



UNITED STATES DEPARTMENT OF COMMERCE
Economic Development Administration
Washington, DC 20230

January 8, 2016

Via email

Frank Toriello
Board Member, W.A.T.E.R.
P.O. Box 873
Mount Shasta, CA 96067
mountshastawater@gmail.com

Dear Mr. Toriello:

This letter is in response to your Freedom of Information Act (5 U.S.C. § 552) ("FOIA") request that was received by email on November 30, 2015 by the Economic Development Administration ("EDA").

Per your request, you seek a copy of the following records:

1. Any subsequent amendments or updates to the repurposed grant application submitted to the EDA by or on behalf of the City of Mount Shasta and Crystal Geysers (still primary beneficiary although not listed) for funding to carry out the improvement of the wastewater treatment plant and to provide new jobs to the community.
2. All the documents, including legal documents, maintained in the EDA's project file for the above-mentioned grant originating on or after January 1, 2015.
3. *All communications from January 1, 2015 through present* among the City of Mount Shasta, or its employees, officers, or contractors, Crystal Geysers, CGWA or Otsuka Pharmaceuticals or its employees, officers, contractors or attorneys, all emails in original format, including attachments to those emails, correspondence, and handwritten notes referencing phone conversations regarding communication among EDA (Seattle, Washington and Sacramento branches), California Department of Fish & Wildlife representatives, Siskiyou County Planning Director Greg Pluckett or Richard Tinsman, Siskiyou Economic Development Council representatives, NorthState Resources, PACE Engineering, ENPLAN, CPUC, letters of support and all communications from Senator Diane Feinstein, Senator Barbara Boxer, former

Congressman Wally Herger, Congressman Doug LaMalfa and any other communications from other agencies regarding the EDA grant.

4. All internal communications among employees and/or officials of the EDA regarding the grant. This request also applies to any non-identical duplicates of records that, by reason of notation, attachment, or other alteration or supplement, include any information not contained in the original record.

Fees are charged for processing FOIA requests in accordance with the uniform fee schedule outlined in the Department of Commerce Regulations found at 15 C.F.R. § 4.11. However, you will not be charged because we are granting your request for a fee waiver.

At this time, EDA is releasing an **interim response** to your inquiry. EDA is releasing 1,206 pages in this interim response. Please note that the search for documents related to your FOIA request is still ongoing.

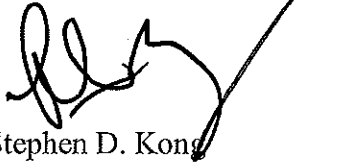
Any redactions in this set of documents are being made pursuant to FOIA Exemption (b)(6). Exemption (b)(6) is intended to protect against the disclosure of information which, under the circumstances presented, would constitute an unwarranted invasion of personal privacy. Privacy interests cognizable under FOIA can exist, for example, in such personally identifying information such as a person's home address, date of birth, social security number, personal email address or personal cell phone number.

Pursuant to 15 CFR § 4.10, you have the right to appeal an adverse determination with respect to your FOIA request (as described under 15 CFR § 4.7(b)) by filing either a written or electronic appeal with the Assistant General Counsel for Litigation, Employment and Oversight. A written or electronic appeal must be received within 30 calendar days of the date of this response letter by the Office of Assistant General Counsel for Litigation, Employment and Oversight, Room 5875, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230. Your appeal may also be sent by e-mail to FOIAAppeals@doc.gov, by facsimile to (202) 482-2552, or via FOIAonline (if you have a FOIAonline account) at <https://foiaonline.regulations.gov/foia/action/public/home#>. The appeal must include a copy of the original request, the response to the request and a statement of the reason why withheld records should be made available and why denial of the records was in error. The submission, whether by e-mail, facsimile or FOIAonline, is not complete without the required attachments. The appeal letter, the envelope, the e-mail subject line, and the fax cover sheet should all be clearly marked "Freedom of Information Act Appeal." The email, FOIAonline, and fax machine

in the Office of the Assistant General Counsel for Litigation, Employment and Oversight are monitored only on working days during normal business hours (8:30 a.m. to 5:00 p.m., Eastern Time, Monday through Friday). FOIA appeals posted to the e-mail box, fax machine, FOIAonline, or Office after normal business hours will be deemed received on the next normal business day.

Please contact my office at (202) 482-4687 if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephen D. Kong', with a long, sweeping flourish extending upwards and to the right.

Stephen D. Kong
Freedom of Information Act Officer

Matson, Malinda

From: Bard Francis [REDACTED]
Sent: Thursday, January 22, 2015 2:04 AM
To: Matson, Malinda
Subject: Thank you

Dear Sir:
Thank you ever so much for the recent action concerning the direction of funding for grants to the city of Mt Shasta. It is only proper these funds be used for sewage plant upgrade instead of being mingled with Crystal Geysers Japanese money to take over the water supply of this little town. Much political untruth and chicanery has been going on in order to steal our water and dump the extra industrial sewage into part of our tourist-based economy, the Sacramento River Fishery. This flows directly to Dunsmuir, a tourist trout fishing town 6 miles downstream, which would have received the brunt of the poisonous factory effluent.

As a retired USDA USFS R,F&WL GS-11 officer with MS degree in Zoology, BS in Forestry, I have watched and recorded the steady loss of aquatic insects in our local stream from leftover pollution from the Dannon Factory in town, which killed trout in Cold Creek in the same way (FWS knows), destruction of aquatic insects via aquifer pollution. We have recorded by EPA lab testing arsenic, aluminum, and lead in our springs and aquifers, beginning in 2009 after the factory had been dumping for 8 years, and the fish kill and insect losses have been continuing since then (slight recovery since the factory closed) from the Dannon factory due for re-opening by Crystal Geysers Japan. Of course, we citizens are fighting city hall that sees only the immediate money to be had from a renewed (They deny any EIR is needed) factory and will sacrifice everything else for the money.

We think they are ignoring the issue of public health and a stable attractive tourist economy in Mt Shasta with clean air and water. We would rather have quality of life with clean water than poor health and water supply with pollution problem. Data is available on request, but the NOP for the pipe line EIR only (the factory was done with a simple CE and zoning violations, and inadequate aquifer studies) received over 200 documents of opposition (only one in favor?), most citing economic reasons and company/political/government secrecy and lack of information a severe problem. I tried myself and they will not tell us anything but bland assurances that nothing will happen and everything will be fine. We have heard that before, and it is a horrible warning. They had over 300 protestors at one meeting and regularly about 100 taxpaying citizens protesting at most meetings that were advertised, though we can tell the Brown Act seems to be regularly violated by the Mt. Shasta City council with informal plotting with the CG bosses.

I could go on, but thank you again for this (I hope not temporary) reprieve. However, dealing with Japanese businessmen is like peeling an onion. You get off one layer and here's one stab in the eye after another. But thank you again, from the most of us.

I am available to provide research, studies, documents, and historical information you might need if any agency desires to further investigate this matter and save this international tourist destination from becoming a polluted dirty company town. The NOP contains most of them and those are now public record. I am personally available for comment, as well as folks from the WATERS group. Phone me at [REDACTED] in pm or eves, or also [REDACTED] anytime convenient for you.

Francis Mangels, Retired 35 years with USDA, Degrees, awards, etc.



This email has been checked for viruses by Avast antivirus software.
www.avast.com

Matson, Malinda

From: Matson, Malinda
Sent: Thursday, January 22, 2015 5:00 AM
To: Good, Stan
Subject: Fwd: Thank you

Are we congregating these in the project file?

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Bard Francis [REDACTED]
Date: 01/22/2015 2:03 AM (GMT-08:00)
To: "Matson, Malinda" <MMatson@eda.gov>
Subject: Thank you

Dear Sir:
Thank you ever so much for the recent action concerning the direction of funding for grants to the city of Mt Shasta. It is only proper these funds be used for sewage plant upgrade instead of being mingled with Crystal Geysers Japanese money to take over the water supply of this little town. Much political untruth and chicanery has been going on in order to steal our water and dump the extra industrial sewage into part of our tourist-based economy, the Sacramento River Fishery. This flows directly to Dunsmuir, a tourist trout fishing town 6 miles downstream, which would have received the brunt of the poisonous factory effluent.

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www.avast.com

Matson, Malinda

From: Vicki Gold [REDACTED]
Sent: Tuesday, January 06, 2015 12:57 AM
To: Matson, Malinda
Subject: Crystal Geyser Mount Shasta and CCTC jobs projected

Hello Malinda,

We just received this with the link to the application/ credit agreement between CCTC and CGWC. It seems to verify our position that very few new jobs will be created by the Mount Shasta CGWC project. Although as I said. the job numbers were redacted from their 12/14/14 letter sent to you, I imagine the numbers comply with the CCTC grant application and certainly are nowhere near the numbers projected in the 2013 EDA grant application.

Any news from Seattle?

Thank you again,

Vicki

Begin forwarded message:

From: William Koch <William.Koch@GOV.CA.GOV>
Subject: RE: Revised letter from W.A.T.E.R group in Mt Shasta
Date: January 5, 2015 5:01:58 PM PST
To: 'Bruce Hillman' [REDACTED], Vicki Gold [REDACTED]

Hi Bruce & Vicki,

The agenda has been posted and Crystal Geyser is #19 on the list. The link to Crystal's credit agreement is below, however, the agreement is not effective unless approved by the committee. I received your revised letter earlier today and will include it in the briefing binders for the committee members.

<http://www.business.ca.gov/Portals/0/CA%20Competes/Docs/Agreements/FY1415P1/20.%20Crystal%20Geyser%20Water%20Company.pdf>

Thanks,

Will Koch
Deputy Director, California Competes Tax Credit Program
California Governor's Office of Business and Economic Development (GO-Biz)
1325 J Street, 18th Floor
Sacramento, CA 95814
william.koch@gov.ca.gov
www.business.ca.gov

Matson, Malinda

From: Matson, Malinda
Sent: Tuesday, January 06, 2015 8:59 AM
To: 'Vicki Gold'
Subject: RE: Crystal Geysers Mount Shasta and CCTC jobs projected

Vicki,

I hope your Holidays were good for you and your family. We are evaluating the information you have provided as well as input from the city. I believe that there will be some sort of resolution by the end of the month, but I can't predict what that resolution will be.

Malinda

Malinda Matson
Economic Development Representative for Northern and Coastal California
Economic Development Administration
mmatson@eda.gov
Phone - 916-235-0088

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Matson, Malinda

From: Matson, Malinda
Sent: Tuesday, January 06, 2015 9:52 AM
To: 'Vicki Gold'
Subject: RE: Crystal Geysers Mount Shasta and CCTC jobs projected

Changing jobs numbers don't have a significant impact on our grants once awarded. As long as there is a good faith effort to create jobs, we don't have claw back provisions if estimates are wrong. Under the Government Performance Reporting Act, our grantees are only required to report for nine years, but we know that in some regions it can take much longer to reach job creation goals.

Malinda Matson
Economic Development Representative for Northern and Coastal California
Economic Development Administration
mmatson@eda.gov
Phone - 916-235-0088

From: Vicki Gold [REDACTED]
Sent: Tuesday, January 06, 2015 9:20 AM
To: Matson, Malinda
Subject: Re: Crystal Geysers Mount Shasta and CCTC jobs projected

Yes, every day is a holiday in Mount Shasta. We are all so grateful to live near the mountain. It's a beautiful clear day today. Certainly we need snow this year for the whole state's water supplies, yet the warmth is appreciated too. Hope you enjoyed some time off too.

Are you able to advise regarding the job numbers in the letter sent to you?

Thanks so much for the update.

Vicki

On Jan 6, 2015, at 8:59 AM, "Matson, Malinda" <MMatson@eda.gov> wrote:

Vicki,

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Matson, Malinda

From: Skrinde, Kristine
Sent: Monday, January 05, 2015 8:31 AM
To: Matson, Malinda
Cc: Good, Stan
Subject: RE: Shasta letter

Dear Malinda:

Sorry, but our correspondence is between EDA and the grantee only! If Vicki Gold wants to see the letter, then she can either ask the City of Mt. Shasta for a copy, or, request a copy from EDA via a FOIA request.

Kris

From: Matson, Malinda
Sent: Monday, January 05, 2015 7:43 AM
To: Skrinde, Kristine; Good, Stan
Subject: Shasta letter

Kris and Stan,

I have received several additional e-mails from Vicki Gold and would really like to provide her with a copy of our most recent letter. What are your thoughts on this?

Do I wait until they have responded? Does her FOIA require us to provide everything new immediately?

Malinda

Malinda Matson
Economic Development Representative for Northern and Coastal California
Economic Development Administration
mmatson@eda.gov
Phone - 916-235-0088

Matson, Malinda

From: Skrinde, Kristine
Sent: Friday, January 30, 2015 10:34 AM
To: Matson, Malinda
Subject: FW: Follow-up on EDA letter
Attachments: EDAlternatives.doc; InterceptorLineFunding.doc

From: Good, Stan
Sent: Thursday, January 29, 2015 3:14 PM
To: Skrinde, Kristine; FitzGerald, Shannon
Cc: Smith, A. Leonard
Subject: FW: Follow-up on EDA letter

The latest from Mt. Shasta. Looks like they accepted the EDA alternative.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Thursday, January 29, 2015 2:58 PM
To: Good, Stan
Cc: Muriel Howarth Terrell; Geoff Harkness [REDACTED]; Mike Burns [REDACTED]; Tim's Gmail; Jeffrey Collings; John Kenny; Nicole Dove
Subject: Follow-up

Greetings Stan,

Thank you for your ongoing support. As follow-up, during the January 26, 2015 City of Mt. Shasta City Council meeting, the City Council took formal action and unanimously voted to accept the EDA alternative to redirect the EDA Grant Award funding to the City's State Mandated Waste Water Improvement Project. The City Council was very appreciative of the EDA's continued support. Last week I sent you the City Council Agenda and staff report. They are attached again for your information. We will send the minutes from the City Council meeting as soon as they are finished.

I have copied our City Council, Finance Director, Deputy City Clerk, and our City Attorney for their background. We look forward to hearing from you or other EDA representatives regarding the next steps. Again, we sincerely appreciate your support and the support of your entire Team at the EDA.

Respectfully,

Paul

Paul Eckert, City Manager

City of Mt Shasta

305 N. Mt Shasta Blvd

Mount Shasta, CA 96067

Phone (530) 926-7510

www.mtshastaca.gov

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Matson, Malinda

From: Robert Nash <bnash@scedd.org>
Sent: Wednesday, January 28, 2015 12:08 PM
To: Matson, Malinda
Subject: RE: Mt. Shasta

Hi Malinda,

I apologize for the delayed return email. I contacted Tonya Dowse, Siskiyou County EDC, about status of the Crystal Geyser project and also the Mount Shasta project relative to your EDA funding offer. Tonya is going to follow up for us to clarify just what is going on with Mount Shasta.

Would you be interested in a phone conference with Tonya Dowse later today or tomorrow to get a full update of status on this project? My schedule is open. Tonya is available after 3:30 today, before 9:30 or after 2:30 tomorrow (Thursday).

-Bob

From: Matson, Malinda [<mailto:MMatson@eda.gov>]
Sent: Tuesday, January 27, 2015 2:23 PM
To: Robert Nash
Subject: Mt. Shasta

Bob,

Nice meeting you last week. I look forward to working with you.

To follow up on our brief discussion on the City of Mt. Shasta – their city council met last night – do you know what the outcome was? The article in the local paper was unclear. Some decision has been put off until July – which is too late for us.

<http://www.mtshastanews.com/article/20140625/News/140629809/>

Thanks for your help,

Malinda

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Economic Development Representative for Northern and Coastal California
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Phone - 916-235-0088

Matson, Malinda

From: Robert Nash <bnash@scedd.org>
Sent: Wednesday, January 28, 2015 1:39 PM
To: Matson, Malinda
Subject: RE: Mt. Shasta

OK. We are available for a phone conference. -Bob

From: Matson, Malinda [<mailto:MMatson@eda.gov>]
Sent: Wednesday, January 28, 2015 12:50 PM
To: Robert Nash
Cc: Good, Stan; Skrinde, Kristine; FitzGerald, Shannon
Subject: RE: Mt. Shasta

Thanks,

I have copied my colleagues in the Seattle regional office who are also interesting in whatever you might find out.

I am heading out to Grass Valley for an Economic summit they are having tomorrow, so I won't be available for a phone call. We may want to schedule a call early next week if the situation warrants it.

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Matson, Malinda

From: Robert Nash <bnash@scedd.org>
Sent: Wednesday, January 28, 2015 5:16 PM
To: Matson, Malinda
Cc: Tonya Dowse
Subject: RE: Mt. Shasta

OK, let's go with that. -Bob

From: Matson, Malinda [<mailto:MMatson@eda.gov>]
Sent: Wednesday, January 28, 2015 5:00 PM
To: Robert Nash
Cc: Tonya Dowse
Subject: RE: Mt. Shasta

Let's tentatively set it for 10am. I will check on getting a conference call number.

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Robert Nash <bnash@scedd.org>
Date: 01/28/2015 4:06 PM (GMT-08:00)
To: "Matson, Malinda" <MMatson@eda.gov>
Cc: Tonya Dowse <tonya@siskiyoucounty.org>
Subject: RE: Mt. Shasta

Malinda, Tonya and I are both available any time on Monday. -Bob

From: Matson, Malinda [<mailto:MMatson@eda.gov>]
Sent: Wednesday, January 28, 2015 12:50 PM
To: Robert Nash
Cc: Good, Stan; Skrinde, Kristine; FitzGerald, Shannon
Subject: RE: Mt. Shasta

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<http://www.mtshastanews.com/article/20140625/News/140629809/>

Thanks for your help,

Malinda

Malinda Matson
Economic Development Representative for Northern and Coastal California
Economic Development Administration
mmatson@eda.gov
Phone - 916-235-0088

Matson, Malinda

From: Robert Nash <bnash@scedd.org>
Sent: Monday, February 02, 2015 8:54 AM
To: Matson, Malinda
Cc: Tonya Dowse
Subject: RE: Mt. Shasta

Thanks Malinda. Yes, it looks like the City got it done. We will work with them to the extent needed or requested to get the project re-scoped.

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Subject: RE: Mt. Shasta

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From: Tonya Dowse [<mailto:tonya@siskiyoucounty.org>]
Sent: Monday, February 02, 2015 8:30 AM
To: Robert Nash; Matson, Malinda
Subject: RE: Mt. Shasta

Good Morning!

Just checking are we on for 10am today?

From: Robert Nash [<mailto:bnash@scedd.org>]
Sent: Wednesday, January 28, 2015 5:16 PM
To: Matson, Malinda
Cc: Tonya Dowse
Subject: RE: Mt. Shasta

OK, let's go with that. -Bob

From: Matson, Malinda [<mailto:MMatson@eda.gov>]
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To: Robert Nash
Cc: Tonya Dowse
Subject: RE: Mt. Shasta

Let's tentatively set it for 10am. I will check on getting a conference call number.

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

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Date: 01/28/2015 4:06 PM (GMT-08:00)
To: "Matson, Malinda" <MMatson@eda.gov>
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Subject: RE: Mt. Shasta

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From: Matson, Malinda [<mailto:MMatson@eda.gov>]
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To: Robert Nash
Cc: Good, Stan; Skrinde, Kristine; FitzGerald, Shannon
Subject: RE: Mt. Shasta

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I have copied my colleagues in the Seattle regional office who are also interesting in whatever you might find out.

I am heading out to Grass Valley for an Economic summit they are having tomorrow, so I won't be available for a phone call. We may want to schedule a call early next week if the situation warrants it.

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Matson, Malinda

From: Robert Nash <bnash@scedd.org>
Sent: Monday, February 02, 2015 9:46 AM
To: Matson, Malinda
Subject: RE: Mt. Shasta

OK.

From: Matson, Malinda [mailto:MMatson@eda.gov]
Sent: Monday, February 02, 2015 9:14 AM
To: Robert Nash
Cc: Tonya Dowse
Subject: RE: Mt. Shasta

The conference calling number is - 1 866-712-7769. The pin is 5381484. Talk to you at 10 am.

Malinda Matson
Economic Development Representative for Northern and Coastal California
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Malinda Matson
Economic Development Representative for Northern and Coastal California
Economic Development Administration

mmatson@eda.gov
Phone - 916-235-0088

Matson, Malinda

From: Robert Nash <bnash@scedd.org>
Sent: Monday, March 30, 2015 3:59 PM
To: Matson, Malinda
Subject: RE: next week

Hi Malinda,

My schedule is flexible next week and I would very much like to have your visit. If you can get to Redding, I would be happy to drive from here, we have a company car. If you would like specific appointments, I would be happy to arrange in advance. My initial suggestions are Siskiyou EDC/ Mount Shasta. We can also see previous/current EDA projects in Weed and Redding.

Let me know what you would like and we can put it together.

-Bob

From: Matson, Malinda [<mailto:MMatson@eda.gov>]
Sent: Monday, March 30, 2015 3:53 PM
To: Robert Nash
Subject: next week

Bob,

Next week -- If it is still a good time to come, I can do it. I am thinking about visiting a potential project in Orland Tuesday morning on the way up, and then visiting sites including Mt. Shasta Tuesday afternoon and all day Wednesday. I need to visit Chico State on Thursday.

Let me know if this works for you.

Malinda
Malinda Matson
Economic Development Representative for Northern and Coastal California
Economic Development Administration
mmatson@eda.gov
Phone - 916-235-0088

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Matson, Malinda

From: Paul Reuter <preuter@paceengineering.us>
Sent: Thursday, May 28, 2015 10:54 AM
To: Good, Stan; FitzGerald, Shannon; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: dburk@enplan.com; Matson, Malinda
Subject: RE: Status Update for WWTP IS/MND

We have no problem with that, Stan. There is plenty of infrastructure at the WWTP that we can allocate the EDA funding toward that won't have any environmental impacts. And, as has been suggested, we can separate the EDA-funded infrastructure from other funding sources in the contractor's bid proposal.

Do you need any more specifics from us, at this point, to head that direction?

Paul J. Reuter, P.E.

Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us
Ph: 530-244-0202

From: Good, Stan [<mailto:SGood@eda.gov>]
Sent: Thursday, May 28, 2015 10:29 AM
To: FitzGerald, Shannon; Paul Reuter; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: dburk@enplan.com; Matson, Malinda
Subject: RE: Status Update for WWTP IS/MND

Paul:

It is EDA's preference to utilize the grant funds for the necessary improvements to the wastewater treatment plant only. It has been suggested that EDA funds be used to help renovate the diffuser in the stream, but that would entail more permitting compliance. With EDA funds committed to just the treatment plant we simplify the environmental requirements and can approve the amended project quickly.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: FitzGerald, Shannon
Sent: Thursday, May 28, 2015 10:21 AM
To: Paul Reuter; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: dburk@enplan.com; Matson, Malinda; Good, Stan
Subject: RE: Status Update for WWTP IS/MND

Hi All,

Thanks for detailed update. Stan was right—I have a couple of questions.

In addition to the City of Mt. Shasta consulting with state agencies under CEQA, EDA will be required to consult with the U.S. Fish and Wildlife Service under the Endangered Species Act Section 7, and the State and Tribal Historic Preservation Officers under the National Historic Preservation Act Section 106. While the information used for the CEQA consultations with the California Dept. of Fish and Wildlife and SHPO/THPOs can be used for the federal consultation (e.g., biological assessment, cultural resource survey, sacred lands file search), we need to also do the federal consultations. EDA can delegate the authority to the City to consult on EDA's behalf which may simplify things. I've attached templates of the letters that we use in our consultations.

To refresh my memory, I reviewed the Engineering Report that was part of the application. I saw that \$30,000 will go toward the NEPA Report. Is the \$30,000 for preparing an Environmental Assessment or is it for filling out the Environmental Narrative? If it is for preparing the EA, EDA will actually do that.

Thanks, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Wednesday, May 27, 2015 3:59 PM
To: Good, Stan
Cc: FitzGerald, Shannon; Paul Eckert (Eckert@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov)
Subject: FW: Status Update for WWTP IS/MND

Hello Stan,

The e-mail, below, provides an update on the status of the environmental work, and schedule moving forward, for the State-Mandated WWTP Improvements for the City of Mt. Shasta.

Please let me know if you have any questions, or comments.

Thanks.

Paul J. Reuter, P.E.

Ph: 530-244-0202

Managing Engineer

PACE Engineering, Inc.

1730 South St.

Redding, CA 96001

preuter@paceengineering.us

From: Don Burk [<mailto:DBurk@enplan.com>]

Sent: Wednesday, May 27, 2015 3:05 PM

To: Paul Reuter

Cc: Lindsay Kantor

Subject: Status Update for WWTP IS/MND

Paul-

Per your request, this is to provide you with a status report for the environmental studies for the Mt Shasta Wastewater Plant improvements. Our overall work plan has been to conduct the technical field studies, prepare the CEQA environmental documentation, and then to prepare the NEPA documentation. Permit applications will be prepared as our final work task.

Field Studies

Botanical: We have completed the early-season botanical field survey. One special-status plant species, Taylor's monkeyflower, was identified on the rock face above the site of the proposed outfall improvements. As we discussed, we anticipate that no work will be needed on the rock face, and that the identified plants can be avoided during construction activities. We will probably recommend flagging or a temporary construction fencing to ensure that the plants are fully avoided during construction. There are other plants in the study area that we are not yet able to identify; they could be special-status species, so additional surveys are needed. A follow-up botanical survey will occur in mid-June; depending on the results, a third survey could be needed later in the summer.

Wildlife: A general wildlife survey has been completed. A nesting osprey was observed adjacent to the study area. Ospreys typically return annually to the same nesting sites, so we anticipate that the pair will be present during the year in which construction would occur. The project site also provides habitat for special-status bats, turtles, and frogs. We did observe turtles in the treatment lagoons, but could not identify them to species. The site is also in winter deer range. We'll include standard mitigation measures for avoidance of turtles, frogs, and nesting birds (pre-construction nesting bird surveys; turtle/frog surveys immediately prior to the start of in-water construction).

We will be contacting CDFW shortly to discuss the results of the botanical and wildlife field studies. Given the resources present, we expect they will recommend a field meeting, which we will try to consolidate with our mid-June botanical survey. They will also have some input regarding the need for bat protection during construction, and could possibly ask that an acoustic bat survey be conducted at this time.

Wetlands/Waters of the United States: No wetlands are present in the study area. The Sacramento River is a "Water of the United States" subject to the jurisdiction of the Corps of Engineers. We are currently preparing a delineation report for submittal to the Corps.

Cultural Resources: A Sacred Lands Search request was sent to the Native American Heritage Commission on April 1. A records search at NE/CHRIS was

conducted on April 6. The field survey of the project site was conducted on April 10. Request for comment letters have been sent out to the Native American Community and the comment period will close on June 3. Thus far, one response has been received from the Quartz Valley Indian Reservation indicating that they have no knowledge of cultural sites within the project area, but expressing their interest in any archaeological finds. We observed one historic site on the access road to the outfall improvements, however, it does not appear to satisfy the requirements for listing on the Californian Register of Historical Resources or National Register of Historic Places. Standard mitigation measures for the potential disturbance of subsurface cultural resources would apply.

IS/MND

We are currently drafting the Initial Study. We have identified several questions regarding the project description and regulatory requirements; we'll give you or Grant a call soon to discuss our questions. Generally speaking, most of Initial Study sections have been drafted but still need final review and refinement.

Schedule

We currently anticipate that the draft IS will be available for your review by early to mid-July. This allows time for us to conduct a second botanical survey and meet with CDFW prior to completing the draft report. If we do need a third botanical survey, we would conduct it just before release of the IS to the public. The IS would presumably be released for public review in August, for a 30-day circulation period. We would then respond to comments, which usually takes one to two weeks – but if we get a deluge of comments due to the Crystal Geyser pushback, that could get extended. The City should be able to hold a public hearing on the project a couple of weeks after we complete the responses. This would probably occur in October or November.

The EDA environmental narrative will be very easy to complete once we have finished the Initial Study. We are also expecting that we'll need to prepare NEPA documentation for other funding sources such as Rural Development and/or State Revolving Fund – we'll need confirmation from you as to which funding agencies will ultimately need environmental documentation. Assuming newspaper notifications are required for work in the floodplain, the various NEPA documents should be wrapped up in February. Permit applications could be submitted shortly thereafter.

Please let us know if you need additional information.

-Don

Donald Burk
Environmental Services Manager
ENPLAN
dburk@enplan.com
530/221-0440 x7102
530/221-6963 Fax
www.enplan.com

Matson, Malinda

From: Paul Reuter <preuter@paceengineering.us>
Sent: Thursday, August 27, 2015 10:01 AM
To: FitzGerald, Shannon; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Matson, Malinda
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Thanks Shannon.
We'll get right on this.

Paul J. Reuter, P.E.

Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us
Ph: 530-244-0202

From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Monday, August 24, 2015 6:13 PM
To: Paul Eckert (eckert@ci.mt-shasta.ca.us); Paul Reuter
Cc: Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Matson, Malinda
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Paul and Paul,

We received the information. Thanks. What Stan and I need before we can amend the scope of work is an Environmental Narrative, Applicant Certification Clause and Engineering Report filled out for the proposed wastewater treatment plant project. I've attached all three templates.

Thanks in advance for getting those to us. –Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
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Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

From: Paul Reuter [<mailto:preuter@paceengineering.us>]

Sent: Thursday, August 20, 2015 3:10 PM

To: Good, Stan; FitzGerald, Shannon

Cc: Paul Eckert (Eckert@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov)

Subject: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hello Shannon and Stan,

Attached is a project description for the EDA-Funded WWTP Improvements for the City of Mt. Shasta. It includes a project cost estimate, schedule and figures showing proposed improvements.

Feel free to contact me if you have questions or desire additional information.

Thank you.

Paul J. Reuter, P.E. Ph: 530-244-0202

Managing Engineer

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Matson, Malinda

From: Good, Stan
Sent: Tuesday, January 06, 2015 9:11 AM
To: Matson, Malinda
Subject: FW: Follow-up Email
Attachments: MtShastaInitialResponse.pdf; EDADec26ResponsePart2.pdf

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Tuesday, January 06, 2015 8:38 AM
To: Good, Stan
Subject: Follow-up Email

Happy New Year Stan,

Attached is the original response and a follow-up response to Director Smith's letter received in Mt Shasta on December 26th. Thank you for your support and guidance.

Please let us know if we can provided additional information.

Respectfully,

Paul

Paul Eckert, City Manager
City of Mt Shasta
305 N. Mt Shasta Blvd
Mount Shasta, CA 96067

Phone (530) 926-7510

www.mtshastaca.gov

CONFIDENTIALITY NOTICE: The information contained in this e-mail and attached document(s) may contain confidential information that is intended only for the addressee(s). If you are not the intended recipient, you are hereby advised that any disclosure, copying, distribution or the taking of any action in reliance upon the information is prohibited. If you have received this e-mail in error, please immediately notify the sender and delete it from your system.

Matson, Malinda

From: Good, Stan
Sent: Friday, January 23, 2015 1:14 PM
To: Matson, Malinda
Subject: FW: Follow-up
Attachments: EDAlternatives.doc; InterceptorLineFunding.doc

For your information.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Friday, January 23, 2015 12:15 PM
To: Good, Stan
Cc: Muriel Howarth Terrell; John Kenny
Subject: Follow-up

Hi Stan,
Thanks for the ongoing help. I wanted to keep you informed and share updated information. I have attached two City Council staff reports for consideration on Monday.

We will be in contact on Tuesday. Please let us know if we can provide additional information or clarification.

Thanks,

Paul

Paul Eckert, City Manager
City of Mt Shasta
305 N. Mt Shasta Blvd
Mount Shasta, CA 96067

Phone (530) 926-7510

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Matson, Malinda

From: Good, Stan
Sent: Tuesday, January 27, 2015 12:53 PM
To: Matson, Malinda; Skrinde, Kristine; FitzGerald, Shannon
Subject: RE: Mt. Shasta

Malinda:
For me, I'll just place the article in the file folder with all the others.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: Matson, Malinda
Sent: Tuesday, January 27, 2015 11:38 AM
To: Skrinde, Kristine; Good, Stan; FitzGerald, Shannon
Subject: Mt. Shasta

<http://www.mtshastanews.com/article/20140625/News/140629809/>

I don't know if they made a decision.

Malinda Matson
Economic Development Representative for Northern and Coastal California
Economic Development Administration
mmatson@eda.gov
Phone - 916-235-0088

Matson, Malinda

From: Good, Stan
Sent: Thursday, February 05, 2015 1:13 PM
To: Smith, A. Leonard; Skrinde, Kristine; FitzGerald, Shannon
Cc: Matson, Malinda
Subject: FW: Mt Shasta Council Response To EDA Regional Director Smith
Attachments: MtShastaCouncilResponseToEDA.pdf

Forwarded email from Mt. Shasta. Please note all the cc's.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

Join EDA's mailing list today to get the latest agency news and grant opportunity information!

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Thursday, February 05, 2015 12:19 PM
To: Good, Stan
Cc: matthew_nelson@feinstein.senate.gov; kyle_chapman@boxer.senate.gov; mark.stannagel@mail.house.gov; [Kaye Meier@boxer.senate.gov](mailto:Kaye_Meier@boxer.senate.gov); Geoff Harkness [REDACTED]; Jeffrey Collings; Tim's Gmail; Mike Burns [REDACTED]; Tonya Dowse (tonya@siskiyoucounty.org); Muriel Howarth Terrell; John Kenny; Andrea Matarazzo (andrea@pioneerlawgroup.net); Nicole Dove; Rod Bryan
Subject: Mt Shasta Council Response To EDA Regional Director Smith

Greetings Stan,

Thank you for the ongoing dialogue and your support. Attached is the Mt. Shasta City Council's formal response to EDA Regional Director Smith's letter received December 26th. Our elected officials appreciate your Team's continued efforts on our community's behalf.

Your Team may want to review the link below to the article regarding the EDA and its relationship with our small group of residents. In an effort to be effective and responsive, our elected officials, including our Congressional delegation would appreciate updates regarding ongoing EDA involvement with local community members, especially as it becomes as apparently expansive as it has over the last several months. Several elected officials have expressed frustration that the Grant Award recipient was not apprised of the activities that led to the change of direction by the EDA.

Mt. Shasta Herald story:

<http://www.mtshastanews.com/article/20150205/NEWS/150209903/1994/NEWS>

Again, thank you for your support. We look forward to the next steps and hope they are as simplified as we have been led to believe through the Director's letter and our conversations.

Respectfully,

PAUL

Paul Eckert, City Manager

City of Mt Shasta

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Mount Shasta, CA 96067

Phone (530) 926-7510

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Matson, Malinda

From: Good, Stan
Sent: Thursday, May 28, 2015 10:29 AM
To: FitzGerald, Shannon; Paul Reuter; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: dburk@enplan.com; Matson, Malinda
Subject: RE: Status Update for WWTP IS/MND

Paul:

It is EDA's preference to utilize the grant funds for the necessary improvements to the wastewater treatment plant only. It has been suggested that EDA funds be used to help renovate the diffuser in the stream, but that would entail more permitting compliance. With EDA funds committed to just the treatment plant we simplify the environmental requirements and can approve the amended project quickly.

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Email: sgood@eda.gov

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Thanks, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

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To: Good, Stan
Cc: FitzGerald, Shannon; Paul Eckert (Eckert@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov)
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Please let me know if you have any questions, or comments.

Thanks.

Paul J. Reuter, P.E.

Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us
Ph: 530-244-0202

From: Don Burk [<mailto:DBurk@enplan.com>]
Sent: Wednesday, May 27, 2015 3:05 PM
To: Paul Reuter
Cc: Lindsay Kantor
Subject: Status Update for WWTP IS/MND

Paul-

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IS/MND

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two weeks – but if we get a deluge of comments due to the Crystal Geyser pushback, that could get extended. The City should be able to hold a public hearing on the project a couple of weeks after we complete the responses. This would probably occur in October or November.

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Please let us know if you need additional information.

-Don

Donald Burk
Environmental Services Manager
ENPLAN
dburk@enplan.com
530/221-0440 x7102
530/221-6963 Fax
www.enplan.com

Matson, Malinda

From: Good, Stan
Sent: Thursday, May 28, 2015 11:11 AM
To: Paul Reuter; FitzGerald, Shannon; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: dburk@enplan.com; Matson, Malinda
Subject: RE: Status Update for WWTP IS/MND

Not at this time. With the EDA funds limited to the wastewater treatment plant we need Shannon's review of the environmental aspects before proceeding with the amendment.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: Paul Reuter [mailto:preuter@paceengineering.us]
Sent: Thursday, May 28, 2015 10:54 AM
To: Good, Stan; FitzGerald, Shannon; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: dburk@enplan.com; Matson, Malinda
Subject: RE: Status Update for WWTP IS/MND

We have no problem with that, Stan. There is plenty of infrastructure at the WWTP that we can allocate the EDA funding toward that won't have any environmental impacts. And, as has been suggested, we can separate the EDA-funded infrastructure from other funding sources in the contractor's bid proposal.

Do you need any more specifics from us, at this point, to head that direction?

Paul J. Reuter, P.E.
Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us
Ph: 530-244-0202

From: Good, Stan [mailto:SGood@eda.gov]
Sent: Thursday, May 28, 2015 10:29 AM

To: FitzGerald, Shannon; Paul Reuter; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: dburk@enplan.com; Matson, Malinda
Subject: RE: Status Update for WWTP IS/MND

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Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

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Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890

Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Wednesday, May 27, 2015 3:59 PM
To: Good, Stan
Cc: FitzGerald, Shannon; Paul Eckert (Eckert@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov)
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Paul J. Reuter, P.E. Ph: 530-244-0202

Managing Engineer

PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us

From: Don Burk [<mailto:DBurk@enplan.com>]
Sent: Wednesday, May 27, 2015 3:05 PM
To: Paul Reuter
Cc: Lindsay Kantor

Subject: Status Update for WWTP IS/MND

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Please let us know if you need additional information.

-Don

Donald Burk

Environmental Services Manager

ENPLAN

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530/221-0440 x7102

530/221-6963 Fax

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Matson, Malinda

From: FitzGerald, Shannon
Sent: Tuesday, January 27, 2015 12:39 PM
To: Matson, Malinda
Subject: RE: Mt. Shasta

Thanks Melissa. I hope that was a typo—that a decision was deferred until July 14.

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To: Skrinde, Kristine; Good, Stan; FitzGerald, Shannon
Subject: Mt. Shasta

<http://www.mtshastanews.com/article/20140625/News/140629809/>

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Cc: dburk@enplan.com; Matson, Malinda; Good, Stan
Subject: RE: Status Update for WWTP IS/MND
Attachments: FWS-NMFS letter template.docx; SHPO letter template.docx; THPO letter template.docx

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Sent: Thursday, May 28, 2015 11:35 AM
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Cc: dburk@enplan.com; Matson, Malinda
Subject: RE: Status Update for WWTP IS/MND

Hi Paul,

Before I can do the NEPA environmental review for the proposed amendment, I will need the Environmental Narrative. Dan gave us a good update. Would it be possible to update the Environmental Narrative with that information and send it to us? In the amendment, we can include special action conditions regarding the completion of certain tasks such as the plant surveys and following consultation. Also, can you send us the information and letters that were sent to the Tribes?

Thanks, Shannon 206-220-7703

From: Paul Reuter [mailto:preuter@paceengineering.us]
Sent: Thursday, May 28, 2015 10:54 AM
To: Good, Stan; FitzGerald, Shannon; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: dburk@enplan.com; Matson, Malinda
Subject: RE: Status Update for WWTP IS/MND

We have no problem with that, Stan. There is plenty of infrastructure at the WWTP that we can allocate the EDA funding toward that won't have any environmental impacts. And, as has been suggested, we can separate the EDA-funded infrastructure from other funding sources in the contractor's bid proposal.

Do you need any more specifics from us, at this point, to head that direction?

Paul J. Reuter, P.E.

Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us
Ph: 530-244-0202

From: Good, Stan [mailto:SGood@eda.gov]
Sent: Thursday, May 28, 2015 10:29 AM
To: FitzGerald, Shannon; Paul Reuter; Paul Eckert (eckert@ci.mt-shasta.ca.us)

Cc: dburk@enplan.com; Matson, Malinda
Subject: RE: Status Update for WWTP IS/MND

Paul:

It is EDA's preference to utilize the grant funds for the necessary improvements to the wastewater treatment plant only. It has been suggested that EDA funds be used to help renovate the diffuser in the stream, but that would entail more permitting compliance. With EDA funds committed to just the treatment plant we simplify the environmental requirements and can approve the amended project quickly.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: FitzGerald, Shannon
Sent: Thursday, May 28, 2015 10:21 AM
To: Paul Reuter; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: dburk@enplan.com; Matson, Malinda; Good, Stan
Subject: RE: Status Update for WWTP IS/MND

Hi All,

Thanks for detailed update. Stan was right—I have a couple of questions.

In addition to the City of Mt. Shasta consulting with state agencies under CEQA, EDA will be required to consult with the U.S. Fish and Wildlife Service under the Endangered Species Act Section 7, and the State and Tribal Historic Preservation Officers under the National Historic Preservation Act Section 106. While the information used for the CEQA consultations with the California Dept. of Fish and Wildlife and SHPO/THPOs can be used for the federal consultation (e.g., biological assessment, cultural resource survey, sacred lands file search), we need to also do the federal consultations. EDA can delegate the authority to the City to consult on EDA's behalf which may simplify things. I've attached templates of the letters that we use in our consultations.

To refresh my memory, I reviewed the Engineering Report that was part of the application. I saw that \$30,000 will go toward the NEPA Report. Is the \$30,000 for preparing an Environmental Assessment or is it for filling out the Environmental Narrative? If it is for preparing the EA, EDA will actually do that.

Thanks, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174

Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Wednesday, May 27, 2015 3:59 PM
To: Good, Stan
Cc: FitzGerald, Shannon; Paul Eckert (Eckert@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov)
Subject: FW: Status Update for WWTP IS/MND

Hello Stan,

The e-mail, below, provides an update on the status of the environmental work, and schedule moving forward, for the State-Mandated WWTP Improvements for the City of Mt. Shasta.

Please let me know if you have any questions, or comments.

Thanks.

Paul J. Reuter, P.E. Ph: 530-244-0202

Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us

From: Don Burk [<mailto:DBurk@enplan.com>]
Sent: Wednesday, May 27, 2015 3:05 PM
To: Paul Reuter
Cc: Lindsay Kantor

Subject: Status Update for WWTP IS/MND

Paul-

Per your request, this is to provide you with a status report for the environmental studies for the Mt Shasta Wastewater Plant improvements. Our overall work plan has been to conduct the technical field studies, prepare the CEQA environmental documentation, and then to prepare the NEPA documentation. Permit applications will be prepared as our final work task.

Field Studies

Botanical: We have completed the early-season botanical field survey. One special-status plant species, Taylor's monkeyflower, was identified on the rock face above the site of the proposed outfall improvements. As we discussed, we anticipate that no work will be needed on the rock face, and that the identified plants can be avoided during construction activities. We will probably recommend flagging or a temporary construction fencing to ensure that the plants are fully avoided during construction. There are other plants in the study area that we are not yet able to identify; they could be special-status species, so additional surveys are needed. A follow-up botanical survey will occur in mid-June; depending on the results, a third survey could be needed later in the summer.

Wildlife: A general wildlife survey has been completed. A nesting osprey was observed adjacent to the study area. Ospreys typically return annually to the same nesting sites, so we anticipate that the pair will be present during the year in which construction would occur. The project site also provides habitat for special-status bats, turtles, and frogs. We did observe turtles in the treatment lagoons, but could not identify them to species. The site is also in winter deer

range. We'll include standard mitigation measures for avoidance of turtles, frogs, and nesting birds (pre-construction nesting bird surveys; turtle/frog surveys immediately prior to the start of in-water construction).

We will be contacting CDFW shortly to discuss the results of the botanical and wildlife field studies. Given the resources present, we expect they will recommend a field meeting, which we will try to consolidate with our mid-June botanical survey. They will also have some input regarding the need for bat protection during construction, and could possibly ask that an acoustic bat survey be conducted at this time.

Wetlands/Waters of the United States: No wetlands are present in the study area. The Sacramento River is a "Water of the United States" subject to the jurisdiction of the Corps of Engineers. We are currently preparing a delineation report for submittal to the Corps.

Cultural Resources: A Sacred Lands Search request was sent to the Native American Heritage Commission on April 1. A records search at NE/CHRIS was conducted on April 6. The field survey of the project site was conducted on April 10. Request for comment letters have been sent out to the Native American Community and the comment period will close on June 3. Thus far, one response has been received from the Quartz Valley Indian Reservation indicating that they have no knowledge of cultural sites within the project area, but expressing their interest in any archaeological finds. We observed one historic site on the access road to the outfall improvements, however, it does not appear to satisfy the requirements for listing on the Californian Register of Historical Resources or National Register of Historic Places. Standard mitigation measures for the potential disturbance of subsurface cultural resources would apply.

IS/MND

We are currently drafting the Initial Study. We have identified several questions regarding the project description and regulatory requirements; we'll give you or Grant a call soon to discuss our questions. Generally speaking, most of Initial Study sections have been drafted but still need final review and refinement.

Schedule

We currently anticipate that the draft IS will be available for your review by early to mid-July. This allows time for us to conduct a second botanical survey and meet with CDFW prior to completing the draft report. If we do need a third botanical survey, we would conduct it just before release of the IS to the public. The IS would presumably be released for public review in August, for a 30-day circulation period. We would then respond to comments, which usually takes one to two weeks – but if we get a deluge of comments due to the Crystal Geyser pushback, that could get extended. The City should be able to hold a public hearing on the project a couple of weeks after we complete the responses. This would probably occur in October or November.

The EDA environmental narrative will be very easy to complete once we have finished the Initial Study. We are also expecting that we'll need to prepare NEPA documentation for other funding sources such as Rural Development and/or State Revolving Fund – we'll need confirmation from you as to which funding agencies will ultimately need environmental documentation. Assuming newspaper notifications are required for work in the floodplain, the various NEPA documents should be wrapped up in February. Permit applications could be submitted shortly thereafter.

Please let us know if you need additional information.

-Don

Donald Burk
Environmental Services Manager
ENPLAN

dburk@enplan.com
530/221-0440 x7102
530/221-6963 Fax
www.enplan.com

Matson, Malinda

From: FitzGerald, Shannon
Sent: Monday, August 24, 2015 6:08 PM
To: Matson, Malinda
Subject: FW: EDA-Funded Wastewater Treatment Plan Improvements - Project Description
Attachments: EDA Project Description-FINAL 8-20-15 Complete.pdf

Hi Malinda,

I'm sending you what the City of Mt. Shasta's engineer sent to us, so when I copy you on my reply it will make sense. Their consultant sent some information, but it is not the Environmental Narrative, Applicant Certification Clause, and Engineering Report that Stan and I need to amend the scope of work. Stan is in training most of this week, so I'll respond for the both of us.

Thanks, Shannon

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Thursday, August 20, 2015 3:10 PM
To: Good, Stan; FitzGerald, Shannon
Cc: Paul Eckert (Eckert@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov)
Subject: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hello Shannon and Stan,

Attached is a project description for the EDA-Funded WWTP Improvements for the City of Mt. Shasta. It includes a project cost estimate, schedule and figures showing proposed improvements.

Feel free to contact me if you have questions or desire additional information.

Thank you.

Paul J. Reuter, P.E.

Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us
Ph: 530-244-0202

Matson, Malinda

From: FitzGerald, Shannon
Sent: Monday, August 24, 2015 6:13 PM
To: Paul Eckert (eckert@ci.mt-shasta.ca.us); Paul Reuter (preuter@paceengineering.us)
Cc: Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Matson, Malinda
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description
Attachments: Environmental_Narrative_Template.doc; Applicant Certification Clause.doc; Preliminary_Engineering_Report_Requirements.doc

Hi Paul and Paul,

We received the information. Thanks. What Stan and I need before we can amend the scope of work is an Environmental Narrative, Applicant Certification Clause and Engineering Report filled out for the proposed wastewater treatment plant project. I've attached all three templates.

Thanks in advance for getting those to us. –Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Thursday, August 20, 2015 3:10 PM
To: Good, Stan; FitzGerald, Shannon
Cc: Paul Eckert (Eckert@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov)
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Feel free to contact me if you have questions or desire additional information.

Thank you.

Paul J. Reuter, P.E.

Managing Engineer

PACE Engineering, Inc.

1730 South St.

Redding, CA 96001

preuter@paceengineering.us

Ph: 530-244-0202

Matson, Malinda

From: FitzGerald, Shannon
Sent: Monday, September 28, 2015 2:07 PM
To: Matson, Malinda
Subject: FW: Environmental Narrative Documents
Attachments: Env Narrative DRAFT 9-10-15_complete.pdf; Applicant Certification Clause Form with Attachments.pdf; 1972 WWTP EIR.PDF; EDA-PER_Report-w-Attachments.pdf

Hi Malinda,

I got the Mt. Shasta Environmental Narrative last Monday. Stan and I need to copy you on emails. I've started reading through it and amending the Environmental Assessment is this week's priority.

Thanks, Shannon

From: Good, Stan
Sent: Monday, September 21, 2015 7:44 AM
To: FitzGerald, Shannon
Subject: FW: Environmental Narrative Documents

I specifically asked them to forward to you. Must not have your email address.

Stan Good, P.E.
Civil Engineer
Seattle Regional Office
Ph: 206-220-7701
Email: sgood@eda.gov
Join EDA's mailing list today to get the latest agency news and grant opportunity information!

From: Rod Bryan [<mailto:rbryan@mtshastaca.gov>]
Sent: Monday, September 21, 2015 6:15 AM
To: Good, Stan
Cc: Paul Eckert; Paul Reuter <preuter@paceengineering.us> (preuter@paceengineering.us)
Subject: Environmental Narrative Documents

Stan,

Please see the attached requested documents. I can send hard copies as well if you need them.
If you need anything else, please let me know.

Thanks,

Rod Bryan
Public Works Director
City of Mt. Shasta
(530) 926-7526

Matson, Malinda

From: Robert Nash <bnash@scedd.org>
Sent: Tuesday, November 24, 2015 1:37 PM
To: Matson, Malinda; Tonya Dowse
Subject: RE: Mt. Shasta Update

Happy Thanksgiving and thanks to each of you, -bob

From: Matson, Malinda [<mailto:MMatson@eda.gov>]
Sent: Tuesday, November 24, 2015 11:57 AM
To: Tonya Dowse
Cc: Robert Nash
Subject: RE: Mt. Shasta Update

Tonya,

Thank you. I have not heard of any issues with the project, and will let you know if I do. Have a great Thanks giving.

Malinda

Malinda Matson
Economic Development Representative for Northern and Coastal California
Economic Development Administration
mmatson@eda.gov
Phone - 916-235-0088

Join EDA's [mailing list](#) today to get the latest agency news and grant opportunity information!

From: Tonya Dowse [<mailto:tonya@siskiyoucounty.org>]
Sent: Tuesday, November 24, 2015 11:26 AM
To: Matson, Malinda
Cc: bnash@scedd.org
Subject: Mt. Shasta Update

Melinda—I'm sorry it's been too long since I touched base with you. I hope all is going well and that you are ready for a wonderful Thanksgiving!

I just wanted to touch base regarding the Mt. Shasta project. As you know, we are extremely grateful and appreciative of the support that your agency has been able to provide our community. This investment is extremely important to us. I understand that there may be some folks who continue to question the investment, and I want to make sure that you are able to reach out to us if you need any assistance and/or just want to discuss the project.

I hope we get a chance to connect sometime soon.

Thanks for all that you do!

Tonya

Tonya Dowse

Executive Director

Siskiyou County Economic Development Council

1512 S. Oregon Street, Yreka, CA 96097

530.842.1638

www.siskiyoucounty.org

The Siskiyou Daily News

Crystal Geysers' plans for bottling in Mount Shasta

The opening date for Crystal Geysers' Mount Shasta plant is tentatively scheduled for September 2015. The company will begin production with sparkling water, but future plans include also producing all its PET plastic bottled teas, flavored water, and juice products in the Mount Shasta facility.

By Deborra Brannon

Posted Mar. 25, 2015 at 11:25 AM

Mount Shasta, Calif.

Crystal Geysers Executive Vice President of Marketing and Business Strategy Judy Yee said the Mount Shasta plant will bottle only sparkling water when it opens early this fall. Production of teas and flavored water beverages will be added at some point.

The company intends for its Mount Shasta facility to eventually produce all of Crystal Geysers PET plastic bottled beverages, according to Yee.

Currently the company's Valencia plant produces Metromint in PET (polyethylene terephthalate) plastic bottles. The plant in Calistoga produces sparkling water in PET bottles. The Bakersfield plant produces teas and flavored water beverages in glass bottles.

★ | "We'll close the Valencia plant and will likely cease production at the Calistoga plant once the Mount Shasta plant is producing sparkling water, tea and juice at full capacity, while likely keeping a presence in Calistoga for warehousing and administrative functions," Yee confirmed.

She said while the company has no current plans for glass bottled products in Mount Shasta, Crystal Geysers will evaluate over time the size of the glass bottled beverage market before deciding what if any changes will be made concerning the Bakersfield facility.

Operations

Final figures on effluent volume, supplementary power needs and the number of people to be employed at the plant, will all be based on a number of factors not yet known for certain, according to Yee.

"Right now many of our estimates are based on the manufacturer's specifications for the equipment, which is new to Crystal Geysers operations," she reported.

Some employees will be people who opt to transfer from other Crystal Geysers plants, and some will be recruited locally.

She said while some skill sets will be required of job applicants, training will be provided for other skills.

"Our aim is to hire as many local residents as possible," Yee said.

To that end, Crystal Geysers is one of several businesses working with the Mount Shasta Chamber of Commerce to plan a county-wide job fair for later this spring.

She said employees transferring from within the company will be familiar with bottling processes and procedures and "can help train those who are not."

Start-up

Yee said a "best estimate" for the Mount Shasta plant's opening is September.

Most of the build-out underway is interior, with demolition work being done inside the facility and production equipment arriving for set up.

"We'll be able to assess our opening date more accurately once those parts of the project are complete," she said.

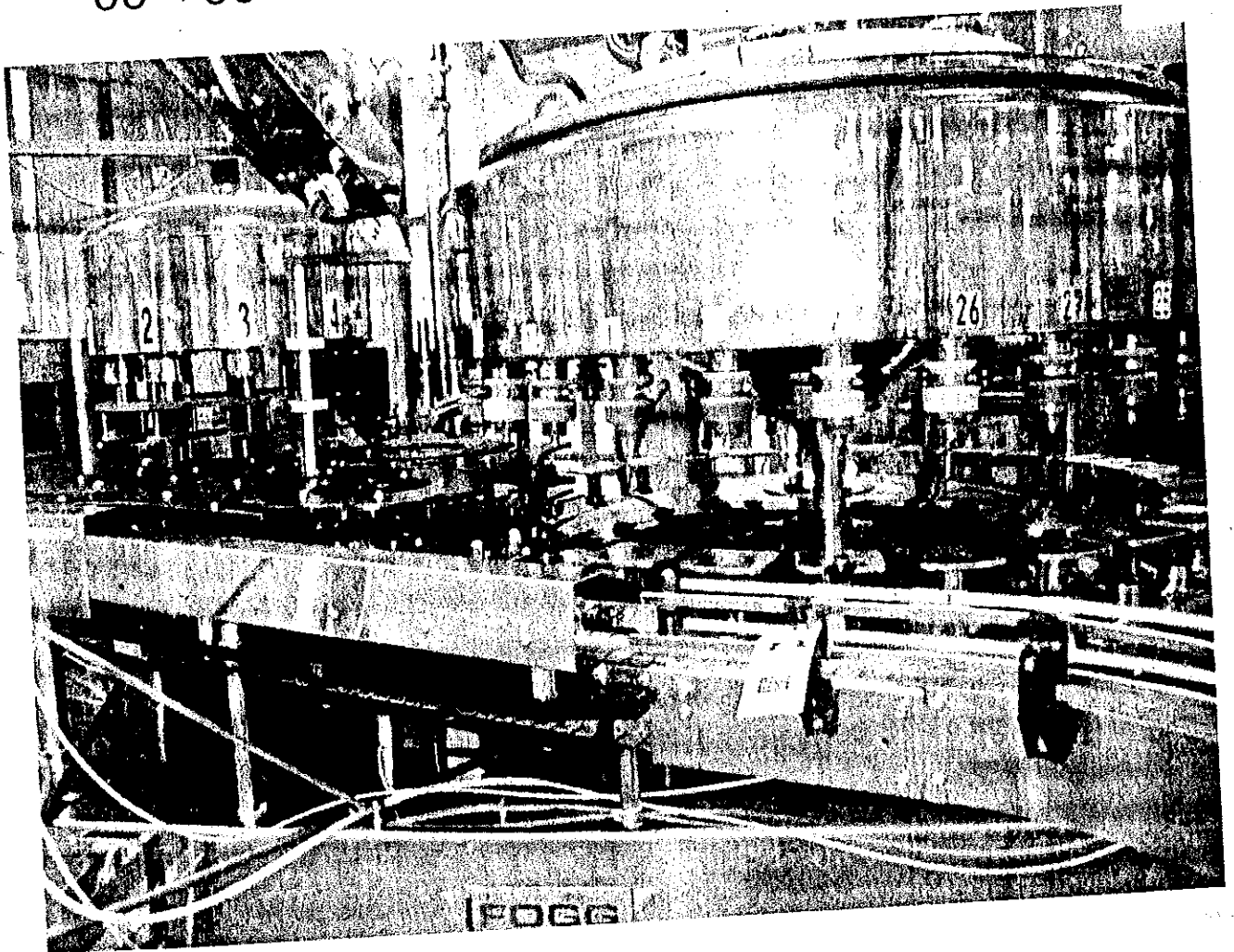
Water Processing, Filling and Packaging Equipment Auction

Location:

Valencia, CA, USA

Available for:

00 Days 00 Hours 00 Minutes 00 Seconds



Auction Closes:

Nov 20, 2015

Location:

Valencia, CA, USA

Description:

An online auction of assets from a water bottling plant located in California. The equipment is surplus to the requirements of Crystal Geysler / Metromint Water.

Equipment in this auction includes:

- 3-Tank Skid Mount All S/S CIP System
- 2009 1,720 GPH Skid Mounted All S/S HTST Pasteurization System
- S/S Skid Mounted Mint Flavor Injector/Extractor
- Fogg 30 Head Rotary Inverter Type Empty Bottler Rinsers
- Empty Bottle Unscrambler Infeed Conveyor
- Sonic Air Systems Air Knife Bottle Dryer
- Hartness Model 835 Drop Case Packer
- CTM Series 360 Applicator Modular Labeling System
- Polymetrics Compressed Air Type Ozone Generator
- Aqualine S/S UV Sterilizer
- Plus a range of air compressors and facility support

Crystal Geyser will keep Calistoga plant

By SEAN SCULLY, *The Press Democrat*

POSTED 10/03/11 12:41 PM
0 COMMENTS

CALISTOGA — Crystal Geyser Mineral Water has no immediate plans to abandon its 36-year-old plant in Calistoga, despite its purchase of a second water bottling plant in Siskiyou County.

"Right now this does not portend anything for the Calistoga plant," said Richard Weklych, vice president of manufacturing for the company. "This is just an expansion of our capacity to meet growing customer demand."

On Wednesday, the Calistoga company announced a deal to buy and renovate a 145,000-square-foot bottling facility in the town of Mount Shasta, near the Shasta-Trinity National Forest. Financial terms were not disclosed.

It already operates a bottling facility nearby, in Weed. The new plant, on a 266-acre site in Mount Shasta, was selected for its pristine water source and the ability to expand production as sales grow, Weklych said.

Weklych did not rule out moving from Calistoga eventually, but said such talk is "premature."

"We're going to be a year in construction" at the new plant, he said, and any long-term plans for Calistoga will have to wait until that is finished.

There has been talk for years that Crystal Geyser would leave Calistoga, as the Calistoga Beverage Co., maker of Calistoga Mineral Water, did in 2008, taking with it 74 jobs. In 2009, Crystal Geyser said it had "outgrown" the old plant and acknowledged that it was actively seeking property elsewhere in Northern California with an eye toward moving operations, and up to 60 jobs, to a more strategic location.

"It would be unfortunate if they were to leave town," Mayor Chris Canning said Wednesday after discussing the Mount Shasta purchase with the company. The jobs and tax revenue the company generates "provide a local base to business."

Canning, who was the manager of the Calistoga Mineral Water plant when it laid off most of its staff, said major manufacturing operations are difficult in Calistoga because the town is not near any major highways, labor is limited and expensive, and land values are steep.

"You have the beauty of the isolation of Calistoga, but from a manufacturing point of view, it is a negative," he said.

The Calistoga plant no longer draws water from wells in town, though Weklych declined to say whether that was related to an incident in 1999 when engineers found

SFGATE <http://www.sfgate.com/science/article/Crystal-Geyser-sued-over-bottling-plant-that-6465184.php>

Crystal Geyser bottling plant draws lawsuit

By Peter Fimrite Updated 3:45 pm, Tuesday, August 25, 2015

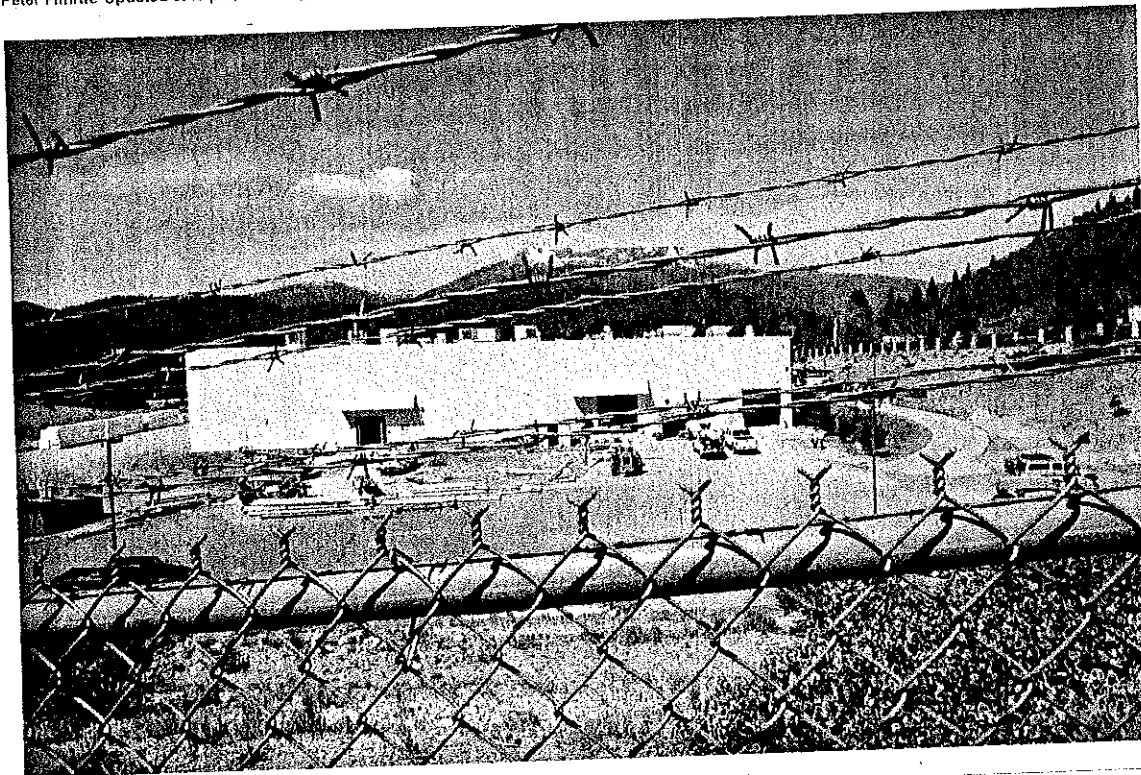


IMAGE 1 OF 28

Workers were retrofitting the Crystal Geyser plant in Mount Shasta, Calif., on Tues. April 28, 2015. Crystal Geyser is opening the bottling plant soon without any environmental review or limits at a time when everyone else in the state is being asked to drastically cut water use. California's non-existent laws on groundwater use allow this.

BUY THIS PHOTO

An environmental group opposed to a bottling plant near Mount Shasta filed a lawsuit accusing Crystal Geyser of pushing through an illegal plan to suck thousands of gallons of water a day from an aquifer that feeds the drought-diminished Sacramento River.

The group called We Advocate Thorough Environmental Review, or Water, filed the suit Monday in Napa County Superior Court, claiming the Calistoga company failed to get proper permits and will be violating land-use provisions if it carries out its plan this fall to tap Big Springs, which burbles out through lava tubes at the base of California's largest volcano.

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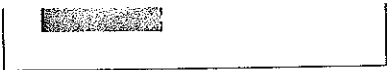


Study: Global warming has made California's drought worse

Siskiyou County was also named in the suit for allegedly ignoring its own rules and "rubber stamping" the plant, said Bruce Hillman, president of the nonprofit group's board of directors.

"The ultimate goal is to have an environmental impact report," Hillman said. "We don't know what the effect of this plant will be on the local environment, so we are asking for an injunction until these issues have been decided."

The purveyor of sparkling mineral water and juice was not required to do such a report or obtain a permit from the state to open the plant, even though it will use drinking water



that would normally go to millions of Californians struggling to cope with the four-year drought.

The plant, which is being readied for opening, is a bitter pill for some of the 3,394 residents of the city of Mount Shasta, who like everyone else in the state have been asked to conserve the very water Crystal Geyser intends to sell. Opponents fear the bottling operation could drain wells and deplete the aquifer, which fills Siskiyou County rivers and streams and feeds the headwaters of the Sacramento River.

Judy Yee, the executive vice president of marketing and business strategy for Crystal Geyser, said company officials were disappointed but could not comment on pending litigation.

"We are moving ahead, however, with our plans to open the plant in the coming months," Yee said. "We will also continue our support for local community events and organizations, abiding by our commitment to strengthen communities where we do business and protect the environment where we source our water."

Greg Plucker, Siskiyou County's community development director, said he could not comment on the suit because he had not yet read it. He has said in the past that his department does not have authority to require an environmental review, because there are no permits or other approvals that require "discretionary action" by the county.

Crystal Geyser paid \$5 million in 2013 for the existing 145,000-square-foot bottling plant, which was given permission by the Regional Water Quality Control Board to tap the aquifer when it was built in 2000. The operation, which is on 266 acres, was once owned by Coca-Cola, which abandoned the plant in 2010 when it stopped selling spring water.



The facility, which is under county jurisdiction but would have to use city services, would eventually make juice, flavored tea and mint drinks. The company plans to phase out its Calistoga and Bakersfield plants and move its entire mineral water operation to Siskiyou County, a concern for 26 adjacent homeowners who rely on well water.

Peter Fimrite is a San Francisco Chronicle staff writer. E-mail: pfimrite@sfgate.com Twitter: [@pfimrite](https://twitter.com/pfimrite)

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Crystal Geysler to tap Siskiyou County groundwater

By Peter Fimrite

Updated 7:38 am, Tuesday, May 12, 2015

Crystal Geysler is opening a bottling plant nearby without any environmental review or limits at a time when everyone else in the state is being asked to drastically cut water use. California's non-existent laws on groundwater use allow this.

A private water bottling company will soon be sucking up thousands of gallons a day from an aquifer that feeds the Sacramento River, the primary source of drinking water for millions of thirsty Californians struggling to cope with a four-year drought.

The plan by Crystal Geysler Water Co. to sink a tap this fall into Big Springs, which burbles out through lava tubes at the base of Mount Shasta, is allowed because the State Water Resources Control Board considers it groundwater, and California regulations monitoring groundwater are years from implementation.

The Calistoga purveyor of sparkling mineral water and juice is not required to do an environmental impact report or obtain a permit from the state to bottle and sell a resource that is in such short supply that California farmers are letting crops go fallow and water districts are developing plans to subject their customers to rationing.

"They don't need a water right from us if they are using groundwater," said Tim Moran, the spokesman for the water board. "Historically, groundwater hasn't been regulated in California."

The move has infuriated environmentalists, American Indian tribes and many of the 3,394 residents of the city of Mount Shasta, who can hardly believe that a company is being allowed to bottle the same water that the rest of the state is under orders to conserve. They fear the bottling operation, one of 108 in California, could drain wells dry and deplete the aquifer, which fills Siskiyou County rivers and streams and feeds the headwaters of the Sacramento.

Lumber mill site

Crystal Geysler paid \$5 million in 2013 for the 145,000-square-foot bottling plant, which was once the site of a cedar lumber mill and is zoned for heavy industrial use. The

operation, which is on 266 acres, was abandoned by Coca-Cola in 2010 when the soda company stopped selling spring water.

The facility, which is under county jurisdiction but would have to use city services, originally planned to make juice, flavored tea and mint drinks, which would have required approximately \$10 million in waste disposal system upgrades. Company officials have since changed their minds and now plan to produce only mineral water when the plant opens, probably sometime in September.

The company plans to eventually phase out its Calistoga and Bakersfield plants and move the entire mineral water branch of its operation to Siskiyou County, a major concern for the 26 adjacent homeowners who rely on well water.

Hillman's group says county officials rubber-stamped an environmentally risky project without requiring an environmental review or getting assurances from Crystal Geysers that it won't increase water consumption. He says the company dropped fruit and tea drinks to prevent opponents from invoking the California Environmental Quality Act and demanding an environmental report on the sewer upgrades.

No permit required

Greg Plucker, Siskiyou County community development director, said his department does not have the authority to require an environmental review because there are no permits or other approvals that require "discretionary action" by the county. He said a determination of no significant environmental impact was made by the Regional Water Quality Control Board shortly after the facility was built in 2000.

Even so, Hillman said, tapping Big Springs should require Crystal Geysers to file a statement of diversion and use with the State Water Resources Control Board for diverting a "subterranean stream flowing through known and definite channels."

But Moran, the water board spokesman, said that requirement does not apply because the water is coming from an existing 200-foot deep well in fractured bedrock, not from a subterranean stream.

"The water is presumed to be percolating groundwater, which does not require a water right permit or license or statement," he said, adding that bottling water is considered a "reasonable and beneficial use" in the same way it is for other industries like food processing plants and production facilities.

"Bottling water is a legal use of water under the law," said Nancy Vogel, spokeswoman for the California Department of Water Resources.

Crystal Geysler plans to start with a single bottling line, which would use an average of 115,000 gallons of water a day. A second line would be opened in five to seven years, bumping up water use to an average of 217,000 daily gallons, with a maximum of 365,000 gallons a day. Coca-Cola used 250,000 to 300,000 gallons a day, Crystal Geysler officials said.

Flavored drinks and tea would be added later, probably in 2016, after the sewer issue is resolved, said Judy Yee, executive vice president of marketing and business strategy for Crystal Geysler.

"We share the same concerns as all Californians," Yee said. "Since joining the Mount Shasta community, we have been in regular communication with community leaders, as well as professional engineers and geologists, to ensure our operations are sustainable and will not impact the environment in any detrimental way."

Glacier water

The amount of water being used is only a fraction of the melted glacier water that flows off of 14,179-foot Mount Shasta and into numerous creeks, springs and tributaries of the Sacramento, McCloud and Klamath rivers. Much of that water is captured behind 602-foot-tall Shasta Dam, which is part of the Central Valley Project, a huge federal system that provides water for fish, irrigation, drinking water and hydropower.

It is, nevertheless, an example of how California's archaic groundwater laws fail to protect historic public resources from being exploited, according to critics.

On average, almost 40 percent of California's water supply comes from groundwater, according to the Department of Water Resources. There are an estimated 1 million to 2 million wells scattered around the state, and water officials say that as many as 15,000 are being dug every year.

So much water is being pulled out of the ground — 800 billion gallons a year in the Central Valley alone — that the ground is sinking in many areas. Until September, when Gov. Jerry Brown signed groundwater legislation, California was the only Western state without regulations governing underground pumping.

The newly passed Sustainable Groundwater Management Act will limit the use of groundwater, ensure that aquifers are replenished and require farmers to measure and report the water they pump. However, the regulations will take years to implement. The heaviest users aren't required to submit plans to the state until 2020, and most of the sustainability goals aren't expected to be reached until 2040.

The groundwater at Big Springs won't even fall under the new regulations — at least not initially. That's because the aquifer has not been identified as a "primary overdrafted basin."

"The state of California has not singled out the bottled water industry for specific regulation and data collection," Vogel said. "When we have full implementation of the law, we'll have much better information on pumping by industries, including the bottled water industry."

Raven Stevens, community liaison for the adjacent Gateway Neighborhood Association, said she is consulting with experts and conducting elevation studies on 26 wells in the neighborhood so that they will have baseline data when the plant begins operating.

"Crystal Geysers in one day plans to pump more water than any three of my neighbors will use in an entire year," Stevens said. "The entire state is under a 25 percent cut, farmers are letting fields go fallow and we don't have one piece of legislation regulating water bottling."

The Siskiyou County residents are used to fighting off outsiders for their coveted spring. Residents of the nearby town of McCloud waged a bitter battle with Nestle Waters several years ago after the company proposed a 1 million-square-foot bottling plant. Nestle pulled out in 2008, after a threat by then-Attorney General Jerry Brown to sue unless the county first evaluated the effects of global warming on the future water supply.

Nobody is requiring Crystal Geysers to consider global warming, the drought or the effect on the environment this time, Stevens said.

"The problem," Stevens said, "is that whatever they say they are going to pump, there is no agency or regulation that is going to hold them to that."

Peter Fimrite is a San Francisco Chronicle staff writer. E-mail: pfimrite@sfnchronicle.com Twitter: @pfimrite

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TUE SEP 29, 2015 AT 09:49 AM PDT

Winnemem Wintu Chief Leads Rally and March Against Mt. Shasta Crystal Geyser Plant

Dan Bacher

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Small cascades of cold, pristine water rush out of the hillside at Big Springs, the headwaters of the Sacramento River, as they converge in a clear and shallow pool located in the Mount Shasta City Park.

Adults and children fill their jugs and bottles with the pristine water that takes 50 years to make it from snow and rain on Mount Shasta down through the volcanic aquifer to where the torrents converge in the park.

Even in a record drought year like this one, the icy water rushes from the hillside to make its way to Lake Siskiyou, then Lake Shasta and then to the Delta and the ocean. People from throughout the world walk along the creek and hike along shaded trails and footpaths that cross through hedges of horsetail fern and willow and across small bridges.

As people hiked to and relaxed besides Big Springs, Caleen Sisk, Chief and Spiritual Leader of the Winnemem Wintu Tribe, and hundreds of environmentalists and activists from all over California and Oregon held a rally, the "Water Every Drop Sacred" event, in this scenic park at the Sacramento River headwaters. After the rally ended, Sisk and tribal members led a march and protest of 160 people to the plant.

The Tribe is opposed to the planned opening of the plant, closed after it was operated by the Coca-Cola Bottling Company and other corporations for years, in accordance with its commitment to protect and preserve the Headwaters of the river, the Mount Shasta watershed and sacred tribal lands.

Otsuka Holding Co, a Japanese pharmaceutical conglomerate, owns Crystal Geyser. The event began with a performance of Iroha, a traditional Japanese Taiko drum group

Performances by Sawako Ama, Rieko Ivaska and Mao highlighted the fact that Japanese residents and tourists are not pleased about the plans to open another bottling plant just 2000 feet from the headwaters, according to Vicki Gold, of Water Flows Free in a news release.

"Crystal Geyser is already entrenched in Weed, CA, just 8 miles north of Mt. Shasta, reportedly extracting 1.5 million gallons of water daily, much of it headed for Japan in single use plastic bottles with a huge carbon footprint," said Gold. "Meanwhile, Japan has abundant water of its own."

Signs at the rally proclaimed, "Want water?, Tap Mt. Fujii," "The Truth Is...No one owns water!," "No Dam Raise," "Water Is Life" and "Help Protect Mt Shasta Sacred Waters 4 Next 7 Generations."

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Chief Caleen Sisk, the keynote speaker, spoke movingly about the sacredness of water and the threat to the environment and people posed by controversial plans to raise the Shasta Dam and build Jerry Brown's Delta Tunnels.

"This spring, the headwaters of the Sacramento, is sacred to us," said Chief Sisk. "Archeologists once said they couldn't find any evidence of indigenous people around this spring. That's because our ancestors believe the site was so sacred that they would leave nothing behind when they prayed there. It is for the sacred beings - it is not for us to use."

"Mount Shasta (where the Sacramento and McCloud and other rivers come from) is sacred. The sacred being brings us a message that the plant can't be here. And if we're not successful here, the mountain may take care of it instead," emphasized Sisk.

She emphasized that the pending plan to open the Crystal Geyser plant in Mount Shasta is part of a large water grab by corporate interests, including the federal plan to raise Shasta Dam and the Brown administration scheme to ship water to agribusiness interests and Southern California water agencies.

"The twin tunnels will be built to transfer water from the headwaters to agribusiness farming in a desert. They are large enough to divert the entire Sacramento River in them," said Chief Sisk.

She said that if the tunnels were built it would destroy the largest estuary on the West Coast of the Americas, a nursery for Chinook salmon, steelhead, green and white sturgeon, Delta and longfin smelt and numerous other fish species.

"If they kill the estuary, what will it mean? When the estuary is cut off from the fresh water, the estuary will disappear and no longer be a nursery," said Chief Sisk.

Sisk also discussed the Tribe's long struggle to bring the original run of winter run Chinook salmon back to the McCloud River above Shasta Dam. Sisk and Tribal Members journeyed to New Zealand in 2009 to conduct ceremonies with the Maori on the Rakaira River, where the descendents of the original winter run chinook salmon from the McCloud, transplanted from the Livingston Stone Fish hatchery over 100 years ago, now thrive.

"The Maori are ready - they said they have 400,000 eyed eggs ready to be planted in the McCloud...But the scientists from the Bureau of Reclamation said they are not sure whether these are the same fish because they have no DNA from the McCloud River winter Chinooks to match the DNA of the New Zealand fish. Yet all of the records show that these fish came from this river!"

Chief Sisk has often said, referring to the essential role of water to life itself. "People can live without oil, they can live without gold, but nothing can live without water."

When the march arrived at the plant, Sisk appealed to Otsuka Pharmaceuticals in Japan to reconsider their plans and not open the facility. She also suggested that opponents of the plant make a trip to Japan to convince the company's owners to not open the plant in a manner similar to how members of the Hoopa Valley, Yurok and Karuk Tribes went to Scotland to convince Scottish Power, the owner of the Klamath River Dams, to decommission the dams in order to restore fish to the headwaters.

Gold estimated that 500 people attended the event throughout the day, with 200 present at any one time.

The speakers addressed the threats posed to our food sources, potable water supply, and ecosystem posed by water bottling and other water commodification schemes.

In addition to rallying against Crystal Geyser's pending plant in Mt. Shasta, speakers at the event discussed their opposition to Calpine's proposed industrial geothermal plant in the Medicine Lake Highlands that the Pit River Tribe has been fighting for many years. Both of these industrial developments threaten water quantity and quality in the area and have been the target of grassroots campaigns.

Lucas RossMerz, of Sacramento River Preservation Trust, addressed the importance of keeping the water in the river to all those who use it for recreation, residential use and farming.

He cited the aphorism, "I have Pessimism of the intellect and optimism of the will," as his philosophy in addressing the many problems of the Sacramento River watershed.

"No matter how bad the numbers of fish and habitat get, my heart won't let me quit," he said. "So I show up to work every day and do my best!"

Reverend Amanda Ford, M.A., of the Environmental Justice Coalition for Water, who addressed human rights issues surrounding water, told the story about how she found Crystal Geyser bottled water in her mom's refrigerator when she went home to Michigan recently. "Our message has to reach people like my mom, who view water as a commodity," Ford said.

Mauro Oliveira, of SOL Communications, emphasized, "The Sierra Nevada and Mount Shasta snowpacks are the lowest in 500 years. Our mission is to protect our water, our watersheds,

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oceans, all beings and their habitat. The oceans, rivers and all life forms are suffering from plastic pollution and consequent endocrine disruption. We have to change our habits and question every action of polluting industry."

Gold pointed out the importance of people uniting to stop the opening of the Crystal Geysers plant.

"It's time to join forces in an alliance to protect our local water," she said. "We must continue to put pressure on Crystal Geysers, Siskiyou County Board of Supervisors, the City Council of Mt. Shasta and other public agencies. We are making a stand here, now, on Mount Shasta."

"Our friends in Oregon at Cascade Locks are facing Nestle; British Columbia is facing new exploitation by Nestle," Gold explained. "The plastic pollution is choking our oceans, our landfills, our rivers. Single use plastic water bottles is an idea whose time has clearly passed. Boycott bottled water."

She also urged people to ask Calpers (the California Public Employee Retirement System, largest in the world), to divest its holdings in Otsuka, Nestle, CocaCola and Pepsi.

"We must vote with our pocket books. This is time for the voice of the public, speaking for our fragile planetary ecosystem, to be heard," she concluded.

The speakers at the five hour event also included Sherry Ackerman, PhD., who revealed why multinational conglomerates head for California and New York in search of water, "blue gold," at the pristine mountain source; Phoenix Lawhon Isler of the Mount Shasta Bioregional Ecology Center (MSBEC); Konrad Fisher, Klamath Riverkeeper; Bob McFarland, California Guild (formerly California State Grange); Geneva Omann and Roslyn McCoy of W.A.T.E.R.; Elaine Hsiao, PhD. candidate; Matt Isler, Sacred Economics; Bob Saunders of the Crunch Nestle Alliance; and Dan Axelrod, PHD, Professor Emeritus, University of Michigan on the EIR.

Entertainers featured Saratone, Diane Patterson, Al Torre, Jenn Rogar, and Sawako Ama and Rieko Ivaska with Iroha, who performed songs about love and respect for water.

This event followed the lawsuit filed on August 23 by the environmental group "We Advocate Thorough Environmental Review" (W.A.T.E.R.) against Siskiyou County and Crystal Geysers Water Company, whose corporate offices are in Napa County. The group has demanded an Environmental Impact Report (EIR) for 2 years. The lawsuit requests that Crystal Geysers Water Company meet California Environmental Quality Act (CEQA) standards and requirements.

On September 16, Crystal Geysers, through their PR Firm, Burson-Marsteller, stated it will comply with the EIR process.

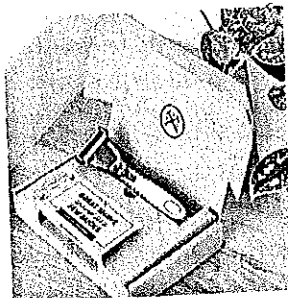
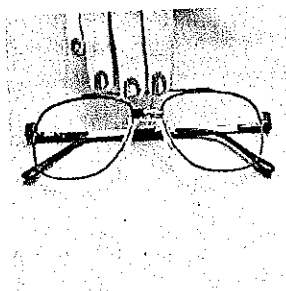
"However, EIR's don't always present the entire picture of the effects of an industry's environmental impact," said Gold. "Our event shed light on the issues of water bottling overall, plastic waste resulting from bottling, the overall effects and impact on the environment, and the irrationality of bottling water during the time of the worst drought in California's history."

The event was organized by Vicki Gold of Water Flows Free and the Environmental Justice Coalition for Water and sponsored by the Mount Shasta Bioregional Ecology Center.

For more information, contact: Vicki Gold (530) 926.4206, Mauro Oliveira (530) 356.7343, Bob Saunders (916) 370.8251, or Angelina Cook or Phoenix Lawhon Isler, Mount Shasta Bioregional Ecology Center, (530) 926-5655 (office).

Crystal Geysers Environment Mount Shasta Protest Rally Winnemem Wintu Tribe

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W.A.T.E.R

WE ADVOCATE THOROUGH ENVIRONMENTAL REVIEW



W.A.T.E.R. Files Lawsuit Against Crystal Geysers and Siskiyou County

We stand with the concerned citizens of W.A.T.E.R. (We Advocate Thorough Environmental Review) who filed this lawsuit in response to the stonewalling of Crystal Geysers and the Siskiyou Board of Supervisors. They have turned deaf ears to voices in our community seeking compliance with the law, a full EIR and adequate, legally enforceable regulations to protect our local wells and aquifers from the harmful effects of unregulated water bottling.

Please read the press release below, and learn more at their website.

Press Release August 24th 2015

COMPLAINT FILED IN NAPA COUNTY SUPERIOR COURT AGAINST CRYSTAL GEYSER WATER COMPANY AND THE COUNTY OF SISKIYOU.

After 2 years of attempting to work with local government agencies, the Mt. Shasta based W.A.T.E.R. (We Advocate Thorough Environmental Review) Group, a 501(c) 3 and a California not-for-profit Corporation, filed a "Complaint for

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Declaratory and Injunctive Relief" against Crystal Geys Water Company and Siskiyou County. The complaint was filed in Napa County, the location of Crystal Geys Water Company's corporate offices.

- › April 2015
- › March 2015
- › February 2015
- › December 2014
- › November 2014
- › July 2013

It is W.A.T.E.R.'s intention to seek a fair and impartial hearing in the Napa County Court. Crystal Geys Water Company and Siskiyou County continue to be disrespectful in attending to W.A.T.E.R.'s civil requests submitted in June to review its project elements, and continue to disregard W.A.T.E.R.'s attempts to meet with them and review their project's deficiencies with a local, concerned citizenry.

Many involved citizens recently wrote to the Governor's office about the issue of opening a bottling plant, extracting water and producing "value-added products" in Mt. Shasta during California's historic and unprecedented drought. A response from the Governor's office stated, "Due to the legal nature of your situation, the issue you wrote about falls outside of the Governor's jurisdiction. We encourage you to speak with an attorney who can inform you of the options available through the legal process, especially pertaining to the California Environmental Quality Act (CEQA) and enforcement of Environmental Impact Reports (EIR)."

Bruce Hillman of Mt. Shasta, speaking for the group, states, "If Crystal Geys and the County government would work within the system properly, citizens and

agencies would have a chance to work together. This hasn't happened. Crystal Geys continues to show no guardian care or interest in complying with the County Planning Ordinances."

The complaint states Crystal Geys Water Company's planned operation of a bottling facility for the processing of teas and other beverages, including the production of plastic bottles, is inconsistent with the Siskiyou County Zoning Ordinance and the Siskiyou County General Plan as the facility is located in a "Woodland Productivity" overlay, which designates the land for light-industrial use, not heavy-industrial use.

The complaint seeks a permanent injunction enjoining defendant Crystal Geys Water Company from brewing tea, producing juice products and/or the production and manufacture of PET plastic bottles at the facility near Mt. Shasta, in Siskiyou County.

W.A.T.E.R. maintains that what was once a water bottling company, closed by Coca Cola in 2010, is now expanding the operation and facilities to include the production of juices and brewing of tea, found recently documented in required reporting to the Central Valley Regional Water Quality Control Board.

The lawsuit requests that the Court direct that Crystal Geys Water Company and Siskiyou County follow county laws and ordinances before allowing Crystal Geys to start their plastic bottle manufacturing/tea brewing/juice bottling operation located just outside the northern border of the City of Mt. Shasta. The lawsuit points out that the land in question has long been designated by the County's General Plan as a "Woodland Productivity" zone which specifically forbids heavy industrial uses such as plastic manufacturing, and non-spring water beverage brewing and mixing, all of which are planned by Crystal Geys.

According to the lawsuit, the General Plan clearly specifies that Woodland Productivity land can only be permitted for "Single-family residential, light industrial, light commercial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses... The complaint states, "The manufacturing of plastic products is not an allowable use in a light industrial zone. (Zoning Ordinance § 10-6-4602)."

Finally, the lawsuit claims that the Crystal Geysers operations will violate the County's groundwater ordinances (Section 3-13.301), which provide that it is unlawful to extract groundwater for use outside the basin from which it was extracted without obtaining a written permit from the County. There is an exception to this ordinance for "the bottling or transporting of bottled water by a commercial water bottling enterprise." However, due to the types of products Crystal Geysers operation is a not a water bottling facility as defined by state law governing the licensing and operations of water bottling facilities.

Raven Stevens of the Gateway Neighborhood Association, which includes 76 neighbors in close proximity to the proposed plant states, "Crystal Geysers Water Company continues to rely on old groundwater data and clearly new studies are necessary during this extreme drought. It's truly a shame that Siskiyou County and Crystal Geysers refuse to take the steps necessary to protect our neighborhood. Homeowners had water, noise and vibration issues during Coca Cola bottling days and no one was listening then, nor are they listening now. The leach field at the plant will again be dumping effluent from processing directly into our drinking water aquifer. Hundreds of homes in the surrounding area rely on domestic wells for their water supply. Also Crystal Geysers has just put two 20+ feet tall coolers or compressors outside the plant with room for a third one. The county deems this permissible without any concern to noise levels in the neighborhood. This is why we are taking a stand to get the Environmental Impact Report we deserve. We thank W.A.T.E.R. for taking this stand, not only for our

neighborhood but for our entire community."

W.A.T.E.R. has determined that if the County moves forward with this project, the County must issue discretionary permits for the operation of the Mt. Shasta Crystal Geysers facility. At this point, Crystal Geysers must comply with the requirements of the California Environmental Quality Act, including the creation of a complete CEQA review of the proposed operation, including evaluation of all potential environmental hazards of the Crystal Geysers project, groundwater depletion and consequent threats to neighboring residential and city wells, noise, energy consumption, nighttime lighting, plastics fumes, toxic waste disposal, and truck traffic. Such an independent environmental review is necessary to protect the community against these hazards, to preserve the character and livability of this community, and to impose mandatory monitoring and regulation of the facility if and when it begins operation.

We Advocate Thorough Environmental Review (W.A.T.E.R.)

Contact Bruce Hillman or Roslyn McCoy for W.A.T.E.R. at (530) 918-8805 for further information.

Raven Stevens, Community Liaison for the Gateway Neighborhood Association can be contacted at 530-926-4339.

