near the reservoir location and are generally rather sparse. There were two pesticide toxicity exceedances at the Freshwater Site detailed on page 51 and two toxicity exceedances at the Walker Creek site detailed on Page 52 upstream. There were also several toxicity exceedances downstream in the Colusa Basin Drain. It is a fair conclusion that there are many observed contaminants which are likely making their way to down to the reservoir behind the dam on the refuge. The water is stagnant and the residency time is extensive and through most of the irrigation season and this has been happening for decades. Chapter 6 of the **Sites Reservoir Project Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement dated November 2021** is also concerning because it highlights some very high levels of EC observed and the potential for heavy metals to make their way down to the reservoir site and settle. It also highlights of the potential negative ecological consequences of a Harmful Algal Blooms (6.2.2.6) and Invasive Aquatic Vegetation (6.2.2.7) from the stagnant water in the summer heat at the reservoir site.

Again, I would urge Supervisor Corona to request advice from County Counsel regarding this vote as he represents the County of Colusa. In my opinion Supervisor Corona should not vote to

approve exempt the documents and the de facto reservoir project unless he is confident it does not need a CEQA and NEPA review based off an reasoned assessment of the facts and circumstances on how the site of the dam and reservoir has been managed and how environmental concerns has been assessed and currently monitored. It would be better to get more information that to vote without a reasonable basis to exempt a CEQA review in my opinion.

Thank you for your time and consideration

Ben King
T&M King Farms, LLC











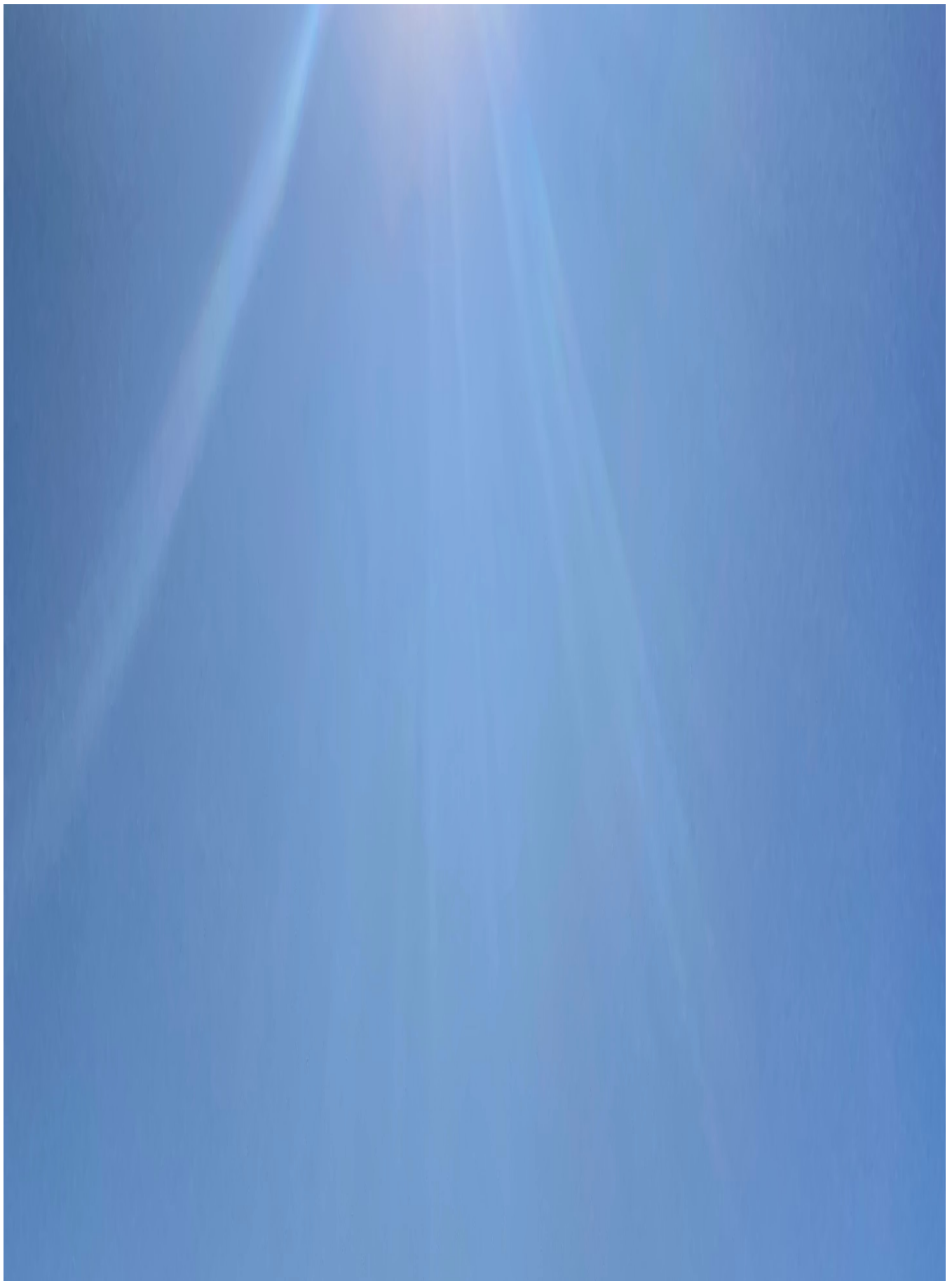