Donald Mooney, Attorney for W.A.T.E.R. 530-758-2377

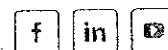
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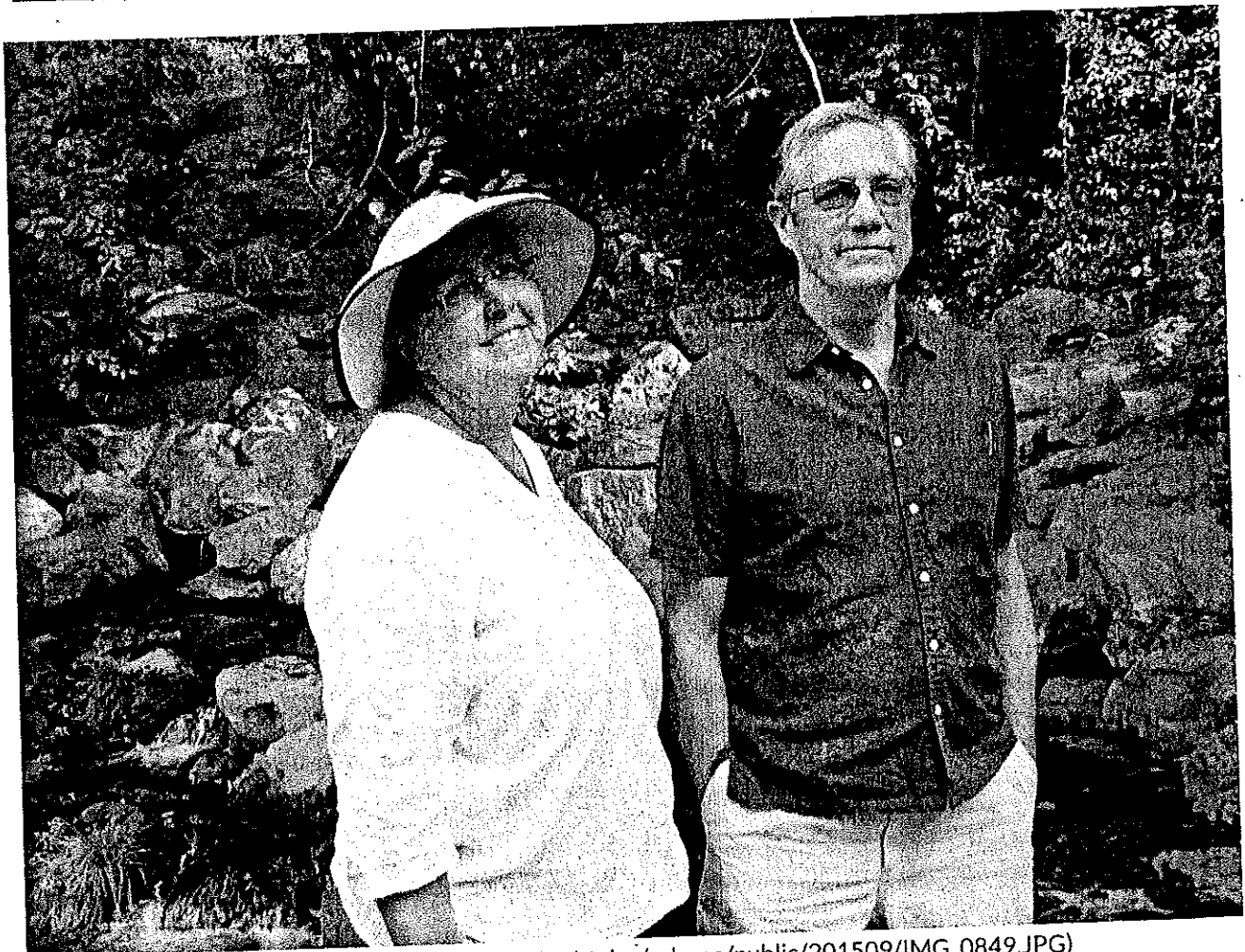
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Troubled Waters: Mt. Shasta Neighbors Vs. Crystal Geyser Co.

By [LIAM MORIARTY \(/PEOPLE/LIAM-MORIARTY\)](#) · SEP 19, 2015

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Mt Shasta residents Roslyn McCoy and Bruce Hillman are members of WATER, a citizens group opposed to Crystal Geyser's beverage bottling plant.

LIAM MORIARTY/JPR



Listen

4:41

The waters that bubble from the fractured volcanic rock underlying Mount Shasta are clean, cold and tasty. Rainfall, snowmelt and glacial meltwater, some of which has been percolating through the mountain for more than 50 years, gushes from hundreds of springs. Now, a Calistoga-based beverage company wants to tap those waters. Local authorities have given the green light. But some Mount Shasta residents say that decision has been made without knowing enough about the impacts, and they're trying to put on the brakes.

Every day, a near-constant stream of locals and tourists carrying empty jugs and bottles comes to Big Springs, at the Mount Shasta City Park. Here, frigid water pours over mossy rocks into a small pool, then runs downstream to eventually join the Sacramento River. A recent morning was no exception ... A young woman from Louisiana named Jordan said she and her traveling companions jumped off I-5 specifically to fill up.

Jordan: "We heard this was the best place to get the cleanest water. Did a taste test first and it passed all the tests. Very cold and delicious. Super good."

Also at the Big Springs this morning are Bruce Hillman and Roslyn McCoy. The Mount Shasta residents are with the group We Advocate Thorough Environmental Review, known by its acronym WATER. They want the Crystal Geysers company to be required to do a formal Environmental Impact Report before doing business here.

Bruce Hillman: "We think opening this plant without analyzing the possible environmental impacts is very irresponsible."

Crystal Geysers bought a 145,000-square-foot water bottling plant just outside the city of Mount Shasta. The plant was abandoned in 2010 by Coca-Cola. Crystal Geysers – a subsidiary of the Japanese firm Otsuka Pharmaceuticals -- is re-tooling the plant to bottle spring water, as well as make flavored waters, teas and carbonated fruit juices.

Bruce Hillman says, given the prolonged California drought, and the severe cutbacks in water use being made around the state, it makes no sense to open a new beverage plant.

Bruce Hillman: "We do not know what the effects of industrial water pumping will have not only on the local neighbors who depend on well water, but also, this area is one of the headwaters of the Sacramento River and what that will have on basically on the entire watershed of northern California."

Roslyn McCoy says so little is known about the complex hydrology of the area that pulling several hundred thousand gallons a day for the Crystal Geysers plant could draw water now being used by Mount Shasta residents.

Roslyn McCoy: "What if they're drawing on that same line? Because this isn't like a pool of water under the ground. This is lava tubes, cracks, this is a volcanic system. And that's why we need to have the real scientific research here."

Siskiyou County officials don't seem to share that concern. No one from the county would agree to be interviewed. But county officials have stated in the past that the land where the bottling plant is located is zoned for that use and that no additional environmental review is required.

That's been the position taken by Crystal Geysers, as well. And that's consistent with the company's moves in the past.

In 2009, the city council in Orland – about 120 miles south of Mount Shasta on I-5 – approved a Crystal Geysers bottling plant there. The city said the company didn't need to do an Environmental Impact Report. Local residents sued, and in 2011, a Sacramento Superior Court judge ruled a full environmental review was necessary. Crystal Geysers promptly canceled plans for the Orland plant.

So it was something of a surprise when the company announced late last week that it would, after all, agree to an Environmental Impact Report for the Mount Shasta project. Crystal Geysers officials declined to be interviewed, but posted a statement on their web page saying the project would need a permit from the Siskiyou County Air Pollution Control District, which would trigger an EIR.

The abrupt 180 has taken project opponents by surprise. Bruce Hillman wonders if Crystal Geysers isn't pulling a deft political jiu-jitsu move by agreeing to an EIR, thinking the county air pollution district will be in charge of the study.

Bruce Hillman: "We think that is maybe what's happening here, trying to find a small agency which might rubber stamp or not have the expertise or enforcement ability to do a real thorough and enforceable environmental review."

Hillman says that's what happened 15 years ago when the Danone corporation first built the bottling plant near Mount Shasta. He says that company failed to abide by restrictions written into its permit, and that local authorities never enforced them.

Hillman's group WATER recently filed a lawsuit against Crystal Geysers and Siskiyou County, challenging the county's zoning and groundwater permitting for the plant. So, with the agreement to do the environmental review, have the neighbors won?


Bruce Hillman: "This is far from over. In fact, this is just a beginning step of a whole new game here."


Crystal Geysers had planned to open the Mount Shasta bottling this fall. So far, company officials have not made public a new opening date.

TAGS: [MOUNT SHASTA \(/TERM/MOUNT-SHASTA\)](#) [BOTTLED WATER \(/TERM/BOTTLED-WATER\)](#)

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 Raven 10/13/2015
Great report! The 50 year age of the water flowing from Big Springs is questionable at best. New studies were done earlier this year by Lawrence Livermore Lab and results will be coming early next year. The Gateway Neighborhood Association thanks

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January 9, 2015

U.S. Economic Development Administration

Stephen Kong, Bureau Counsel

14th & Constitution Avenue NW

Mail Stop 5875 HCHB

Washington, D.C. 20230

Email : skong@EDA.gov

Via Email

RE: Freedom of Information Act Request

Dear Mr. Kong:

This is a follow up FOIA request. Michelle Branigan responded to the first 2 requests; we are in receipt of the documents. We are grateful for the former fee waiver and trust that this will again be approved. *I have used italics to address some of the information requested.* Thank you for reviewing the following:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, as amended, the Mount Shasta Bioregional Ecology Center hereby requests the records described herein maintained by, or within the control of, the U.S. Economic Development Administration (EDA). See Item 3 under Request for Government Records for updated request for all information not previously sent in FOIA packet last month.

The Mount Shasta Bioregional Ecology Center (MSBEC) is a nonprofit organization dedicated to protecting and restoring the outstanding natural environment and cultural values of Mount Shasta, California. The Mount Shasta bioregion is of great importance locally, nationally and internationally as it provides water to millions of Californians locally and downstream, millions of acres of forested public lands, habitat for plant and wildlife, remarkable recreational opportunities, and sacred areas of high significance to Native American and other cultures near and far.

Based in Mount Shasta, California, approximately 60 miles south of the Oregon border at the headwaters of the Sacramento River, the Mount Shasta Bioregional Ecology Center (MSBEC) was founded in 1988 and formally incorporated in 1990 as a 501(c)(3) nonprofit grassroots

citizens' organization to which donations are fully tax-deductible to the extent permitted by law. To achieve this objective, MSBEC conducts scientific, educational, and advocacy programs aimed at protecting the water quality, habitat, and quality of life in the our Mount Shasta bioregion as well as the environmental experience, tourism and recreation enjoyed by hundreds of thousands of tourists from around the world every year.

MSBEC submits the following FOIA request to advance its mission of protecting the Mount Shasta bioregion from air and water pollution, as well as protecting the water quality and quantity delivered to people and wildlife locally and downstream via the Sacramento River:

Request for Government Records:

MSBEC seeks information regarding a \$3 million federal Economic Development Administration (EDA) grant that was awarded to the City of Mount Shasta in September of 2013 that is to be matched with another \$3 million by Crystal Geysers "to help the city upgrade its wastewater treatment operation." See the attached *Mount Shasta Herald* news article or click to the online story for specifics of the grant:

<http://www.mtshastanews.com/article/20131009/NEWS/131009712/?Start=2>

The EDA awarded this grant on 9/25/13. The City of Mount Shasta published and circulated the Notice of Preparation assessing the impacts of the proposal on 10/29/14 and will be taking public comment about the proposal after a scoping meeting scheduled on 11/12/14 with all comments due 12/1/14.

Under the National Environmental Policy Act and other federal laws, environmental values should be integrated into the decision-making processes of federal agencies by considering the environmental impact of proposed actions, and reasonable alternatives to those actions.

Therefore the Mount Shasta Bioregional Ecology Center requests the following information under the Freedom of Information Act:

1. Any subsequent amendments or updates to the application submitted to the EDA by or on behalf of the City of Mount Shasta and Crystal Geysers (listed as primary beneficiary) for funding to carry out the improvement of a sewer pipeline and to provide new jobs to the community.

The stated purpose of the Project is to:

- **expand its capacity for current and future growth in the community**
- **to prevent storm water from leaking into the existing sewer pipe**
- **to eliminate manhole leaking**
- **to accommodate Crystal Geysers' wastewater**
- **to add 2 new wastewater treatment ponds**
- **to add 150 new jobs to the community**

2. All the documents, including legal documents, maintained in the EDA's project file for the above-mentioned grant not already sent in early December 2014.

3. *All communications from December 7, 2014 through present (and additionally including items italicized in #4. below).* among the City of Mount Shasta, or its employees, officers, or contractors, Crystal Geysers, CGWA or Otsuka Pharmaceuticals or its employees, officers, contractors or attorneys, all emails, correspondence, and handwritten

notes referencing phone conversations regarding communication among EDA (Seattle, Washington and Sacramento branches), California Department of Fish & Wildlife representatives, Siskiyou County Planning Director Greg Pluckett or Richard Tinsman, Siskiyou Economic Development Council representatives, NorthState Resources, PACE Engineering, letters of support and all communications from Senator Diane Feinstein, Senator Barbara Boxer, former Congressman Wally Herger, Congressman Doug LaMalfa and any other communications from other agencies regarding the EDA grant.

4. All internal communications among employees and/or officials of the EDA regarding the grant. This request also applies to any non-identical duplicates of records that, by reason of notation, attachment, or other alteration or supplement, include any information not contained in the original record. *Apparently according to a recent conversation with Shannon Fitzgerald she recalled that there may be additional records of emails pertaining to the grant that were not previously sent since laptop computers were used by staff prior to the October 2013 operation systems upgrade post malware infection. I am told these are in storage but accessible by your IT staff and would date from 2012 through October 2013.*

If FOIA exemptions may appear to apply to documents that are responsive to

MSBEC's request, the EDA's presumption should still be "in favor of disclosure."

Presidential Memorandum for Heads of Executive Departments and Agencies

Concerning the Freedom of Information Act, T4Fed. Reg.4,683 (Jan.21, 2009). An agency should disclose exempt records unless it is reasonably foreseeable that the disclosure would actually harm an interest protected by an exemption. Attorney General

Holder's Memorandum for Heads of Executive Departments and Agencies Concerning the Freedom of Information Act, 1-2 (Mar. 19, 2009) available online at:

<http://www.usdoj.gov/aelfbia-memo-march2009.pdf>). "An agency should not withhold records merely because it can demonstrate, as a technical matter, that the records fall within the scope of a FOIA exemption."

Withholding records simply because those records fall within the ambit of an exemption is inappropriate in President Obama's new era of open Government." See 74 Fed. Reg. 4,683. If the EDA does withhold or redact any

responsive documents, MSBEC requests that that the EDA:
(i) identify each document or record with particularity
(including title, subject, date, author, recipient, and
parties copied), (ii) fully and specifically explain the legal
justification for withholding or redacting each document or
record, and (iii) provide any segregable portions of
the documents or records.

FOIA Request to EDA re: Mount Shasta/ Crystal Geyser
Grant 9/25/13.

MSBEC requests electronic copies where available.

Request for Fee Waiver:

MSBEC seeks a fee waiver pursuant to 5 U.S.C. §
552(a)(a)(A)(iii). A fee waiver is appropriate
because MSBEC will use the information obtained through
this

FOIA request to inform the public about the proposed
"Draft Environmental Impact Report for the Mount Shasta
Sewer Line Improvements Project," the proposed Crystal
Geyser beverage bottling proposal, and the effects of
increased groundwater pumping on neighborhood wells,

increased effluent to the leach fields, and the wastewater treatment plant and Sacramento River, the potential effects on Big Springs and the Mount Shasta City Park Headwaters of the Sacramento River and Sisson Fish Hatchery, evaluation of traffic and noise pollution, air quality issues surrounding plastics production, and the carbon footprint associated with fossil fuels shipping of plastic bottles.

FOIA's fee waiver provision states: "[d]ocuments shall be furnished without any charge or at a charge reduced below the fees established under clause (ii) if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." Disclosure of the requested documents will significantly contribute to the public understanding of the EDA's, the City of Mount Shasta, Siskiyou County, California state agencies, and Crystal Geyser's operations and of the potential impact of this proposed project and the development it may facilitate. This request is not in the commercial interest of MSBEC, a non-profit organization.

Specifically, the disclosed documents may illuminate the kinds of activities that the City of Mount Shasta and Crystal Geyser are contemplating -- activities that EDA

funding would facilitate. Presenting information gained through MSBEC's FOIA request is in the public interest because it will expand the public's understanding of industrial development proposals affecting the Mount Shasta sphere of influence and how the EDA decides to provide financial assistance to those proposals. MSBEC closely monitors water and air quality and works to improve habitat in the Mount Shasta bioregion. In turn, MSBEC is requesting these documents from the EDA to expand public awareness of activities that impact the Mount Shasta area and to encourage public awareness of government operations.

MSBEC has expertise in reviewing and disseminating information obtained through FOIA and PRA requests. Presenting such information to the public is a central focus of our organization. MSBEC presents information to the public through our website, newsletters, e-newsletters, public action alerts, public reports, media, and public presentations. For example, MSBEC regularly presents information on local environmental issues at public meetings, at MSBEC public events, and in front of government bodies. Accordingly, waiving MSBEC's FOIA fees will benefit the general public by leading to an increased awareness of the impacts of development projects in the Mount Shasta bioregion.

Again, the disclosed material will be disseminated solely for the purpose of informing and educating the public and will not be used for commercial gain. MSBEC intends to disseminate the information gathered from the requested documents through an array of effective channels.

If our request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. MSBEC reserves the right to appeal your decision to withhold any information or to deny a waiver of fees.

If a fee waiver is not granted, MSBEC asks that the EDA provide a cost estimate prior to completing this request. Please contact us at 530-926-5655 or via email if you have any questions about this FOIA request.

Sincerely,

Richard Lucas, President of the Board,
<mailto:richard@shastavisions.com>

Jennifer Witherspoon, Interim Executive Director,
Jennifer@mountshastaecology.org

Cc: Vicki Gold, MSBEC advisor and former board
member, mailto:Vicki@mountshastaecology.org

10.27.15

Stacy Gotham RWQCB S30-224-4993

Scott Gilbreath ? sp.
new permit water

2017 - permit renewal
2019 compliance schedule

received
filtration &
disinf.

Beneficial use / appro + applicable
contact recreat. ~~criteria~~

Bacteria $< 20:1$ mostly sometimes
rec. water: 2#

Total coliform limits

Box canyon "Toilet Bowl"

Shoulder period - was Fall/Spring
low flow.

Reuse - Golf course

also beach field

Also need ^{new} diffuser

old one cracked. Pipes leaking

info required -

call city + XL
① where is XLG discharging to?
- delay permit.

relocation?

George Lowe - RWOCB - lead field

JE # Gillingham?

ape - 8
prof descrip

(Get CHRIS)
(Get NAHC)
no survey at WAF

(Get letters)
not from
w/m APA

From NAHC list? where's
NA consultation letters to
want?

- ① Shakti nation - Roy V. Hall Jr - champion
notity is - Mary Campbell - ct Arch Res
Finding
- ② QZ Vally Ind com - Harold Bennett chair
Rebekah Stoss - Env coord.
Shiss
evette Lewis - CR coord

CHRIS search 2011
4 yrs old

Isabel
williams
notity
Finding

- ④ Sami Jo DiFuria from Butte Valley
Ind com & Shakti
Ind sect.
- ② consult w/ NAHC?

No CRW in APE
3 isolates w/in 1/2 mile
of larger APE

① accepted
w/ ~~findings~~ Arch studs
A

Did a qualified Arch
conduct the survey - who

③ potential to adv off CR
no HP - always pass of
made discovery

Send report to Triker

Wt shasta

Enplan - doing studies

update ES + SHPS

XL geysers - can't develop w/out upgraded WWT - Leach Field

Bio wtr rem + sludge + new Filtration + UV disin. solids dewatering w/ centrifuge

replace diffuser on back of Sacto river in Box canyon bolted to Flange
401 WQC? Sact 10?

winter Discharge to Sac R.
Summer? Leach Field or per ponds?

diffuser - DFO - SBA
corp TDRQB. WQC cur 401

\$ 30k - NEPA

\$ 80k CQA

ENV mitiq Twice \$ 30k?

at mg.

resident inspectors \$ 1/2 M

\$ 50k of manuals

FitzGerald, Shannon

From: Holzman, Tami
Sent: Wednesday, January 07, 2015 6:46 AM
Subject: EDA Press Clips - Wednesday, January 7, 2014

Secretary Pritzker News

Obama Cuba Initiative Prompts New Fears of Gitmo Naval Base Giveaway
Washington Free Beacon, 01/07/2015

...of the Cuban people, wrote Secretary of State John Kerry, Commerce Secretary Penny Pritzker, and Treasury Secretary Jacob Lew in a report from Miami...

Obama touts amnesty at summit with Mexican president
WorldNetDaily, 01/06/2015

...counterparts: Secretary of State John Kerry, Secretary of Commerce Penny Pritzker, Secretary of Energy Ernest Moniz, Secretary of Transportation...

U.S. discussing possible light crude exports to Mexico: Pritzker
Reuters US News, 01/06/2015

...export light crude oil to its southern neighbor, U.S. Commerce Secretary Penny Pritzker said on Tuesday. The potential light crude exports will come from...

Do Chinese Care About 'American Decline?' In 2014, They Did Only Twice
Foreign Policy, 01/06/2015

...number one. During a Dec. 22 conversation with U.S. Commerce Secretary Penny Pritzker in Chicago, Chinese Vice Premier Wang Yangmiao said China...

US-Mexico economic talks are key to cross-border prosperity
CNBC, 01/06/2015

On both sides of the 2,000 mile border we share with Mexico, our people and our businesses are working together to create jobs, economic opportunity, and prosperity. The interests we share with our neighbor to the south, our third largest trading partner in the world, are not just border security and immigration. We are also focused on how we can grow the \$1.5 billion in goods and services that already move between countries each day, do more business together, and strengthen our collective competitiveness.

As the United States welcomes Mexican President Enrique Peña Nieto to Washington this week, the importance of our commercial relationship with Mexico will take center stage during the second meeting of the U.S.-Mexico High Level Economic Dialogue (HLED).

DUSA-Reunión en la Casa Blanca
CNN en Español, 01/06/2015

Penny Pritzker, secretaria de Comercio de EEUU, sobre la visita del presidente de México Enrique Peña Nieto a la Casa Blanca

Commerce Sec. Pritzker taps Jim Hock to be new chief of staff
Chicago Sun Times, 01/06/2015

Commerce Sec. Penny Pritzker tapped Jim Hock to be her new chief of staff.

Hock, who Pritzker called a "valuable advisor" in a statement, is Director of Public Affairs in the Office of the Secretary.

"He has been instrumental in focusing our public outreach efforts, and in creating and framing the Open for Business Agenda for the wider world. His deep knowledge of the Department, as well as his history as a business owner and entrepreneur, will serve all of us well," Pritzker said in a statement.

Mexico's Leader, Peña Nieto, Praises Obama on Immigration
New York Times, 01/06/2015

Penny Pritzker, the secretary of commerce, said in an interview that the goal of the discussions was to find ways to improve an economic relationship that is already deeply integrated and growing.

Ms. Pritzker noted that trade between the two countries had grown from about \$30 billion a month in 2009 to a high of about \$50 billion in late October. She said that improvements to infrastructure on both sides of the border in the past year had helped, but that more must be done. "The point is this is about hitting singles and doubles," she said. "This is not about some grand new scheme."

US Mulls Crude Exports to Mexico – Reuters

Business Now, 01/06/2015

The US is in ongoing talks with Mexico about possible light crude exports to Mexico, US commerce secretary Penny Pritzker said Tuesday Reuters interview.

"It's an active, open discussion with the Mexican government and something that we're trying to figure out if we can work cooperatively or not," Pritzker said. "There's no resolution yet, but given our close relationship what we want to be able to do is work constructively together," she added that she hopes to conclude the talks "in the near-term."

U.S., Mexico vow to pursue TPP, new Cuba policy

Politico Pro, 01/06/2015

The United States and Mexico pledged on Tuesday to bring the Trans-Pacific Partnership negotiations to a swift conclusion, saying the deal will offer substantial new opportunities to both countries.

"With the end coming into focus, the United States, Mexico and the other 10 TPP countries are strongly committed to moving the negotiations forward to conclusion as soon as possible," the governments said in a joint statement marking the conclusion of the U.S.-Mexico High Level Economic Dialogue on economic and security issues.

Vice President Joe Biden said the deal would be a "game-changer," stressing that the agreement would be a comprehensive, high-standard trade pact connecting not only the United States and Mexico but also 40 percent of the world's gross domestic product.

Department of Commerce News

Giti raises prices 9.5% due to tariffs

Modern Tire Dealer, 01/06/2015

...price increase is the result of the countervailing duties imposed by the U.S. Department of Commerce, which initially announced duties of 17.69%

U.S. Steel to Idle Pipe Factories After Oil Price Slump

Washington Post - Bloomberg, 01/06/2015

Texas. The company has taken part in an anti-dumping action with the U.S. Department of Commerce to limit some of those imports. Look for who...

Obama Promises Partnership With Mexico in Battling Drug Cartels

Bloomberg - mobile edition, 01/06/2015

...nation America's biggest export market after Canada, according to data from the U.S. Department of Commerce. Mexico in turn sends a 10 percent...

U.S. Steel to cut up to 756 jobs after oil price slump

World Oil, 01/06/2015

...from Asia. The company has taken part in an anti-dumping action with the U.S. Department of Commerce to limit some of those imports from 2013,

Microsemi Steps Up Its Cyber Security Leadership in FPGAs: SmartFusion2 SoC FPGAs and IGL002 FPGAs Enhanced with Physical Unclonable Function Technology

Tech Focus Media, 01/06/2015

...technology that can read the PUF's secret while its power is off. A U.S. Department of Commerce report found that IP theft costs U.S. companies...

STEM-focused courses coming soon to WYHS after run at middle school

ThisWeek Community News, 01/06/2015

...a shortage of qualified engineers in light of a growing industry. The U.S. Department of Commerce estimates that jobs in science, technology...

U.S. Steel Corp. (X), the nation ...

Mynextfone.co.uk, 01/06/2015

...from Asia. The company has taken part in an anti-dumping action with the U.S. Department of Commerce to limit some of those imports from 2013,

Assistant Secretary Williams Coverage

US prison bureau's silence is insulting to Mahoning Valley

Youngstown Vindicator-Jan 5, 2015

Indeed, given that this is economic development at its core, the U.S. assistant secretary of commerce for economic development would be the appropriate ...

IMCP

Lansing area manufacturers work to keep students here

Lansing State Journal-Jan 2, 2015

... pursued a designation in President Obama's administration as a "manufacturing community" under the Investing in Manufacturing Communities Partnership.

RESTORE Council

REQUEST FOR PROPOSALS | Legal #2687

Navarre Press-16 hours ago

Notice is hereby given that The Santa Rosa County Local RESTORE Council (LRC), on behalf of the Board of County Commissioners of Santa Rosa County, ...

Local Grant Coverage

Interceptor pipeline project comment letters top 200 (CA)

Mount Shasta Herald-Jan 2, 2015

... wastewater system has dropped since the original estimate that was included on the EDA grant, according to Mount Shasta City Council member Jeff Collings.

Portland council approves House Island historic status, business ... (ME)

The Forecaster-21 hours ago

Mitchell said the city has spent \$695,000 developing the first phase, matching a grant from the U.S. Economic Development Administration. The first phase is ...

Auburn insurance company relocating to Portland (ME)

Sun Journal, 01/06/2015

...the Maine Turnpike and the Rand Road. The project was financed by the U.S. Economic Development Administration with \$695,000 in matching funds...

Portland announces 'watershed' deal to help relocate Auburn company to city technology park [Bangor Daily News, Maine] (ME)

Investing & Stock Research - Businessweek, 01/06/2015

...the Maine Turnpike and the Rand Road. The project was financed by the U.S. Economic Development Administration with \$695,000 in funds...

Windham Region Vital Projects to be announced on Jan. 12 (VT)

Brattleboro Reformer 55 minutes ago

BRATTLEBORO >> Southeastern Vermont Economic Development Strategies will announce the top 12 Vital Projects for the updated Comprehensive Economic Development Strategy on Monday, Jan.

Paul Costello: Digital innovation brings new vitality to rural Vermont (VT)

vtdigger.org-14 hours ago

With investment from the U.S. Department of Commerce Economic Development Administration, VCRD provided 50 of Vermont's most flood-damaged towns ...

Today's Front Pages

Boehner Fends Off Dissent as G.O.P. Takes the Reins

New York Times, 01/06/2015

Representative John A. Boehner beat back an embarrassing challenge to his speakership from aggrieved conservatives on Tuesday as Republicans assumed control of both houses of Congress, pledging to restore function and civility to a body that has become a symbol of disorder for Americans.

Nervous Investors Flee to Treasuries

Wall Street Journal, 01/06/2015

Yields on government bonds in the U.S., Germany and Japan plunged Tuesday as anxiety over global growth intensified and investors sought havens from widening financial-market turmoil.

Heads-up technology puts data on car windshields at CES

Washington Post, 01/06/2015

One of the automotive world's newest, buzziest upgrades was once offered only for trained jet pilots: heads-up displays, projecting a buffet of colorful information on that once-sacred place of clarity, the car windshield.

Touted at this week's Consumer Electronics Show, the icon-rich displays have been installed by carmakers and tech startups as showcases for details on speed, directions, even cellphone notifications like text messages and Facebook alerts.

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Thursday, January 08, 2015 5:48 PM
To: FitzGerald, Shannon
Subject: Fwd: Crystal Geysers Mount Shasta and CCTC jobs projected

Hello Shannon,
I am forwarding this link below provided by the CalCompete Tax Incentive program at the GoBiz office.
Thanks so much for reviewing.
Vicki

Begin forwarded message:

From: Vicki Gold <[REDACTED]>
Subject: Crystal Geysers Mount Shasta and CCTC jobs projected
Date: January 6, 2015 12:56:38 AM PST
To: Malinda Matson <MMatson@eda.gov>

Hello Malinda,
We just received this with the link to the application/ credit agreement between CCTC and CGWC. It seems to verify our position that very few new jobs will be created by the Mount Shasta CGWC project. Although as I said, the job numbers were redacted from their 12/14/14 letter sent to you, I imagine the numbers comply with the CCTC grant application and certainly are nowhere near the numbers projected in the 2013 EDA grant application (150-200 at full build out)
Any news from Seattle?
Thank you again,
Vicki

Begin forwarded message:

From: William Koch <William.Koch@GOV.CA.GOV>
Subject: RE: Revised letter from W.A.T.E.R group in Mt Shasta
Date: January 5, 2015 5:01:58 PM PST
To: 'Bruce Hillman' <[REDACTED]>, Vicki Gold <[REDACTED]>

Hi Bruce & Vicki,

The agenda has been posted and Crystal Geysers is #19 on the list. The link to Crystal's credit agreement is below, however, the agreement is not effective unless approved by the committee. I received your revised letter earlier today and will include it in the briefing binders for the committee members.

<http://www.business.ca.gov/Portals/0/CA%20Competes/Docs/Agreements/FY1415P1/20.%20Crystal%20Geysers%20Water%20Company.pdf>

Thanks,

Will Koch
Deputy Director, California Competes Tax Credit Program
California Governor's Office of Business and Economic Development (GO-Biz)
1325 J Street, 18th Floor
Sacramento, CA 95814
william.koch@gov.ca.gov
www.business.ca.gov

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Thursday, January 08, 2015 5:54 PM
To: FitzGerald, Shannon
Subject: CGWC attorney's letter responding to NOP
Attachments: churchwellwhite.pdf

> Above attached is Barbara Brenner's NOP response for Crystal Geysler.

Churchwell White^{LLP}

churchwellwhite.com

1201 K Street, Suite 710
Sacramento, CA 95814
T 916.468.0950 | F 916.468.0951

Barbara A. Brenner
T 916.468.0625
barbara@churchwellwhite.com

December 01, 2014

VIA U.S. MAIL & E-MAIL (tlapthorne@mtshastaca.gov)

Tammy Laphorne
Deputy City Clerk
City of Mount Shasta
305 North Mt. Shasta Boulevard
Mt. Shasta, CA 96067

*Re: Comments to the Notice of Preparation for the Mount Shasta Sewer Line
Improvements Draft Environmental Impact*

Dear Ms. Laphorne:

On behalf of Crystal Geysers Water Company ("Crystal Geysers"), we appreciate the opportunity to comment on the Notice of Preparation ("NOP") of a Draft Environmental Impact Report ("Draft EIR") for the Mount Shasta Sewer Line Improvements Project, which the City of Mount Shasta ("City") circulated as the lead agency. The purpose of this letter is to respond to areas where the NOP addressed Crystal Geysers's bottling plant in connection with the City's sewer upgrade project.

At the present time, we have three initial comments to the NOP and other issues that were raised during the NOP scoping session:

First, some members of the public have questioned the timing of CEQA review of the City's sewer upgrade project vis-à-vis Crystal Geysers's activities at its bottling plant. In response to these questions, we note that Crystal Geysers may seek to dispose its rinse water and other discharges into the City's existing sewer system prior to the completion of the City's sewer upgrade project. The City's sewer upgrade project does not constitute a basis for precluding discharges into the existing system, so long as discharges from the bottling plant do not exceed the existing capacity of the sewer line and treatment facility. The existing treatment facility has surplus capacity to accommodate dry weather flows of up to 100,000 gallons per day, without any improvements. (NOP at pp. 3, 6.)

Second, the NOP refers to measures taken by Crystal Geysers to reduce impacts to surrounding communities, such as the truck access easement that Crystal Geysers recently acquired, which will allow trucks to avoid accessing the bottling facility

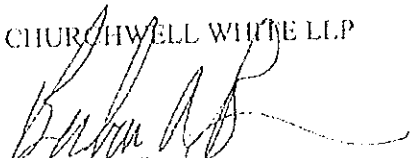
through Ski Village Drive and downtown Mount Shasta. Crystal Geysler will continue to engage in voluntary measures as a good neighbor to reduce impacts of the bottling plant to the City and local community. For example, Crystal Geysler recently upgraded the landscaping to improve the entry area and surrounding landscaping around the bottling plant. Crystal Geysler is also looking into energy efficient light fixtures that will reduce nighttime glare from the plant. In commenting on the NOP, however, we note that the City's limited discretionary approval over the bottling plant similarly limits the scope of mitigation measures that the City may impose on the bottling plant pursuant to CEQA. (14 Cal. Code Reg. § 15126.4(a)(2).)

Third, Crystal Geysler recognizes that there are some members of the community who have concerns over the bottling plant, and that these members will continue to express their concerns throughout the CEQA process for the City's sewer upgrade project. The NOP properly identified the baseline to include the bottling facility and its existing physical structures. In addition, Crystal Geysler possesses active permits for the bottling facility, such as a Waste Discharge Requirement permit with the Regional Water Quality Control Board, which previously underwent extensive CEQA review. As our final comment on the NOP, we suggest that the active permits for the bottling plant be factored into the environmental baseline as the City prepares the Draft EIR. (See, e.g., *Citizens for East Shore Parks v. California State Lands Comm.* (2011) 202 Cal.App.4th 549; accord, *North Coast Rivers Alliance v. Westlands Water Dist.* (2014) 227 Cal.App.4th 832.)

We look forward to working with the City throughout the CEQA process. Please do not hesitate to contact me if you have any questions or comments regarding our comments to the NOP.

Best Regards,

CHURCHWELL WHITE LLP



Barbara A. Brenner
Partner

RRB/ems

cc: Client

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Thursday, January 08, 2015 6:03 PM
To: FitzGerald, Shannon
Subject: Fwd: WWTP Feasibility Study complete
Attachments: Feasibility Study Presentation.pdf; ATT00001.htm

Hi Shannon,

This is the larger PACE Engineering WWTP Feasibility study with discussion of tertiary or secondary treatment modalities and options under consideration. The City will probably supply this to you and Stan if they haven't already.

I understand that the ball is in the City of Mount Shasta's court now to provide documentation for their rationale of using the grant for the larger state mandated WWTP renovation. Can you inquire as to whether the EDA can require the \$3 million match from CGWC?

Thanks so much,

Vicki Gold
530.926.4206

Begin forwarded message:

From: Vicki Gold [REDACTED]
Subject: WWTP Feasibility Study complete
Date: November 28, 2014 10:26:18 AM PST

CITY OF MT. SHASTA Draft Wastewater Treatment and Disposal Feasibility Study

by

PACE Engineering, Inc.

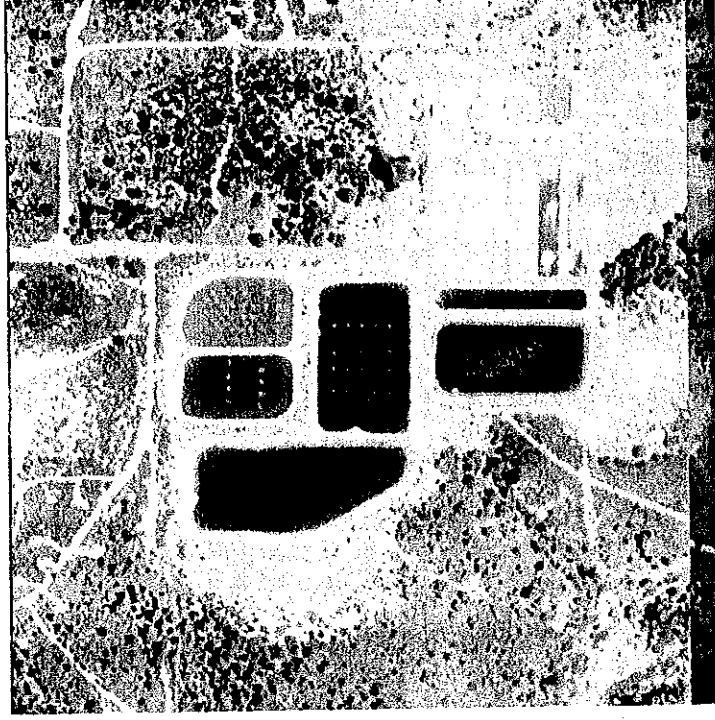




BACKGROUND

Timeline

- ❖ 1976 – Original lagoon WWTP constructed
 - ❖ Biodegradable organics (BOD, TSS)
- ❖ 1999 – Tertiary treatment improvements (DAF/RSF)
 - ❖ Summer flows
 - ❖ Extend discharge periods
- ❖ 2007 – CVRWQCB Waste Discharge Requirements & Cease and Desist Order
 - ❖ Metal removal (Cu, Zn)
 - ❖ Disinfection byproducts



Mt. Shasta WWTP - 2004



BACKGROUND CONT'D

◆ Timeline

◆ 2009 – Mixing Zone Dilution Study

◆ Reduction in regulatory metals limit

◆ 2012 – Disinfection Monitoring

Improvements

◆ Provide reliable, flow-paced
disinfection

◆ 2013 – Treatment & Disposal
Feasibility Study

◆ NPDES permit compliance

◆ Disposal alternatives

BACKGROUND CONT'D

◆ Timeline

◆ 2013 – New EPA

Ammonia Criteria

◆ More stringent ammonia
limits

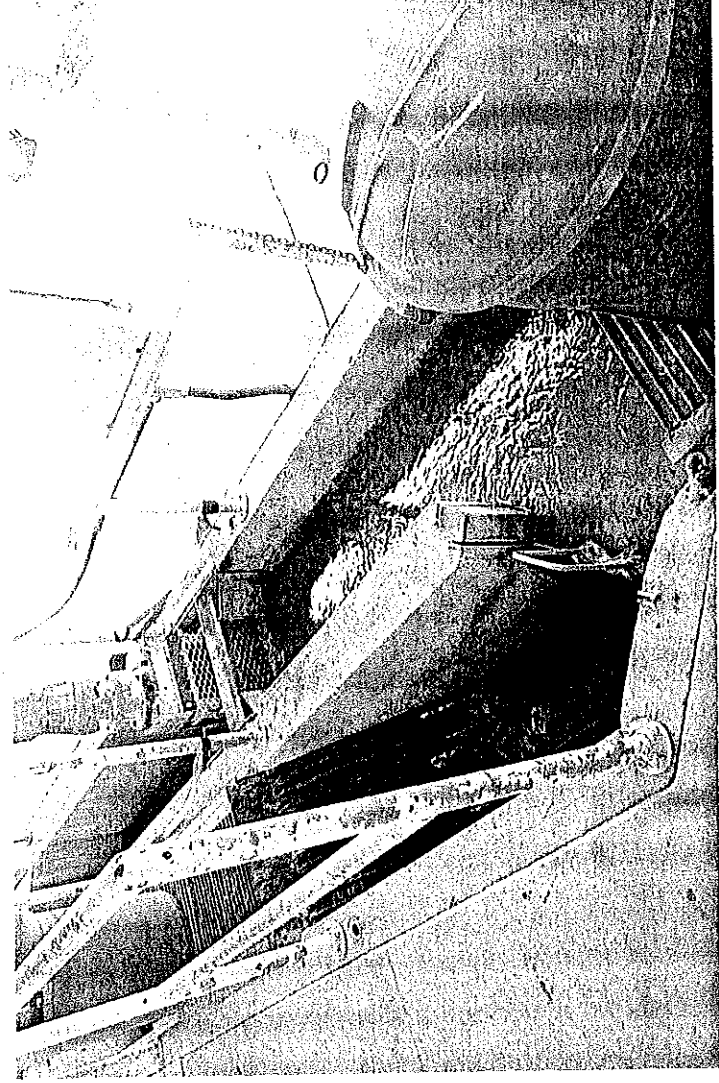


Western Pearlshell Mussel
(*Margaritifera falcate*)
Courtesy US Fish & Wildlife Services

EXISTING SYSTEM

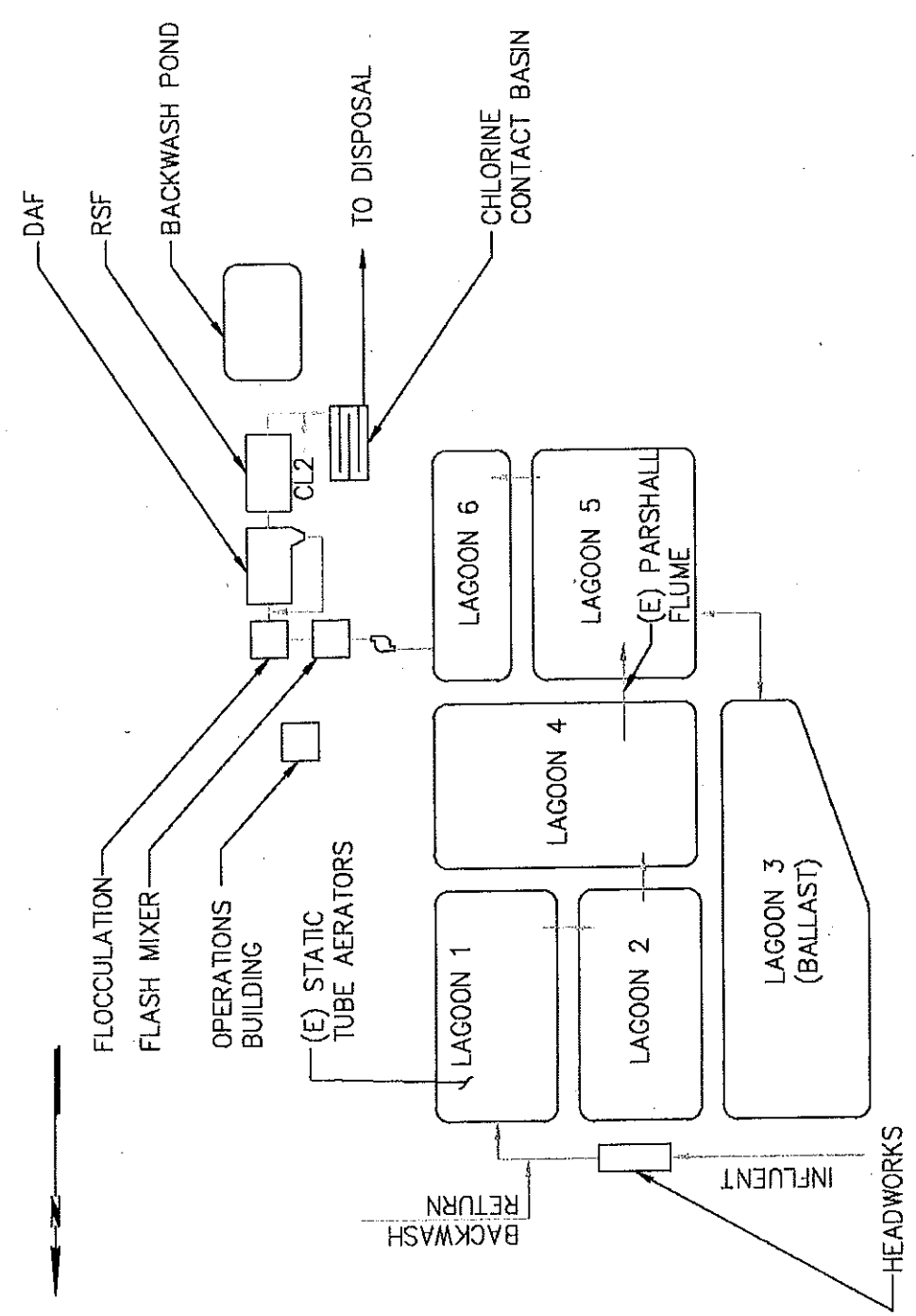
❖ Existing WWTP Process Components

- ❖ Treatment
- ❖ Disinfection
- ❖ Disposal



Mt. Shasta WWTP Headworks

EXISTING SYSTEM

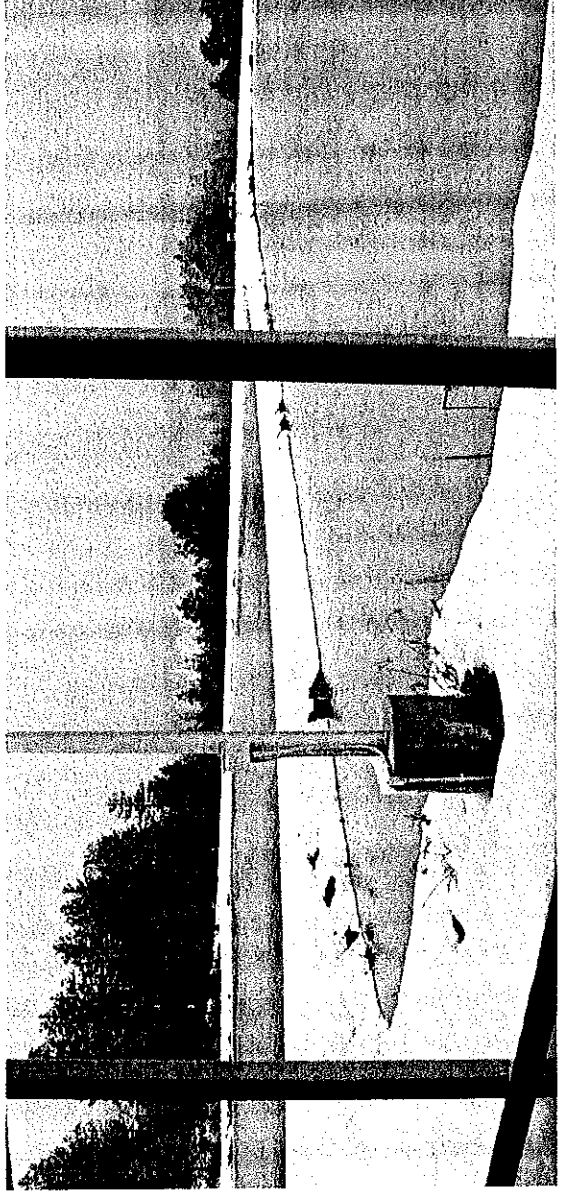




EXISTING SYSTEM

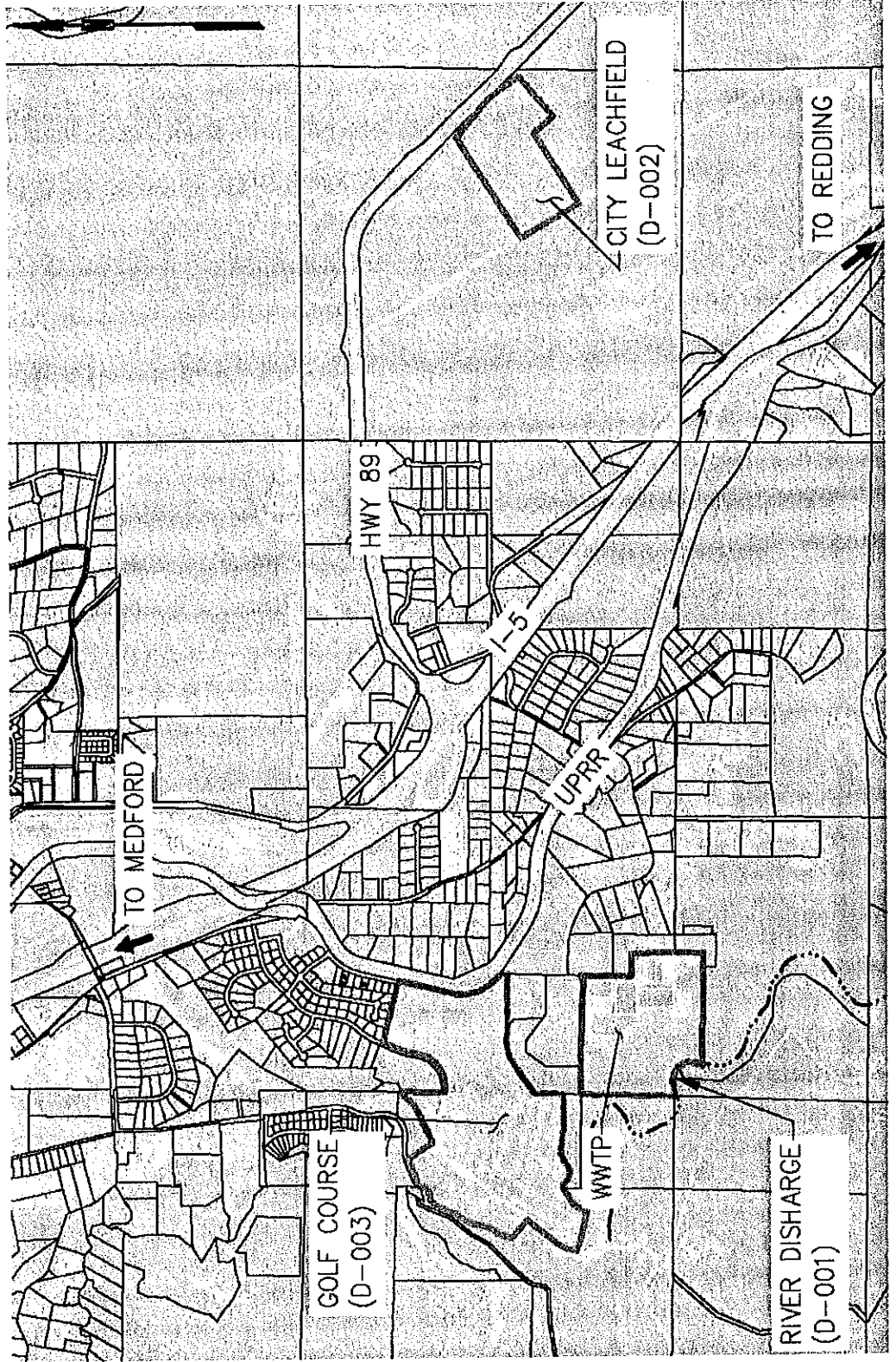
❖ Treatment Shortfalls

- ❖ Difficult to remove nitrogen in cold weather
- ❖ Ammonia resurgence from decay (New stringent ammonia limits)
- ❖ Limited process control
- ❖ Limited flexibility to meet future regulatory requirements
- ❖ Lack of wintertime filtration capacity



Mt. Shasta Lagoons 1 & 2

EXISTING SYSTEM





EXISTING SYSTEM

❖ Existing Disposal Sites

- ❖ Sacramento River (Gravity flow, high degree of treatment)
 - ❖ During winter and early spring/late fall periods
- ❖ Leachfield (Pumped, limited treatment)
 - ❖ Anytime effluent standards cannot be met
- ❖ Golf Course (Pumped, high degree of treatment)
 - ❖ Spring to fall irrigation season

REGULATORY REQUIREMENTS

❖ The City Needs to Identify How it Will Comply With:

- ❖ More stringent metals removal (Cu & Zn)
- ❖ More Stringent nutrient removal (NH₄, NO₂ & NO₃)
- ❖ More stringent disinfection byproducts prevention and/or removal
- ❖ Insufficient treatment capacity (i.e., filtration)
- ❖ Disposal of treated wastewater



WWTP - DAF

ALTERNATIVES

❖ Determine Best Feasible Disposal Alternatives

- ❖ 1st - Investigate New Disposal Sites
- ❖ New wetlands/pasture irrigation (Combined 132 acres available)
- ❖ New subsurface disposal (Existing 42 acres ~~site~~ ~~50% developed~~)

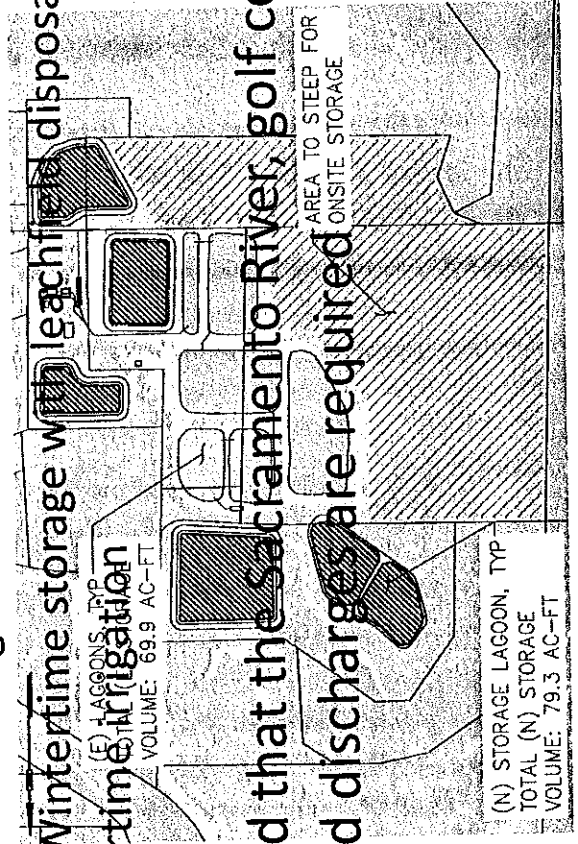
❖ Tree irrigation

❖ Regionalization



ALTERNATIVES

- ❖ Determine Best Feasible Disposal Alternatives
- ❖ 2nd - Develop Disposal Alternatives to Stop Sacramento River Discharge
 - ❖ Wintertime storage and summertime irrigation
 - ❖ Partial Wintertime storage with leachfield disposal and summertime irrigation
- ❖ We found that the Sacramento River, golf course, and leachfield discharges are required





ALTERNATIVES

❖ Determine required degree of treatment based on best disposal alternative

❖ Determine Best Feasible Treatment Alternative

- ❖ 7 treatment alternatives
- ❖ 3 utilize/repurpose existing lagoons
- ❖ 4 replace the existing lagoon system

| | | | |
|---------|-------------|-----|--------------------------|
| BiO-Lac | AerBioShell | MBR | Moving Bed Bioreactor |
|---------|-------------|-----|--------------------------|



ALTERNATIVES

❖❖❖ Best Treatment Alternative

- ❖❖ Criteria
 - ❖ Increase WWTP Capacity
 - ❖ Increase process reliability/minimize discharge violations
 - ❖ Increase flexibility to meet future discharge requirements
 - ❖ Minimize effluent pumping cost (i.e., Leachfield)
 - ❖ Increase effluent quality discharged to the Sacramento River
 - ❖ Increase water reuse

ALTERNATIVES

❖ Determine the best solution for the City

based on:

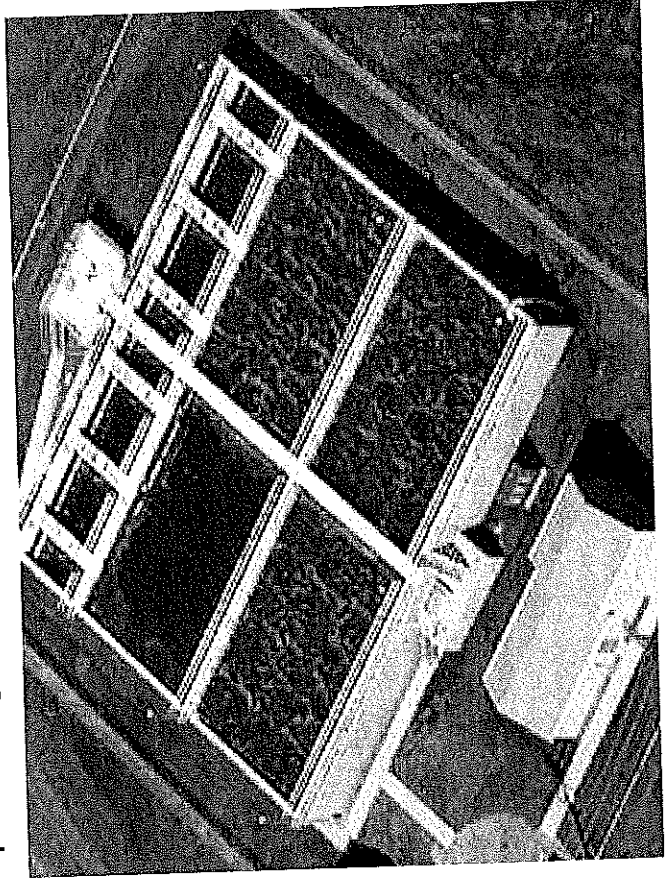
- ❖ Sewer rates
- ❖ Constructability
- ❖ Ease of O&M
- ❖ Ability to adapt/modify to meet future requirements
- ❖ Reliability
- ❖ Safety and security

| No. | Criteria | Weight Factors | Treatment Alternatives | | | | | | |
|-------------------------|---|----------------|------------------------|-----|-----|-----|---------|----------|------|
| | | | BioLac | CAS | MBR | SBR | AeroMod | BioShell | MBBR |
| 1 | Monthly Waste water Rate | 20 | 6 | 3 | 6 | 6 | 7 | 6 | 10 |
| 2 | Environmental & Permitting Constraints* | 5 | 7 | 8 | 8 | 8 | 8 | 10 | 9 |
| 3 | Constructability & Ability to Implement* | 10 | 7 | 8 | 8 | 8 | 8 | 10 | 8 |
| 4 | O&M Difficulty | 10 | 6 | 7 | 5 | 6 | 7 | 10 | 8 |
| 5 | Ability to Adapt/Modify to Meet Future Discharge Requirements | 15 | 6 | 8 | 10 | 8 | 8 | 3 | 4 |
| 6 | Treatment Process Performance & Reliability | 35 | 7 | 10 | 9 | 10 | 10 | 4 | 6 |
| 7 | Security & Safety to Workers/Public | 5 | 7 | 9 | 10 | 9 | 9 | 6 | 5 |
| Weighted Totals: | | 100 | 65% | 77% | 81% | 82% | 85% | 59% | 70% |
| | | Previous | 67% | 73% | 69% | 76% | 83% | 71% | 81% |

Decision Matrix

ALTERNATIVES

- ❖ Best Treatment Alternative
 - ❖ AeroMod's Sequox® Process
 - ❖ Activated Sludge - Ludzack-Ettinger (LE) process with a second stage sequencing aeration



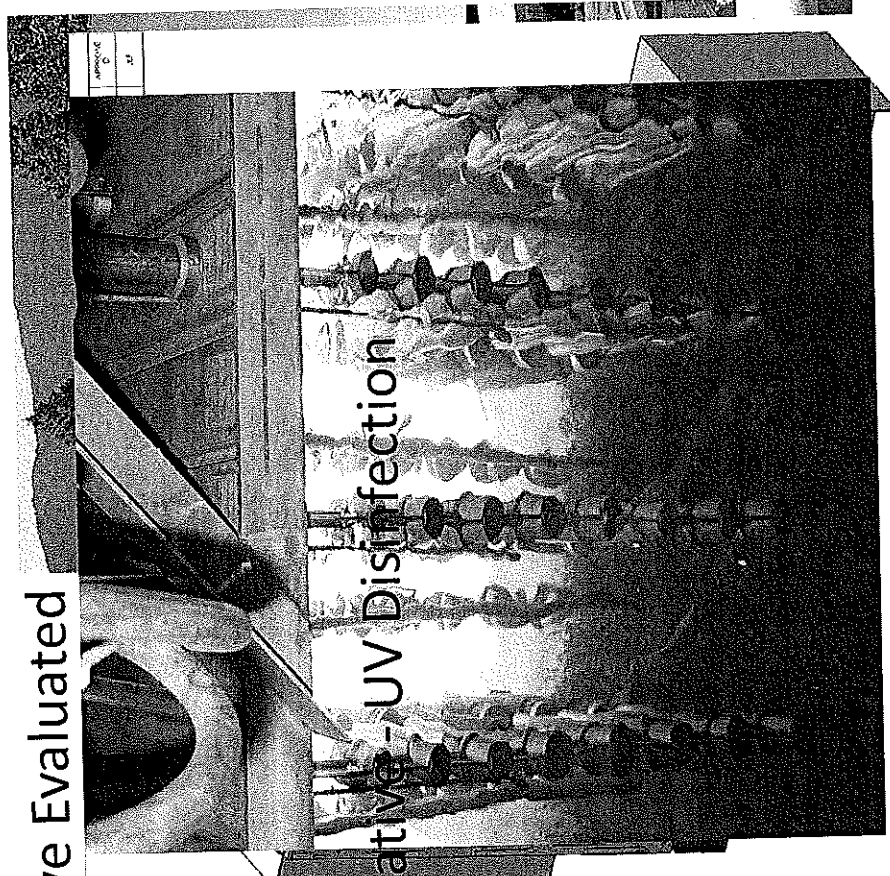
ALTERNATIVES

❖ Determine Best Disinfection Alternative

❖ 4 Disinfection Alternative Evaluated

| No. | Disinfection Alternative | Weight Factor |
|-----|-------------------------------|---------------|
| 1 | Chlorine Gas | 20 |
| 2 | Sodium hypochlorite | 20 |
| 3 | Ozone | |
| 4 | Ultraviolet (UV) | 20 |
| 5 | Best Disinfection Alternative | 10 |
| 6 | Weighted Totals: | 100 |

Decisic



ALTERNATIVES

Present Worth Analysis

| No. | Project Description | Total Project Cost | New WWTP Annual O&M Cost | Present Worth O&M ⁽¹⁾ | Net Present Worth ⁽²⁾ |
|--------------------------|-------------------------------------|--------------------|--------------------------|----------------------------------|----------------------------------|
| WWTP Alternatives | | | | | |
| 1 | Conventional Activated Sludge Plant | \$20,000,000 | \$903,358 | \$15,357,602 | \$35,357,602 |
| 2 | Aero-Mod Activated Sludge Plant | \$16,300,000 | \$774,238 | \$13,162,495 | \$29,462,495 |
| 3 | Membrane Bioreactor Plant | \$14,600,000 | \$834,959 | \$14,194,782 | \$28,794,782 |
| 4 | Sequencing Batch Reactor Plant | \$13,300,000 | \$794,900 | \$13,513,766 | \$26,813,766 |
| 5 | BioLac Plant | \$16,600,000 | \$844,104 | \$14,350,255 | \$30,950,255 |
| 6 | BioShell Lagoon System | \$17,300,000 | \$691,954 | \$11,763,627 | \$29,063,627 |
| 7 | Moving Bed Bioreactor | \$12,000,000 | \$791,397 | \$13,454,216 | \$25,454,216 |

(1) Present worth based on 1.6% 20 year discount rate. Interest rate based on 20-yr federal discount rate from Appendix C of OMB Circular A-94 per USDA PER guidelines.

(2) Salvage value for all Alternatives is assumed to be zero

RECOMMENDED PROJECT

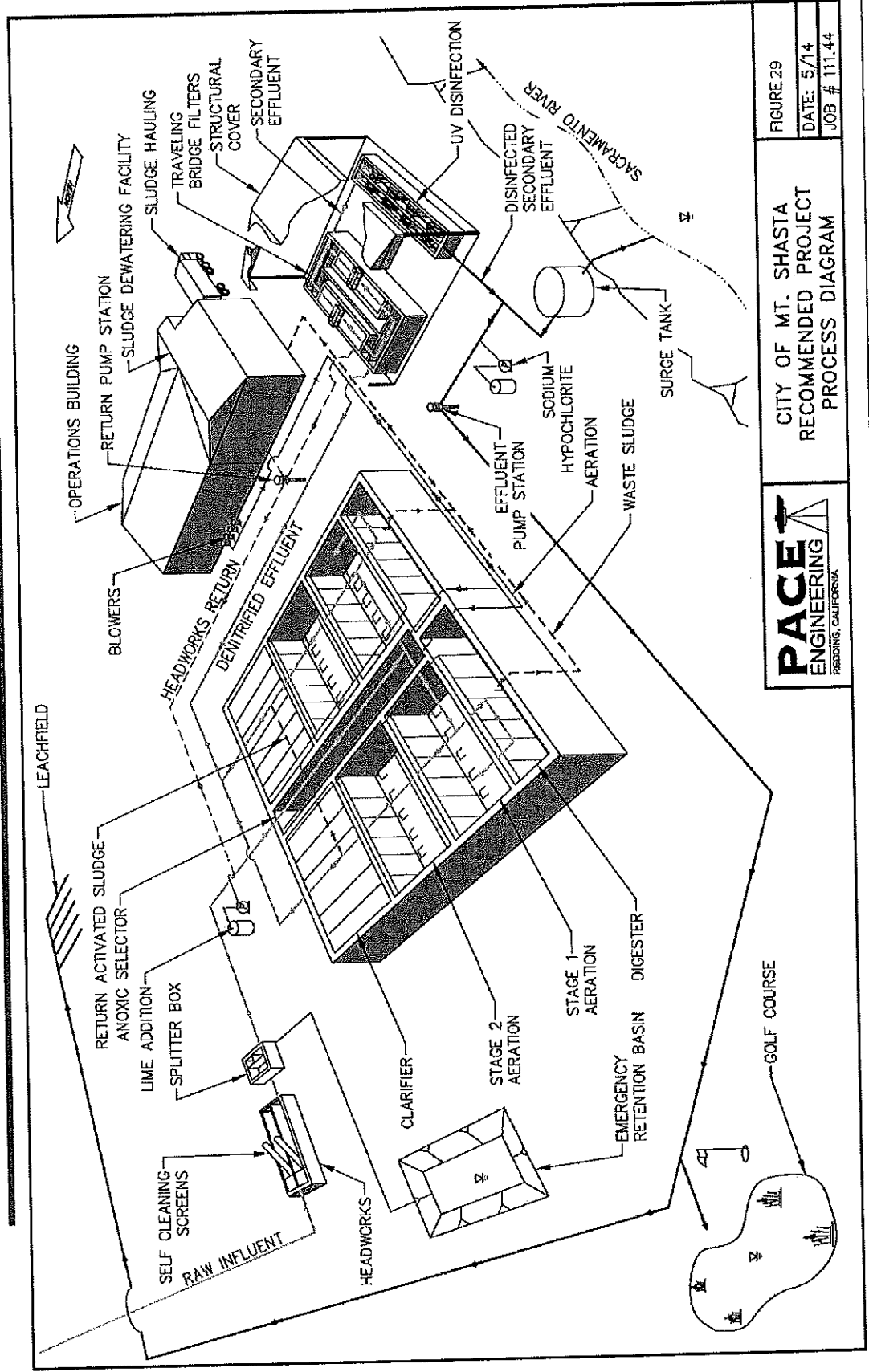
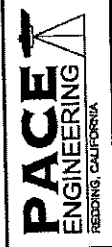


FIGURE 29
 DATE: 5/14
 JOB # 111.44

CITY OF MT. SHASTA
 RECOMMENDED PROJECT
 PROCESS DIAGRAM





FINANCING

- ❖ Recommended project cost - \$16.5M
- ❖ Current sewer rate - \$23.95
- ❖ Sewer rate required to qualify for grant:
\$48.00 to \$53.00
- ❖ Potential grant sources
 - ❖ USDA Rural Development – Up to \$3M
 - ❖ CWSRF – Up to \$4M
 - ❖ CDBG – For low and very low income



FINANCING

- ❖ Potential sewer rates with maximum grant:
\$54.00 & CG contribution
- ❖ Rates could be higher if grant and no CG
Contribution

FINANCING

SINGLE - FAMILY MONTHLY SEWER BILL COMPARISON

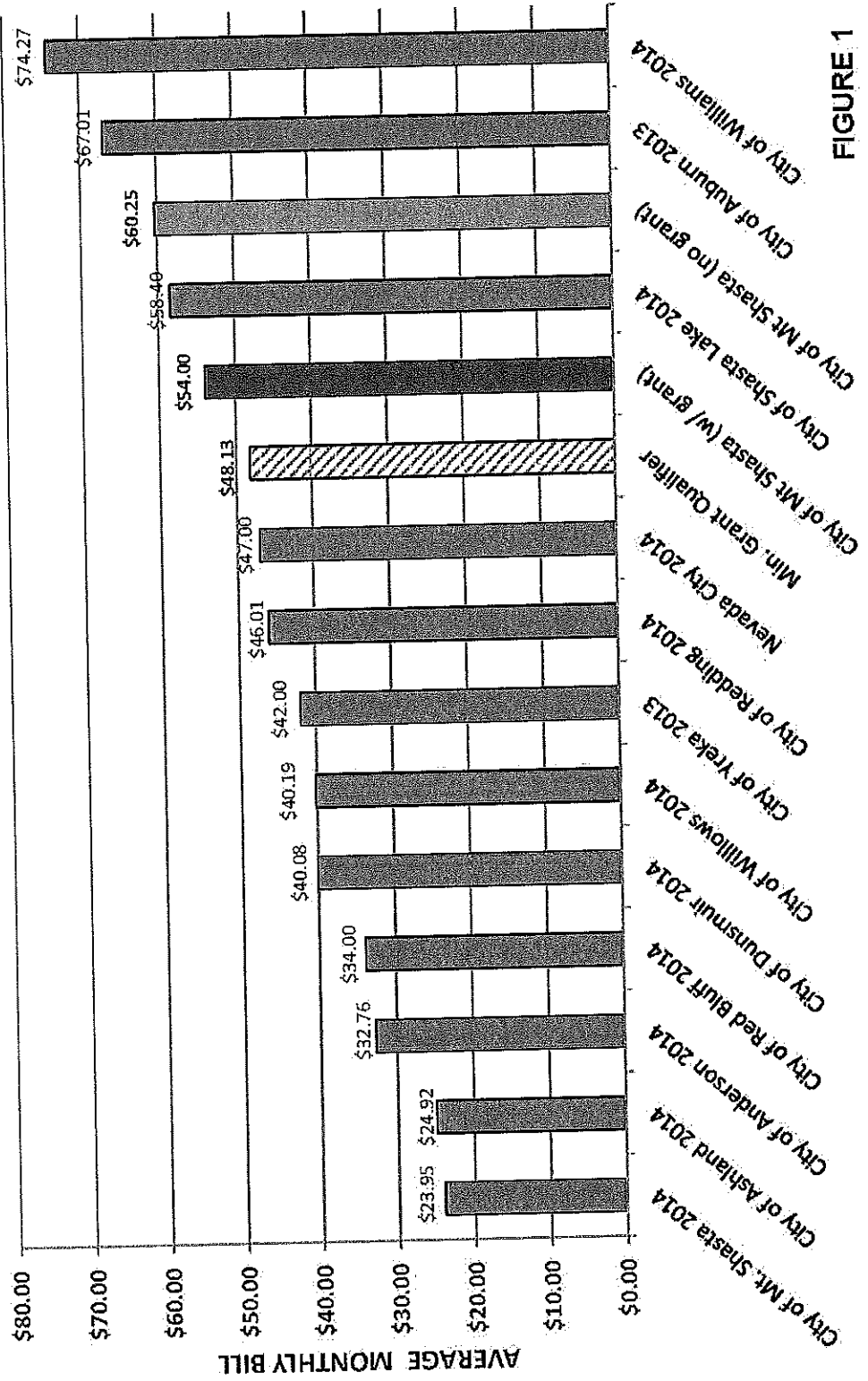


FIGURE 1



STEPS MOVING FORWARD

- ❖ Initiate environmental review – Mitigated Negative Declaration
- ❖ Prepare and submit applications for funding
 - ❖ Maximize grant opportunities
 - ❖ Consider performing income survey in accordance with USDA and CWSRF guidelines
- ❖ Implement Proposition 218 rate increase proceedings

PROJECT SCHEDULING

| Task | Estimated Completion Date | NPDES Compliance Date |
|---|---------------------------|-----------------------|
| Submit Leach Field Design Investigation | Feb 28, 2014 | Apr 4, 2014 |
| Submit Groundwater Monitoring Well Network Tech Report | Oct-2014 | Apr 4, 2014 |
| Submit draft Wastewater Treatment and Disposal Feasibility | May 30, 2014 | Jun 1, 2014 |
| Method of Compliance -- Title 22 Disinfection Requirements | May 30, 2014 | Jun 1, 2014 |
| Method of Compliance -- BOD, TSS, and pH | May 30, 2014 | Jun 1, 2014 |
| Method of Compliance -- Cu, Zn, and ammonia | May 30, 2014 | Jun 1, 2014 |
| Workshop with project stakeholders | Jun 18, 2014 | - |
| Public presentation of draft PER | Jul 21, 2014 | - |
| | | |

PROJECT SCHEDULING – CONT'D

| Task | Estimated Completion Date | NPDES Compliance Date |
|--|---------------------------|-----------------------|
| Submit final PER to project stakeholders | Aug-2014 | |
| Initiate environmental review, permitting, and financing options | Oct-2014 | Nov 23, 2016 |
| Submit project financing plan to CVRWQCB | Nov-2014 | Nov 23, 2014 |
| Adopt project environmental documents | Apr-2015 | - |
| Prepare funding applications for USDA and CWSRF funding | Dec-14 to Apr-15 | - |
| Obtain preliminary project funding commitments | Oct-2015 | - |
| Proposition 218 proceedings | Nov-15 to Mar-16 | - |
| Engineering design | Mar-16 to Dec-16 | - |
| Bidding/award/contract execution | Jan-17 to Apr-17 | - |
| Construct improvements | May-17 to Dec 18 | Nov 23, 2018 |
| Final project completion – file Notice of Completion | Jan-2019 | - |
| Compliance with Cu, Zn, ammonia | Apr-2019 | Jun 1, 2017 |
| Compliance with BOD, TSS, pH, and Title 22 Disinfection | Apr-2019 | Nov 23, 2020 |
| Progress Reports | Jan of each year | Jan of each year |



QUESTIONS?

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Thursday, January 08, 2015 6:16 PM
To: Good, Stan; Skrinde, Kristine
Subject: FW: WWTP Feasibility Study complete
Attachments: Feasibility Study Presentation.pdf; ATT00001.htm

Hi Stan and Kris,

I just had a long call from Vicki Gold. She sent me this WWTP feasibility study which you might be interested in.

Thanks, Shannon

From: Vicki Gold [REDACTED]
Sent: Thursday, January 08, 2015 6:03 PM
To: FitzGerald, Shannon
Subject: Fwd: WWTP Feasibility Study complete

Hi Shannon,

This is the larger PACE Engineering WWTP Feasibility study with discussion of tertiary or secondary treatment modalities and options under consideration. The City will probably supply this to you and Stan if they haven't already.

I understand that the ball is in the City of Mount Shasta's court now to provide documentation for their rationale of using the grant for the larger state mandated WWTP renovation. Can you inquire as to whether the EDA can require the \$3 million match from CGWC?

Thanks so much,

Vicki Gold
530.926.4206

Begin forwarded message:

From: Vicki Gold [REDACTED]
Subject: WWTP Feasibility Study complete
Date: November 28, 2014 10:26:18 AM PST

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Monday, January 12, 2015 10:47 AM
To: FitzGerald, Shannon
Subject: Fwd: W.A.T.E.R Newsletter January 12

Hi Shannon,
I thought you might be interested in this. It just went out this morning.
Vicki

Begin forwarded message:

From: WATER group <mountshastawater@gmail.com>
Subject: W.A.T.E.R Newsletter January 12
Date: January 12, 2015 8:23:50 AM PST
To: Vicki [REDACTED]
Reply-To: WATER group <mountshastawater@gmail.com>



Even more comments on EIR flood Mount Shasta

The Mount Shasta Herald reported last week that a record 212 comment letters on the Crystal Geysers/ Interceptor line project were submitted to the City. North State Resources and the City's legal counsel, Pioneer Law Group, will read the comments and propose a scope of the draft EIR based on those comments. We need to ensure that the scoping document includes all of our concerns and includes a thorough investigation of the effects of the Crystal Geysers plant. Most interesting was the comment submitted by Crystal Geysers itself. They assert that they can immediately hook up to the City sewer system through existing sewer lines as long as they do not exceed the maximum capacity of the waste treatment plant. This would mean they could use all remaining capacity with no other users accommodated. They also consider things like truck traffic avoiding downtown to be "voluntary measures as a good neighbor." This shows more than ever why we need mandatory and enforceable limits on Crystal Geysers operations. (See [EIR](#) for complete document)

Crystal Geysers plans end run around EIR?

City Manager Paul Eckert told the Mount Shasta Herald that now CG is talking of opening their plant without an EIR by not starting with tea and juice squeeze drinks. Eckert stated: "But now Crystal Geysers is talking about starting with water only. We've verified with our attorneys that if bottling water only is consistent with the existing permit for the facility, they can do that."

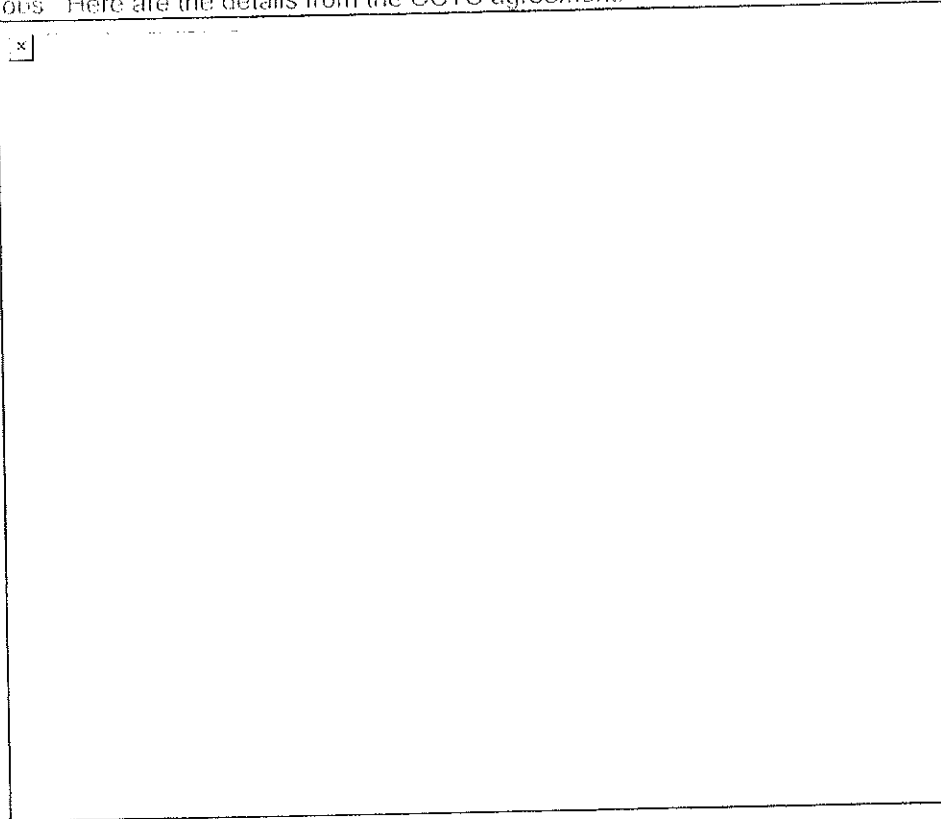
(see <http://www.mountshastaherald.com/article.php?id=1001007&cid=1001005@07>)

This would be a blatant attempt to evade an EIR and start the plant operations before an EIR can be done. We will need to fight such a bait and switch operation every step of the way.

Crystal Geysers applies to State for corporate welfare.

We have learned that Crystal Geysers has applied to the California Governor's Office of Business and Economic Development (GO-Biz) for a California Competes Tax Credit (CCTC). If awarded, this would give Crystal Geysers \$237,500 of our tax dollars to help

them run their tea and juice squeeze drink factory. The ostensible purpose of this tax credit is to help businesses that want to stay or grow in California. However the CCTC agreement document with Crystal Geysers (CG) shows that only 12 jobs will be added by CG over the next three years! My how things have changed. Originally CG claimed 200 jobs would be created (in the EDA grant application), then it was claimed that 50 to 60 jobs would be created; now while asking for a taxpayer handout they reveal a maximum of 12 jobs. Here are the details from the CCTC agreement:



Full document: [link](#)

We are strongly against CG getting our tax dollars while they refuse to agree to an EIR and fight any limits on their water extraction plans. WATER has written a letter to GO-Biz stating our objections. Stay tuned for further developments. See [URL HERE](#) to see the documents.

Crystal Geysers neglects fire safety.

On January 8 the Mt. Shasta Area Fire Safe Council met with the Spring Hill fuel reduction project as a key topic of discussion. Crystal Geysers owns Spring Hill. If you have walked up the popular Spring Hill trail you cannot help but notice the dense undergrowth and build up of flammable materials on the hillside. However at the meeting it was reported that each time the Fire Safe Council has approached Crystal

Geyser about brush reduction, they have been told no, they would not allow that on their property. The Fire Safe Council was offering Crystal Geysers a free service, but they have refused. We think that Crystal Geysers should immediately (and with their OWN money) perform the needed fuel reduction on Spring Hill. As we learned from the Boles fire, overgrown hillsides next to town can be VERY dangerous.

Thank You!

Last November WATER received a \$2000 matching donation. Due to several generous donations we were able to meet our match! This will help us to pay for environmental experts and legal help as we continue our fight to ensure that Crystal Geysers will not harm our Mount Shasta environment. If you can, please donate at <https://www.givemonline.org/organization/MSBEC> or mail checks to P O Box 1143, Mount Shasta, CA 96067, made out to MSBEC and write "FOR WATER" in the memo section. WATER is a fiscally sponsored project of the Mount Shasta Bioregional Ecology Center (MSBEC) and donations are tax deductible.

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You are receiving this email because you signed a petition or opted in on our web site*

Our mailing address is:
We Advocate Thorough Environmental Reivew
108 B Siskiyou Ave.
Mount Shasta, Ca 96067

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[unsubscribe from this list](#) [update subscription preferences](#)

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Wednesday, January 21, 2015 8:34 AM
To: FitzGerald, Shannon
Subject: Mount Shasta Crystal Geysers Herald article

Hi Shannon,
Here is the article with the spin expected. The City still hasn't shared recent EDA correspondence although I requested it several times.
Thank you,
Vicki

EDA tells city it can't use grant for interceptor line By Lauren Steinheimer

The US Economic Development Administration has withdrawn its approval for the City of Mount Shasta to use a \$3 million grant for its sewer interceptor line project.

A letter from the EDA received Dec. 26, 2014 gives the City just two options for using the grant funds: either return all funds to the USEDPA or apply the entire \$3 million award to the city's top priority project – the state mandated wastewater treatment plant reconstruction.

The plan until now had been to use the \$3 million grant from the EDA with a match by the Crystal Geysers Corporation, which plans to open a bottling facility some time in 2015. The combined funds were to be allotted to both the sewer interceptor line and the wastewater treatment plant reconstruction projects.

Mayor pro tem Jeffrey Collings and city manager Paul Eckert explained the situation about the grant during an interview yesterday. They said the city council will discuss the issue during its next regular meeting, scheduled for Monday, Jan. 26.

They said the discussion that night will include whether or not to return the \$3 million EDA grant award or allot the entire amount to the wastewater treatment plant.

They will also discuss possible alternative funding sources for the sewer interceptor line, including the California State Infrastructure Bank (I-Bank) and IRWM, among others.

“We all lost our opportunity to use the CEQA (California Environmental Quality Act) to help define our relationship with Crystal Geyser,” Collings said yesterday.

He was describing how the city of Mount Shasta’s development of an Environmental Impact Report, including specific parameters for the Crystal Geyser facility, has been terminated due to the loss of EDA funding for the project. A report prepared by the city for yesterday’s interview states: “with the loss of the EDA grant and the Crystal Geyser matching funds for the interceptor line, the city has no apparent authority to conduct an EIR on the Crystal Geyser plant.”

The Dec. 26 letter from EDA states, “the project has experienced significant controversy involving the prime beneficiary which has resulted in the City’s request to amend the project budget to help fund a CEQA EIR. The funding for the EIR was not part of the approved scope of work.”

When asked about the EIR budget approval, city manager Paul Eckert produced a stack of correspondence documents between the city and the EDA, dating back to Spring 2014 that included approval of an EIR for the project. “In about September of 2013, we shared publicly that we were doing an EIR that would cover the wetlands,” Eckert said. “It was clear... after getting a matching grant from Crystal Geyser that this project was linked to Crystal Geyser and that’s why we’re doing it right now, even though it’s been in the city’s sewer master plan for over twenty years.”

He continued to explain that in order to include Crystal Geyser in the EIR, the city needed to do a line item transfer of \$269,263 from the “contingency” funds to accomplish necessary environmental reviews.

Everything seemed to be going well according to Eckert and Collings until the EDA began changing its tone the past three months or so. The city's **written report about the situation** states that EDA had lawyers present during meetings and communication that had previously been casual and easy became more formal, and typically with upper management EDA representatives.

Crystal Geysler has been informed of the EDA's decision and plans to continue with its Mount Shasta project, according to the city.

The city states in its report that if Crystal Geysler decides to connect to the sewer system, they will apply for an industrial wastewater connection. **This process would involve city analysis of wastewater flows and the city's facilities.** If Crystal Geysler does connect, the city anticipates they will pay \$3 to \$4 million of sewer connection fees based on current city connections and preliminary discharge volumes. These fees would be general income for the city and not required to fund any specific project, according to the report.

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Wednesday, January 21, 2015 10:07 AM
To: Skrinde, Kristine; Good, Stan; Matson, Malinda
Subject: FW: Mount Shasta Crystal Geysers Herald article

Hi All,

Vicki Gold sent me the email below. I can't find the article on-line yet. There are a number of statements that are erroneous. Does EDA ever contact the press to correct misinformation?

Thanks, Shannon

From: Vicki Gold [REDACTED]
Sent: Wednesday, January 21, 2015 8:34 AM
To: FitzGerald, Shannon
Subject: Mount Shasta Crystal Geysers Herald article

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FitzGerald, Shannon

From: Good, Stan
Sent: Thursday, January 22, 2015 9:00 AM
To: FitzGerald, Shannon
Subject: FW: Thank you

Interesting morning reading.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: Matson, Malinda
Sent: Thursday, January 22, 2015 5:00 AM
To: Good, Stan
Subject: Fwd: Thank you

Are we congregating these in the project file?

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Bard Francis [REDACTED]
Date: 01/22/2015 2:03 AM (GMT-08:00)
To: "Matson, Malinda" <MMatson@eda.gov>
Subject: Thank you

Dear Sir:

Thank you ever so much for the recent action concerning the direction of funding for grants to the city of Mt Shasta. It is only proper these funds be used for sewage plant upgrade instead of being mingled with Crystal Geyser Japanese money to take over the water supply of this little town. Much political untruth and chicanery has been going on in order to steal our water and dump the extra industrial sewage into part of our tourist-based economy, the Sacramento River Fishery. This flows directly to Dunsmuir, a tourist trout fishing town 6 miles downstream, which would have recieved the brunt of the poisonous factory effluent.

As a retired USDA USFS R,F&WL GS-11 officer with MS degree in Zoology, BS in Forestry, I have watched and recorded the steady loss of aquatic insects in our local stream from leftover pollution from the Dannon Factory in town, which killed trout in Cold Creek in the same way (FWS knows), destruction of aquatic insects via aquifer pollution. We have recorded by EPA lab testing arsenic, aluminum, and lead in our springs and aquifers, beginning in 2009 after the factory had been dumping for 8 years, and the fish kill and insect losses have been continuing since then (slight recovery since the factory closed) from the Dannon factory due for re-opening by Crystal geyser Japan. Of course, we citizens are fighting city hall that sees only the immediate money to be had from a renewed (They deny any EIR is needed) factory and will sacrifice everything else for the money.

We think they are ignoring the issue of public health and a stable attractive tourist economy in Mt Shasta with clean air and water. We would rather have quality of life with clean water than poor health and water supply with pollution problem. Data is available on request, but the NOP for the pipe line EIR only (the factory was done with a simple CE and zoning violations, and inadequate aquifer studies) recieved over 200 documents of opposition (only one in favor?), most citing economic reasons and company/political/government secrecy and lack of information a severe problem. I tried myself and they will not tell us anything but bland assurances that nothing will happen and everything will be fine. We have heard that before, and it is a horrible warning. They had over 300 protestors at one meeting and regularly about 100

taxpaying citizens protesting at most meetings that were advertised, though we can tell the Brown Act seems to be regularly violated by the Mt. Shasta City council with informal plotting with the CG bosses.

I could go on, but thank you again for this (I hope not temporary) reprieve. However, dealing with Japanese businessmen is like peeling an onion. You get off one layer and heres one stab in the eye after another. But thank you again, from the most of us.

I am available to provide research, studies, documents, and historical information you might need if any agency desires to further investigate this matter and save this international tourist destination from becoming a polluted dirty company town. The NOP contains most of them and those are now public record. I am personally available for comment, as well as folks from the WATERS group. Phone me at [REDACTED] in pm or eves, or also [REDACTED] anytime convenient for you.

Francis Mangels, Retired 35 years with USDA, Degrees, awards, etc.



This email has been checked for viruses by Avast antivirus software.
www.avast.com

FitzGerald, Shannon

From: Good, Stan
Sent: Friday, January 23, 2015 1:07 PM
To: Skrinde, Kristine; FitzGerald, Shannon; Smith, A. Leonard
Subject: FW: Follow-up
Attachments: EDAlternatives.doc; InterceptorLineFunding.doc

Forwarding the latest from Mt. Shasta.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Friday, January 23, 2015 12:15 PM
To: Good, Stan
Cc: Muriel Howarth Terrell; John Kenny
Subject: Follow-up

Hi Stan,
Thanks for the ongoing help. I wanted to keep you informed and share updated information. I have attached two City Council staff reports for consideration on Monday.

We will be in contact on Tuesday. Please let us know if we can provide additional information or clarification.

Thanks,

Paul

Paul Eckert, City Manager
City of Mt Shasta
305 N. Mt Shasta Blvd
Mount Shasta, CA 96067
Phone (530) 926-7510
www.mtshastaca.gov

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City Council Agenda Item # 10

Date: January 26, 2015

To: Mayor and City Council

From: Paul Eckert, City Manager

Subject: City of Mt Shasta response to alternatives provided by the United States Economic Development Agency.

| | |
|---|-------------------|
| X | Regular Session |
| | Special Session |
| | Emergency Session |
| | Closed Session |

Recommendation:

City staff respectfully recommends the City Council discuss, consider, and take formal action regarding the two alternatives provided by the United States Economic Development Administration. Staff respectfully recommends the first alternative provided; to use the original \$3M EDA Grant Award on the City's \$16M State Mandated Waste Water Treatment Plant Project.

Background & Summary:

Following several years of effort, the City of Mt. Shasta received a \$3M Grant Award provided by the U.S. Economic Development Administration (EDA) in September 2013 for the repair of the Sewer Inceptor Line. The City was recently contacted by the EDA and provided two options regarding the existing EDA Grant Award. The EDA informed the City that the City can: 1) Return all funds to the USEDA; or 2) Apply the entire \$3M Grant Award to the City's top priority project, the State Mandated Waste Water treatment Plant (WWTP) reconstruction. Since that time, the City has shared various correspondence with the EDA, including several letters and several phone calls. Follow-up letters were sent on December 30th and January 6th. Our most recent conversations were held on January 13th.

As it stands, all work on the Interceptor Project has been postponed. In addition to this City Council Agenda Item regarding the EDA, the City Council will be asked to discuss and consider alternative funding for the Interceptor Project as a separate item on the Council Agenda. The Council will be asked to provide direction to formally pursue additional funding from a variety of granting agencies. Because the Interceptor Project is indefinitely postponed, the Interceptor line CEQA/EIR preparation has ceased.

The City has worked closely with the EDA for three years. A great volume of documentation was provided, including the engineering and environmental contracts, the work plan, budgets, quarterly cost updates, reports identifying the environmental costs, and requests to transfer funds from the Grant's contingency line item to the line item for the environmental services as originally planned. The costs were made clear and it was made clear that they were "not to

exceed" costs. The transfer did not cause an increase in the EDA Grant Award or the matching contribution that Crystal Geysler pledged.

While the City has worked positively with the EDA over the past several years, more recently, there appears to have been an increased formality and change of tone from the EDA. Nothing on the City's part would have seemingly caused the EDA changes in their tone or approach. Additional information will be provided and reviewed during the City Council Meeting.

Crystal Geysler has been informed of the EDA action. As understood by the City, Crystal Geysler plans to continue their Mt. Shasta Project. If Crystal Geysler applies for an Industrial Waste Water Connection, the City will respond with an analysis of the CG flows and our City facilities. The in-depth analysis may result in potential changes to the Crystal Geysler facilities. Based upon the City's current connection fees and the estimated preliminary discharge volumes of Crystal Geysler, the City anticipates Sewer Connections fee payments to our WWTP from Crystal Geysler in excess of \$3M, if they connect to our system. Due to municipal waste water industry standards and the best interests of our local environment and public health, a Crystal Geysler sewer connection is preferred to Crystal Geysler conducting onsite treatment.

We respect and appreciate the support of the United States Economic Development Administration. The EDA had an array of options, including the complete elimination of all funding. We greatly appreciate their recognition of the importance of the State Mandated Waste Water Reconstruction Project and its value to local health and our community's long-term economic progress. The State Mandated WWTP remains the City's top priority. The project is estimated at \$16M. Tasks to be completed in 2015 are as follows: 1) Complete third-party peer review; 2) Complete income survey; 3) Complete environmental review; 4) Prepare & submit funding applications; 5) Initiate Proposition 218 rate increase proceedings; and 6) Possibly initiate engineering design. The EDA's \$3M will greatly assist our efforts and will directly reduce financial impacts to our Mt. Shasta residents. If the funds are forfeited and Crystal Geysler does not connect to our Sewer system, we will be forced to fund other alternative funding sources, including sewer rate increases.

Financial Impact: Financial impacts are yet to be determined, however, there is a strong likelihood the overall impacts may be close to neutral. The City has the opportunity to retain the \$3M funding from the EDA. Should Crystal Geysler apply to connect to the Mt Shasta Municipal Waste Water Utility, the CG Sewer Connection Fee is estimated to exceed \$3M based on current estimated volumes. Finally, if the City is successful in receiving I-Bank or other funding for the Interceptor Line Repair, the majority (approximately 80%) of the work and funds spent to date on Interceptor Line Repair will be utilized.

Compliance with the 2014-17 City Council Strategic Plan: The efforts described in this report are consistent with our Strategic Efforts to Enhance Public/Private Partnerships (III) and to Expand Quality of Life and Development Opportunities (I)

Attachments: Letter from EDA received 12/26/14; Letter sent to EDA sent 12/30/14; Letter sent to EDA 01/5/2015; Telephone Notes from EDA Call 01/13/15

City Council Agenda Item # 11

Date: January 26, 2015

To: Mayor and City Council

From: Paul Eckert, City Manager

Subject: City of Mt Shasta Efforts to obtain funding from various sources to fund the design and construction of the northerly portion of the Interceptor Line Repair.

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| X | Regular Session |
| | Special Session |
| | Emergency Session |
| | Closed Session |

Recommendation:

City staff respectfully recommends the City Council discuss, consider, and take formal action directing City staff to immediately explore and obtain funding sources for necessary repairs to the City's northerly portion of the Interceptor Sewer Line.

Background & Summary:

The Interceptor Line Repair has been a top priority in the City's Sewer Master Plan for several decades. Completing the project in a timely means remains a top priority of the City Council. The loss of the EDA funding of \$3M and the corresponding \$3M matching pledge from Crystal Geyser requires that alternative funding sources be identified.

As it stands, all work on the Interceptor Project has been postponed. The City Council is respectfully requested to discuss the Interceptor Project and to provide direction to formally pursue additional funding from a variety of granting agencies. As additional background, due to the Interceptor Project having been postponed, the Interceptor Line CEQA/EIR preparation has ceased.

As identified in the City's Sewer Master Plan, the Interceptor Project has been one of the City's top capital project priorities for nearly two decades. While work is currently postponed due to the loss of the funding, the City is aggressively seeking Interceptor Project funding and plans to have the Interceptor Project restated in our Capital Improvement Plan in approximately April. We are in contact with the California State Infrastructure Bank (I-Bank) and IRWM, among others. As background, I-Bank funded the southerly improvements to the southerly portion of the same Interceptor Line and IRWM recently was the conduit for the City's funding for the water supply lines and water meter projects. We are working with various agencies to identify other potential funding sources. If funding is received, the investment to date in the project may be utilized and the City will conduct an EIR for the Interceptor Project only. The estimated project costs are approximately \$4M.

Financial Impact: Due to the recent loss of funds as previously described, additional funding must be sought if the City is to complete the project in a timely manner. If the City is successful in receiving I-Bank or other funding for the northerly Interceptor Line Repair, the majority (approximately 80%) of the work and funds spent to date on the Interceptor Line Repair will be utilized. Failure to obtain funds will result in the project not proceeding or the project potentially proceeding with local rate payer support.

Compliance with the 2014-17 City Council Strategic Plan: The efforts described in this report are consistent with our Strategic Efforts to Enhance Public/Private Partnerships (III) and to Expand Quality of Life and Development Opportunities (I)

Attachments: None

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Sunday, January 25, 2015 6:53 PM
To: FitzGerald, Shannon
Cc: Skrinde, Kristine
Subject: Fwd: Where is the EDA's "Environmental Assessment" its staff may have prepared in 2013?

Hello Shannon & Kristine,
I realize that you are busy preparing documents for our FOIA request. We are truly appreciative. This email came to me yesterday regarding the EA under NEPA regulations. I'm hoping that it will be included in the material you are sending. I assume that it can't be sent electronically beforehand? We always prefer electronic format when possible to save trees, yet will be grateful to receive it by snail mail as well if that is EDA policy.

If I missed it in the documents sent by Michelle B. in December, let me know where to look please. I believe this person states May incorrectly and it was published August 7th, if I recall correctly.
Again, in gratitude for your assistance,
Vicki Gold

Subject: Where is the EDA's "Environmental Assessment" its staff may have prepared in 2013?

Date: January 24, 2015 9:23:30 PM PST

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The EA and public notice would have been in the first FOIA request material. I think your recollection of later in the summer is correct.

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Project: Sewer Line and Wastewater Treatment Facility Improvements
Applicant: City of Mount Shasta, Siskiyou County, California
Project Number: 07-79-07000

I. PROJECT DESCRIPTION

This project is located within and just west of the City of Mount Shasta (the City), Siskiyou County, California. The scope of work for this EDA project involves increasing the capacity of a main sewer line (upsizing an existing 12-inch sewer interceptor line to an 18 or 24-inch interceptor line). The applicant would replace 6,000 to 9,000 feet of line and manholes. The new sewer line would run parallel to the existing sewer line. The new sewer line would be within existing right-of-ways (ROW) and easements. The existing sewer line would be abandoned in place. The project also includes constructing two ponds (approximately 4 to 4.5 million gallons each) with earthen dikes and related headworks at the Mount Shasta Wastewater Treatment Plant (WTP) which is to the southwest of the City.

Specifically, the proposed sewer line will begin at Manhole 402 at the end of West Jessie Street. It will proceed west under the Interstate 5 (I-5) Freeway to the resumption of West Jessie Street on the west side of I-5. At that point, it will proceed approximately 600 feet to the intersection of West Jessie and Hatchery Lane. Then it will turn south crossing under Hatchery Lane and will proceed approximately 3,000 feet across wetlands and meadow. Then it will turn to the southwest to intersect Old Stage Road. It will cross Old Stage Road and will follow the ROW for 2,000 feet across pasture and wetlands to Ream Avenue. It will cross Ream Avenue and continue south to Manhole 20. This will be a gravity-flow system and there are no lift stations. The sewer line will also cross Cold Creek.

Details on project description are provided in the engineering report in the EDA Application for Federal Assistance and any amendments thereto.

II. PURPOSE AND NEED

These infrastructure improvements will support development in the commercially-zoned area along North Mount Shasta Boulevard which has pockets of industrial use. It would also support the reuse of a vacant water bottling facility.

The primary beneficiary would be Crystal Geyser Water Company which is a subsidiary of Otsuka Enterprises, a Japanese conglomerate. Crystal Geysers is in the process of purchasing the

vacant Coca Cola bottled water facility that was initially operated by Danone Waters of North American (Dannon). In addition to Crystal Geysers, other beneficiaries would include businesses that support the bottling plant, such as storage, refrigeration, and trucking companies. The sewer line upgrade would also support in-fill development along North Mount Shasta Boulevard.

II. DATA BASE

This Environmental Assessment and all attachments hereto are a part of the environmental file. Findings made in this Environmental Assessment that are based upon information referenced in this Section III are completed with the understanding that all data presented by the Applicant, public agencies, and other individuals and entities as referenced were provided truthfully and with full disclosure of the relevant facts. Detailed information upon which environmental impacts are assessed is contained in the following documents:

1. Applicant's Environmental Narrative, with attachments, notes, and addendums
2. CH2MHILL for the Central Valley Regional Water Quality Control Board, August 2001, Dannon Natural Spring Water Bottling Facility, Mount Shasta, California, Proposed Initial Study/Mitigated Negative Declaration
3. U.S. Geological Survey map
4. FEMA Floodplain map
5. U.S. Fish and Wildlife Service (FWS) National Wetlands Inventory map
6. North State Resources, Inc., March 6, 2013, letter to City Planner Keith McKinley regarding Biological Resources
7. North State Resources, Inc., March 5, 2013, letter to City Planner Keith McKinley regarding Cultural Resources
8. Native American Historic Commission, February 1, 2011, Native American Tribal Consultation List
9. Letter to the U.S FWS
10. Siskiyou Daily News, August 9, 2013, Affidavit of Publication and newspaper clipping
11. Mount Shasta Herald, August 7 and 14, 2013, newspaper clipping
12. CH2MHILL, December 13, 2012, Technical Memorandum regarding Mt. Shasta Sewer Capacity Analysis for Crystal Geysers
13. Articles on bottled water facilities

IV. ENVIRONMENTAL IMACTS

The Environmental Narrative and documents in the Data Base are used to develop this Environmental Assessment in order to comply with the National Environmental Policy Act (NEPA) of 1969. This Environmental Assessment (EA) has been prepared to comply with the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) NEPA regulations (40 CFR Parts 1500-1506), and the U. S. Department of Commerce's Economic Development Administration's (EDA) Directive 17.02-2, *EDA Program to Implement the National Environmental Policy Act of 1969 and Other Federal Environmental Mandates as Required*. These laws and directive require an evaluation of potential environmental effects prior to the approval of the release of funding for a proposed construction project. EDA, as a federal agency, is required to complete an independent environmental assessment for each Federal Action not deemed qualified for a Categorical Exclusion as interpreted in EDA Directive 17.02-2 (10/14/92). The following subsections provide impact assessment for concerns that include wetlands, floodplains, wilderness, wild and scenic rivers, endangered species, land use, farmland,

historic preservation, archaeological resources, solid waste, hazardous waste, water quality, air quality, noise, transportation, coastal zones, environmental justice, and construction. Additionally, this document reviews public reaction, alternatives to the proposed project, and cumulative and indirect impacts.

A. Alternatives

The existing sewer line is through two wetlands, one of which is a wetlands mitigation bank. The applicant is working with both the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers on installing the new line parallel to the existing one. If for some reason this is not possible, the applicant has also considered running the line in the right-of-way of an adjacent road, although that route would require lift stations and the acquisition of easements and right-of-ways.

As for replacing the sewer line under I-5, the applicant believes there is adequate room for upsizing the interceptor. If there is not adequate room, the applicant will bore and jack under I-5 which will involve obtaining a permit from the California Department of Transportation (CalTrans).

The No Action alternative would curtail future developments in the northern and central areas of the City at some future point. It would also prevent the reuse of the water bottling facility.

If the preferred alternative route present significant environmental impacts and regulatory constraints that cannot be mitigated for (e.g., running the line through the wetlands conservation area, obtaining a CalTrans permit in a timely manner), then the alternative routes will be used.

B. Wetlands and Floodplains

The original sewer main was installed in 1970 through two seasonally-flooded wetlands (freshwater emergent). According to the application and retired City Manager Ted Marconi, in 1990, the northern-most wetland was set aside as a wetlands conservation area as mitigation for the development of a shopping center on the east side of I-5. The southern wetland, which is not in the conservation area, is used as pastureland. However, it still qualifies as a wetland under the U.S. Army Corps of Engineers' (Corps) Hydrogeomorphic methodology of identifying wetlands. The sewer line also crosses the Cold Creek. The applicant has applied for a Clean Water Act (CWA) Section 404 permit from the Corps for dredging and fill within the wetlands and a Water of the U.S. As part of this, the applicant will either need to conduct a wetland delineation or sign a Preliminary Jurisdictional Determination. The applicant anticipates that the Corps will require certain mitigation measures, such as planting willows, and stockpiling and replacing soil over the new line.

With the Corps' CWA Section 404 permit and the mitigation measure required by it, this project will have no significant impacts on wetlands or Waters of the U.S. The requirements in Executive Order 11990 are met.

FEMA Flood Insurance Rate Map Number 06093C3025D, effective January 19, 2011, was reviewed for potential floodplains. The sewer line and wastewater treatment facility are in Flood Zone X, which is protected from the 100-year flood. The requirements in Executive Order 11988 have been met. This project will have no significant impacts on floodplains.

C. Wilderness and Wild and Scenic Rivers

The project is located east of the Shasta National Forest. Part of the project is near the Sacramento River, although it is not designated as a Wild and Scenic River. There are no wilderness areas; wildlife habitats; state or national refuges, parks; or designated wild and scenic rivers in the immediate project area. This project will have no impacts on any of the above.

D. Endangered Species

City staff and a biologist from North State Resources, Inc. conducted a preliminary biological review of the sewer line route by driving the route and occasionally stopping and noting vegetation communities and wetland types. These field notes were compared to habitat requirements of special-status plant and wildlife species known to occur in the region to develop a preliminary list of special-status species that could occur in the project area. The results of the survey were sent to the City in a March 6, 2013 letter. There was a subsequent August 13, 2013 letter noting the lack of habitat for vernal pool fairy shrimp.

The results of the report indicated that no federally-listed wildlife species have the potential to occur within the project area. The preliminary biological reports notes that one federal candidate for listing, the Pacific fisher (*Martes pennanti*), has the potential to use the area for foraging.

Three state-listed species have potential to occur: the willow flycatcher (*Empidon traillii brewsteri*), greater sandhill crane (*Grus canadensis tabida*), and bald eagle (*Haliaeetus leucocephalus*). California species of special concern which may occur within the project area are the foothill yellow-legged frog (*Rana boylei*), the Cascades frog (*Rana cascadae*), northwestern pond turtle (*Clemmys marmorata marmorata*), and the yellow warbler (*Dendroica petechia*).

No federally-listed or state-listed plant species are likely to occur in the project area. There are four special status plant species, which are California Native Plant Society RPR 1b and 2-ranked species. These plants are: Oregon fireweed (*Epilobium oreganum*); Aleppo avens (*Geum aleppicum*); northern adder's tongue (*Ophioglossum pusillum*); and marsh skullcap (*Scutellaria galericulata*).

On March 12, 2013, the City sent an informal Endangered Act Section 7 consultation letter to the U.S. Fish and Wildlife Service (USFWS) Office in Yreka. In the letter, the City proposed that construction would be done in late summer/fall when there should be no immobile young fishers or nesting birds. A pre-construction survey for special status plants is also proposed. If special status plants are present, they will be mapped and avoided. If impacts to special status plants are unavoidable, appropriate conservation measures will be implemented. A determination of "may affect, but is not likely to adversely affect" was initially made for the proposed project.

In an August 28, 2013 email, the FWS concurred that there will be "no effect" to vernal pool fairy shrimp. According to the FWS, if there are indirect or cumulative impacts to Big Springs, then the effect of those impacts on listed species will need to be determined. An assessment will need to be done on proposed groundwater impacts to Big Springs before the FWS consultation can be concluded.

In an August 29, 2013 email, the FWS recommended contacting the National Oceanic and Atmospheric Administration (NOAA) Fisheries regarding Central Valley steelhead which are

federally listed as threatened and winter run chinook salmon. On August 30, 2013, NOAA Fisheries confirmed that there are no federally-listed fish above Shasta Dam and therefore none in the project area (personal communication, Amy Moore).

There are Black oak trees where the applicant proposes to construct the ponds at the Mount Shasta WTP. The Black oak trees may provide nesting habitat for birds protected under the Migratory Bird Treaty Act. Therefore, the trees should either be removed during non-nesting season or a survey should be conducted for nesting migratory birds prior to removal. If nesting migratory birds are present, then the applicant will need to wait until chicks have fledged and left the nest.

Implementing any mitigation measures that result from consultation with the FWS, NOAA Fisheries and CDFW should reduce any impact to federally listed species to less than adverse. Special conditions are included to address this.

E. Land Use and Zoning

The project is located within with the City of Mt. Shasta and unincorporated Siskiyou County. Land use includes open space, rural residential, small farms, and infrastructure (sewer plant, roads and interstate). The project crosses several zones including single-family residential and commercial (although in single-family housing) within the City. The zoning also includes County land zoned as Single Family with five acre minimum lot sizes, and Non-Prime Ag Land. North of I-5 is primarily residential, although there is commercial zoning along N. Mount Shasta Boulevard and pockets of industrial use. This project is consistent with land use and zoning.

F. Prime Farmland

There are no prime farmlands in the vicinity of the project site. There will be no significant impacts to prime farmland.

G. Historic/Archaeological Resources

The applicant has conducted a cultural resources records search through Northstate Resource, Inc. at the Northeast Information Center (NEIC). There is one prehistoric site within 0.07 miles of the site and four historic-era sites within 0.25 miles of the project site, the closest of which is 0.08 miles from the project. No resources listed on the National Register of Historic Places or on any of the California lists are located within the 0.25 mile radius of the project. No surveys have been conducted in the project area. Previous surveys (in the area) indicate a moderate probability for cultural resources, both prehistoric and historic-era, to be present.

A list of Native American Tribes was provided from the Native American Heritage Commission. The Native American Heritage Commission provided a list of eight tribes that expressed an interest in the project area. The archaeological consultant identifies the Winnemen Wintu Tribe, the Pit River Tribe, the Shasta Nation; and the Modoc Tribe as the tribes to be most likely associated with the area.

A special condition is included that National Historic Preservation Act Section 106 consultations must be completed with the State Historic Preservation Office and Native American Tribes before any earth-disturbing activities occur.

H. Solid Waste Disposal

The existing sewer line will be abandoned in place. Excess trenching spoils from construction will be disposed of in appropriate fill areas outside of wetlands. The primary beneficiary will produce wastes typical of bottling facilities including plastic, cardboard, and packing materials. California law requires that major commercial and industrial operations implement recycling programs for these materials. Other solid waste will be sent to one of the City's Black Butte Transfer Station where it is then sent to one of several Siskiyou County landfills. This project will have no significant impact on solid waste disposal.

I. Hazardous Waste

An EDA Form ED-535, Applicant Certification Clause, was executed for this project. There were no indicators from this form or other information provided by the applicant of concerns regarding hazardous materials or toxic substances. Based on the nature of the affected areas around the project components and the due diligence performed by the applicant, it is concluded that there are no hazardous material concerns related to the EDA project. Consistent with EDA Directive 17.01 (07/09/92; revised 03/18/98), a grant condition is in the Standard Terms and Conditions of the Grant Agreement to indemnify EDA from liability regarding any damages resulting from hazardous waste contamination.

J. Water Quality, Resources, and Uses

Surface Water

There are several surface water bodies near the project. The sewer line will cross Cold Creek. The WTP is near and discharges to the Sacramento River during certain times of the year. There are also numerous springs (e.g., Big Springs, Cold Springs) which feed into Big Springs Creek and Cold Creek. These drain to Siskiyou Lake which is created by Box Canyon Dam on the Sacramento River.

A Streambed Alteration Agreement with the California Department of Fish and Wildlife (CDFW) will be required for work in Cold Creek. If the applicant decides to bore under the creek, a notice will still need to be provided to the CDFW. A Corps 404 permit will be required for trenching in the wetlands and creek.

A National Pollution Discharge Elimination Systems (NPDES) Stormwater Permit is required for this project if it disturbs more than one acre. With a Stormwater Permit and a Stormwater Pollution Prevention Plan (SWPPP), this project will have no significant erosion or runoff impacts.

In August 2001, a Proposed Initial Study/Mitigated Negative Declaration (IS/MND) that was prepared by CH2MHILL was used issued by the Central Valley Regional Water Quality Control Board (CVRWQC) for improvements at the Dannon bottled water facility. The IS/MND identified possible impacts to the California Department of Fish and Game (now California Department of Fish and Wildlife) Mount Shasta Fish Hatchery from groundwater pumping for the Dannon facility. The impacts were identified as being less than significant to Big Springs, Big Springs Creek, and the CDFG water diversion to the Mount Shasta Fish Hatchery. However, the IN/MND contained the mitigation measure that if over time there was a significantly reduced flow on Big Springs Creek, Dannon would discuss and participate with all other water users in developing a proportionate, equitable and mutually agreed action plan to address such an issue. It appears that Crystal Geysers will extract more groundwater than Dannon did (see discussion below). Therefore, impacts to Big Springs Creek will be greater, although without further information and analysis it is not known if they will be significant.

Wastewater

The permitted capacity of the Mount Shasta WTP is 0.8 million gallons per day (MGD). The average dry weather flow (ADWF) to the WTP is 0.6 MGD. Peak wet weather flow to the WTP is 2 to 3 MGD. Treated wastewater from the WTP is disposed in a variety of ways depending on several factors. During the summer months when it cannot be discharged into the Sacramento River, it is used to irrigate the Mount Shasta Resort Golf Course. It is also disposed in a leachfield near Highway 89.

With the two ponds and headworks improvements, an additional 0.25 MGD of treatment capacity will be added, resulting in an upgraded treatment capacity of 1.05 MGD, which provides 0.45 MGD in available treatment capacity. Upgrading the sewer line would increase the conveyance ability of the system by 0.75 MGD.

According to the CVRWQCB WDR, the average discharge rate for the Dannon facility with three production lines would be 60,000 gallons per day (gpd), with a maximum discharge rate of 108,000 gpd. According to a Technical Memorandum by CH2MHILL, dated December 13, 2012, the Crystal Geysers bottling facility will generate wastewater flows of 675,000 gpd. The Environmental Narrative states that the amount of wastewater generated by Crystal Geysers could ultimately reach 750,000 gpd. The wastewater would consist primarily of rinse water generated by cleaning bottles and equipment. The rinse water would contain fruit juices and peracetic acid (a weak acid used for cleaning).

The City is undertaking a feasibility study to determine if the current plant processes will enable them to meet new NPDES requirements and future loading from the primary beneficiary, or whether they will have to redesign the entire plant. While the proposed upgrade of the wastewater conveyance and treatment systems would facilitate the initial start-up of the primary beneficiary, additional wastewater infrastructure upgrades would be required for full build-out. The new lagoons, which are 4 to 4.5 million gallons in capacity, will be needed as storage and ballast even if they are not part of the treatment system in the future.

Groundwater

In the City of Mount Shasta, water is either provided by the City's water system (produce from Cold Springs and groundwater wells) or private wells. The sourcewater for the primary beneficiary is the Big Springs Aquifer. These sources are recharged by precipitation on the flanks of Mount Shasta. Studies prepared for Dannon indicated that the groundwater used by the bottling facility was in hydraulic connection with down-gradient Big Springs. The Dannon facility was served by one well (DEX-6) that is 2,000 feet to the north of the bottling facility. The Environmental Narrative states that Crystal Geysers facility will be served by a series of wells. The California Department of Water Resources requires permits for groundwater wells. Water produced by wells is regulated by the Siskiyou County Public Health Department.

According to the IN/MND, the Dannon facility with three production lines pumped an average of approximately 150 gallons per minute, or 78.8 million gallons per year, from the Big Springs Aquifer. Dannon also trucked in approximately 7.7 million gallons per year from Mossbrae Spring in Dunsmuir. According to the Environmental Narrative, the primary beneficiary could use up to one million gallons per day (1 MGD) of groundwater. This could equate to 365 million gallons per year, although it is unknown if the facility would use 1 MGD every day.

The IS/MND identified the following impacts to groundwater from the Dannon facility: a maximum reduction in groundwater levels to the closest private wells of approximately six (6) inches; and a slight reduction in flow from Big Springs (Headwaters Spring) of approximately 1.8 to 3.5 percent on average with a maximum effect of approximately five (5) percent. At the time the study was done, no municipal or private wells were closer than 1,500 feet from Dannon's production well (DEX-6). Impacts to groundwater, nearby wells, and springs were determined to be less than significant.

It appears that the primary beneficiary will use more groundwater than what was previously used. The facility will use more rinse water because of rinsing the equipment between the different flavors of water and teas that will be produced. The existing leachfield cannot handle the increase in rinse water so rinse water will be discharge to the sewer. This means recharge to groundwater will be less than when Dannon was using the leachfield for disposal of rinse water. With more groundwater use and no recharge to groundwater from the bottling facility, there will be greater impacts to groundwater, wells, Big Springs, and Big Springs Creek. A study will need to be done to determine if these impacts are significant.

Summary

Special conditions are included regarding the requisite Corps 404 permit, CDFW Streambed Alteration Agreement, and NPDES Stormwater Permit. With these permits and implementation of the mitigation measures within them, this project should not have significant impacts on surface water quality or, if there are significant impacts, they will be temporary.

The impact to groundwater levels, springs, and surface water fed by the springs could be potentially significant. Until more is known about the quantity and timing of groundwater extraction by the primary beneficiary, the impacts of the project on groundwater cannot be assessed in this Environmental Assessment. Information regarding documented impacts from the Dannon and Coca Cola operations to groundwater and springs would also be useful in assessing impacts. A special condition is included that the requisite CEQA analysis also examine indirect impacts from the project to groundwater, wells, springs, streams, and the CDFW Mt. Shasta Fish Hatchery.

K. Air Quality

According to the July 2013 U.S. EPA website on non-attainment areas, Siskiyou County is not in any non-attainment areas. As increase in truck traffic from the operation of the primary beneficiary will create additional impacts on air quality. The IN/MDN identified potentially significant air impacts from the Dannon plant. However, at the time that the IN/MND was prepared, the County was in non-attainment for PM10 (particulate material 10 micron or less in size). The County is no longer in non-attainment for PM10. Therefore, air impacts are less than significant.

L. Noise

The only potential for significant noise impacts associated with the EDA project would be during construction. Contractors will be expected to take appropriate measures and to use Best Management Practices (BMP) to keep noise levels to within tolerable and regulated limits such as using muffled construction equipment and limiting construction activity to reasonable hours. There will be no significant noise impact from this project.

M. Transportation

Regarding direct impacts to transportation from the proposed project, the wastewater line will intersect existing road right-of-ways (ROW) in three locations. Construction in the roads will create temporary impacts. The project also includes boring under the I-5 ROW and an encroachment permit will need to be obtained from the California Department of Transportation for that.

According to the Environmental Narrative, the transportation systems, both local streets and regional roads, will not change as a result of this project. However, the IS/MND indicated that there would be a slight increase in traffic on local roads with the operation of the bottling plant. For the Dannon facility, there were 3 to 5 delivery trucks per day and 10 truck of final product. Employee vehicle trips ranged from 22 to 35 per day. The IS/MND did not identify traffic impacts as being potentially significant.

N. Coastal Zone Management

The Coastal Zone Management Act does not apply to this project.

O. Environmental Justice

Executive Order 12898 concerns avoiding federal actions that may have a disproportionate adverse health or environmental impact on minority and low-income populations. This project will have no adverse impact on minority or low-income populations.

P. Construction

Contractors will be expected to use best management practices (BMP) methods to minimize noise, erosion, siltation, particulate air pollution, and other effects associated with construction activities. This project will have no significant construction impacts.

Q. Public Reaction

The City has discussed the proposed wastewater project at City Council meetings, but no formal public hearings have been held yet. Under CEQA, the City will conduct an analysis of the impacts associated with of the proposed wastewater infrastructure project.

As part of the EDA grant application process, NEPA public notices were published in local and regional newspapers. This was followed by a 15-day public comment period. The NEPA public notice was published in the weekly Mount Shasta Herald on August 7 and 14, 2013. The notice was published in the regional Siskiyou Daily News on August 9, 2013. The 15-day public comment period ended on August 29, 2013. No public comments were received.

While it was not disclosed in the Environmental Narrative, information from newspaper articles and websites indicate that bottled water facilities (the primary beneficiary) are controversial and contentious. A proposed new water bottling plant by Nestle Waters North America in the neighboring town of McCloud was the subject of a lawsuit and eventually not built. Crystal Geyser proposed building a water bottling facility in the town of Orland in Glenn County. Crystal Geyser decided to not build the new facility in Orland and instead decided to reopen the vacant Coca Cola water bottling facility in Mt. Shasta. Concerns in the McCloud project included impacts to streams and springs. Concerns in the Orland case included impacts to groundwater and adjacent wells.

V. CUMULATIVE AND INDIRECT IMPACTS

Environmental Narrative, under Item 20, Cumulative Impacts to Proposed Project, provided evidence of consideration of incremental impacts of the action, when added to other past, present, and reasonably foreseeable future actions. (40 CFR Section 1508.7)

The Environmental Narrative states that there are no foreseeable indirect or cumulative effects of this project on the environment that cannot be mitigated during the course of construction. However, the IN/MND for Dannon facility noted that the bottled water facility would have effects that are individually limited, but cumulatively considerable. Elsewhere in the IN/MND, it states that the Dannon project would not contribute to cumulative impacts to Big Springs aquifer, adjacent groundwater users, or Big Springs Creek.

The Mount Shasta Municipal Code, Chapter 13.95, specifically exempts commercial bottling water enterprises from having to obtain a groundwater extraction permit in the City of Mount Shasta. In Siskiyou County, bottling is permitted outright. Therefore, if other bottled water facilities located in or adjacent to the City of Mount Shasta, there could be significant cumulative impacts to groundwater. At

this time, there is no information that other bottling facilities plan on building additional bottled water facilities in the area.

The indirect impacts of pumping up to one million gallons per day of groundwater with no groundwater recharge could impact groundwater, wells, springs, creeks, and the Mount Shasta Fish Hatchery. The severity of those impacts cannot be assessed without additional information that will be collected as part of the CEQA process.

VI. CONCLUSION

While sewer infrastructure projects tend to not be controversial, the primary beneficiary of this sewer project will be a bottled water facility. Bottled water facilities have been controversial. Depending on the amount of groundwater extracted, the project has the potential to create significant adverse impacts to ground water quantity, springs, and possibly surface water quantity and quality. Review of all available data and completion of this Environmental Assessment have resulted in a Mitigated Finding of No Significant Impact (Mitigated FONSI). A CEQA analysis will be conducted for this proposed project. A determination of impacts to Big Springs will be necessary to finish the ESA consultation with the FWS. Should the impacts determination or CEQA analysis indicate that there are significant adverse impacts that cannot be mitigated to less than significant, then this Mitigated FONSI will be withdrawn.

With the requisite permits, consultations, agreements, and mitigation measures, in my opinion the approval of this project will not violate the following:

1. The National Environmental Policy Act of 1969, as amended
2. American Indian Religious Freedom Act
3. The Archeological and Historic Preservation Act of 1974
4. The Clean Air Act, as amended
5. The Clean Water Act, as amended
6. Coastal Barrier Act
7. Coastal Zone Management Act as amended
8. Community Environmental Response Facilitation Act of 1992
9. Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended
10. The Endangered Species Act, as amended
11. Environmental Quality Improvement Act of 1970, as amended
12. Executive Order 11514, Protection and Enhancement of Environmental Quality, as amended
13. Executive Order 11593, Protection and Enhancement of the Cultural Environment
14. Executive Order 11988, Floodplain Management
15. Executive Order 11990, Protection of Wetlands
16. Executive Order 12088, Federal Compliance with Pollution Control Standards
17. Executive Order 12372, Intergovernmental Review of Federal Programs, as amended
18. Farmland Protection Policy Act
19. Fish and Wildlife Coordination Act, as amended
20. Marine Protection, Research and Sanctuaries Act of 1972, as amended
21. Marine Sanctuaries Amendments of 1984, as amended
22. The National Historic Preservation Act of 1966, as amended
23. Noise Control Act of 1972, as amended
24. Pollution Prevention Act of 1990
25. Resource Conservation and Recovery Act of 1976, as amended
26. The Safe Drinking Water Act
27. Superfund Amendments and Reauthorization Act of 1986
28. Toxic Substances Control Act, as amended
29. The Wild and Scenic Rivers Act, as amended

(19) **SPECIAL CONDITIONS:** To assure mitigation of potential environmental impacts, mitigation measures are used in the form of grant conditions. The following Special Conditions are recommended for placement on the Grant Agreement as an addendum to the General Term and Conditions:

U.S. ARMY CORPS OF ENGINEERS (ACOE): Prior to advertisement for construction bid, the Recipient shall provide evidence satisfactory to the EDA that the ACOE has issued a Clean Water Act Section 404 permit for the project.

U.S. FISH AND WILDLIFE (USFWS): Prior to advertisement for construction bid, the Recipient shall provide evidence satisfactory to the EDA that consultations with the FWS under the Endangered Species Act and Migratory Bird Treaty Act have been completed, and mitigation measures resulting from these have been incorporated into construction plans.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW): Prior to advertisement for construction bid, the Recipient shall provide evidence satisfactory to the EDA that a Streambed Alteration Agreement has been obtained from the CDFW for work in Cold Creek and resulting mitigation measures are incorporated into construction plans.

CALIFORNIA STATE HISTORIC PRESERVATION OFFICER (SHPO): Prior to any earth-disturbing activities, the Recipient shall provide evidence satisfactory to the EDA that the National Historic Preservation Act Section 106 consultations have been completed with the California SHPO and Native American Historic Preservation Officers, and recommendations resulting from these have been incorporated into construction plans.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA): Prior to advertisement for construction bid, the Recipient provide evidence satisfactory to EDA that a CEQA analysis of the project has been completed, including an analysis of indirect impacts from the project to groundwater, wells, springs, streams and the CDFW Mount Shasta Fish Hatchery

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEMS (NPDES): Prior to earth-disturbing activities, the Recipient shall provide evidence satisfactory to the EDA that a Stormwater NPDES Permit for General Construction has been obtained from the California Regional Water Quality Control Board.

PREPARED BY: Shannon FitzGerald DATE: 8.30.13
Shannon FitzGerald
Regional Environmental Officer

Note: This concise format is in accordance with NEPA guidance provided by the President's Council on Environmental Quality at: <http://www.nepa.gov/nepa/regs/guidance.html>

APPENDIX

ENVIRONMENTAL NARRATIVE, FIGURES, CORRESPONDENCE, AND OTHER MATERIALS SUBMITTED BY APPLICANT AND OTHER PARTIES ARE PART OF AND SUPPORT THE FINDINGS OF THE ENVIRONMENTAL ASSESSMENT



U. S. DEPARTMENT OF COMMERCE
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Fax: 206.220.7669
Voice: 206.220.7660

Finding of No Significant Impact

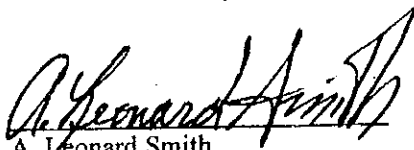
MEMORANDUM FOR THE PROJECT FILE

SUBJECT: Environmental Impact Determination and Necessary Environmental Findings for the
City of Mt. Shasta, California, Sewer Line and Wastewater Treatment Facility Improvements
Project Number 07-79-07000

An environmental assessment has been prepared for the subject project and is attached. After reviewing the assessment and supporting materials, I find that for the following reasons the project will not significantly affect the quality of the human environment.

- The project is a Class II Action as defined by EDA Directive 17.02-2.
- Both the individual and cumulative impacts will not be significant.
- No unique or unusual environmental conditions exist which would be adversely affected by the project.
- The project will not exceed two or more indicators of significance.
- The project is compatible with local land use plans, zoning restrictions, and the Comprehensive Economic Development Strategy (CEDS).
- The Agency policy with respect to Executive Orders 11988, Floodplain Management, and 11990, Wetlands Protection, has been met because the project will not impact either the values or functions of a floodplain or wetland.
- No known cultural resources will be impacted by the project.
- Project design will mitigate identified construction impacts.
- The pre-approval requirements of EDA Directive 17.02-7 are met.
- No negative comments have been received through the state or regional clearinghouse processes, and federal public notice process.

An environmental assessment has been prepared for the subject project and is attached. For the above reasons, and with the inclusion of the attached Special Condition, preparation of an environmental impact statement is not required.


A. Leonard Smith
Regional Director

9.3.2013
Date

Special Conditions:

U.S. ARMY CORPS OF ENGINEERS (ACOE): Prior to advertisement for construction bid, the Recipient shall provide evidence satisfactory to the EDA that the ACOE has issued a Clean Water Act Section 404 permit for the project.

U.S. FISH AND WILDLIFE (USFWS): Prior to advertisement for construction bid, the Recipient shall provide evidence satisfactory to the EDA that consultations with the FWS under the Endangered Species Act and Migratory Bird Treaty Act have been completed, and mitigation measures resulting from these have been incorporated into construction plans.

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NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEMS (NPDES): Prior to earth-disturbing activities, the Recipient shall provide evidence satisfactory to the EDA that a Stormwater NPDES Permit for General Construction has been obtained from the California Regional Water Quality Control Board.

Parker, Brian

From: Ted Marconi <TMarconi@ci.mt-shasta.ca.us>
Sent: Wednesday, August 14, 2013 12:11 PM
To: FitzGerald, Shannon; Parker, Brian
Subject: NEPA Publication Notices
Attachments: FWS Ltr Reconsideration.pdf; NEPA Notice Sisk.pdf; 6810 - nepa public notice - affidavit.pdf

Shannon and Brian,

Attached are the notices of publication for the NEPA and NHPA review. Also attached is a copy of our letter requesting a reconsideration by the Fish and Wildlife office of their non-concurrence with our determination regarding threatened and endangered species.

Thank you for all your help with this project.

Ted Marconi
City Manager
City of Mt. Shasta
530) 926-7519
fax (530) 926-0339
marconi@ci.mt-shasta.ca.us

PROOF OF PUBLICATION
(2015.5 C.C.P.)

Mt. Shasta Area Newspapers
Mount Shasta Herald,
Weed Press, Dunsmuir News
STATE OF CALIFORNIA,
County of Siskiyou

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the Administrative Assistant of the Mt. Shasta Area Newspapers, newspapers of general circulation, published weekly in the cities of Mount Shasta, Weed and Dunsmuir, County of Siskiyou, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Siskiyou, State of California, under the dates of: Mount Shasta Herald-July 9, 1951, Case Number 14392; Weed Press-June 22, 1953, Case Number 15231; Dunsmuir News-May 25, 1953, Case Number 15186; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspapers and not in any supplement thereof on the following dates, to-wit:

August 7 and 14,

all in the year 2013

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Mount Shasta, California,

this 14th day of August

2013.

/s/ Marcella Gerace
Authorized Signature

PROOF OF PUBLICATION OF

CITY OF MT SHASTA
PUBLIC NOTICE

The U.S. Department of Commerce, Economic Development Administration (EDA) is considering a request for Federal assistance from the City of Mt. Shasta to construct a Mt. Shasta Wastewater System Upgrade in Mt. Shasta, Siskiyou County, California. Pursuant to the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA), EDA is conducting an assessment of the potential of the proposed project to affect the environment and/or historic properties.

The project includes upsizing of the main sewer interceptor line and construction of two new ponds and associated headworks at the Wastewater Treatment Facility. The project will be located at in the current sewer line right of way primarily between Interstate 5 and Old Stage Road from West Jessie Street to Ream Avenue and at the Wastewater Treatment Facility at 1500 Grant Road. Project information is available for review at Mt. Shasta City Hall, 305 N. Mt. Shasta Blvd., Mt. Shasta, CA; (530) 928-7510.

If you have any information regarding potential impacts environmental resources or historic properties associated with this proposed project, please, provide it in writing to:

U.S. Department of Commerce
Economic Development
Administration
Seattle Regional Office
Attn: Regional Environmental
Officer
915 Second Avenue, Room 1890
Seattle, Washington
98174-1012

Comments received in the EDA Regional Office by 5:00 p.m. in the Pacific Time Zone on August 29, 2013 will be considered. A copy of the NEPA/NHPA decisional document will be available upon request at the above EDA Regional Office.
6810 msan au7,14c

PROOF OF PUBLICATION

AFFIDAVIT OF PUBLICATION

CITY OF MT. SHASTA
ATTN: ACCOUNTS PAYABLE
305 N. MT. SHASTA BLVD.
MOUNT SHASTA, CA 96067

IN THE MATTER OF
NEWS #6808
CITY OF MT. SHASTA PUBLIC NOTICE

STATE OF CALIFORNIA) ss:
County of Siskiyou)

FATNA GAYNOR

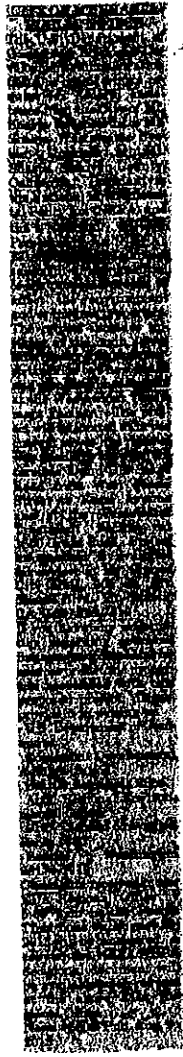
of said County, being duly sworn, deposed and says: THAT she is and at all times herein mentioned was a citizen of the United States of America, over the age of twenty-one years, and that she is not, nor was she at any of the times hereinafter named a party to, nor interested in the above entitled matter; that she is the PRINCIPAL CLERK OF THE PRINTER OF THE SISKIYOU DAILY NEWS, a newspaper of general circulation, printed and published in the City of Yreka, County of Siskiyou, State of California, and which newspaper is published for the dissemination of local and telegraphic news and intelligence of a general character, and which newspaper at all times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of Yreka, County of Siskiyou, State of California, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to; and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or any number of same; that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof, on the following, dates, to-wit:

AUGUST 9, 2013

Siskiyou Daily News adjudicated May 18, 1953, No. 15190

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

(Signed) Fatna Gaynor
Date: 8.9.13



FitzGerald, Shannon

From: Matson, Malinda
Sent: Tuesday, January 27, 2015 11:38 AM
To: Skrinde, Kristine; Good, Stan; FitzGerald, Shannon
Subject: Mt. Shasta

<http://www.mtshastanews.com/article/20140625/News/140629809/>

I don't know if they made a decision.

Malinda Matson
Economic Development Representative for Northern and Coastal California
Economic Development Administration
mmatson@eda.gov
Phone - 916-235-0088

Mt. Shasta Herald

City approves plan to hire firefighters, talks Crystal Geyser

- **Mount Shasta City Council members approved the hire of two temporary seasonal firefighters and approved an operating budget for the upcoming year during their regular meeting Monday evening, June 23.**



• **Skye KinkadeMount Shasta Mayor Tim Stearns, right, proclaimed July as "Parks Make Life Better!" month and congratulated Mount Shasta Recreation and Parks District**

administrator Mike Rodriguez for all his hard work. Rodriguez said his district is facing some challenging times and is planning to begin a "Friends of the Parks" group to help raise funding and support.

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By Skye Kinkade

Posted Jun. 25, 2014 at 9:19 AM

Mount Shasta, Calif.

Mount Shasta City Council members approved the hire of two temporary seasonal firefighters and approved an operating budget for the upcoming year during their regular meeting Monday evening, June 23.

They decided to hold off on an agreement with Northstate Resources for additional environmental studies on the Crystal Geysers facility to give council and public more time to review the expanded proposal. Local residents aired their concerns during public comment.

Volunteers needed

Mayor Tim Stearns and councilors Tom Moore, Geoff Harkness, Michael Burns and Jeffrey Collings unanimously passed a resolution approving the firefighters' hire.

Mount Shasta City Fire Department Chief Matt Melo said it is difficult to find volunteers who have the time to commit to training and who can be there quickly in case of emergencies.

Because of this shortage and the impending fire season, which has the potential to be serious, Melo said paid seasonal firefighters are necessary to supplement the coverage that he and Assistant Chief Eric Dyck provide.

"As of May 2014, fuel moisture is at 52 percent," said Melo. "The moisture content of the live manzanita is at 94 percent. These percentages are typically not experienced until August, and the potential for large fire growth is already at high levels."

The positions will be full time and pay \$10 an hour through Oct. 31 or when Governor Jerry Brown declares an end to the season, whichever comes first, said Melo. They will be paid with redirected funds from existing budgeted grants with no impact on the General Fund.

The council unanimously passed the 2014-15 budget, with the amendment to include the two fire positions. They also voted to establish an appropriations limit for the upcoming year.

Crystal Geysler

City Manager Paul Eckert explained that the city is planning to expand the EIR on the sewer line enhancement project to include the Crystal Geysler facility.

On Dec. 16, 2013, council entered into an agreement with Northstate Resources and PACE Engineering to conduct that EIR. Adding additional studies will increase the price by an estimated \$269,000, Eckert said.

That amount will come out of the \$3 million Crystal Geysler has contributed toward the city's sewer interceptor project, which would allow the water treatment plant to accept an increase in flows, he said.

The cost of the EIR could change, Eckert cautioned the council, based on the public scoping process and comments that are received.

Because the amendments in the agreement weren't available to the city until Monday afternoon, the council opted to defer action until their July 14 meeting.

Paul Reuter from PACE said it makes "perfect sense" for the city to stay with Northstate Resources for the expanded EIR and pointed out they are a local firm.

- **Page 2 of 3** - Wirt Lanning, project manager from Northstate Resources, said the study will include traffic impacts, peer reviews and possibly new hydrogeological and water quality studies, air quality and noise studies. He estimated the process could take six months or possibly longer.

He said this is a "unique circumstance" since the plant is located in the county, and the county has determined no additional environmental review is necessary because bottling fruit juices is a permitted use of the land in the heavy industrial zone.

"Where you have the hammer" is in the hookup, Lanning said. If Crystal Geysler does not agree to mitigation measures which may be identified in the EIR, the city could deny hookup to the sewer system.

Moore said he is worried that Crystal Geysers may decide to leave, and if they do, the city would be liable for thousands of dollars of unnecessary studies. Moore said such an outcome would be "devastating for our community."

Responding to concerns that the EDA did not approve the grant to perform the expanded EIR, but rather to upgrade the sewer interceptor, Eckert said the studies are an appropriate use of grant funds. He said Crystal Geysers would be obligated to pay the additional expense of the EIR, if there is any, since the studies are necessary before they can begin production.

Eckert said if Crystal Geysers left the Mt. Shasta area, they'd be leaving an "exceptionally heavy investment" since they're "putting most of their eggs in this basket."

Crystal Geysers representatives have stated that they may close other facilities elsewhere in California in order to consolidate in the Mount Shasta plant.

Public comments

During public comment, Dennis King said the council has very little "political courage" and wondered why no one challenged Crystal Geysers representatives when they were at the March 27 meeting.

Vicki Gold said she'd like to see the city indemnified if the EIR gets more expensive than currently anticipated. She said she's seen EIRs that top \$750,000 in cost.

Dan Axelrod said the city cannot trust Crystal Geysers and used the example of the amount of discharge the company said they will be putting into the sewer system. It is higher in the EDA grant application and lower for the public so as "not to arouse suspicion," he said.

He said verifiable caps are necessary to ensure the company is only taking a specific agreed upon amount of water and discharging a specific amount of waste.

Gloria Cooper said Stearns' request to not applaud after public statements is not fair. She said it's "like censorship," and she feels the public should be able to show its feelings through the natural reaction of applause.

- **Page 3 of 3** - Molly Brown said the council should consider climate change and how Crystal Geysers might affect that.

Raven Stevens urged the council to have new hydrogeological studies performed by an expert in volcanics, rather than just a peer review. She said existing studies are inadequate and unscientific and any EIR without new studies would be "an unfortunate sham."

She also asked the council to look at full buildout and not just Crystal Geyser's first phase.

Moore said even after the most complete study possible, he worries there are some people who will still be opposed to Crystal Geyser.

Stevens admitted that may be the case for some.

Maggie Shepard pointed to the dangers of plastics and asked for studies to be performed on possible health effects.

Peggy Reisch and David Kay Spear said California is in a state of emergency because of drought and asked the council not to sell Mount Shasta's pristine water.

Rose Taylor said the council is placing too much emphasis on the economic benefit of Crystal Geyser. There is a Crystal Geyser Roxanne water bottling plant in Weed, she said, and "Weed doesn't look prosperous to me."

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Tuesday, January 27, 2015 12:39 PM
To: Matson, Malinda
Subject: RE: Mt. Shasta

Thanks Melissa. I hope that was a typo—that a decision was deferred until July 14.

From: Matson, Malinda
Sent: Tuesday, January 27, 2015 11:38 AM
To: Skrinde, Kristine; Good, Stan; FitzGerald, Shannon
Subject: Mt. Shasta

<http://www.mtshastanews.com/article/20140625/News/140629809/>

I don't know if they made a decision.

Malinda Matson
Economic Development Representative for Northern and Coastal California
Economic Development Administration
mmatson@eda.gov
Phone - 916-235-0088

FitzGerald, Shannon

From: Matson, Malinda
Sent: Wednesday, January 28, 2015 12:50 PM
To: Robert Nash
Cc: Good, Stan; Skrinde, Kristine; FitzGerald, Shannon
Subject: RE: Mt. Shasta

Thanks,

I have copied my colleagues in the Seattle regional office who are also interesting in whatever you might find out.

I am heading out to Grass Valley for an Economic summit they are having tomorrow, so I won't be available for a phone call. We may want to schedule a call early next week if the situation warrants it.

Malinda Matson
Economic Development Representative for Northern and Coastal California
Economic Development Administration
mmatson@eda.gov
Phone - 916-235-0088

From: Robert Nash [<mailto:bnash@scedd.org>]
Sent: Wednesday, January 28, 2015 12:08 PM
To: Matson, Malinda
Subject: RE: Mt. Shasta

Hi Malinda,
I apologize for the delayed return email. I contacted Tonya Dowse, Siskiyou County EDC, about status of the Crystal Geysers project and also the Mount Shasta project relative to your EDA funding offer. Tonya is going to follow up for us to clarify just what is going on with Mount Shasta.

Would you be interested in a phone conference with Tonya Dowse later today or tomorrow to get a full update of status on this project? My schedule is open. Tonya is available after 3:30 today, before 9:30 or after 2:30 tomorrow (Thursday).

-Bob

From: Matson, Malinda [<mailto:MMatson@eda.gov>]
Sent: Tuesday, January 27, 2015 2:23 PM
To: Robert Nash
Subject: Mt. Shasta

Bob,

Nice meeting you last week. I look forward to working with you.

To follow up on our brief discussion on the City of Mt. Shasta – their city council met last night – do you know what the outcome was? The article in the local paper was unclear. Some decision has been put off until July – which is too late for us.

<http://www.mtshastanews.com/article/20140625/News/140629809/>

Thanks for your help,

Malinda

Malinda Matson
Economic Development Representative for Northern and Coastal California
Economic Development Administration
mmatson@eda.gov
Phone - 916-235-0088

FitzGerald, Shannon

From: Good, Stan
Sent: Thursday, January 29, 2015 3:14 PM
To: Skrinde, Kristine; FitzGerald, Shannon
Cc: Smith, A. Leonard
Subject: FW: Follow-up on EDA letter
Attachments: EDAlternatives.doc; InterceptorLineFunding.doc

The latest from Mt. Shasta. Looks like they accepted the EDA alternative.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Thursday, January 29, 2015 2:58 PM
To: Good, Stan
Cc: Muriel Howarth Terrell; Geoff Harkness (mtshastageoff@gmail.com); Mike Burns (burnsmj5@sbcglobal.net); Tim's Gmail; Jeffrey Collings; John Kenny; Nicole Dove
Subject: Follow-up

Greetings Stan,

Thank you for your ongoing support. As follow-up, during the January 26, 2015 City of Mt. Shasta City Council meeting, the City Council took formal action and unanimously voted to accept the EDA alternative to redirect the EDA Grant Award funding to the City's State Mandated Waste Water Improvement Project. The City Council was very appreciative of the EDA's continued support. Last week I sent you the City Council Agenda and staff report. They are attached again for your information. We will send the minutes from the City Council meeting as soon as they are finished.

I have copied our City Council, Finance Director, Deputy City Clerk, and our City Attorney for their background. We look forward to hearing from you or other EDA representatives regarding the next steps. Again, we sincerely appreciate your support and the support of your entire Team at the EDA.

Respectfully,

Paul

Paul Eckert, City Manager

City of Mt Shasta
305 N. Mt Shasta Blvd
Mount Shasta, CA 96067
Phone (530) 926-7510
www.mtshastaca.gov

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City Council Agenda Item # 10

Date: January 26, 2015

To: Mayor and City Council

From: Paul Eckert, City Manager

Subject: City of Mt Shasta response to alternatives provided by the United States Economic Development Agency.

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| X | Regular Session |
| | Special Session |
| | Emergency Session |
| | Closed Session |

Recommendation:

City staff respectfully recommends the City Council discuss, consider, and take formal action regarding the two alternatives provided by the United States Economic Development Administration. Staff respectfully recommends the first alternative provided; to use the original \$3M EDA Grant Award on the City's \$16M State Mandated Waste Water Treatment Plant Project.

Background & Summary:

Following several years of effort, the City of Mt. Shasta received a \$3M Grant Award provided by the U.S. Economic Development Administration (EDA) in September 2013 for the repair of the Sewer Inceptor Line. The City was recently contacted by the EDA and provided two options regarding the existing EDA Grant Award. The EDA informed the City that the City can: 1) Return all funds to the USEDA; or 2) Apply the entire \$3M Grant Award to the City's top priority project, the State Mandated Waste Water treatment Plant (WWTP) reconstruction. Since that time, the City has shared various correspondence with the EDA, including several letters and several phone calls. Follow-up letters were sent on December 30th and January 6th. Our most recent conversations were held on January 13th.

As it stands, all work on the Interceptor Project has been postponed. In addition to this City Council Agenda Item regarding the EDA, the City Council will be asked to discuss and consider alternative funding for the Interceptor Project as a separate item on the Council Agenda. The Council will be asked to provide direction to formally pursue additional funding from a variety of granting agencies. Because the Interceptor Project is indefinitely postponed, the Interceptor line CEQA/EIR preparation has ceased.

The City has worked closely with the EDA for three years. A great volume of documentation was provided, including the engineering and environmental contracts, the work plan, budgets, quarterly cost updates, reports identifying the environmental costs, and requests to transfer funds from the Grant's contingency line item to the line item for the environmental services as originally planned. The costs were made clear and it was made clear that they were "not to

exceed" costs. The transfer did not cause an increase in the EDA Grant Award or the matching contribution that Crystal Geysler pledged.

While the City has worked positively with the EDA over the past several years, more recently, there appears to have been an increased formality and change of tone from the EDA. Nothing on the City's part would have seemingly caused the EDA changes in their tone or approach. Additional information will be provided and reviewed during the City Council Meeting.

Crystal Geysler has been informed of the EDA action. As understood by the City, Crystal Geysler plans to continue their Mt. Shasta Project. If Crystal Geysler applies for an Industrial Waste Water Connection, the City will respond with an analysis of the CG flows and our City facilities. The in-depth analysis may result in potential changes to the Crystal Geysler facilities. Based upon the City's current connection fees and the estimated preliminary discharge volumes of Crystal Geysler, the City anticipates Sewer Connections fee payments to our WWTP from Crystal Geysler in excess of \$3M, if they connect to our system. Do to municipal waste water industry standards and the best interests of our local environment and public health, a Crystal Geysler sewer connection is preferred to Crystal Geysler conducting onsite treatment.

We respect and appreciate the support of the United States Economic Development Administration. The EDA had an array of options, including the complete elimination of all funding. We greatly appreciate their recognition of the importance of the State Mandated Waste Water Reconstruction Project and its value to local health and our community's long-term economic progress. The State Mandated WWTP remains the City's top priority. The projected is estimated at \$16M. Tasks to be completed in 2015 are as follows: 1) Complete third-party peer review; 2) Complete income survey; 3) Complete environmental review; 4) Prepare & submit funding applications; 5) Initiate Proposition 218 rate increase proceedings; and 6) Possibly initiate engineering design. The EDA's \$3M will greatly assist our efforts and will directly reduce financial impacts to our Mt. Shasta residents. If the funds are forfeited and Crystal Geysler does not connect to our Sewer system, we will be forced to fund other alternative funding sources, including sewer rate increases.

Financial Impact: Financial impacts are yet to be determined, however, there is a strong likelihood the overall impacts may be close to neutral. The City has the opportunity to retain the \$3M funding from the EDA. Should Crystal Geysler apply to connect to the Mt Shasta Municipal Waste Water Utility, the CG Sewer Connection Fee is estimated to exceed \$3M based on current estimated volumes. Finally, if the City is successful in receiving I-Bank or other funding for the Interceptor Line Repair, the majority (approximately 80%) of the work and funds spent to date on Interceptor Line Repair will be utilized.

Compliance with the 2014-17 City Council Strategic Plan: The efforts described in this report are consistent with our Strategic Efforts to Enhance Public/Private Partnerships (III) and to Expand Quality of Life and Development Opportunities (I)

Attachments: Letter from EDA received 12/26/14; Letter sent to EDA sent 12/30/14; Letter sent to EDA 01/5/2015; Telephone Notes from EDA Call 01/13/15

City Council Agenda Item # 11

Date: January 26, 2015

To: Mayor and City Council

From: Paul Eckert, City Manager

Subject: City of Mt Shasta Efforts to obtain funding from various sources to fund the design and construction of the northerly portion of the Interceptor Line Repair.

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| <input type="checkbox"/> | Special Session |
| <input type="checkbox"/> | Emergency Session |
| <input type="checkbox"/> | Closed Session |

Recommendation:

City staff respectfully recommends the City Council discuss, consider, and take formal action directing City staff to immediately explore and obtain funding sources for necessary repairs to the City's northerly portion of the Interceptor Sewer Line.

Background & Summary:

The Interceptor Line Repair has been a top priority in the City's Sewer Master Plan for several decades. Completing the project in a timely means remains a top priority of the City Council. The loss of the EDA funding of \$3M and the corresponding \$3M matching pledge from Crystal Geyser requires that alternative funding sources be identified.

As it stands, all work on the Interceptor Project has been postponed. The City Council is respectfully requested to discuss the Interceptor Project and to provide direction to formally pursue additional funding from a variety of granting agencies. As additional background, due to the Interceptor Project having been postponed, the Interceptor Line CEQA/EIR preparation has ceased.

As identified in the City's Sewer Master Plan, the Interceptor Project has been one of the City's top capital project priorities for nearly two decades. While work is currently postponed due to the loss of the funding, the City is aggressively seeking Interceptor Project funding and plans to have the Interceptor Project restated in our Capital Improvement Plan in approximately April. We are in contact with the California State Infrastructure Bank (I-Bank) and IRWM, among others. As background, I-Bank funded the southerly improvements to the southerly portion of the same Interceptor Line and IRWM recently was the conduit for the City's funding for the water supply lines and water meter projects. We are working with various agencies to identify other potential funding sources. If funding is received, the investment to date in the project may be utilized and the City will conduct an EIR for the Interceptor Project only. The estimated project costs are approximately \$4M.

Financial Impact: Due to the recent loss of funds as previously described, additional funding must be sought if the City is to complete the project in a timely manner. If the City is successful in receiving I-Bank or other funding for the northerly Interceptor Line Repair, the majority (approximately 80%) of the work and funds spent to date on the Interceptor Line Repair will be utilized. Failure to obtain funds will result in the project not proceeding or the project potentially proceeding with local rate payer support.

Compliance with the 2014-17 City Council Strategic Plan: The efforts described in this report are consistent with our Strategic Efforts to Enhance Public/Private Partnerships (III) and to Expand Quality of Life and Development Opportunities (I)

Attachments: None

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Friday, January 30, 2015 11:38 AM
To: Matson, Malinda
Subject: FW: Follow-up on EDA letter
Attachments: EDAAlternatives.doc; InterceptorLineFunding.doc

Hi Malinda,

I don't see that you were copied. FYI. -Shannon

From: Good, Stan
Sent: Thursday, January 29, 2015 3:14 PM
To: Skrinde, Kristine; FitzGerald, Shannon
Cc: Smith, A. Leonard
Subject: FW: Follow-up on EDA letter

The latest from Mt. Shasta. Looks like they accepted the EDA alternative.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Thursday, January 29, 2015 2:58 PM
To: Good, Stan
Cc: Muriel Howarth Terrell; Geoff Harkness [REDACTED] Mike Burns [REDACTED]; Tim's
Gmail; Jeffrey Collings; John Kenny; Nicole Dove
Subject: Follow-up

Greetings Stan,
Thank you for your ongoing support. As follow-up, during the January 26, 2015 City of Mt. Shasta City Council meeting, the City Council took formal action and unanimously voted to accept the EDA alternative to redirect the EDA Grant Award funding to the City's State Mandated Waste Water Improvement Project. The City Council was very appreciative of the EDA's continued support. Last week I sent you the City Council Agenda and staff report. They are attached again for your information. We will send the minutes from the City Council meeting as soon as they are finished.

I have copied our City Council, Finance Director, Deputy City Clerk, and our City Attorney for their background. We look forward to hearing from you or other EDA representatives regarding the next steps. Again, we sincerely appreciate your support and the support of your entire Team at the EDA.

Respectfully,

Paul

Paul Eckert, City Manager
City of Mt Shasta

305 N. Mt Shasta Blvd
Mount Shasta, CA 96067
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www.mtshastaca.gov

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FitzGerald, Shannon

From: Good, Stan
Sent: Thursday, February 05, 2015 1:13 PM
To: Smith, A. Leonard; Skrinde, Kristine; FitzGerald, Shannon
Cc: Matson, Malinda
Subject: FW: Mt Shasta Council Response To EDA Regional Director Smith
Attachments: MtShastaCouncilResponseToEDA.pdf

Forwarded email form Mt. Shasta. Please note all the cc's.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

Join EDA's mailing list today to get the latest agency news and grant opportunity information!

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Thursday, February 05, 2015 12:19 PM
To: Good, Stan
Cc: matthew_nelson@feinstein.senate.gov; kyle_chapman@boxer.senate.gov; mark.stannagel@mail.house.gov; Kaye_Meier@boxer.senate.gov; Geoff Harkness [REDACTED]; Jeffrey Collings; Tim's Gmail; Mike Burns [REDACTED]; Tonya Dowse (tonya@siskiyoucounty.org); Muriel Howarth Terrell; John Kenny; Andrea Matarazzo (andrea@pioneerlawgroup.net); Nicole Dove; Rod Bryan
Subject: Mt Shasta Council Response To EDA Regional Director Smith

Greetings Stan,

Thank you for the ongoing dialogue and your support. Attached is the Mt. Shasta City Council's formal response to EDA Regional Director Smith's letter received December 26th. Our elected officials appreciate your Team's continued efforts on our community's behalf.

Your Team may want to review the link below to the article regarding the EDA and its relationship with our small group of residents. In an effort to be effective and responsive, our elected officials, including our Congressional delegation would appreciate updates regarding ongoing EDA involvement with local community members, especially as it becomes as apparently expansive as it has over the last several months. Several elected officials have expressed frustration that the Grant Award recipient was not apprised of the activities that led to the change of direction by the EDA.

Mt. Shasta Herald story:

<http://www.mtshastanews.com/article/20150205/NEWS/150209903/1994/NEWS>

Again, thank you for your support. We look forward to the next steps and hope they are as simplified as we have been led to believe through the Director's letter and our conversations.

Respectfully,

Paul

Paul Eckert, City Manager

City of Mt Shasta
305 N. Mt Shasta Blvd
Mount Shasta, CA 96067
Phone (530) 926-7510
www.mtshastaca.gov

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305 North Mt. Shasta Boulevard
Mt. Shasta, California 96067

Tel (530) 926-7510
Fax (530) 926-1342

February 2, 2015

Mr. A. Leonard Smith
Regional Director
U.S. Economic Development Administration
915 Second Avenue Room 1890
Seattle, WA 98174

CITY of
Mt SHASTA

RE: EDA Award No. 07-79-07000
Mt. Shasta Sewer Line and Wastewater Treatment Facility Improvement Project

Greetings Director Smith:

Again, thank you for your most recent correspondence received December 26, 2014 (attached). This letter respectfully follows up to your letter in addition to the two other follow-up letters sent to the EDA from the City of Mt. Shasta on December 30, 2014 and January 5, 2015. As we shared in our follow-up letters and emails to EDA Project Manager Stan Good as well as several telephone conversations and emails with Mr. Good, the City Council immediately scheduled a public Agenda discussion item for their January 26th City Council Agenda to discuss the EDA alternatives as they were precisely offered in your letter to the City received December 26, 2014.

Our City Council, with the assistance of City staff, our City Attorney, and outside legal assistance, extensively reviewed and considered your response letter before and during the public meeting. The City Council and staff and legal resources focused their efforts and consideration on the following language in your letter:

"We (the United States Economic Development Administration) offer the following alternatives for your consideration:

- The purpose of the EDA funds is to aid local economic development and ultimately lead to the creation of permanent jobs. EDA's funding purpose could be addressed with utilization of the EDA funds **solely** at the City's wastewater treatment plant. Further, if the City had State funding available for wastewater treatment plant work, then those State funds might be eligible to be used as match to the EDA funds and provide for increased improvements at the wastewater treatment plant. This would allow the City to serve future business development and meet State-mandated wastewater treatment requirements; or
- The City could request a termination for convenience on the EDA grant, which will result in a termination of all of EDA's obligations to the project and a return of all non-obligated EDA project funds (less potential eligible, non-cancellable costs) to the U.S. Treasury."

As directed in your letter received December 26, 2014, the City's response was shared through email (attached) with EDA Project Manager Stan Good on January 29, 2015. We are pleased to report to you that during the January 26, 2015 City of Mt. Shasta City Council meeting, the City Council took formal action and unanimously voted to accept the EDA alternative to redirect the EDA Grant Award funding

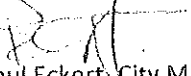
to the City's State Mandated Waste Water Treatment Plant Improvement Project. The City Council action is verified in the attached City Council minutes. The City Council Agenda and staff report were previously provided to Mr. Good. The City Council was very appreciative of the EDA's continued support of our local economic development efforts and our ongoing severe economic challenges.

Based upon the language contained in your letter, the corresponding action by the City Council, and the descriptions provided by Mr. Good, the City of Mt. Shasta will now be provided a simple amendment for your review and signature and that most importantly, we are not subject to a competitive or overly burdensome review and are in no way jeopardized regarding the retention of the EDA's \$3M funding that the EDA proposed being transferred to the Mt. Shasta State Mandated Waste Water Treatment Plant.

Again, we remain very appreciative of the award and your flexibility to allow critically necessary funding to be utilized for our ongoing WWTP improvements. The EDA's continued support of our community is critical to our region due to our distressed economics. As you may be aware, Siskiyou County has nearly the lowest per capita incomes and nearly the highest unemployment rate in the State of California.

I have copied our elected representatives, Finance Director, Deputy City Clerk, and our City Attorney for their background. We look forward to hearing from you or other EDA representatives regarding the next steps. Again, we sincerely appreciate your support and the support of your entire Team at the EDA.

Respectfully,


Paul Eckert, City Manager
City of Mt. Shasta

Copy: Senator Boxer
Senator Feinstein
Congressman LaMalfa
Mt. Shasta City Council
City Finance Director
City Attorney John Kenny
Consultant Project Attorney Andrea Mattarazzo, Pioneer Law Group



U. S. DEPARTMENT OF COMMERCE
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Fax: 206.220.7669
Voice: 206.220.7660

DEC 19 2014

Received 12/24/14

Mr. Paul Eckert
City Manager
City of Mt. Shasta
305 North Mt. Shasta Boulevard
Mount Shasta, California 96067

RE: EDA Award No. 07-79-07000
Mt. Shasta Sewer Line and Wastewater Treatment Facility Improvement Project

Dear Mr. Eckert:

EDA has reviewed your November 12 and November 26, 2014 letters regarding a budget revision to the subject EDA award as well as your response to EDA's November 21, 2014 letter. Thank you for the additional information. As you are aware, the project has experienced significant controversy involving the prime beneficiary which has resulted in the City's request to amend the project budget to help fund a California Environmental Quality Act Environmental Impact Report (EIR). The funding for the EIR was not part of the approved scope of work. Originally, the "Other A/E" line item was established at \$95,000 to accomplish necessary environmental reviews such as cultural resources consultations and wetlands delineation. However, the request to utilize both the "Other A/E" line item as well as 60 percent (\$269,263) of the "Contingency" line item is a substantial increase that fundamentally alters the original purpose of the EDA project funds. "Contingency" line item funds are typically utilized to address construction cost issues such as change orders. Therefore, after review of the City's budget revision request and with consideration of the original intent of the EDA grant award, EDA is not in a position to approve the proposed budget revision.

EDA realizes that these budget difficulties were essentially beyond your control, and we sincerely regret that the project has not proceeded as originally planned. We note the comments in your letter that the project may not continue without the proposed budget revision, and we offer the following alternatives for your consideration:

- The purpose of the EDA funds is to aid local economic development and ultimately lead to the creation of permanent jobs. EDA's funding purpose could be addressed with utilization of the EDA funds solely at the City's wastewater treatment plant. Further, if the City had State funding available for wastewater treatment plant work, then those State funds might be eligible to be used as match to the EDA funds and provide for increased improvements at the wastewater treatment plant. This would allow the City to serve future business development and meet State-mandated wastewater treatment requirements; or

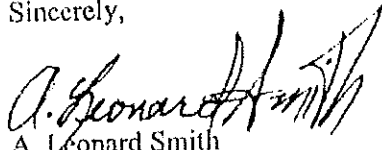
Mr. Paul Eckert
Page 2 of 2

EDA Award No. 07-79-07000
City of Mount Shasta, California

- The City could request a termination for convenience on the EDA grant, which will result in a termination of all of EDA's obligations to the project and a return of all non-obligated EDA project funds (less potential eligible, non-cancellable costs) to the U.S. Treasury.

To allow for the upcoming holiday period, please provide your response to EDA within 45 calendar days. Please address any questions to Mr. Stan Good, Civil Engineer, at (206) 220-7701.

Sincerely,



A. Leonard Smith
Regional Director

Copy to: Malinda Matson, EDR

From: Good, Stan <SGood@eda.gov>
Sent: Thursday, January 29, 2015 3:19 PM
To: Paul Eckert
Cc: Muriel Howarth Terrell; Geoff Harkness [REDACTED]; Mike Burns [REDACTED]; Tim's Gmail; Jeffrey Collings; John Kenny; Nicole Dove
Subject: RE: Follow-up

Paul:
That is good news. The next step after EDA receives the formal acceptance by the City Council is to prepare an amendment to the grant to proceed with the treatment plant funding. I'm off work tomorrow but will be back on Monday.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

Join EDA's mailing list today to get the latest agency news and grant opportunity information!

From: Paul Eckert [mailto:eckert@mtshastaca.gov]
Sent: Thursday, January 29, 2015 2:58 PM
To: Good, Stan
Cc: Muriel Howarth Terrell; Geoff Harkness [REDACTED]; Mike Burns [REDACTED]; Tim's Gmail; Jeffrey Collings; John Kenny; Nicole Dove
Subject: Follow-up

Greetings Stan,
Thank you for your ongoing support. As follow-up, during the January 26, 2015 City of Mt. Shasta City Council meeting, the City Council took formal action and unanimously voted to accept the EDA alternative to redirect the EDA Grant Award funding to the City's State Mandated Waste Water Improvement Project. The City Council was very appreciative of the EDA's continued support. Last week I sent you the City Council Agenda and staff report. They are attached again for your information. We will send the minutes from the City Council meeting as soon as they are finished.

I have copied our City Council, Finance Director, Deputy City Clerk, and our City Attorney for their background. We look forward to hearing from you or other EDA representatives regarding the next steps. Again, we sincerely appreciate your support and the support of your entire Team at the EDA.

Respectfully,

Paul

Paul Eckert, City Manager
City of Mt Shasta
305 N. Mt Shasta Blvd
Mount Shasta, CA 96067
Phone (530) 926-7510
www.mtshastaca.gov

Mt. Shasta City Council Regular Meeting DRAFT Minutes

Mt. Shasta Community Center, 629 Alder Street
Monday, January 26, 2015 - 5:30 p.m.

“Our mission is to maintain the character of our “small town” community while striking an appropriate balance between economic development and preservation of our quality of life. We help create a dynamic and vital City by providing quality, cost-effective municipal services and by forming partnerships with residents and organizations in the constant pursuit of excellence.”

| Page | Item | STANDING AGENDA ITEMS |
|------|------|---|
| | 1. | <p>Call to Order and Flag Salute</p> <p>At the hour of 5:35 p.m., Mayor Geoffrey Harkness called the meeting to order and led the audience in the Pledge of Allegiance.</p> |
| | 2. | <p>Roll Call</p> <p>Councilmembers Present: Mayor Pro Tem Jeffrey Collings, Burns, Stearns, Mayor Harkness Councilmembers Absent: None</p> |
| | 3. | <p>Special Presentations and Announcements: Water Conservation - Meadow Fitton</p> <p>Meadow Fitton, Water Education Consultant, gave a brief presentation on the preparations being made with the City of Mt. Shasta to advise its citizens about water conservation in drought conditions. An informational brochure will be mailed to City utility customers in the third week of February, 2015. Three “water talks,” which will include an informational video, have been scheduled in the City of Mt. Shasta for March 10, May 21, and October 21, 2015.</p> |
| | 4. | <p>City Council Interviews of Board/Commission /Commissioner Candidates:</p> <ul style="list-style-type: none"> a. Melanie Findling – Planning Commission b. Lorie Saunders – Beautification Committee c. Alexis Meadows – Beautification Committee d. Leslie Holland – Beautification Committee e. Terez Maniatis – Beautification Committee <p>MOTION to fill the four (4) vacancies on the Planning Commission with Melanie Findling, Alan Pardee, Emily Derby, and Casey Clure.</p> <p>Motion by: Councilmember Stearns Second by: Councilmember Burns 4 Ayes – (Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness)</p> |

| | |
|-------------------------------------|--|
| | <p>MOTION to fill existing two (2) vacancies on the Beautification Committee with Terez Maniatis and Leslie Holland.</p> <p>Motion by: Councilmember Stearns Second by: No second on motion.</p> <p>Council Action: This item was postponed for a future regular meeting of the City Council.</p> |
| | <p>5. Public Comment:</p> <p>Members of the audience voiced their comments and concerns regarding: geo engineering; the Interceptor Line Project, an Environmental Impact Report (EIR); logging at Lake Siskiyou campground; the impact on the health and welfare of the community with installation of smart water meters; and Caltrans SR 89/South Mt. Shasta Boulevard Intersection Project.</p> |
| | <p>6. Meeting Recess: A brief recess was taken at 7:45 p.m.</p> |
| <p>CITY COUNCIL BUSINESS</p> | |
| | <p>7. Consent Agenda - The City Manager recommends approval of the following Consent Agenda items. All Resolutions and Ordinances on this agenda, or added hereto, shall be introduced or adopted, as applicable, by title only, and the full reading thereof is hereby waived.</p> <p>a. Approval of Minutes: December 16, 2014 Special City Council Meeting</p> <p>b. Approval of Minutes: January 12, 2015 Regular City Council Meeting</p> <p>c. Acceptance of Brown Act Committee Minutes:</p> <p style="padding-left: 40px;">ATC Regular Meeting Minutes of November 21, 2014 ATC Regular Meeting Minutes of December 19, 2014 Beautification Committee Regular Meeting Minutes of October 8, 2014 Beautification Committee Special Meeting Minutes of October 8, 2014</p> <p>d. Approval of Disbursements: Accounts Payable: 1/9/15; 1/9/15; and 1/12/15; Total Gross Payroll and Taxes: For Period Ending 1/7/15 (Finance Director)</p> <p>e. City Council Committee Assignments:</p> <p style="padding-left: 20px;">i. LTC – Michael Burns Sr. ii. ATC – Michael Burns Sr. iii. Beautification Committee – Jeffrey Collings iv. CEDAC – Tim Stearns & Geoff Harkness v. LTAC – Geoff Harkness vi. DEAC – Michael Burns Sr. vii. Crystal Geyser Communications Ad Hoc Committee – Jeffrey Collings viii. Water Main and Water Meters Ad Hoc Committee – Jeffrey Collings</p> |

- ix. Waste Water Treatment Plant Construction (WWTP) Ad Hoc Committee – Michael Burns Sr. & Jeffrey Collings
- x. SAGE – Tim Stearns
- xi. Solid Waste JPA – City Manager

MOTION to approve consent agenda item 7(a) Approval of Minutes: December 16, 2014 Special City Council Meeting; 7(b) Approval of Minutes: January 12, 2015 Regular City Council Meeting; 7(c) Acceptance of Brown Act Committee Minutes: ATC Regular Meeting Minutes of November 21, 2014; ATC Regular Meeting Minutes of December 19, 2014; Beautification Committee Regular Meeting Minutes of October 8, 2014; Beautification Committee Special Meeting Minutes of October 8, 2014; and 7(d) Approval of Disbursements: Accounts Payable: 1/9/15; 1/9/15; and 1/12/15; Total Gross Payroll and Taxes: For Period Ending 1/7/15 (Finance Director); and 7(e) City Council Committee Assignments: i. LTC – Michael Burns Sr.; ii. ATC – Michael Burns Sr.; iii. Beautification Committee – Jeffrey Collings; iv. CEDAC – Tim Stearns and Geoff Harkness; v. LTAC – Geoff Harkness; vi. DEAC – Michael Burns Sr.; vii. Crystal Geyser Communications Ad Hoc Committee – Jeffrey Collings; viii. Water Main and Water Meters Ad Hoc Committee – Jeffrey Collings; ix. Waste Water Treatment Plant Construction (WWTP) Ad Hoc Committee – Michael Burns Sr. and Jeffrey Collings; x. SAGE – Tim Stearns; and xi. Solid Waste JPA – City Manager

Motion by: Councilmember Stearns, with one exception. Item 7(e) City Council Committee Assignments, item i., LTC – Michael Burns, Sr. This committee position is assigned by the Mayor's Committee of the League of Local Agencies (LOLA). Councilmember Stearns reported that Michael Burns, Sr. was appointed to fill one of two vacancies on the LTC by that Committee in their meeting the previous week.

MOTION to accept consent agenda items, with the exception of item 7(e):

Motion by: Councilmember Stearns
Second by: Councilmember Burns
4 Ayes – (Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness)

8. Prop 84 Water Meters and Pipeline Projects funded through the Regional Water Management Group (RWMG)- Project Process and Update

Background: Staff will provide an update on the progress on the proposed projects and summarize next steps.

Report By: Rod Bryan, Public Works Director

Council Action: Provide direction to staff in selection of a water meter.

Mayor Pro Tem Collings gave a presentation on his extensive research regarding various types of water meters, their safety and efficiency, benefits, costs, and role in water conservation, now and for the long-term.

| | |
|--|--|
| | <p>In order to minimize health impacts on the City of Mt. Shasta's utility customers, labor and maintenance costs to the City, in addition to providing ongoing data to promote water conservation, City Council unanimously directed the Public Works Department to move forward with the installation of the <i>Census / Pearl</i> "drive-by" Automatic Meter Reading (AMR) system, which is not a smart meter.</p> |
| | <p>9. Selection of a project alternative for the Caltrans SR 89/South Mt. Shasta Boulevard Intersection Improvement Project Concepts.</p> <p><u>Background:</u> Caltrans will present alternatives and seek Council input on alternatives for improving the Highway 89/South Mt. Shasta Boulevard intersection.</p> <p><u>Report By:</u> Rod Bryan, Public Works Director and Caltrans Representatives</p> <p><u>Council Action:</u> City Council direction regarding preferred alignment on Highway 89.</p> <p>No direction was given or action taken by City Council on this project at this meeting.</p> |
| | <p>10. City response to U.S. Economic Development Administration (EDA).</p> <p><u>Background:</u> City Staff will provide and update regarding the U.S. Economic Development Administration (EDA) Grant Award changes. The City Council will be asked to consider and decide among two alternatives, returning the funds or directing the funds to the Mt. Shasta State Mandated Waste Water Treatment Plant Project.</p> <p><u>Report By:</u> Paul Eckert, City Manager</p> <p><u>Council Action:</u> City Council to provide direction regarding U.S. Economic Development Administration (EDA) alternatives stated above.</p> <p>MOTION to redirect grant award funds from the U.S. Economic Development Administration (EDA) to the State Mandated Waste Water Treatment Plant Project for the City of Mt. Shasta.</p> <p>Motion by: Mayor Pro Tem Collings Second by: Councilmember Stearns 4 Ayes – (Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness)</p> |
| | <p>11. Efforts to obtain funding from various sources necessary to complete repairs to the City's Interceptor Line.</p> <p><u>Background:</u> The Interceptor Line Repair has been a top priority in the City's Sewer Master Plan for several decades. Completing the project remains a top priority of the City Council. The loss of the EDA funding requires that alternative funding sources be identified.</p> <p><u>Report By:</u> Paul Eckert, City Manager</p> <p><u>Council Action:</u> Provide direction to staff regarding exploring and obtaining funding sources for repairs to the City's Interceptor Line.</p> |

| | |
|--|---|
| | <p>City Council tasked City Manager Eckert with exploring and obtaining alternative funding for the City of Mt. Shasta's Interceptor Line, and to keep Council apprised of those ongoing efforts.</p> |
| | <p align="center">CITY COUNCIL/STAFF REPORTING PERIOD</p> |
| | <p>12. Council Reports on Attendance at Appointed/Outside Meetings</p> <p>Councilmember Stearns reported that he has been elected as Chair of the League of Local Agencies (LOLA).</p> |
| | <p>13. Council and Staff Comments</p> <p>City Manager Eckert reported that the Public Works Department is doing an exceptional job on improving the City's infrastructure. The City's mechanic must also be commended for his expertise and efforts in saving the City substantial costs associated with vehicle maintenance.</p> <p>Public Works Director Rod Bryan addressed the ongoing improvements to City water lines and pressure regulators. Future coliform samples will be taken from the City's water mains instead of residential or commercial samplings, as in the past.</p> |
| | <p>14. Future Agenda Items (Appearing on the agenda within 60-90 days):</p> <ul style="list-style-type: none"> a. Review of Ordinance #275 with the intent to add language allowing the inclusion of downtown property owners to be eligible to sit on the DEAC – 2/2015 (Waiting for legal review) b. LED Light System Update – 2/2015 c. Overview of election process for Councilmembers – 2/2015 d. ATC jurisdiction review – 2/2015 e. Water conservation communication efforts – 3/2015 f. Commercial Recycling Oversight Requirements – 3/2015 g. Updates from Council appointed committees – 4/2015 |
| | <p>15. Adjourn</p> <p>There being no further business before the City Council, the meeting was adjourned by Mayor Harkness at the hour of 11:15 p.m.</p> |

FitzGerald, Shannon

From: Good, Stan
Sent: Friday, February 06, 2015 10:05 AM
To: Paul Eckert
Cc: Skrinde, Kristine; FitzGerald, Shannon
Subject: RE: Mt Shasta Council Response To EDA Regional Director Smith

Paul:

Since the city has decided to use the EDA funds for the treatment plant upgrade, can you send me a proposed scope of work for the treatment plant upgrade?

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

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From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Thursday, February 05, 2015 12:19 PM
To: Good, Stan
Cc: matthew_nelson@feinstein.senate.gov; kyle_chapman@boxer.senate.gov; mark.stannagel@mail.house.gov; Kaye_Meier@boxer.senate.gov; Geoff Harkness [REDACTED]; Jeffrey Collings; Tim's Gmail; Mike Burns [REDACTED]; Tonya Dowse (tonya@siskiyoucounty.org); Muriel Howarth Terrell; John Kenny; Andrea Matarazzo (andrea@pioneerlawgroup.net); Nicole Dove; Rod Bryan
Subject: Mt Shasta Council Response To EDA Regional Director Smith

Greetings Stan,

Thank you for the ongoing dialogue and your support. Attached is the Mt. Shasta City Council's formal response to EDA Regional Director Smith's letter received December 26th. Our elected officials appreciate your Team's continued efforts on our community's behalf.

Your Team may want to review the link below to the article regarding the EDA and its relationship with our small group of residents. In an effort to be effective and responsive, our elected officials, including our Congressional delegation would appreciate updates regarding ongoing EDA involvement with local community members, especially as it becomes as apparently expansive as it has over the last several months. Several elected officials have expressed frustration that the Grant Award recipient was not apprised of the activities that led to the change of direction by the EDA.

Mt. Shasta Herald story:

<http://www.mtshastanews.com/article/20150205/NEWS/150209903/1994/NEWS>

Again, thank you for your support. We look forward to the next steps and hope they are as simplified as we have been led to believe through the Director's letter and our conversations.

Respectfully,

Paul

Paul Eckert, City Manager

City of Mt Shasta

305 N. Mt Shasta Blvd

Mount Shasta, CA 96067

Phone (530) 926-7510

www.mtshastaca.gov

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FitzGerald, Shannon

From: Paul Eckert <eckert@mtshastaca.gov>
Sent: Friday, February 06, 2015 10:38 AM
To: Good, Stan
Cc: Skrinde, Kristine; FitzGerald, Shannon; Rod Bryan; Muriel Howarth Terrell; John Kenny; Andrea Matarazzo (andrea@pioneerlawgroup.net); Geoff Harkness [REDACTED]; Jeffrey Collings; Tim's Gmail; Mike Burns [REDACTED]; [REDACTED]; Paul Reuter (preuter@paceengineering.us); Wirt Lanning
Subject: RE: Mt Shasta Council Response To EDA Regional Director Smith

Hi Stan,

Thanks for the email. We would be happy to provide you the proposed scope of work for the treatment plant upgrade. We will get it to you and your Team early next week. Can we please get a description of the process we will be going through?

Again, thank you for your assistance.

Paul

From: Good, Stan [<mailto:SGood@eda.gov>]
Sent: Friday, February 06, 2015 10:05 AM
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Cc: Skrinde, Kristine; FitzGerald, Shannon
Subject: RE: Mt Shasta Council Response To EDA Regional Director Smith

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Paul

Paul Eckert, City Manager

City of Mt Shasta

305 N. Mt Shasta Blvd

Mount Shasta, CA 96067

Phone (530) 926-7510

www.mtshastaca.gov

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FitzGerald, Shannon

From: Parker, Brian
Sent: Friday, February 06, 2015 11:35 AM
To: Good, Stan
Cc: FitzGerald, Shannon; Skrinde, Kristine
Subject: City of Mt. Shasta: Engineering and Environmental Documents

Stan:

Electronic copies of the engineering and environmental documents for the City of Mt. Shasta project are attached to this message. If there are any other items needed, please, bring it to my attention.

Thank you.

Brian

Brian Parker
Economic Development Specialist

(206) 220-7675 (Voice)

E-mail: BParker2@eda.gov



Preliminary
Engineering Rep...



Environmental
Narrative - City...



Project Region
Maps - City of ...



FEMA FIRM and
Zoning Maps - ...



Biological and
Cultural Assess...



Department of
the Army Permit...

EDA Grant Application Engineering Narrative

1. Project Components

The project will consist of an upsizing of the current main interceptor line of the City's sewer collection system, and the construction of two new lagoons and associated headworks at the wastewater treatment facility. The interceptor line upgrade will begin at Manhole 402 at the end of West Jessie Street. It will proceed west under the Interstate 5 Freeway in a bored and jacked casing to the resumption of West Jessie Street on the other side of the Freeway. At that point the interceptor line upgrade proceeds about 600 feet approximately to the intersection of West Jessie and Hatchery Lane. It then turns south crossing under Hatchery Lane and proceeds approximately 3000 feet across wetlands and meadow, and then turns to the south west to intersect with Old Stage Road. It then crosses Old Stage Road and follows the right of way for approximately 200 feet, at which point it veers slightly more to the south west and continues about 2000 feet across pasture land and some wetlands to Ream Avenue. The interceptor line crosses Ream Avenue and continues south to Manhole 20 which is the end of the upgrade project. The entire length of the collection system is gravity flow and there are no lift stations in the system. The two new lagoons will be constructed on site at the current wastewater treatment facility to the northwest of the existing lagoons.

2. Layout and Location

See Attachments A-C

3. Feasibility Analysis

The project has been identified in the City of Mt. Shasta's Master Sewer Plan since 1992 as feasible steps to increase system capacity. The existing section of interceptor line is 12" diameter asphalt concrete pipe that was installed in the 1970's. The City previously upgraded the lower reaches of the interceptor line in 2009. The current wastewater treatment facility consists of 6 lagoons (3 aerated), headworks, dissolved air flotation clarifier and rapid sand filters and is rated for 0.8 million gallons MGD per day.

The interceptor line upgrade traverses known wetlands, but any potential effects are believed to be mitigable to insignificant.

4. Method of Construction

The City will solicit proposals for project design and construction oversight, and does not anticipate this being a design/build contract given the local market. The project will be constructed under competitive bidding procedures with prevailing wage requirements, and any other requirements of the EDA. It is anticipated that both the pond construction and the interceptor line replacement will be awarded under one contract to minimize administration costs and maximize competitiveness, but should either component of the project encounter environmental delays it could be bid as separate projects.