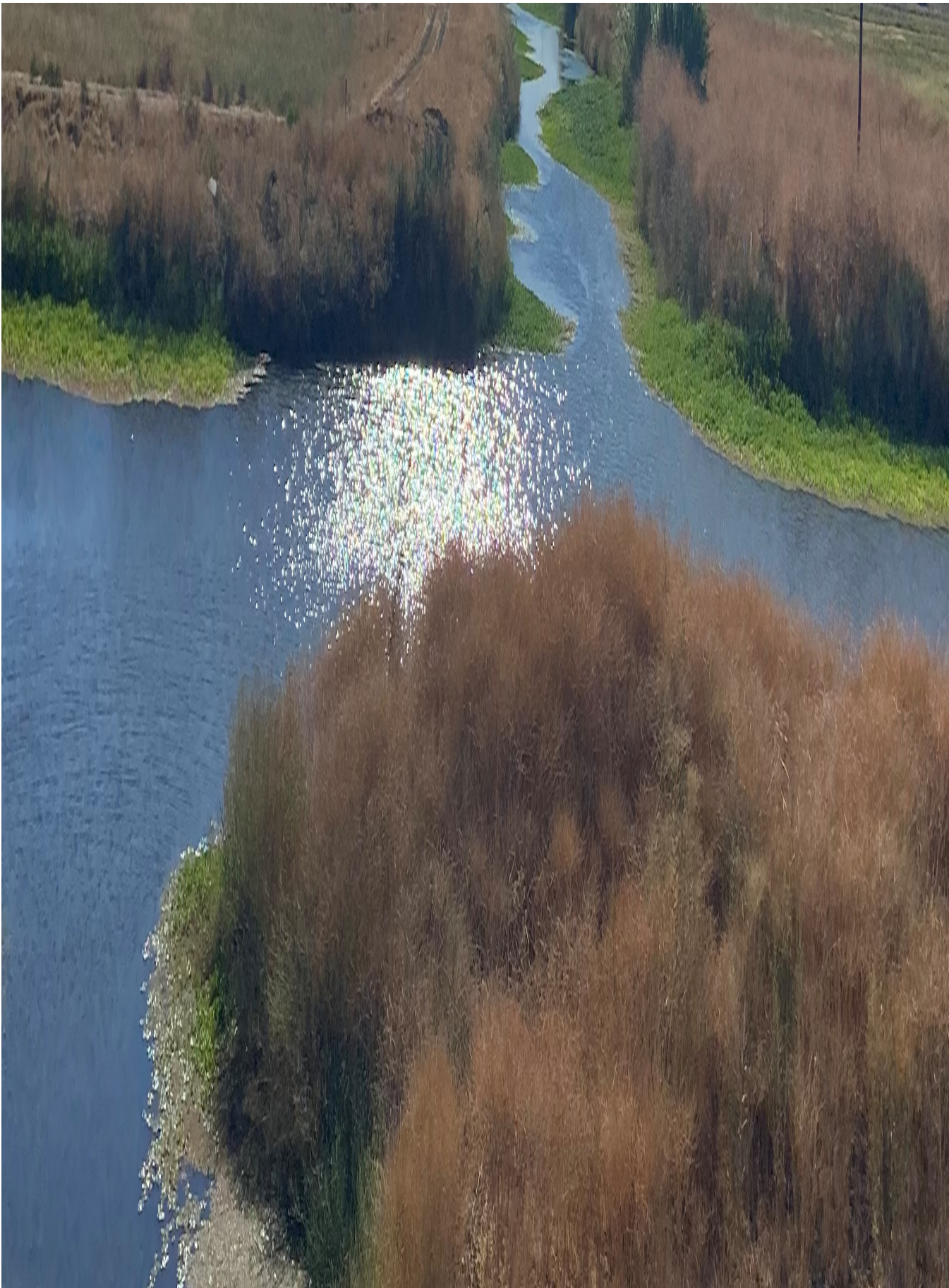


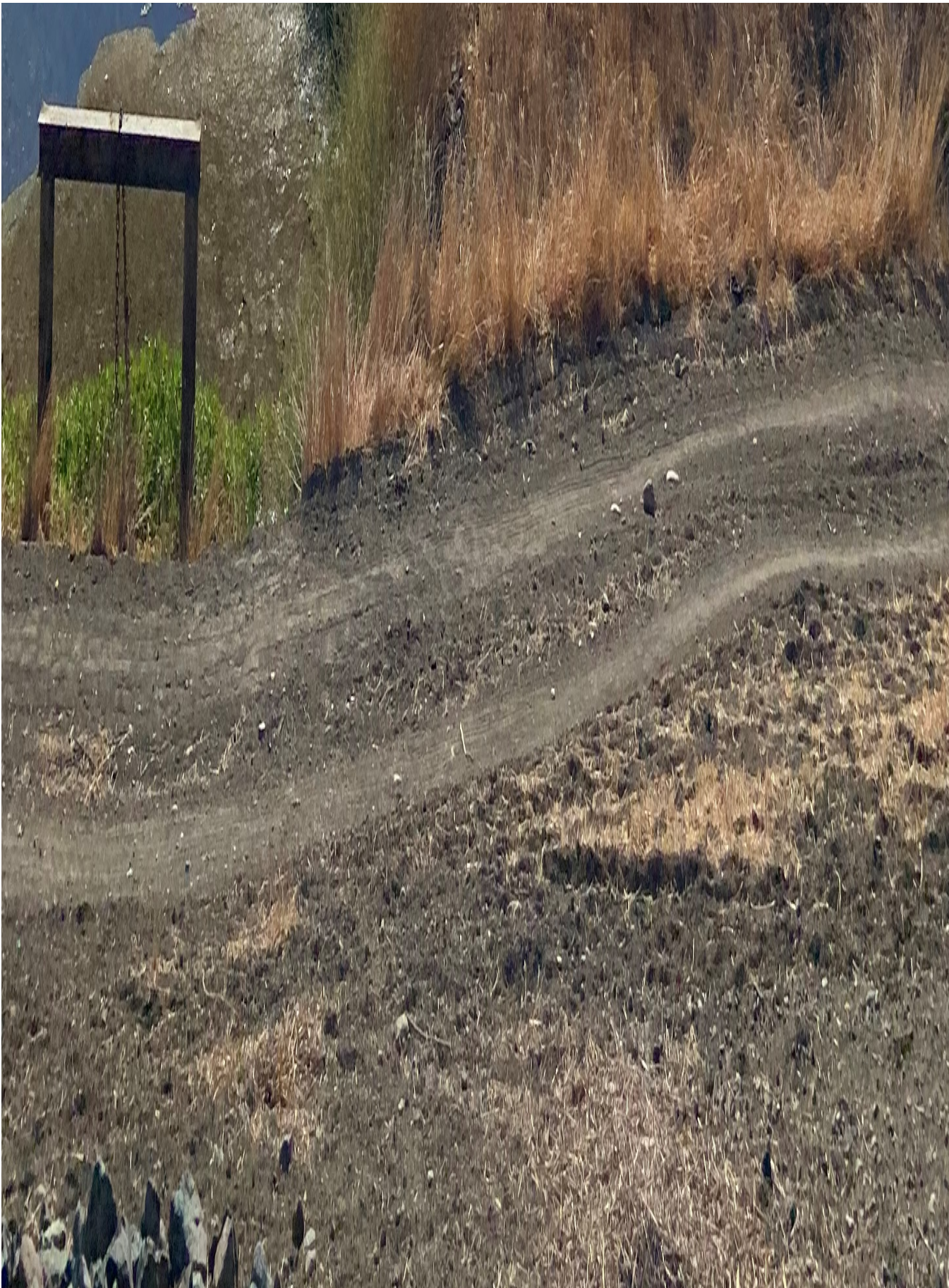














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