5. Estimate of Useful Life

The improvements to the interceptor line would increase its capacity to around 5 MGD based on the analysis in the 1992 Master Sewer Plan. At an anticipated growth rate of 1% per year from the current 0.6 MGD, and allowing for the 0.75 MGD requirement of the new bottling facility and a 2.0 MGD increment for peak wet weather flow, this would provide enough capacity for 100 years. Even at a growth rate of 5% per year, the capacity would be adequate for over 35 years.

The new lagoons at the treatment plant will only allow for minimal growth beyond the amount anticipated from the new bottling facility. The City is under new discharge requirements for its NPDES permit, and additional expansion will have to be determined based on a feasibility analysis that is just getting under way.

6. Cost Estimate

The estimated costs for the project include \$2.074 million for the Interceptor Line upgrade and \$2.440 million for the Lagoons and associated headworks, piping, and controls. See Attachment D.

7. Permits

The City has prepared an application for an Army Corps of Engineers 404 Permit for work in the wetlands areas. The project will require Encroachment Permits from California Department of Transportation and the Siskiyou County Roads Department for boring under the Interstate 5 Freeway and crossing various County right of ways respectively. These permits will be applied for once the project design is at an appropriate stage.

8. Timeline

The schedule for this project would require three to six months from date of grant award to solicit proposals and complete the design of the project, two months for bidding and contract award once the final design is approved, and six months for construction. The construction phase might be extended to accommodate avoidance of breeding seasons for any identified protected wildlife, but would begin by September 2014 and be completed by June 2015 with a winter shutdown. However, the potential bottling facility would like a much more aggressive schedule to have construction completed by April 2014 if an expedited process is possible.

A

EDA Sewer Project


Feb 8, 2013

Wetlands

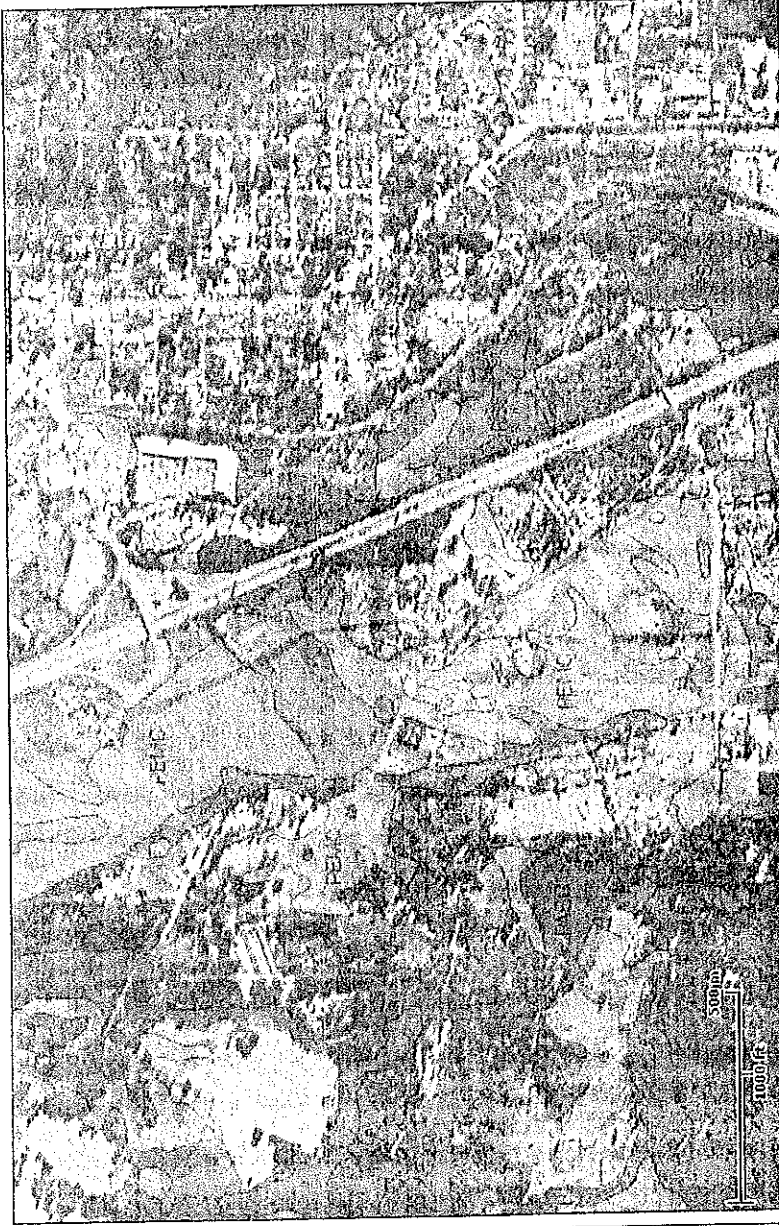
- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Ponds
- Lake
- Riverine
- Other

Status

- Digital
- Scan
- Non-Digital
- No Data



U.S. Fish and Wildlife Service
National Wetlands Inventory



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:

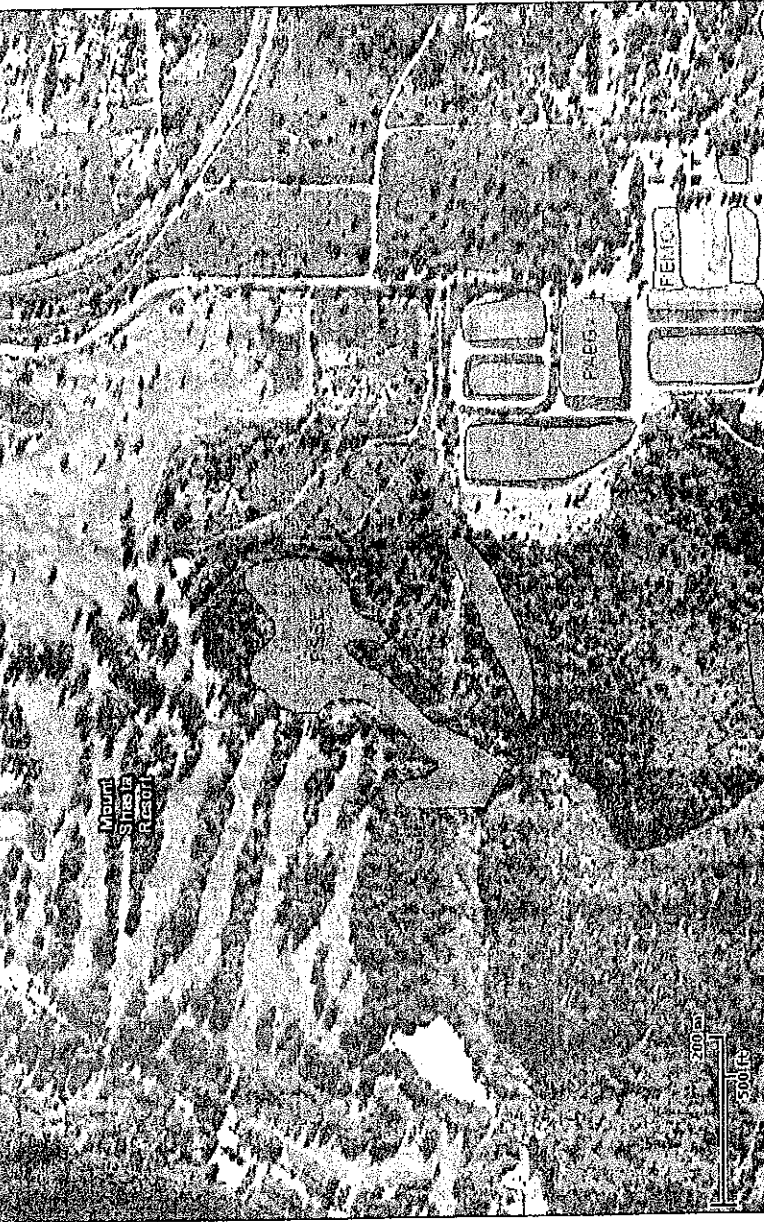


U.S. Fish and Wildlife Service

National Wetlands Inventory

EPA Lagoon
Project Area

Mar 11, 2013



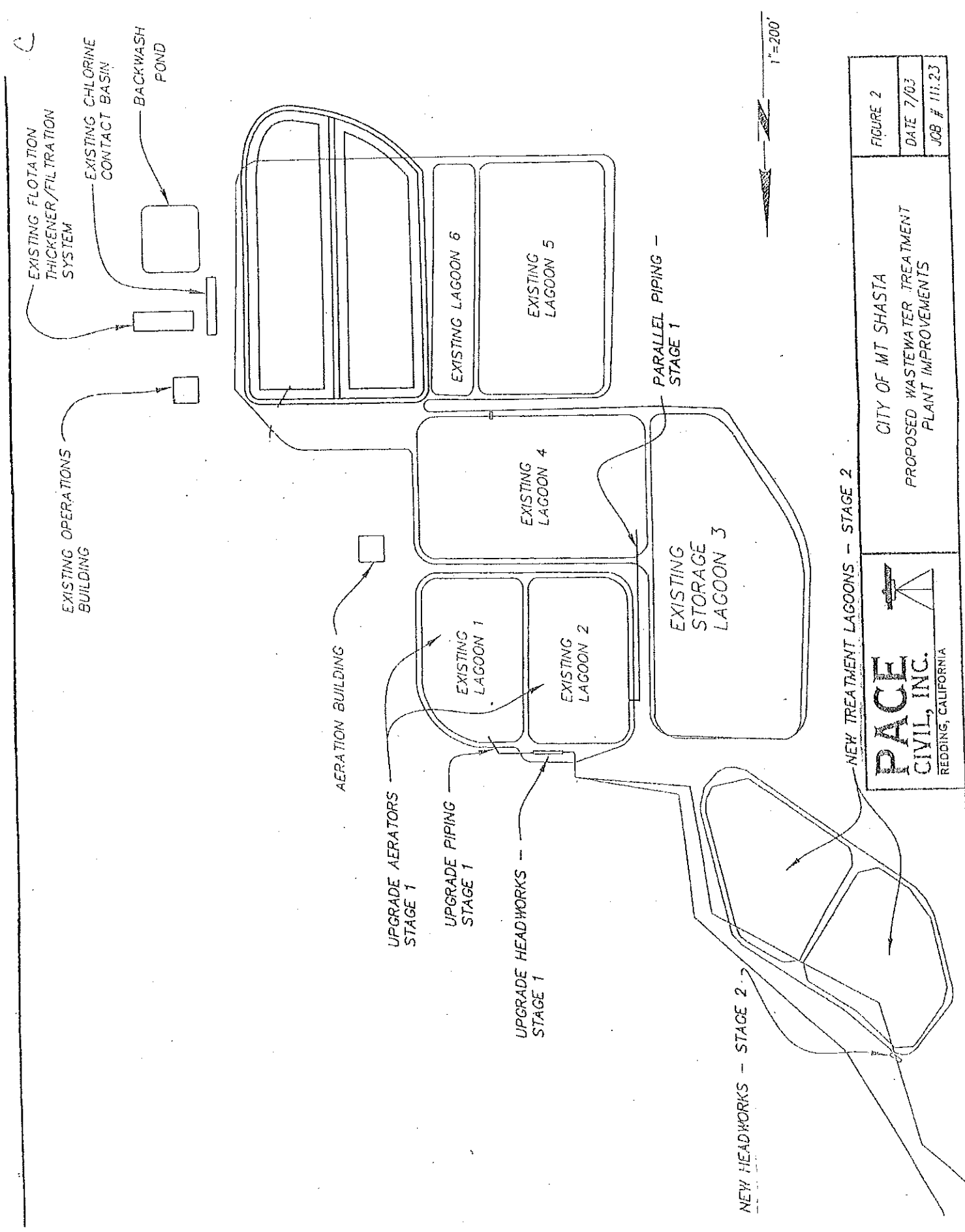
Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

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User Remarks:

7/2/13
R. J. ...



NEW TREATMENT LAGOONS - STAGE 2

PACE
 CIVIL, INC.
 REDDING, CALIFORNIA

CITY OF MT SHASTIA
 PROPOSED WASTEWATER TREATMENT
 PLANT IMPROVEMENTS

| |
|--------------|
| FIGURE 2 |
| DATE 7/03 |
| JOB # 111.23 |

D

TABLE 1
CITY OF MT. SHASTA
STAGED WASTEWATER TREATMENT AND INTERCEPTOR IMPROVEMENTS
PROJECT COST ESTIMATE



| NO. | DESCRIPTION | QTY | UNIT | INSTALLED COST | | TOTAL COST |
|---|---|------|------|----------------|--------------------|-------------|
| | | | | UNIT | TOTAL | |
| Interceptor Line Upgrade and Lagoon Expansion | | | | | | |
| 1 | 30" SS w/ Class A backfill | 800 | LF | \$300 | \$240,000 | \$240,000 |
| 2 | 24" SS w/ Class A backfill | 600 | LF | \$280 | \$168,000 | \$168,000 |
| 3 | 24" SS w/ Class C Backfill | 4400 | LF | \$240 | \$1,056,000 | \$1,056,000 |
| 4 | 18" SS w/ Class A backfill | 600 | LF | \$200 | \$120,000 | \$120,000 |
| 6 | 18" SS w/ Class C Backfill | 500 | LF | \$165 | \$82,500 | \$82,500 |
| 7 | 24" SS Bore and Jack | 400 | LF | \$700 | \$280,000 | \$280,000 |
| 8 | Manholes | 20 | EA | \$6,000 | \$120,000 | \$120,000 |
| 9 | Tie-ins to Existing Collection System | 3 | EA | \$2,500 | \$7,500 | \$7,500 |
| Stage 2 WWTP Improvements | | | | | | |
| 7.1 | Add Two New Aerated Lagoons | 1 | LS | \$1,700,000 | \$1,700,000 | \$1,700,000 |
| 7.2 | Headworks for New Lagoons | 1 | LS | \$130,000 | \$130,000 | \$130,000 |
| 7.3 | New Effluent Piping to Blend Lagoon and Filtered Effluent | 1 | LS | \$90,000 | \$90,000 | \$90,000 |
| 7.4 | Increase Reclamation Pumps to 200 HP | 1 | LS | \$240,000 | \$240,000 | \$240,000 |
| 7.5 | Increase Capacity of Existing Lagoon Piping | 1 | LS | \$120,000 | \$120,000 | \$120,000 |
| 7.6 | Electrical and Controls Modifications | 1 | LS | \$100,000 | \$100,000 | \$100,000 |
| 7.7 | Miscellaneous Improvements | 1 | LS | \$60,000 | \$60,000 | \$60,000 |
| Total Estimated Construction Cost, Minus Contingency: | | | | | \$4,514,000 | |
| Construction Contingency @ 10%: | | | | | \$451,000 | |
| TOTAL ESTIMATED CONSTRUCTION COST: | | | | | \$4,965,000 | |
| Indirect Costs | | | | | | |
| Design: | | | | | \$430,000 | |
| Contract Administration: | | | | | \$220,000 | |
| Construction Observation: | | | | | \$250,000 | |
| Geotechnical Investigation (Pond Site): | | | | | \$30,000 | |
| Groundwater/Geological Investigation (Pond Site): | | | | | \$25,000 | |
| Land and Right-of-Way Acquisition | | | | | \$30,000 | |
| Environmental and Permits: | | | | | \$40,000 | |
| Administration and Legal Expenses: | | | | | \$10,000 | |
| TOTAL ESTIMATED PROJECT COST (OCTOBER 2013) | | | | | \$6,000,000 | |

FY 2013 Economic Development Assistance Program
Mt. Shasta Wastewater System Upgrade
Environmental Narrative

A. BENEFICIARIES

Direct beneficiaries of the project will be Crystal Geysers Water Company which proposes to purchase and reopen the Coca Cola water bottling facility north of Mt. Shasta, and Coca Cola which will realize the proceeds of the sale. Other direct beneficiaries will be holders of undeveloped infill property in north and central Mt. Shasta who may not be able to develop without upgrades to the sewer interceptor line.

B. PROJECT DESCRIPTION

1. Proposed Construction: The City of Mt. Shasta proposes to upgrade an existing 12" main sewer interceptor line to 18" to 30" sewer interceptor line. The project will involve replacing approximately 7,000 feet of line and associated manholes, located in Sections 16 and 21 of Township 40N Range 4W in Siskiyou County, California, approximately between 41°18'N, 122°19'W and 41°17'N, 122°18'W. The project will take place within the existing 20' wide easements and right of way. The project will entail trenching and laying of new parallel pipe and disposing in place the existing pipe. The project will require boring and jacking under the Interstate 5 Freeway where an existing crossing already exists.

The project will cross the alignment of Cold Creek and at least two delineated wetlands areas. The project area was previously disturbed in the 1970's when the current existing line was installed. One of the wetlands area is used as pasture land and one of the areas has been reclaimed and/or enhanced as a wetlands mitigation bank. None of the project area is considered to be flood plain.

The project also proposes to create two new ponds with earthen dikes and associated headworks facilities at the existing wastewater treatment facility located in Section 28 T40N R4W approximately 41°16'N, 122°19'W. The project will entail excavation and compaction of material to create the ponds and concrete work and associated piping for the headworks and connecting the ponds to the existing facility.

2. Alternatives to the Project: The No-Project alternative would leave the existing line in place and would prevent the reuse of the existing Coca Cola spring water bottling facility by Crystal Geysers for bottling flavored waters and teas. This alternative would also mean that the City of Mt. Shasta would have to curtail future developments in the northern and central areas of the City at some future point.

An alternative alignment that bypasses the wetlands areas and reroutes the interceptor line in existing roadways would require the installation and ongoing operation of lift stations, the acquisition of new rights of way and easements, and the disruption of travel and replacing of roadway after construction. The costs, both current and future, of this alternative are considerably higher than the proposed project.

3. Mitigation: Best management practices for construction activities include those for erosion control, siltation control, air quality, and noise will be implemented. Minimization of impacts to wetlands can be achieved through stockpiling and replacing removed top soils to maintain the existing riparian species, replanting with compatible species, and additional enhancements to the disturbed areas.

C. HISTORIC/ARCHEOLOGICAL RESOURCES

A records search (W13-31) was conducted for the City by Northstate Resources, Inc. at the Northeast Information Center (NEIC) on February 28, 2012. The search included the cultural resource records and survey reports as well as the lists of resources on the National Register of Historic Places (NRHP), the California Historical Landmarks listing, the California Register of Historical Resources (CRHR), and the California Points of Historical Interest. Seven cultural resources surveys have been conducted within 0.25 miles the undertaking. Five cultural resources have been recorded within 0.25 miles of the undertaking (see Table). The resources documented in the search radius include one prehistoric site and four historic-era sites. No resources listed on the National Register or any of the California lists are located in or within 0.25 miles of the project. Although no surveys have been conducted within the Project area, and no cultural resources have been identified in the Project area, the previous surveys indicate that there is a moderate probability for cultural resources, both prehistoric and historic-era, to be present.

| Site Number | Type | Distance from Project |
|-------------|--------------|-----------------------|
| CA-SIS-4095 | Prehistoric | 0.07 miles |
| CA-SIS-3889 | Historic-Era | 0.20 miles |
| CA-SIS-3888 | Historic-Era | 0.08 miles |
| CA-SIS-2558 | Historic-Era | 0.25 miles |
| CA-SIS-2446 | Historic-Era | 0.18 miles |

There are a number of Native American tribal organizations with historical ties in the surrounding area. Although no other sites are believed to be in the project area, the most likely occurrences would be associated with the Winnemem Wintu Tribe, the Pit River Tribe, the Shasta Nation, and the Modoc Tribe. (A list of all tribal contacts is attached).

D. AFFECTED ENVIRONMENT

1. **Affected Area:** The project affects two areas, the lands that the interceptor line passes through, and the Wastewater Treatment plant. In general, the project's affected area is in the planning area of the City of Mt. Shasta. The City of Mt. Shasta is located in southern Siskiyou County at the southwest base of Mount Shasta, a 14,162-foot volcanic peak in the Cascade Mountains of Northern California. The City of Mt Shasta and the immediate vicinity of the project is a montane mixed conifer and pasture environment with flat and rolling topography west of the city. The area is mostly within the Strawberry Valley, but comes close to the Sacramento River above the rim of a box canyon immediately downstream of Siskiyou Lake. The city of Mount Shasta and the project area are approximately 3600 ft. elevation at the City limit, and decreases to approximately 3400 feet.

The affected area includes lands that are immediately within, and adjacent to, an existing 20 foot wide easement that extends approximately 7000 linear feet from the terminus of West Jessie Street immediately east of Interstate 5, then under the Interstate 5 Right of Way (ROW), through an existing

residential neighborhood within the ROW of West Jessie Street and then south through undeveloped lands containing delineated wetlands and the channel for Cold Creek. The channel exits the wetland area and travels through very low density single family residential lands. The project area then intersects the ROW of North Old Stage Road and follows in the ROW briefly for approximately 500 feet then veers into open lands through wet pasture land until it intersects the West Ream Ave ROW and connects to the a manhole located approximately 500 feet south of West Ream Ave.

The affected area of the pond work is within the current wastewater treatment plant property located at Grant Road southwest of the City of Mt. Shasta. The project will add two additional ponds to the northwest of the existing ponds. The project site is almost all uplands, but is adjacent and in proximity to identified wetlands areas.

2. Shorelines, Estuaries, Beaches and Dunes: No river banks (shorelines), beaches or dunes will be affected by this project. This is not a designated coastal zone. There are no over-water structures as a part of this project.

3. Wetlands: Waters of the United States ("waters") are present in the Project area. Features observed include the large wet meadow complex (streams and wetlands), and roadside ditches. Prior to implementation of the project, all "waters" shall be mapped according to the U.S. Army Corps of Engineers (Corps) standards. The "wetland delineation" shall be submitted to the Corps for verification. Impacts to "waters" are likely due to the trenching required to construct the project. Prior to construction, the appropriate Clean Water Act Sections 401 and 404 permits shall be obtained authorizing the project. (National Wetlands Inventory maps are attached).

Adequate mitigation is required as a permit condition. Likely, the project would have to restore the temporary effects of the construction by recontouring the impacted area to pre-existing contours, replacing the top soil, and replanting the alignment with native wetland plant species. Because the wetland south of Hatchery Lane was created as mitigation for a past development, the City of Mt. Shasta will also have to research whether the Corps, or any other regulatory agency, placed restrictions (e.g., deed restriction, conservation easement) upon the area as a condition of its use as a mitigation area

4. Floodplains: There are no floodplains that will be affected by this project. The City is not located in an area that is mapped by FEMA for floodplains. (See attached Map).

5. Vegetation and wildlife resources: There are a variety of land uses and therefore a variety of vegetation and wildlife resources along Project alignment including open space, rural residential, small farms, and urban (sewer plant, roads and highways). The Project alignment would traverse several different plant community types including wet meadow, pasture, and mixed chaparral. It also crosses Interstate Highway 5 and several other area streets. Dominant plants observed during the "drive by" survey and other descriptive information from each land use type include the following:

- Rural residential, small farms - The rural residential areas include widely spaced homes with large lots and scattered small farmsteads. The lots are landscaped or left in a natural form, and the small farms largely consist of open pastures with scattered outbuildings. Dominant plants observed include: black oak (*Quercus kelloggii*), Russian olive (*Elaeagnus angustifolia*), black locust (*Robinia pseudoacacia*), ponderosa pine (*Pinus ponderosa*), willow (*Salix* sp.) shrub and tree forms, Himalayan blackberry (*Rubus armemiacus*), Scotchbroom (*Cytisus scoparius*), sweet pea (*Lathyrus latifolius*), and orchard grass (*Dactylis glomerata*).

- Open space - The large wetland area located near the northern end of the sewer pipe alignment, south of Hatchery Lane is a complex of wetlands with small streams, old ditches, and ponds, as well as pockets of fresh emergent wetland and seasonal wetlands. This wet meadow was formerly used as pasture, and then in the 1970's set aside as a wetland mitigation area for the development of the Mt. Shasta Shopping Center. The dominant vegetation observed includes willow shrubs, cattail (*Typha latifolia*), common tule (*Schoenoplectus acutus*), wetland grasses [e.g., spreading bent grass (*Agrostis stolonifera*)], sedges (*Carex* sp.), and rushes [e.g., Baltic rush (*Juncus balticus*)].
- Urban - The wastewater treatment plant occurs in an area directly south of the Mt. Shasta Resort golf course, in an area dominated by greenleaf manzanita (*Arctostaphylos patula*), young ponderosa pine, incense cedar (*Calocedrus decurrens*), bitter cherry (*Prunus emarginata*), scattered willow shrubs, young black oak, and various upland herbaceous species. The existing treatment ponds support fringe wetland vegetation and a host of waterfowl (e.g., ducks and grebes). The site is approximately 0.1 mile from the Sacramento River canyon ("Box Canyon").
- Interstate Highway – I-5 is a four-lane freeway, with an on-ramp in the north-bound lanes, and an off-ramp on the south-bound lanes. Roadside ditches occur on both sides of the freeway and supported flowing water during the March 1, 2013 site visit. Wetland vegetation including willows, sedges and wetland grasses were observed in the ditch features.

6. Endangered Species:

Botanical. No state or federally listed plants species are likely to occur in the project area. The four special-status plant species with potential to occur on the Project area are CNPS RPR 1b and 2-ranked species. Species designated as RPR Lists 1b or 2 are not protected under the federal or state Endangered Species Acts, but they are commonly considered by lead agencies under the California Environmental Quality Act (CEQA) review process. The following RPR plant species occur in wetland habitat types, and could be affected by the Project: *Epilobium oregonum*-Oregon fireweed; *Geum aleppicum*-Aleppo avens; *Ophioglossum pusillum*-Northern adder's tongue; and *Scutellaria galericulata*-Marsh skullcap. If such special status plants are identified during a pre-construction survey, their locations will be mapped and avoided or if unavoidable appropriate conservation measures will be implemented.

Wildlife. No federally listed wildlife species have the potential to occur within the Project area. One federal candidate for listing (Pacific fisher) has the potential to occur. Three state-listed species have potential to occur (willow flycatcher, greater sandhill crane and bald eagle). Several California species of special concern may occur within the Project area (foothill yellow-legged frog, Cascades frog, northwestern pond turtle, and yellow warbler).

Pacific fisher is a widely distributed mammal that occurs throughout the Sierra Nevada, Cascades and California Coast Ranges. Pacific fisher is a highly mobile species with a large home range. Fishers den in large trees, snags, logs, rock areas or slash piles, and they may occur in areas impacted by humans (e.g., small towns, farms) in search of food. They may traverse wetland areas, or utilize stream corridors as travel routes. The project area does not support typical denning features, but may be utilized by Pacific fishers during foraging. Recommendations provided below for birds would result in late summer/fall construction, which would correspond to the time when no immobile young are present. All juvenile and adult fishers would flee from the construction and would not likely be affected by the project.

Willow flycatcher, greater sandhill crane and bald eagle are state-listed birds that may be present in the vicinity of the project. Yellow warbler is a California species of special concern that may also nest in the area. Willow flycatchers and yellow warblers nest in willow shrubs in mosaic wetland/stream complexes. Greater sandhill cranes nest in large wetland areas, and bald eagles nest in large snags typically near large streams or lakes. Both the willow flycatcher and sandhill cranes may nest in the large wetland south of Hatchery Lane. Bald eagles may nest along the Box Canyon near the wastewater treatment plant. (Preliminary Assessment reports and Section 7 Consult Letter are attached).

7. Land Use and Zoning: The project is in two jurisdictions, the City of Mt. Shasta and the County of Siskiyou. Within the City limits, the project starts in a neighborhood zoned R-1, single family residential and immediately crosses underneath the Interstate 5 ROW. At the other side of the Interstate, the project area is along the West Jesse Street ROW in an area that is currently zoned (C-1) commercial but is primarily single family detached housing. The project then leaves the City of Mt. Shasta jurisdiction and passes through relatively large open spaced land which is zoned for residential with a 1 acre minimum lot size (R-R-B-1). Farther south, the land use changes to be inhabited with single family residential and is zoned R-R-B-5. (Single Family with 5 acre minimums). The project then crosses a large tract of non-prime agricultural property used for pasture zoned Non-Prime Ag Land.

The primary beneficiaries are community wide, but specifically industry utilizing the interceptor lines are surrounded by various development. For example the zoning at the northern end of the City of Mt. Shasta is typically residential, but there are pockets of industrial land use adjacent to the site. The water bottling facility is located in industrial zoning, and has been in operation previously but closed in the last few years. (Siskiyou County zoning map is attached).

8. Solid Waste Management: The Project facilities themselves will produce no solid wastes. Trenching spoils and waste piping as a result of construction will be disposed of in appropriate fill areas outside of any wetlands. The primary beneficiary will produce solid wastes typical of bottling facilities including plastic, cardboard, packing materials. California law requires that major commercial and industrial operations implement recycling programs for these materials. Solid wastes for the entire County are transported to local transfer stations and then ultimately to out of area landfills, so there is no single disposal facility that is impacted.

9. Hazardous or Toxic Substances: No hazardous or radioactive substances will be used or produced by the project facilities or primary beneficiary. The project area does not contain any known hazardous or toxic substances. Construction vehicles and equipment will have gasoline and/or diesel engines and other automotive fluids. The affected area does not have any of the materials currently listed on the California Cortese list (CGC Section 65962.5). Spills from refueling will be minimized by establishing fixed fueling stations outside of the wetlands areas to minimize contamination by accidental spills. Hazardous materials regulation and enforcement in Siskiyou County is managed by the Siskiyou County Health Department, and Central Valley regional Water Quality Control Board.

10. Water resources: The only water course that will be impacted is the small stream, Cold Creek. The creek emerges from the ground immediately east of Mt. Shasta and at the project site meanders in a large open area that has been developed as a wetland mitigation bank. The disturbance to this stream will be temporary and will have a less than significant impact. Mitigation measures will be implemented as described in the section for wetlands and other biological resources. The effluent from the ponds to be created at the wastewater treatment facility will enter the facility and eventually discharge to the

Sacramento River during the winter season. The facility is operated under NPDES Permit CA 0078051 which sets effluent limitation limits for discharge.

11. Water Supply and Distribution System: The project will require no domestic water supply. The primary beneficiary obtains water from a series of private wells at their location. These wells and their output are used for production, domestic use, and fire suppression capability. The wells are regulated by the Siskiyou County Public Health Department and permitted by the California Department of Water Resources. The primary beneficiary could ultimately utilize up to a million gallons per day for production.

12. Wastewater Collection and Treatment Facilities: The project facilities are for wastewater conveyance and treatment. The treatment system consists of headworks, four oxidation/stabilization ponds, ballast lagoon, dosing basin, dissolved air flotation system, intermittent backwash filter, chlorine contact chamber, dechlorination system and discharge line. Treated Wastewater can be discharged to any of three locations, depending on water quality and time of year: the Sacramento River, a leach field located adjacent to highway 89, or Title 22 reclaimed water to the Mt. Shasta Resort Golf Course.

The primary beneficiary will create industrial effluent with constituents of juice residues and disinfection process components, primarily peracetic acid. Amounts could ultimately reach 0.75 million gallons per day (MGD). The current facility is rated for 0.8 MGD with average daily flows of 0.6 MGD and peak flows during extreme wet weather of 2 to 3 MGD. This project is designed to increase the capacity of the conveyance system to handle an additional 0.75 MGD, and the facility to handle an additional 0.25 MGD which will be required for the initial operations of the primary beneficiary. The facility does not currently meet the final effluent limitations established by the Regional Water Quality Control Board and is operating under interim limitations in the current NPDES Permit. The City is currently in the process of conducting a feasibility analysis of additional upgrades to the facility to meet new effluent discharge requirements and the additional loading from the bottling facility at ultimate buildout. These changes will then be part of a future project to be implemented in the next 5 to 7 years.

13. Environmental Justice: This project does not disproportionately affect minorities or lower income populations nor does it divide communities. The project is the upgrading of wastewater interceptor line replacing an existing older line. The affected area is typically low/very low density single family housing.

14. Transportation: The transportation systems, both local streets and regional roads, will not change as a result of this project. Most of the project site is not in existing roadways. The wastewater line intersects existing right of way (ROW) in three locations. The project includes boring under the Interstate 5 ROW, and flows along the right of way along West Jessie Street west of the Interstate and along S. Old Stage Road. No permanent impacts will occur as a result of the project. Construction will result in temporary interruptions of traffic when working in the ROW. Best management practices will be used for traffic control at those locations.

15. Air Quality: The project is located in Siskiyou County and is part of the Northwest Plateau Air Basin. The basin currently has no air quality plans in place, however Siskiyou County is in full attainment of federal and state ambient air quality standards. The project will involve the underground installation wastewater lines, and constructing additional ponds at the treatment plant. Construction will have temporary and localized impacts to air quality from digging and earthmoving. Equipment used during construction may contribute to temporary localized impacts to air quality from diesel and gasoline engines. Depending on weather conditions the City will incorporate best management practices for dust

control measures during construction. The addition of ponds at the waste water treatment plant will not have any long term impact on air quality.

16. Noise Pollution: The completed project will not contribute to an increase in noise or create new noise sources. The construction will contribute to ambient noise in the affected area although temporary. The addition of ponds will not contribute to additional noise. Best practices for noise mitigation will be implemented such as limiting the time for construction. Connecting to existing infrastructure also may include operation of a bypass pump if needed. Any pumping equipment will have residential grade muffler to limit noise levels.

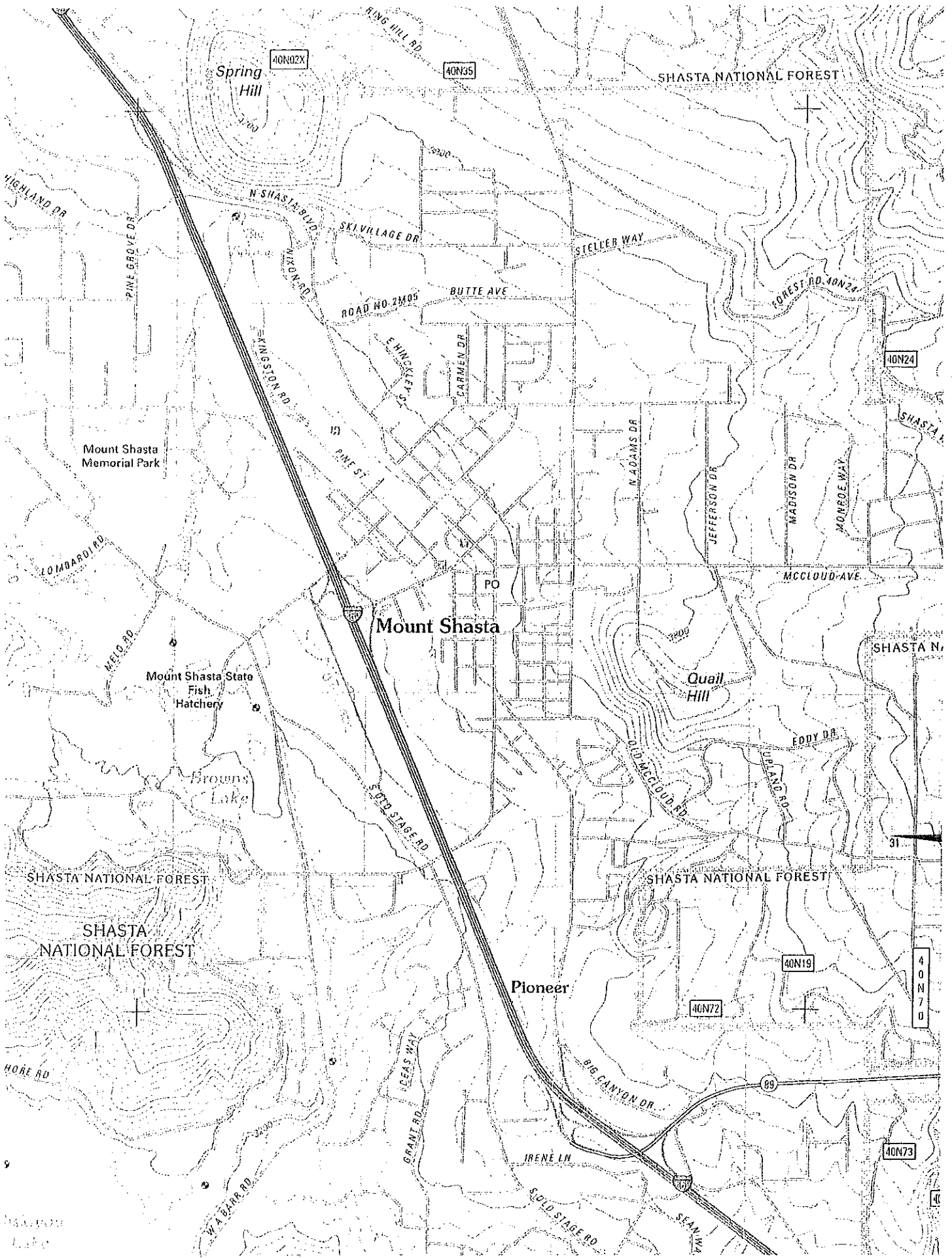
17. Permits: The Project will require an Army Corps of Engineers 404 Permit for operation in the wetlands areas. It will also require temporary encroachment permits from the California Department of Transportation and the Siskiyou County Public Works Department for construction in the ROW. As noted the City already holds an NPDES permit for operation of the wastewater treatment facility. (ACOE application is attached).

18. Public Notification/Controversy: The City has discussed the proposed project at City Council meetings, but no formal public hearings have yet been conducted. These will take place as part of the California Environmental Quality Act process, which requires a public review and comment period prior to project adoption, once the project has been fully designed. Public and reviewing agencies will be provided opportunity to submit comments written and at a public hearing. No formal hearings have been scheduled at this time, but as environmental documents are generated times and dates for public participation will be determined. Methods for public outreach are incorporated into the CEQA compliance process such as press releases, public notices, posting on city web-pages, and direct mailings to those immediately adjacent to the project.

19. Direct, Indirect, and Cumulative Effects: There are no foreseeable indirect or cumulative effects of this project on the environment that cannot be mitigated during the course of construction. While the project increases the size of the interceptor line, it does not extend its reach to new areas that are not already being served by the existing sewer collection system. It will facilitate the development of infill parcels within the current service area where there are already capacity issues, but the effects would be less than significant, or in the case of any unforeseen large project would have to be mitigated as part of such a project. The direct effects of the construction phase of the project will be rendered less than significant by the mitigation measures outlined in the preceding sections. The improvements will allow the reopening of a water bottling facility, and the increase in available jobs could affect traffic, air quality and other areas impacted by a concomitant increase in population, but impacts would not exceed those experienced when employment levels were higher than at present.

E. LIST OF ATTACHMENTS

- USGS Topographical Map of Project Area
- Tribal Consultation Contacts
- NFWS Wetlands Inventory Maps
- FIRM Floodplain Map
- Northstate Resources Preliminary Assessments
- USFWS Section 7 Request
- Siskiyou County Zoning Map
- Army Corps of Engineers Permit Application



Spring Hill

SHASTA NATIONAL FOREST

Mount Shasta Memorial Park

Mount Shasta

Mount Shasta State Fish Hatchery

Brown's Lake

Quail Hill

SHASTA NATIONAL FOREST

SHASTA NATIONAL FOREST

SHASTA NATIONAL FOREST

Pioneer

HORE RD









W A BARA RD

Shasta Lake





EDA Sewer Project

Feb 8, 2013

Wetlands

-  Freshwater Emergent
-  Freshwater Forested/Shrub
-  Estuarine and Marine Deepwater
-  Estuarine and Marine
-  Freshwater Pond
-  Lake
-  Riverrc
-  Other

Status

-  Digital
-  Scan
-  Non-Digital
-  No Date

U.S. Fish and Wildlife Service
National Wetlands Inventory



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:



U.S. Fish and Wildlife Service

National Wetlands Inventory

EPA Lagoon
Project Area

Mar 11, 2013



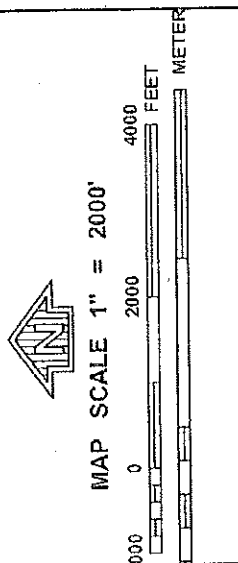
Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currency of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:

722



NFIP NATIONAL FLOOD INSURANCE PROGRAM

PANEL 3025D

FIRM
FLOOD INSURANCE RATE MAP

SISKIYOU COUNTY,
CALIFORNIA
AND INCORPORATED AREAS

PANEL 3025 OF 3750

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

| COUNTY | CITY | COMMUNITY | NUMBER | PANEL | SUFFIX |
|-----------------|-------|-----------|--------|-------|--------|
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| SISKIYOU COUNTY | ADAMS | ADAMS | 3025 | 3025 | 0 |

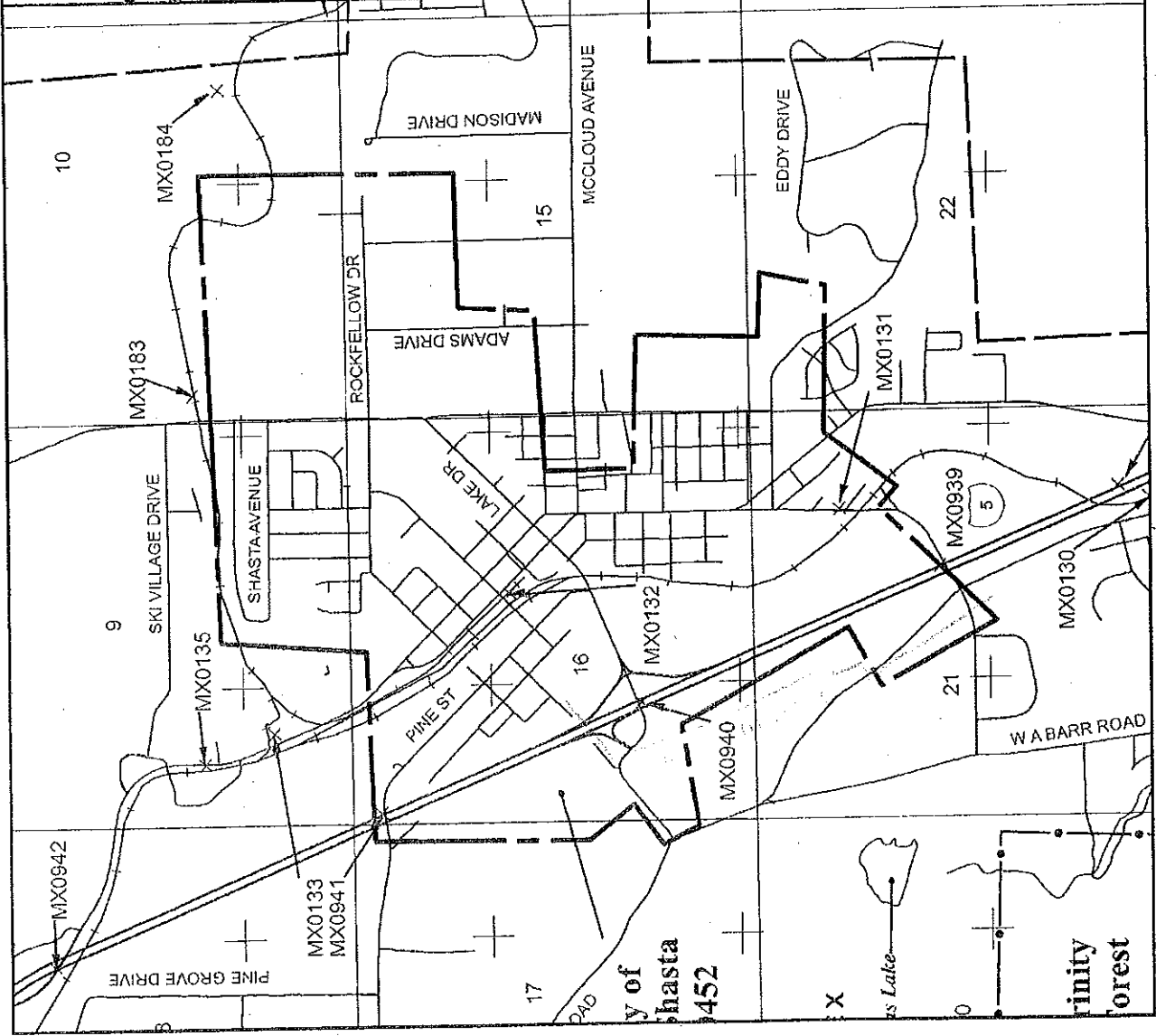
Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

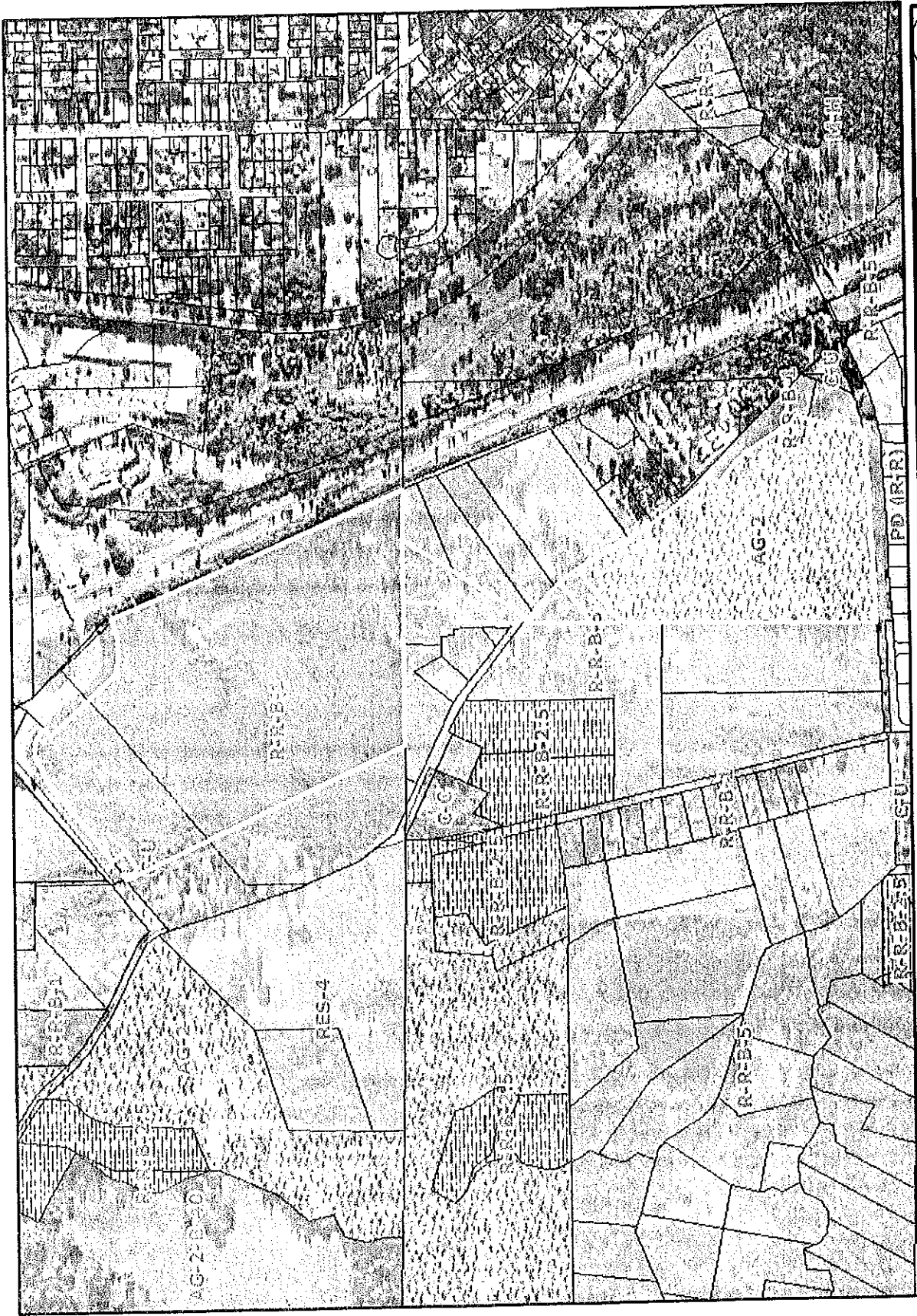
MAP NUMBER
06093C3025D

EFFECTIVE DATE
JANUARY 19, 2011

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at www.msc.fema.gov





Shasta County Planning Division
March 1, 2013

City of Mt. Shasta Wastewater Interceptor Line

March 6, 2013

Keith McKinley
City Planner
City of Mount Shasta Planning Department
305 N. Mt. Shasta Boulevard
Mt. Shasta, CA 96067

Subject: EDA Grant Preparation Assistance for the Mount Shasta Sewer Replacement Project, City of Mount Shasta, Siskiyou County, California (NSR Project #28152)

Dear Mr. McKinley:

In support of the Economic Development Agency (EDA) grant application being prepared by the City, North State Resources, Inc. (NSR) conducted a preliminary biological review conducted within the Mount Shasta Sewer Replacement Project (Project) Area. The purpose of this letter is to provide information for the EDA Environmental Narrative that will be included with the grant application. This letter describes the plant communities present, the special-status plants and animals that may occur within those communities, and strategies for avoiding sensitive biological resources present in the project area. The project would include the replacement of an approximately 9,000 foot long segment of sewer pipeline and portions of the existing treatment plant facility. The project is located in Sections 16 and 21 of Township 40 North, Range 4 West of the *City of Mount Shasta, California* 7.5-minute topographic map.

Methods

On March 1, 2013, Julian Colescott (NSR biologist) drove the alignment with City of Mt. Shasta staff, stopping periodically to view the proposed alignment. Notes on vegetation communities and wetland types within the alignment were recorded. These field notes were then compared to the habitat requirements of special-status plant and wildlife species known to occur in the region to develop a preliminary list of special-status plants and wildlife that could occur within the alignment.

For the purpose of this evaluation, special-status plant species include plants that are (1) listed as threatened or endangered under California Endangered Species Act (CESA) or federal Endangered Species Act (ESA); (2) designated as rare by the California Department of Fish and Wildlife (CDFW); (3) state or federal candidate or proposed species for listing as threatened or endangered; and/or (4) have a California Rare Plant Rank (RPR) 1A, 1B, or 2.

Special-status wildlife include species that are (1) listed as threatened or endangered under the CESA or ESA; (2) proposed or petitioned for federal listing as threatened or endangered; and/or (3) state or federal candidates for listing as threatened or endangered. Other special-status wildlife species are identified by the CDFW as Species of Special Concern or California Fully Protected Species.

The California Natural Diversity Database (CNDDDB) was reviewed for records of special-status plants and wildlife on the *Mt. Shasta City, California* USGS 7.5-minute quadrangle, and all adjacent quadrangles (California Department of Fish and Wildlife 2013). The CNDDDB is a database consisting of historical observations of special-status plant species, wildlife species, and natural plant communities. Because the CNDDDB is limited to reported sightings, it is not a comprehensive list of plant species that may occur in a particular area. However, it is useful in refining the list of special-status plant and wildlife species that have the potential to occur on the site. A list of the CNDDDB occurrences for the 9-quadrangle area surrounding the project area is available upon request.

A database search was performed using the CNPS *Electronic Inventory*, which allows users to query the *Inventory of Rare and Endangered Plants of California* using a set of search criteria (e.g., county, habitat type, elevation). The search was performed using the *Mt. Shasta City, California* USGS 7.5-minute quadrangle and all adjacent quadrangles (California Native Plant Society 2013). The *Inventory of Rare and Endangered Plants of California* can produce a comprehensive list of plant species depending on search criteria that may occur in a particular area. It is a very useful tool in determining the list of special-status plant species that have the potential to occur on the site. The CNPS query results for the 9-quadrangle area surrounding the project area is available upon request.

The U.S. Fish and Wildlife Service (USFWS) maintains a database that lists federal endangered, threatened, and candidate species for each USGS quadrangle or county within the jurisdiction of the Sacramento Fish and Wildlife Office. The database was queried and all plant and animal species within the range of the study area were reviewed for this analysis (U.S. Fish and Wildlife Service 2012). The USFWS list is available upon request.

The following information sources were also referenced to determine special-status plant and animal species and/or other special habitats having the potential to occur in the study area.

- *Mt. Shasta City California* USGS 7.5 minute topographic quadrangle map;
- Aerial photography of the Project area and vicinity;
- Pertinent literatures including: The Jepson Manual, Vascular Plants of California (Baldwin et al. 2012), the California's Wildlife series volumes I, II and III (Zeiner et al. 1988; Zeiner et al. 1990a; Zeiner et al. 1990b), Mt. Shasta General Plan Environmental Impact Statement (Biological Resources Section) (Pacific Municipal Consultants 2005), and other relevant literature.

Based on the results of the March 1, 2013 field visit and interpretation of the CNDDDB, CNPS, and USFWS query results, preliminary lists of special-status plant species (Table 1 attached) and special-status wildlife (Table 2) with the potential to occur on the site were developed.

Results/Discussion

Land uses within the Project alignment include open space, rural residential, small farms, and urban (sewer plant, roads and highways). The Project alignment would traverse several different plant community types including wet meadow, pasture, and mixed chaparral. It also crosses Interstate Highway 5 and several other area streets. Dominant plants observed during the "drive by" survey and other descriptive information from each land use type include the following:

- Rural residential, small farms - The rural residential areas include widely spaced homes with large lots and scattered small farmsteads. The lots are landscaped or left in a natural form, and the small farms largely consist of open pastures with scattered outbuildings. Dominant plants observed include: black oak (*Quercus kelloggii*), Russian olive (*Elaeagnus angustifolia*), black locust (*Robinia pseudoacacia*), ponderosa pine (*Pinus ponderosa*), willow (*Salix* sp.) shrub and tree forms, Himalayan blackberry (*Rubus artemisiifolius*), Scotchbroom (*Cytisus scoparius*), sweet pea (*Lathyrus latifolius*), and orchard grass (*Dactylis glomerata*).
- Open space - The large wetland area located near the northern end of the sewer pipe alignment, south of Hatchery Lane is a complex of wetlands with small streams, old ditches, and ponds, as well as pockets of fresh emergent wetland and seasonal wetlands. This wet meadow was originally set aside as a wetland mitigation area for the development of the Mt. Shasta Shopping Center. The dominant vegetation observed includes willow shrubs, cattail (*Typha latifolia*), common tule (*Schoenoplectus acutus*), wetland grasses [e.g., spreading bent grass (*Agrostis stolonifera*)], sedges (*Carex* sp.), and rushes [e.g., Baltic rush (*Juncus balticus*)].
- Urban - The wastewater treatment plant occurs in an area directly south of the Mt. Shasta Resort golf course, in an area dominated by greenleaf manzanita (*Arctostaphylos patula*), young ponderosa pine, incense cedar (*Calocedrus decurrens*), bitter cherry (*Prunus emarginata*), scattered willow shrubs, young black oak, and various upland herbaceous species. The existing treatment ponds support fringe wetland vegetation and a host of waterfowl (e.g., ducks and grebes). The site is approximately 0.1 mile from the Sacramento River canyon ("Box Canyon").

Interstate Highway 5 is a four-lane freeway, with an on-ramp in the north-bound lanes, and an off-ramp on the south-bound lanes. Roadside ditches occur on both sides of the freeway and supported flowing water during the March 1, 2013 site visit. Wetland vegetation including willows, sedges and wetland grasses were observed in the ditch features.

Botanical. No state or federally listed plants species are likely to occur in the project area. The four special-status plant species with potential to occur on the Project area are CNPS RPR 1b and 2-ranked species. Species designated as RPR Lists 1B or 2 are not protected under the federal or state Endangered Species Acts, but they are commonly considered by lead agencies under the California Environmental Quality Act (CEQA) review process. The RPR plant species identified in Table 1 occur in wetland habitat types, and could be affected by the Project. Measures recommended to protect special-status plants include:

- Conduct a botanical survey of the wetland portions of the Project alignment to locate any special-status plants. If no plants occur, then additional measures will not be necessary. If special status plants are observed, their locations shall be mapped and avoided during project implementation. If complete avoidance is not possible, then the project proponent (City of Mt. Shasta) shall consult with the CDFW to determine appropriate conservation measures. Such measures may include collecting seeds for propagation and planting, or transplanting individual plants to safe, suitable areas in the immediate vicinity.

Wildlife. No federally listed wildlife species have the potential to occur within the Project area. One federal candidate for listing (Pacific fisher) has the potential to occur. Three state-listed species have potential to occur (willow flycatcher, greater sandhill crane and bald eagle). Several California species of special concern may occur within the Project area (foothill yellow-legged frog, Cascades frog, northwestern pond turtle, and yellow warbler).

Pacific fisher is a widely distributed mammal that occurs throughout the Sierra Nevada, Cascades and California Coast Ranges. Pacific fisher is a highly mobile species with a large home range. Fishers den in large trees, snags, logs, rock areas or slash piles, and they may occur in areas impacted by humans (e.g., small towns, farms) in search of food. They may traverse wetland areas, or utilize stream corridors as travel routes. The project area does not support typical denning features, but may be utilized by Pacific fishers during foraging. Recommendations provided below for birds would result in late summer/fall construction, which would correspond to the time when no immobile young are present. All juvenile and adult fishers would flee from the construction and would not likely be affected by the project.

Willow flycatcher, greater sandhill crane and bald eagle are state-listed birds that may be present in the vicinity of the project. Yellow warbler is a California species of special concern that may also nest in the area. Willow flycatchers and yellow warblers nest in willow shrubs in mosaic wetland/stream complexes. Greater sandhill cranes nest in large wetland areas, and bald eagles nest in large snags typically near large streams or lakes. Both the willow flycatcher and sandhill cranes may nest in the large wetland south of Hatchery Lane. Bald eagles may nest along the Box Canyon near the wastewater treatment plant. The following measures are recommended to protect nesting special-status birds:

- Construction shall occur outside of the typical nesting period of the bird species with potential to occur. The typical nesting period for these species in Siskiyou County is from March 1 to September 30. Construction outside of these dates would not affect the species. If construction must occur within the nesting period, then preconstruction surveys for the species shall be conducted. If nesting special-status birds are observed, then, in consultation with the CDFW, a buffer of 100 feet to one-quarter mile (depending on the species) shall be established around the nest to avoid impacting the species. The nests shall be monitored by a qualified biologist and once the young have fledged the protective buffer shall be eliminated and work within the area can proceed.

Foothill yellow-legged frog, Cascades frog, northwestern pond turtle may occur in the aquatic features (ponds, creeks and flowing ditches) within the project area. Unlike birds, there is no season within which construction could occur to eliminate the potential to affect these species. Adult frogs and turtles, and potentially turtle nests may still be present during the late summer/fall construction period. Therefore, the following measures are recommended to protect special-status amphibians and reptiles:

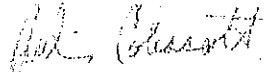
- Preconstruction surveys are recommended within two weeks of the start of construction in any aquatic areas that may be affected by the Project. If adult frogs, turtles, or turtle nests are observed, then the CDFW would be contacted to determine the best approach to minimize adverse affects to the species. Typical measures include allowing the turtle or frog to move from the impact area, or relocating a turtle nest.

Waters of the United States. Waters of the United States ("waters") are present in the Project area. Features observed include the large wet meadow complex (streams and wetlands), and roadside ditches. Prior to implementation of the project, all "waters" shall be mapped according to the U.S. Army Corps of Engineers (Corps) standards. The "wetland delineation" shall be submitted to the Corps for verification. Impacts to "waters" are likely due to the trenching required to construct the project. Prior to construction, the appropriate Clean Water Act Sections 401 and 404 permits shall be obtained authorizing the project. Adequate mitigation is required as a permit condition. Likely, the project would have to restore the temporary effects of the construction by recontouring the impacted area to pre-existing contours, replacing the top soil, and replanting the alignment with native wetland plant species.

Because the wetland south of Hatchery Lane was created as mitigation for a past development, the City of Mt. Shasta will also have to research whether the Corps, or any other regulatory agency, placed restrictions (e.g., deed restriction, conservation easement) upon the area as a condition of its use as a mitigation area.

If you have any questions about this report, please contact me by telephone at 530/926-3595 ext. 201, or by email at colescott@nsrnet.com.

Sincerely,
NORTH STATE RESOURCES, INC.



Julian Colescott
Project Manager

References

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- California Department of Fish and Game. 1988. *California's Wildlife, Volume I: Amphibians and Reptiles*. California Statewide Wildlife Habitat Relationships System. Editors David C. Zeiner, William F. Laudenslayer, Jr., Kenneth E. Mayer, and Marshall White.
- California Department of Fish and Game. 1990a. *California's Wildlife, Volume II: Birds*. California Statewide Wildlife Habitat Relationships System. Editors: David C. Zeiner, William F. Laudenslayer, Jr., Kenneth E. Mayer, and Marshall White.
- California Department of Fish and Game. 1990b. *California's Wildlife, Volume III: Mammals*. California Statewide Wildlife Habitat Relationships System. Editors: David C. Zeiner, William F. Laudenslayer, Jr., Kenneth E. Mayer, and Marshall White.
- California Department of Fish and Wildlife. 2013. *Rarefind 4: California Natural Diversity Database (CNDDB)*. Available at <http://www.dfg.ca.gov/biogeodata/cnddb/>. Last updated in 2012. Accessed on February 27, 2013.
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- Pacific Municipal Consultants. 2005. *City of Mt. Shasta General Plan update Environmental Impact Report*. Pacific Municipal Consultants. Mt. Shasta, California.
- U.S. Fish and Wildlife Service. 2012. *List of Endangered and Threatened Species That May Occur in or be Affected by Projects in the Mt. Shasta City, California USGS Quadrangle*. Available at http://www.fws.gov/sacramento/ES_Species/Lists/es_species_lists-form.cfm. Last updated on September 18, 2011. Accessed on February 27, 2013.

TABLE 1. PRELIMINARY REVIEW OF SPECIAL-STATUS PLANT SPECIES WITH POTENTIAL TO OCCUR IN THE MT. SHASTA SEWER PROJECT AREA

| Species | Federal/State/CNPS RPR Status | Habitat Suitability |
|---|-------------------------------|--|
| <i>Epilobium oregonum</i> Oregon fireweed | --/1B | Several historic (1914) records of the plant within 5 miles of the project area. The wetland area south of Hatchery Lane provides suitable habitat for this species. Prefers wet, gently sloping stream banks, meadows, and bogs from 500 to 7,800 feet in the Klamath Range. Blooms June-August (CNPS 2013). |
| <i>Geum aleppicum</i> Aleppo avens | --/2 | Several records of the species within 5 miles. The wetland area south of Hatchery Lane provides suitable habitat for this species. Great Basin scrub, lower montane coniferous forest, meadows and seeps from 1,350-4,500 feet. Blooms June-August (CNPS 2013). |
| <i>Ophioglossum pusillum</i> Northern adder's tongue | --/2 | One historic (1894) record of the species within 5 miles. The wetland area south of Hatchery Lane provides suitable habitat for this species. Marshes and swamp margins, valley foothill grassland at 3,000 to 6,000 feet. Blooms July (CNPS 2013). |
| <i>Scutellaria gaericulata</i> Marsh skullcap | --/2 | One historic (1894) record of the species within 5 miles. The wetland area south of Hatchery Lane provides suitable habitat for this species. Lower montane coniferous forests, meadows and seeps (mesic) and marshes and swamps from 0 to 6,000 feet. Blooms June-September (CNPS 2013). |

NOTES:

FED = Federal
ST = State

Federal & State Codes:

E = Endangered; T = Threatened; R = Rare; SC = Species of Concern

CNPS = California Native Plant Society

CNPS RPR Codes:

List 1B = Rare, Threatened or Endangered in CA and Elsewhere;
List 2 = Rare, Threatened or Endangered in CA, but more common elsewhere;
List 3 = More information is needed -- a review list

TABLE 2. PRELIMINARY REVIEW OF SPECIAL-STATUS WILDLIFE SPECIES WITH POTENTIAL TO OCCUR IN THE MT. SHASTA SEWER PROJECT AREA

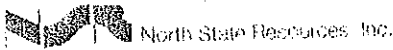
| Common Name/Scientific Name | Federal/State Status | Habitat Suitability |
|--|----------------------|--|
| Amphibians | | |
| <i>Rana boylei</i> Foothill yellow-legged frog | --/CSC | Numerous CNDDDB records of occurrence from the project vicinity. Stream features found within the project area are suitable to support this species. Frequents shallow, slow, gravelly streams and rivers with sunny banks in forests, chaparral, and woodlands from sea level to 6,700 ft. |
| <i>Rana cascadae</i> Cascades frog | --/CSC | Numerous CNDDDB records of occurrence from the project vicinity. Stream features found within the project area are suitable to support this species. Requires montane aquatic habitats (lakes, ponds, small streams) in open coniferous forests at elevations between 750 and 7,500 feet (CDFG 1988). |
| Reptiles | | |
| <i>Clemmys marmorata marmorata</i> Northwestern pond turtle | --/CSC | Only one CNDDDB record from the project vicinity, but the species is known to occur within the project area. Ponds or other aquatic features within the wetland south of Hatchery Lane are suitable to support this species. Associated with permanent or nearly permanent water habitats such as wetlands, ponds, marshes, lakes, streams, irrigation ditches and vernal pools to 6,000 feet in elevation (CDFG 1988). Prefers aquatic habitats that usually have adequate vegetative cover. Breeding usually occurs in April and May. |
| Birds | | |
| <i>Dendroica petechia</i> Yellow warbler | --/CSC | Willow and other shrubs within the project area are suitable to support this species. Occurs as a summer resident in northern California. Nests in dense riparian deciduous habitats with cottonwoods, willows, alders, and other small trees and shrubs. |
| <i>Empidonax traillii</i> Willow flycatcher | --/E | All occurrences within the project vicinity occur in the McCloud River drainage near the community of McCloud. However, the wetland habitat south of Hatchery Lane is suitable to support this species. Inhabits extensive thickets of low, dense willows in or near open water (CDFG 1990a). The nearest current records of nesting are along Pig Creek and Squaw Valley Creek south of McCloud (CNDDDB 2013). |
| <i>Grus canadensis tabida</i> Greater sandhill crane | --/T, CA | Known to nest in wet meadows within the project vicinity, the large wetland feature south of Hatchery Lane is suitable to support this species. Nests and forages in open short grass plains and open wet meadow habitat. Known to breed in the Shasta Valley and Tule Lake regions of Siskiyou County. |

TABLE 2. PRELIMINARY REVIEW OF SPECIAL-STATUS WILDLIFE SPECIES WITH POTENTIAL TO OCCUR IN THE MT. SHASTA SEWER PROJECT AREA

| Common Name/Scientific Name | Federal/State Status ^a | Habitat Suitability |
|---|-----------------------------------|---|
| <i>Haliaeetus leucocephalus</i> Bald eagle | D/E, CA | Known nests occur along the Sacramento River and Lake Siskiyou but nesting habitat is absent from the project area. Nests and forages in proximity to lakes and large rivers. Preys on fish, waterfowl and other birds, small mammals, and carrion (CDFG 1990a). Commonly observed over Lake Siskiyou. |
| Mammals | | |
| <i>Martes pennanti</i> Pacific fisher | C/CSC | Many CNDDDB records document presence of this species throughout the project vicinity. Forages in old-growth forests or mixed stands of old-growth and mature trees. May use riparian corridors for movement (CDFG, 1990b). |

Definitions:

^a C = Candidate D = Disturbed E = Endangered T = Threatened CSC = California Species of Special Concern



March 5, 2013

Keith McKinley
City Planner
City of Mount Shasta Planning Department
305 N. Mt. Shasta Boulevard
Mt. Shasta, CA 96067

**SUBJECT: EDA Grant Preparation Assistance for the Mount Shasta Sewer Replacement Project,
City of Mount Shasta, Siskiyou County, California (NSR Project #28152)**

Dear Mr. McKinley -

In support of the Economic Development Agency (EDA) grant application being prepared by the City, North State Resources, Inc. (NSR) conducted a preliminary cultural resources review conducted for the Mount Shasta Sewer Replacement Project (Project). The purpose of this letter is to provide information for the EDA Environmental Narrative that will be included with the grant application. This letter summarizes the research efforts conducted by NSR to determine the potential for cultural resources to occur within the Project Area. In addition, this letter also provides strategies for avoiding resources present in the project area. The project would include the replacement of an approximately 9,000 foot long segment of sewer pipeline and portions of the existing treatment plant facility. The project is located in Sections 16 and 21 of Township 40 North, Range 4 West of the *City of Mount Shasta, California* 7.5-minute topographic map (Figure 1).

Results of Background Research

NSR conducted a records search (W13-31) at the Northeast Information Center (NEIC) on February 28, 2012. The search included the cultural resource records and survey reports as well the lists of resources on the National Register of Historic Places (NRHP), the California Historical Landmarks listing, the California Register of Historical Resources (CRHR), and the California Points of Historical Interest. Seven cultural resources surveys have been conducted within 0.25 miles the undertaking (Table 1). Four cultural resources have been recorded within 0.25 miles of the undertaking (Table 2). The resources documented in the search radius include one prehistoric site and four historic-era sites. No resources listed on the National Register or any of the California lists are located in or within 0.25 miles of the project. Although no surveys have been conducted within the Project area, and no cultural resources have been identified in the Project area, the previous surveys indicate that there is a moderate probability for cultural resources, both prehistoric and historic-era, to be present.

Table 1: Surveys Previously Conducted near the Project

| Date | Author | Title | NEIC Study # |
|-------|-------------------------------------|---|--------------|
| 1980 | Anthropological Resource Management | Archaeological Reconnaissance of the Proposed Shasta Holiday Development Siskiyou County, California | SI-L-10 |
| 1985 | Manning, James | Archaeological Survey of the C.D.M.S., Inc. Site, City of Mount Shasta, Siskiyou County, California | SI-L-374 |
| 1992a | Elliot, Daniel | Archaeological Survey for the Proposed Dal Gallo Subdivision and Conversion Plan, Mount Shasta, Siskiyou County, California | 3946a |
| 1992b | Elliot, Daniel | Dal Gallo Timber Harvest Plan | 3946b |
| 1994 | Berryman, Ron | Dal Gallo-Cheek Timber Harvest Plan | 3946c |
| 1998 | Osterhoudt, Donald | Gemini Timber Harvest Plan | 2884 |
| 2004 | Jensen, Peter | Roseburg Infrastructure Improvement Project, Mt. Shasta, Siskiyou County, California | 7167 |
| 2004 | Dalu, Chris | Cultural Resources Inventory Survey for the Proposed Radio Antenna Relocation and Wetland Creation Project, City of Mount Shasta, Siskiyou County, California | 5997 |
| 2006 | SWCA Environmental Consultants | Cultural Resources Final Report of Monitoring and Findings for the Qwest Network Construction Project, State of California | 7362 |

Table 2: Known Cultural Resource Sites near the Project

| Site Number | Type | Distance from Project |
|-------------|--------------|-----------------------|
| CA-SIS-4095 | Prehistoric | 0.07 miles |
| CA-SIS-3889 | Historic-Era | 0.20 miles |
| CA-SIS-3888 | Historic-Era | 0.08 miles |
| CA-SIS-2558 | Historic-Era | 0.25 miles |
| CA-SIS-2446 | Historic-Era | 0.18 miles |

Strategies for Avoiding Resources

Adverse effects, including the damage to or destruction of cultural resources can be avoided through a number of strategies. These can include conducting an archaeological survey, monitoring of known sites and potentially sensitive areas, and coordination with various agencies:

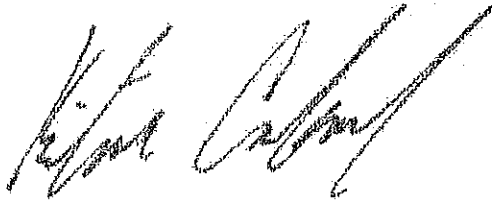
A cultural resources inventory including further archival research and a field survey is the best strategy for identifying and ultimately avoiding adverse effects on cultural resources. Knowledge of resource locations allows project designers the ability to avoid or minimize effects to cultural resources prior to construction. If a cultural resources inventory identifies areas of high probability for buried cultural resources or identifies potentially significant (per NRHP/CRHR criteria) resources, the presence of an archaeological monitor during construction/excavation activities is recommended. Monitoring allows the archaeologist to identify buried resources and provide appropriate avoidance and mitigation measures.

If previously unknown cultural resources are discovered during project activities, all work in the immediate vicinity of the discovery shall be stopped immediately and the contractor shall notify the City of Mount Shasta. An archaeologist meeting the Secretary of Interior's Professional Qualifications Standards shall be retained to evaluate the discovery and recommend appropriate conservation measures. The conservation measures will be implemented prior to re-initiation of ground-disturbing activities in the vicinity of the discovery.

If human remains are discovered during project activities, all activities in the vicinity of the find will be stopped and the Siskiyou County Sheriff-Coroner's Office shall be notified. If the coroner determines that the remains may be those of a Native American, the coroner will contact the Native American Heritage Commission (NAHC). Treatment of the remains shall be conducted in accordance with further direction of the County Coroner or the NAHC, as appropriate.

The information contained in this letter is sensitive regarding the nature and location of historic properties that should not be disclosed to the general public or unauthorized persons. Historic properties information is exempt from disclosure to the general public under the California Public Records Act Chapter 6254.10 and Section 304 of the National Historic Preservation Act. Please do not hesitate to contact me at (530) 345-4552, ext. 202, if you wish to discuss the results of the background research or NSR's recommended avoidance and mitigation measures.

Sincerely,



Kristina Crawford, M.A., RPA
Archaeologist



CITY OF MT. SHASTA

305 North Mt. Shasta Boulevard
Mt. Shasta, California 96067
(530) 926-7510 • Telephone
(530) 926-0339 • Fax

March 12, 2013

Erin Williams,
Field Supervisor
U.S. Fish and Wildlife Service
1829 S. Oregon Street
Yreka, CA 96097

U.S. Fish and Wildlife Service
Pacific Southwest Region 8
2800 Cottage Way #W2928
Sacramento, CA 95814

RE: Endangered Species Act Section 7 Consultation for proposed EDA grant assistance to construct Mt. Shasta Wastewater System Upgrade

Dear Ms,

The City of Mt. Shasta has made application for grant funding to the U.S. Department of Commerce, Economic Development Administration (EDA) to construct the Mt. Shasta Wastewater System Upgrade project. The EDA designates the City of Mt. Shasta as EDA's non-federal representative for the purpose of consultation with the U.S. Fish and Wildlife Service (FWS) under 50 CFR Sec.402.08.

The project involves upgrade an existing 12" main sewer interceptor line to 18" to 30" sewer interceptor line, replacing approximately 6,000 to 7,000 feet of line and associated manholes, located in Sections 16 and 21 of Township 40N Range 4W in Siskiyou County, California. The project will take place within the existing 20' wide easements and right of way and will entail trenching and laying of new parallel pipe. The project will require boring and jacking under the Interstate 5 Freeway where an existing crossing already exists. The project will cross the alignment of Cold Creek and at least two delineated wetlands areas. The project area was previously disturbed in the 1970's when the current line was installed. One of the wetlands area is used as pasture land and one of the areas has been reclaimed and/or enhanced as a wetlands mitigation bank. The project also proposes to create two new ponds with earthen dikes and associated headworks facilities at the existing wastewater treatment facility located in Section 28 T40N R4W. The project will entail excavation and compaction of material to create the ponds and concrete work and associated piping for the headworks and connecting the ponds to the existing facility.

The project area is located in the above referenced sections at approximately between 41°18'N, 122°19'W and 41°17'N, 122°18'W for the interceptor line and at approximately 41°16'N, 122°19'W for the ponds. National Wetlands Inventory maps with the project location are attached.

YEAR-ROUND RECREATIONAL CENTER

No state or federally listed plants species are likely to occur in the project area. There are four special status plant species with potential to occur in the Project area which are California Native Plant Society (CNPS) RPR 1b and 2-ranked species. The following RPR plant species occur in wetland habitat types, and might be affected by the Project: *Epilobium oregonum*-Oregon fireweed; *Geum aleppicum* -Aleppo avens; *Ophioglossum pusillum*-Northern adder's tongue; and *Scutellaria galericulata*-Marsh skullcap.

No federally listed wildlife species have the potential to occur within the Project area. One federal candidate for listing, the Pacific fisher has the potential to occur. Three state-listed species have potential to occur: willow flycatcher, greater sandhill crane and bald eagle. California species of special concern which may occur within the Project area are foothill yellow-legged frog, Cascades frog, northwestern pond turtle, and yellow warbler.

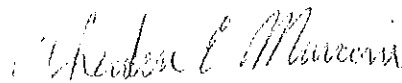
There would be no permanent direct impacts from the project on any listed species or any candidate or special status species. The project area does not support typical denning features, but may be utilized by Pacific fishers during foraging. Recommendations for timing would result in late summer/fall construction and there should be no immobile young fishers or nesting birds at that time. If special status plants are identified during a pre-construction survey, their locations will be mapped and avoided or if unavoidable appropriate conservation measures will be implemented.

Based on the above information, a determination of "may affect, but is not likely to adversely affect" has been made for this project.

We respectfully ask for your concurrence on these findings and determination. If further information is required, please contact me at (530) 926-7510, or cityofms@nctv.com.

Thank you very much for your assistance with this project

Sincerely,



Theodore E. Marconi,
City Manager
City of Mt. Shasta

encl

cc EDA Project Officer

**U.S. ARMY CORPS OF ENGINEERS
APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT**
33 CFR 325. The proponent agency is CECW-CO-R.

OMB APPROVAL NO. 0710-0003
EXPIRES: 28 FEBRUARY 2013

Public reporting for this collection of Information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

| | | | |
|--------------------|----------------------|------------------|------------------------------|
| 1. APPLICATION NO. | 2. FIELD OFFICE CODE | 3. DATE RECEIVED | 4. DATE APPLICATION COMPLETE |
|--------------------|----------------------|------------------|------------------------------|

(ITEMS BELOW TO BE FILLED BY APPLICANT)

| | | | | | |
|---|--|--|--|--|--|
| 5. APPLICANT'S NAME First - Middle - Last - Company - City of Mt. Shasta E-mail Address - cityofms@nctv.com | | | 8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Theodore Middle - E. Last - Marconi Company - City Manager, City of Mt. Shasta E-mail Address - marconi@ci.mt-shasta.ca.us | | |
| 6. APPLICANT'S ADDRESS: Address- 305 N. Mt. Shasta Blvd. City - Mount Shasta State - CA Zip - 96067 Country - USA | | | 9. AGENT'S ADDRESS: Address- SAME City - State - Zip - Country - | | |
| 7. APPLICANT'S PHONE NOs. w/AREA CODE a. Residence b. Business c. Fax (530) 926-7510 (530) 926-0339 | | | 10. AGENTS PHONE NOs. w/AREA CODE a. Residence b. Business c. Fax SAME | | |

STATEMENT OF AUTHORIZATION

11. I hereby authorize, Theodore E. Marconi to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

SIGNATURE OF APPLICANT

DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

| | |
|--|--|
| 12. PROJECT NAME OR TITLE (see instructions) Mt. Shasta Wastewater System Upgrade | |
| 13. NAME OF WATERBODY, IF KNOWN (If applicable) Cold Creek tributary to Sacramento River | 14. PROJECT STREET ADDRESS (if applicable) Address N/A City - State - Zip- |
| 15. LOCATION OF PROJECT Latitude: +N 41deg 18min Longitude: +W 122deg 19min | |
| 16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID Multiple Municipality City of Mt. Shasta Section - 16, 21, and 28 Township - 40N Range - 4W | |

17. DIRECTIONS TO THE SITE

Interstate 5 to Central Mt. Shasta/Lake Street offramp. West on Hatchery Lane to beginning of line at Jessie Street. Then continue west on Hatchery Lane to South Old Stage Road. South along South Old Stage Road which approximately parallels alignment. For Wastewater Treatment Plant continue south on South Old Stage Road to Siskiyou Lake Boulevard. Right on Boulevard, Left on Christian Way, Right on Grant Road approximately 1 mile to Plant.

18. Nature of Activity (Description of project, include all features)

Trench and recover to install 18 to 30 inch diameter wastewater sewer pipe in 20 foot easement parallel to existing 12 inch diameter pipe. Abandon in place existing pipe. Pipeline alignment will cross Cold Creek and associated wetlands. Pipeline also crosses Interstate 5, South Old Stage Road, and Ream Avenue right of ways. Excavate and build two approximately 4 million gallon earthen dike wastewater lagoons at existing treatment plant and associated headworks and piping facilities.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

Project is necessary to upgrade existing sewer transmission lines to accommodate future growth and the reopening of a water bottling facility.

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

Spoils will be created and need to be removed to avoid elevating the terrain in the wetlands and roadways. There will be no permanent discharge of materials in the wetlands. The same excavated native soils will be used as backfill except for sand backfill to protect the pipe and the volume displaced by pipe installation. All excess material will be removed from the wetlands areas.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

| Type Amount in Cubic Yards | Type Amount in Cubic Yards | Type Amount in Cubic Yards |
|-------------------------------|-------------------------------|-------------------------------|
| Excavation spoils - 2000 cy | | |

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres
or

Linear Feet Approximately 4000 feet of trench bedding and backfill. No net increase in filled uplands will remain on project completion.

23. Description of Avoidance, Minimization, and Compensation (see instructions)

Wetlands area topsoils will be retained and replaced, trench cutoffs will be installed at the wetlands limits, and baffles will be placed in bedding materials to prevent new channelization, and vegetation will be replanted to restore wetlands areas to original conditions.

24. Is Any Portion of the Work Already Complete? Yes No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here please attach a supplemental list).

a. Address- Douglas Merrill, P.O. Box 219, S Old Stage Road

City - Mount Shasta State - CA Zip - 96067

b. Address- James Nile, 825 W. Ream Avenue

City - Mount Shasta State - CA Zip - 96067

c. Address- Mount Shasta Resort, 1000 Siskiyou Lake Blvd.

City - Mount Shasta State - CA Zip - 96067

d. Address- Pacific Power, P.O. Box 400, S Old Stage Road

City - Portland State - OR Zip - 97207

e. Address-

City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

| AGENCY | TYPE APPROVAL* | IDENTIFICATION NUMBER | DATE APPLIED | DATE APPROVED | DATE DENIED |
|-----------------|----------------|-----------------------|--------------|---------------|-------------|
| Siskiyou County | Encroachment | Pending | | | |
| CalTrans | Encroachment | Pending | | | |
| | | | | | |

* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.


 _____ DATE _____ SIGNATURE OF AGENT _____ DATE _____
 SIGNATURE OF APPLICANT

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

FitzGerald, Shannon

From: Good, Stan
Sent: Friday, February 06, 2015 2:02 PM
To: Paul Eckert
Cc: Skrinde, Kristine; FitzGerald, Shannon
Subject: RE: Mt Shasta Council Response To EDA Regional Director Smith
Attachments: Environmental Narrative - City of Mt Shasta.pdf; Preliminary Engineering Report - City of Mt Shasta.pdf

Paul:

The EDA process to amend a scope of work involves the receipt of:
A letter with your request to change the scope and a brief description of the work to be performed at the treatment plant including estimated costs.
EDA also requests an updated/revised version of the initial Engineering Review and the Environmental Report.

I have attached copies of these latter two reports that were submitted with the application.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Friday, February 06, 2015 10:38 AM
To: Good, Stan
Cc: Skrinde, Kristine; FitzGerald, Shannon; Rod Bryan; Muriel Howarth Terrell; John Kenny; Andrea Matarazzo (andrea@pioneerlawgroup.net); Geoff Harkness [REDACTED]; Jeffrey Collings; Tim's Gmail; Mike Burns [REDACTED]; Paul Reuter (preuter@paceengineering.us); Wirt Lanning
Subject: RE: Mt Shasta Council Response To EDA Regional Director Smith

Hi Stan,
Thanks for the email. We would be happy to provide you the proposed scope of work for the treatment plant upgrade. We will get it to you and your Team early next week. Can we please get a description of the process we will be going through?

Again, thank you for your assistance.

Paul

From: Good, Stan [<mailto:SGood@eda.gov>]
Sent: Friday, February 06, 2015 10:05 AM
To: Paul Eckert
Cc: Skrinde, Kristine; FitzGerald, Shannon
Subject: RE: Mt Shasta Council Response To EDA Regional Director Smith

Paul:
Since the city has decided to use the EDA funds for the treatment plant upgrade, can you send me a proposed scope of work for the treatment plant upgrade?

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

Join EDA's mailing list today to get the latest agency news and grant opportunity information!

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Thursday, February 05, 2015 12:19 PM
To: Good, Stan
Cc: matthew_nelson@feinstein.senate.gov; kyle_chapman@boxer.senate.gov; mark.stannagel@mail.house.gov;
[Kaye Meier@boxer.senate.gov](mailto:Kaye_Meier@boxer.senate.gov); Geoff Harkness [REDACTED]; Jeffrey Collings; Tim's Gmail; Mike Burns
[REDACTED] Tonya Dowse (tonya@siskiyoucounty.org); Muriel Howarth Terrell; John Kenny; Andrea
Matarazzo (andrea@pioneerlawgroup.net); Nicole Dove; Rod Bryan
Subject: Mt Shasta Council Response To EDA Regional Director Smith

Greetings Stan,

Thank you for the ongoing dialogue and your support. Attached is the Mt. Shasta City Council's formal response to EDA Regional Director Smith's letter received December 26th. Our elected officials appreciate your Team's continued efforts on our community's behalf.

Your Team may want to review the link below to the article regarding the EDA and its relationship with our small group of residents. In an effort to be effective and responsive, our elected officials, including our Congressional delegation would appreciate updates regarding ongoing EDA involvement with local community members, especially as it becomes as apparently expansive as it has over the last several months. Several elected officials have expressed frustration that the Grant Award recipient was not apprised of the activities that led to the change of direction by the EDA.

Mt. Shasta Herald story:

<http://www.mtshastanews.com/article/20150205/NEWS/150209903/1994/NEWS>

Again, thank you for your support. We look forward to the next steps and hope they are as simplified as we have been led to believe through the Director's letter and our conversations.

Respectfully,

Paul

Paul Eckert, City Manager

City of Mt Shasta
305 N. Mt Shasta Blvd
Mount Shasta, CA 96067
Phone (530) 926-7510
www.mtshastaca.gov

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FY 2013 Economic Development Assistance Program
Mt. Shasta Wastewater System Upgrade
Environmental Narrative

A. BENEFICIARIES

Direct beneficiaries of the project will be Crystal Geyser Water Company which proposes to purchase and reopen the Coca Cola water bottling facility north of Mt. Shasta, and Coca Cola which will realize the proceeds of the sale. Other direct beneficiaries will be holders of undeveloped infill property in north and central Mt. Shasta who may not be able to develop without upgrades to the sewer interceptor line.

B. PROJECT DESCRIPTION

1. Proposed Construction: The City of Mt. Shasta proposes to upgrade an existing 12" main sewer interceptor line to 18" to 30" sewer interceptor line. The project will involve replacing approximately 7,000 feet of line and associated manholes, located in Sections 16 and 21 of Township 40N Range 4W in Siskiyou County, California, approximately between 41°18'N, 122°19'W and 41°17'N, 122°18'W. The project will take place within the existing 20' wide easements and right of way. The project will entail trenching and laying of new parallel pipe and disposing in place the existing pipe. The project will require boring and jacking under the Interstate 5 Freeway where an existing crossing already exists.

The project will cross the alignment of Cold Creek and at least two delineated wetlands areas. The project area was previously disturbed in the 1970's when the current existing line was installed. One of the wetlands area is used as pasture land and one of the areas has been reclaimed and/or enhanced as a wetlands mitigation bank. None of the project area is considered to be flood plain.

The project also proposes to create two new ponds with earthen dikes and associated headworks facilities at the existing wastewater treatment facility located in Section 28 T40N R4W approximately 41°16'N, 122°19'W. The project will entail excavation and compaction of material to create the ponds and concrete work and associated piping for the headworks and connecting the ponds to the existing facility.

2. Alternatives to the Project: The No-Project alternative would leave the existing line in place and would prevent the reuse of the existing Coca Cola spring water bottling facility by Crystal Geyser for bottling flavored waters and teas. This alternative would also mean that the City of Mt. Shasta would have to curtail future developments in the northern and central areas of the City at some future point.

An alternative alignment that bypasses the wetlands areas and reroutes the interceptor line in existing roadways would require the installation and ongoing operation of lift stations, the acquisition of new rights of way and easements, and the disruption of travel and replacing of roadway after construction. The costs, both current and future, of this alternative are considerably higher than the proposed project.

3. Mitigation: Best management practices for construction activities include those for erosion control, siltation control, air quality, and noise will be implemented. Minimization of impacts to wetlands can be achieved through stockpiling and replacing removed top soils to maintain the existing riparian species, replanting with compatible species, and additional enhancements to the disturbed areas.

C. HISTORIC/ARCHEOLOGICAL RESOURCES

A records search (W13-31) was conducted for the City by Northstate Resources, Inc. at the Northeast Information Center (NEIC) on February 28, 2012. The search included the cultural resource records and survey reports as well as the lists of resources on the National Register of Historic Places (NRHP), the California Historical Landmarks listing, the California Register of Historical Resources (CRHR), and the California Points of Historical Interest. Seven cultural resources surveys have been conducted within 0.25 miles of the undertaking. Five cultural resources have been recorded within 0.25 miles of the undertaking (see Table). The resources documented in the search radius include one prehistoric site and four historic-era sites. No resources listed on the National Register or any of the California lists are located in or within 0.25 miles of the project. Although no surveys have been conducted within the Project area, and no cultural resources have been identified in the Project area, the previous surveys indicate that there is a moderate probability for cultural resources, both prehistoric and historic-era, to be present.

| Site Number | Type | Distance from Project |
|-------------|--------------|-----------------------|
| CA-SIS-4095 | Prehistoric | 0.07 miles |
| CA-SIS-3889 | Historic-Era | 0.20 miles |
| CA-SIS-3888 | Historic-Era | 0.08 miles |
| CA-SIS-2558 | Historic-Era | 0.25 miles |
| CA-SIS-2446 | Historic-Era | 0.18 miles |

There are a number of Native American tribal organizations with historical ties in the surrounding area. Although no other sites are believed to be in the project area, the most likely occurrences would be associated with the Winnemem Wintu Tribe, the Pit River Tribe, the Shasta Nation, and the Modoc Tribe. (A list of all tribal contacts is attached).

D. AFFECTED ENVIRONMENT

1. **Affected Area:** The project affects two areas, the lands that the interceptor line passes through, and the Wastewater Treatment plant. In general, the project's affected area is in the planning area of the City of Mt. Shasta. The City of Mt. Shasta is located in southern Siskiyou County at the southwest base of Mount Shasta, a 14,162-foot volcanic peak in the Cascade Mountains of Northern California. The City of Mt. Shasta and the immediate vicinity of the project is a montane mixed conifer and pasture environment with flat and rolling topography west of the city. The area is mostly within the Strawberry Valley, but comes close to the Sacramento River above the rim of a box canyon immediately downstream of Siskiyou Lake. The city of Mount Shasta and the project area are approximately 3600 ft. elevation at the City limit, and decreases to approximately 3400 feet.

The affected area includes lands that are immediately within, and adjacent to, an existing 20 foot wide easement that extends approximately 7000 linear feet from the terminus of West Jessie Street immediately east of Interstate 5, then under the Interstate 5 Right of Way (ROW), through an existing

residential neighborhood within the ROW of West Jessie Street and then south through undeveloped lands containing delineated wetlands and the channel for Cold Creek. The channel exits the wetland area and travels through very low density single family residential lands. The project area then intersects the ROW of North Old Stage Road and follows in the ROW briefly for approximately 500 feet then veers into open lands through wet pasture land until it intersects the West Ream Ave ROW and connects to the a manhole located approximately 500 feet south of West Ream Ave.

The affected area of the pond work is within the current wastewater treatment plant property located at Grant Road southwest of the City of Mt. Shasta. The project will add two additional ponds to the northwest of the existing ponds. The project site is almost all uplands, but is adjacent and in proximity to identified wetlands areas.

2. Shorelines, Estuaries, Beaches and Dunes: No river banks (shorelines), beaches or dunes will be affected by this project. This is not a designated coastal zone. There are no over-water structures as a part of this project.

3. Wetlands: Waters of the United States ("waters") are present in the Project area. Features observed include the large wet meadow complex (streams and wetlands), and roadside ditches. Prior to implementation of the project, all "waters" shall be mapped according to the U.S. Army Corps of Engineers (Corps) standards. The "wetland delineation" shall be submitted to the Corps for verification. Impacts to "waters" are likely due to the trenching required to construct the project. Prior to construction, the appropriate Clean Water Act Sections 401 and 404 permits shall be obtained authorizing the project. (National Wetlands Inventory maps are attached).

Adequate mitigation is required as a permit condition. Likely, the project would have to restore the temporary effects of the construction by recontouring the impacted area to pre-existing contours, replacing the top soil, and replanting the alignment with native wetland plant species. Because the wetland south of Hatchery Lane was created as mitigation for a past development, the City of Mt. Shasta will also have to research whether the Corps, or any other regulatory agency, placed restrictions (e.g., deed restriction, conservation easement) upon the area as a condition of its use as a mitigation area

4. Floodplains: There are no floodplains that will be affected by this project. The City is not located in an area that is mapped by FEMA for floodplains. (See attached Map).

5. Vegetation and wildlife resources: There are a variety of land uses and therefore a variety of vegetation and wildlife resources along Project alignment including open space, rural residential, small farms, and urban (sewer plant, roads and highways). The Project alignment would traverse several different plant community types including wet meadow, pasture, and mixed chaparral. It also crosses Interstate Highway 5 and several other area streets. Dominant plants observed during the "drive by" survey and other descriptive information from each land use type include the following:

- Rural residential, small farms - The rural residential areas include widely spaced homes with large lots and scattered small farmsteads. The lots are landscaped or left in a natural form, and the small farms largely consist of open pastures with scattered outbuildings. Dominant plants observed include: black oak (*Quercus kelloggii*), Russian olive (*Elaeagnus angustifolia*), black locust (*Robinia pseudoacacia*), ponderosa pine (*Pinus ponderosa*), willow (*Salix* sp.) shrub and tree forms, Himalayan blackberry (*Rubus artemisiifolius*), Scotchbroom (*Cytisus scoparius*), sweet pea (*Lathyrus latifolius*), and orchard grass (*Dactylis glomerata*).

- Open space - The large wetland area located near the northern end of the sewer pipe alignment, south of Hatchery Lane is a complex of wetlands with small streams, old ditches, and ponds, as well as pockets of fresh emergent wetland and seasonal wetlands. This wet meadow was formerly used as pasture, and then in the 1970's set aside as a wetland mitigation area for the development of the Mt. Shasta Shopping Center. The dominant vegetation observed includes willow shrubs, cattail (*Typha latifolia*), common tule (*Schoenoplectus acutus*), wetland grasses [e.g., spreading bent grass (*Agrostis stolonifera*)], sedges (*Carex* sp.), and rushes [e.g., Baltic rush (*Juncus balticus*)].
- Urban - The wastewater treatment plant occurs in an area directly south of the Mt. Shasta Resort golf course, in an area dominated by greenleaf manzanita (*Arctostaphylos patula*), young ponderosa pine, incense cedar (*Calocedrus decurrens*), bitter cherry (*Prunus emarginata*), scattered willow shrubs, young black oak, and various upland herbaceous species. The existing treatment ponds support fringe wetland vegetation and a host of waterfowl (e.g., ducks and grebes). The site is approximately 0.1 mile from the Sacramento River canyon ("Box Canyon").
- Interstate Highway – I-5 is a four-lane freeway, with an on-ramp in the north-bound lanes, and an off-ramp on the south-bound lanes. Roadside ditches occur on both sides of the freeway and supported flowing water during the March 1, 2013 site visit. Wetland vegetation including willows, sedges and wetland grasses were observed in the ditch features.

6. Endangered Species:

Botanical. No state or federally listed plants species are likely to occur in the project area. The four special-status plant species with potential to occur on the Project area are CNPS RPR 1b and 2-ranked species. Species designated as RPR Lists 1b or 2 are not protected under the federal or state Endangered Species Acts, but they are commonly considered by lead agencies under the California Environmental Quality Act (CEQA) review process. The following RPR plant species occur in wetland habitat types, and could be affected by the Project: *Epilobium oregonum*-Oregon fireweed; *Geum aleppicum* -Aleppo avens; *Ophioglossum pusillum*-Northern adder's tongue; and *Scutellaria galericulata*-Marsh skullcap. If such special status plants are identified during a pre-construction survey, their locations will be mapped and avoided or if unavoidable appropriate conservation measures will be implemented.

Wildlife. No federally listed wildlife species have the potential to occur within the Project area. One federal candidate for listing (Pacific fisher) has the potential to occur. Three state-listed species have potential to occur (willow flycatcher, greater sandhill crane and bald eagle). Several California species of special concern may occur within the Project area (foothill yellow-legged frog, Cascades frog, northwestern pond turtle, and yellow warbler).

Pacific fisher is a widely distributed mammal that occurs throughout the Sierra Nevada, Cascades and California Coast Ranges. Pacific fisher is a highly mobile species with a large home range. Fishers den in large trees, snags, logs, rock areas or slash piles, and they may occur in areas impacted by humans (e.g., small towns, farms) in search of food. They may traverse wetland areas, or utilize stream corridors as travel routes. The project area does not support typical denning features, but may be utilized by Pacific fishers during foraging. Recommendations provided below for birds would result in late summer/fall construction, which would correspond to the time when no immobile young are present. All juvenile and adult fishers would flee from the construction and would not likely be affected by the project.

Willow flycatcher, greater sandhill crane and bald eagle are state-listed birds that may be present in the vicinity of the project. Yellow warbler is a California species of special concern that may also nest in the area. Willow flycatchers and yellow warblers nest in willow shrubs in mosaic wetland/stream complexes. Greater sandhill cranes nest in large wetland areas, and bald eagles nest in large snags typically near large streams or lakes. Both the willow flycatcher and sandhill cranes may nest in the large wetland south of Hatchery Lane. Bald eagles may nest along the Box Canyon near the wastewater treatment plant. (Preliminary Assessment reports and Section 7 Consult Letter are attached).

7. Land Use and Zoning: The project is in two jurisdictions, the City of Mt. Shasta and the County of Siskiyou. Within the City limits, the project starts in a neighborhood zoned R-1, single family residential and immediately crosses underneath the Interstate 5 ROW. At the other side of the Interstate, the project area is along the West Jesse Street ROW in an area that is currently zoned (C-1) commercial but is primarily single family detached housing. The project then leaves the City of Mt. Shasta jurisdiction and passes through relatively large open spaced land which is zoned for residential with a 1 acre minimum lot size (R-R-B-1). Farther south, the land use changes to be inhabited with single family residential and is zoned R-R-B-5. (Single Family with 5 acre minimums). The project then crosses a large tract of non-prime agricultural property used for pasture zoned Non-Prime Ag Land.

The primary beneficiaries are community wide, but specifically industry utilizing the interceptor lines are surrounded by various development. For example the zoning at the northern end of the City of Mt. Shasta is typically residential, but there are pockets of industrial land use adjacent to the site. The water bottling facility is located in industrial zoning, and has been in operation previously but closed in the last few years. (Siskiyou County zoning map is attached).

8. Solid Waste Management: The Project facilities themselves will produce no solid wastes. Trenching spoils and waste piping as a result of construction will be disposed of in appropriate fill areas outside of any wetlands. The primary beneficiary will produce solid wastes typical of bottling facilities including plastic, cardboard, packing materials. California law requires that major commercial and industrial operations implement recycling programs for these materials. Solid wastes for the entire County are transported to local transfer stations and then ultimately to out of area landfills, so there is no single disposal facility that is impacted.

9. Hazardous or Toxic Substances: No hazardous or radioactive substances will be used or produced by the project facilities or primary beneficiary. The project area does not contain any known hazardous or toxic substances. Construction vehicles and equipment will have gasoline and/or diesel engines and other automotive fluids. The affected area does not have any of the materials currently listed on the California Cortese list (CGC Section 65962.5). Spills from refueling will be minimized by establishing fixed fueling stations outside of the wetlands areas to minimize contamination by accidental spills. Hazardous materials regulation and enforcement in Siskiyou County is managed by the Siskiyou County Health Department, and Central Valley regional Water Quality Control Board.

10. Water resources: The only water course that will be impacted is the small stream, Cold Creek. The creek emerges from the ground immediately east of Mt. Shasta and at the project site meanders in a large open area that has been developed as a wetland mitigation bank. The disturbance to this stream will be temporary and will have a less than significant impact. Mitigation measures will be implemented as described in the section for wetlands and other biological resources. The effluent from the ponds to be created at the wastewater treatment facility will enter the facility and eventually discharge to the

Sacramento River during the winter season. The facility is operated under NPDES Permit CA 0078051 which sets effluent limitation limits for discharge.

11. Water Supply and Distribution System: The project will require no domestic water supply. The primary beneficiary obtains water from a series of private wells at their location. These wells and their output are used for production, domestic use, and fire suppression capability. The wells are regulated by the Siskiyou County Public Health Department and permitted by the California Department of Water Resources. The primary beneficiary could ultimately utilize up to a million gallons per day for production.

12. Wastewater Collection and Treatment Facilities: The project facilities are for wastewater conveyance and treatment. The treatment system consists of headworks, four oxidation/stabilization ponds, ballast lagoon, dosing basin, dissolved air flotation system, intermittent backwash filter, chlorine contact chamber, dechlorination system and discharge line. Treated Wastewater can be discharged to any of three locations, depending on water quality and time of year: the Sacramento River, a leach field located adjacent to highway 89, or Title 22 reclaimed water to the Mt. Shasta Resort Golf Course.

The primary beneficiary will create industrial effluent with constituents of juice residues and disinfection process components, primarily peracetic acid. Amounts could ultimately reach 0.75 million gallons per day (MGD). The current facility is rated for 0.8 MGD with average daily flows of 0.6 MGD and peak flows during extreme wet weather of 2 to 3 MGD. This project is designed to increase the capacity of the conveyance system to handle an additional 0.75 MGD, and the facility to handle an additional 0.25 MGD which will be required for the initial operations of the primary beneficiary. The facility does not currently meet the final effluent limitations established by the Regional Water Quality Control Board and is operating under interim limitations in the current NPDES Permit. The City is currently in the process of conducting a feasibility analysis of additional upgrades to the facility to meet new effluent discharge requirements and the additional loading from the bottling facility at ultimate buildout. These changes will then be part of a future project to be implemented in the next 5 to 7 years.

13. Environmental Justice: This project does not disproportionately affect minorities or lower income populations nor does it divide communities. The project is the upgrading of wastewater interceptor line replacing an existing older line. The affected area is typically low/very low density single family housing.

14. Transportation: The transportation systems, both local streets and regional roads, will not change as a result of this project. Most of the project site is not in existing roadways. The wastewater line intersects existing right of way (ROW) in three locations. The project includes boring under the Interstate 5 ROW, and flows along the right of way along West Jessie Street west of the Interstate and along S. Old Stage Road. No permanent impacts will occur as a result of the project. Construction will result in temporary interruptions of traffic when working in the ROW. Best management practices will be used for traffic control at those locations.

15. Air Quality: The project is located in Siskiyou County and is part of the Northwest Plateau Air Basin. The basin currently has no air quality plans in place, however Siskiyou County is in full attainment of federal and state ambient air quality standards. The project will involve the underground installation wastewater lines, and constructing additional ponds at the treatment plant. Construction will have temporary and localized impacts to air quality from digging and earthmoving. Equipment used during construction may contribute to temporary localized impacts to air quality from diesel and gasoline engines. Depending on weather conditions the City will incorporate best management practices for dust

control measures during construction. The addition of ponds at the waste water treatment plant will not have any long term impact on air quality.

16. Noise Pollution: The completed project will not contribute to an increase in noise or create new noise sources. The construction will contribute to ambient noise in the affected area although temporary. The addition of ponds will not contribute to additional noise. Best practices for noise mitigation will be implemented such as limiting the time for construction. Connecting to existing infrastructure also may include operation of a bypass pump if needed. Any pumping equipment will have residential grade muffler to limit noise levels.

17. Permits: The Project will require an Army Corps of Engineers 404 Permit for operation in the wetlands areas. It will also require temporary encroachment permits from the California Department of Transportation and the Siskiyou County Public Works Department for construction in the ROW. As noted the City already holds an NPDES permit for operation of the wastewater treatment facility. (ACOE application is attached).

18. Public Notification/Controversy: The City has discussed the proposed project at City Council meetings, but no formal public hearings have yet been conducted. These will take place as part of the California Environmental Quality Act process, which requires a public review and comment period prior to project adoption, once the project has been fully designed. Public and reviewing agencies will be provided opportunity to submit comments written and at a public hearing. No formal hearings have been scheduled at this time, but as environmental documents are generated times and dates for public participation will be determined. Methods for public outreach are incorporated into the CEQA compliance process such as press releases, public notices, posting on city web-pages, and direct mailings to those immediately adjacent to the project.

19. Direct, Indirect, and Cumulative Effects: There are no foreseeable indirect or cumulative effects of this project on the environment that cannot be mitigated during the course of construction. While the project increases the size of the interceptor line, it does not extend its reach to new areas that are not already being served by the existing sewer collection system. It will facilitate the development of infill parcels within the current service area where there are already capacity issues, but the effects would be less than significant, or in the case of any unforeseen large project would have to be mitigated as part of such a project. The direct effects of the construction phase of the project will be rendered less than significant by the mitigation measures outlined in the preceding sections. The improvements will allow the reopening of a water bottling facility, and the increase in available jobs could affect traffic, air quality and other areas impacted by a concomitant increase in population, but impacts would not exceed those experienced when employment levels were higher than at present.

E. LIST OF ATTACHMENTS

- USGS Topographical Map of Project Area
- Tribal Consultation Contacts
- NFWS Wetlands Inventory Maps
- FIRM Floodplain Map
- Northstate Resources Preliminary Assessments
- USFWS Section 7 Request
- Siskiyou County Zoning Map
- Army Corps of Engineers Permit Application

EDA Grant Application Engineering Narrative

1. Project Components

The project will consist of an upsizing of the current main interceptor line of the City's sewer collection system, and the construction of two new lagoons and associated headworks at the wastewater treatment facility. The interceptor line upgrade will begin at Manhole 402 at the end of West Jessie Street. It will proceed west under the Interstate 5 Freeway in a bored and jacked casing to the resumption of West Jessie Street on the other side of the Freeway. At that point the interceptor line upgrade proceeds about 600 feet approximately to the intersection of West Jessie and Hatchery Lane. It then turns south crossing under Hatchery Lane and proceeds approximately 3000 feet across wetlands and meadow, and then turns to the south west to intersect with Old Stage Road. It then crosses Old Stage Road and follows the right of way for approximately 200 feet, at which point it veers slightly more to the south west and continues about 2000 feet across pasture land and some wetlands to Ream Avenue. The interceptor line crosses Ream Avenue and continues south to Manhole 20 which is the end of the upgrade project. The entire length of the collection system is gravity flow and there are no lift stations in the system. The two new lagoons will be constructed on site at the current wastewater treatment facility to the northwest of the existing lagoons.

2. Layout and Location

See Attachments A-C

3. Feasibility Analysis

The project has been identified in the City of Mt. Shasta's Master Sewer Plan since 1992 as feasible steps to increase system capacity. The existing section of interceptor line is 12" diameter asphalt concrete pipe that was installed in the 1970's. The City previously upgraded the lower reaches of the interceptor line in 2009. The current wastewater treatment facility consists of 6 lagoons (3 aerated), headworks, dissolved air flotation clarifier and rapid sand filters and is rated for 0.8 million gallons MGD per day.

The interceptor line upgrade traverses known wetlands, but any potential effects are believed to be mitigable to insignificant.

4. Method of Construction

The City will solicit proposals for project design and construction oversight, and does not anticipate this being a design/build contract given the local market. The project will be constructed under competitive bidding procedures with prevailing wage requirements, and any other requirements of the EDA. It is anticipated that both the pond construction and the interceptor line replacement will be awarded under one contract to minimize administration costs and maximize competitiveness, but should either component of the project encounter environmental delays it could be bid as separate projects.

5. Estimate of Useful Life

The improvements to the interceptor line would increase its capacity to around 5 MGD based on the analysis in the 1992 Master Sewer Plan. At an anticipated growth rate of 1% per year from the current 0.6 MGD, and allowing for the 0.75 MGD requirement of the new bottling facility and a 2.0 MGD increment for peak wet weather flow, this would provide enough capacity for 100 years. Even at a growth rate of 5% per year, the capacity would be adequate for over 35 years.

The new lagoons at the treatment plant will only allow for minimal growth beyond the amount anticipated from the new bottling facility. The City is under new discharge requirements for its NPDES permit, and additional expansion will have to be determined based on a feasibility analysis that is just getting under way.

6. Cost Estimate

The estimated costs for the project include \$2.074 million for the Interceptor Line upgrade and \$2.440 million for the Lagoons and associated headworks, piping, and controls. See Attachment D.

7. Permits

The City has prepared an application for an Army Corps of Engineers 404 Permit for work in the wetlands areas. The project will require Encroachment Permits from California Department of Transportation and the Siskiyou County Roads Department for boring under the Interstate 5 Freeway and crossing various County right of ways respectively. These permits will be applied for once the project design is at an appropriate stage.

8. Timeline

The schedule for this project would require three to six months from date of grant award to solicit proposals and complete the design of the project, two months for bidding and contract award once the final design is approved, and six months for construction. The construction phase might be extended to accommodate avoidance of breeding seasons for any identified protected wildlife, but would begin by September 2014 and be completed by June 2015 with a winter shutdown. However, the potential bottling facility would like a much more aggressive schedule to have construction completed by April 2014 if an expedited process is possible.

A

EDA Sewer Project


Feb 8, 2013

Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pong
- Lake
- Riverine
- Other

Status

- Digital
- Scan
- Non-Digital
- No Data



U.S. Fish and Wildlife Service
National Wetlands Inventory



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:

B



U.S. Fish and Wildlife Service

National Wetlands Inventory

EPA Lagoon
Project Area

Mar 11, 2013



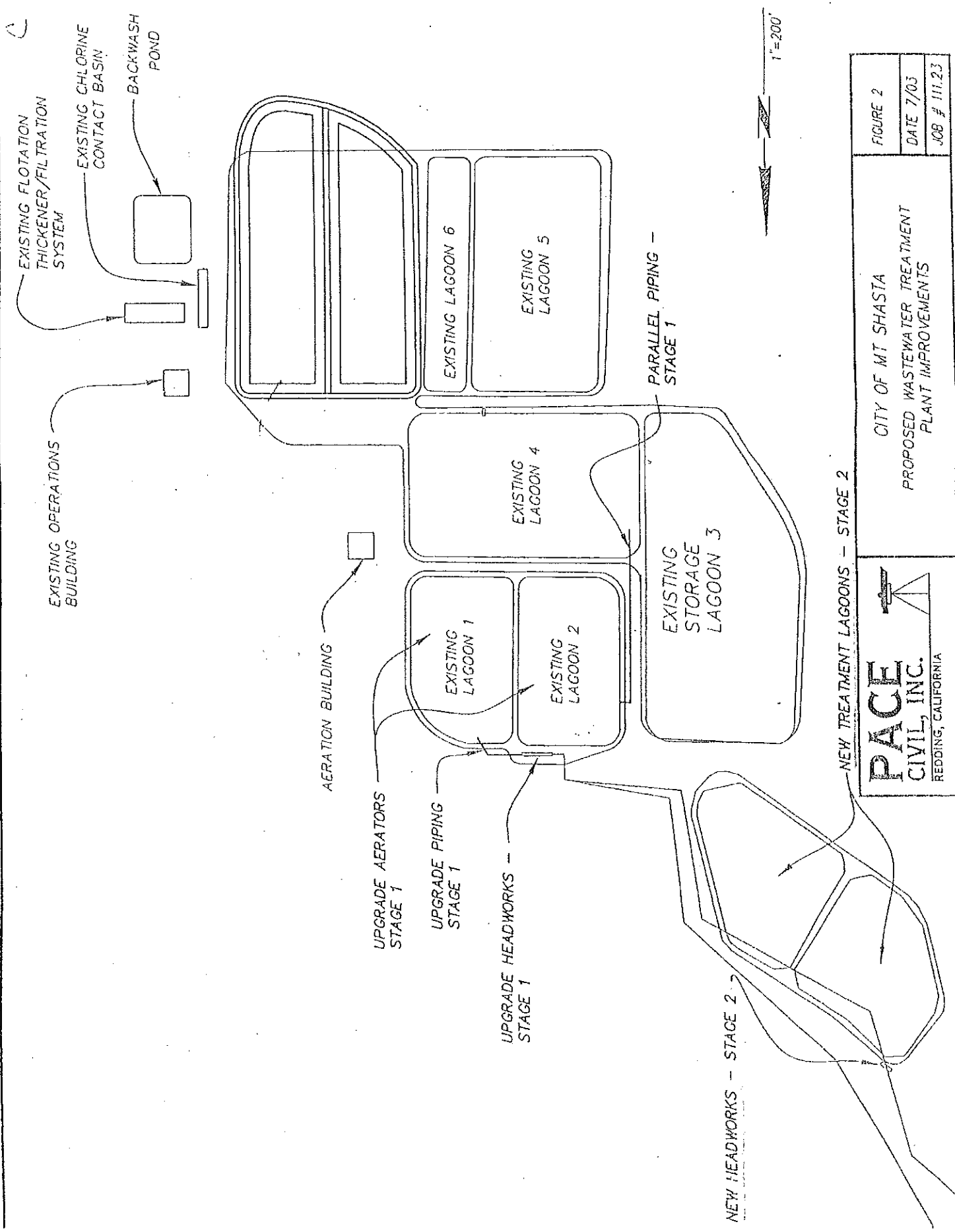
Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
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- Freshwater Pond
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- Riverine
- Other

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:

W22
10/11/13



NEW TREATMENT LAGOONS - STAGE 2

| | | | |
|--|---|--|---------------------|
| <p>PACE CIVIL, INC. REDDING, CALIFORNIA</p> | <p>CITY OF MT SHASTA PROPOSED WASTEWATER TREATMENT PLANT IMPROVEMENTS</p> | | <p>FIGURE 2</p> |
| | | | <p>DATE 7/03</p> |
| | | | <p>JOB # 111.23</p> |

D

TABLE 1
CITY OF MT. SHASTA
STAGED WASTEWATER TREATMENT AND INTERCEPTOR IMPROVEMENTS
PROJECT COST ESTIMATE



| NO. | DESCRIPTION | QTY | UNIT | INSTALLED COST | | TOTAL COST |
|---|---|------|------|----------------|-------------|--------------------|
| | | | | UNIT | TOTAL | |
| Interceptor Lijne Upgrade and Lagoon Expansion | | | | | | |
| 1 | 30" SS w/ Class A backfill | 800 | LF | \$300 | \$240,000 | \$240,000 |
| 2 | 24" SS w/ Class A backfill | 600 | LF | \$280 | \$168,000 | \$168,000 |
| 3 | 24" SS w/ Class C Backfill | 4400 | LF | \$240 | \$1,056,000 | \$1,056,000 |
| 4 | 18" SS w/ Class A backfill | 600 | LF | \$200 | \$120,000 | \$120,000 |
| 6 | 18" SS w/ Class C Backfill | 500 | LF | \$165 | \$82,500 | \$82,500 |
| 7 | 24" SS Bore and Jack | 400 | LF | \$700 | \$280,000 | \$280,000 |
| 8 | Manholes | 20 | EA | \$6,000 | \$120,000 | \$120,000 |
| 9 | Tie-ins to Existing Collection System | 3 | EA | \$2,500 | \$7,500 | \$7,500 |
| Stage 2 WWTP Improvements | | | | | | |
| 7.1 | Add Two New Aerated Lagoons | 1 | LS | \$1,700,000 | \$1,700,000 | \$1,700,000 |
| 7.2 | Headworks for New Lagoons | 1 | LS | \$130,000 | \$130,000 | \$130,000 |
| 7.3 | New Effluent Piping to Blend Lagoon and Filtered Effluent | 1 | LS | \$90,000 | \$90,000 | \$90,000 |
| 7.4 | Increase Reclamation Pumps to 200 HP | 1 | LS | \$240,000 | \$240,000 | \$240,000 |
| 7.5 | Increase Capacity of Existing Lagoon Piping | 1 | LS | \$120,000 | \$120,000 | \$120,000 |
| 7.6 | Electrical and Controls Modifications | 1 | LS | \$100,000 | \$100,000 | \$100,000 |
| 7.7 | Miscellaneous Improvements | 1 | LS | \$60,000 | \$60,000 | \$60,000 |
| Total Estimated Construction Cost, Minus Contingency: | | | | | | \$4,514,000 |
| Construction Contingency @ 10%: | | | | | | \$451,000 |
| TOTAL ESTIMATED CONSTRUCTION COST: | | | | | | \$4,965,000 |
| Indirect Costs | | | | | | |
| Design: | | | | | | \$430,000 |
| Contract Administration: | | | | | | \$220,000 |
| Construction Observation: | | | | | | \$250,000 |
| Geotechnical Investigation (Pond Site): | | | | | | \$30,000 |
| Groundwater/Geological Investigation (Pond Site): | | | | | | \$25,000 |
| Land and Right-of-Way Acquisition | | | | | | \$30,000 |
| Environmental and Permits: | | | | | | \$40,000 |
| Adminstration and Legal Expenses: | | | | | | \$10,000 |
| TOTAL ESTIMATED PROJECT COST (OCTOBER 2013) | | | | | | \$6,000,000 |



UNITED STATES DEPARTMENT OF COMMERCE
Economic Development Administration
Washington, DC 20230

February 12, 2015

Via email

Richard Lucas
Jennifer Witherspoon
Vicki Gold
Mount Shasta Bioregional Ecology Center

Dear Mr. Lucas, et al.:

This letter is in response to your Freedom of Information Act (5 U.S.C. § 552) ("FOIA") request dated January 9, 2015 that was received on January 12, 2015 by the Economic Development Administration ("EDA").

Per your request, you seek a copy of the following records:

1. Any subsequent amendments or updates to the application submitted to the EDA by or on behalf of the City of Mount Shasta and Crystal Geysers (listed as primary beneficiary) for funding to carry out the improvement of a sewer pipeline and to provide new jobs to the community.

The stated purpose of the Project is to:

- expand its capacity for current and future growth in the community
- to prevent storm water from leaking into the existing sewer pipe
- to eliminate manhole leaking
- to accommodate Crystal Geysers' wastewater
- to add 2 new wastewater treatment ponds
- to add 150 new jobs to the community

2. All the documents, including legal documents, maintained in the EDA's project file for the above-mentioned grant not already sent in early December 2014.

3. *All communications from December 7, 2014 through present (and additionally including items italicized in #4. below).* among the City of Mount Shasta, or its employees, officers, or contractors, Crystal Geysers, CGWA or Otsuka Pharmaceuticals or its employees, officers, contractors or attorneys. all emails, correspondence, and handwritten notes referencing phone

conversations regarding communication among EDA (Seattle, Washington and Sacramento branches), California Department of Fish & Wildlife representatives, Siskiyou County Planning Director Greg Pluckett or Richard Tinsman, Siskiyou Economic Development Council representatives, NorthState Resources, PACE Engineering, letters of support and all communications from Senator Diane Feinstein, Senator Barbara Boxer, former Congressman Wally Herger, Congressman Doug LaMalfa and any other communications from other agencies regarding the EDA grant.

4. All internal communications among employees and/or officials of the EDA regarding the grant. This request also applies to any non-identical duplicates of records that, by reason of notation, attachment, or other alteration or supplement, include any information not contained in the original record. *Apparently according to a recent conversation with Shannon Fitzgerald she recalled that there may be additional records of emails pertaining to the grant that were not previously sent since laptop computers were used by staff prior to the October 2013 operation systems upgrade post malware infection. I am told these are in storage but accessible by your IT staff and would date from 2012 through October 2013.*

Fees are charged for processing FOIA requests in accordance with the uniform fee schedule outlined in the Department of Commerce Regulations found at 15 C.F.R. § 4.11. As an "All Other Requesters," fees are charged for search and duplication of the records. Since the response to your FOIA request resulted in less than two hours of search time but more than 100 pages, EDA will waive all fees for your request.

At this time, EDA is releasing an **interim response** to your inquiry. EDA is releasing 168 pages in this interim response (167 pages are released in their entirety and 1 page is partially redacted). Please note that the search for documents related to your FOIA request is still ongoing.

The redacted information is being withheld under FOIA exemption (b)(5). Exemption (b)(5) exempts from disclosure communications that are pre-decisional and part of the deliberative process (which includes attorney-client privileged communications). The purposes of this specific exemption are: (1) to encourage open, frank discussions on matters of policy between subordinates and superiors; (2) to protect against premature disclosure of proposed policies before they are actually adopted; and (3) to protect against public confusion that might result from disclosure of reasons and rationales that were not in fact ultimately the grounds for an agency's action.

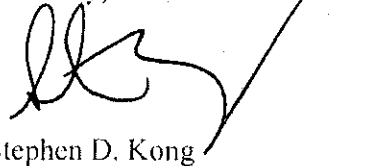
Also, EDA is withholding, in its entirety, the following documents pursuant to Exemption (b)(5):

- 2-page document entitled “Meeting Minutes” attached to a March 20, 2013 email from Brian Parker to A. Leonard Smith re: “Congressional Contact, Office of Senator Dianne Feinstein: City of Mt. Shasta Grant Application”;
- 1-page document containing two emails between Kristine Skrinde and Michelle Branigan (attorney), one dated December 18, 2014 and the other December 19, 2014, re: “City of Mt Shasta – CA”;
- 1-page document containing one email, dated December 11, 2014, from Michelle Branigan (attorney) to Shannon Fitzgerald re: “Anything new/EA on Mt Shasta?”; and
- 1-page document containing two emails, both dated January 12, 2015—one is from Stephen Kong (attorney) to A. Leonard Smith and Kristine Skrinde re: “FOIA File No. SRO 15-06,” the other is from Kristine Skrinde to others re: “FW: FOIA File No. SRO 15-06.”

Pursuant to 15 CFR § 4.10, you have the right to appeal an adverse determination with respect to your FOIA request (as described under 15 CFR § 4.7(b)) by filing either a written or electronic appeal with the Assistant General Counsel for Administration. A written or electronic appeal must be received within 30 calendar days of the date of this response letter by the Office of Assistant General Counsel for Administration, Room 5898-C, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230. Your appeal may also be sent by e-mail to FOIAAppeals@doc.gov, by facsimile to (202) 482-2552, or via FOIAonline (if you have a FOIAonline account) at <https://foiaonline.regulations.gov/foia/action/public/home#>. The appeal must include a copy of the original request, the response to the request and a statement of the reason why withheld records should be made available and why denial of the records was in error. The submission, whether by e-mail, facsimile or FOIAonline, is not complete without the required attachments. The appeal letter, the envelope, the e-mail subject line, and the fax cover sheet should all be clearly marked “Freedom of Information Act Appeal.” The email, FOIAonline, and fax machine in the Office of the Assistant General Counsel for Administration are monitored only on working days during normal business hours (8:30 a.m. to 5:00 p.m., Eastern Time, Monday through Friday). FOIA appeals posted to the e-mail box, fax machine, FOIAonline, or Office after normal business hours will be deemed received on the next normal business day.

Please contact my office at (202) 482-4687 if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'SK', with a long, sweeping flourish extending upwards and to the right.

Stephen D. Kong
Freedom of Information Act Officer



Project: Sewer Line and Wastewater Treatment Facility Improvements
Applicant: City of Mount Shasta, Siskiyou County, California
Project Number: 07-79-07000

I. PROJECT DESCRIPTION

This project is located within and just west of the City of Mount Shasta (the City), Siskiyou County, California. The scope of work for this EDA project involves increasing the capacity of a main sewer line (upsizing an existing 12-inch sewer interceptor line to an 18 or 24-inch interceptor line). The applicant would replace 6,000 to 9,000 feet of line and manholes. The new sewer line would run parallel to the existing sewer line. The new sewer line would be within existing right-of-ways (ROW) and easements. The existing sewer line would be abandoned in place. The project also includes constructing two ponds (approximately 4 to 4.5 million gallons each) with earthen dikes and related headworks at the Mount Shasta Wastewater Treatment Plant (WTP) which is to the southwest of the City.

Specifically, the proposed sewer line will begin at Manhole 402 at the end of West Jessie Street. It will proceed west under the Interstate 5 (I-5) Freeway to the resumption of West Jessie Street on the west side of I-5. At that point, it will proceed approximately 600 feet to the intersection of West Jessie and Hatchery Lane. Then it will turn south crossing under Hatchery Lane and will proceed approximately 3,000 feet across wetlands and meadow. Then it will turn to the southwest to intersect Old Stage Road. It will cross Old Stage Road and will follow the ROW for 2,000 feet across pasture and wetlands to Ream Avenue. It will cross Ream Avenue and continue south to Manhole 20. This will be a gravity-flow system and there are no lift stations. The sewer line will also cross Cold Creek.

Details on project description are provided in the engineering report in the EDA Application for Federal Assistance and any amendments thereto.

II. PURPOSE AND NEED

These infrastructure improvements will support development in the commercially-zoned area along North Mount Shasta Boulevard which has pockets of industrial use. It would also support the reuse of a vacant water bottling facility.

The primary beneficiary would be Crystal Geyser Water Company which is a subsidiary of Otsuka Enterprises, a Japanese conglomerate. Crystal Geysers is in the process of purchasing the

vacant Coca Cola bottled water facility that was initially operated by Danone Waters of North American (Dannon). In addition to Crystal Geysers, other beneficiaries would include businesses that support the bottling plant, such as storage, refrigeration, and trucking companies. The sewer line upgrade would also support in-fill development along North Mount Shasta Boulevard.

II. DATA BASE

This Environmental Assessment and all attachments hereto are a part of the environmental file. Findings made in this Environmental Assessment that are based upon information referenced in this Section III are completed with the understanding that all data presented by the Applicant, public agencies, and other individuals and entities as referenced were provided truthfully and with full disclosure of the relevant facts. Detailed information upon which environmental impacts are assessed is contained in the following documents:

1. Applicant's Environmental Narrative, with attachments, notes, and addendums
2. CH2MHILL for the Central Valley Regional Water Quality Control Board, August 2001, Dannon Natural Spring Water Bottling Facility, Mount Shasta, California, Proposed Initial Study/Mitigated Negative Declaration
3. U.S. Geological Survey map
4. FEMA Floodplain map
5. U.S. Fish and Wildlife Service (FWS) National Wetlands Inventory map
6. North State Resources, Inc., March 6, 2013, letter to City Planner Keith McKinley regarding Biological Resources
7. North State Resources, Inc., March 5, 2013, letter to City Planner Keith McKinley regarding Cultural Resources
8. Native American Historic Commission, February 1, 2011, Native American Tribal Consultation List
9. Letter to the U.S FWS
10. Siskiyou Daily News, August 9, 2013, Affidavit of Publication and newspaper clipping
11. Mount Shasta Herald, August 7 and 14, 2013, newspaper clipping
12. CH2MHILL, December 13, 2012, Technical Memorandum regarding Mt. Shasta Sewer Capacity Analysis for Crystal Geysers
13. Articles on bottled water facilities

IV. ENVIRONMENTAL IMACTS

The Environmental Narrative and documents in the Data Base are used to develop this Environmental Assessment in order to comply with the National Environmental Policy Act (NEPA) of 1969. This Environmental Assessment (EA) has been prepared to comply with the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) NEPA regulations (40 CFR Parts 1500-1506), and the U. S. Department of Commerce's Economic Development Administration's (EDA) Directive 17.02-2, *EDA Program to Implement the National Environmental Policy Act of 1969 and Other Federal Environmental Mandates as Required*. These laws and directive require an evaluation of potential environmental effects prior to the approval of the release of funding for a proposed construction project. EDA, as a federal agency, is required to complete an independent environmental assessment for each Federal Action not deemed qualified for a Categorical Exclusion as interpreted in EDA Directive 17.02-2 (10/14/92). The following subsections provide impact assessment for concerns that include wetlands, floodplains, wilderness, wild and scenic rivers, endangered species, land use, farmland,

historic preservation, archaeological resources, solid waste, hazardous waste, water quality, air quality, noise, transportation, coastal zones, environmental justice, and construction. Additionally, this document reviews public reaction, alternatives to the proposed project, and cumulative and indirect impacts.

A. Alternatives

The existing sewer line is through two wetlands, one of which is a wetlands mitigation bank. The applicant is working with both the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers on installing the new line parallel to the existing one. If for some reason this is not possible, the applicant has also considered running the line in the right-of-way of an adjacent road, although that route would require lift stations and the acquisition of easements and right-of-ways.

As for replacing the sewer line under I-5, the applicant believes there is adequate room for upsizing the interceptor. If there is not adequate room, the applicant will bore and jack under I-5 which will involve obtaining a permit from the California Department of Transportation (CalTrans).

The No Action alternative would curtail future developments in the northern and central areas of the City at some future point. It would also prevent the reuse of the water bottling facility.

If the preferred alternative route present significant environmental impacts and regulatory constraints that cannot be mitigated for (e.g., running the line through the wetlands conservation area, obtaining a CalTrans permit in a timely manner), then the alternative routes will be used.

B. Wetlands and Floodplains

The original sewer main was installed in 1970 through two seasonally-flooded wetlands (freshwater emergent). According to the application and retired City Manager Ted Marconi, in 1990, the northern-most wetland was set aside as a wetlands conservation area as mitigation for the development of a shopping center on the east side of I-5. The southern wetland, which is not in the conservation area, is used as pastureland. However, it still qualifies as a wetland under the U.S. Army Corps of Engineers' (Corps) Hydrogeomorphic methodology of identifying wetlands. The sewer line also crosses the Cold Creek. The applicant has applied for a Clean Water Act (CWA) Section 404 permit from the Corps for dredging and fill within the wetlands and a Water of the U.S. As part of this, the applicant will either need to conduct a wetland delineation or sign a Preliminary Jurisdictional Determination. The applicant anticipates that the Corps will require certain mitigation measures, such as planting willows, and stockpiling and replacing soil over the new line.

With the Corps' CWA Section 404 permit and the mitigation measure required by it, this project will have no significant impacts on wetlands or Waters of the U.S. The requirements in Executive Order 11990 are met.

FEMA Flood Insurance Rate Map Number 06093C3025D, effective January 19, 2011, was reviewed for potential floodplains. The sewer line and wastewater treatment facility are in Flood Zone X, which is protected from the 100-year flood. The requirements in Executive Order 11988 have been met. This project will have no significant impacts on floodplains.

C. Wilderness and Wild and Scenic Rivers

The project is located east of the Shasta National Forest. Part of the project is near the Sacramento River, although it is not designated as a Wild and Scenic River. There are no wilderness areas; wildlife habitats; state or national refuges, parks; or designated wild and scenic rivers in the immediate project area. This project will have no impacts on any of the above.

D. Endangered Species

City staff and a biologist from North State Resources, Inc. conducted a preliminary biological review of the sewer line route by driving the route and occasionally stopping and noting vegetation communities and wetland types. These field notes were compared to habitat requirements of special-status plant and wildlife species known to occur in the region to develop a preliminary list of special-status species that could occur in the project area. The results of the survey were sent to the City in a March 6, 2013 letter. There was a subsequent August 13, 2013 letter noting the lack of habitat for vernal pool fairy shrimp.

The results of the report indicated that no federally-listed wildlife species have the potential to occur within the project area. The preliminary biological reports notes that one federal candidate for listing, the Pacific fisher (*Martes pennanti*), has the potential to use the area for foraging.

Three state-listed species have potential to occur: the willow flycatcher (*Empidon traillii brewsteri*), greater sandhill crane (*Grus canadensis tabida*), and bald eagle (*Haliaeetus leucocephalus*). California species of special concern which may occur within the project area are the foothill yellow-legged frog (*Rana boylei*), the Cascades frog (*Rana cascadae*), northwestern pond turtle (*Clemmys marmorata marmorata*), and the yellow warbler (*Dendroica petechia*).

No federally-listed or state-listed plant species are likely to occur in the project area. There are four special status plant species, which are California Native Plant Society RPR 1b and 2-ranked species. These plants are: Oregon fireweed (*Epilobium oregonum*); Aleppo avens (*Geum aleppicum*); northern adder's tongue (*Ophioglossum pusillum*); and marsh skullcap (*Scutellaria galericulata*).

On March 12, 2013, the City sent an informal Endangered Act Section 7 consultation letter to the U.S. Fish and Wildlife Service (USFWS) Office in Yreka. In the letter, the City proposed that construction would be done in late summer/fall when there should be no immobile young fishers or nesting birds. A pre-construction survey for special status plants is also proposed. If special status plants are present, they will be mapped and avoided. If impacts to special status plants are unavoidable, appropriate conservation measures will be implemented. A determination of "may affect, but is not likely to adversely affect" was initially made for the proposed project.

In an August 28, 2013 email, the FWS concurred that there will be "no effect" to vernal pool fairy shrimp. According to the FWS, if there are indirect or cumulative impacts to Big Springs, then the effect of those impacts on listed species will need to be determined. An assessment will need to be done on proposed groundwater impacts to Big Springs before the FWS consultation can be concluded.

In an August 29, 2013 email, the FWS recommended contacting the National Oceanic and Atmospheric Administration (NOAA) Fisheries regarding Central Valley steelhead which are

federally listed as threatened and winter run chinook salmon. On August 30, 2013, NOAA Fisheries confirmed that there are no federally-listed fish above Shasta Dam and therefore none in the project area (personal communication, Amy Moore).

There are Black oak trees where the applicant proposes to construct the ponds at the Mount Shasta WTP. The Black oak trees may provide nesting habitat for birds protected under the Migratory Bird Treaty Act. Therefore, the trees should either be removed during non-nesting season or a survey should be conducted for nesting migratory birds prior to removal. If nesting migratory birds are present, then the applicant will need to wait until chicks have fledged and left the nest.

Implementing any mitigation measures that result from consultation with the FWS, NOAA Fisheries and CDFW should reduce any impact to federally listed species to less than adverse. Special conditions are included to address this.

E. Land Use and Zoning

The project is located within with the City of Mt. Shasta and unincorporated Siskiyou County. Land use includes open space, rural residential, small farms, and infrastructure (sewer plant, roads and interstate). The project crosses several zones including single-family residential and commercial (although in single-family housing) within the City. The zoning also includes County land zoned as Single Family with five acre minimum lot sizes, and Non-Prime Ag Land. North of I-5 is primarily residential, although there is commercial zoning along N. Mount Shasta Boulevard and pockets of industrial use. This project is consistent with land use and zoning.

F. Prime Farmland

There are no prime farmlands in the vicinity of the project site. There will be no significant impacts to prime farmland.

G. Historic/Archaeological Resources

The applicant has conducted a cultural resources records search through Northstate Resource, Inc. at the Northeast Information Center (NEIC). There is one prehistoric site within 0.07 miles of the site and four historic-era sites within 0.25 miles of the project site, the closest of which is 0.08 miles from the project. No resources listed on the National Register of Historic Places or on any of the California lists are located within the 0.25 mile radius of the project. No surveys have been conducted in the project area. Previous surveys (in the area) indicate a moderate probability for cultural resources, both prehistoric and historic-era, to be present.

A list of Native American Tribes was provided from the Native American Heritage Commission. The Native American Heritage Commission provided a list of eight tribes that expressed an interest in the project area. The archaeological consultant identifies the Winnemen Wintu Tribe, the Pit River Tribe, the Shasta Nation; and the Modoc Tribe as the tribes to be most likely associated with the area.

A special condition is included that National Historic Preservation Act Section 106 consultations must be completed with the State Historic Preservation Office and Native American Tribes before any earth-disturbing activities occur.

H. Solid Waste Disposal

The existing sewer line will be abandoned in place. Excess trenching spoils from construction will be disposed of in appropriate fill areas outside of wetlands. The primary beneficiary will produce wastes typical of bottling facilities including plastic, cardboard, and packing materials. California law requires that major commercial and industrial operations implement recycling programs for these materials. Other solid waste will be sent to one of the City's Black Butte Transfer Station where it is then sent to one of several Siskiyou County landfills. This project will have no significant impact on solid waste disposal.

I. Hazardous Waste

An EDA Form ED-535, Applicant Certification Clause, was executed for this project. There were no indicators from this form or other information provided by the applicant of concerns regarding hazardous materials or toxic substances. Based on the nature of the affected areas around the project components and the due diligence performed by the applicant, it is concluded that there are no hazardous material concerns related to the EDA project. Consistent with EDA Directive 17.01 (07/09/92; revised 03/18/98), a grant condition is in the Standard Terms and Conditions of the Grant Agreement to indemnify EDA from liability regarding any damages resulting from hazardous waste contamination.

J. Water Quality, Resources, and Uses

Surface Water

There are several surface water bodies near the project. The sewer line will cross Cold Creek. The WTP is near and discharges to the Sacramento River during certain times of the year. There are also numerous springs (e.g., Big Springs, Cold Springs) which feed in to Big Springs Creek and Cold Creek. These drain to Siskiyou Lake which is created by Box Canyon Dam on the Sacramento River.

A Streambed Alteration Agreement with the California Department of Fish and Wildlife (CDFW) will be required for work in Cold Creek. If the applicant decides to bore under the creek, a notice will still need to be provided to the CDFW. A Corps 404 permit will be required for trenching in the wetlands and creek.

A National Pollution Discharge Elimination Systems (NPDES) Stormwater Permit is required for this project if it disturbs more than one acre. With a Stormwater Permit and a Stormwater Pollution Prevention Plan (SWPPP), this project will have no significant erosion or runoff impacts.

In August 2001, a Proposed Initial Study/Mitigated Negative Declaration (IS/MND) that was prepared by CH2MHILL was used issued by the Central Valley Regional Water Quality Control Board (CVRWQC) for improvements at the Dannon bottled water facility. The IS/MND identified possible impacts to the California Department of Fish and Game (now California Department of Fish and Wildlife) Mount Shasta Fish Hatchery from groundwater pumping for the Dannon facility. The impacts were identified as being less than significant to Big Springs, Big Springs Creek, and the CDFG water diversion to the Mount Shasta Fish Hatchery. However, the IS/MND contained the mitigation measure that if over time there was a significantly reduced flow on Big Springs Creek, Dannon would discuss and participate with all other water users in developing a proportionate, equitable and mutually agreed action plan to address such an issue. It appears that Crystal Geysers will extract more groundwater than Dannon did (see discussion below). Therefore, impacts to Big Springs Creek will be greater, although without further information and analysis it is not known if they will be significant.

Wastewater

The permitted capacity of the Mount Shasta WTP is 0.8 million gallons per day (MGD). The average dry weather flow (ADWF) to the WTP is 0.6 MGD. Peak wet weather flow to the WTP is 2 to 3 MGD. Treated wastewater from the WTP is disposed in a variety of ways depending on several factors. During the summer months when it cannot be discharged into the Sacramento River, it is used to irrigate the Mount Shasta Resort Golf Course. It is also disposed in a leachfield near Highway 89.

With the two ponds and headworks improvements, an additional 0.25 MGD of treatment capacity will be added, resulting in an upgraded treatment capacity of 1.05 MGD, which provides 0.45 MGD in available treatment capacity. Upgrading the sewer line would increase the conveyance ability of the system by 0.75 MGD.

According to the CVRWQCB WDR, the average discharge rate for the Dannon facility with three production lines would be 60,000 gallons per day (gpd), with a maximum discharge rate of 108,000 gpd. According to a Technical Memorandum by CH2MHILL, dated December 13, 2012, the Crystal Geysers bottling facility will generate wastewater flows of 675,000 gpd. The Environmental Narrative states that the amount of wastewater generated by Crystal Geysers could ultimately reach 750,000 gpd. The wastewater would consist primarily of rinse water generated by cleaning bottles and equipment. The rinse water would contain fruit juices and peracetic acid (a weak acid used for cleaning).

The City is undertaking a feasibility study to determine if the current plant processes will enable them to meet new NPDES requirements and future loading from the primary beneficiary, or whether they will have to redesign the entire plant. While the proposed upgrade of the wastewater conveyance and treatment systems would facilitate the initial start-up of the primary beneficiary, additional wastewater infrastructure upgrades would be required for full build-out. The new lagoons, which are 4 to 4.5 million gallons in capacity, will be needed as storage and ballast even if they are not part of the treatment system in the future.

Groundwater

In the City of Mount Shasta, water is either provided by the City's water system (produce from Cold Springs and groundwater wells) or private wells. The sourcewater for the primary beneficiary is the Big Springs Aquifer. These sources are recharged by precipitation on the flanks of Mount Shasta. Studies prepared for Dannon indicated that the groundwater used by the bottling facility was in hydraulic connection with down-gradient Big Springs. The Dannon facility was served by one well (DEX-6) that is 2,000 feet to the north of the bottling facility. The Environmental Narrative states that Crystal Geyser facility will be served by a series of wells. The California Department of Water Resources requires permits for groundwater wells. Water produced by wells is regulated by the Siskiyou County Public Health Department.

According to the IN/MND, the Dannon facility with three production lines pumped an average of approximately 150 gallons per minute, or 78.8 million gallons per year, from the Big Springs Aquifer. Dannon also trucked in approximately 7.7 million gallons per year from Mossbrae Spring in Dunsmuir. According to the Environmental Narrative, the primary beneficiary could use up to one million gallons per day (1 MGD) of groundwater. This could equate to 365 million gallons per year, although it is unknown if the facility would use 1 MGD every day.

The IS/MND identified the following impacts to groundwater from the Dannon facility: a maximum reduction in groundwater levels to the closest private wells of approximately six (6) inches; and a slight reduction in flow from Big Springs (Headwaters Spring) of approximately 1.8 to 3.5 percent on average with a maximum effect of approximately five (5) percent. At the time the study was done, no municipal or private wells were closer than 1,500 feet from Dannon's production well (DEX-6). Impacts to groundwater, nearby wells, and springs were determined to be less than significant.

It appears that the primary beneficiary will use more groundwater than what was previously used. The facility will use more rinse water because of rinsing the equipment between the different flavors of water and teas that will be produced. The existing leachfield cannot handle the increase in rinse water so rinse water will be discharge to the sewer. This means recharge to groundwater will be less than when Dannon was using the leachfield for disposal of rinse water. With more groundwater use and no recharge to groundwater from the bottling facility, there will be greater impacts to groundwater, wells, Big Springs, and Big Springs Creek. A study will need to be done to determine if these impacts are significant.

Summary

Special conditions are included regarding the requisite Corps 404 permit, CDFW Streambed Alteration Agreement, and NPDES Stormwater Permit. With these permits and implementation of the mitigation measures within them, this project should not have significant impacts on surface water quality or, if there are significant impacts, they will be temporary.

The impact to groundwater levels, springs, and surface water fed by the springs could be potentially significant. Until more is known about the quantity and timing of groundwater extraction by the primary beneficiary, the impacts of the project on groundwater cannot be assessed in this Environmental Assessment. Information regarding documented impacts from the Dannon and Coca Cola operations to groundwater and springs would also be useful in assessing impacts. A special condition is included that the requisite CEQA analysis also examine indirect impacts from the project to groundwater, wells, springs, streams, and the CDFW Mt. Shasta Fish Hatchery.

K. Air Quality

According to the July 2013 U.S. EPA website on non-attainment areas, Siskiyou County is not in any non-attainment areas. As increase in truck traffic from the operation of the primary beneficiary will create additional impacts on air quality. The IN/MDN identified potentially significant air impacts from the Dannon plant. However, at the time that the IN/MND was prepared, the County was in non-attainment for PM10 (particulate material 10 micron or less in size). The County is no longer in non-attainment for PM10. Therefore, air impacts are less than significant.

L. Noise

The only potential for significant noise impacts associated with the EDA project would be during construction. Contractors will be expected to take appropriate measures and to use Best Management Practices (BMP) to keep noise levels to within tolerable and regulated limits such as using muffled construction equipment and limiting construction activity to reasonable hours. There will be no significant noise impact from this project.

M. Transportation

Regarding direct impacts to transportation from the proposed project, the wastewater line will intersect existing road right-of-ways (ROW) in three locations. Construction in the roads will create temporary impacts. The project also includes boring under the I-5 ROW and an encroachment permit will need to be obtained from the California Department of Transportation for that.

According to the Environmental Narrative, the transportation systems, both local streets and regional roads, will not change as a result of this project. However, the IS/MND indicated that there would be a slight increase in traffic on local roads with the operation of the bottling plant. For the Dannon facility, there were 3 to 5 delivery trucks per day and 10 truck of final product. Employee vehicle trips ranged from 22 to 35 per day. The IS/MND did not identify traffic impacts as being potentially significant.

N. Coastal Zone Management

The Coastal Zone Management Act does not apply to this project.

O. Environmental Justice

Executive Order 12898 concerns avoiding federal actions that may have a disproportionate adverse health or environmental impact on minority and low-income populations. This project will have no adverse impact on minority or low-income populations.

P. Construction

Contractors will be expected to use best management practices (BMP) methods to minimize noise, erosion, siltation, particulate air pollution, and other effects associated with construction activities. This project will have no significant construction impacts.

Q. Public Reaction

The City has discussed the proposed wastewater project at City Council meetings, but no formal public hearings have been held yet. Under CEQA, the City will conduct an analysis of the impacts associated with of the proposed wastewater infrastructure project.

As part of the EDA grant application process, NEPA public notices were published in local and regional newspapers. This was followed by a 15-day public comment period. The NEPA public notice was published in the weekly Mount Shasta Herald on August 7 and 14, 2013. The notice was published in the regional Siskiyou Daily News on August 9, 2013. The 15-day public comment period ended on August 29, 2013. No public comments were received.

While it was not disclosed in the Environmental Narrative, information from newspaper articles and websites indicate that bottled water facilities (the primary beneficiary) are controversial and contentious. A proposed new water bottling plant by Nestle Waters North America in the neighboring town of McCloud was the subject of a lawsuit and eventually not built. Crystal Geyser proposed building a water bottling facility in the town of Orland in Glenn County. Crystal Geyser decided to not build the new facility in Orland and instead decided to reopen the vacant Coca Cola water bottling facility in Mt. Shasta. Concerns in the McCloud project included impacts to streams and springs. Concerns in the Orland case included impacts to groundwater and adjacent wells.

V. CUMULATIVE AND INDIRECT IMPACTS

Environmental Narrative, under Item 20, Cumulative Impacts to Proposed Project, provided evidence of consideration of incremental impacts of the action, when added to other past, present, and reasonably foreseeable future actions. (40 CFR Section 1508.7)

The Environmental Narrative states that there are no foreseeable indirect or cumulative effects of this project on the environment that cannot be mitigated during the course of construction. However, the IN/MND for Dannon facility noted that the bottled water facility would have effects that are individually limited, but cumulatively considerable. Elsewhere in the IN/MND, it states that the Dannon project would not contribute to cumulative impacts to Big Springs aquifer, adjacent groundwater users, or Big Springs Creek.

The Mount Shasta Municipal Code, Chapter 13.95, specifically exempts commercial bottling water enterprises from having to obtain a groundwater extraction permit in the City of Mount Shasta. In Siskiyou County, bottling is permitted outright. Therefore, if other bottled water facilities located in or adjacent to the City of Mount Shasta, there could be significant cumulative impacts to groundwater. At

this time, there is no information that other bottling facilities plan on building additional bottled water facilities in the area.

The indirect impacts of pumping up to one million gallons per day of groundwater with no groundwater recharge could impact groundwater, wells, springs, creeks, and the Mount Shasta Fish Hatchery. The severity of those impacts cannot be assessed without additional information that will be collected as part of the CEQA process.

VI. CONCLUSION

While sewer infrastructure projects tend to not be controversial, the primary beneficiary of this sewer project will be a bottled water facility. Bottled water facilities have been controversial. Depending on the amount of groundwater extracted, the project has the potential to create significant adverse impacts to ground water quantity, springs, and possibly surface water quantity and quality. Review of all available data and completion of this Environmental Assessment have resulted in a Mitigated Finding of No Significant Impact (Mitigated FONSI). A CEQA analysis will be conducted for this proposed project. A determination of impacts to Big Springs will be necessary to finish the ESA consultation with the FWS. Should the impacts determination or CEQA analysis indicate that there are significant adverse impacts that cannot be mitigated to less than significant, then this Mitigated FONSI will be withdrawn.

With the requisite permits, consultations, agreements, and mitigation measures, in my opinion the approval of this project will not violate the following:

1. The National Environmental Policy Act of 1969, as amended
2. American Indian Religious Freedom Act
3. The Archeological and Historic Preservation Act of 1974
4. The Clean Air Act, as amended
5. The Clean Water Act, as amended
6. Coastal Barrier Act
7. Coastal Zone Management Act as amended
8. Community Environmental Response Facilitation Act of 1992
9. Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended
10. The Endangered Species Act, as amended
11. Environmental Quality Improvement Act of 1970, as amended
12. Executive Order 11514, Protection and Enhancement of Environmental Quality, as amended
13. Executive Order 11593, Protection and Enhancement of the Cultural Environment
14. Executive Order 11988, Floodplain Management
15. Executive Order 11990, Protection of Wetlands
16. Executive Order 12088, Federal Compliance with Pollution Control Standards
17. Executive Order 12372, Intergovernmental Review of Federal Programs, as amended
18. Farmland Protection Policy Act
19. Fish and Wildlife Coordination Act, as amended
20. Marine Protection, Research and Sanctuaries Act of 1972, as amended
21. Marine Sanctuaries Amendments of 1984, as amended
22. The National Historic Preservation Act of 1966, as amended
23. Noise Control Act of 1972, as amended
24. Pollution Prevention Act of 1990
25. Resource Conservation and Recovery Act of 1976, as amended
26. The Safe Drinking Water Act
27. Superfund Amendments and Reauthorization Act of 1986
28. Toxic Substances Control Act, as amended
29. The Wild and Scenic Rivers Act, as amended

(19) **SPECIAL CONDITIONS:** To assure mitigation of potential environmental impacts, mitigation measures are used in the form of grant conditions. The following Special Conditions are recommended for placement on the Grant Agreement as an addendum to the General Term and Conditions:

U.S. ARMY CORPS OF ENGINEERS (ACOE): Prior to advertisement for construction bid, the Recipient shall provide evidence satisfactory to the EDA that the ACOE has issued a Clean Water Act Section 404 permit for the project.

U.S. FISH AND WILDLIFE (USFWS): Prior to advertisement for construction bid, the Recipient shall provide evidence satisfactory to the EDA that consultations with the FWS under the Endangered Species Act and Migratory Bird Treaty Act have been completed, and mitigation measures resulting from these have been incorporated into construction plans.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW): Prior to advertisement for construction bid, the Recipient shall provide evidence satisfactory to the EDA that a Streambed Alteration Agreement has been obtained from the CDFW for work in Cold Creek and resulting mitigation measures are incorporated into construction plans.

CALIFORNIA STATE HISTORIC PRESERVATION OFFICER (SHPO): Prior to any earth-disturbing activities, the Recipient shall provide evidence satisfactory to the EDA that the National Historic Preservation Act Section 106 consultations have been completed with the California SHPO and Native American Historic Preservation Officers, and recommendations resulting from these have been incorporated into construction plans.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA): Prior to advertisement for construction bid, the Recipient provide evidence satisfactory to EDA that a CEQA analysis of the project has been completed, including an analysis of indirect impacts from the project to groundwater, wells, springs, streams and the CDFW Mount Shasta Fish Hatchery

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEMS (NPDES): Prior to earth-disturbing activities, the Recipient shall provide evidence satisfactory to the EDA that a Stormwater NPDES Permit for General Construction has been obtained from the California Regional Water Quality Control Board.

PREPARED BY:

Shannon FitzGerald
Shannon FitzGerald
Regional Environmental Officer

DATE: 8.30.13

Note: This concise format is in accordance with NEPA guidance provided by the President's Council on Environmental Quality at: <http://www.nepa.gov/nepa/regs/guidance.html>

APPENDIX

ENVIRONMENTAL NARRATIVE, FIGURES, CORRESPONDENCE, AND
OTHER MATERIALS SUBMITTED BY APPLICANT AND OTHER PARTIES
ARE PART OF AND SUPPORT THE FINDINGS OF THE ENVIRONMENTAL
ASSESSMENT



U. S. DEPARTMENT OF COMMERCE
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Fax: 206.220.7669
Voice: 206.220.7660

Finding of No Significant Impact

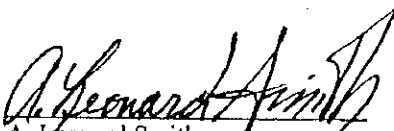
MEMORANDUM FOR THE PROJECT FILE

SUBJECT: Environmental Impact Determination and Necessary Environmental Findings for the
City of Mt. Shasta, California, Sewer Line and Wastewater Treatment Facility Improvements
Project Number 07-79-07000

An environmental assessment has been prepared for the subject project and is attached. After reviewing the assessment and supporting materials, I find that for the following reasons the project will not significantly affect the quality of the human environment.

- The project is a Class II Action as defined by EDA Directive 17.02-2.
- Both the individual and cumulative impacts will not be significant.
- No unique or unusual environmental conditions exist which would be adversely affected by the project.
- The project will not exceed two or more indicators of significance.
- The project is compatible with local land use plans, zoning restrictions, and the Comprehensive Economic Development Strategy (CEDS).
- The Agency policy with respect to Executive Orders 11988, Floodplain Management, and 11990, Wetlands Protection, has been met because the project will not impact either the values or functions of a floodplain or wetland.
- No known cultural resources will be impacted by the project.
- Project design will mitigate identified construction impacts.
- The pre-approval requirements of EDA Directive 17.02-7 are met.
- No negative comments have been received through the state or regional clearinghouse processes, and federal public notice process.

An environmental assessment has been prepared for the subject project and is attached. For the above reasons, and with the inclusion of the attached Special Condition, preparation of an environmental impact statement is not required.


A. Leonard Smith
Regional Director

9.3.2013
Date

Special Conditions:

U.S. ARMY CORPS OF ENGINEERS (ACOE): Prior to advertisement for construction bid, the Recipient shall provide evidence satisfactory to the EDA that the ACOE has issued a Clean Water Act Section 404 permit for the project.

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Parker, Brian

From: Ted Marconi <TMarconi@ci.mt-shasta.ca.us>
Sent: Wednesday, August 14, 2013 12:11 PM
To: FitzGerald, Shannon; Parker, Brian
Subject: NEPA Publication Notices
Attachments: FWS Ltr Reconsideration.pdf; NEPA Notice Sisk.pdf; 6810 - nepa public notice - affidavit.pdf

Shannon and Brian,

Attached are the notices of publication for the NEPA and NHPA review. Also attached is a copy of our letter requesting a reconsideration by the Fish and Wildlife office of their non-concurrence with our determination regarding threatened and endangered species.

Thank you for all your help with this project.

Ted Marconi
City Manager
City of Mt. Shasta
530) 926-7519
fax (530) 926-0339
marconi@ci.mt-shasta.ca.us

PROOF OF PUBLICATION
(2015.5 C.C.P.)

Mt. Shasta Area Newspapers
Mount Shasta Herald,
Weed Press, Dunsmuir News
STATE OF CALIFORNIA,
County of Siskiyou

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the Administrative Assistant of the Mt. Shasta Area Newspapers, newspapers of general circulation, published weekly in the cities of Mount Shasta, Weed and Dunsmuir, County of Siskiyou, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Siskiyou, State of California, under the dates of: Mount Shasta Herald-July 9, 1951, Case Number 14392; Weed Press-June 22, 1953, Case Number 15231; Dunsmuir News-May 25, 1953, Case Number 15186; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspapers and not in any supplement thereof on the following dates, to-wit:

August 7 and 14,

all in the year 2013

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Mount Shasta, California,

this 14th day of August

2013.

/s/ Marcella Gerace
Authorized Signature

PROOF OF PUBLICATION OF

CITY OF MT SHASTA
PUBLIC NOTICE

The U.S. Department of Commerce, Economic Development Administration (EDA) is considering a request for Federal assistance from the City of Mt. Shasta to construct a Mt. Shasta Wastewater System Upgrade in Mt. Shasta, Siskiyou County, California. Pursuant to the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA), EDA is conducting an assessment of the potential of the proposed project to affect the environment and/or historic properties.

The project includes upsizing of the main sewer interceptor line and construction of two new ponds and associated headworks at the Wastewater Treatment Facility. The project will be located at in the current sewer line right of way primarily between Interstate 5 and Old Stage Road from West Jessie Street to Ream Avenue and at the Wastewater Treatment Facility at 1500 Grant Road. Project information is available for review at Mt. Shasta City Hall, 305 N. Mt. Shasta Blvd., Mt. Shasta, CA; (530) 928-7510.

If you have any information regarding potential impacts environmental resources or historic properties associated with this proposed project, please, provide it in writing to:

U.S. Department of Commerce
Economic Development
Administration
Seattle Regional Office
Attn: Regional Environmental
Officer
915 Second Avenue, Room 1800
Seattle, Washington
98174-1012

Comments received in the EDA Regional Office by 5:00 p.m. in the Pacific Time Zone on August 29, 2013 will be considered. A copy of the NEPA/NHPA decisional document will be available upon request at the above EDA Regional Office.
6810 msan au7.14c

PROOF OF PUBLICATION

AFFIDAVIT OF PUBLICATION

CITY OF MT. SHASTA
ATTN: ACCOUNT'S PAYABLE
305 N. MT. SHASTA BLVD.
MOUNT SHASTA, CA 96067

IN THE MATTER OF
NEWS #6808
CITY OF MT. SHASTA PUBLIC NOTICE

STATE OF CALIFORNIA) ss:
County of Siskiyou)

FATNA GAYNOR

of said County, being duly sworn, deposed and says: THAT she is and at all times herein mentioned was a citizen of the United States of America, over the age of twenty-one years, and that she is not, nor was she at any of the times hereinafter named a party to, nor interested in the above entitled matter; that she is the PRINCIPAL CLERK OF THE PRINTER OF THE SISKIYOU DAILY NEWS, a newspaper of general circulation, printed and published in the City of Yreka, County of Siskiyou, State of California, and which newspaper is published for the dissemination of local and telegraphic news and intelligence of a general character, and which newspaper at all times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of Yreka, County of Siskiyou, State of California, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to; and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or any number of same; that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof, on the following, dates, to-wit:

AUGUST 9, 2013

Siskiyou Daily News adjudicated May 18, 1953, No. 15190

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

(Signed)

Date:

Fatna Gaynor
8.9.13



U. S. DEPARTMENT OF COMMERCE

Economic Development Administration

915 Second Avenue, Room 1890

Seattle, WA 98174

Fax: 206.220.7669

Voice: 206.220.7660

DEC 19 2014

Mr. Paul Eckert
City Manager
City of Mt. Shasta
305 North Mt. Shasta Boulevard
Mount Shasta, California 96067

RE: EDA Award No. 07-79-07000
Mt. Shasta Sewer Line and Wastewater Treatment Facility Improvement Project

Dear Mr. Eckert:

EDA has reviewed your November 12 and November 26, 2014 letters regarding a budget revision to the subject EDA award as well as your response to EDA's November 21, 2014 letter. Thank you for the additional information. As you are aware, the project has experienced significant controversy involving the prime beneficiary which has resulted in the City's request to amend the project budget to help fund a California Environmental Quality Act Environmental Impact Report (EIR). The funding for the EIR was **not part** of the approved scope of work. Originally, the "Other A/E" line item was established at \$95,000 to accomplish necessary environmental reviews such as cultural resources consultations and wetlands delineation. However, the request to utilize both the "Other A/E" line item as well as 60 percent (\$269,263) of the "Contingency" line item is a substantial increase that fundamentally alters the original purpose of the EDA project funds. "Contingency" line item funds are typically utilized to address construction cost issues such as change orders. Therefore, after review of the City's budget revision request and with consideration of the original intent of the EDA grant award, EDA is not in a position to approve the proposed budget revision.

EDA realizes that these budget difficulties were essentially beyond your control, and we sincerely regret that the project has not proceeded as originally planned. We note the comments in your letter that the project may not continue without the proposed budget revision, and we offer the following alternatives for your consideration:

- The purpose of the EDA funds is to aid local economic development and ultimately lead to the creation of permanent jobs. EDA's funding purpose could be addressed with utilization of the EDA funds **solely** at the City's wastewater treatment plant. Further, if the City had State funding available for wastewater treatment plant work, then those State funds might be eligible to be used as match to the EDA funds and provide for increased improvements at the wastewater treatment plant. This would allow the City to serve future business development and meet State-mandated wastewater treatment requirements; or

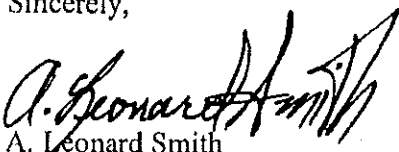
Mr. Paul Eckert
Page 2 of 2

EDA Award No. 07-79-07000
City of Mount Shasta, California

- The City could request a termination for convenience on the EDA grant, which will result in a termination of all of EDA's obligations to the project and a return of all non-obligated EDA project funds (less potential eligible, non-cancellable costs) to the U.S. Treasury.

To allow for the upcoming holiday period, please provide your response to EDA within 45 calendar days. Please address any questions to Mr. Stan Good, Civil Engineer, at (206) 220-7701.

Sincerely,



A. Leonard Smith
Regional Director

Copy to: Malinda Matson, EDR



305 North Mt. Shasta Boulevard
Mt. Shasta, California 96067

Tel (530) 926-7510
Fax (530) 926-1342

December 30, 2014

Mr. A. Leonard Smith
Regional Director
915 Second Avenue Room 1890
Seattle, WA 98174

RE: EDA Award No. 07-79-07000
Mt. Shasta Sewer Line and Wastewater Treatment Facility Improvement Project

Greetings Director Smith:

Thank you for most recent correspondence received December 26, 2014 including your response to our request for a line item transfer. Your response followed the attached letters regarding the line item transfer request from the City of Mount Shasta to the EDA dated: November 6th; November 12th; November 26th; and December 12th. We understand and greatly appreciate your response and alternatives. While not involved in the initial grant development, the Finance Director and I have consistently been under the impression that the funding of the EIR was an appropriate element of the EDA Grant Award. EDA staff members David Farnsworth-Martin and Stan Good understood and supported the EIR's financial impacts as long as they did not create overruns.

Our previous letters reflected this understanding and also included documents referencing the funding of WWTP improvements. As shared previously, the City does not have the financial means to fund the expanded EIR without the use of the existing EDA and Crystal Geyser funding. Simply put, our community cannot shoulder these expenses without additional funding. Therefore, staff will soon recommend to the City Council that all work related to the Interceptor Project be terminated immediately until such time other alternatives are identified, if any. We will inform Crystal Geyser of our intentions as well. We also hope to brainstorm options with Crystal Geyser that would allow for the Interceptor Project to continue. Crystal Geyser will have a variety of alternatives to consider, including onsite treatment and funding of the EIR among other options. We may also approach the Siskiyou County Board of Supervisors regarding EIR funding since the project actually resides in the unincorporated County area and not the City of Mt. Shasta.

We remain very appreciative of the award and your flexibility to allow it to be utilized for our ongoing WWTP improvements. At this point, redirecting the funds to the WWTP appears the most likely outcome. The EDA's continued support of our region is critical to our region due to our distressed economics. As you may be aware, Siskiyou County has nearly the lowest per capita incomes and nearly the highest unemployment rate in the State of California.

We will discuss our alternatives at the January 26th public City Council meeting. We hope to respond to your letter shortly thereafter. We want to again assure you that we will diligently cooperate with all

EDA and other agency requirements while genuinely meeting the expectations of our area residents, openly and cooperatively.

We thank you for your support and the alternatives you have provide for our consideration. Our community remains very appreciative and excited about the beneficial economic impacts of our EDA Grant.

Respectfully,

A handwritten signature in black ink, appearing to read 'Paul Eckert', with a long horizontal stroke extending to the right.

Paul Eckert, City Manager
City of Mt. Shasta

Copy City Council
City Finance Director
City Attorney John Kenny
Consultant Project Attorney Andrea Mattarazzo, Pioneer Law Group



U. S. DEPARTMENT OF COMMERCE
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Fax: 206.220.7669
Voice: 206.220.7660

DEC 19 2014

Received 12/16/14

Mr. Paul Eckert
City Manager
City of Mt. Shasta
305 North Mt. Shasta Boulevard
Mount Shasta, California 96067

RE: EDA Award No. 07-79-07000
Mt. Shasta Sewer Line and Wastewater Treatment Facility Improvement Project

Dear Mr. Eckert:

EDA has reviewed your November 12 and November 26, 2014 letters regarding a budget revision to the subject EDA award as well as your response to EDA's November 21, 2014 letter. Thank you for the additional information. As you are aware, the project has experienced significant controversy involving the prime beneficiary which has resulted in the City's request to amend the project budget to help fund a California Environmental Quality Act Environmental Impact Report (EIR). The funding for the EIR was **not part** of the approved scope of work. Originally, the "Other A/E" line item was established at \$95,000 to accomplish necessary environmental reviews such as cultural resources consultations and wetlands delineation. However, the request to utilize both the "Other A/E" line item as well as 60 percent (\$269,263) of the "Contingency" line item is a substantial increase that fundamentally alters the original purpose of the EDA project funds. "Contingency" line item funds are typically utilized to address construction cost issues such as change orders. Therefore, after review of the City's budget revision request and with consideration of the original intent of the EDA grant award, EDA is not in a position to approve the proposed budget revision.

EDA realizes that these budget difficulties were essentially beyond your control, and we sincerely regret that the project has not proceeded as originally planned. We note the comments in your letter that the project may not continue without the proposed budget revision, and we offer the following alternatives for your consideration:

- The purpose of the EDA funds is to aid local economic development and ultimately lead to the creation of permanent jobs. EDA's funding purpose could be addressed with utilization of the EDA funds **solely** at the City's wastewater treatment plant. Further, if the City had State funding available for wastewater treatment plant work, then those State funds might be eligible to be used as match to the EDA funds and provide for increased improvements at the wastewater treatment plant. This would allow the City to serve future business development and meet State-mandated wastewater treatment requirements; or

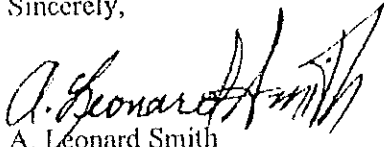
Mr. Paul Eckert
Page 2 of 2

EDA Award No. 07-79-07000
City of Mount Shasta, California

- The City could request a termination for convenience on the EDA grant, which will result in a termination of all of EDA's obligations to the project and a return of all non-obligated EDA project funds (less potential eligible, non-cancellable costs) to the U.S. Treasury.

To allow for the upcoming holiday period, please provide your response to EDA within 45 calendar days. Please address any questions to Mr. Stan Good, Civil Engineer, at (206) 220-7701.

Sincerely,



A. Leonard Smith
Regional Director

Copy to: Malinda Matson, EDR



CITY of
Mt SHASTA

305 North Mt Shasta Boulevard
Mt. Shasta, California 96067

Tel (530) 926-7510

Fax (530) 926-1342

December 12, 2014

Mr. A. Leonard Smith
Regional Director
915 Second Avenue Room 1890
Seattle, WA 98174

RE: EDA Award no. 07-79-0700 City of Mt Shasta. CA

Greetings Director Smith:

Earlier this week we had the opportunity to have a constructive telephone conference with our EDA Project Manager Stan Good and several other key EDA Team members. We discussed: the EDA process associated with our existing line item transfer request from the "Contingency" line item to the "additional engineering and services" line item to properly account for California mandated environmental expenses; the letter of verification from Crystal Geysers CEO Doug MacLean that they are NOT closing other facilities; and information required from the EDA describing the interceptor line and sewer plant improvements.

Attached you will find a letter from our Project Engineer describing the sewer project improvements and their respective timing. Also attached are minutes from the City's Project Engineer dated 1/6/14 and our minutes taken by our City Public Works Director dated 10/24/13. Both minutes are from meetings that included EDA staff, consultant engineers, and City staff. The meetings included in depth conversations regarding our intended process for sewer plant improvements, including support and approval of the EDA staff.

As background to our previous line item transfer request, our current Award includes funding for CEQA Environmental review, we specifically requested a line item transfer of \$269,263 from the contingency line item to be added to the "Other architectural and engineering fees" for the specific purpose of funding the increased CEQA process costs due to requirements by the State of California as interpreted by our legal experts from the Pioneer Law Group in Sacramento and our Environmental experts North State Resources in Redding, CA.

As shared previously, if we are unable to transfer the funds and complete the expanded EIR, we fear the Crystal Geysers project and our sewer project will be challenged through legal processes. The City does not have the financial means to fund the expanded EIR without the use of the existing EDA and Crystal Geysers funding.

We remain very appreciative of the award. We have worked diligently to conform to all EDA requirements, as well as all applicable State of California CEQA requirements. We have worked diligently to meet the needs and expectations of all of our residents in all regards for this project that is outside of our boundaries. As stated previously, we have used a variety of experts to ensure compliance with our CEQA requirements and to protect our community's natural resources. We have incurred

nearly \$200,000 of project expense to date and have experienced hundreds of hours of staff and City Council time on the County's project. As shared previously, we need approval of the line item transfer in order for our project to proceed. Without continued EDA approval and support, the City Council will need to reconsider the project and evaluate our options relevant to the costs incurred to date.

Simply put, our community cannot shoulder these expenses without EDA funding. As you may be aware, Siskiyou County has nearly the lowest per capita incomes and nearly the highest unemployment rate in the State of California. The City of Mt. Shasta has a very limited economy and budget and is only able to provide very limited City services. There was absolutely no possibility for the City to provide sewer services without the EDA Grant Award and the funding provided by Crystal Geysler.

We are working diligently to meet all of the EDA, CEQA, and other agency requirements while meeting the expectations of our area residents. We understand the EDA is in contact with County and City residents. In addition to working to meet all EDA and CEQA requirements, we want to assure you that our City Council, consultants, and staff are working genuinely and very cooperatively with our area residents.

We thank you for your clarification and your ongoing support and consideration. We remain committed to remaining in full compliance with the terms of our EDA Award. Our community remains very appreciative and excited about the beneficial economic impacts of our EDA award.

Respectfully,



Paul Eckert, City Manager
City of Mt. Shasta

Copy City Attorney John Kenny
Consultant Project Attorney Andrea Mattarazzo, Pioneer Law Group



305 North Mt. Shasta Boulevard
Mt. Shasta, California 96067

Tel (530) 926-7510
Fax (530) 926-1342

January 5, 2015

Mr. A. Leonard Smith
Regional Director
915 Second Avenue Room 1890
Seattle, WA 98174

RE: EDA Award No. 07-79-07000
Mt. Shasta Sewer Line and Wastewater Treatment Facility Improvement Project

Greetings Director Smith:

Again, thank you for most recent correspondence received December 26, 2014. This letter follows up on our most recent letter dated December 30, 2014. A Councilmember and our City Attorney suggested that City staff reemphasize an element of the line item transfer request contained in our prior letters. The City of Mt. Shasta wants to emphasize that the line item transfer represents the total amount of requested transfer. The amount of \$269,263 from the contingency is a "not to exceed" amount. The City would not request any additional transfers for the purpose of the environmental review. In the unlikely event more funding was required the City would utilize funds from other sources. As reminder, our request in no way affects the total amount of the EDA's Grant Award.

It is our understanding that a small vocal minority has reached out to the EDA. We want to underscore to you that this project has strong support from the broader community. Comments you may receive relating to the projected costs of the EIR process are speculative and flawed. The City believes the amount we have requested to transfer is an accurate reflection of future costs.

We hope this information is useful and that it may alter the alternatives you provided in your letter received December 26th. At this point we remain committed to recommending to the City Council that all work related to the Interceptor Project be terminated immediately until such time other alternatives are identified, if any. We will inform Crystal Geyser of our intentions as well. As mentioned, we may also approach the Siskiyou County Board of Supervisors regarding EIR funding since the project actually resides in the unincorporated County area and not the City of Mt. Shasta.

Again, we remain very appreciative of the award and your flexibility to allow it to be utilized for our ongoing WWTP improvements. At this point, redirecting the funds to the WWTP appears the most likely outcome. The EDA's continued support of our region is critical to our region due to our distressed economics. As you may be aware, Siskiyou County has nearly the lowest per capita incomes and nearly the highest unemployment rate in the State of California.

As previously mentioned, we will discuss our alternatives at the January 26th public City Council meeting. We hope to respond to your letter shortly thereafter. We want to again assure you that we will

diligently cooperate with all EDA and other agency requirements while genuinely meeting the expectations of our area residents, openly and cooperatively.

We thank you for your support and the alternatives you have provide for our consideration. Our community remains very appreciative and excited about the beneficial economic impacts of our EDA Grant.

Respectfully,



Paul Eckert, City Manager
City of Mt. Shasta

Copy City Council
City Finance Director
City Attorney John Kenny
Consultant Project Attorney Andrea Mattarazzo, Pioneer Law Group

FitzGerald, Shannon

From: Kanim, Nadine <nadine_kanim@fws.gov>
Sent: Wednesday, November 05, 2014 10:42 AM
To: FitzGerald, Shannon
Subject: Re: Notice of Preparation of Draft EIR for Mt. Shasta Sewer Line Improvement Project

Thanks so much, Shannon. This information is very helpful and I'm glad to have the EA for my files. I look forward to hearing from you, if there are any new developments on the project!

Cheers,
Nadine.

On Tue, Nov 4, 2014 at 1:34 PM, FitzGerald, Shannon <SFitzGerald@eda.gov> wrote:

Hi Nadine,

When I got back from lunch, there was a message from Vicki, so I will give her a call back.

I've attached a copy of the environmental assessment and FONSI for the City of Mt. Shasta's sewer line project. As you'll see, there are a lot of special conditions associated with it. For instance, when I asked if a hydrologic report had been done regarding indirect effects on groundwater, springs, streams, which in turn can affect special status species, I was told that a hydrologic study would be done as part of the EIR. So I'm hoping that the EIR provides information that can be used in further assessing impacts and in consultations.

Thanks for staying in touch on this. I'll let you know if there are any new developments on our end. --Shannon

Shannon FitzGerald

Regional Environmental Officer

Economic Development Administration

915 Second Avenue, Room 1890

Seattle, WA 98174

Phone: 206-220-7703

Fax: 206-220-7657

sfitzgerald@eda.gov

From: Kanim, Nadine [mailto:nadine_kanim@fws.gov]
Sent: Tuesday, November 04, 2014 11:50 AM
To: FitzGerald, Shannon
Subject: Notice of Preparation of Draft EIR for Mt. Shasta Sewer Line Improvement Project

Hi Shannon,

Thanks for filling me in on the status of the Mt. Shasta Sewer Line Improvement Project, yesterday. It was great to talk with you! And thanks for faxing the Notice of Preparation of the Draft EIR for the project. After we spoke, I thought it might be good for me to have a copy of the EA that was prepared for the project last year. Do you have an electronic copy you could send?

Also, I gave your contact information to Vicki Gold, a Mt. Shasta resident, so you might be hearing from her. Vicki was concerned that agencies might not know about the Crystal Geyser connection to the Mt. Shasta Sewer Line Improvement Project.

Thanks again for your help on this!

Nadine.

--

Nadine R. Kanim
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Yreka Fish and Wildlife Office
1829 S. Oregon Street
Yreka, California 96097

(530) 841-3108

(530) 842-4517 (fax)

nadine_kanim@fws.gov

--
Nadine R. Kanim
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U.S. Fish and Wildlife Service
Yreka Fish and Wildlife Office
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Yreka, California 96097
(530) 841-3108
(530) 842-4517 (fax)
nadine_kanim@fws.gov

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Monday, December 08, 2014 11:04 AM
To: FitzGerald, Shannon
Subject: Re: EDA grant Mount Shasta/ Crystal Geysir

Hi Shannon,

We have been reviewing the FOIA documents, and I have a question. From the notes and emails we can see that you and Stan Good were asking very good questions about the project's environmental impacts. Thank you for having outlined your concerns so clearly. We continue to ask some of those questions and more. There was a very brief 3 or 4 page environmental assessment by Julian Colecott of Northstate Resources. Was that the only EA?

The NOP public and agency response period ended 12/1/14. Although it isn't official, rumor is that there were over 125 letters questioning the project as outlined in the NOP. This is of course indication of substantial controversy in the community. The anonymous call to David Farnworth-Martin was obviously an early attempt to forewarn the EDA of the anticipated rallying of public support questioning the CG project. (He and you were already aware of the Mount Shasta Herald headline announcing no CEQA required by Siskiyou County.) The community recognized this to be non-compliant with CEQA and indicative of the need to engage the City of Mount Shasta immediately as lead agency for the grant and all environmental review. The City knew this in November as well. This was the beginning of the passing of the buck as to who would be paying for the EIR; this remains an important question. I'm sure many of the letters addressed that concern.

The group is questioning whether EDA will request a copy of the comment letters from the City. I understand that they scanned all letters before forwarding to PACE Engineering for their summary. PACE is expected to report back to the City Council by January. Since the first meeting is 1/12/15, I assume it will be at that meeting as a regular agenda item.

Thanks so much,
Vicki Gold

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Wednesday, December 10, 2014 1:20 PM
To: 'Vicki Gold'
Subject: RE: EDA grant Mount Shasta/ Crystal Geyser

Hi Vicki,

EDA prepared EA. When EIRs are prepared, we do want to see them. I've seen the comments on EIRs and the responses incorporated into Final EIRs. It would be interesting to see the comments on the NOP.

Thanks for the information. -Shannon

-----Original Message-----

From: Vicki Gold [REDACTED]
Sent: Monday, December 08, 2014 11:04 AM
To: FitzGerald, Shannon
Subject: Re: EDA grant Mount Shasta/ Crystal Geyser

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Thanks so much,
Vicki Gold

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Wednesday, December 10, 2014 1:25 PM
To: FitzGerald, Shannon
Cc: Branigan, Michelle
Subject: Re: EDA grant Mount Shasta/ Crystal Geysir

Hi Shannon,

Will EDA request those NOP comments from the City? It would be preferable if they did on their own, although we will have access to them through PRR by the end of the month hopefully. I don't believe the EA was included in the FOIA materials I received. I have requested any recent communications in a separate FOIA and wonder if the EA could be included.

Thanks so much,
Vicki

On Dec 10, 2014, at 1:19 PM, "FitzGerald, Shannon" <SFitzGerald@eda.gov> wrote:

> Hi Vicki,

>

> EDA prepared EA. When EIRs are prepared, we do want to see them. I've seen the comments on EIRs and the responses incorporated into Final EIRs. It would be interesting to see the comments on the NOP.

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> Thanks for the information. -Shannon

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> Sent: Monday, December 08, 2014 11:04 AM

> To: FitzGerald, Shannon

> Subject: Re: EDA grant Mount Shasta/ Crystal Geysir

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- >
- > Thanks so much,
- > Vicki Gold

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Wednesday, December 10, 2014 1:38 PM
To: 'Vicki Gold'
Subject: RE: EDA grant Mount Shasta/ Crystal Geysers

Hi Vicki,

Sorry for the delay--it's been really busy. EDA prepared an EA. Regarding the comments on the NOP, we would be interested in seeing those.

Thanks for the information. -Shannon

-----Original Message-----

From: Vicki Gold [REDACTED]
Sent: Monday, December 08, 2014 11:04 AM
To: FitzGerald, Shannon
Subject: Re: EDA grant Mount Shasta/ Crystal Geysers

Hi Shannon,

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Thanks so much,
Vicki Gold

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Wednesday, December 10, 2014 3:24 PM
To: 'Vicki Gold'
Subject: RE: EDA grant Mount Shasta/ Crystal Geysers

Hi Vicki,

The project manager should have included information in the pre-award file. I'll ask him to provide that to our Regional Council. In the meantime, I can provide her with the EA in response to the FOIA.

I will request the comment on the NOP from the City.

Thanks, Shannon

-----Original Message-----

From: Vicki Gold [REDACTED]
Sent: Wednesday, December 10, 2014 1:25 PM
To: FitzGerald, Shannon
Cc: Branigan, Michelle
Subject: Re: EDA grant Mount Shasta/ Crystal Geysers

Hi Shannon,

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Thanks so much,

Vicki

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> Thanks for the information. -Shannon

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> -----Original Message-----

> **From:** Vicki Gold [REDACTED]
> **Sent:** Monday, December 08, 2014 11:04 AM
> **To:** FitzGerald, Shannon
> **Subject:** Re: EDA grant Mount Shasta/ Crystal Geysers

>

>

> Hi Shannon,

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>

> Thanks so much,

> Vicki Gold

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Thursday, January 08, 2015 5:48 PM
To: FitzGerald, Shannon
Subject: Fwd: Crystal Geysier Mount Shasta and CCTC jobs projected

Hello Shannon,
I am forwarding this link below provided by the CalCompete Tax Incentive program at the GoBiz office.
Thanks so much for reviewing.
Vicki

Begin forwarded message:

From: Vicki Gold [REDACTED]
Subject: Crystal Geysier Mount Shasta and CCTC jobs projected
Date: January 6, 2015 12:56:38 AM PST
To: Malinda Matson <MMatson@eda.gov>

Hello Malinda,
We just received this with the link to the application/ credit agreement between CCTC and CGWC. It seems to verify our position that very few new jobs will be created by the Mount Shasta CGWC project. Although as I said, the job numbers were redacted from their 12/14/14 letter sent to you, I imagine the numbers comply with the CCTC grant application and certainly are nowhere near the numbers projected in the 2013 EDA grant application (150-200 at full build out)
Any news from Seattle?
Thank you again,
Vicki

Begin forwarded message:

From: William Koch <William.Koch@GOV.CA.GOV>
Subject: RE: Revised letter from W.A.T.E.R group in Mt Shasta
Date: January 5, 2015 5:01:58 PM PST
To: 'Bruce Hillman' [REDACTED], Vicki Gold [REDACTED]

Hi Bruce & Vicki,

The agenda has been posted and Crystal Geysier is #19 on the list. The link to Crystal's credit agreement is below, however, the agreement is not effective unless approved by the committee. I received your revised letter earlier today and will include it in the briefing binders for the committee members.

<http://www.business.ca.gov/Portals/0/CA%20Competes/Docs/Agreements/FY1415P1/20.%20Crystal%20Geysier%20Water%20Company.pdf>

Thanks.

Will Koch
Deputy Director, California Competes Tax Credit Program
California Governor's Office of Business and Economic Development (GO-Biz)
1325 J Street, 18th Floor
Sacramento, CA 95814
william.koch@gov.ca.gov
www.business.ca.gov

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Thursday, January 08, 2015 5:54 PM
To: FitzGerald, Shannon
Subject: CGWC attorney's letter responding to NOP
Attachments: churchwellwhite.pdf

> Above attached is Barbara Brenner's NOP response for Crystal Geysler.

Churchwell White ^{LLP}

churchwellwhite.com

1201 K Street, Suite 710
Sacramento, CA 95814
T 916.468.0950 | F 916.468.0951

Barbara A. Brenner
T 916.468.0625
barbara@churchwellwhite.com

December 01, 2014

VIA U.S. MAIL & E-MAIL (tlapthorne@mtshastaca.gov)

Tammy Laphorne
Deputy City Clerk
City of Mount Shasta
305 North Mt. Shasta Boulevard
Mt. Shasta, CA 96067

*Re: Comments to the Notice of Preparation for the Mount Shasta Sewer Line
Improvements Draft Environmental Impact*

Dear Ms. Laphorne:

On behalf of Crystal Geysers Water Company ("Crystal Geysers"), we appreciate the opportunity to comment on the Notice of Preparation ("NOP") of a Draft Environmental Impact Report ("Draft EIR") for the Mount Shasta Sewer Line Improvements Project, which the City of Mount Shasta ("City") circulated as the lead agency. The purpose of this letter is to respond to areas where the NOP addressed Crystal Geysers's bottling plant in connection with the City's sewer upgrade project.

At the present time, we have three initial comments to the NOP and other issues that were raised during the NOP scoping session:

First, some members of the public have questioned the timing of CEQA review of the City's sewer upgrade project vis-à-vis Crystal Geysers's activities at its bottling plant. In response to these questions, we note that Crystal Geysers may seek to dispose its rinse water and other discharges into the City's existing sewer system prior to the completion of the City's sewer upgrade project. The City's sewer upgrade project does not constitute a basis for precluding discharges into the existing system, so long as discharges from the bottling plant do not exceed the existing capacity of the sewer line and treatment facility. The existing treatment facility has surplus capacity to accommodate dry weather flows of up to 100,000 gallons per day, without any improvements. (NOP at pp. 3, 6.)

Second, the NOP refers to measures taken by Crystal Geysers to reduce impacts to surrounding communities, such as the truck access easement that Crystal Geysers recently acquired, which will allow trucks to avoid accessing the bottling facility

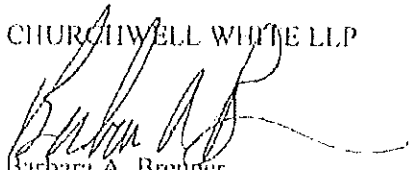
through Ski Village Drive and downtown Mount Shasta. Crystal Geysler will continue to engage in voluntary measures as a good neighbor to reduce impacts of the bottling plant to the City and local community. For example, Crystal Geysler recently upgraded the landscaping to improve the entry area and surrounding landscaping around the bottling plant. Crystal Geysler is also looking into energy efficient light fixtures that will reduce nighttime glare from the plant. In commenting on the NOP, however, we note that the City's limited discretionary approval over the bottling plant similarly limits the scope of mitigation measures that the City may impose on the bottling plant pursuant to CEQA. (14 Cal. Code Reg. § 15126.4(a)(2).)

Third, Crystal Geysler recognizes that there are some members of the community who have concerns over the bottling plant, and that these members will continue to express their concerns throughout the CEQA process for the City's sewer upgrade project. The NOP properly identified the baseline to include the bottling facility and its existing physical structures. In addition, Crystal Geysler possesses active permits for the bottling facility, such as a Waste Discharge Requirement permit with the Regional Water Quality Control Board, which previously underwent extensive CEQA review. As our final comment on the NOP, we suggest that the active permits for the bottling plant be factored into the environmental baseline as the City prepares the Draft EIR. (See, e.g., *Citizens for East Shore Parks v. California State Lands Comm.* (2011) 202 Cal.App.4th 549; accord, *North Coast Rivers Alliance v. Westlands Water Dist.* (2014) 227 Cal.App.4th 832.)

We look forward to working with the City throughout the CEQA process. Please do not hesitate to contact me if you have any questions or comments regarding our comments to the NOP.

Best Regards,

CHURCHWELL WHITE LLP



Barbara A. Brenner

Partner

RRB/ems

cc: Client

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Thursday, January 08, 2015 6:03 PM
To: FitzGerald, Shannon
Subject: Fwd: WWTP Feasibility Study complete
Attachments: Feasibility Study Presentation.pdf; ATT00001.htm

Hi Shannon,

This is the larger PACE Engineering WWTP Feasibility study with discussion of tertiary or secondary treatment modalities and options under consideration. The City will probably supply this to you and Stan if they haven't already.

I understand that the ball is in the City of Mount Shasta's court now to provide documentation for their rationale of using the grant for the larger state mandated WWTP renovation. Can you inquire as to whether the EDA can require the \$3 million match from CGWC?

Thanks so much,

Vicki Gold
530.926.4206

Begin forwarded message:

From: Vicki Gold [REDACTED]
Subject: WWTP Feasibility Study complete
Date: November 28, 2014 10:26:18 AM PST

CITY OF MT. SHASTA
Draft Wastewater Treatment
and Disposal Feasibility Study

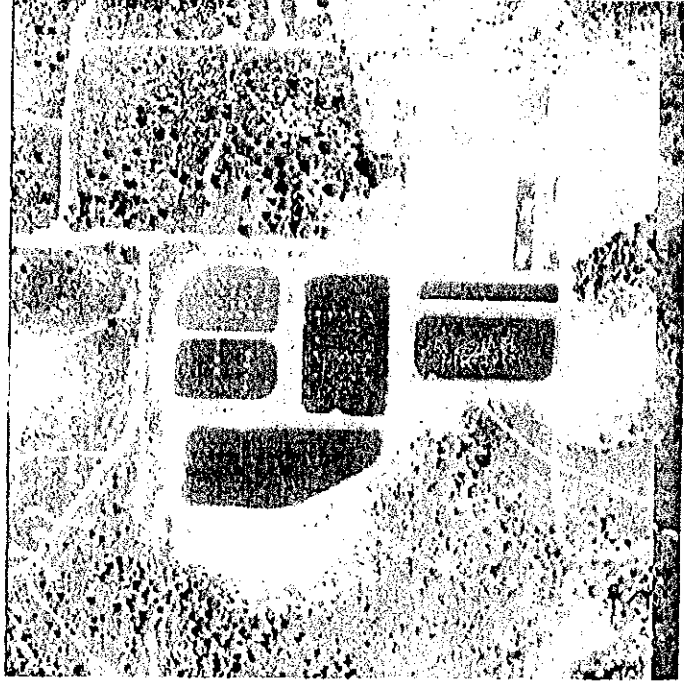
by

PACE Engineering, Inc.



BACKGROUND

- Timeline
 - 1976 – Original lagoon WWTP constructed
 - Biodegradable organics (BOD, TSS)
 - 1999 – Tertiary treatment improvements (DAF/RSF)
 - Summer flows
 - Extend discharge periods
 - 2007 – CVRWQCB Waste Discharge Requirements & Cease and Desist Order
 - Metal removal (Cu, Zn)
 - Disinfection byproducts



Mt. Shasta WWTP - 2003

BACKGROUND CONT'D

Timeline

- 2009 – Mixing Zone Dilution Study
 - Reduction in regulatory metals limit
- 2012 – Disinfection Monitoring Improvements
 - Provide reliable, flow-paced disinfection
- 2013 – Treatment & Disposal Feasibility Study
 - NPDES permit compliance
 - Disposal alternatives



BACKGROUND CONT'D

- ◆ Timeline
- ◆ 2013 – New EPA Ammonia Criteria
- ◆ More stringent ammonia limits

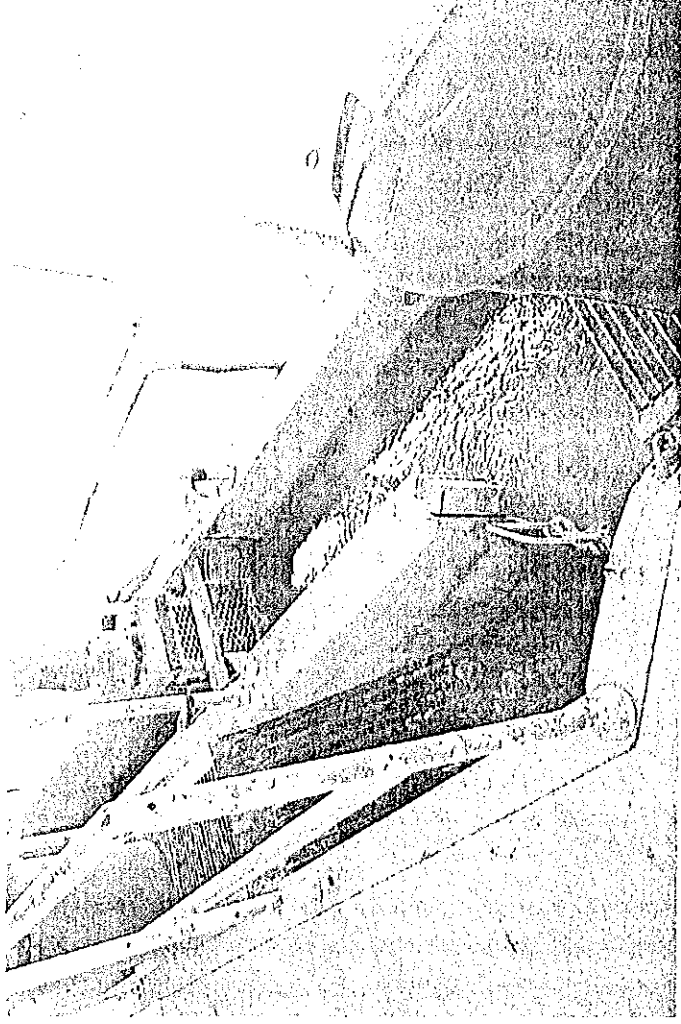


Western Pearlshell Mussel
(*Margaritifera falcata*)
Courtesy US Fish & Wildlife Services

EXISTING SYSTEM

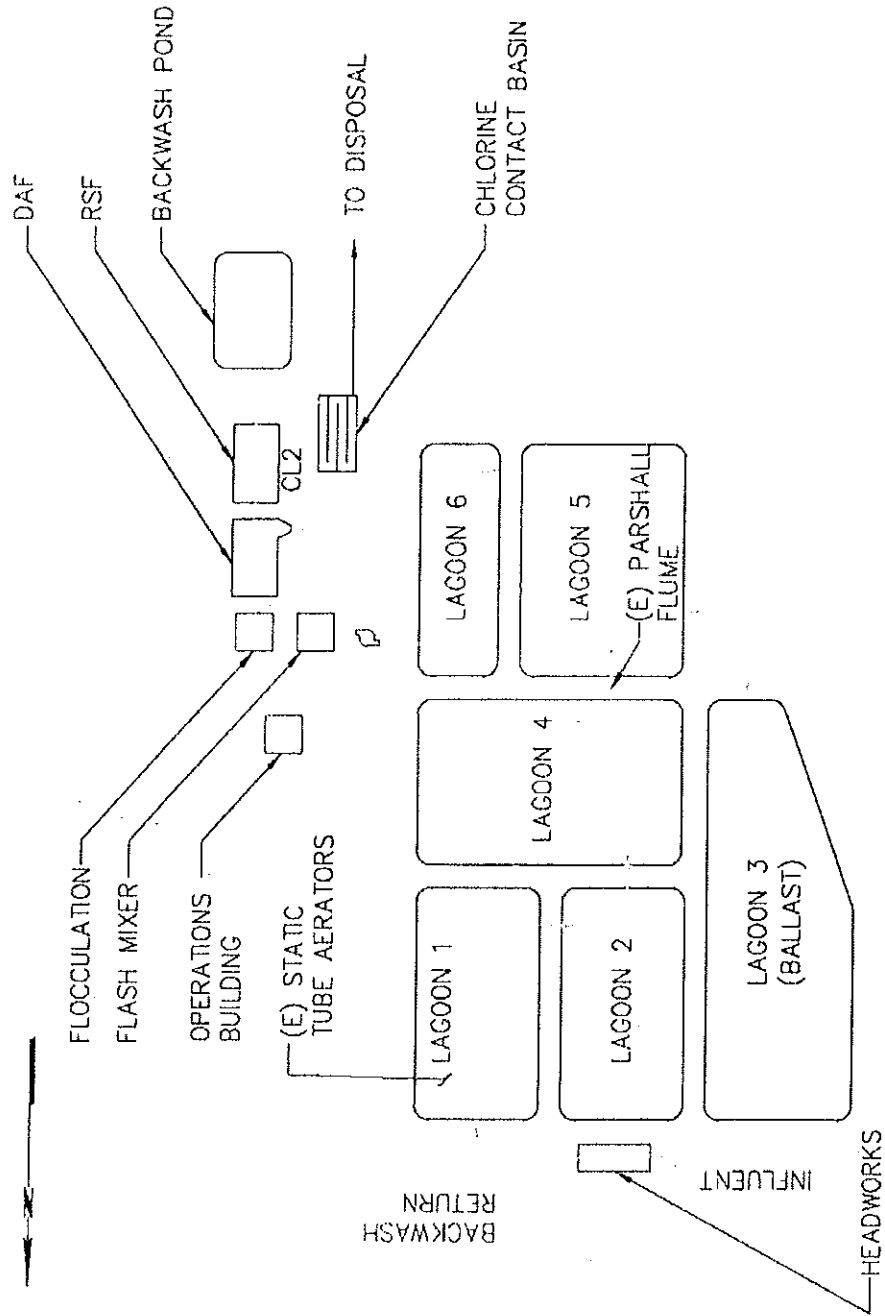
❖ Existing WWTP Process Components

- ❖ Treatment
- ❖ Disinfection
- ❖ Disposal



Mt. Shasta WWTP Headworks

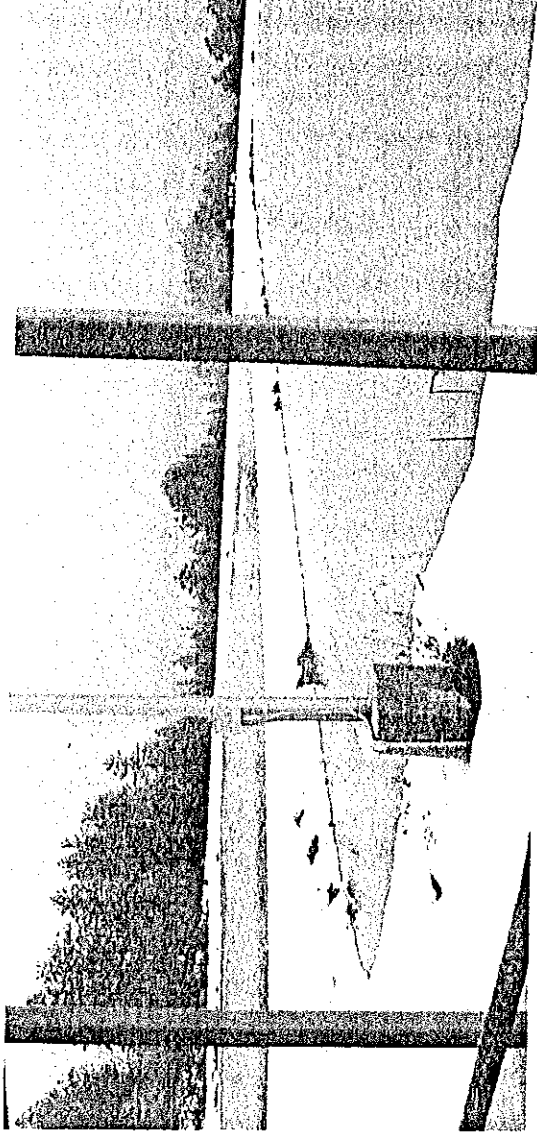
EXISTING SYSTEM



EXISTING SYSTEM

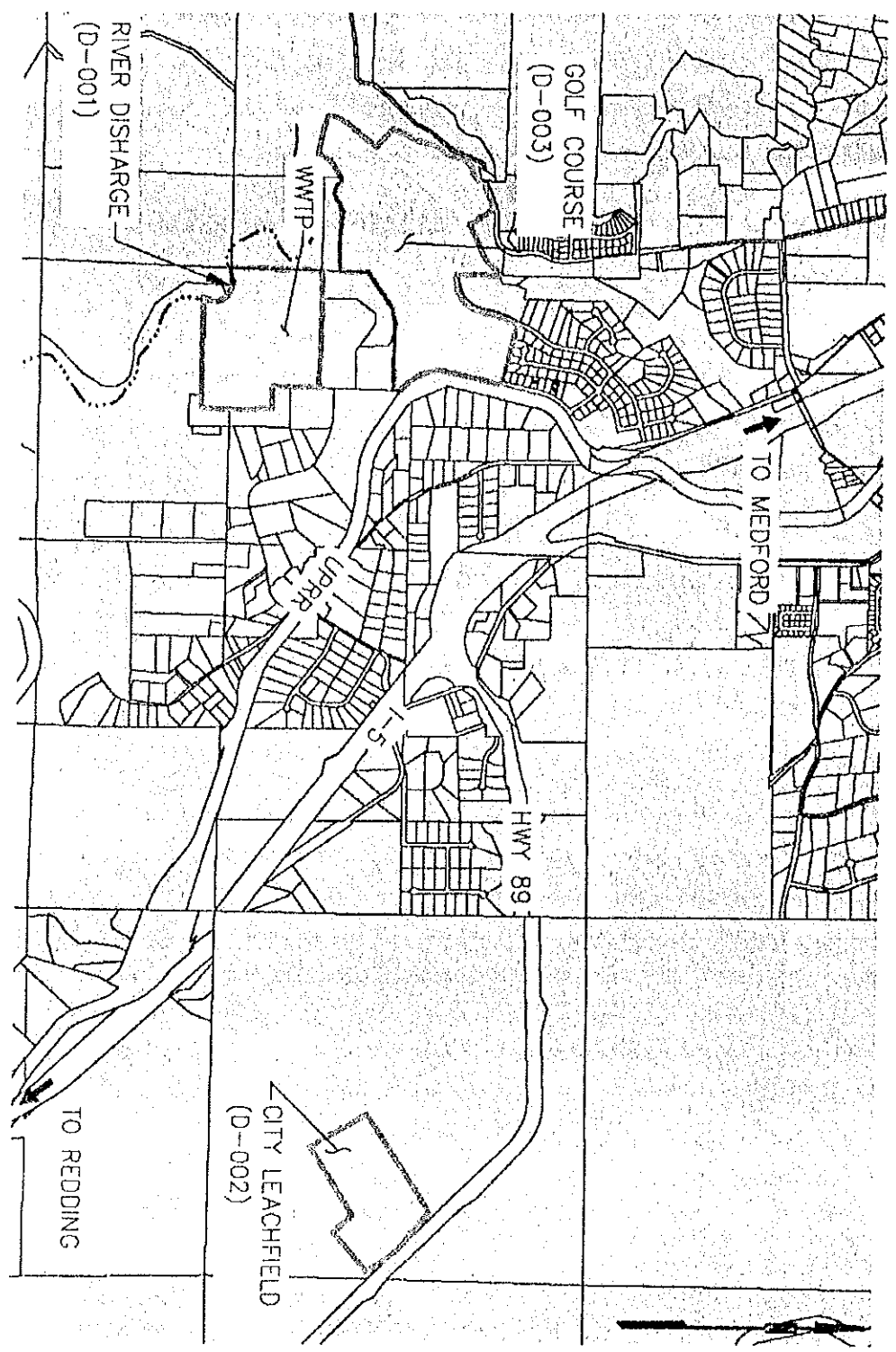
❖ Treatment Shortfalls

- ❖ Difficult to remove nitrogen in cold weather
- ❖ Ammonia resurgence from decay (New stringent ammonia limits)
- ❖ Limited process control
- ❖ Limited flexibility to meet future regulatory requirements
- ❖ Lack of wintertime filtration capacity



Mt. Shasta Lagoons 1 & 2

EXISTING SYSTEM



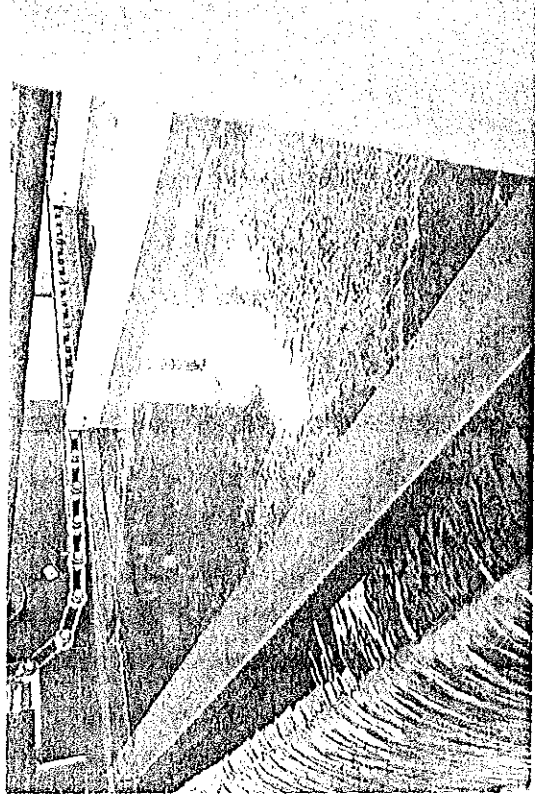


EXISTING SYSTEM

- Existing Disposal Sites
 - Sacramento River (Gravity flow, high degree of treatment)
 - During winter and early spring/late fall periods
 - Leachfield (Pumped, limited treatment)
 - Anytime effluent standards cannot be met
 - Golf Course (Pumped, high degree of treatment)
 - Spring to fall irrigation season

REGULATORY REQUIREMENTS

- ❖ The City Needs to Identify How it Will Comply With:
 - ❖ More stringent metals removal (Cu & Zn)
 - ❖ More Stringent nutrient removal (NH₄, NO₂ & NO₃)
 - ❖ More stringent disinfection byproducts prevention and/or removal
 - ❖ Insufficient treatment capacity (i.e., filtration)
 - ❖ Disposal of treated wastewater



WWTP - DAF

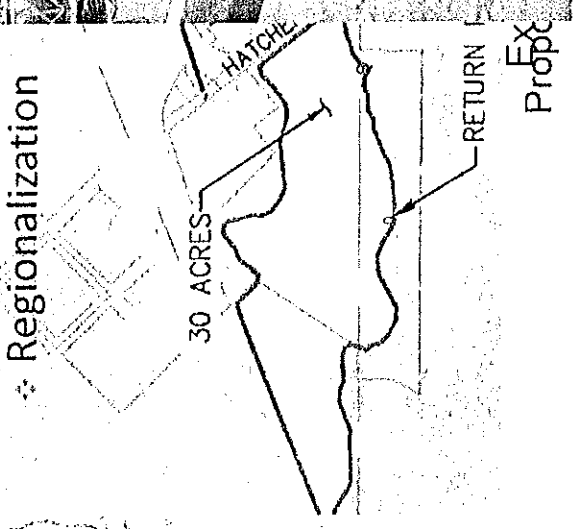
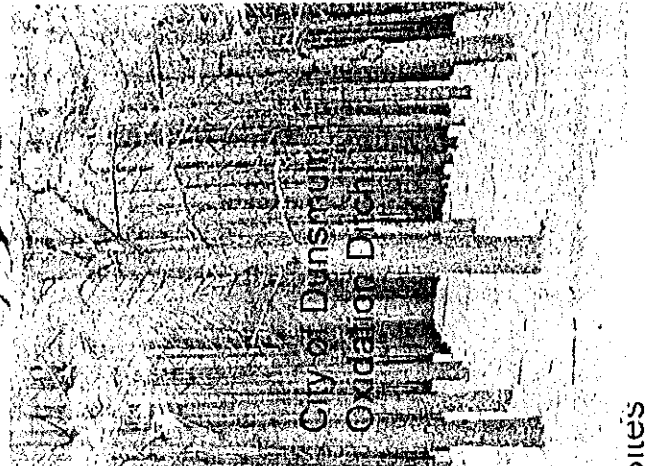
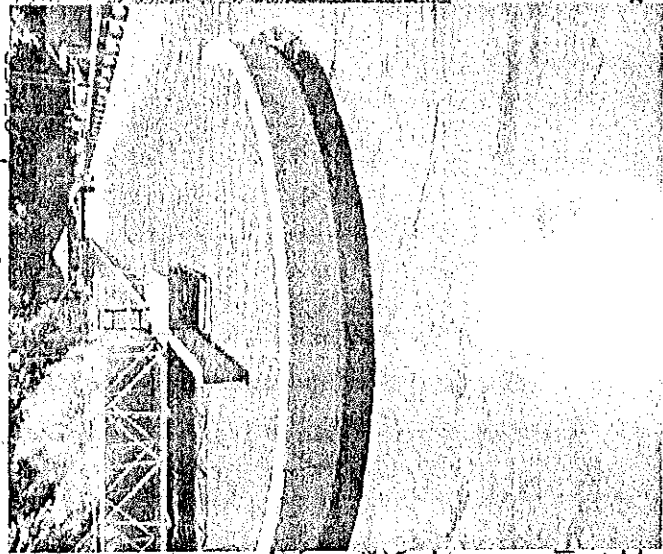
ALTERNATIVES

❖ Determine Best Feasible Disposal Alternatives

- ❖ 1st - Investigate New Disposal Sites
- ❖ New wetlands/pasture irrigation (Combined 132 acres available)
- ❖ New subsurface disposal (Existing 42 acres ~~50% developed~~)

❖ Tree irrigation

❖ Regionalization



ALTERNATIVES

❖ Determine Best Feasible Disposal Alternatives

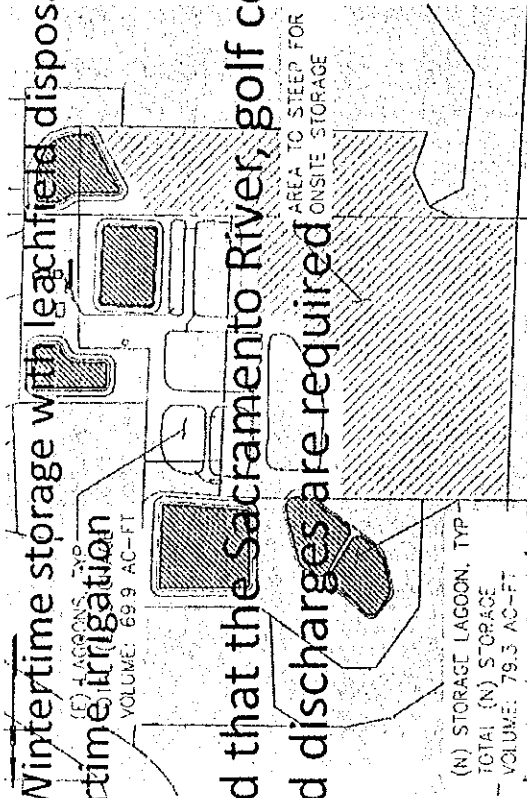
Alternatives

❖ 2nd - Develop Disposal Alternatives to Stop Sacramento River Discharge

❖ Wintertime storage and summertime irrigation

❖ Partial Wintertime storage with leachfield disposal and summertime irrigation

❖ We found that the Sacramento River, golf course, and leachfield discharges are required



ALTERNATIVES

❖ Determine required degree of treatment based on best disposal alternative

❖ Determine Best Feasible Treatment Alternative

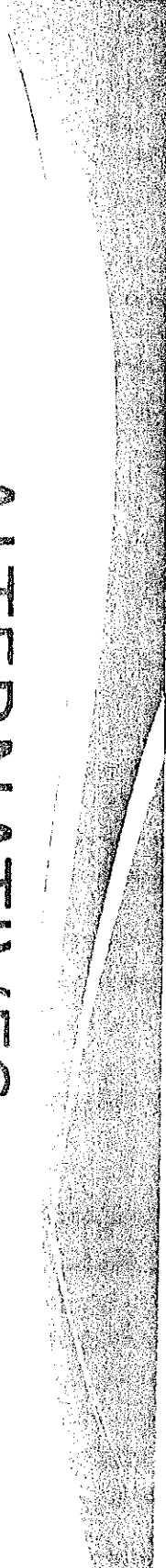
- ❖ 7 treatment alternatives
- ❖ 3 utilize/repurpose existing lagoons
- ❖ 4 replace the existing lagoon system

BioLac

AerBioShell

MBR

Moving Bed
SBR
Bioreactor



ALTERNATIVES

❖ Best Treatment Alternative

❖ Criteria

- ❖ Increase WWTP Capacity
- ❖ Increase process reliability/minimize discharge violations
- ❖ Increase flexibility to meet future discharge requirements
- ❖ Minimize effluent pumping cost (i.e., Leachfield)
- ❖ Increase effluent quality discharged to the Sacramento River
- ❖ Increase water reuse

ALTERNATIVES

❖ Determine the best solution for the City based on:

- ❖ Sewer rates
- ❖ Constructability
- ❖ Ease of O&M
- ❖ Ability to adapt/modify to meet future requirements
- ❖ Reliability
- ❖ Safety and security

| No. | Criteria | Weight Factors | Treatment Alternatives | | | | | | |
|-------------------------|---|----------------|------------------------|------------|------------|------------|------------|------------|------------|
| | | | Biolac | CAS | MBR | SBR | AeroMod | BioShell | MBBR |
| 1 | Monthly Wastewater Rate | 20 | 6 | 3 | 6 | 6 | 7 | 6 | 10 |
| 2 | Environmental & Permitting Constraints* | 5 | 7 | 8 | 8 | 8 | 8 | 10 | 9 |
| 3 | Constructability & Ability to Implement* | 10 | 7 | 8 | 8 | 8 | 8 | 10 | 8 |
| 4 | O&M Difficulty | 10 | 6 | 7 | 5 | 6 | 7 | 10 | 8 |
| 5 | Ability to Adapt/Modify to Meet Future Discharge Requirements | 15 | 6 | 8 | 10 | 8 | 8 | 3 | 4 |
| 6 | Treatment Process Performance & Reliability | 35 | 7 | 10 | 9 | 10 | 10 | 4 | 6 |
| 7 | Security & Safety to Workers/Public | 5 | 7 | 9 | 10 | 9 | 9 | 6 | 5 |
| Weighted Totals: | | 100 | 65% | 77% | 81% | 82% | 85% | 59% | 70% |
| | | Previous | 67% | 73% | 69% | 76% | 83% | 71% | 81% |

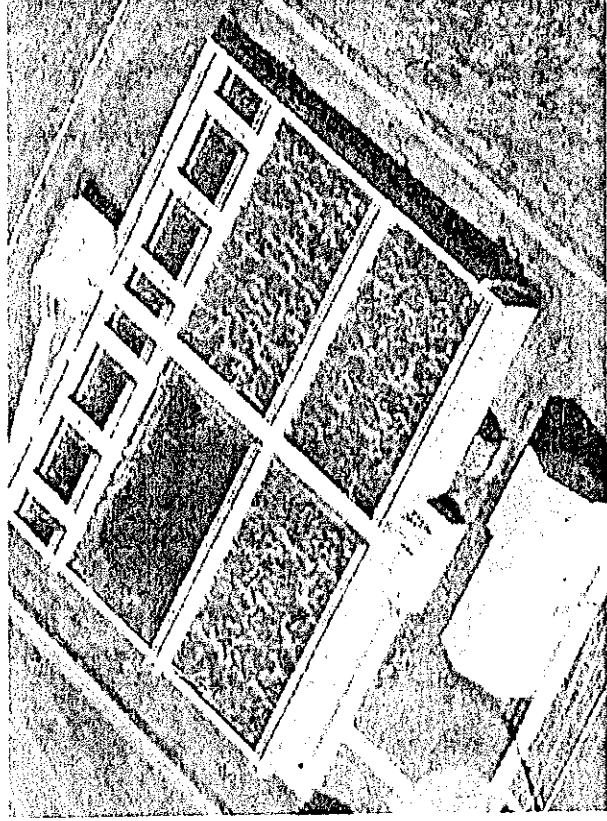
Decision Matrix

ALTERNATIVES

❖ Best Treatment Alternative

❖ AeroMod's Sequox® Process

- ❖ Activated Sludge - Ludzack-Ettinger (LE) process with a second stage sequencing aeration



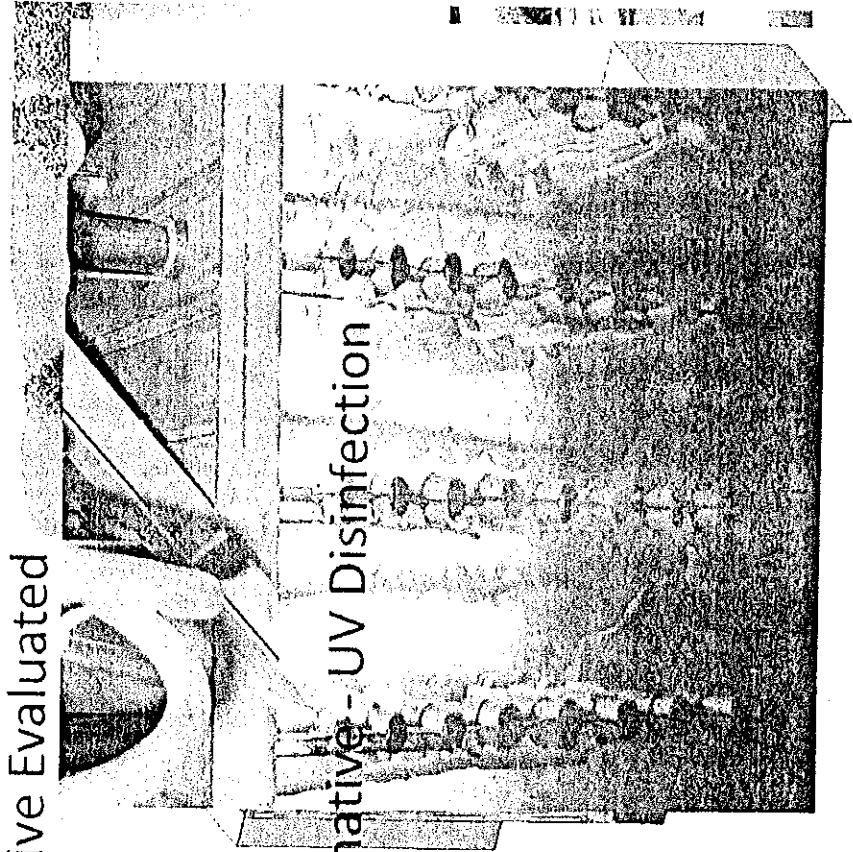
ALTERNATIVES

Determine Best Disinfection Alternative

4 Disinfection Alternative Evaluated

| No. | Disinfection Alternative | Weight Factor |
|-------------------------|---|---------------|
| 1 | Chlorine Gas | 20 |
| 2 | Sodium hypochlorite | 20 |
| 3 | Ozone | 20 |
| 4 | Ultraviolet (UV) | 20 |
| 5 | Likelihood to generate disinfection byproducts | 10 |
| 6 | Ability to Adapt/deal with potential Future Discharge Requirements, i.e. Pharmaceuticals | 15 |
| 7 | Lowest Potential Regulatory Burden, i.e. Least risk for disinfectant to cause a discharge violation | 20 |
| 8 | Security & Safety to Workers/Public | 20 |
| Weighted Totals: | | 100 |

Decisic



ALTERNATIVES

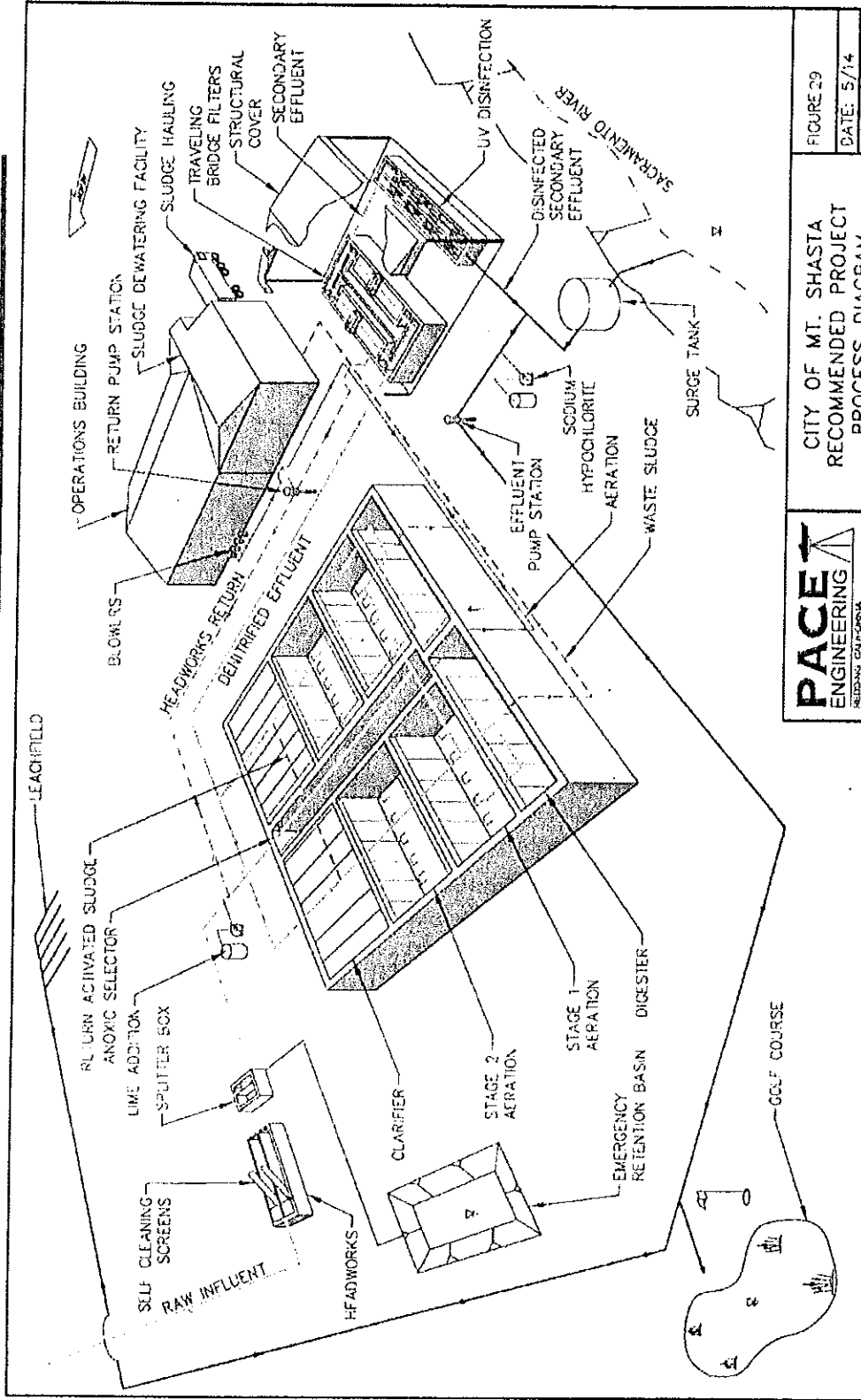
Present Worth Analysis

| No. | Project Description | Total Project Cost | New WWTP Annual O&M Cost | Present Worth O&M ⁽¹⁾ | Net Present Worth ⁽²⁾ |
|--------------------------|-------------------------------------|--------------------|--------------------------|----------------------------------|----------------------------------|
| WWTP Alternatives | | | | | |
| 1 | Conventional Activated Sludge Plant | \$20,000,000 | \$903,358 | \$15,357,602 | \$35,357,602 |
| 2 | Aero-Mod Activated Sludge Plant | \$16,300,000 | \$774,238 | \$13,162,495 | \$29,462,495 |
| 3 | Membrane Bioreactor Plant | \$14,600,000 | \$834,959 | \$14,194,782 | \$28,794,782 |
| 4 | Sequencing Batch Reactor Plant | \$13,300,000 | \$794,900 | \$13,513,766 | \$26,813,766 |
| 5 | BioLac Plant | \$16,600,000 | \$844,104 | \$14,350,255 | \$30,950,255 |
| 6 | BioShell Lagoon System | \$17,300,000 | \$691,954 | \$11,763,627 | \$29,063,627 |
| 7 | Moving Bed Bioreactor | \$12,000,000 | \$791,397 | \$13,454,216 | \$25,454,216 |

(1) Present worth based on 1.6% 20 year discount rate. Interest rate based on 20-yr federal discount rate from Appendix C of OMB Circular A-94 per USDA PER guidelines.

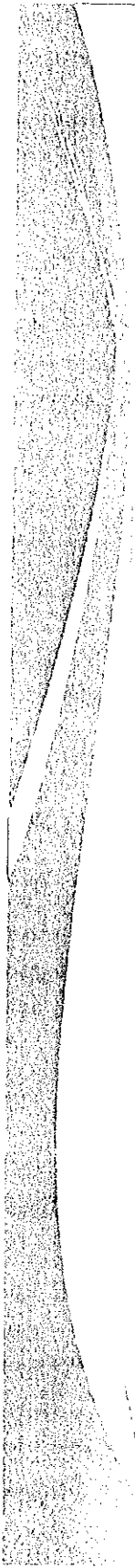
(2) Salvage value for all Alternatives is assumed to be zero

RECOMMENDED PROJECT




CITY OF MT. SHASTA
RECOMMENDED PROJECT
PROCESS DIAGRAM

FIGURE 29
DATE: 5/14
JOB # 111.44



FINANCING

- ❖ Recommended project cost -\$16.5M
- ❖ Current sewer rate - \$23.95
- ❖ Sewer rate required to qualify for grant:
\$48.00 to \$53.00
- ❖ Potential grant sources
 - ❖ USDA Rural Development – Up to \$3M
 - ❖ CWSRF – Up to \$4M
 - ❖ CDBG – For low and very low income



FINANCING

Potential sewer rates with maximum grant:
\$54.00 & CG contribution

Rates could be higher if grant and no CG
Contribution

FINANCING

SINGLE - FAMILY MONTHLY SEWER BILL COMPARISON

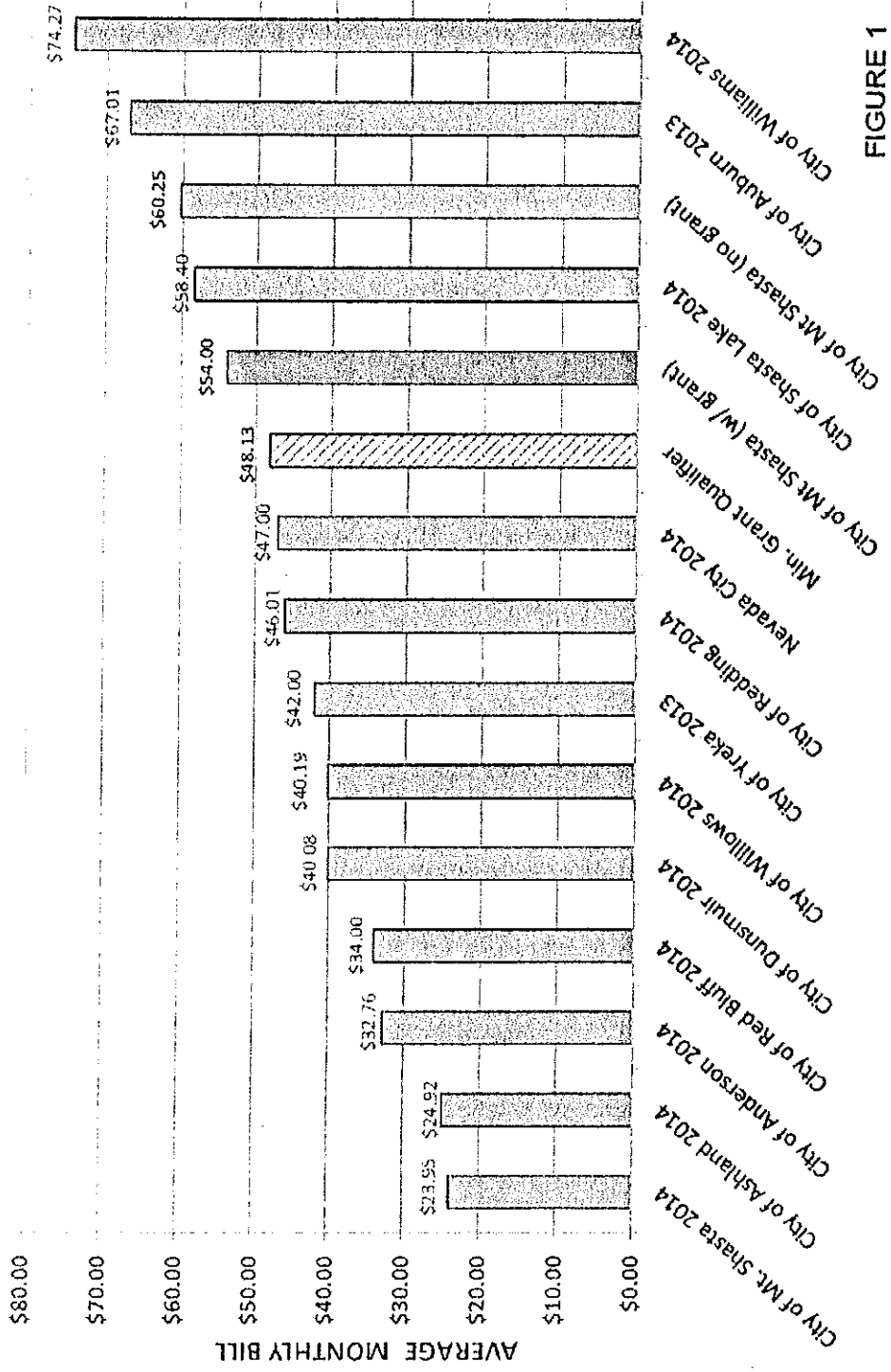
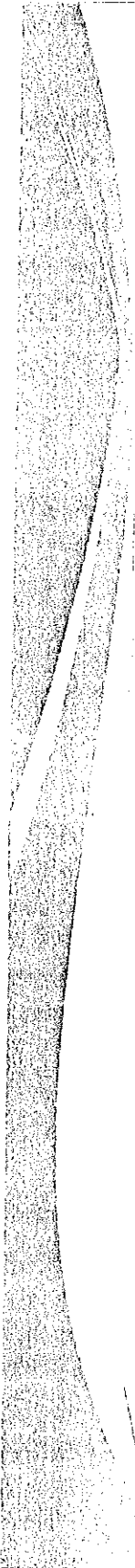


FIGURE 1



STEPS MOVING FORWARD

- ❖ Initiate environmental review – Mitigated Negative Declaration
- ❖ Prepare and submit applications for funding
 - ❖ Maximize grant opportunities
- ❖ Consider performing income survey in accordance with USDA and CWSRF guidelines
- ❖ Implement Proposition 218 rate increase proceedings

PROJECT SCHEDULING

| Task | Estimated Completion Date | NPDES Compliance Date |
|--|---------------------------|-----------------------|
| Submit Leach Field Design Investigation | Feb 28, 2014 | Apr 4, 2014 |
| Submit Groundwater Monitoring Well Network Tech Report | Oct-2014 | Apr 4, 2014 |
| Submit draft Wastewater Treatment and Disposal Feasibility | May 30, 2014 | Jun 1, 2014 |
| Method of Compliance - Title 22 Disinfection Requirements | May 30, 2014 | Jun 1, 2014 |
| Method of Compliance - BOD, TSS, and pH | May 30, 2014 | Jun 1, 2014 |
| Method of Compliance - Cu, Zn, and ammonia | May 30, 2014 | Jun 1, 2014 |
| Workshop with project stakeholders | Jun 18, 2014 | |
| Public presentation of draft PER | Jul 21, 2014 | |
| | | |

PROJECT SCHEDULING --CONT'D

| Task | Estimated Completion Date | NPDES Compliance Date |
|--|---------------------------|-----------------------|
| Submit final PER to project stakeholders | Aug-2014 | |
| Initiate environmental review, permitting, and financing options | Oct-2014 | Nov 23, 2016 |
| Submit project financing plan to CVRWQCB | Nov-2014 | Nov 23, 2014 |
| Adopt project environmental documents | Apr-2015 | - |
| Prepare funding applications for USDA and CWSRF funding | Dec-14 to Apr-15 | - |
| Obtain preliminary project funding commitments | Oct-2015 | - |
| Proposition 218 proceedings | Nov-15 to Mar-16 | - |
| Engineering design | Mar-16 to Dec-16 | - |
| Bidding/award/contract execution | Jan-17 to Apr-17 | - |
| Construct improvements | May-17 to Dec 18 | Nov 23, 2018 |
| Final project completion -- file Notice of Completion | Jan-2019 | - |
| Compliance with Cu, Zn, ammonia | Apr-2019 | Jun 1, 2017 |
| Compliance with BOD, TSS, pH, and Title 22 Disinfection | Apr-2019 | Nov 23, 2020 |
| Progress Reports | Jan of each year | Jan of each year |

QUESTIONS?

Churchwell **White** LLP

churchwellwhite.com

1201 K Street, Suite 710
Sacramento, CA 95814
T 916.468.0950 | F 916.468.0951

Barbara A. Brenner
T 916.468.0625
barbara@churchwellwhite.com

December 01, 2014

VIA U.S. MAIL & E-MAIL (tlapthorne@mtshasta.ca.gov)

Tammy Lapthorne
Deputy City Clerk
City of Mount Shasta
305 North Mt. Shasta Boulevard
Mt. Shasta, CA 96067

**Re: *Comments to the Notice of Preparation for the Mount Shasta Sewer Line
Improvements Draft Environmental Impact***

Dear Ms. Lapthorne:

On behalf of Crystal Geysers Water Company ("Crystal Geysers"), we appreciate the opportunity to comment on the Notice of Preparation ("NOP") of a Draft Environmental Impact Report ("Draft EIR") for the Mount Shasta Sewer Line Improvements Project, which the City of Mount Shasta ("City") circulated as the lead agency. The purpose of this letter is to respond to areas where the NOP addressed Crystal Geysers' bottling plant in connection with the City's sewer upgrade project.

At the present time, we have three initial comments to the NOP and other issues that were raised during the NOP scoping session:

First, some members of the public have questioned the timing of CEQA review of the City's sewer upgrade project vis-à-vis Crystal Geysers' activities at its bottling plant. In response to these questions, we note that Crystal Geysers may seek to dispose its rinse water and other discharges into the City's existing sewer system prior to the completion of the City's sewer upgrade project. The City's sewer upgrade project does not constitute a basis for precluding discharges into the existing system, so long as discharges from the bottling plant do not exceed the existing capacity of the sewer line and treatment facility. The existing treatment facility has surplus capacity to accommodate dry weather flows of up to 100,000 gallons per day, without any improvements. (NOP at pp. 3, 6.)

Second, the NOP refers to measures taken by Crystal Geysers to reduce impacts to surrounding communities, such as the truck access easement that Crystal Geysers recently acquired, which will allow trucks to avoid accessing the bottling facility

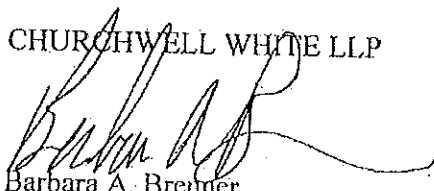
through Ski Village Drive and downtown Mount Shasta. Crystal Geysers will continue to engage in voluntary measures as a good neighbor to reduce impacts of the bottling plant to the City and local community. For example, Crystal Geysers recently upgraded the landscaping to improve the entry area and surrounding landscaping around the bottling plant. Crystal Geysers is also looking into energy efficient light fixtures that will reduce nighttime glare from the plant. In commenting on the NOP, however, we note that the City's limited discretionary approval over the bottling plant similarly limits the scope of mitigation measures that the City may impose on the bottling plant pursuant to CEQA. (14 Cal. Code Reg. § 15126.4(a)(2).)

Third, Crystal Geysers recognizes that there are some members of the community who have concerns over the bottling plant, and that these members will continue to express their concerns throughout the CEQA process for the City's sewer upgrade project. The NOP properly identified the baseline to include the bottling facility and its existing physical structures. In addition, Crystal Geysers possesses active permits for the bottling facility, such as a Waste Discharge Requirement permit with the Regional Water Quality Control Board, which previously underwent extensive CEQA review. As our final comment on the NOP, we suggest that the active permits for the bottling plant be factored into the environmental baseline as the City prepares the Draft EIR. (*See, e.g., Citizens for East Shore Parks v. California State Lands Comm.* (2011) 202 Cal.App.4th 549; *accord, North Coast Rivers Alliance v. Westlands Water Dist.* (2014) 227 Cal.App.4th 832.)

We look forward to working with the City throughout the CEQA process. Please do not hesitate to contact me if you have any questions or comments regarding our comments to the NOP.

Best Regards,

CHURCHWELL WHITE LLP



Barbara A. Breiner
Partner

RRB/ems

cc: Client

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Wednesday, December 10, 2014 6:29 PM
To: FitzGerald, Shannon
Subject: Re: EDA grant Mount Shasta/ Crystal Geysers

Thanks Shannon,

I just heard from Nicole at City that she has the many NOP comments in a file that can be put in a dropbox or sent in a CD.

I requested Dropbox.

They were surprised by the large numbers of comments and she is now covering both City Clerk and Planning issues, way on overload.

Vicki

On Dec 10, 2014, at 3:23 PM, "FitzGerald, Shannon" <SFitzGerald@eda.gov> wrote:

> Hi Vicki,

>

> The project manager should have included information in the pre-award file. I'll ask him to provide that to our Regional Council. In the meantime, I can provide her with the EA in response to the FOIA.

>

> I will request the comment on the NOP from the City.

>

> Thanks, Shannon

>

> -----Original Message-----

> From: Vicki Gold [REDACTED]
> Sent: Wednesday, December 10, 2014 1:25 PM
> To: FitzGerald, Shannon
> Cc: Branigan, Michelle
> Subject: Re: EDA grant Mount Shasta/ Crystal Geysers

>

> Hi Shannon,

> Will EDA request those NOP comments from the City? It would be preferable if they did on their own, although we will have access to them through PRR by the end of the month hopefully. I don't believe the EA was included in the FOIA materials I received. I have requested any recent communications in a separate FOIA and wonder if the EA could be included.

> Thanks so much,

> Vicki

> On Dec 10, 2014, at 1:19 PM, "FitzGerald, Shannon" <SFitzGerald@eda.gov> wrote:

>

>> Hi Vicki,

>>

>> EDA prepared EA. When EIRs are prepared, we do want to see them. I've seen the comments on EIRs and the responses incorporated into Final EIRs. It would be interesting to see the comments on the NOP.

>>

>> Thanks for the information. -Shannon

>>

>> -----Original Message-----

>> From: Vicki Gold [REDACTED]

>> Sent: Monday, December 08, 2014 11:04 AM

>> To: FitzGerald, Shannon

>> Subject: Re: EDA grant Mount Shasta/ Crystal Geyser

>>

>>

>> Hi Shannon,

>> We have been reviewing the FOIA documents, and I have a question. From the notes and emails we can see that you and Stan Good were asking very good questions about the project's environmental impacts. Thank you for having outlined your concerns so clearly. We continue to ask some of those questions and more. There was a very brief 3 or 4 page environmental assessment by Julian Colescott of Northstate Resources. Was that the only EA?

>>

>> The NOP public and agency response period ended 12/1/14. Although it isn't official, rumor is that there were over 125 letters questioning the project as outlined in the NOP. This is of course indication of substantial controversy in the community. The anonymous call to David Farnworth-Martin was obviously an early attempt to forewarn the EDA of the anticipated rallying of public support questioning the CG project. (He and you were already aware of the Mount Shasta Herald headline announcing no CEQA required by Siskiyou County.) The community recognized this to be non-compliant with CEQA and indicative of the need to engage the City of Mount Shasta immediately as lead agency for the grant and all environmental review. The City knew this in November as well. This was the beginning of the passing of the buck as to who would be paying for the EIR; this remains an important question. I'm sure many of the letters addressed that concern.

>>

>> The group is questioning whether EDA will request a copy of the comment letters from the City. I understand that they scanned all letters before forwarding to PACE Engineering for their summary. PACE is expected to report back to the City Council by January. Since the first meeting is 1/12/15, I assume it will be at that meeting as a regular agenda item.

>>

>> Thanks so much,

>> Vicki Gold

>

>

Parker, Brian

From: Brian A Parker <brian.a.parker@eda.gov>
Sent: Thursday, March 07, 2013 2:37 PM
To: TMarconi@ci.mt-shasta.ca.us
Subject: EDA Funding Request, Control No. 07123: Required Documentation Missing from Application Package
Attachments: Application Review Comments - City of Mt. Shasta.docx
Importance: High

Mr. Marconi:

I am sending this message pursuant to recent communication you have had with Mary Rudokus regarding the referenced grant application. I have performed my own review of the documentation in the file record and have discovered that key required documents are missing from the package.

A list of the items that the City of Mt. Shasta will need to submit are identified in a document that is attached to this message. I understand that the City is working on the Environment Narrative. All of the other items listed are required to be provided for the application to be considered complete, in addition to the Environmental Narrative.

Please, arrange to have the outstanding items submitted, as soon as possible. I realize that the documents are not likely to be submitted here by March 13. However, if they can be sent here within the few weeks after March 13, it would be helpful.

If you have questions or need additional assistance, feel free to contact me.

Thank you for your interest in EDA funding.

Brian

Brian Parker
Economic Development Specialist

Seattle Regional Office
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, Washington 98174-1012
(206) 220-7675 (Voice)
(206) 220-7669 (Fax)
E-Mail: brian.a.parker@eda.gov
World Wide Web: www.eda.gov

Application Review Comments
City of Mt. Shasta
Mount Shasta Sewer Line and Wastewater Treatment Facility Improvement Project

The following forms and documents need to be submitted in addition to those currently included in the application package or some of the items will need to be submitted:

- Engineering Report
- Environmental Narrative
- Environmental Report (Copy of any previously prepared environmental assessment or impact study in existence, if available)
- Documented approval of the planned project from the State Historic Preservation Officer of the State of California

Parker, Brian

From: Brian A Parker <brian.a.parker@eda.gov>
Sent: Tuesday, March 19, 2013 4:39 PM
To: TMarconi@ci.mt-shasta.ca.us
Cc: Mary S Fitzgerald
Subject: EDA Funding Request, Control No. 07123; SHPO Letter Guidance
Attachments: SHPO-THPO Letter Template.docx; Letter to SHIPO - Required Information.docx; Sample Letter to California SHPO.docx

Ted:

I am sending this message pursuant to your request for a template for a letter to the State Historic Preservation Officer (SHPO). A general template and guidance for required information to include in a letter to the SHPO are attached to this message for your reference. A formatted sample letter with some of the blanks filled in is included, as well. It is pretty much set up to be printed on the City of Mt. Shasta's letterhead.

If you have questions or need additional assistance, feel free to contact me.

Thank you for your work.

Brian

Brian Parker
Economic Development Specialist

Seattle Regional Office
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, Washington 98174-1012
(206) 220-7675 (Voice)
(206) 220-7669 (Fax)
E-Mail: brian.a.parker@eda.gov
World Wide Web: www.eda.gov

SAMPLE OF LETTER TO SHPO/THPO

Date:

(Name of State/Tribal Historic Preservation Officer)
(Name of Historic Preservation Officer)
(Address)

RE: National Historic Preservation Act Section 106 consultation for proposed EDA grant assistance to construct *(Project)*, *(Location)*

Dear *(Name of State/Tribal Historic Preservation Officer)*:

The *(Applicant's Name)* has made an application for grant funding to the U.S. Department of Commerce, Economic Development Administration (EDA) to construct *(General Project Description)*. Under 36 CFR §800.2(c)(4), EDA is delegating authority to *(Applicant's Name)* to consult with you on the behalf of EDA.

The project includes *(Provide a detailed description of the project. For SHPO, this description must include depth, width and footprint of the "Area of Potential Effect" of the undertaking. The description must also include any ground disturbing activities or trenching that will occur as a result of the undertaking. Be precise in describing the location of the undertaking. If the undertaking includes the remodel of an existing building, include the date of the original building construction. Also include the description of any known historic or archaeological resources in the immediate area of the project effect (buildings, etc. of local importance). Include maps of the project area and photographs of buildings older than 50 years that will be renovated or demolished)*.

In accordance with 36 CFR §800 the *(Applicant's Name)* is initiating the Section 106 consultation process on behalf of EDA.

Enclosed is documentation of the *(Applicant's Name)* effort to identify and evaluate historic properties pursuant to 36 CFR §800.4. This documentation includes:

- Evidence that all interested parties *(this includes Tribes, museums, and organizations)* were consulted pursuant to 36 CFR §800.4(a) (3)-(4);
- Documentation of effort to identify and evaluate historic properties. *(For instance, evidence that a record search was completed at the local Historical Information Center. As a result of this record search, a need for an historical/archaeological resources survey may be indicated. If a survey is, or has been, completed, provide a copy of the survey report); and*

Revised 8/10/11

- An assessment of the undertaking's potential to affect historic properties pursuant to 36 CFR §800.4(d) or 36 CFR §800.5. (*Possible determinations are: (1) No historical properties present; (2) No historical properties affected; or (3) Historical properties affected.*)

We ask for your concurrence on these findings and determination. If further information is required, please contact me at (*Applicant's telephone number and email address*).

Sincerely,

(Name)

(Title)

Enclosures

Copy to: EDA Project Officer

NOTE: For information regarding Section 106 and implementing regulations, please refer to the Advisory Council on Historic Preservation's Web Page at <http://www.achp.gov/work106.html>

Letter to State Historic Preservation Officer (SHPO) Required Information

EDA designates applicants for EDA project funding as its non-federal representative per 36 CFR Part 800.2 (e)(4) to act on its behalf to consult with the SHPO in determining the impact of a project on cultural resources in the area that may potentially be affected. Applicants are then required by EDA to submit appropriate information to the SHPO for compliance with Section 106 of the National Historic Preservation Act of 1966.

At a minimum, the EDA applicant must provide the SHPO with:

1. **Record Search Results:** Applicants must request a record search from their local Historic Information Center to identify any known historic archaeological resources within the proposed project sites(s) that are listed on the National Register of Historic Places or are considered to be of local and State significant and perhaps eligible for listing on the National Register. Provide copy of records search from Historic Information Center.
2. **Historic/archeological Resources Survey:** As a result of this records search, the need for an historic/archeological resources survey may be indicated. If a survey has been completed, provide a copy of the survey report. If a survey is required but has not been completed, indicate when the survey will be done and forwarded to SHPO and EDA.
3. Evidence that **interested parties** (such as *Indian Tribes*) were consulted pursuant to 36 CFR §800.4(a) (3)-(4)
4. A narrative description of the proposed project's elements and its location
5. A map of the area surrounding the proposed project, which identifies the project site, adjacent streets and other identifiable objects
6. Line drawings or sketches of the proposed project
7. Photographs of the affected properties if building demolition or renovation is involved; and
8. A request for the SHPO to submit comments on the proposed project to EDA

Although the applicant has the authority to conduct the routine aspects of the consultation, EDA retains the responsibility for any determinations or findings made during the course of the consultation.

The applicant's written correspondence and attachments on behalf of EDA to the SHPO requests SHPO concurrence that the documentation submitted by the applicant is sufficient for the SHPO to complete the consultation process and subsequently provides the necessary SHPO review required in accordance with 36 CFR Part 800.

The SHPO then provides information to the applicant and/or EDA as to whether or not historic-cultural resources are affected by the proposed project, and if so, what mitigation/monitoring measures are required.

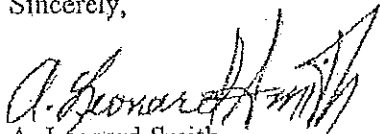
Mr. Paul Eckert
Page 2 of 2

EDA Award No. 07-79-07000
City of Mount Shasta, California

- The City could request a termination for convenience on the EDA grant, which will result in a termination of all of EDA's obligations to the project and a return of all non-obligated EDA project funds (less potential eligible, non-cancellable costs) to the U.S. Treasury.

To allow for the upcoming holiday period, please provide your response to EDA within 45 calendar days. Please address any questions to Mr. Stan Good, Civil Engineer, at (206) 220-7701.

Sincerely,


A. Leonard Smith
Regional Director

Copy to: Malinda Matson, EDR

Parker, Brian

From: Ted Marconi <TMarconi@ci.mt-shasta.ca.us>
Sent: Tuesday, March 05, 2013 6:11 PM
To: Mary R Rudokas
Cc: Brian A Parker
Subject: RE: new project officer and where is the environmental stuff?

Mary,

We have reached a definite YES on the reconsideration. We are now working on the environmental narrative and will submit it electronically by the 13th. I could not figure out how to do it without engaging a consultant so we have done so. Hopefully that will put us ahead of the game when we begin the project. We have made contact with ACoE and FWS as well as CalTrans.

Brian, I can get you the letter requesting consideration tomorrow if that would be helpful. We had thought to submit it all at once on the 13th.

P.S. Does anyone have any idea if sequestration is going to impact this next round, and if so how.

Ted Marconi
City Manager
City of Mt. Shasta
From: mary.r.rudokas@eda.gov [<mailto:mary.r.rudokas@eda.gov>]
Sent: Tuesday, March 05, 2013 5:49 PM
To: Ted Marconi
Cc: brian.a.parker@eda.gov
Subject: new project officer and where is the environmental stuff?

Dear Ted,

I will be going on detail April 1, so there has been a reshuffling of duties in the office. Your new project officer is the very capable and friendly Brian Parker. He has your project folder, all of the emails and the application mods made through the last cycle. He is awaiting the YES we want to be reconsidered during the next cycle... due AT THE LATEST, by March 13. Remember, a new app is not needed but it would be beneficial to your consideration if the environmental narrative were complete and conveyed to Brian at that time.

I look forward to hearing great things about Mt. Shasta! Good luck.

Brian's contact information is:
Brian Parker
206 220 7675
Brian.a.Parker@eda.gov

Sincerely,
Mary

Mary Rudokas | Civil Engineer | Economic Development Administration | Tel (206) 220-7694 | Fax (206) 220-7669

-----"Ted Marconi" <TMarconi@ci.mt-shasta.ca.us> wrote: -----

Parker, Brian

From: Ted Marconi <TMarconi@ci.mt-shasta.ca.us>
Sent: Tuesday, March 12, 2013 4:21 PM
To: Brian A Parker
Subject: Mt. Shasta Application
Attachments: EDA Reconsider Request.pdf; EDA Engr Repts.pdf

Mr. Parker,

As noted previously the City of Mt. Shasta wishes to have its application for funding reconsidered in the current round. Attached in this and subsequent e-mails are a letter formally requesting such reconsideration and supplemental documentation supporting that application. We believe all of the requested documentation is included except for the approval from SHPO, which per your application instructions was not to even be applied for until after project approval.

Ted Marconi
City Manager
City of Mt. Shasta
530) 926-7519
fax (530) 926-0339
marconi@ci.mt-shasta.ca.us



CITY OF MT. SHASTA

305 North Mt. Shasta Boulevard
Mt. Shasta, California 96067
(530) 926-7510 • Telephone
(530) 926-0339 • Fax

March 12, 2013

A. Leonard Smith, Regional Director
U.S. Department of Commerce
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174

Dear Mr. Smith,

The City of Mt. Shasta wishes to have our application for funding for the FY 2013 Economic Development Assistance Programs carried forward to the upcoming funding cycle.

The City has prepared additional supporting documentation and has forwarded it to the assigned Project Manager as of this date.

Thank you very much for your reconsideration of our application. We look forward to being able to work with EDA on this project. If further information is required, please contact me at (530) 926-7510, or cityofms@netv.com.

Sincerely,

Theodore E. Marconi,
City Manager
City of Mt. Shasta

STAGED WASTEWATER TREATMENT PLANT EXPANSION

The existing treatment plant was initially designed for an ADWF of 0.7 MGD and a PWWF of 2.1 MGD. As discussed in the previous chapter, there have been a number of modifications to the oxidation lagoon system over the years and the initial intermittent sand filter system was replaced with a flotation thickener/filtration system in 1999.

The 2002 ADWF has been estimated at about 0.59 MGD, but this may include some quantity of overflow from the golf course effluent storage pond. The 24-hour PWWF on December 14, 2002, was recorded at 2.6 MGD and the 15-minute peak flow could have been in excess of 3.0 MGD, but the headworks is subject to overflows at about that flow rate and the Parshall flume is subject to surcharging so the actual peak is unknown. In addition, one would expect that if the current restriction in the upstream interceptor is removed, the PWWF will probably increase somewhat.

Based upon our analysis, it appears that the existing oxidation lagoon system, with some limited modifications, can probably handle an ADWF of about 0.75 MGD. At the estimated growth rate of 1.0 percent per year, this flow rate would be reached by about 2025. In order to handle ADWFs of greater than 0.75 MGD, it will be necessary to expand the oxidation lagoon system by either adding the two new lagoons in front of the existing lagoons as shown in the 1992 Master Sewer Plan or by constructing a new lagoon where the inactive intermittent sand filters are located. In addition, the DAF system has a maximum capacity of 1.0 MGD. Thus, these existing facilities impact the available plant capacity as the ADWFs and the shoulder period (spring and fall) flows approach 1.0 MGD.

Since the discharge requirements for discharge to the City's reclamation site are not as restrictive as the discharge to the Sacramento River, it may be possible to blend some of the secondary effluent with filtered effluent and discharge it to the reclamation site during the shoulder periods. However, this will involve additional pumping cost and is somewhat contingent on the effluent solids from the lagoon system not getting too high.

Based upon measurements taken by City staff, Lagoon No. 2 has an average of about 2 feet of sludge and Lagoon No. 1 has an average of about 1.2 feet of sludge. This sludge accumulation not only reduces the hydraulic detention time available, but also adds to the oxygen requirements of the lagoon system and reduces the efficiency of the treatment facility.

If the influent ADWFs do increase at 1 percent per year, then the Stage 2 improvement would need to be completed by about 2025.

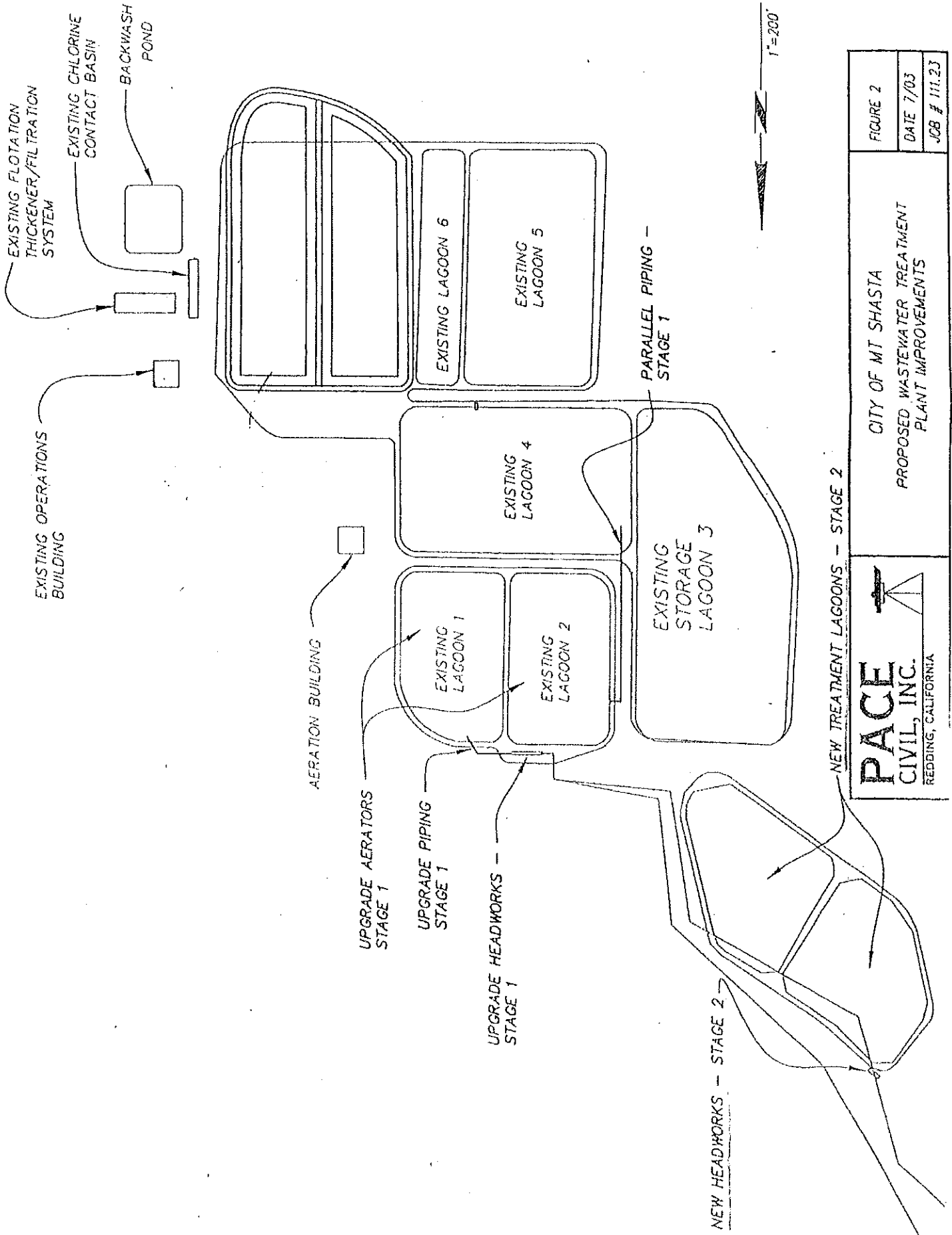
Figure 2 at the end of this report indicates a layout of the existing and proposed major wastewater treatment facilities. Project cost estimates for the Stage 1 and Stage 2 Improvements are shown in Table 3. These order of magnitude cost estimates are based on June 2004 dollars and include an allowance for engineering and contingencies. However, they do not include allowances for inflation or financing costs.

TABLE 3
 Preliminary Project Cost Estimate for
 Wastewater Treatment Plant Staged Expansion Program

| ITEM NO. | DESCRIPTION | ESTIMATED COSTS | COMMENTS |
|---|--|------------------|--|
| STAGE 1 IMPROVEMENTS (Year 2004 to 2005) | | | |
| 1 | Expand Headworks capacity | \$55,000 | Prevent overflows and improve flow measurement capability |
| 2 | Increase pipeline size to Lagoon No. 1 | \$15,000 | Prevent overflows and improve flow measurement capability |
| 3 | Parallel pipeline from Lagoon No. 2 to Lagoon No. 4 | \$65,000 | Eliminate need to Bypass Lagoon No.2 during high flow conditions |
| 4 | Plant hydraulic analysis and develop a high flow management plan | \$8,000 | Verify need for needed piping improvements and provide a more reliable and less labor intensive operation. |
| 5 | Upgrade aerators in Lagoon Nos. 1, 2, and 4 | \$150,000 | Increase BOD removal capacity |
| 6 | Sludge removal from Lagoon Nos. 1 and 2 with dredge equipped with submersible pump system | \$60,000 | Improve BOD removal capabilities |
| 7 | Mechanical dewatering of sludge removed from Lagoon Nos. 1 & 2 | \$500,000 | Centrifuge dewatering cost estimate. Consider using Lagoon No. 3 or old filter beds for dewatering and drying. |
| 8 | Dried sludge hauling and disposal cost | ???? | |
| SUBTOTAL | | \$853,000 | |
| STAGE 1 IMPROVEMENTS (Year 2006 TO 2010) | | | |
| 1 | Replace 750 feet of river outfall with 24-inch pipeline and parallel 550 feet with 18-inch pipeline. | \$145,000 | Increase capacity of river outfall to 5.0MGD, if confirmed by results of Item 4 above. |
| SUBTOTAL | | \$145,000 | |
| TOTAL STAGE 1 IMPROVEMENTS | | \$998,000 | |

TABLE 3
 Preliminary Project Cost Estimate for
 Wastewater Treatment Plant Staged Expansion Program

| ITEM NO. | DESCRIPTION | ESTIMATED COSTS | COMMENTS |
|-----------------------------------|---|--------------------|---|
| STAGE 2 IMPROVEMENTS | | | |
| 1 | Add two new aerated lagoons totaling 8.5MG with clay liner and fencing | \$1,435,000 | Increase BOD removal capacity |
| 2 | Headworks for new lagoons | \$108,000 | Increase BOD removal capacity |
| 3 | Modify effluent piping to allow for discharge of blended Lagoon and filtered effluent to reclamation site | \$50,000 | Increase plant capacity during shoulder periods by providing for discharge of blended effluent to reclamation site. |
| 4 | Increase Reclamation Effluent Pumps to 200 HP, if necessary | \$200,000 | Increase discharge capacity during no-river discharge period |
| 5 | Allowance for increasing capacity of existing lagoon piping | \$102,000 | |
| 6 | Electrical modifications and additions | \$81,000 | |
| 7 | Miscellaneous improvements | \$54,000 | |
| TOTAL STAGE 2 IMPROVEMENTS | | \$2,030,000 | |



NEW TREATMENT LAGOONS - STAGE 2

PACE
 CIVIL, INC.
 REDDING, CALIFORNIA

CITY OF MT SHASTA
 PROPOSED WASTEWATER TREATMENT
 PLANT IMPROVEMENTS

| |
|--------------|
| FIGURE 2 |
| DATE 7/03 |
| JOB # 111.23 |

Mt. Shasta Sewer Capacity Analysis for Crystal Geysers

PREPARED FOR: File

COPY TO: Paul Reuter/PACE Engineering

PREPARED BY: Nancy Maschke/CH2M HILL
Peter Rude/CH2M HILL

DATE: December 13, 2012

CH2M HILL has conducted a preliminary sewer system capacity analysis to determine if there is a need for the City of Mt. Shasta to make improvements to accommodate a 0.675 million gallons per day (mgd) flow increase from Crystal Geysers bottling facility. PACE Engineering has provided CH2M HILL with H2OMAP Version 9.0 Hydraulic Model results for 2010 Peak Wet Weather Flow (PWWF) of 3.5 mgd. The max flows from the H2OMAP model were used as the existing conditions in this analysis. PACE Engineering has also provided CH2M HILL with pipe diameters, lengths, invert elevations, and Manning's n values for each section of pipe from the Crystal Geysers connection at manhole 620 to manhole 6 at the downstream end near the City's wastewater treatment plant (WWTP).

In summary, 15 pipes from manholes 19-20 and 21-35 were found to be undersized with the addition of 0.675 mgd. Please see the attachments for the pipe capacity calculations and the below explanation of each attachment.

TABLE 1

Summary of Sewer Replacement with the Addition of 0.675 mgd from Crystal Geysers
Mt. Shasta Sewer Capacity Analysis for Crystal Geysers

| | |
|--------------------|------------------------------------|
| Result | 15 pipes over capacity |
| Manholes | 19-20 and 21-35 |
| From Diameter (in) | 12 |
| To Diameter (in) | 1-24in, 2-21in, 6-18in, and 3-15in |
| Total Length (ft) | 6134.5 |

Attachment 1 – Existing Flows and Capacity

Some of the existing data that has been provided from PACE engineering can be found in this attachment. Link ID provides the upstream to downstream manhole number of each pipe segment. The top of the column is the most upstream, and the bottom is the most downstream to the WWTP. Calculated flow is based off velocity calculated by Equation 1 – Manning's Equation and the wetted area. Cells highlighted in yellow provide updated information from Pace Engineering on December 12, 2012.

EQUATION 1

Manning's Equation for Open Channel Flow

Mt. Shasta Sewer Capacity Analysis for Crystal Geysers

$$v = \left(\frac{1}{n}\right) R^{\frac{2}{3}} \sqrt{s}$$

Where:

v = velocity

n = Manning's n roughness

R = Hydraulic radius

s = slope

Existing capacity was calculated based on a d/D of 0.8. The same Manning's equation was used to determine the greatest allowable flow in each pipe segment. The only difference between the existing table and the existing capacity table is that flow was based on a 0.8 d/D and not the observed d/D.

This analysis is assuming that at its peak, Crystal Geysers will release 0.675 mgd of wastewater to the treatment plant.

When determining whether the pipes are over capacity with the addition of the 0.675 mgd, the total flow including the existing max flow conditions plus the future Crystal Geysers flow was subtracted from the calculated capacity using a d/D of 0.8. Those cells highlighted in rose color were found to be over capacity. Here, the condition of d/D of 0.8 cannot be met, and these pipes must be upgraded to meet the new demand on the system.

Attachment 2 – Proposed Updated Diameters and Excess Capacity

To accommodate Crystal Geysers' flow, the rose colored pipes in Attachment 1 must be sized greater to meet the new need. Using Manning's equation again, the pipes were up-sized from 12 inches in order to be within capacity. The new size of each pipe and its new capacity can be found in this attachment. The total flow encompassing the existing conditions plus the 0.675 mgd from Crystal Geysers was subtracted from the new calculated capacity to find the new excess capacity. Now, all pipes have met the future capacity needs.

Sewer Capacity Calculations

| New Pipe Diameter Capacity (0.8 d/D) | | | | | |
|--------------------------------------|---------------|----------------|-----|-------------|-----------------------|
| Link ID | Diameter (in) | Max Flow (MGD) | d/D | Manning's n | Calculated Flow (MGD) |
| 620-619 | 12 | 0.009 | 0.8 | 0.013 | 4.03 |
| 619-618 | 12 | 0.009 | 0.8 | 0.013 | 4.03 |
| 618-617 | 12 | 0.009 | 0.8 | 0.013 | 4.03 |
| 617-615 | 12 | 0.009 | 0.8 | 0.013 | 4.03 |
| 615-613 | 12 | 0.009 | 0.8 | 0.013 | 1.77 |
| 613-612 | 12 | 0.008 | 0.8 | 0.013 | 1.77 |
| 612-611 | 12 | 0.008 | 0.8 | 0.013 | 1.61 |
| 611-610 | 12 | 0.044 | 0.8 | 0.013 | 1.33 |
| 610-609 | 12 | 0.027 | 0.8 | 0.013 | 1.68 |
| 609-608 | 12 | 0.026 | 0.8 | 0.013 | 3.23 |
| 608-607 | 12 | 0.026 | 0.8 | 0.013 | 3.24 |
| 607-606 | 12 | 0.026 | 0.8 | 0.013 | 2.55 |
| 606-605 | 12 | 0.026 | 0.8 | 0.013 | 2.55 |
| 605-604 | 12 | 0.025 | 0.8 | 0.013 | 2.07 |
| 604-603 | 12 | 0.036 | 0.8 | 0.013 | 3.22 |
| 603-602 | 12 | 0.036 | 0.8 | 0.013 | 3.22 |
| 602-601 | 12 | 0.036 | 0.8 | 0.013 | 1.78 |
| 601-405 | 12 | 0.036 | 0.8 | 0.013 | 1.78 |
| 405-404 | 12 | 2.202 | 0.8 | 0.013 | 4.80 |
| 404-403A | 18 | 2.743 | 0.8 | 0.013 | 13.44 |
| 403A-403 | 12 | 2.893 | 0.8 | 0.013 | 4.57 |
| 403-402 | 12 | 2.893 | 0.8 | 0.013 | 4.54 |
| 402-401 | 12 | 2.893 | 0.8 | 0.013 | 4.21 |
| 401-35 | 12 | 2.89 | 0.8 | 0.013 | 5.78 |
| 35-34 | 12 | 1.85 | 0.8 | 0.013 | 1.77 |
| 34-33 | 12 | 1.85 | 0.8 | 0.013 | 1.77 |
| 33-32 | 12 | 1.85 | 0.8 | 0.013 | 1.77 |
| 32-31 | 12 | 1.85 | 0.8 | 0.013 | 1.77 |
| 31-30 | 12 | 1.85 | 0.8 | 0.013 | 1.77 |
| 30-29 | 12 | 1.85 | 0.8 | 0.013 | 1.77 |
| 29-28 | 18 | 1.406 | 0.8 | 0.013 | 1.77 |
| 28-27 | 18 | 1.406 | 0.8 | 0.013 | 1.77 |
| 27-26 | 18 | 1.406 | 0.8 | 0.013 | 1.77 |
| 26-25 | 18 | 1.406 | 0.8 | 0.013 | 1.77 |
| 25-24 | 18 | 1.406 | 0.8 | 0.013 | 1.77 |
| 24-23 | 18 | 1.406 | 0.8 | 0.013 | 1.77 |
| 23-22 | 24 | 1.404 | 0.8 | 0.013 | 1.77 |
| 22-21 | 24 | 1.404 | 0.8 | 0.013 | 1.77 |
| 21-20 | 24 | 3.4 | 0.8 | 0.013 | 13.24 |
| 20-19 | 24 | 3.85 | 0.8 | 0.013 | 15.98 |
| 19-18B | 30 | 3.857 | 0.8 | 0.013 | 14.78 |
| 18B-18A | 30 | 3.851 | 0.8 | 0.013 | 11.17 |
| 18A-18 | 30 | 3.846 | 0.8 | 0.013 | 25.35 |
| 18-17 | 24 | 3.842 | 0.8 | 0.013 | 20.74 |
| 17-16 | 24 | 3.84 | 0.8 | 0.013 | 17.44 |
| 16-15 | 24 | 3.837 | 0.8 | 0.013 | 12.13 |
| 15-14 | 24 | 3.835 | 0.8 | 0.013 | 12.04 |
| 14-13 | 24 | 3.827 | 0.8 | 0.013 | 14.92 |
| 13-12 | 24 | 3.822 | 0.8 | 0.013 | 21.92 |
| 12-11 | 24 | 3.821 | 0.8 | 0.013 | 9.85 |
| 11-10 | 24 | 3.818 | 0.8 | 0.013 | 12.93 |
| 10-9 | 18 | 3.817 | 0.8 | 0.013 | 5.07 |
| 9-8 | 18 | 3.817 | 0.8 | 0.013 | 8.83 |
| 8-7 | 18 | 3.817 | 0.8 | 0.013 | 8.63 |
| 7-6 | 18 | 3.817 | 0.8 | 0.013 | 7.74 |

Red background cells denotes new diameter.

Parker, Brian

From: Ted Marconi <TMarconi@ci.mt-shasta.ca.us>
Sent: Tuesday, March 12, 2013 4:24 PM
To: Brian A Parker
Subject: Mt. Shasta App-Additional Docs
Attachments: EDA Env Narrative 1.pdf; EDA Topo & Nat Wet Inv Maps.pdf

Here is the Env narrative and first of maps.

Ted Marconi
City Manager
City of Mt. Shasta
530) 926-7519
fax (530) 926-0339
marconi@ci.mt-shasta.ca.us

FY 2013 Economic Development Assistance Program
Mt. Shasta Wastewater System Upgrade
Environmental Narrative

A. BENEFICIARIES

Direct beneficiaries of the project will be Crystal Geysers Water Company which proposes to purchase and reopen the Coca Cola water bottling facility north of Mt. Shasta, and Coca Cola which will realize the proceeds of the sale. Other direct beneficiaries will be holders of undeveloped infill property in north and central Mt. Shasta who may not be able to develop without upgrades to the sewer interceptor line.

B. PROJECT DESCRIPTION

1. Proposed Construction: The City of Mt. Shasta proposes to upgrade an existing 12" main sewer interceptor line to 18" to 30" sewer interceptor line. The project will involve replacing approximately 7,000 feet of line and associated manholes, located in Sections 16 and 21 of Township 40N Range 4W in Siskiyou County, California, approximately between 41°18'N, 122°19'W and 41°17'N, 122°18'W. The project will take place within the existing 20' wide easements and right of way. The project will entail trenching and laying of new parallel pipe and disposing in place the existing pipe. The project will require boring and jacking under the Interstate 5 Freeway where an existing crossing already exists.

The project will cross the alignment of Cold Creek and at least two delineated wetlands areas. The project area was previously disturbed in the 1970's when the current existing line was installed. One of the wetlands area is used as pasture land and one of the areas has been reclaimed and/or enhanced as a wetlands mitigation bank. None of the project area is considered to be flood plain.

The project also proposes to create two new ponds with earthen dikes and associated headworks facilities at the existing wastewater treatment facility located in Section 28 T40N R4W approximately 41°16'N, 122°19'W. The project will entail excavation and compaction of material to create the ponds and concrete work and associated piping for the headworks and connecting the ponds to the existing facility.

2. Alternatives to the Project: The No-Project alternative would leave the existing line in place and would prevent the reuse of the existing Coca Cola spring water bottling facility by Crystal Geysers for bottling flavored waters and teas. This alternative would also mean that the City of Mt. Shasta would have to curtail future developments in the northern and central areas of the City at some future point.

An alternative alignment that bypasses the wetlands areas and reroutes the interceptor line in existing roadways would require the installation and ongoing operation of lift stations, the acquisition of new rights of way and easements, and the disruption of travel and replacing of roadway after construction. The costs, both current and future, of this alternative are considerably higher than the proposed project.

3. Mitigation: Best management practices for construction activities include those for erosion control, siltation control, air quality, and noise will be implemented. Minimization of impacts to wetlands can be achieved through stockpiling and replacing removed top soils to maintain the existing riparian species, replanting with compatible species, and additional enhancements to the disturbed areas.

C. HISTORIC/ARCHEOLOGICAL RESOURCES

A records search (W13-31) was conducted for the City by Northstate Resources, Inc. at the Northeast Information Center (NEIC) on February 28, 2012. The search included the cultural resource records and survey reports as well as the lists of resources on the National Register of Historic Places (NRHP), the California Historical Landmarks listing, the California Register of Historical Resources (CRHR), and the California Points of Historical Interest. Seven cultural resources surveys have been conducted within 0.25 miles the undertaking. Five cultural resources have been recorded within 0.25 miles of the undertaking (see Table). The resources documented in the search radius include one prehistoric site and four historic-era sites. No resources listed on the National Register or any of the California lists are located in or within 0.25 miles of the project. Although no surveys have been conducted within the Project area, and no cultural resources have been identified in the Project area, the previous surveys indicate that there is a moderate probability for cultural resources, both prehistoric and historic-era, to be present.

| Site Number | Type | Distance from Project |
|-------------|--------------|-----------------------|
| CA-SIS-4095 | Prehistoric | 0.07 miles |
| CA-SIS-3889 | Historic-Era | 0.20 miles |
| CA-SIS-3888 | Historic-Era | 0.08 miles |
| CA-SIS-2558 | Historic-Era | 0.25 miles |
| CA-SIS-2446 | Historic-Era | 0.18 miles |

There are a number of Native American tribal organizations with historical ties in the surrounding area. Although no other sites are believed to be in the project area, the most likely occurrences would be associated with the Winnemem Wintu Tribe, the Pit River Tribe, the Shasta Nation, and the Modoc Tribe. (A list of all tribal contacts is attached).

D. AFFECTED ENVIRONMENT

1. **Affected Area:** The project affects two areas, the lands that the interceptor line passes through, and the Wastewater Treatment plant. In general, the project's affected area is in the planning area of the City of Mt. Shasta. The City of Mt. Shasta is located in southern Siskiyou County at the southwest base of Mount Shasta, a 14, 162-foot volcanic peak in the Cascade Mountains of Northern California. The City of Mt Shasta and the immediate vicinity of the project is a montane mixed conifer and pasture environment with flat and rolling topography west of the city. The area is mostly within the Strawberry Valley, but comes close to the Sacramento River above the rim of a box canyon immediately downstream of Siskiyou Lake. The city of Mount Shasta and the project area are approximately 3600 ft. elevation at the City limit, and decreases to approximately 3400 feet.

The affected area includes lands that are immediately within, and adjacent to, an existing 20 foot wide easement that extends approximately 7000 linear feet from the terminus of West Jessie Street immediately east of Interstate 5, then under the Interstate 5 Right of Way (ROW), through an existing

residential neighborhood within the ROW of West Jessie Street and then south through undeveloped lands containing delineated wetlands and the channel for Cold Creek. The channel exits the wetland area and travels through very low density single family residential lands. The project area then intersects the ROW of North Old Stage Road and follows in the ROW briefly for approximately 500 feet then veers into open lands through wet pasture land until it intersects the West Ream Ave ROW and connects to the a manhole located approximately 500 feet south of West Ream Ave.

The affected area of the pond work is within the current wastewater treatment plant property located at Grant Road southwest of the City of Mt. Shasta. The project will add two additional ponds to the northwest of the existing ponds. The project site is almost all uplands, but is adjacent and in proximity to identified wetlands areas.

2. Shorelines, Estuaries, Beaches and Dunes: No river banks (shorelines), beaches or dunes will be affected by this project. This is not a designated coastal zone. There are no over-water structures as a part of this project.

3. Wetlands: Waters of the United States ("waters") are present in the Project area. Features observed include the large wet meadow complex (streams and wetlands), and roadside ditches. Prior to implementation of the project, all "waters" shall be mapped according to the U.S. Army Corps of Engineers (Corps) standards. The "wetland delineation" shall be submitted to the Corps for verification. Impacts to "waters" are likely due to the trenching required to construct the project. Prior to construction, the appropriate Clean Water Act Sections 401 and 404 permits shall be obtained authorizing the project. (National Wetlands Inventory maps are attached).

Adequate mitigation is required as a permit condition. Likely, the project would have to restore the temporary effects of the construction by recontouring the impacted area to pre-existing contours, replacing the top soil, and replanting the alignment with native wetland plant species. Because the wetland south of Hatchery Lane was created as mitigation for a past development, the City of Mt. Shasta will also have to research whether the Corps, or any other regulatory agency, placed restrictions (e.g., deed restriction, conservation easement) upon the area as a condition of its use as a mitigation area

4. Floodplains: There are no floodplains that will be affected by this project. The City is not located in an area that is mapped by FEMA for floodplains. (See attached Map).

5. Vegetation and wildlife resources: There are a variety of land uses and therefore a variety of vegetation and wildlife resources along Project alignment including open space, rural residential, small farms, and urban (sewer plant, roads and highways). The Project alignment would traverse several different plant community types including wet meadow, pasture, and mixed chaparral. It also crosses Interstate Highway 5 and several other area streets. Dominant plants observed during the "drive by" survey and other descriptive information from each land use type include the following:

- Rural residential, small farms - The rural residential areas include widely spaced homes with large lots and scattered small farmsteads. The lots are landscaped or left in a natural form, and the small farms largely consist of open pastures with scattered outbuildings. Dominant plants observed include: black oak (*Quercus kelloggii*), Russian olive (*Elaeagnus angustifolia*), black locust (*Robina pseudoacacia*), ponderosa pine (*Pinus ponderosa*), willow (*Salix sp.*) shrub and tree forms, Himalayan blackberry (*Rubus armemiacus*), Scotchbroom (*Cytisus scoparius*), sweet pea (*Lathyrus latifolius*), and orchard grass (*Dactylis glomerata*).

- Open space - The large wetland area located near the northern end of the sewer pipe alignment, south of Hatchery Lane is a complex of wetlands with small streams, old ditches, and ponds, as well as pockets of fresh emergent wetland and seasonal wetlands. This wet meadow was formerly used as pasture, and then in the 1970's set aside as a wetland mitigation area for the development of the Mt. Shasta Shopping Center. The dominant vegetation observed includes willow shrubs, cattail (*Typha latifolia*), common tule (*Schoenoplectus acutus*), wetland grasses [e.g., spreading bent grass (*Agrostis stolonifera*)], sedges (*Carex* sp.), and rushes [e.g., Baltic rush (*Juncus balticus*)].
- Urban - The wastewater treatment plant occurs in an area directly south of the Mt. Shasta Resort golf course, in an area dominated by greenleaf manzanita (*Arctostaphylos patula*), young ponderosa pine, incense cedar (*Calocedrus decurrens*), bitter cherry (*Prunus emarginata*), scattered willow shrubs, young black oak, and various upland herbaceous species. The existing treatment ponds support fringe wetland vegetation and a host of waterfowl (e.g., ducks and grebes). The site is approximately 0.1 mile from the Sacramento River canyon ("Box Canyon").
- Interstate Highway – I-5 is a four-lane freeway, with an on-ramp in the north-bound lanes, and an off-ramp on the south-bound lanes. Roadside ditches occur on both sides of the freeway and supported flowing water during the March 1, 2013 site visit. Wetland vegetation including willows, sedges and wetland grasses were observed in the ditch features.

6. Endangered Species:

Botanical. No state or federally listed plants species are likely to occur in the project area. The four special-status plant species with potential to occur on the Project area are CNPS RPR 1b and 2-ranked species. Species designated as RPR Lists 1b or 2 are not protected under the federal or state Endangered Species Acts, but they are commonly considered by lead agencies under the California Environmental Quality Act (CEQA) review process. The following RPR plant species occur in wetland habitat types, and could be affected by the Project: *Epilobium oregonum*-Oregon fireweed; *Geum aleppicum* -Aleppo avens; *Ophioglossum pusillum*-Northern adder's tongue; and *Scutellaria galericulata*-Marsh skullcap. If such special status plants are identified during a pre-construction survey, their locations will be mapped and avoided or if unavoidable appropriate conservation measures will be implemented.

Wildlife. No federally listed wildlife species have the potential to occur within the Project area. One federal candidate for listing (Pacific fisher) has the potential to occur. Three state-listed species have potential to occur (willow flycatcher, greater sandhill crane and bald eagle). Several California species of special concern may occur within the Project area (foothill yellow-legged frog, Cascades frog, northwestern pond turtle, and yellow warbler).

Pacific fisher is a widely distributed mammal that occurs throughout the Sierra Nevada, Cascades and California Coast Ranges. Pacific fisher is a highly mobile species with a large home range. Fishers den in large trees, snags, logs, rock areas or slash piles, and they may occur in areas impacted by humans (e.g., small towns, farms) in search of food. They may traverse wetland areas, or utilize stream corridors as travel routes. The project area does not support typical denning features, but may be utilized by Pacific fishers during foraging. Recommendations provided below for birds would result in late summer/fall construction, which would correspond to the time when no immobile young are present. All juvenile and adult fishers would flee from the construction and would not likely be affected by the project.

Willow flycatcher, greater sandhill crane and bald eagle are state-listed birds that may be present in the vicinity of the project. Yellow warbler is a California species of special concern that may also nest in the area. Willow flycatchers and yellow warblers nest in willow shrubs in mosaic wetland/stream complexes. Greater sandhill cranes nest in large wetland areas, and bald eagles nest in large snags typically near large streams or lakes. Both the willow flycatcher and sandhill cranes may nest in the large wetland south of Hatchery Lane. Bald eagles may nest along the Box Canyon near the wastewater treatment plant. (Preliminary Assessment reports and Section 7 Consult Letter are attached).

7. Land Use and Zoning: The project is in two jurisdictions, the City of Mt. Shasta and the County of Siskiyou. Within the City limits, the project starts in as neighborhood zoned R-1, single family residential and immediately crosses underneath the Interstate 5 ROW. At the other side of the Interstate, the project area is along the West Jesse Street ROW in an area that is currently zoned (C-1) commercial but is primarily single family detached housing. The project then leaves the City of Mt. Shasta jurisdiction passes through relatively large open spaced land which is zoned for residential with a 1 acre minimum lot size (R-R-B-1). Farther south, the land use changes to be inhabited with single family residential and is zoned R-R-B-5. (Single Family with 5 acre minimums). The project then crosses a large tract of non-prime agricultural property used for pasture zoned Non-Prime Ag Land.

The primary beneficiaries are community wide, but specifically industry utilizing the interceptor lines are surrounded by various development. For example the zoning at the northern end of the City of Mt. Shasta is typically residential, but there are pockets of industrial land use adjacent to the site. The water bottling facility is located in industrial zoning, and has been in operation previously but closed in the last few years. (Siskiyou County zoning map is attached).

8. Solid Waste Management: The Project facilities themselves will produce no solid wastes. Trenching spoils and waste piping as a result of construction will be disposed of in appropriate fill areas outside of any wetlands. The primary beneficiary will produce solid wastes typical of bottling facilities including plastic, cardboard, packing materials. California law requires that major commercial and industrial operations implement recycling programs for these materials. Solid wastes for the entire County are transported to local transfer stations and then ultimately to out of area landfills, so there is no single disposal facility that is impacted.

9. Hazardous or Toxic Substances: No hazardous or radioactive substances will be used or produced by the project facilities or primary beneficiary. The project area does not contain any known hazardous or toxic substances. Construction vehicles and equipment will have gasoline and/or diesel engines and other automotive fluids. The affected area does not have any of the materials currently listed on the California Cortese list (CGC Section 65962.5). Spills from refueling will be minimized by establishing fixed fueling stations outside of the wetlands areas to minimize contamination by accidental spills. Hazardous materials regulation and enforcement in Siskiyou County is managed by the Siskiyou County Health Department, and Central Valley regional Water Quality Control Board.

10. Water resources: The only water course that will be impacted is the small stream, Cold Creek. The creek emerges from the ground immediately east of Mt. Shasta and at the project site meanders in a large open area that has been developed as a wetland mitigation bank. The disturbance to this stream will be temporary and will have a less than significant impact. Mitigation measures will be implemented as described in the section for wetlands and other biological resources. The effluent from the ponds to be created at the wastewater treatment facility will enter the facility and eventually discharge to the

Sacramento River during the winter season. The facility is operated under NPDES Permit CA 0078051 which sets effluent limitation limits for discharge.

11. Water Supply and Distribution System: The project will require no domestic water supply. The primary beneficiary obtains water from a series of private wells at their location. These wells and their output are used for production, domestic use, and fire suppression capability. The wells are regulated by the Siskiyou County Public Health Department and permitted by the California Department of Water Resources. The primary beneficiary could ultimately utilize up to a million gallons per day for production.

12. Wastewater Collection and Treatment Facilities: The project facilities are for wastewater conveyance and treatment. The treatment system consists of headworks, four oxidation/stabilization ponds, ballast lagoon, dosing basin, dissolved air flotation system, intermittent backwash filter, chlorine contact chamber, dechlorination system and discharge line. Treated Wastewater can be discharged to any of three locations, depending on water quality and time of year: the Sacramento River, a leach field located adjacent to highway 89, or Title 22 reclaimed water to the Mt. Shasta Resort Golf Course.

The primary beneficiary will create industrial effluent with constituents of juice residues and disinfection process components, primarily peracetic acid. Amounts could ultimately reach 0.75 million gallons per day (MGD). The current facility is rated for 0.8 MGD with average daily flows of 0.6 MGD and peak flows during extreme wet weather of 2 to 3 MGD. This project is designed to increase the capacity of the conveyance system to handle an additional 0.75 MGD, and the facility to handle an additional 0.25 MGD which will be required for the initial operations of the primary beneficiary. The facility does not currently meet the final effluent limitations established by the Regional Water Quality Control Board and is operating under interim limitations in the current NPDES Permit. The City is currently in the process of conducting a feasibility analysis of additional upgrades to the facility to meet new effluent discharge requirements and the additional loading from the bottling facility at ultimate buildout. These changes will then be part of a future project to be implemented in the next 5 to 7 years.

13. Environmental Justice: This project does not disproportionately affect minorities or lower income populations nor does it divide communities. The project is the upgrading of wastewater interceptor line replacing an existing older line. The affected area is typically low/very low density single family housing.

14. Transportation: The transportation systems, both local streets and regional roads, will not change as a result of this project. Most of the project site is not in existing roadways. The wastewater line intersects existing right of way (ROW) in three locations. The project includes boring under the Interstate 5 ROW, and flows along the right of way along West Jessie Street west of the Interstate and along S. Old Stage Road. No permanent impacts will occur as a result of the project. Construction will result in temporary interruptions of traffic when working in the ROW. Best management practices will be used for traffic control at those locations.

15. Air Quality: The project is located in Siskiyou County and is part of the Northwest Plateau Air Basin. The basin currently has no air quality plans in place, however Siskiyou County is in full attainment of federal and state ambient air quality standards. The project will involve the underground installation wastewater lines, and constructing additional ponds at the treatment plant. Construction will have temporary and localized impacts to air quality from digging and earthmoving. Equipment used during construction may contribute to temporary localized impacts to air quality from diesel and gasoline engines. Depending on weather conditions the City will incorporate best management practices for dust

control measures during construction. The addition of ponds at the waste water treatment plant will not have any long term impact on air quality.

16. Noise Pollution: The completed project will not contribute to an increase in noise or create new noise sources. The construction will contribute to ambient noise in the affected area although temporary. The addition of ponds will not contribute to additional noise. Best practices for noise mitigation will be implemented such as limiting the time for construction. Connecting to existing infrastructure also may include operation of a bypass pump if needed. Any pumping equipment will have residential grade muffler to limit noise levels.

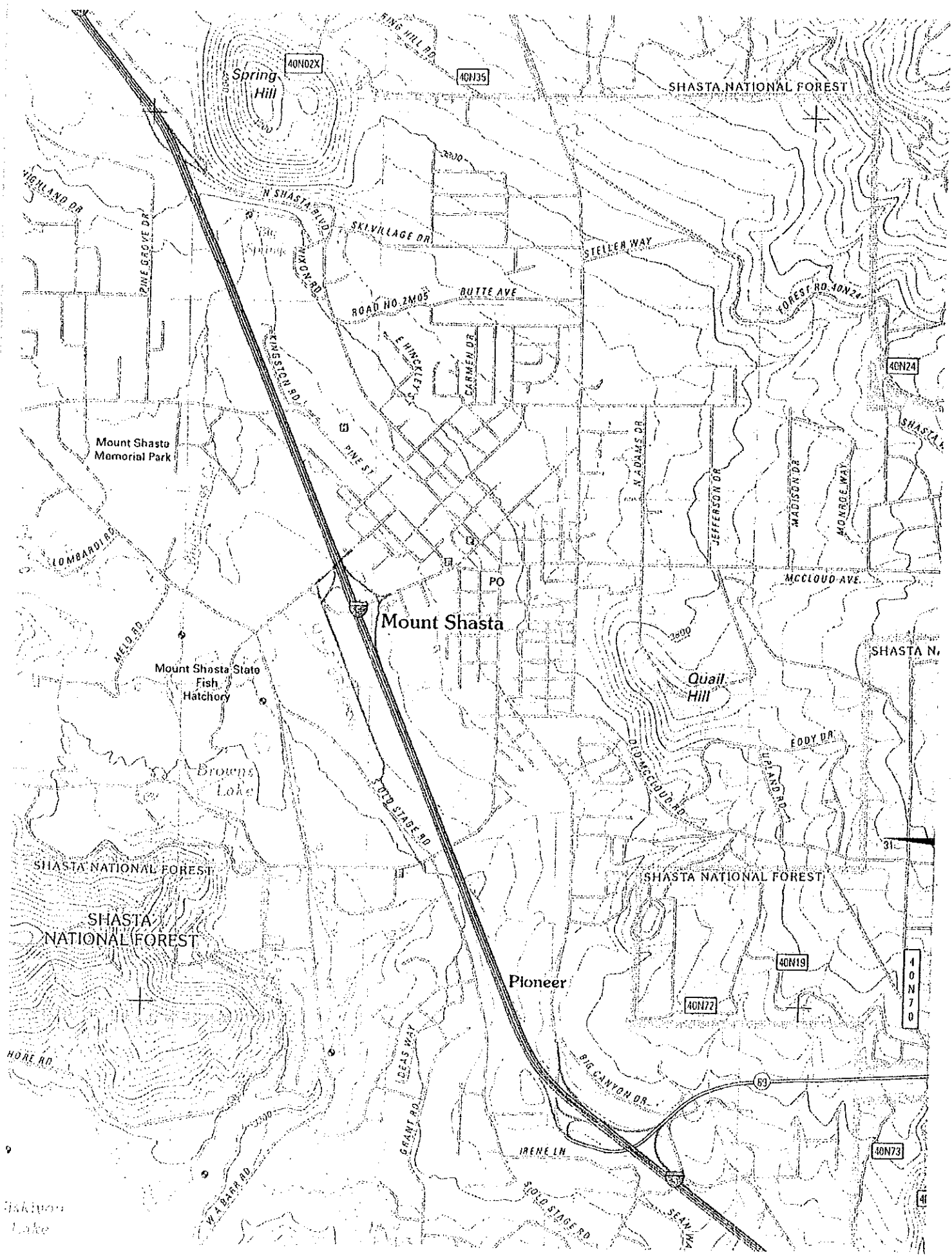
17. Permits: The Project will require an Army Corps of Engineers 404 Permit for operation in the wetlands areas. It will also require temporary encroachment permits from the California Department of Transportation and the Siskiyou County Public Works Department for construction in the ROW. As noted the City already holds an NPDES permit for operation of the wastewater treatment facility. (ACOE application is attached).

18. Public Notification/Controversy: The City has discussed the proposed project at City Council meetings, but no formal public hearings have yet been conducted. These will take place as part of the California Environmental Quality Act process, which requires a public review and comment period prior to project adoption, once the project has been fully designed. Public and reviewing agencies will be provided opportunity to submit comments written and at a public hearing. No formal hearings have been scheduled at this time, but as environmental documents are generated times and dates for public participation will be determined. Methods for public outreach are incorporated into the CEQA compliance process such as press releases, public notices, posting on city web-pages, and direct mailings to those immediately adjacent to the project.

19. Direct, Indirect, and Cumulative Effects: There are no foreseeable indirect or cumulative effects of this project on the environment that cannot be mitigated during the course of construction. While the project increases the size of the interceptor line, it does not extend its reach to new areas that are not already being served by the existing sewer collection system. It will facilitate the development of infill parcels within the current service area where there are already capacity issues, but the effects would be less than significant, or in the case of any unforeseen large project would have to be mitigated as part of such a project. The direct effects of the construction phase of the project will be rendered less than significant by the mitigation measures outlined in the preceding sections. The improvements will allow the reopening of a water bottling facility, and the increase in available jobs could affect traffic, air quality and other areas impacted by a concomitant increase in population, but impacts would not exceed those experienced when employment levels were higher than at present.

E. LIST OF ATTACHMENTS

- USGS Topographical Map of Project Area
- Tribal Consultation Contacts
- NFWs Wetlands Inventory Maps
- FIRM Floodplain Map
- Northstate Resources Preliminary Assessments
- USFWS Section 7 Request
- Siskiyou County Zoning Map
- Army Corps of Engineers Permit Application



Shasta
Lake











U.S. Fish and Wildlife Service National Wetlands Inventory





EDA Sewer Project

Feb 8, 2013

Wetlands

-  Freshwater Emergent
-  Freshwater Forested/Shrub
-  Estuarine and Marine Deepwater
-  Estuarine and Marine
-  Freshwater Pond
-  Lake
-  Riverrine
-  Other

Status

-  Digital
-  Scan
-  Non-Digital
-  No Data



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or completeness of the information shown on this map. All wetlands related data should be used in accordance with the user metadata found on the Wetlands Mapper web site.

User Remarks: Sewer line











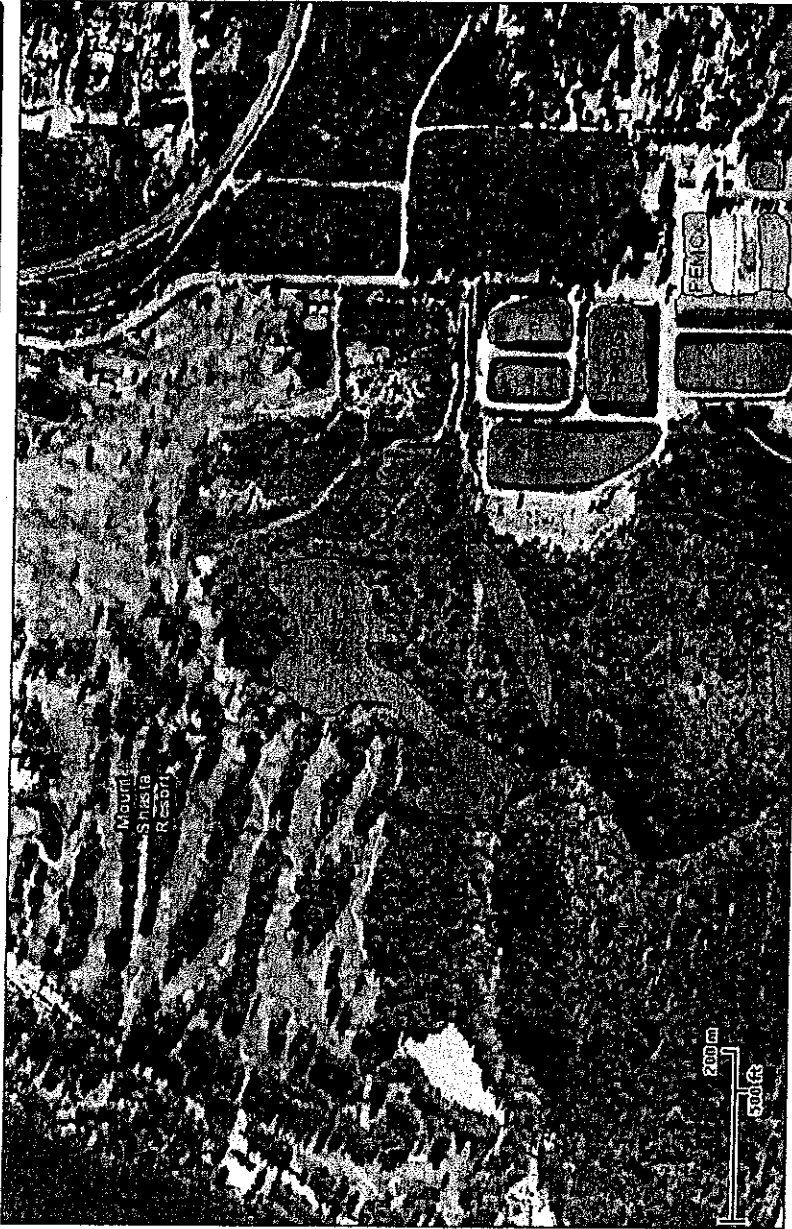
U.S. Fish and Wildlife Service National Wetlands Inventory

EPA Lagoon
Project Area

Mar 11, 2013

Wetlands

-  Freshwater Emergent
-  Freshwater Forested/Shrub
-  Estuarine and Marine Deepwater
-  Estuarine and Marine
-  Freshwater Pond
-  Lake
-  Riverine
-  Other



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currency of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



User Remarks:

NEW POND LAGOON

Parker, Brian

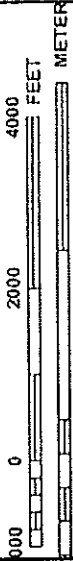
From: Ted Marconi <TMarconi@ci.mt-shasta.ca.us>
Sent: Tuesday, March 12, 2013 4:27 PM
To: Brian A Parker
Subject: Mt. Shasta App-More Docs
Attachments: EDA FIRM & Zoning Maps.pdf; EDA Tribal Consult Lists.pdf

Here are the other maps and the tribal consult listing.

Ted Marconi
City Manager
City of Mt. Shasta
530) 926-7519
fax (530) 926-0339
marconi@ci.mt-shasta.ca.us



MAP SCALE 1" = 2000'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 3025D

FIRM
FLOOD INSURANCE RATE MAP
SISKIYOU COUNTY,
CALIFORNIA
AND INCORPORATED AREAS

PANEL 3025 OF 3750

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

| CONTENTS | |
|----------|---------------|
| NUMBER | PANEL SUBJECT |
| 000000 | 0 |
| 000001 | 0 |
| 000002 | 0 |
| 000003 | 0 |

Notice to User: The map number shown below should be used when placing map orders. The Community Number shown above should be used on insurance applications for the subject community.

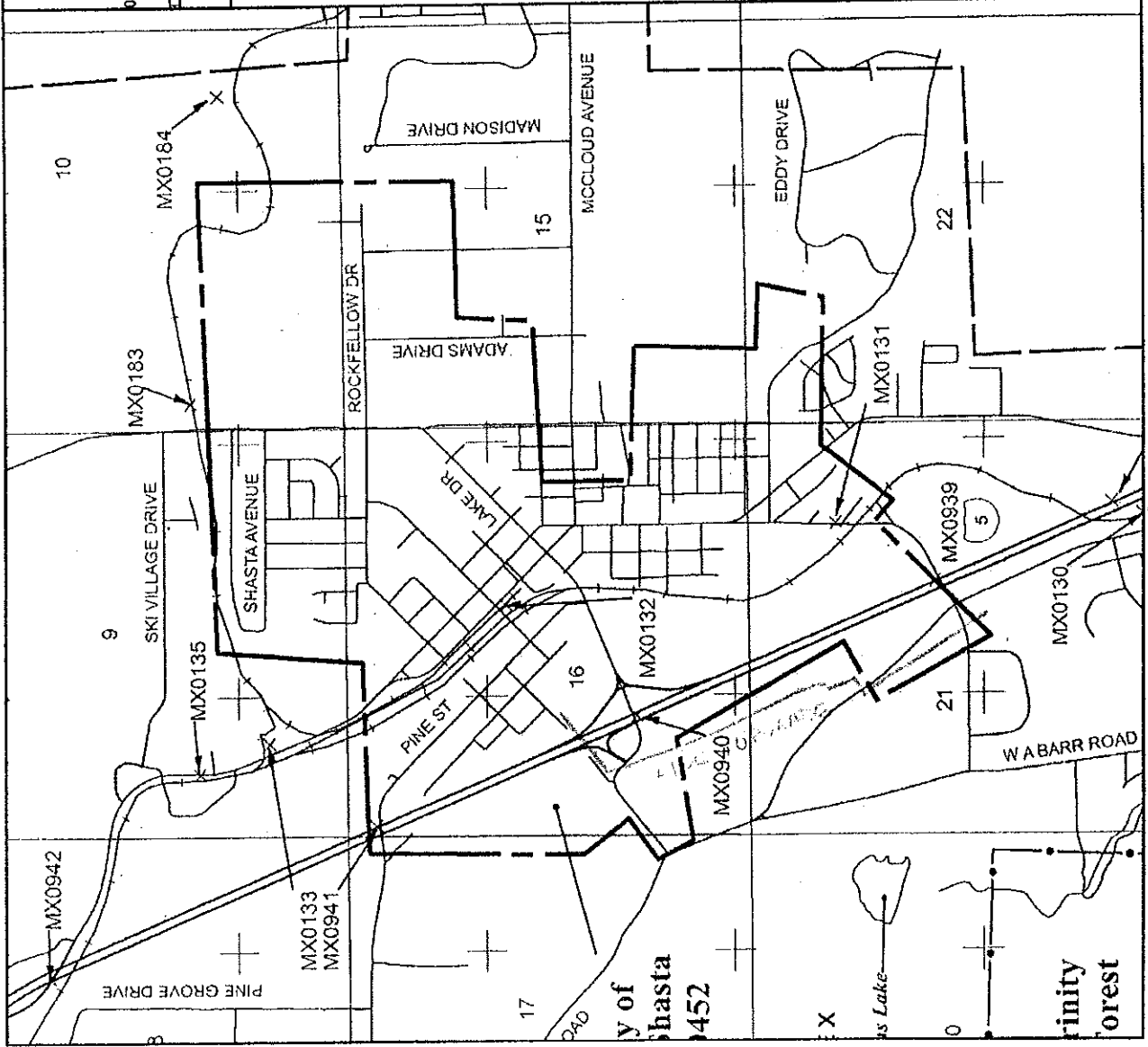
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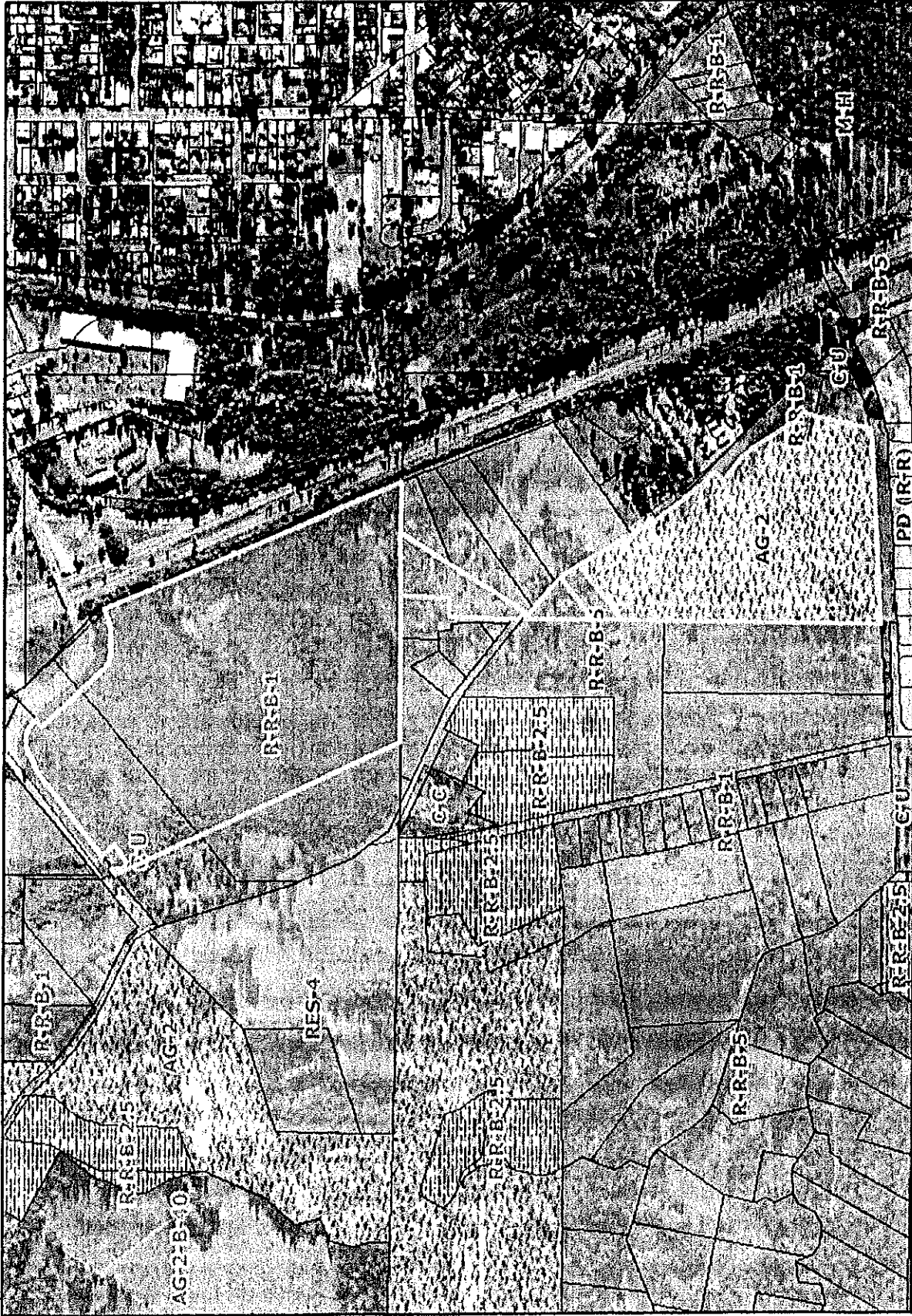
EFFECTIVE DATE
JANUARY 19, 2011

Federal Emergency Management Agency



This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT Ch-LINK. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest production information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at www.nfip.fema.gov.





Siskiyou County Planning Division
 March 1, 2013

City of Mt. Shasta Wastewater Interceptor Line

Karuk Tribe

Helene Rouvier, THPO
PO Box 1016
Happy Camp, CA 96039
Tel: 530.493.1600 x 2202
Fax: 530.493.2564
Email: hrouvier@karuk.us

Pit River Tribe

Terry A. Del Bene, Ph.D., THPO
36970 Park Avenue
Burney, CA 96013
Tel: 530.335.5421 x 222
Email: terrydelbene@me.com and thpo@pitrivertribe.org

Smith River Rancheria

Ms. Suntayea Steinruck, THPO
140 Rowdy Creek Road
Smith River, CA 95567-9525
Tel: 707.487.9255 x 3180
Fax: 707.487.0930
Email: sunsteinruck@tolowa.com
Website: <http://www.tolowa-nsn.gov>

Susanville Indian Rancheria

Melany Johnson, THPO
745 Joaquin Street
Susanville, CA 96130
Tel: 530.251.5633
Fax: 530.251.5635
Email: nagpral@citlink.net

Yurok-Table Bluff Tribe

Robert McConnell, THPO
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Hoopa, CA 95546
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Fax: 530.625.4841
Email: rmccconnell@yuroktribe.nsn.us

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PH: 916-445-7000
FAX: 916-445-7053
EMAIL: calshpo@parks.ca.gov

Native American Tribal Consultation List
 County of Siskiyou
 February 1, 2011

Pit River Tribe of California
 Ida Riggins, Chairperson
 36970 Park Ave
 Burney, CA 96013

(530) 335-5421

Pit River
 Achumawi - Atsugewi
 Wintun

Winnemem Wintu Tribe
 Caleen Sisk-Franco, Tribal Chair
 14840 Bear Mountain Road Wintu
 Redding, CA 96003
 winnemem@hotmail.com

(530) 275-2737

Karuk Tribe of California
 Arch Super, Chairperson
 P.O. Box 1016
 Happy Camp, CA 96039
 asuper@karuk.us
 (800) 505-2785

Karuk / Karok

Modoc Tribe of Oklahoma
 John Ballard, Environmental Director
 515 G Street Southeast Modoc
 Miami, OK 74354
 modoc-neg@cableone.net
 (918) 542-1190

Quartz Valley Indian Community
 Harrold Bennett, Chairperson
 13601 Quartz Valley Road Karuk
 Fort Jones, CA 96032 Shasta
 tribalchair@qvir.com Upper Klamath
 (530) 468-5907

Shasta Nation
 Roy V. Hall, Jr, Chairperson
 P.O. Box 1054 Shasta
 Yreka, CA 96097
 (530) 842-5654

Wintu Tribe of Northern California
 Kelli Hayward
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 Shasta Lake, CA 96019
 wintu_tribe@hotmail.com
 (530) 245-0141
 (530) 245-0241 - FAX

Klamath Tribe
 PO Box 436 Klamath
 Chiloquin, OR 97624 Modoc
 taylor.david@klamathtribes.
 (541) 783-2219

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.

Parker, Brian

From: Ted Marconi <TMarconi@ci.mt-shasta.ca.us>
Sent: Tuesday, March 12, 2013 4:30 PM
To: Brian A Parker
Subject: Mt. Shasta App - Remaining Documents
Attachments: EDA Bio & Cult Assess Ltrs NSR.pdf; EDA ACOE App.pdf

Here are the Environmental Assessment reports, the USFWS consult application, and the Army Corps 404 application

Ted Marconi
City Manager
City of Mt. Shasta
530) 926-7519
fax (530) 926-0339
marconi@ci.mt-shasta.ca.us

March 6, 2013

Keith McKinley
City Planner
City of Mount Shasta Planning Department
305 N. Mt. Shasta Boulevard
Mt. Shasta, CA 96067

Subject: EDA Grant Preparation Assistance for the Mount Shasta Sewer Replacement Project, City of Mount Shasta, Siskiyou County, California (NSR Project #28152)

Dear Mr. McKinley:

In support of the Economic Development Agency (EDA) grant application being prepared by the City, North State Resources, Inc. (NSR) conducted a preliminary biological review conducted within the Mount Shasta Sewer Replacement Project (Project) Area. The purpose of this letter is to provide information for the EDA Environmental Narrative that will be included with the grant application. This letter describes the plant communities present, the special-status plants and animals that may occur within those communities, and strategies for avoiding sensitive biological resources present in the project area. The project would include the replacement of an approximately 9,000 foot long segment of sewer pipeline and portions of the existing treatment plant facility. The project is located in Sections 16 and 21 of Township 40 North, Range 4 West of the *City of Mount Shasta, California* 7.5-minute topographic map.

Methods

On March 1, 2013, Julian Colescott (NSR biologist) drove the alignment with City of Mt. Shasta staff, stopping periodically to view the proposed alignment. Notes on vegetation communities and wetland types within the alignment were recorded. These field notes were then compared to the habitat requirements of special-status plant and wildlife species known to occur in the region to develop a preliminary list of special-status plants and wildlife that could occur within the alignment.

For the purpose of this evaluation, special-status plant species include plants that are (1) listed as threatened or endangered under California Endangered Species Act (CESA) or federal Endangered Species Act (ESA); (2) designated as rare by the California Department of Fish and Wildlife (CDFW); (3) state or federal candidate or proposed species for listing as threatened or endangered; and/or (4) have a California Rare Plant Rank (RPR) 1A, 1B, or 2.

Special-status wildlife include species that are (1) listed as threatened or endangered under the CESA or ESA; (2) proposed or petitioned for federal listing as threatened or endangered; and/or (3) state or federal candidates for listing as threatened or endangered. Other special-status wildlife species are identified by the CDFW as Species of Special Concern or California Fully Protected Species.

The California Natural Diversity Database (CNDDDB) was reviewed for records of special-status plants and wildlife on the *Mt. Shasta City, California* USGS 7.5-minute quadrangle, and all adjacent quadrangles (California Department of Fish and Wildlife 2013). The CNDDDB is a database consisting of historical observations of special-status plant species, wildlife species, and natural plant communities. Because the CNDDDB is limited to reported sightings, it is not a comprehensive list of plant species that may occur in a particular area. However, it is useful in refining the list of special-status plant and wildlife species that have the potential to occur on the site. A list of the CNDDDB occurrences for the 9-quadrangle area surrounding the project area is available upon request.

A database search was performed using the CNPS *Electronic Inventory*, which allows users to query the *Inventory of Rare and Endangered Plants of California* using a set of search criteria (e.g., county, habitat type, elevation). The search was performed using the *Mt. Shasta City, California* USGS 7.5-minute quadrangle and all adjacent quadrangles (California Native Plant Society 2013). The *Inventory of Rare and Endangered Plants of California* can produce a comprehensive list of plant species depending on search criteria that may occur in a particular area. It is a very useful tool in determining the list of special-status plant species that have the potential to occur on the site. The CNPS query results for the 9-quadrangle area surrounding the project area is available upon request.

The U.S. Fish and Wildlife Service (USFWS) maintains a database that lists federal endangered, threatened, and candidate species for each USGS quadrangle or county within the jurisdiction of the Sacramento Fish and Wildlife Office. The database was queried and all plant and animal species within the range of the study area were reviewed for this analysis (U.S. Fish and Wildlife Service 2012). The USFWS list is available upon request.

The following information sources were also referenced to determine special-status plant and animal species and/or other special habitats having the potential to occur in the study area.

- *Mt. Shasta City California* USGS 7.5 minute topographic quadrangle map;
- Aerial photography of the Project area and vicinity;
- Pertinent literatures including: The Jepson Manual, Vascular Plants of California (Baldwin et. al. 2012), the California's Wildlife series volumes I, II and III (Zeiner et al. 1988; Zeiner et al. 1990a; Zeiner et al. 1990b), Mt. Shasta General Plan Environmental Impact Statement (Biological Resources Section) (Pacific Municipal Consultants 2005), and other relevant literature.

Based on the results of the March 1, 2013 field visit and interpretation of the CNDDDB, CNPS, and USFWS query results, preliminary lists of special-status plant species (Table 1 attached) and special-status wildlife (Table 2) with the potential to occur on the site were developed.

Results/Discussion

Land uses within the Project alignment include open space, rural residential, small farms, and urban (sewer plant, roads and highways). The Project alignment would traverse several different plant community types including wet meadow, pasture, and mixed chaparral. It also crosses Interstate Highway 5 and several other area streets. Dominant plants observed during the "drive by" survey and other descriptive information from each land use type include the following:

- Rural residential, small farms - The rural residential areas include widely spaced homes with large lots and scattered small farmsteads. The lots are landscaped or left in a natural form, and the small farms largely consist of open pastures with scattered outbuildings. Dominant plants observed include: black oak (*Quercus kelloggii*), Russian olive (*Elaeagnus angustifolia*), black locust (*Robinia pseudoacacia*), ponderosa pine (*Pinus ponderosa*), willow (*Salix* sp.) shrub and tree forms, Himalayan blackberry (*Rubus armemiacus*), Scotchbroom (*Cytisus scoparius*), sweet pea (*Lathyrus latifolius*), and orchard grass (*Dactylis glomerata*).
- Open space - The large wetland area located near the northern end of the sewer pipe alignment, south of Hatchery Lane is a complex of wetlands with small streams, old ditches, and ponds, as well as pockets of fresh emergent wetland and seasonal wetlands. This wet meadow was originally set aside as a wetland mitigation area for the development of the Mt. Shasta Shopping Center. The dominant vegetation observed includes willow shrubs, cattail (*Typha latifolia*), common tule (*Schoenoplectus acutus*), wetland grasses [e.g., spreading bent grass (*Agrostis stolonifera*)], sedges (*Carex* sp.), and rushes [e.g., Baltic rush (*Juncus balticus*)].
- Urban - The wastewater treatment plant occurs in an area directly south of the Mt. Shasta Resort golf course, in an area dominated by greenleaf manzanita (*Arctostaphylos patula*), young ponderosa pine, incense cedar (*Calocedrus decurrens*), bitter cherry (*Prunus emarginata*), scattered willow shrubs, young black oak, and various upland herbaceous species. The existing treatment ponds support fringe wetland vegetation and a host of waterfowl (e.g., ducks and grebes). The site is approximately 0.1 mile from the Sacramento River canyon ("Box Canyon").

Interstate Highway 5 is a four-lane freeway, with an on-ramp in the north-bound lanes, and an off-ramp on the south-bound lanes. Roadside ditches occur on both sides of the freeway and supported flowing water during the March 1, 2013 site visit. Wetland vegetation including willows, sedges and wetland grasses were observed in the ditch features.

Botanical. No state or federally listed plants species are likely to occur in the project area. The four special-status plant species with potential to occur on the Project area are CNPS RPR 1b and 2-ranked species. Species designated as RPR Lists 1B or 2 are not protected under the federal or state Endangered Species Acts, but they are commonly considered by lead agencies under the California Environmental Quality Act (CEQA) review process. The RPR plant species identified in Table 1 occur in wetland habitat types, and could be affected by the Project. Measures recommended to protect special-status plants include:

- Conduct a botanical survey of the wetland portions of the Project alignment to locate any special-status plants. If no plants occur, then additional measures will not be necessary. If special status plants are observed, their locations shall be mapped and avoided during project implementation. If complete avoidance is not possible, then the project proponent (City of Mt. Shasta) shall consult with the CDFW to determine appropriate conservation measures. Such measures may include collecting seeds for propagation and planting, or transplanting individual plants to safe, suitable areas in the immediate vicinity.

Wildlife. No federally listed wildlife species have the potential to occur within the Project area. One federal candidate for listing (Pacific fisher) has the potential to occur. Three state-listed species have potential to occur (willow flycatcher, greater sandhill crane and bald eagle). Several California species of special concern may occur within the Project area (foothill yellow-legged frog, Cascades frog, northwestern pond turtle, and yellow warbler).

Pacific fisher is a widely distributed mammal that occurs throughout the Sierra Nevada, Cascades and California Coast Ranges. Pacific fisher is a highly mobile species with a large home range. Fishers den in large trees, snags, logs, rock areas or slash piles, and they may occur in areas impacted by humans (e.g., small towns, farms) in search of food. They may traverse wetland areas, or utilize stream corridors as travel routes. The project area does not support typical denning features, but may be utilized by Pacific fishers during foraging. Recommendations provided below for birds would result in late summer/fall construction, which would correspond to the time when no immobile young are present. All juvenile and adult fishers would flee from the construction and would not likely be affected by the project.

Willow flycatcher, greater sandhill crane and bald eagle are state-listed birds that may be present in the vicinity of the project. Yellow warbler is a California species of special concern that may also nest in the area. Willow flycatchers and yellow warblers nest in willow shrubs in mosaic wetland/stream complexes. Greater sandhill cranes nest in large wetland areas, and bald eagles nest in large snags typically near large streams or lakes. Both the willow flycatcher and sandhill cranes may nest in the large wetland south of Hatchery Lane. Bald eagles may nest along the Box Canyon near the wastewater treatment plant. The following measures are recommended to protect nesting special-status birds:

- Construction shall occur outside of the typical nesting period of the bird species with potential to occur. The typical nesting period for these species in Siskiyou County is from March 1 to September 30. Construction outside of these dates would not affect the species. If construction must occur within the nesting period, then preconstruction surveys for the species shall be conducted. If nesting special-status birds are observed, then, in consultation with the CDFW, a buffer of 100 feet to one-quarter mile (depending on the species) shall be established around the nest to avoid impacting the species. The nests shall be monitored by a qualified biologist and once the young have fledged the protective buffer shall be eliminated and work within the area can proceed.

Foothill yellow-legged frog, Cascades frog, northwestern pond turtle may occur in the aquatic features (ponds, creeks and flowing ditches) within the project area. Unlike birds, there is no season within which construction could occur to eliminate the potential to affect these species. Adult frogs and turtles, and potentially turtle nests may still be present during the late summer/fall construction period. Therefore, the following measures are recommended to protect special-status amphibians and reptiles:

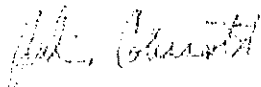
- Preconstruction surveys are recommended within two weeks of the start of construction in any aquatic areas that may be affected by the Project. If adult frogs, turtles, or turtle nests are observed, then the CDFW would be contacted to determine the best approach to minimize adverse affects to the species. Typical measures include allowing the turtle or frog to move from the impact area, or relocating a turtle nest.

Waters of the United States. Waters of the United States ("waters") are present in the Project area. Features observed include the large wet meadow complex (streams and wetlands), and roadside ditches. Prior to implementation of the project, all "waters" shall be mapped according to the U.S. Army Corps of Engineers (Corps) standards. The "wetland delineation" shall be submitted to the Corps for verification. Impacts to "waters" are likely due to the trenching required to construct the project. Prior to construction, the appropriate Clean Water Act Sections 401 and 404 permits shall be obtained authorizing the project. Adequate mitigation is required as a permit condition. Likely, the project would have to restore the temporary effects of the construction by recontouring the impacted area to pre-existing contours, replacing the top soil, and replanting the alignment with native wetland plant species.

Because the wetland south of Hatchery Lane was created as mitigation for a past development, the City of Mt. Shasta will also have to research whether the Corps, or any other regulatory agency, placed restrictions (e.g., deed restriction, conservation easement) upon the area as a condition of its use as a mitigation area.

If you have any questions about this report, please contact me by telephone at 530/926-3595 ext. 201, or by email at colescott@nsrnet.com.

Sincerely,
NORTH STATE RESOURCES, INC.



Julian Colescott
Project Manager

References

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- California Department of Fish and Game. 1988. *California's Wildlife, Volume I: Amphibians and Reptiles*. California Statewide Wildlife Habitat Relationships System. Editors David C. Zeiner, William F. Laudenslayer, Jr., Kenneth E. Mayer, and Marshall White.
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- California Department of Fish and Game. 1990b. *California's Wildlife, Volume III: Mammals*. California Statewide Wildlife Habitat Relationships System. Editors: David C. Zeiner, William F. Laudenslayer, Jr., Kenneth E. Mayer, and Marshall White.
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- Pacific Municipal Consultants. 2005. *City of Mt. Shasta General Plan update Environmental Impact Report*. Pacific Municipal Consultants. Mt. Shasta, California.
- U.S. Fish and Wildlife Service. 2012. *List of Endangered and Threatened Species That May Occur in or be Affected by Projects in the Mt. Shasta City, California USGS Quadrangle*. Available at http://www.fws.gov/sacramento/ES_Species/Lists/es_species_lists-form.cfm. Last updated on September 18, 2011. Accessed on February 27, 2013.

TABLE 1. PRELIMINARY REVIEW OF SPECIAL-STATUS PLANT SPECIES WITH POTENTIAL TO OCCUR IN THE MT. SHASTA SEWER PROJECT AREA

| Species | Federal/State/CNPS RPR Status | Habitat Suitability |
|---|-------------------------------|--|
| <i>Epilobium oregonum</i> Oregon fireweed | --/--/1B | Several historic (1914) records of the plant within 5 miles of the project area. The wetland area south of Hatchery Lane provides suitable habitat for this species. Prefers wet, gently sloping stream banks, meadows, and bogs from 500 to 7,800 feet in the Klamath Range. Blooms June-August (CNPS 2013). |
| <i>Geum aleppicum</i> Aleppo avens | --/--/2 | Several records of the species within 5 miles. The wetland area south of Hatchery Lane provides suitable habitat for this species. Great Basin scrub, lower montane coniferous forest, meadows and seeps from 1,350-4,500 feet. Blooms June-August (CNPS 2013). |
| <i>Ophioglossum pusillum</i> Northern adder's tongue | --/--/2 | One historic (1894) record of the species within 5 miles. The wetland area south of Hatchery Lane provides suitable habitat for this species. Marshes and swamp margins, valley foothill grassland at 3,000 to 6,000 feet. Blooms July (CNPS 2013). |
| <i>Scutellaria galericulata</i> Marsh skullcap | --/--/2 | One historic (1894) record of the species within 5 miles. The wetland area south of Hatchery Lane provides suitable habitat for this species. Lower montane coniferous forests, meadows and seeps (mesic) and marshes and swamps from 0 to 6,000 feet. Blooms June-September (CNPS 2013). |

NOTES:

FED = Federal

ST = State

Federal & State Codes:

E = Endangered; T = Threatened; R = Rare; SC = Species of Concern

CNPS = California Native Plant Society

CNPS RPR Codes:

List 1B = Rare, Threatened or Endangered in CA and Elsewhere;

List 2 = Rare, Threatened or Endangered in CA, but more common elsewhere;

List 3 = More information is needed -- a review list

TABLE 2. PRELIMINARY REVIEW OF SPECIAL-STATUS WILDLIFE SPECIES WITH POTENTIAL TO OCCUR IN THE MT. SHASTA SEWER PROJECT AREA

| Common Name/Scientific Name | Federal/State Status ² | Habitat Suitability |
|--|-----------------------------------|--|
| Amphibians | | |
| <i>Rana boylei</i> Foothill yellow-legged frog | --/CSC | Numerous CNDDDB records of occurrence from the project vicinity. Stream features found within the project area are suitable to support this species. Frequents shallow, slow, gravelly streams and rivers with sunny banks in forests, chaparral, and woodlands from sea level to 6,700 ft. |
| <i>Rana cascadae</i> Cascades frog | --/CSC | Numerous CNDDDB records of occurrence from the project vicinity. Stream features found within the project area are suitable to support this species. Requires montane aquatic habitats (lakes, ponds, small streams) in open coniferous forests at elevations between 750 and 7,500 feet (CDFG 1988). |
| Reptiles | | |
| <i>Clemmys marmorata marmorata</i> Northwestern pond turtle | --/CSC | Only one CNDDDB record from the project vicinity, but the species is known to occur within the project area. Ponds or other aquatic features within the wetland south of Hatchery Lane are suitable to support this species. Associated with permanent or nearly permanent water habitats such as wetlands, ponds, marshes, lakes, streams, irrigation ditches and vernal pools to 6,000 feet in elevation (CDFG 1988). Prefers aquatic habitats that usually have adequate vegetative cover. Breeding usually occurs in April and May. |
| Birds | | |
| <i>Dendroica petechia</i> Yellow warbler | --/CSC | Willow and other shrubs within the project area are suitable to support this species. Occurs as a summer resident in northern California. Nests in dense riparian deciduous habitats with cottonwoods, willows, alders, and other small trees and shrubs. |
| <i>Empidonax traillii</i> Willow flycatcher | --/E | All occurrences within the project vicinity occur in the McCloud River drainage near the community of McCloud. However, the wetland habitat south of Hatchery Lane is suitable to support this species. Inhabits extensive thickets of low, dense willows in or near open water (CDFG 1990a). The nearest current records of nesting are along Pig Creek and Squaw Valley Creek south of McCloud (CNDDDB 2013). |
| <i>Grus canadensis tabida</i> Greater sandhill crane | --/T, CA | Known to nest in wet meadows within the project vicinity, the large wetland feature south of Hatchery Lane is suitable to support this species. Nests and forages in open short grass plains and open wet meadow habitat. Known to breed in the Shasta Valley and Tule Lake regions of Siskiyou County. |

TABLE 2. PRELIMINARY REVIEW OF SPECIAL-STATUS WILDLIFE SPECIES WITH POTENTIAL TO OCCUR IN THE MT. SHASTA SEWER PROJECT AREA

| Common Name/Scientific Name | Federal/State Status ^a | Habitat Suitability |
|---|-----------------------------------|---|
| <i>Haliaeetus leucocephalus</i> Bald eagle | D/E, CA | Known nests occur along the Sacramento River and Lake Siskiyou but nesting habitat is absent from the project area. Nests and forages in proximity to lakes and large rivers. Preys on fish, waterfowl and other birds, small mammals, and carrion (CDFG 1990a). Commonly observed over Lake Siskiyou. |
| Mammals | | |
| <i>Martes pennanti</i> Pacific fisher | C/CSC | Many CNDDDB records document presence of this species throughout the project vicinity. Forages in old-growth forests or mixed stands of old-growth and mature trees. May use riparian corridors for movement (CDFG, 1990b). |

Definitions:

^a C = Candidate D = Delisted E = Endangered T = Threatened CSC = California Species of Special Concern



North State Resources, Inc.

March 5, 2013

Keith McKinley
City Planner
City of Mount Shasta Planning Department
305 N. Mt. Shasta Boulevard
Mt. Shasta, CA 96067

**SUBJECT: EDA Grant Preparation Assistance for the Mount Shasta Sewer Replacement Project,
City of Mount Shasta, Siskiyou County, California (NSR Project #28152)**

Dear Mr. McKinley -

In support of the Economic Development Agency (EDA) grant application being prepared by the City, North State Resources, Inc. (NSR) conducted a preliminary cultural resources review conducted for the Mount Shasta Sewer Replacement Project (Project). The purpose of this letter is to provide information for the EDA Environmental Narrative that will be included with the grant application. This letter summarizes the research efforts conducted by NSR to determine the potential for cultural resources to occur within the Project Area. In addition, this letter also provides strategies for avoiding resources present in the project area. The project would include the replacement of an approximately 9,000 foot long segment of sewer pipeline and portions of the existing treatment plant facility. The project is located in Sections 16 and 21 of Township 40 North, Range 4 West of the *City of Mount Shasta, California 7.5-minute topographic map (Figure 1)*.

Results of Background Research

NSR conducted a records search (W13-31) at the Northeast Information Center (NEIC) on February 28, 2012. The search included the cultural resource records and survey reports as well the lists of resources on the National Register of Historic Places (NRHP), the California Historical Landmarks listing, the California Register of Historical Resources (CRHR), and the California Points of Historical Interest. Seven cultural resources surveys have been conducted within 0.25 miles the undertaking (Table 1). Four cultural resources have been recorded within 0.25 miles of the undertaking (Table 2). The resources documented in the search radius include one prehistoric site and four historic-era sites. No resources listed on the National Register or any of the California lists are located in or within 0.25 miles of the project. Although no surveys have been conducted within the Project area, and no cultural resources have been identified in the Project area, the previous surveys indicate that there is a moderate probability for cultural resources, both prehistoric and historic-era, to be present.

Table 1: Surveys Previously Conducted near the Project

| Date | Author | Title | NEIC Study # |
|-------|-------------------------------------|---|--------------|
| 1980 | Anthropological Resource Management | Archaeological Reconnaissance of the Proposed Shasta Holiday Development Siskiyou County, California | SI-L-10 |
| 1985 | Manning, James | Archaeological Survey of the C.D.M.S., Inc. Site, City of Mount Shasta, Siskiyou County, California | SI-L-374 |
| 1992a | Elliot, Daniel | Archaeological Survey for the Proposed Dal Gallo Subdivision and Conversion Plan, Mount Shasta, Siskiyou County, California | 3946a |
| 1992b | Elliot, Daniel | Dal Gallo Timber Harvest Plan | 3946b |
| 1994 | Berryman, Ron | Dal Gallo-Cheek Timber Harvest Plan | 3946c |
| 1998 | Osterhoudt, Donald | Gemini Timber Harvest Plan | 2884 |
| 2004 | Jensen, Peter | Roseburg Infrastructure Improvement Project, Mt. Shasta, Siskiyou County, California | 7167 |
| 2004 | Dalu, Chris | Cultural Resources Inventory Survey for the Proposed Radio Antenna Relocation and Wetland Creation Project, City of Mount Shasta, Siskiyou County, California | 5997 |
| 2006 | SWCA Environmental Consultants | Cultural Resources Final Report of Monitoring and Findings for the Qwest Network Construction Project, State of California | 7362 |

Table 2: Known Cultural Resource Sites near the Project

| Site Number | Type | Distance from Project |
|-------------|--------------|-----------------------|
| CA-SIS-4095 | Prehistoric | 0.07 miles |
| CA-SIS-3889 | Historic-Era | 0.20 miles |
| CA-SIS-3888 | Historic-Era | 0.08 miles |
| CA-SIS-2558 | Historic-Era | 0.25 miles |
| CA-SIS-2446 | Historic-Era | 0.18 miles |

Strategies for Avoiding Resources

Adverse effects, including the damage to or destruction of cultural resources can be avoided through a number of strategies. These can include conducting an archaeological survey, monitoring of known sites and potentially sensitive areas, and coordination with various agencies:

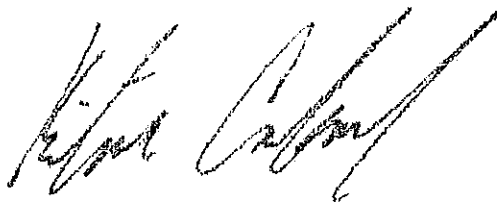
A cultural resources inventory including further archival research and a field survey is the best strategy for identifying and ultimately avoiding adverse effects on cultural resources. Knowledge of resource locations allows project designers the ability to avoid or minimize effects to cultural resources prior to construction. If a cultural resources inventory identifies areas of high probability for buried cultural resources or identifies potentially significant (per NRHP/CRHR criteria) resources, the presence of an archaeological monitor during construction/excavation activities is recommended. Monitoring allows the archaeologist to identify buried resources and provide appropriate avoidance and mitigation measures.

If previously unknown cultural resources are discovered during project activities, all work in the immediate vicinity of the discovery shall be stopped immediately and the contractor shall notify the City of Mount Shasta. An archaeologist meeting the Secretary of Interior's Professional Qualifications Standards shall be retained to evaluate the discovery and recommend appropriate conservation measures. The conservation measures will be implemented prior to re-initiation of ground-disturbing activities in the vicinity of the discovery.

If human remains are discovered during project activities, all activities in the vicinity of the find will be stopped and the Siskiyou County Sheriff-Coroner's Office shall be notified. If the coroner determines that the remains may be those of a Native American, the coroner will contact the Native American Heritage Commission (NAHC). Treatment of the remains shall be conducted in accordance with further direction of the County Coroner or the NAHC, as appropriate.

The information contained in this letter is sensitive regarding the nature and location of historic properties that should not be disclosed to the general public or unauthorized persons. Historic properties information is exempt from disclosure to the general public under the California Public Records Act Chapter 6254.10 and Section 304 of the National Historic Preservation Act. Please do not hesitate to contact me at (530) 345-4552, ext. 202, if you wish to discuss the results of the background research or NSR's recommended avoidance and mitigation measures.

Sincerely,



Kristina Crawford, M.A., RPA
Archaeologist



CITY OF MT. SHASTA

305 North Mt. Shasta Boulevard
Mt. Shasta, California 96067
(530) 926-7510 • Telephone
(530) 926-0339 • Fax

March 12, 2013

Erin Williams,
Field Supervisor
U.S. Fish and Wildlife Service
1829 S. Oregon Street
Yreka, CA 96097

U.S. Fish and Wildlife Service
Pacific Southwest Region 8
2800 Cottage Way #W2928
Sacramento, CA 95814

RE: Endangered Species Act Section 7 Consultation for proposed EDA grant assistance to construct Mt. Shasta Wastewater System Upgrade

Dear Ms,

The City of Mt. Shasta has made application for grant funding to the U.S. Department of Commerce, Economic Development Administration (EDA) to construct the Mt. Shasta Wastewater System Upgrade project. The EDA designates the City of MT. Shasta as EDA's non-federal representative for the purpose of consultation with the U.S. Fish and Wildlife Service (FWS) under 50 CFR Sec.402.08.

The project involves upgrade an existing 12" main sewer interceptor line to 18" to 30" sewer interceptor line, replacing approximately 6,000 to 7,000 feet of line and associated manholes, located in Sections 16 and 21 of Township 40N Range 4W in Siskiyou County, California. The project will take place within the existing 20' wide easements and right of way and will entail trenching and laying of new parallel pipe. The project will require boring and jacking under the Interstate 5 Freeway where an existing crossing already exists. The project will cross the alignment of Cold Creek and at least two delineated wetlands areas. The project area was previously disturbed in the 1970's when the current line was installed. One of the wetlands area is used as pasture land and one of the areas has been reclaimed and/or enhanced as a wetlands mitigation bank. The project also proposes to create two new ponds with earthen dikes and associated headworks facilities at the existing wastewater treatment facility located in Section 28 T40N R4W. The project will entail excavation and compaction of material to create the ponds and concrete work and associated piping for the headworks and connecting the ponds to the existing facility.

The project area is located in the above referenced sections at approximately between 41°18'N, 122°19'W and 41°17'N, 122°18'W for the interceptor line and at approximately 41°16'N, 122°19'W for the ponds. National Wetlands Inventory maps with the project location are attached.

No state or federally listed plants species are likely to occur in the project area. There are four special status plant species with potential to occur in the Project area which are California Native Plant Society (CNPS) RPR 1b and 2-ranked species. The following RPR plant species occur in wetland habitat types, and might be affected by the Project: *Epilobium oreganum*-Oregon fireweed; *Geum aleppicum* -Aleppo avens; *Ophioglossum pusillum*-Northern adder's tongue; and *Scutellaria galericulata*-Marsh skullcap.

No federally listed wildlife species have the potential to occur within the Project area. One federal candidate for listing, the Pacific fisher has the potential to occur. Three state-listed species have potential to occur: willow flycatcher, greater sandhill crane and bald eagle. California species of special concern which may occur within the Project area are foothill yellow-legged frog, Cascades frog, northwestern pond turtle, and yellow warbler.

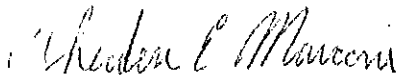
There would be no permanent direct impacts from the project on any listed species or any candidate or special status species. The project area does not support typical denning features, but may be utilized by Pacific fishers during foraging. Recommendations for timing would result in late summer/fall construction and there should be no immobile young fishers or nesting birds at that time. If special status plants are identified during a pre-construction survey, their locations will be mapped and avoided or if unavoidable appropriate conservation measures will be implemented.

Based on the above information, a determination of "may affect, but is not likely to adversely affect" has been made for this project.

We respectfully ask for your concurrence on these findings and determination. If further information is required, please contact me at (530) 926-7510, or cityofms@nctv.com.

Thank you very much for your assistance with this project

Sincerely,



Theodore E. Marconi,
City Manager
City of Mt. Shasta

encl

cc EDA Project Officer

**U.S. ARMY CORPS OF ENGINEERS
APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
33 CFR 325. The proponent agency is CECW-CO-R.**

OMB APPROVAL NO. 0710-0003
EXPIRES: 28 FEBRUARY 2013

Public reporting for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

| | | | |
|--------------------|----------------------|------------------|------------------------------|
| 1. APPLICATION NO. | 2. FIELD OFFICE CODE | 3. DATE RECEIVED | 4. DATE APPLICATION COMPLETE |
|--------------------|----------------------|------------------|------------------------------|

(ITEMS BELOW TO BE FILLED BY APPLICANT)

| | | | | | |
|---|--|--|--|--|--|
| 5. APPLICANT'S NAME First - Middle - Last - Company - City of Mt. Shasta E-mail Address - cityofms@nctv.com | | | 8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Theodore Middle - E. Last - Marconi Company - City Manager, City of Mt. Shasta E-mail Address - marconi@ci.mt-shasta.ca.us | | |
| 6. APPLICANT'S ADDRESS: Address- 305 N. Mt. Shasta Blvd. City - Mount Shasta State - CA Zip - 96067 Country - USA | | | 9. AGENT'S ADDRESS: Address- SAME City - State - Zip - Country - | | |
| 7. APPLICANT'S PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax (530) 926-7510 (530) 926-0339 | | | 10. AGENT'S PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax SAME | | |

STATEMENT OF AUTHORIZATION

11. I hereby authorize, Theodore E. Marconi to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

SIGNATURE OF APPLICANT DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

| | | | |
|---|--|---|------------------------------------|
| 12. PROJECT NAME OR TITLE (see instructions) Mt. Shasta Wastewater System Upgrade | | | |
| 13. NAME OF WATERBODY, IF KNOWN (if applicable) Cold Creek tributary to Sacramento River | | 14. PROJECT STREET ADDRESS (if applicable) Address N/A | |
| 15. LOCATION OF PROJECT Latitude: +N 41deg 18min Longituda: -W 122deg 19min | | City - | State - Zip - |
| 16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID Multiple Municipality City of Mt. Shasta Section - 16, 21, and 28 Township - 40N Range - 4W | | | |

17. DIRECTIONS TO THE SITE

Interstate 5 to Central Mt. Shasta/Lake Street offramp. West on Hatchery Lane to beginning of line at Jessie Street. Then continue west on Hatchery Lane to South Old Stage Road. South along South Old Stage Road which approximately parallels alignment. For Wastewater Treatment Plant continue south on South Old Stage Road to Siskiyou Lake Boulevard. Right on Boulevard, Left on Christian Way, Right on Grant Road approximately 1 mile to Plant.

18. Nature of Activity (Description of project, include all features)

Trench and recover to install 18 to 30 inch diameter wastewater sewer pipe in 20 foot easement parallel to existing 12 inch diameter pipe. Abandon in place existing pipe. Pipeline alignment will cross Cold Creek and associated wetlands. Pipeline also crosses Interstate 5, South Old Stage Road, and Ream Avenue right of ways. Excavate and build two approximately 4 million gallon earthen dike wastewater lagoons at existing treatment plant and associated headworks and piping facilities.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

Project is necessary to upgrade existing sewer transmission lines to accommodate future growth and the reopening of a water bottling facility.

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

Spoils will be created and need to be removed to avoid elevating the terrain in the wetlands and roadways. There will be no permanent discharge of materials in the wetlands. The same excavated native soils will be used as backfill except for sand backfill to protect the pipe and the volume displaced by pipe installation. All excess material will be removed from the wetlands areas.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

| Type Amount in Cubic Yards | Type Amount in Cubic Yards | Type Amount in Cubic Yards |
|-------------------------------|-------------------------------|-------------------------------|
| Excavation spoils - 2000 cy | | |

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres
or

Linear Feet Approximately 4000 feet of trench bedding and backfill. No net increase in filled uplands will remain on project completion.

23. Description of Avoidance, Minimization, and Compensation (see instructions)

Wetlands area topsoils will be retained and replaced, trench cutoffs will be installed at the wetlands limits, and baffles will be placed in bedding materials to prevent new channelization, and vegetation will be replanted to restore wetlands areas to original conditions.

24. Is Any Portion of the Work Already Complete? Yes No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address- Douglas Merrill, P.O. Box 219, S Old Stage Road

City - Mount Shasta State - CA Zip - 96067

b. Address- James Nile, 825 W. Ream Avenue

City - Mount Shasta State - CA Zip - 96067

c. Address- Mount Shasta Resort, 1000 Siskiyou Lake Blvd.

City - Mount Shasta State - CA Zip - 96067

d. Address- Pacific Power, P.O. Box 400, S Old Stage Road

City - Portland State - OR Zip - 97207

e. Address-

City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

| AGENCY | TYPE APPROVAL* | IDENTIFICATION NUMBER | DATE APPLIED | DATE APPROVED | DATE DENIED |
|-----------------|----------------|-----------------------|--------------|---------------|-------------|
| Siskiyou County | Encroachment | Pending | | | |
| CalTrans | Encroachment | Pending | | | |
| | | | | | |
| | | | | | |

* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

Richard E. Marconi
SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

Parker, Brian

From: Ted Marconi <TMarconi@ci.mt-shasta.ca.us>
Sent: Tuesday, March 19, 2013 2:30 PM
To: Mary S Fitzgerald
Cc: Brian A Parker
Subject: Mt. Shasta Application
Attachments: EDA Bio & Cult Assess Ltrs NSR.pdf

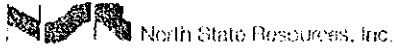
Ms. Fitzgerald,

Here are the consult letters from our natural resources folks. If you send me the SHPO template I will get that letter ready to go, but hold on to it until I hear from you.

I gave you all of the tribal contacts associated with the area; but I think the main ones are the Winnemem Wintu, the Pit River Tribe, and the Shasta Nation, with the Karuk, the Modoc, and the Klamath as secondary.

Again I apologize for our people getting the politicians involved.

Ted Marconi
City Manager
City of Mt. Shasta
530) 926-7519
fax (530) 926-0339
marconi@ci.mt-shasta.ca.us



March 6, 2013

Keith McKinley
City Planner
City of Mount Shasta Planning Department
305 N. Mt. Shasta Boulevard
Mt. Shasta, CA 96067

Subject: EDA Grant Preparation Assistance for the Mount Shasta Sewer Replacement Project, City of Mount Shasta, Siskiyou County, California (NSR Project #28152)

Dear Mr. McKinley:

In support of the Economic Development Agency (EDA) grant application being prepared by the City, North State Resources, Inc. (NSR) conducted a preliminary biological review conducted within the Mount Shasta Sewer Replacement Project (Project) Area. The purpose of this letter is to provide information for the EDA Environmental Narrative that will be included with the grant application. This letter describes the plant communities present, the special-status plants and animals that may occur within those communities, and strategies for avoiding sensitive biological resources present in the project area. The project would include the replacement of an approximately 9,000 foot long segment of sewer pipeline and portions of the existing treatment plant facility. The project is located in Sections 16 and 21 of Township 40 North, Range 4 West of the *City of Mount Shasta, California* 7.5-minute topographic map.

Methods

On March 1, 2013, Julian Colescott (NSR biologist) drove the alignment with City of Mt. Shasta staff, stopping periodically to view the proposed alignment. Notes on vegetation communities and wetland types within the alignment were recorded. These field notes were then compared to the habitat requirements of special-status plant and wildlife species known to occur in the region to develop a preliminary list of special-status plants and wildlife that could occur within the alignment.

For the purpose of this evaluation, special-status plant species include plants that are (1) listed as threatened or endangered under California Endangered Species Act (CESA) or federal Endangered Species Act (ESA); (2) designated as rare by the California Department of Fish and Wildlife (CDFW); (3) state or federal candidate or proposed species for listing as threatened or endangered; and/or (4) have a California Rare Plant Rank (RPR) 1A, 1B, or 2.

Special-status wildlife include species that are (1) listed as threatened or endangered under the CESA or ESA; (2) proposed or petitioned for federal listing as threatened or endangered; and/or (3) state or federal candidates for listing as threatened or endangered. Other special-status wildlife species are identified by the CDFW as Species of Special Concern or California Fully Protected Species.

The California Natural Diversity Database (CNDDDB) was reviewed for records of special-status plants and wildlife on the *Mt. Shasta City, California* USGS 7.5-minute quadrangle, and all adjacent quadrangles (California Department of Fish and Wildlife 2013). The CNDDDB is a database consisting of historical observations of special-status plant species, wildlife species, and natural plant communities. Because the CNDDDB is limited to reported sightings, it is not a comprehensive list of plant species that may occur in a particular area. However, it is useful in refining the list of special-status plant and wildlife species that have the potential to occur on the site. A list of the CNDDDB occurrences for the 9-quadrangle area surrounding the project area is available upon request.

A database search was performed using the CNPS *Electronic Inventory*, which allows users to query the *Inventory of Rare and Endangered Plants of California* using a set of search criteria (e.g., county, habitat type, elevation). The search was performed using the *Mt. Shasta City, California* USGS 7.5-minute quadrangle and all adjacent quadrangles (California Native Plant Society 2013). The *Inventory of Rare and Endangered Plants of California* can produce a comprehensive list of plant species depending on search criteria that may occur in a particular area. It is a very useful tool in determining the list of special-status plant species that have the potential to occur on the site. The CNPS query results for the 9-quadrangle area surrounding the project area is available upon request.

The U.S. Fish and Wildlife Service (USFWS) maintains a database that lists federal endangered, threatened, and candidate species for each USGS quadrangle or county within the jurisdiction of the Sacramento Fish and Wildlife Office. The database was queried and all plant and animal species within the range of the study area were reviewed for this analysis (U.S. Fish and Wildlife Service 2012). The USFWS list is available upon request.

The following information sources were also referenced to determine special-status plant and animal species and/or other special habitats having the potential to occur in the study area.

- *Mt. Shasta City California* USGS 7.5 minute topographic quadrangle map;
- Aerial photography of the Project area and vicinity;
- Pertinent literatures including: The Jepson Manual, Vascular Plants of California (Baldwin et al. 2012), the California's Wildlife series volumes I, II and III (Zeiner et al. 1988; Zeiner et al. 1990a; Zeiner et al. 1990b), Mt. Shasta General Plan Environmental Impact Statement (Biological Resources Section) (Pacific Municipal Consultants 2005), and other relevant literature.

Based on the results of the March 1, 2013 field visit and interpretation of the CNDDDB, CNPS, and USFWS query results, preliminary lists of special-status plant species (Table 1 attached) and special-status wildlife (Table 2) with the potential to occur on the site were developed.

Results/Discussion

Land uses within the Project alignment include open space, rural residential, small farms, and urban (sewer plant, roads and highways). The Project alignment would traverse several different plant community types including wet meadow, pasture, and mixed chaparral. It also crosses Interstate Highway 5 and several other area streets. Dominant plants observed during the "drive by" survey and other descriptive information from each land use type include the following:

- Rural residential, small farms - The rural residential areas include widely spaced homes with large lots and scattered small farmsteads. The lots are landscaped or left in a natural form, and the small farms largely consist of open pastures with scattered outbuildings. Dominant plants observed include: black oak (*Quercus kelloggii*), Russian olive (*Elaeagnus angustifolia*), black locust (*Robinia pseudoacacia*), ponderosa pine (*Pinus ponderosa*), willow (*Salix* sp.) shrub and tree forms, Himalayan blackberry (*Rubus artemisiifolius*), Scotchbroom (*Cytisus scoparius*), sweet pea (*Lathyrus latifolius*), and orchard grass (*Dactylis glomerata*).
- Open space - The large wetland area located near the northern end of the sewer pipe alignment, south of Hatchery Lane is a complex of wetlands with small streams, old ditches, and ponds, as well as pockets of fresh emergent wetland and seasonal wetlands. This wet meadow was originally set aside as a wetland mitigation area for the development of the Mt. Shasta Shopping Center. The dominant vegetation observed includes willow shrubs, cattail (*Typha latifolia*), common tule (*Schoenoplectus acutus*), wetland grasses [e.g., spreading bent grass (*Agrostis stolonifera*)], sedges (*Carex* sp.), and rushes [e.g., Baltic rush (*Juncus balticus*)].
- Urban - The wastewater treatment plant occurs in an area directly south of the Mt. Shasta Resort golf course, in an area dominated by greenleaf manzanita (*Arctostaphylos patula*), young ponderosa pine, incense cedar (*Calocedrus decurrens*), bitter cherry (*Prunus emarginata*), scattered willow shrubs, young black oak, and various upland herbaceous species. The existing treatment ponds support fringe wetland vegetation and a host of waterfowl (e.g., ducks and grebes). The site is approximately 0.1 mile from the Sacramento River canyon ("Box Canyon").

Interstate Highway 5 is a four-lane freeway, with an on-ramp in the north-bound lanes, and an off-ramp on the south-bound lanes. Roadside ditches occur on both sides of the freeway and supported flowing water during the March 1, 2013 site visit. Wetland vegetation including willows, sedges and wetland grasses were observed in the ditch features.

Botanical. No state or federally listed plants species are likely to occur in the project area. The four special-status plant species with potential to occur on the Project area are CNPS RPR 1b and 2-ranked species. Species designated as RPR Lists 1B or 2 are not protected under the federal or state Endangered Species Acts, but they are commonly considered by lead agencies under the California Environmental Quality Act (CEQA) review process. The RPR plant species identified in Table 1 occur in wetland habitat types, and could be affected by the Project. Measures recommended to protect special-status plants include:

- Conduct a botanical survey of the wetland portions of the Project alignment to locate any special-status plants. If no plants occur, then additional measures will not be necessary. If special status plants are observed, their locations shall be mapped and avoided during project implementation. If complete avoidance is not possible, then the project proponent (City of Mt. Shasta) shall consult with the CDFW to determine appropriate conservation measures. Such measures may include collecting seeds for propagation and planting, or transplanting individual plants to safe, suitable areas in the immediate vicinity.

Wildlife. No federally listed wildlife species have the potential to occur within the Project area. One federal candidate for listing (Pacific fisher) has the potential to occur. Three state-listed species have potential to occur (willow flycatcher, greater sandhill crane and bald eagle). Several California species of special concern may occur within the Project area (foothill yellow-legged frog, Cascades frog, northwestern pond turtle, and yellow warbler).

Pacific fisher is a widely distributed mammal that occurs throughout the Sierra Nevada, Cascades and California Coast Ranges. Pacific fisher is a highly mobile species with a large home range. Fishers den in large trees, snags, logs, rock areas or slash piles, and they may occur in areas impacted by humans (e.g., small towns, farms) in search of food. They may traverse wetland areas, or utilize stream corridors as travel routes. The project area does not support typical denning features, but may be utilized by Pacific fishers during foraging. Recommendations provided below for birds would result in late summer/fall construction, which would correspond to the time when no immobile young are present. All juvenile and adult fishers would flee from the construction and would not likely be affected by the project.

Willow flycatcher, greater sandhill crane and bald eagle are state-listed birds that may be present in the vicinity of the project. Yellow warbler is a California species of special concern that may also nest in the area. Willow flycatchers and yellow warblers nest in willow shrubs in mosaic wetland/stream complexes. Greater sandhill cranes nest in large wetland areas, and bald eagles nest in large snags typically near large streams or lakes. Both the willow flycatcher and sandhill cranes may nest in the large wetland south of Hatchery Lane. Bald eagles may nest along the Box Canyon near the wastewater treatment plant. The following measures are recommended to protect nesting special-status birds:

- Construction shall occur outside of the typical nesting period of the bird species with potential to occur. The typical nesting period for these species in Siskiyou County is from March 1 to September 30. Construction outside of these dates would not affect the species. If construction must occur within the nesting period, then preconstruction surveys for the species shall be conducted. If nesting special-status birds are observed, then, in consultation with the CDFW, a buffer of 100 feet to one-quarter mile (depending on the species) shall be established around the nest to avoid impacting the species. The nests shall be monitored by a qualified biologist and once the young have fledged the protective buffer shall be eliminated and work within the area can proceed.

Foothill yellow-legged frog, Cascades frog, northwestern pond turtle may occur in the aquatic features (ponds, creeks and flowing ditches) within the project area. Unlike birds, there is no season within which construction could occur to eliminate the potential to affect these species. Adult frogs and turtles, and potentially turtle nests may still be present during the late summer/fall construction period. Therefore, the following measures are recommended to protect special-status amphibians and reptiles:

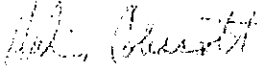
- Preconstruction surveys are recommended within two weeks of the start of construction in any aquatic areas that may be affected by the Project. If adult frogs, turtles, or turtle nests are observed, then the CDFW would be contacted to determine the best approach to minimize adverse affects to the species. Typical measures include allowing the turtle or frog to move from the impact area, or relocating a turtle nest.

Waters of the United States. Waters of the United States ("waters") are present in the Project area. Features observed include the large wet meadow complex (streams and wetlands), and roadside ditches. Prior to implementation of the project, all "waters" shall be mapped according to the U.S. Army Corps of Engineers (Corps) standards. The "wetland delineation" shall be submitted to the Corps for verification. Impacts to "waters" are likely due to the trenching required to construct the project. Prior to construction, the appropriate Clean Water Act Sections 401 and 404 permits shall be obtained authorizing the project. Adequate mitigation is required as a permit condition. Likely, the project would have to restore the temporary effects of the construction by recontouring the impacted area to pre-existing contours, replacing the top soil, and replanting the alignment with native wetland plant species.

Because the wetland south of Hatchery Lane was created as mitigation for a past development, the City of Mt. Shasta will also have to research whether the Corps, or any other regulatory agency, placed restrictions (e.g., deed restriction, conservation easement) upon the area as a condition of its use as a mitigation area.

If you have any questions about this report, please contact me by telephone at 530/926-3595 ext. 201, or by email at colescott@nsrnet.com.

Sincerely,
NORTH STATE RESOURCES, INC.



Julian Colescott
Project Manager

References

- Baldwin, Bruce et al. eds. 2012. *The Jepson Manual: Vascular Plants of California*, Second Edition. University of California Press. Berkeley, California. 1600 pp.
- California Department of Fish and Game. 1988. *California's Wildlife, Volume I: Amphibians and Reptiles*. California Statewide Wildlife Habitat Relationships System. Editors David C. Zeiner, William F. Laudenslayer, Jr., Kenneth E. Mayer, and Marshall White.
- California Department of Fish and Game. 1990a. *California's Wildlife, Volume II: Birds*. California Statewide Wildlife Habitat Relationships System. Editors: David C. Zeiner, William F. Laudenslayer, Jr., Kenneth E. Mayer, and Marshall White.
- California Department of Fish and Game. 1990b. *California's Wildlife, Volume III: Mammals*. California Statewide Wildlife Habitat Relationships System. Editors: David C. Zeiner, William F. Laudenslayer, Jr., Kenneth E. Mayer, and Marshall White.
- California Department of Fish and Wildlife. 2013. *Rarefind 4: California Natural Diversity Database (CNDDB)*. Available at <http://www.dfg.ca.gov/biogeodata/cnddb/>. Last updated in 2012. Accessed on February 27, 2013.
- California Native Plant Society. 2013. *Inventory of Rare and Endangered Vascular Plants of California*. (v7-13 Feb 02-07-13) [web site]. California Native Plant Society. Sacramento, California. Accessed February 27, 2013. [Available from <http://cnps.site.aplus.net/cgi-bin/inv/inventory.cgi>].
- Pacific Municipal Consultants. 2005. *City of Mt. Shasta General Plan update Environmental Impact Report*. Pacific Municipal Consultants. Mt. Shasta, California.
- U.S. Fish and Wildlife Service. 2012. *List of Endangered and Threatened Species That May Occur in or be Affected by Projects in the Mt. Shasta City, California USGS Quadrangle*. Available at http://www.fws.gov/sacramento/ES_Species/Lists/es_species_lists-form.cfm. Last updated on September 18, 2011. Accessed on February 27, 2013.

TABLE 1. PRELIMINARY REVIEW OF SPECIAL-STATUS PLANT SPECIES WITH POTENTIAL TO OCCUR IN THE MT. SHASTA SEWER PROJECT AREA

| Species | Federal/State/CNPS RPR Status | Habitat Suitability |
|---|-------------------------------|--|
| <i>Epilobium oregonum</i> Oregon fireweed | --/--/1B | Several historic (1914) records of the plant within 5 miles of the project area. The wetland area south of Hatchery Lane provides suitable habitat for this species. Prefers wet, gently sloping stream banks, meadows, and bogs from 500 to 7,800 feet in the Klamath Range. Blooms June-August (CNPS 2013). |
| <i>Geum aleppicum</i> Aleppo avens | --/--/2 | Several records of the species within 5 miles. The wetland area south of Hatchery Lane provides suitable habitat for this species. Great Basin scrub, lower montane coniferous forest, meadows and seeps from 1,350-4,500 feet. Blooms June-August (CNPS 2013). |
| <i>Ophioglossum pusillum</i> Northern adder's tongue | --/--/2 | One historic (1894) record of the species within 5 miles. The wetland area south of Hatchery Lane provides suitable habitat for this species. Marshes and swamp margins, valley foothill grassland at 3,000 to 6,000 feet. Blooms July (CNPS 2013). |
| <i>Scutellaria galericulata</i> Marsh skullcap | --/--/2 | One historic (1894) record of the species within 5 miles. The wetland area south of Hatchery Lane provides suitable habitat for this species. Lower montane coniferous forests, meadows and seeps (mesic) and marshes and swamps from 0 to 6,000 feet. Blooms June-September (CNPS 2013). |

NOTES:

FED = Federal

ST = State

Federal & State Codes:

E = Endangered; T = Threatened; R = Rare; SC = Species of Concern

CNPS = California Native Plant Society

CNPS RPR Codes:

List 1B = Rare, Threatened or Endangered in CA and Elsewhere;

List 2 = Rare, Threatened or Endangered in CA, but more common elsewhere;

List 3 = More information is needed - a review list

TABLE 2. PRELIMINARY REVIEW OF SPECIAL-STATUS WILDLIFE SPECIES WITH POTENTIAL TO OCCUR IN THE MT. SHASTA SEWER PROJECT AREA

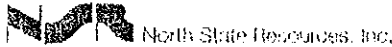
| Common Name/Scientific Name | Federal/State Status* | Habitat Suitability |
|--|-----------------------|--|
| Amphibians | | |
| <i>Rana boylei</i> Foothill yellow-legged frog | --/CSC | Numerous CNDDDB records of occurrence from the project vicinity. Stream features found within the project area are suitable to support this species. Frequents shallow, slow, gravelly streams and rivers with sunny banks in forests, chaparral, and woodlands from sea level to 6,700 ft. |
| <i>Rana cascadae</i> Cascades frog | --/CSC | Numerous CNDDDB records of occurrence from the project vicinity. Stream features found within the project area are suitable to support this species. Requires montane aquatic habitats (lakes, ponds, small streams) in open coniferous forests at elevations between 750 and 7,500 feet (CDFG 1988). |
| Reptiles | | |
| <i>Clemmys marmorata marmorata</i> Northwestern pond turtle | --/CSC | Only one CNDDDB record from the project vicinity, but the species is known to occur within the project area. Ponds or other aquatic features within the wetland south of Hatchery Lane are suitable to support this species. Associated with permanent or nearly permanent water habitats such as wetlands, ponds, marshes, lakes, streams, irrigation ditches and vernal pools to 6,000 feet in elevation (CDFG 1988). Prefers aquatic habitats that usually have adequate vegetative cover. Breeding usually occurs in April and May. |
| Birds | | |
| <i>Dendroica petechia</i> Yellow warbler | --/CSC | Willow and other shrubs within the project area are suitable to support this species. Occurs as a summer resident in northern California. Nests in dense riparian deciduous habitats with cottonwoods, willows, alders, and other small trees and shrubs. |
| <i>Empidonax traillii</i> Willow flycatcher | --/E | All occurrences within the project vicinity occur in the McCloud River drainage near the community of McCloud. However, the wetland habitat south of Hatchery Lane is suitable to support this species. Inhabits extensive thickets of low, dense willows in or near open water (CDFG 1990a). The nearest current records of nesting are along Pig Creek and Squaw Valley Creek south of McCloud (CNDDDB 2013). |
| <i>Grus canadensis tabida</i> Greater sandhill crane | --/T, CA | Known to nest in wet meadows within the project vicinity, the large wetland feature south of Hatchery Lane is suitable to support this species. Nests and forages in open short grass plains and open wet meadow habitat. Known to breed in the Shasta Valley and Tule Lake regions of Siskiyou County. |

TABLE 2. PRELIMINARY REVIEW OF SPECIAL-STATUS WILDLIFE SPECIES WITH POTENTIAL TO OCCUR IN THE MT. SHASTA SEWER PROJECT AREA

| Common Name/Scientific Name | Federal/State Status ^a | Habitat Suitability |
|---|-----------------------------------|---|
| <i>Haliaeetus leucocephalus</i> Bald eagle | D/E, CA | Known nests occur along the Sacramento River and Lake Siskiyou but nesting habitat is absent from the project area. Nests and forages in proximity to lakes and large rivers. Preys on fish, waterfowl and other birds, small mammals, and carrion (CDFG 1990a). Commonly observed over Lake Siskiyou. |
| Mammals | | |
| <i>Martes pennanti</i> Pacific fisher | C/CSC | Many CNDDDB records document presence of this species throughout the project vicinity. Forages in old-growth forests or mixed stands of old-growth and mature trees. May use riparian corridors for movement (CDFG, 1990b). |

Definitions:

^a C = Candidate D = Delisted E = Endangered T = Threatened CSC = California Species of Special Concern



March 5, 2013

Keith McKinley
City Planner
City of Mount Shasta Planning Department
305 N. Mt. Shasta Boulevard
Mt. Shasta, CA 96067

**SUBJECT: EDA Grant Preparation Assistance for the Mount Shasta Sewer Replacement Project,
City of Mount Shasta, Siskiyou County, California (NSR Project #28152)**

Dear Mr. McKinley -

In support of the Economic Development Agency (EDA) grant application being prepared by the City, North State Resources, Inc. (NSR) conducted a preliminary cultural resources review conducted for the Mount Shasta Sewer Replacement Project (Project). The purpose of this letter is to provide information for the EDA Environmental Narrative that will be included with the grant application. This letter summarizes the research efforts conducted by NSR to determine the potential for cultural resources to occur within the Project Area. In addition, this letter also provides strategies for avoiding resources present in the project area. The project would include the replacement of an approximately 9,000 foot long segment of sewer pipeline and portions of the existing treatment plant facility. The project is located in Sections 16 and 21 of Township 40 North, Range 4 West of the *City of Mount Shasta, California 7.5-minute topographic map (Figure 1)*.

Results of Background Research

NSR conducted a records search (W13-31) at the Northeast Information Center (NEIC) on February 28, 2012. The search included the cultural resource records and survey reports as well the lists of resources on the National Register of Historic Places (NRHP), the California Historical Landmarks listing, the California Register of Historical Resources (CRHR), and the California Points of Historical Interest. Seven cultural resources surveys have been conducted within 0.25 miles the undertaking (Table 1). Four cultural resources have been recorded within 0.25 miles of the undertaking (Table 2). The resources documented in the search radius include one prehistoric site and four historic-era sites. No resources listed on the National Register or any of the California lists are located in or within 0.25 miles of the project. Although no surveys have been conducted within the Project area, and no cultural resources have been identified in the Project area, the previous surveys indicate that there is a moderate probability for cultural resources, both prehistoric and historic-era, to be present.

Table 1: Surveys Previously Conducted near the Project

| Date | Author | Title | NEIC Study # |
|-------|-------------------------------------|---|--------------|
| 1980 | Anthropological Resource Management | Archaeological Reconnaissance of the Proposed Shasta Holiday Development Siskiyou County, California | SI-L-10 |
| 1985 | Manning, James | Archaeological Survey of the C.D.M.S., Inc. Site, City of Mount Shasta, Siskiyou County, California | SI-L-374 |
| 1992a | Elliot, Daniel | Archaeological Survey for the Proposed Dal Gallo Subdivision and Conversion Plan, Mount Shasta, Siskiyou County, California | 3946a |
| 1992b | Elliot, Daniel | Dal Gallo Timber Harvest Plan | 3946b |
| 1994 | Berryman, Ron | Dal Gallo-Cheek Timber Harvest Plan | 3946c |
| 1998 | Osterhoudt, Donald | Gemini Timber Harvest Plan | 2884 |
| 2004 | Jensen, Peter | Roseburg Infrastructure Improvement Project, Mt. Shasta, Siskiyou County, California | 7167 |
| 2004 | Dalu, Chris | Cultural Resources Inventory Survey for the Proposed Radio Antenna Relocation and Wetland Creation Project, City of Mount Shasta, Siskiyou County, California | 5997 |
| 2006 | SWCA Environmental Consultants | Cultural Resources Final Report of Monitoring and Findings for the Qwest Network Construction Project, State of California | 7362 |

Table 2: Known Cultural Resource Sites near the Project

| Site Number | Type | Distance from Project |
|-------------|--------------|-----------------------|
| CA-SIS-4095 | Prehistoric | 0.07 miles |
| CA-SIS-3889 | Historic-Era | 0.20 miles |
| CA-SIS-3888 | Historic-Era | 0.08 miles |
| CA-SIS-2558 | Historic-Era | 0.25 miles |
| CA-SIS-2446 | Historic-Era | 0.18 miles |

Strategies for Avoiding Resources

Adverse effects, including the damage to or destruction of cultural resources can be avoided through a number of strategies. These can include conducting an archaeological survey, monitoring of known sites and potentially sensitive areas, and coordination with various agencies:

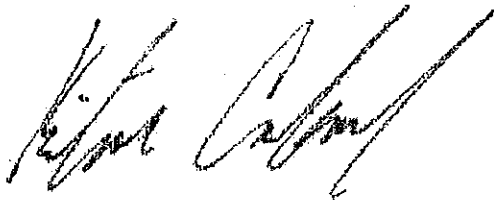
A cultural resources inventory including further archival research and a field survey is the best strategy for identifying and ultimately avoiding adverse effects on cultural resources. Knowledge of resource locations allows project designers the ability to avoid or minimize effects to cultural resources prior to construction. If a cultural resources inventory identifies areas of high probability for buried cultural resources or identifies potentially significant (per NRHP/CRHR criteria) resources, the presence of an archaeological monitor during construction/excavation activities is recommended. Monitoring allows the archaeologist to identify buried resources and provide appropriate avoidance and mitigation measures.

If previously unknown cultural resources are discovered during project activities, all work in the immediate vicinity of the discovery shall be stopped immediately and the contractor shall notify the City of Mount Shasta. An archaeologist meeting the Secretary of Interior's Professional Qualifications Standards shall be retained to evaluate the discovery and recommend appropriate conservation measures. The conservation measures will be implemented prior to re-initiation of ground-disturbing activities in the vicinity of the discovery.

If human remains are discovered during project activities, all activities in the vicinity of the find will be stopped and the Siskiyou County Sheriff-Coroner's Office shall be notified. If the coroner determines that the remains may be those of a Native American, the coroner will contact the Native American Heritage Commission (NAHC). Treatment of the remains shall be conducted in accordance with further direction of the County Coroner or the NAHC, as appropriate.

The information contained in this letter is sensitive regarding the nature and location of historic properties that should not be disclosed to the general public or unauthorized persons. Historic properties information is exempt from disclosure to the general public under the California Public Records Act Chapter 6254.10 and Section 304 of the National Historic Preservation Act. Please do not hesitate to contact me at (530) 345-4552, ext. 202, if you wish to discuss the results of the background research or NSR's recommended avoidance and mitigation measures.

Sincerely,



Kristina Crawford, M.A., RPA
Archaeologist



CITY OF MT. SHASTA

305 North Mt. Shasta Boulevard
Mt. Shasta, California 96067
(530) 926-7510 • Telephone
(530) 926-0339 • Fax

March 12, 2013

Erin Williams,
Field Supervisor
U.S. Fish and Wildlife Service
1829 S. Oregon Street
Yreka, CA 96097

U.S. Fish and Wildlife Service
Pacific Southwest Region 8
2800 Cottage Way #W2928
Sacramento, CA 95814

RE: Endangered Species Act Section 7 Consultation for proposed EDA grant assistance to construct Mt. Shasta Wastewater System Upgrade

Dear Ms,

The City of Mt. Shasta has made application for grant funding to the U.S. Department of Commerce, Economic Development Administration (EDA) to construct the Mt. Shasta Wastewater System Upgrade project. The EDA designates the City of Mt. Shasta as EDA's non-federal representative for the purpose of consultation with the U.S. Fish and Wildlife Service (FWS) under 50 CFR Sec.402.08.

The project involves upgrade an existing 12" main sewer interceptor line to 18" to 30" sewer interceptor line, replacing approximately 6,000 to 7,000 feet of line and associated manholes, located in Sections 16 and 21 of Township 40N Range 4W in Siskiyou County, California. The project will take place within the existing 20' wide easements and right of way and will entail trenching and laying of new parallel pipe. The project will require boring and jacking under the Interstate 5 Freeway where an existing crossing already exists. The project will cross the alignment of Cold Creek and at least two delineated wetlands areas. The project area was previously disturbed in the 1970's when the current line was installed. One of the wetlands area is used as pasture land and one of the areas has been reclaimed and/or enhanced as a wetlands mitigation bank. The project also proposes to create two new ponds with earthen dikes and associated headworks facilities at the existing wastewater treatment facility located in Section 28 T40N R4W. The project will entail excavation and compaction of material to create the ponds and concrete work and associated piping for the headworks and connecting the ponds to the existing facility.

The project area is located in the above referenced sections at approximately between 41°18'N, 122°19'W and 41°17'N, 122°18'W for the interceptor line and at approximately 41°16'N, 122°19'W for the ponds. National Wetlands Inventory maps with the project location are attached.

No state or federally listed plants species are likely to occur in the project area. There are four special status plant species with potential to occur in the Project area which are California Native Plant Society (CNPS) RPR 1b and 2-ranked species. The following RPR plant species occur in wetland habitat types, and might be affected by the Project: *Epilobium oregonum*-Oregon fireweed; *Geum aleppicum* -Aleppo avens; *Ophioglossum pusillum*-Northern adder's tongue; and *Scutellaria galericulata*-Marsh skullcap.

No federally listed wildlife species have the potential to occur within the Project area. One federal candidate for listing, the Pacific fisher has the potential to occur. Three state-listed species have potential to occur: willow flycatcher, greater sandhill crane and bald eagle. California species of special concern which may occur within the Project area are foothill yellow-legged frog, Cascades frog, northwestern pond turtle, and yellow warbler.

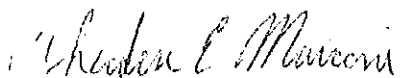
There would be no permanent direct impacts from the project on any listed species or any candidate or special status species. The project area does not support typical denning features, but may be utilized by Pacific fishers during foraging. Recommendations for timing would result in late summer/fall construction and there should be no immobile young fishers or nesting birds at that time. If special status plants are identified during a pre-construction survey, their locations will be mapped and avoided or if unavoidable appropriate conservation measures will be implemented.

Based on the above information, a determination of "may affect, but is not likely to adversely affect" has been made for this project.

We respectfully ask for your concurrence on these findings and determination. If further information is required, please contact me at (530) 926-7510, or cityofms@nctv.com.

Thank you very much for your assistance with this project

Sincerely,



Theodore E. Marconi,
City Manager
City of Mt. Shasta

encl

cc EDA Project Officer

Parker, Brian

From: Mary R Rudokas <mary.r.rudokas@eda.gov>
Sent: Tuesday, March 05, 2013 7:13 PM
To: Brian A Parker
Subject: Fw: RE: new project officer and where is the environmental stuff?

I love his ps.

All yours now...
Mary Rudokas | Civil Engineer | Economic Development Administration | Tel (206) 220-7694 | Fax (206) 220-7669

-----Forwarded by Mary R Rudokas/EDA on 03/05/2013 07:12PM -----
To: <mary.r.rudokas@eda.gov>
From: "Ted Marconi" <TMarconi@ci.mt-shasta.ca.us>
Date: 03/05/2013 06:11PM
Cc: <Brian.a.Parker@eda.gov>
Subject: RE: new project officer and where is the environmental stuff?

Mary,

We have reached a definite YES on the reconsideration. We are now working on the environmental narrative and will submit it electronically by the 13th. I could not figure out how to do it without engaging a consultant so we have done so. Hopefully that will put us ahead of the game when we begin the project. We have made contact with ACoE and FWS as well as CalTrans.

Brian, I can get you the letter requesting consideration tomorrow if that would be helpful. We had thought to submit it all at once on the 13th.

P.S. Does anyone have any idea if sequestration is going to impact this next round, and if so how.

Ted Marconi
City Manager
City of Mt. Shasta

From: mary.r.rudokas@eda.gov [mailto:mary.r.rudokas@eda.gov]
Sent: Tuesday, March 05, 2013 5:49 PM
To: Ted Marconi

Cc: brian.a.parker@eda.gov

Subject: new project officer and where is the environmental stuff?

Dear Ted,

I will be going on detail April 1, so there has been a reshuffling of duties in the office. Your new project officer is the very capable and friendly Brian Parker. He has your project folder, all of the emails and the application mods made through the last cycle. He is awaiting the YES we want to be reconsidered during the next cycle... due AT THE LATEST, by March 13. Remember, a new app is not needed but it would be beneficial to your consideration if the environmental narrative were complete and conveyed to Brian at that time.

I look forward to hearing great things about Mt. Shasta! Good luck.

Brian's contact information is:

Brian Parker

206 220 7675

Brian.a.Parker@eda.gov

Sincerely,

Mary

Mary Rudokas | Civil Engineer | Economic Development Administration | Tel (206) 220-7694 | Fax (206) 220-7669

-----"Ted Marconi" <TMarconi@ci.mt-shasta.ca.us> wrote: -----

To: <mary.r.rudokas@eda.gov>

From: "Ted Marconi" <TMarconi@ci.mt-shasta.ca.us>

Date: 01/22/2013 04:43PM

Subject: RE: IRC environmental review of Mt. Shasta application

Thank you Mary. I will put everyone to work as soon as I receive your official letter.

Ted Marconi
City Manager
City of Mt. Shasta

Parker, Brian

From: Mary R Rudokas <mary.r.rudokas@eda.gov>
Sent: Tuesday, March 05, 2013 7:13 PM
To: Brian A Parker
Subject: Fw: RE: new project officer and where is the environmental stuff?

make sure he has his consultant talk to Shannon. Looks like they overlooked SHPO...
Mary Rudokas | Civil Engineer | Economic Development Administration | Tel (206) 220-7694 | Fax (206) 220-7669

-----Forwarded by Mary R Rudokas/EDA on 03/05/2013 07:12PM -----
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City Manager
City of Mt. Shasta

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Sincerely,

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Date: 01/22/2013 04:43PM

Subject: RE: IRC environmental review of Mt. Shasta application

Thank you Mary. I will put everyone to work as soon as I receive your official letter.

Ted Marconi
City Manager
City of Mt. Shasta

Parker, Brian

From: Mary R Rudokas <mary.r.rudokas@eda.gov>
Sent: Tuesday, March 19, 2013 1:11 PM
To: Kristine L Skrinde
Cc: Brian A Parker; Mary S Fitzgerald
Subject: mt shasta

shannon is in. She is responding to Matson now. On quick review the application is complete enough to go to IRC. Looks like they do not have Section 106 and 7 consultation done but as you know this is not a showstopper. Shannon is reviewing environmental though so wait for her final call.

Mary Rudokas | Civil Engineer | Economic Development Administration | Tel (206) 220-7694 | Fax (206) 220-7669

Parker, Brian

From: Malinda S Matson <malinda.s.matson@eda.gov>
Sent: Wednesday, March 20, 2013 8:24 AM
To: Brian A Parker
Subject: mt. Shasta

Brian,

Would you mind if the applicant were on the call today with Senator Feinstein's office? Is there anything in this discussion that they would not already be privy to?

Malinda

Parker, Brian

From: Brian A Parker <brian.a.parker@eda.gov>
Sent: Wednesday, March 20, 2013 8:34 AM
To: Malinda S Matson
Subject: Re: mt. Shasta

Malinda:

I have no problem with the applicant participating in the call. As a matter of fact, it would be good for whomever will be on the call from the City of Mt. Shasta to get some visibility into how our process actually works. From my perspective, this situation has much to do with misunderstandings that need to be cleared up.

Thank you for bringing this development to my attention.

Brian

-----Malinda S Matson/EDA wrote: -----

To: Brian A Parker/EDA@EDA
From: Malinda S Matson/EDA
Date: 03/20/2013 08:24AM
Subject: mt. Shasta

Brian,

Would you mind if the applicant were on the call today with Senator Feinstein's office ? Is there anything in this discussion that they would not already be privy to?

Malinda

Parker, Brian

From: Brian A Parker <brian.a.parker@eda.gov>
Sent: Wednesday, March 20, 2013 12:47 PM
To: TC@feinstein.senate.gov
Cc: Kim_Castle@feinstein.senate.gov; Malinda S Matson
Subject: City of Mt. Shasta: EDA Grant Application Correspondence
Attachments: Notice of Carry Forward - City of Mt. Shasta Signed.pdf

Thomas:

I am sending this message pursuant to our earlier conference call. A copy of the notice to carry forward the City of Mt. Shasta's application for funding from the 2nd Funding Cycle of Fiscal Year 2013 to the 3rd Funding Cycle is attached to this message for your records.

If you have any questions, you may send them through Malinda Matson.

Thank you for your interest.

Brian

Brian Parker
Economic Development Specialist

Seattle Regional Office
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, Washington 98174-1012
(206) 220-7675 (Voice)
(206) 220-7669 (Fax)
E-Mail: brian.a.parker@eda.gov
World Wide Web: www.eda.gov



U. S. DEPARTMENT OF COMMERCE
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Fax: 206.220.7669
Voice: 206.220.7660

January 14, 2013

Mr. Theodore Marconi, City Manager
City of Mt. Shasta
305 N. Mt. Shasta Boulevard
Mt. Shasta, California 96067-2621

Dear Mr. Marconi:

The U.S. Economic Development Administration's (EDA) Seattle Regional Office Investment Review Committee (IRC) has considered your application for investment assistance in the current funding cycle to design and construct a wastewater interceptor and treatment plant lagoons. For each funding cycle, EDA receives many more meritorious proposals than it can fund. Although the IRC found your application consistent with EDA investment priorities, the Agency regrets to inform you that your application has not been selected for this cycle.

Although EDA cannot fund your project in this cycle, you may elect to have your application carried forward and re-considered in the next competitive funding cycle, which will begin on March 13, 2013. The option to carry your application forward does not guarantee that the application will be funded. The Seattle Regional Office IRC, however, is willing to re-consider your application for funding with other applications that are received in the next funding cycle.

If you would like EDA to carry your application forward and consider it in the next funding cycle, please respond in writing to this notice no later than March 13, 2013. If you do not respond, EDA will consider the application withdrawn. You also have the option of withdrawing the application and submitting a new or revised application for the next funding cycle.

Please do not hesitate to contact David Farnworth-Martin at david.j.farnworth.martin@eda.gov or (206) 220-7699 if you have any questions.

Thank you for your interest in EDA. For more information about our programs and other upcoming funding opportunities, please consult our website at www.eda.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Leonard Smith".

A. Leonard Smith
Regional Director, Seattle Regional Office

Parker, Brian

From: Brian A Parker <brian.a.parker@eda.gov>
Sent: Wednesday, March 20, 2013 4:10 PM
To: David J Farnworth Martin
Subject: Fw: Congressional Contact, Office of Senator Dianne Feinstein: City of Mt. Shasta Grant Application
Attachments: Meeting Minutes - Conference Call with Senator Feinstein's Office.docx

Keeping you in the loop.

-----Forwarded by Brian A Parker/EDA on 03/20/2013 04:09PM -----

To: A Leonard Smith/EDA@EDA
From: Brian A Parker/EDA
Date: 03/20/2013 03:43PM
Cc: Kristine L Skrinde/EDA@EDA, Richard A Manwaring/EDA@EDA, Mary S Fitzgerald/EDA@EDA
Subject: Congressional Contact, Office of Senator Dianne Feinstein: City of Mt. Shasta Grant Application

(See attached file: Meeting Minutes - Conference Call with Senator Feinstein's Office.docx)

Len:

I am sending this message to inform you that Shannon FitzGerald and I were on a conference call that was arranged by Malinda Matson with staff from Senator Dianne Feinstein's office earlier today. They wanted to discuss the issues impacting the grant application from the City of Mt. Shasta.

You should be aware that there could be a request forthcoming to expedite a decision on the application before the upcoming IRC Meeting sessions scheduled for April 9 and 10. According to a representative of an economic development organization in the region, the private beneficiary of property to be purchased in connection with the project is facing an escrow expiration deadline on April 4.

Meeting Minute notes were prepared and are attached to this message for your review and records.

If you have any questions, feel free to call or we can talk after your return to the office.

Thank you.

Brian

Brian Parker
Economic Development Specialist

Seattle Regional Office
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, Washington 98174-1012
(206) 220-7675 (Voice)
(206) 220-7669 (Fax)
E-Mail: brian.a.parker@eda.gov
World Wide Web: www.eda.gov

Parker, Brian

From: Brian A Parker <brian.a.parker@eda.gov>
Sent: Tuesday, March 26, 2013 9:17 AM
To: Barbara A Smith
Cc: Kristine L Skrinde; A Leonard Smith; Richard A Manwaring
Subject: Congressional Inquiry: City of Mt. Shasta, CA
Attachments: EDA Congressional Inquiry Information Sheet - Funding Request Verification -- City of Mt. Shasta, CA.docx

Barbara:

The information you seek for the referenced applicant is contained in the form that is attached to this message.

My apologies for the delay in our response. I have had technical difficulty with my computer and have limited access to the network.

Thank you.

Brian

Brian Parker
Economic Development Specialist

Seattle Regional Office
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, Washington 98174-1012
(206) 220-7675 (Voice)
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E-Mail: brian.a.parker@eda.gov
World Wide Web: www.eda.gov



**Economic Development Administration
Congressional Inquiry Information Sheet
Funding Request Verification**

Date: March 26, 2013

Member of Congress/U.S. Senator Name: Senator Dianne Feinstein

Subject: City of Mt. Shasta

Regional Office: Seattle

Has EDA received an investment assistance application from the referenced subject?

Yes No

For which program or funding opportunity was the application received?

Public Works and Economic Development Facilities

What is the processing status of the application? Under Review, Pending Investment Review
Committee Evaluation

Are there any concerns or legal issues regarding the application? Yes No

If yes, describe the nature of the concerns or issues:

Comments/Additional Information: A conference call with Senator Feinstein's office was arranged by Malinda Matson, which included a representative of the City of Mt. Shasta and an interested party. The next steps of the application review process were discussed.

Parker, Brian

From: Mary S Fitzgerald <mary.s.fitzgerald@eda.gov>
Sent: Tuesday, March 19, 2013 2:38 PM
To: Malinda S Matson
Cc: A Leonard Smith; Angela D Ewell Madison; David J Farnworth Martin; Katherine W Dedrick; Kristine L Skrinde; Brian A Parker; Mary R Rudokas
Subject: Re: Mt. Shasta project

Hello Melinda,

I'm sorry that I wasn't here to be on a call. I was in transit from my home which is several hours north of Seattle.

I have reviewed the Environmental Narrative from the City of Mt. Shasta. The City of Mt. Shasta is in the process of consulting with the U.S. Fish and Wildlife Service and California State Historic Preservation Officer on the proposed project. If the application is invited for further consideration, EDA will need to directly consult with four Tribes as part of the National Historic Preservation Act Section 106 process. The applicant is applying to the U.S. Army Corps of Engineers for a Clean Water Act Section 404 permit for excavation and fill work in wetlands. As part of that process, the applicant will also need to obtain a Clean Water Act Section 401 Water Quality Certification from the California Regional Water Quality Control Board. They will also need to obtain coverage under a Stormwater National Pollutant Discharge Elimination System (NPDES) Permit, as well as encroachment permits.

In summary, the applicant is moving quickly on obtaining permits and approvals. Most consultations and permit approvals take longer than EDA's grant processing period. Therefore, we regularly include the completion of consultations and permits as special conditions in grant awards. If that should occur in this situation, it shouldn't be a problem.

I have a doctor's appointment tomorrow morning, but will be available anytime after 11 am for a conference call. I will also be available all day on Thursday.

Thank you, Shannon

Shannon FitzGerald / Regional Environmental Officer / Economic Development Administration
915 Second Ave., Room 1890, Seattle, WA 98174 / [206-220-7703](tel:206-220-7703) / fax: [206-220-7657](tel:206-220-7657) /
mary.s.fitzgerald@eda.gov

Parker, Brian

From: Brian A Parker <brian.a.parker@eda.gov>
Sent: Wednesday, March 20, 2013 3:44 PM
To: A Leonard Smith
Cc: Kristine L Skrinde; Richard A Manwaring; Mary S Fitzgerald
Subject: Congressional Contact, Office of Senator Dianne Feinstein: City of Mt. Shasta Grant Application
Attachments: Meeting Minutes - Conference Call with Senator Feinstein's Office.docx

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Meeting Minute notes were prepared and are attached to this message for your review and records.

If you have any questions, feel free to call or we can talk after your return to the office.

Thank you.

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Parker, Brian

From: Mary S Fitzgerald <mary.s.fitzgerald@eda.gov>
Sent: Tuesday, March 19, 2013 4:22 PM
To: Malinda S Matson
Cc: A Leonard Smith; Angela D Ewell Madison; Brian A Parker; David J Farnworth Martin; Katherine W Dedrick; Kristine L Skrinde; Mary R Rudokas
Subject: Re: Re: Mt. Shasta project

Hi Melinda,

Sounds good. SRO will call in at 11:30 PST/2:30 EST.

Thanks, Shannon

-----Malinda S Matson/EDA wrote: -----

To: Mary S Fitzgerald/EDA@EDA
From: Malinda S Matson/EDA
Date: 03/19/2013 03:34PM
Cc: A Leonard Smith/EDA@EDA, Angela D Ewell Madison/EDA@EDA, Brian A Parker/EDA@EDA, David J Farnworth Martin/EDA@EDA, Katherine W Dedrick/EDA@EDA, Kristine L Skrinde/EDA@EDA, Mary R Rudokas/EDA@EDA
Subject: Re: Re: Mt. Shasta project

All,

The conference call is scheduled for 2:30 EDST tomorrow, Wednesday March 20th.
(I can't send out a meeting request because my calendar has an all hands that has been rescheduled for next week)

1-877-316-5319

Leader: 372468

PIN: 449725

Thank you

Malinda

-----Mary S Fitzgerald/EDA wrote: -----

To: Malinda S Matson/EDA@EDA
From: Mary S Fitzgerald/EDA
Date: 03/19/2013 05:37PM
Cc: A Leonard Smith/EDA@EDA, Angela D Ewell Madison/EDA@EDA, David J Farnworth Martin/EDA@EDA, Katherine W Dedrick/EDA@EDA, Kristine L Skrinde/EDA@EDA, Brian A Parker/EDA@EDA, Mary R Rudokas/EDA@EDA
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mary.s.fitzgerald@eda.gov

Parker, Brian

From: Mary R Rudokas <mary.r.rudokas@eda.gov>
Sent: Tuesday, March 19, 2013 3:53 PM
To: Brian A Parker
Cc: Mary S Fitzgerald
Subject: Re: Re: Mt. Shasta project

This type of email I would send to Ted Marconi so he knows what is going on at HQ and doesn't get caught with his pants down. He knows what the lobbying group in DC is doing and can help to cool everyone's jets.... your choice...maybe he should even be in the call-suggest to Malinda?

Also, if you are on this call, it is considered a congressional contact. In Public Works if we get this, we codify it in written notes for file.

Mary Rudokas | Civil Engineer | Economic Development Administration | Tel (206) 220-7694 | Fax (206) 220-7669

-----Malinda S Matson/EDA wrote: -----

To: Mary S Fitzgerald/EDA@EDA
From: Malinda S Matson/EDA
Date: 03/19/2013 03:16PM
Cc: A Leonard Smith/EDA@EDA, Angela D Ewell Madison/EDA@EDA, Brian A Parker/EDA@EDA, David J Farnworth Martin/EDA@EDA, Katherine W Dedrick/EDA@EDA, Kristine L Skrinde/EDA@EDA, Mary R Rudokas/EDA@EDA
Subject: Re: Re: Mt. Shasta project

Shannon,

Thank you for this information. I have contacted Sen. Feinstein's office to see if we can reschedule for tomorrow afternoon. I will let you know as soon as I here.

Malinda

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From: Mary S Fitzgerald/EDA
Date: 03/19/2013 05:37PM
Cc: A Leonard Smith/EDA@EDA, Angela D Ewell Madison/EDA@EDA, David J Farnworth Martin/EDA@EDA, Katherine W Dedrick/EDA@EDA, Kristine L Skrinde/EDA@EDA, Brian A Parker/EDA@EDA, Mary R Rudokas/EDA@EDA
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Thank you, Shannon

Shannon FitzGerald / Regional Environmental Officer / Economic Development Administration
915 Second Ave., Room 1890, Seattle, WA 98174 / [206-220-7703](tel:206-220-7703) / fax: [206-220-7657](tel:206-220-7657) /
mary.s.fitzgerald@eda.gov

Parker, Brian

From: Malinda S Matson <malinda.s.matson@eda.gov>
Sent: Tuesday, March 19, 2013 3:35 PM
To: Mary S Fitzgerald
Cc: A Leonard Smith; Angela D Ewell Madison; Brian A Parker; David J Farnworth Martin; Katherine W Dedrick; Kristine L Skrinde; Mary R Rudokas
Subject: Re: Re: Mt. Shasta project

All,

The conference call is scheduled for 2:30 EDST tomorrow, Wednesday March 20th.
(I can't send out a meeting request because my calendar has an all hands that has been rescheduled for next week)

1-877-316-5319
Leader: 372468
PIN: 449725
Thank you

Malinda

-----Mary S Fitzgerald/EDA wrote: -----

To: Malinda S Matson/EDA@EDA
From: Mary S Fitzgerald/EDA
Date: 03/19/2013 05:37PM
Cc: A Leonard Smith/EDA@EDA, Angela D Ewell Madison/EDA@EDA, David J Farnworth Martin/EDA@EDA, Katherine W Dedrick/EDA@EDA, Kristine L Skrinde/EDA@EDA, Brian A Parker/EDA@EDA, Mary R Rudokas/EDA@EDA
Subject: Re: Mt. Shasta project

Hello Melinda,

I'm sorry that I wasn't here to be on a call. I was in transit from my home which is several hours north of Seattle.

I have reviewed the Environmental Narrative from the City of Mt. Shasta. The City of Mt. Shasta is in the process of consulting with the U.S. Fish and Wildlife Service and California State Historic Preservation Officer on the proposed project. If the application is invited for further consideration, EDA will need to directly consult with four Tribes as part of the National Historic Preservation Act Section 106 process. The applicant is applying to the U.S. Army Corps of Engineers for a Clean Water Act Section 404 permit for excavation and fill work in wetlands. As part of that process, the applicant will also need to obtain a Clean Water Act Section 401 Water Quality Certification from the California Regional Water Quality Control Board. They will also need to obtain coverage under a Stormwater National Pollutant Discharge Elimination System (NPDES) Permit, as well as encroachment permits.

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915 Second Ave., Room 1890, Seattle, WA 98174 / 206-220-7703 / fax: 206-220-7657 /
mary.s.fitzgerald@eda.gov

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From: Malinda S Matson <malinda.s.matson@eda.gov>
Sent: Tuesday, March 19, 2013 3:17 PM
To: Mary S Fitzgerald
Cc: A Leonard Smith; Angela D Ewell Madison; Brian A Parker; David J Farnworth Martin; Katherine W Dedrick; Kristine L Skrinde; Mary R Rudokas
Subject: Re: Re: Mt. Shasta project

Shannon,

Thank you for this information. I have contacted Sen. Feinstein's office to see if we can reschedule for tomorrow afternoon. I will let you know as soon as I here.

Malinda

-----Mary S Fitzgerald/EDA wrote: -----

To: Malinda S Matson/EDA@EDA
From: Mary S Fitzgerald/EDA
Date: 03/19/2013 05:37PM
Cc: A Leonard Smith/EDA@EDA, Angela D Ewell Madison/EDA@EDA, David J Farnworth Martin/EDA@EDA, Katherine W Dedrick/EDA@EDA, Kristine L Skrinde/EDA@EDA, Brian A Parker/EDA@EDA, Mary R Rudokas/EDA@EDA
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mary.s.fitzgerald@eda.gov

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Monday, December 08, 2014 11:04 AM
To: FitzGerald, Shannon
Subject: Re: EDA grant Mount Shasta/ Crystal Geysir

Hi Shannon,

We have been reviewing the FOIA documents, and I have a question. From the notes and emails we can see that you and Stan Good were asking very good questions about the project's environmental impacts. Thank you for having outlined your concerns so clearly. We continue to ask some of those questions and more. There was a very brief 3 or 4 page environmental assessment by Julian Colescott of Northstate Resources. Was that the only EA?

The NOP public and agency response period ended 12/1/14. Although it isn't official, rumor is that there were over 125 letters questioning the project as outlined in the NOP. This is of course indication of substantial controversy in the community. The anonymous call to David Farnworth-Martin was obviously an early attempt to forewarn the EDA of the anticipated rallying of public support questioning the CG project. (He and you were already aware of the Mount Shasta Herald headline announcing no CEQA required by Siskiyou County.) The community recognized this to be non-compliant with CEQA and indicative of the need to engage the City of Mount Shasta immediately as lead agency for the grant and all environmental review. The City knew this in November as well. This was the beginning of the passing of the buck as to who would be paying for the EIR; this remains an important question. I'm sure many of the letters addressed that concern.

The group is questioning whether EDA will request a copy of the comment letters from the City. I understand that they scanned all letters before forwarding to PACE Engineering for their summary. PACE is expected to report back to the City Council by January. Since the first meeting is 1/12/15, I assume it will be at that meeting as a regular agenda item.

Thanks so much,
Vicki Gold

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Wednesday, December 10, 2014 1:20 PM
To: 'Vicki Gold'
Subject: RE: EDA grant Mount Shasta/ Crystal Geysir

Hi Vicki,

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Thanks for the information. -Shannon

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Thanks so much,
Vicki Gold

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Wednesday, December 10, 2014 1:25 PM
To: FitzGerald, Shannon
Cc: Branigan, Michelle
Subject: Re: EDA grant Mount Shasta/ Crystal Geysers

Hi Shannon,

Will EDA request those NOP comments from the City? It would be preferable if they did on their own, although we will have access to them through PRR by the end of the month hopefully. I don't believe the EA was included in the FOIA materials I received. I have requested any recent communications in a separate FOIA and wonder if the EA could be included.

Thanks so much,

Vicki

On Dec 10, 2014, at 1:19 PM, "FitzGerald, Shannon" <SFitzGerald@eda.gov> wrote:

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> EDA prepared EA. When EIRs are prepared, we do want to see them. I've seen the comments on EIRs and the responses incorporated into Final EIRs. It would be interesting to see the comments on the NOP.

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> Thanks for the information. -Shannon

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> **Sent:** Monday, December 08, 2014 11:04 AM

> **To:** FitzGerald, Shannon

> **Subject:** Re: EDA grant Mount Shasta/ Crystal Geysers

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> Thanks so much,
> Vicki Gold

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Wednesday, December 10, 2014 1:38 PM
To: 'Vicki Gold'
Subject: RE: EDA grant Mount Shasta/ Crystal Geysir

Hi Vicki,

Sorry for the delay--it's been really busy. EDA prepared an EA. Regarding the comments on the NOP, we would be interested in seeing those.

Thanks for the information. -Shannon

-----Original Message-----

From: Vicki Gold [REDACTED]
Sent: Monday, December 08, 2014 11:04 AM
To: FitzGerald, Shannon
Subject: Re: EDA grant Mount Shasta/ Crystal Geysir

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Thanks so much,
Vicki Gold

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Wednesday, December 10, 2014 3:24 PM
To: 'Vicki Gold'
Subject: RE: EDA grant Mount Shasta/ Crystal Geysers

Hi Vicki,

The project manager should have included information in the pre-award file. I'll ask him to provide that to our Regional Council. In the meantime, I can provide her with the EA in response to the FOIA.

I will request the comment on the NOP from the City.

Thanks, Shannon

-----Original Message-----

From: Vicki Gold [REDACTED]
Sent: Wednesday, December 10, 2014 1:25 PM
To: FitzGerald, Shannon
Cc: Branigan, Michelle
Subject: Re: EDA grant Mount Shasta/ Crystal Geysers

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> **To:** FitzGerald, Shannon
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>

> Thanks so much,

> Vicki Gold

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Thursday, January 08, 2015 5:48 PM
To: FitzGerald, Shannon.
Subject: fwd: Crystal Geyser Mount Shasta and CCTC jobs projected

Hello Shannon,
I am forwarding this link below provided by the CalCompete Tax Incentive program at the GoBiz office.
Thanks so much for reviewing.
Vicki

Begin forwarded message:

From: Vicki Gold [REDACTED]
Subject: Crystal Geyser Mount Shasta and CCTC jobs projected
Date: January 6, 2015 12:56:38 AM PST
To: Malinda Matson <MMatson@eda.gov>

Hello Malinda,
We just received this with the link to the application/ credit agreement between CCTC and CGWC. It seems to verify our position that very few new jobs will be created by the Mount Shasta CGWC project. Although as I said, the job numbers were redacted from their 12/14/14 letter sent to you, I imagine the numbers comply with the CCTC grant application and certainly are nowhere near the numbers projected in the 2013 EDA grant application (150-200 at full build out)
Any news from Seattle?
Thank you again,
Vicki

Begin forwarded message:

From: William Koch <William.Koch@GOV.CA.GOV>
Subject: RE: Revised letter from W.A.T.E.R group in Mt Shasta
Date: January 5, 2015 5:01:58 PM PST
To: 'Bruce Hillman' [REDACTED], Vicki Gold [REDACTED]

Hi Bruce & Vicki,

The agenda has been posted and Crystal Geyser is #19 on the list. The link to Crystal's credit agreement is below, however, the agreement is not effective unless approved by the committee. I received your revised letter earlier today and will include it in the briefing binders for the committee members.

<http://www.business.ca.gov/Portals/0/CA%20Competes/Docs/Agreements/FY1415P1/20.%20Crystal%20Geyser%20Water%20Company.pdf>

Thanks.

Will Koch
Deputy Director, California Competes Tax Credit Program
California Governor's Office of Business and Economic Development (GO-Biz)
1325 J Street, 18th Floor
Sacramento, CA 95814
william.koch@gov.ca.gov
www.business.ca.gov

(530) 841-3108

(530) 842-4517 (fax)

nadine_kanim@fws.gov

--
Nadine R. Kanim
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Yreka Fish and Wildlife Office
1829 S. Oregon Street
Yreka, California 96097
(530) 841-3108
(530) 842-4517 (fax)
nadine_kanim@fws.gov



CITY of
Mt. SHASTA

305 North Mt. Shasta Boulevard
Mt. Shasta, California 96067

Tel (530) 926-7510
Fax (530) 926-1342

December 12, 2014

Mr. A. Leonard Smith
Regional Director
915 Second Avenue Room 1890
Seattle, WA 98174

RE: EDA Award no. 07-79-0700 City of Mt Shasta. CA

Greetings Director Smith:

Earlier this week we had the opportunity to have a constructive telephone conference with our EDA Project Manager Stan Good and several other key EDA Team members. We discussed: the EDA process associated with our existing line item transfer request from the "Contingency" line item to the "additional engineering and services" line item to properly account for California mandated environmental expenses; the letter of verification from Crystal Geyser CEO Doug MacLean that they are NOT closing other facilities; and information required from the EDA describing the interceptor line and sewer plant improvements.

Attached you will find a letter from our Project Engineer describing the sewer project improvements and their respective timing. Also attached are minutes from the City's Project Engineer dated 1/6/14 and our minutes taken by our City Public Works Director dated 10/24/13. Both minutes are from meetings that included EDA staff, consultant engineers, and City staff. The meetings included in depth conversations regarding our intended process for sewer plant improvements, including support and approval of the EDA staff.

As background to our previous line item transfer request, our current Award includes funding for CEQA Environmental review, we specifically requested a line item transfer of \$269,263 from the contingency line item to be added to the "Other architectural and engineering fees" for the specific purpose of funding the increased CEQA process costs due to requirements by the State of California as interpreted by our legal experts from the Pioneer Law Group in Sacramento and our Environmental experts North State Resources in Redding, CA.

As shared previously, if we are unable to transfer the funds and complete the expanded EIR, we fear the Crystal Geyser project and our sewer project will be challenged through legal processes. The City does not have the financial means to fund the expanded EIR without the use of the existing EDA and Crystal Geyser funding.

We remain very appreciative of the award. We have worked diligently to conform to all EDA requirements, as well as all applicable State of California CEQA requirements. We have worked diligently to meet the needs and expectations of all of our residents in all regards for this project that is outside of our boundaries. As stated previously, we have used a variety of experts to ensure compliance with our CEQA requirements and to protect our community's natural resources. We have incurred

nearly \$200,000 of project expense to date and have experienced hundreds of hours of staff and City Council time on the County's project. As shared previously, we need approval of the line item transfer in order for our project to proceed. Without continued EDA approval and support, the City Council will need to reconsider the project and evaluate our options relevant to the costs incurred to date.

Simply put, our community cannot shoulder these expenses without EDA funding. As you may be aware, Siskiyou County has nearly the lowest per capita incomes and nearly the highest unemployment rate in the State of California. The City of Mt. Shasta has a very limited economy and budget and is only able to provide very limited City services. There was absolutely no possibility for the City to provide sewer services without the EDA Grant Award and the funding provided by Crystal Geysers.

We are working diligently to meet all of the EDA, CEQA, and other agency requirements while meeting the expectations of our area residents. We understand the EDA is in contact with County and City residents. In addition to working to meet all EDA and CEQA requirements, we want to assure you that our City Council, consultants, and staff are working genuinely and very cooperatively with our area residents.

We thank you for your clarification and your ongoing support and consideration. We remain committed to remaining in full compliance with the terms of our EDA Award. Our community remains very appreciative and excited about the beneficial economic impacts of our EDA award.

Respectfully,



Paul Eckert, City Manager
City of Mt. Shasta

Copy City Attorney John Kenny
Consultant Project Attorney Andrea Mattarazzo, Pioneer Law Group

FitzGerald, Shannon

From: Kanim, Nadine <nadine_kanim@fws.gov>
Sent: Wednesday, November 05, 2014 10:42 AM
To: FitzGerald, Shannon
Subject: Re: Notice of Preparation of Draft EIR for Mt. Shasta Sewer Line Improvement Project

Thanks so much, Shannon. This information is very helpful and I'm glad to have the EA for my files. I look forward to hearing from you, if there are any new developments on the project!

Cheers,
Nadine.

On Tue, Nov 4, 2014 at 1:34 PM, FitzGerald, Shannon <SFitzGerald@ceda.gov> wrote:

Hi Nadine,

When I got back from lunch, there was a message from Vicki, so I will give her a call back.

I've attached a copy of the environmental assessment and FONSI for the City of Mt. Shasta's sewer line project. As you'll see, there are a lot of special conditions associated with it. For instance, when I asked if a hydrologic report had been done regarding indirect effects on groundwater, springs, streams, which in turn can affect special status species, I was told that a hydrologic study would be done as part of the EIR. So I'm hoping that the EIR provides information that can be used in further assessing impacts and in consultations.

Thanks for staying in touch on this. I'll let you know if there are any new developments on our end. --Shannon

Shannon FitzGerald

Regional Environmental Officer

Economic Development Administration

915 Second Avenue, Room 1890

Seattle, WA 98174

Phone 206-220-7703

Fax: 206-220-7657

sfitzgerald@eda.gov

From: Kanim, Nadine [mailto:nadine_kanim@fws.gov]
Sent: Tuesday, November 04, 2014 11:50 AM
To: FitzGerald, Shannon
Subject: Notice of Preparation of Draft EIR for Mt. Shasta Sewer Line Improvement Project

Hi Shannon,

Thanks for filling me in on the status of the Mt. Shasta Sewer Line Improvement Project, yesterday. It was great to talk with you! And thanks for faxing the Notice of Preparation of the Draft EIR for the project. After we spoke, I thought it might be good for me to have a copy of the EA that was prepared for the project last year. Do you have an electronic copy you could send?

Also, I gave your contact information to Vicki Gold, a Mt. Shasta resident, so you might be hearing from her. Vicki was concerned that agencies might not know about the Crystal Geysers connection to the Mt. Shasta Sewer Line Improvement Project.

Thanks again for your help on this!

Nadine,

--
Nadine R. Kanim

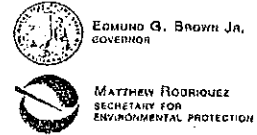
Fish and Wildlife Biologist

U.S. Fish and Wildlife Service

Yreka Fish and Wildlife Office

1829 S. Oregon Street

Yreka, California 96097



Central Valley Regional Water Quality Control Board

NOTICE OF VIOLATION

6 February 2013

CERTIFIED MAIL
7009 2250 0002 9885 5440

Mr. Rod Bryan
City of Mt. Shasta
305 N. Mt. Shasta Blvd.
Mt. Shasta, CA 96067

WDID 5A470105001

VIOLATION OF WASTE DISCHARGE REQUIREMENTS ORDER R5-2007-0056, NPDES PERMIT NO. CA0078051, CITY OF MT. SHASTA WASTEWATER TREATMENT PLANT, MT. SHASTA, SISKIYOU COUNTY

The discharge of treated wastewater from the City of Mt. Shasta's (Discharger) Wastewater Treatment Plant (Facility) is currently regulated by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) pursuant to Waste Discharge Requirements (WDRs) Order R5-2012-0086, NPDES Permit No. CA0078051 adopted by the Central Valley Water Board on 4 October 2012 and became effective on 23 November 2012. The Facility was previously regulated by the Central Valley Water Board pursuant to WDRs Order R5-2007-0056, NPDES Permit No. CA0078051 adopted by the Central Valley Water Board on 21 June 2007 and effective until 23 November 2012.

Central Valley Water Board staff has determined that the Discharger violated an effluent limitation and a land discharge specification of the previous WDRs Order R5-2007-0056 in June and July of 2012. This Notice of Violation explains the basis for determining the violations and explains the potential additional enforcement actions for the violations.

Violation of WDR Order R5-2007-0056, Effluent Limitations

WDR Order R5-2007-0056 Effluent Limitation 1.a. sets forth the following effluent limitations for copper when discharging treated effluent to the Sacramento River at discharge location D-001:

Table with 7 columns: Parameter, Unit, Average Monthly, Average Weekly, Maximum Daily, Instantaneous Minimum, Instantaneous Maximum. Row 1: Copper (total recoverable), µg/L, 3.94, --, 7.90, --, --

On 24 July 2012, the Discharger submitted a Facility monitoring report for the month of June 2012. As reported, treated effluent was discharged to the Sacramento River from 7 June 2012 until part-day on 11 June 2012. On 12 June 2012, a sample of treated effluent was collected and analyzed for copper concentration which resulted in a single reported value of 4.8 µg/L. No other sampling results for effluent copper concentration were reported by the Discharger. Therefore, the Central Valley Water Board considers the 12 June 2012 result representative of effluent copper concentration in the discharge to the Sacramento River for June 2012.

The reported value of 4.8 µg/L for total recoverable copper exceeds the average monthly effluent limitation of 3.94 µg/L by 20 percent or more. The effluent volume discharged to the Sacramento River over the five day period from 7 June 2012 through 11 June 2012 is estimated at 3,093,000 gallons.

Violation of WDR Order R5-2007-0056, Land Discharge Specifications

WDR Order R5-2007-0056 Land Discharge Specification B.1 states, "The daily average discharge flow shall not exceed 0.70 MGD."

On 4 July 2012, the Discharger reported daily average discharge flow was 0.75 MGD which exceeds the daily average discharge flow specification of 0.70 MGD for discharges to the Facility leachfield.

Enforcement Actions

Pursuant to the California Water Code (CWC) section 13385, the violations of the WDRs are potentially subject to administrative civil liability of up to ten thousand dollars (\$10,000) for each day in which the violations occurred, and up to ten dollars (\$10) per gallon of wastewater discharged in excess of 1,000 gallons. Furthermore, pursuant to CWC section 13385 (h) and (i) certain effluent violations are subject to Mandatory Minimum Penalties of three thousand dollars (\$3,000) per qualifying violation. The actual liability can vary between the Mandatory Minimum Penalty amount and the maximum amount discussed above.

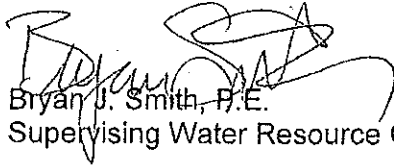
As described in the attached table, the violations cited in this letter are subject to Mandatory Minimum Penalties in the amount of three thousand dollars (\$3,000). This matter is being referred to the Executive Officer of the Central Valley Water Board for consideration of issuance of an Administrative Civil Liability Complaint (ACLC). If the EO issues an ACLC, the amount will be set at the Mandatory Minimum Penalty, or an amount up to the maximum potential liability.

Please review the violations cited by this letter, and the attached Calculation of Mandatory Minimum Penalties table for accuracy, and submit any comments/corrections **by 1 March 2013**. If you have any questions regarding this letter, please contact Mr. Scott Gilbreath at (530) 224-4851, sgilbreath@waterboards.ca.gov, or at the footer address.

Mr. Rod Bryan
City of Mt. Shasta

3

6 February 2013



Bryan J. Smith, P.E.
Supervising Water Resource Control Engineer

SMG:

Enclosure: Attachment A – Calculation of Mandatory Minimum Penalties

cc: U.S. Environmental Protection Agency, San Francisco
SWRCB, Sacramento
Siskiyou County Public Health Department, Environmental Health Division, Yreka
Ted Marconi, City Manager, Mt. Shasta

U:\Clerical\North\SGlibreath\DRAFTS 2013\NOV - mswwtp - Cu & Lf Flow- 29 January 2013.docx

1

KARL E. LONGLEY SCD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

384 Knollcrest Drive, Suite 200, Redding, CA 96002 | www.waterboards.ca.gov/centralvalley

Attachment A

CITY OF MT. SHASTA, MT. SHASTA WASTEWATER TREATMENT PLANT

Table 1. Calculation of Mandatory Minimum Penalties

| Violation Date | Discharge Point | Pollutant/Parameter | Effluent Limit | Analytical/Calculated Result | Percentage Over | Violation Type | 180-day Violation Count | MMP | Penalty Status |
|------------------------------|-----------------|---------------------------|---------------------------|------------------------------|-----------------|------------------|-------------------------|----------------|----------------|
| 06/12/2012 | D-001 | Copper, Total Recoverable | 3.94 µg/L Average Monthly | 4.8 µg/L | 21.8% | Serious Group II | 1 | \$3,000 | New Assessment |
| Total New Assessment: | | | | | | | | \$3,000 | |

Notes: Serious Group I: Any waste discharge that exceeds the effluent limitations for a group I pollutant by 40% or more.
 Serious Group II: Any waste discharge that exceeds the effluent limitations for a group II pollutant by 20% or more.
 Non-Serious Violation: A non-serious violation occurs if the discharger does any one of the following four or more times in any period of 180 days:
 (a) violates a WDR effluent limitation;
 (b) fails to file a report of waste discharge pursuant to California Water Code section 13260;
 (c) files an incomplete report of waste discharge pursuant to California Water Code section 13260; or
 (d) violates a whole effluent toxicity limitation where the WDRs do not contain pollutant-specific effluent limitations for any toxic pollutants.



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW ROGONQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

6 September 2013

CERTIFIED MAIL
7012 2920 0001 2252 6955

Rod Bryan
City of Mt. Shasta
305 N. Mt. Shasta Blvd.
Mt. Shasta, CA 96067

WDID No. 5A470105001

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R5-2013-0549 FOR ASSESSMENT OF MANDATORY MINIMUM PENALTIES, CITY OF MT. SHASTA, MT. SHASTA WASTEWATER TREATMENT PLANT, SISKIYOU COUNTY

Enclosed is an Administrative Civil Liability Complaint (Complaint), issued pursuant to California Water Code section 13385, for violations of Waste Discharge Requirements (WDRs) Order No. R5-2007-0056 by the City of Mt. Shasta. The Complaint charges the City of Mt. Shasta with administrative civil liability in the amount of **three thousand dollars (\$3,000)**, which represents the sum of the statutory Mandatory Minimum Penalties for effluent violations from 1 June 2012 through 30 June 2012.

Pursuant to California Water Code section 13323, the City of Mt. Shasta may either pay the proposed administrative civil liability and waive its right to a hearing before the Regional Water Board, or may contest the Complaint and exercise its right to a hearing. The City of Mt. Shasta has the right to a hearing before the Regional Water Board within 90 days of the service of the Complaint. If the City of Mt. Shasta chooses to waive this right and settle the Complaint without a hearing, then a duly authorized agent must sign the enclosed waiver and submit it to this office by **7 October 2013**. The Complaint will be considered settled pending a 30-day period, tolled from the date of this Complaint, during which time interested parties may comment on this action by submitting information to this office, attention Daniel L. Warner.

If the Regional Water Board does not receive a waiver and payment for the full amount by **7 October 2013**, then a hearing will be scheduled for the **5/6 December 2013** Central Valley Water Board meeting in Rancho Cordova. Specific notice about this hearing and its procedures will be provided under separate cover.

KARL E. LONGLEY SCD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

364 Knollcrest Drive, Suite 205, Redding, CA 96002 | www.waterboards.ca.gov/centralvalley

Rob Bryan
City of Mt. Shasta

- 2 -

6 September 2013

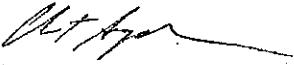
Any comments or evidence concerning the enclosed Complaint must be submitted to this office, attention Daniel L. Warner, so that they are received no later than **5 p.m. on 7 October 2013**. This includes material submitted by the City of Mt. Shasta to be considered at a hearing and material submitted by interested parties, including members of the public, who wish to comment on the proposed settlement. If the Central Valley Water Board does not hold a hearing on the matter, and the terms of the final settlement are not significantly different from those proposed in the enclosed Complaint, then there will not be additional opportunities for public comment on the proposed settlement. Written materials received after **5 p.m. on 7 October 2013** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

In order to conserve resources, this letter transmits paper copies of the documents to the Discharger only. Interested persons may download the documents from the Central Valley Water Board's Internet website at:

http://www.waterboards.ca.gov/centralvalley/tentative_orders/.

Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office weekdays between 8:00 AM and 5:00 PM.

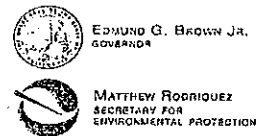
If you have any questions or comments regarding the Administrative Civil Liability Complaint, please contact Daniel L. Warner at (530) 224-4848, or George D. Day at (530)224-4859.


Clint E. Snyder, P.G.
Assistant Executive Officer

DLW:lmw

Enclosures: Administrative Civil Liability Complaint No. R5-2013-0549
Hearing Procedure for Administrative Civil Liability Complaint

cc w/o encl: Regional Board Members
Ken Greenburg, U.S. Environmental Protection Agency, Region IX, San Francisco
Matthew Kelley, U.S. Army Corps of Engineers, Redding
California Environmental Protection Agency, Sacramento
Department of Fish and Game, Region 1, Redding
David Coupe, Staff Counsel, State Water Resources Control Board, Sacramento
Ted Marconi, City Manager, Mt. Shasta



Central Valley Regional Water Quality Control Board

3 March 2014

WDID No. 5A470105001

Rod Byran
City of Mt. Shasta
305 N. Mt. Shasta Blvd.
Mt. Shasta, CA 96067

CERTIFIED MAIL:
7013 0600 0002 4320 0158

ADOPTION OF ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2014-0510, CITY OF MT. SHASTA, CITY OF MT. SHASTA WASTEWATER TREATMENT PLANT, SISKIYOU COUNTY

Enclosed, please find a copy of Administrative Civil Liability Order R5-2014-0510. This Order addresses violations of the federal Clean Water Act as detailed in Administrative Civil Liability Complaint R5-2013-0560. The violations occurred between 1 June 2012 through 30 June 2012. This Order contains a compliance project that brought your facility into compliance. The City of Mt. Shasta expended funds on the compliance project that exceeded three thousand dollars (\$3,000), the total amount assessed in the complaint. Therefore the entire \$3,000 is treated as a suspended Administrative Liability. The Order was publicly noticed for thirty days in January and February 2014, with no comments received.

In order to conserve paper and reduce mailing costs, a paper copy of the order has been sent only to the Discharger. Interested parties are advised that the full text of this order is available on the Water Board's web site at http://www.waterboards.ca.gov/centralvalley/adopted_orders. Anyone without access to the Internet who needs a paper copy of the order can obtain one by calling Water Board staff.

If you have any questions regarding this matter, please contact George Day at (530) 224-4859 or gday@waterboards.ca.gov.

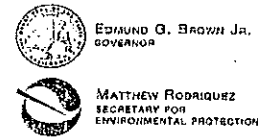
A handwritten signature in black ink, appearing to read "Clint Snyder".

Clint E. Snyder, P.G.
Assistant Executive Officer

DLW:imw

Enclosures: Administrative Civil Liability Order R5-2014-0510

cc list on next page



Central Valley Regional Water Quality Control Board

7 March 2014

CERTIFIED MAIL
7013 0600 0002 4320 0165

Rod Bryan
City of Mt. Shasta
305 N. Mt. Shasta Blvd.
Mt. Shasta, CA 96067

WDID No. 5A470105001

ADOPTION OF ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2014-0509, CITY OF MT. SHASTA, CITY OF MT. SHASTA WASTEWATER TREATMENT PLANT, SISKIYOU COUNTY

Enclosed, please find a copy of Administrative Civil Liability Order R5-2014-0509. This Order addresses violations of the federal Clean Water Act as detailed in Administrative Civil Liability Complaint R5-2012-0538. The violations occurred between 1 March 2009 and 18 November 2011. This Order contains a compliance project that brought your facility into compliance. The City of Mt. Shasta expended funds on the compliance project that exceeded eighteen thousand dollars (\$18,000), the total amount assessed in the complaint. Therefore the entire \$18,000 is treated as a suspended Administrative Liability. The Order was publicly noticed for thirty days in January and February 2014, with no comments received.

In order to conserve paper and reduce mailing costs, a paper copy of the order has been sent only to the Discharger. Interested parties are advised that the full text of this order is available on the Water Board's web site at http://www.waterboards.ca.gov/centralvalley/adopted_orders. Anyone without access to the Internet who needs a paper copy of the order can obtain one by calling Water Board staff.

If you have any questions regarding this matter, please contact George Day at (530) 224-4845 or gday@waterboards.ca.gov.

Clint E. Snyder, P.G.
Assistant Executive Officer

DLW: mlr

Enclosures: Administrative Civil Liability Order R5-2014-0509

cc list on next page

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Wednesday, December 10, 2014 6:29 PM
To: FitzGerald, Shannon
Subject: Re: EDA grant Mount Shasta/ Crystal Geysers

Thanks Shannon,

I just heard from Nicole at City that she has the many NOP comments in a file that can be put in a dropbox or sent in a CD.

I requested Dropbox.

They were surprised by the large numbers of comments and she is now covering both City Clerk and Planning issues, way on overload.

Vicki

On Dec 10, 2014, at 3:23 PM, "FitzGerald, Shannon" <SFitzGerald@eda.gov> wrote:

> Hi Vicki,

>

> The project manager should have included information in the pre-award file. I'll ask him to provide that to our Regional Council. In the meantime, I can provide her with the EA in response to the FOIA.

>

> I will request the comment on the NOP from the City.

>

> Thanks, Shannon

>

> -----Original Message-----

> From: Vicki Gold [REDACTED]

> Sent: Wednesday, December 10, 2014 1:25 PM

> To: FitzGerald, Shannon

> Cc: Branigan, Michelle

> Subject: Re: EDA grant Mount Shasta/ Crystal Geysers

>

> Hi Shannon,

> Will EDA request those NOP comments from the City? It would be preferable if they did on their own, although we will have access to them through PRR by the end of the month hopefully. I don't believe the EA was included in the FOIA materials I received. I have requested any recent communications in a separate FOIA and wonder if the EA could be included.

> Thanks so much,

> Vicki

> On Dec 10, 2014, at 1:19 PM, "FitzGerald, Shannon" <SFitzGerald@eda.gov> wrote:

>

>> Hi Vicki,

>>

>> EDA prepared EA. When EIRs are prepared, we do want to see them. I've seen the comments on EIRs and the responses incorporated into Final EIRs. It would be interesting to see the comments on the NOP.

>>

>> Thanks for the information. -Shannon

>>

>> -----Original Message-----

>> From: Vicki Gold [REDACTED]

>> Sent: Monday, December 08, 2014 11:04 AM
>> To: FitzGerald, Shannon
>> Subject: Re: EDA grant Mount Shasta/ Crystal Geyser

>>

>> Hi Shannon,

>> We have been reviewing the FOIA documents, and I have a question. From the notes and emails we can see that you and Stan Good were asking very good questions about the project's environmental impacts. Thank you for having outlined your concerns so clearly. We continue to ask some of those questions and more. There was a very brief 3 or 4 page environmental assessment by Julian Colescott of Northstate Resources. Was that the only EA?

>>

>> The NOP public and agency response period ended 12/1/14. Although it isn't official, rumor is that there were over 125 letters questioning the project as outlined in the NOP. This is of course indication of substantial controversy in the community. The anonymous call to David Farnworth-Martin was obviously an early attempt to forewarn the EDA of the anticipated rallying of public support questioning the CG project. (He and you were already aware of the Mount Shasta Herald headline announcing no CEQA required by Siskiyou County.) The community recognized this to be non-compliant with CEQA and indicative of the need to engage the City of Mount Shasta immediately as lead agency for the grant and all environmental review. The City knew this in November as well. This was the beginning of the passing of the buck as to who would be paying for the EIR; this remains an important question. I'm sure many of the letters addressed that concern.

>>

>> The group is questioning whether EDA will request a copy of the comment letters from the City. I understand that they scanned all letters before forwarding to PACE Engineering for their summary. PACE is expected to report back to the City Council by January. Since the first meeting is 1/12/15, I assume it will be at that meeting as a regular agenda item.

>>

>> Thanks so much,

>> Vicki Gold

>

>

Parker, Brian

From: Brian A Parker <brian.a.parker@eda.gov>
Sent: Thursday, March 07, 2013 2:37 PM
To: TMarconi@ci.mt-shasta.ca.us
Subject: EDA Funding Request, Control No. 07123: Required Documentation Missing from Application Package
Attachments: Application Review Comments - City of Mt. Shasta.docx
Importance: High

Mr. Marconi:

I am sending this message pursuant to recent communication you have had with Mary Rudokus regarding the referenced grant application. I have performed my own review of the documentation in the file record and have discovered that key required documents are missing from the package.

A list of the items that the City of Mt. Shasta will need to submit are identified in a document that is attached to this message. I understand that the City is working on the Environment Narrative. All of the other items listed are required to be provided for the application to be considered complete, in addition to the Environmental Narrative.

Please, arrange to have the outstanding items submitted, as soon as possible. I realize that the documents are not likely to be submitted here by March 13. However, if they can be sent here within the few weeks after March 13, it would be helpful.

If you have questions or need additional assistance, feel free to contact me.

Thank you for your interest in EDA funding.

Brian

Brian Parker
Economic Development Specialist

Seattle Regional Office
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, Washington 98174-1012
(206) 220-7675 (Voice)
(206) 220-7669 (Fax)
E-Mail: brian.a.parker@eda.gov
World Wide Web: www.eda.gov

Application Review Comments
City of Mt. Shasta
Mount Shasta Sewer Line and Wastewater Treatment Facility Improvement Project

The following forms and documents need to be submitted in addition to those currently included in the application package or some of the items will need to be submitted:

- Engineering Report
- Environmental Narrative
- Environmental Report (Copy of any previously prepared environmental assessment or impact study in existence, if available)
- Documented approval of the planned project from the State Historic Preservation Officer of the State of California

Parker, Brian

From: Brian A Parker <brian.a.parker@eda.gov>
Sent: Tuesday, March 19, 2013 4:39 PM
To: TMarconi@ci.mt-shasta.ca.us
Cc: Mary S Fitzgerald
Subject: EDA Funding Request, Control No. 07123; SHPO Letter Guidance
Attachments: SHPO-THPO Letter Template.docx; Letter to SHIPO - Required Information.docx; Sample Letter to California SHPO.docx

Ted:

I am sending this message pursuant to your request for a template for a letter to the State Historic Preservation Officer (SHPO). A general template and guidance for required information to include in a letter to the SHPO are attached to this message for your reference. A formatted sample letter with some of the blanks filled in is included, as well. It is pretty much set up to be printed on the City of Mt. Shasta's letterhead.

If you have questions or need additional assistance, feel free to contact me.

Thank you for your work.

Brian

Brian Parker
Economic Development Specialist

Seattle Regional Office
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, Washington 98174-1012
(206) 220-7675 (Voice)
(206) 220-7669 (Fax)
E-Mail: brian.a.parker@eda.gov
World Wide Web: www.eda.gov

SAMPLE OF LETTER TO SHPO/THPO

Date:

(Name of State/Tribal Historic Preservation Officer)

(Name of Historic Preservation Officer)

(Address)

RE: National Historic Preservation Act Section 106 consultation for proposed EDA grant assistance to construct *(Project)*, *(Location)*

Dear *(Name of State/Tribal Historic Preservation Officer)*:

The *(Applicant's Name)* has made an application for grant funding to the U.S. Department of Commerce, Economic Development Administration (EDA) to construct *(General Project Description)*. Under 36 CFR §800.2(c)(4), EDA is delegating authority to *(Applicant's Name)* to consult with you on the behalf of EDA.

The project includes *(Provide a detailed description of the project. For SHPO, this description must include depth, width and footprint of the "Area of Potential Effect" of the undertaking. The description must also include any ground disturbing activities or trenching that will occur as a result of the undertaking. Be precise in describing the location of the undertaking. If the undertaking includes the remodel of an existing building, include the date of the original building construction. Also include the description of any known historic or archaeological resources in the immediate area of the project effect (buildings, etc. of local importance). Include maps of the project area and photographs of buildings older than 50 years that will be renovated or demolished)*.

In accordance with 36 CFR §800 the *(Applicant's Name)* is initiating the Section 106 consultation process on behalf of EDA.

Enclosed is documentation of the *(Applicant's Name)* effort to identify and evaluate historic properties pursuant to 36 CFR §800.4. This documentation includes:

- Evidence that all interested parties *(this includes Tribes, museums, and organizations)* were consulted pursuant to 36 CFR §800.4(a) (3)-(4);
- Documentation of effort to identify and evaluate historic properties. *(For instance, evidence that a record search was completed at the local Historical Information Center. As a result of this record search, a need for an historical/archaeological resources survey may be indicated. If a survey is, or has been, completed, provide a copy of the survey report); and*

- An assessment of the undertaking's potential to affect historic properties pursuant to 36 CFR §800.4(d) or 36 CFR §800.5. (Possible determinations are: (1) No historical properties present; (2) No historical properties affected; or (3) Historical properties affected.)

We ask for your concurrence on these findings and determination. If further information is required, please contact me at (*Applicant's telephone number and email address*).

Sincerely,

(Name)

(Title)

Enclosures

Copy to: EDA Project Officer

NOTE: For information regarding Section 106 and implementing regulations, please refer to the Advisory Council on Historic Preservation's Web Page at <http://www.achp.gov/work106.html>

Letter to State Historic Preservation Officer (SHPO) Required Information

EDA designates applicants for EDA project funding as its non-federal representative per 36 CFR Part 800.2 (c)(4) to act on its behalf to consult with the SHPO in determining the impact of a project on cultural resources in the area that may potentially be affected. Applicants are then required by EDA to submit appropriate information to the SHPO for compliance with Section 106 of the National Historic Preservation Act of 1966.

At a minimum, the EDA applicant must provide the SHPO with:

1. **Record Search Results:** Applicants must request a record search from their local Historic Information Center to identify any known historic archaeological resources within the proposed project sites(s) that are listed on the National Register of Historic Places or are considered to be of local and State significant and perhaps eligible for listing on the National Register. Provide copy of records search from Historic Information Center.
2. **Historic/archeological Resources Survey:** As a result of this records search, the need for an historic/archeological resources survey may be indicated. If a survey has been completed, provide a copy of the survey report. If a survey is required but has not been completed, indicate when the survey will be done and forwarded to SHPO and EDA.
3. Evidence that **interested parties** (*such as Indian Tribes*) were consulted pursuant to 36 CFR §800.4(a) (3)-(4)
4. A narrative description of the proposed project's elements and its location
5. A map of the area surrounding the proposed project, which identifies the project site, adjacent streets and other identifiable objects
6. Line drawings or sketches of the proposed project
7. Photographs of the affected properties if building demolition or renovation is involved; and
8. A request for the SHPO to submit comments on the proposed project to EDA

Although the applicant has the authority to conduct the routine aspects of the consultation, EDA retains the responsibility for any determinations or findings made during the course of the consultation.

The applicant's written correspondence and attachments on behalf of EDA to the SHPO requests SHPO concurrence that the documentation submitted by the applicant is sufficient for the SHPO to complete the consultation process and subsequently provides the necessary SHPO review required in accordance with 36 CFR Part 800.

The SHPO then provides information to the applicant and/or EDA as to whether or not historic-cultural resources are affected by the proposed project, and if so, what mitigation/monitoring measures are required.

{Overwrite and Insert Date}

Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer
Office of Historic Preservation
State of California
1725 23rd Street
Sacramento, California 95816

RE: National Historic Preservation Act Section 106 consultation for proposed EDA grant assistance to construct sewer lines, Mount Shasta, California

Dear Dr. Roland-Nawi:

The City of Mt. Shasta has made an application for grant funding to the U.S. Department of Commerce, Economic Development Administration (EDA) to construct new sewer lines. Under 36 CFR §800.2(c)(4), EDA is delegating authority to the City of Mt. Shasta to consult with you on the behalf of EDA.

The project includes (Provide a detailed description of the project. For SHPO, this description must include depth, width and footprint of the "Area of Potential Effect" of the undertaking. The description must also include any ground disturbing activities or trenching that will occur as a result of the undertaking. Be precise in describing the location of the undertaking. If the undertaking includes the remodel of an existing building, include the date of the original building construction. Also include the description of any known historic or archaeological resources in the immediate area of the project effect (buildings, etc. of local importance). Include maps of the project area and photographs of buildings older than 50 years that will be renovated or demolished).

In accordance with 36 CFR §800 the City of Mt. Shasta is initiating the Section 106 consultation process on behalf of EDA.

Enclosed is documentation of the City of Mt. Shasta's effort to identify and evaluate historic properties pursuant to 36 CFR §800.4. This documentation includes:

- Evidence that all interested parties (*this includes Tribes, museums, and organizations*) were consulted pursuant to 36 CFR §800.4(a) (3)-(4);

- Documentation of effort to identify and evaluate historic properties. (*For instance, evidence that a record search was completed at the local Historical Information Center. As a result of this record search, a need for an historical/archaeological resources survey may be indicated. If a survey is, or has been, completed, provide a copy of the survey report*); and

An assessment of the undertaking's potential to affect historic properties pursuant to 36 CFR §800.4(d) or 36 CFR §800.5. (*Possible determinations are: (1) No historical properties present; (2) No historical properties affected; or (3) Historical properties affected.*)

We ask for your concurrence on these findings and determination. If further information is required, please contact me at *{Overwrite and Insert Telephone Number and/or E-Mail Address}*.

Sincerely,

Theodore Marconi
City Manager

Enclosures

c: Brian Parker, Economic Development Administration

Parker, Brian

From: Ted Marconi <TMarconi@ci.mt-shasta.ca.us>
Sent: Tuesday, March 05, 2013 6:11 PM
To: Mary R Rudokas
Cc: Brian A Parker
Subject: RE: new project officer and where is the environmental stuff?

Mary,

We have reached a definite YES on the reconsideration. We are now working on the environmental narrative and will submit it electronically by the 13th. I could not figure out how to do it without engaging a consultant so we have done so. Hopefully that will put us ahead of the game when we begin the project. We have made contact with ACoE and FWS as well as CalTrans.

Brian, I can get you the letter requesting consideration tomorrow if that would be helpful. We had thought to submit it all at once on the 13th.

P.S. Does anyone have any idea if sequestration is going to impact this next round, and if so how.

Ted Marconi
City Manager
City of Mt. Shasta
From: mary.r.rudokas@eda.gov [<mailto:mary.r.rudokas@eda.gov>]
Sent: Tuesday, March 05, 2013 5:49 PM
To: Ted Marconi
Cc: brian.a.parker@eda.gov
Subject: new project officer and where is the environmental stuff?

Dear Ted,

I will be going on detail April 1, so there has been a reshuffling of duties in the office. Your new project officer is the very capable and friendly Brian Parker. He has your project folder, all of the emails and the application mods made through the last cycle. He is awaiting the YES we want to be reconsidered during the next cycle... due AT THE LATEST, by March 13. Remember, a new app is not needed but it would be beneficial to your consideration if the environmental narrative were complete and conveyed to Brian at that time.

I look forward to hearing great things about Mt. Shasta! Good luck.

Brian's contact information is:
Brian Parker
206 220 7675
Brian.a.Parker@eda.gov

Sincerely,
Mary

Mary Rudokas | Civil Engineer | Economic Development Administration | Tel (206) 220-7694 | Fax (206) 220-7669

-----"Ted Marconi" <TMarconi@ci.mt-shasta.ca.us> wrote: -----

To: <mary.r.rudokas@eda.gov>
From: "Ted Marconi" <TMarconi@ci.mt-shasta.ca.us>
Date: 01/22/2013 04:43PM
Subject: RE: IRC environmental review of Mt. Shasta application

Thank you Mary I will put everyone to work as soon as I receive your official letter.

Ted Marconi
City Manager
City of Mt. Shasta

Parker, Brian

From: Ted Marconi <TMarconi@ci.mt-shasta.ca.us>
Sent: Tuesday, March 12, 2013 4:21 PM
To: Brian A Parker
Subject: Mt. Shasta Application
Attachments: EDA Reconsider Request.pdf; EDA Engr Repts.pdf

Mr. Parker,

As noted previously the City of Mt. Shasta wishes to have its application for funding reconsidered in the current round. Attached in this and subsequent e-mails are a letter formally requesting such reconsideration and supplemental documentation supporting that application. We believe all of the requested documentation is included except for the approval from SHPO, which per your application instructions was not to even be applied for until after project approval.

Ted Marconi
City Manager
City of Mt. Shasta
530) 926-7519
fax (530) 926-0339
marconj@ci.mt-shasta.ca.us



CITY OF MT. SHASTA

305 North Mt. Shasta Boulevard
Mt. Shasta, California 96067
(530) 926-7510 • Telephone
(530) 926-0339 • Fax

March 12, 2013

A. Leonard Smith, Regional Director
U.S. Department of Commerce
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174

Dear Mr. Smith,

The City of Mt. Shasta wishes to have our application for funding for the FY 2013 Economic Development Assistance Programs carried forward to the upcoming funding cycle.

The City has prepared additional supporting documentation and has forwarded it to the assigned Project Manager as of this date.

Thank you very much for your reconsideration of our application. We look forward to being able to work with EDA on this project. If further information is required, please contact me at (530) 926-7510, or cityofms@netv.com.

Sincerely,

Theodore E. Marconi,
City Manager
City of Mt. Shasta

STAGED WASTEWATER TREATMENT PLANT EXPANSION

The existing treatment plant was initially designed for an ADWF of 0.7 MGD and a PWWF of 2.1 MGD. As discussed in the previous chapter, there have been a number of modifications to the oxidation lagoon system over the years and the initial intermittent sand filter system was replaced with a flotation thickener/filtration system in 1999.

The 2002 ADWF has been estimated at about 0.59 MGD, but this may include some quantity of overflow from the golf course effluent storage pond. The 24-hour PWWF on December 14, 2002, was recorded at 2.6 MGD and the 15-minute peak flow could have been in excess of 3.0 MGD, but the headworks is subject to overflows at about that flow rate and the Parshall flume is subject to surcharging so the actual peak is unknown. In addition, one would expect that if the current restriction in the upstream interceptor is removed, the PWWF will probably increase somewhat.

Based upon our analysis, it appears that the existing oxidation lagoon system, with some limited modifications, can probably handle an ADWF of about 0.75 MGD. At the estimated growth rate of 1.0 percent per year, this flow rate would be reached by about 2025. In order to handle ADWFs of greater than 0.75 MGD, it will be necessary to expand the oxidation lagoon system by either adding the two new lagoons in front of the existing lagoons as shown in the 1992 Master Sewer Plan or by constructing a new lagoon where the inactive intermittent sand filters are located. In addition, the DAF system has a maximum capacity of 1.0 MGD. Thus, these existing facilities impact the available plant capacity as the ADWFs and the shoulder period (spring and fall) flows approach 1.0 MGD.

Since the discharge requirements for discharge to the City's reclamation site are not as restrictive as the discharge to the Sacramento River, it may be possible to blend some of the secondary effluent with filtered effluent and discharge it to the reclamation site during the shoulder periods. However, this will involve additional pumping cost and is somewhat contingent on the effluent solids from the lagoon system not getting too high.

Based upon measurements taken by City staff, Lagoon No. 2 has an average of about 2 feet of sludge and Lagoon No. 1 has an average of about 1.2 feet of sludge. This sludge accumulation not only reduces the hydraulic detention time available, but also adds to the oxygen requirements of the lagoon system and reduces the efficiency of the treatment facility.

If the influent ADWFs do increase at 1 percent per year, then the Stage 2 improvement would need to be completed by about 2025.

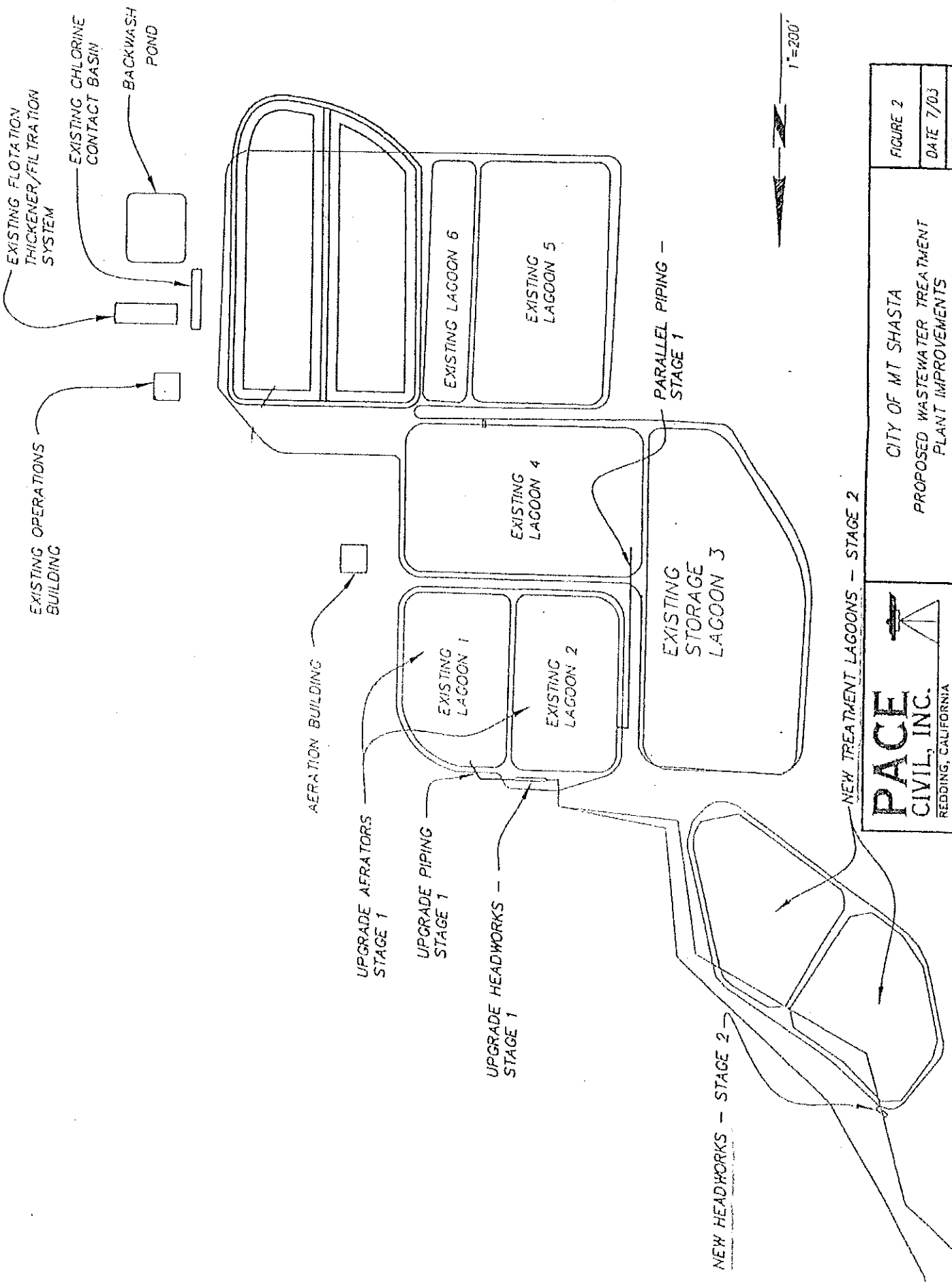
Figure 2 at the end of this report indicates a layout of the existing and proposed major wastewater treatment facilities. Project cost estimates for the Stage 1 and Stage 2 Improvements are shown in Table 3. These order of magnitude cost estimates are based on June 2004 dollars and include an allowance for engineering and contingencies. However, they do not include allowances for inflation or financing costs.

TABLE 3
 Preliminary Project Cost Estimate for
 Wastewater Treatment Plant Staged Expansion Program

| ITEM NO. | DESCRIPTION | ESTIMATED COSTS | COMMENTS |
|---|--|-----------------------------------|--|
| STAGE 1 IMPROVEMENTS (Year 2004 to 2005) | | | |
| 1 | Expand Headworks capacity | \$55,000 | Prevent overflows and improve flow measurement capability |
| 2 | Increase pipeline size to Lagoon No. 1 | \$15,000 | Prevent overflows and improve flow measurement capability |
| 3 | Parallel pipeline from Lagoon No. 2 to Lagoon No. 4 | \$65,000 | Eliminate need to bypass Lagoon No.2 during high flow conditions |
| 4 | Plant hydraulic analysis and develop a high flow management plan | \$8,000 | Verify need for needed piping improvements and provide a more reliable and less labor intensive operation. |
| 5 | Upgrade aerators in Lagoon Nos. 1, 2, and 4 | \$150,000 | Increase BOD removal capacity |
| 6 | Sludge removal from Lagoon Nos. 1 and 2 with dredge equipped with submersible pump system | \$50,000 | Improve BOD removal capabilities |
| 7 | Mechanical dewatering of sludge removed from Lagoon Nos. 1 & 2 | \$500,000 | Centrifuge dewatering cost estimate. Consider using Lagoon No. 3 or old filter beds for dewatering and drying. |
| 8 | Dried sludge hauling and disposal cost | ???? | |
| | | SUBTOTAL | \$853,000 |
| STAGE 1 IMPROVEMENTS (Year 2006 TO 2010) | | | |
| 1 | Replace 750 feet of river outfall with 24-inch pipeline and parallel 550 feet with 18-inch pipeline. | \$145,000 | Increase capacity of river outfall to 5.0MGD, if confirmed by results of item 4 above. |
| | | SUBTOTAL | \$145,000 |
| | | TOTAL STAGE 1 IMPROVEMENTS | \$998,000 |

TABLE 3
 Preliminary Project Cost Estimate for
 Wastewater Treatment Plant Staged Expansion Program

| ITEM NO. | DESCRIPTION | ESTIMATED COSTS | COMMENTS |
|-----------------------------------|---|--------------------|---|
| STAGE 2 IMPROVEMENTS | | | |
| 1 | Add two new aerated lagoons totaling 0.5MG with clay liner and fencing | \$1,435,000 | Increase BOD removal capacity |
| 2 | Headworks for new lagoons | \$108,000 | Increase BOD removal capacity |
| 3 | Modify effluent piping to allow for discharge of blended Lagoon and filtered effluent to reclamation site | \$50,000 | Increase plant capacity during shoulder periods by providing for discharge of blended effluent to reclamation site. |
| 4 | Increase Reclamation Effluent Pumps to 200 HP, if necessary | \$200,000 | Increase discharge capacity during no-river discharge period |
| 5 | Allowance for increasing capacity of existing lagoon piping | \$102,000 | |
| 6 | Electrical modifications and additions | \$81,000 | |
| 7 | Miscellaneous improvements | \$54,000 | |
| TOTAL STAGE 2 IMPROVEMENTS | | \$2,030,000 | |



1" = 200'



NEW TREATMENT LAGOONS - STAGE 2

PACE CIVIL, INC.
 REDDING, CALIFORNIA

CITY OF MT SHASTA
 PROPOSED WASTEWATER TREATMENT
 PLANT IMPROVEMENTS

| |
|--------------|
| FIGURE 2 |
| DATE 7/03 |
| JOB # 111.23 |

Mt. Shasta Sewer Capacity Analysis for Crystal Geysers

PREPARED FOR: File

COPY TO: Paul Reuter/PACE Engineering

PREPARED BY: Nancy Maschke/CH2M HILL
Peter Rude/CH2M HILL

DATE: December 13, 2012

CH2M HILL has conducted a preliminary sewer system capacity analysis to determine if there is a need for the City of Mt. Shasta to make improvements to accommodate a 0.675 million gallons per day (mgd) flow increase from Crystal Geysers bottling facility. PACE Engineering has provided CH2M HILL with H2OMAP Version 9.0 Hydraulic Model results for 2010 Peak Wet Weather Flow (PWWF) of 3.5 mgd. The max flows from the H2OMAP model were used as the existing conditions in this analysis. PACE Engineering has also provided CH2M HILL with pipe diameters, lengths, invert elevations, and Manning's n values for each section of pipe from the Crystal Geysers connection at manhole 620 to manhole 6 at the downstream end near the City's wastewater treatment plant (WWTP).

In summary, 15 pipes from manholes 19-20 and 21-35 were found to be undersized with the addition of 0.675 mgd. Please see the attachments for the pipe capacity calculations and the below explanation of each attachment.

TABLE 1

Summary of Sewer Replacement with the Addition of 0.675 mgd from Crystal Geysers
Mt. Shasta Sewer Capacity Analysis for Crystal Geysers

| | |
|--------------------|------------------------------------|
| Result | 15 pipes over capacity |
| Manholes | 19-20 and 21-35 |
| From Diameter (in) | 12 |
| To Diameter (in) | 1-24in, 2-21in, 6-18in, and 3-15in |
| Total Length (ft) | 6134.5 |

Attachment 1 – Existing Flows and Capacity

Some of the existing data that has been provided from PACE engineering can be found in this attachment. Link ID provides the upstream to downstream manhole number of each pipe segment. The top of the column is the most upstream, and the bottom is the most downstream to the WWTP. Calculated flow is based off velocity calculated by Equation 1 – Manning's Equation and the wetted area. Cells highlighted in yellow provide updated information from Pace Engineering on December 12, 2012.

EQUATION 1

Manning's Equation for Open Channel Flow

Mt. Shasta Sewer Capacity Analysis for Crystal Geysers

$$v = \left(\frac{1}{n}\right) R^{\frac{2}{3}} \sqrt{s}$$

Where:

v = velocity

n = Manning's n roughness

R = Hydraulic radius

s = slope

Existing capacity was calculated based on a d/D of 0.8. The same Manning's equation was used to determine the greatest allowable flow in each pipe segment. The only difference between the existing table and the existing capacity table is that flow was based on a 0.8 d/D and not the observed d/D.

This analysis is assuming that at its peak, Crystal Geysers will release 0.675 mgd of wastewater to the treatment plant.

When determining whether the pipes are over capacity with the addition of the 0.675 mgd, the total flow including the existing max flow conditions plus the future Crystal Geysers flow was subtracted from the calculated capacity using a d/D of 0.8. Those cells highlighted in rose color were found to be over capacity. Here, the condition of d/D of 0.8 cannot be met, and these pipes must be upgraded to meet the new demand on the system.

Attachment 2 – Proposed Updated Diameters and Excess Capacity

To accommodate Crystal Geysers' flow, the rose colored pipes in Attachment 1 must be sized greater to meet the new need. Using Manning's equation again, the pipes were up-sized from 12 inches in order to be within capacity. The new size of each pipe and its new capacity can be found in this attachment. The total flow encompassing the existing conditions plus the 0.675 mgd from Crystal Geysers was subtracted from the new calculated capacity to find the new excess capacity. Now, all pipes have met the future capacity needs.

Sewer Capacity Calculations

New Pipe Diameter Capacity (0.8 d/D)

| Link ID | Diameter (in) | Max Flow (MGD) | d/D | Manning's n | Calculated Flow (MGD) |
|----------|---------------|----------------|-----|-------------|-----------------------|
| 620-619 | 12 | 0.009 | 0.8 | 0.013 | 4.03 |
| 619-618 | 12 | 0.009 | 0.8 | 0.013 | 4.03 |
| 618-617 | 12 | 0.009 | 0.8 | 0.013 | 4.03 |
| 617-615 | 12 | 0.009 | 0.8 | 0.013 | 4.03 |
| 615-613 | 12 | 0.009 | 0.8 | 0.013 | 1.77 |
| 613-612 | 12 | 0.008 | 0.8 | 0.013 | 1.77 |
| 612-611 | 12 | 0.008 | 0.8 | 0.013 | 1.61 |
| 611-610 | 12 | 0.044 | 0.8 | 0.013 | 1.33 |
| 610-609 | 12 | 0.027 | 0.8 | 0.013 | 1.68 |
| 609-608 | 12 | 0.026 | 0.8 | 0.013 | 3.23 |
| 608-607 | 12 | 0.026 | 0.8 | 0.013 | 3.24 |
| 607-606 | 12 | 0.026 | 0.8 | 0.013 | 2.55 |
| 606-605 | 12 | 0.026 | 0.8 | 0.013 | 2.55 |
| 605-604 | 12 | 0.025 | 0.8 | 0.013 | 2.07 |
| 604-603 | 12 | 0.036 | 0.8 | 0.013 | 3.22 |
| 603-602 | 12 | 0.036 | 0.8 | 0.013 | 3.22 |
| 602-601 | 12 | 0.036 | 0.8 | 0.013 | 1.78 |
| 601-405 | 12 | 0.036 | 0.8 | 0.013 | 1.78 |
| 405-404 | 12 | 2.202 | 0.8 | 0.013 | 4.80 |
| 404-403A | 18 | 2.743 | 0.8 | 0.013 | 13.44 |
| 403A-403 | 12 | 2.893 | 0.8 | 0.013 | 4.57 |
| 403-402 | 12 | 2.893 | 0.8 | 0.013 | 4.54 |
| 402-401 | 12 | 2.893 | 0.8 | 0.013 | 4.21 |
| 401-35 | 12 | 2.89 | 0.8 | 0.013 | 5.78 |
| 35-34 | 12 | 2.89 | 0.8 | 0.013 | 6.05 |
| 34-33 | 12 | 2.89 | 0.8 | 0.013 | 7.1 |
| 33-32 | 12 | 2.89 | 0.8 | 0.013 | 7.57 |
| 32-31 | 12 | 2.89 | 0.8 | 0.013 | 7.6 |
| 31-30 | 18 | 2.89 | 0.8 | 0.013 | 7.8 |
| 30-29 | 18 | 2.89 | 0.8 | 0.013 | 7.8 |
| 29-28 | 18 | 2.89 | 0.8 | 0.013 | 7.8 |
| 28-27 | 18 | 2.89 | 0.8 | 0.013 | 7.8 |
| 27-26 | 18 | 2.89 | 0.8 | 0.013 | 7.8 |
| 26-25 | 18 | 2.89 | 0.8 | 0.013 | 7.8 |
| 25-24 | 18 | 2.89 | 0.8 | 0.013 | 7.8 |
| 24-23 | 18 | 2.89 | 0.8 | 0.013 | 7.8 |
| 23-22 | 24 | 2.89 | 0.8 | 0.013 | 7.8 |
| 22-21 | 24 | 2.89 | 0.8 | 0.013 | 7.8 |
| 21-20 | 24 | 3.4 | 0.8 | 0.013 | 13.24 |
| 20-19 | 24 | 3.85 | 0.8 | 0.013 | 14.91 |
| 19-18B | 30 | 3.857 | 0.8 | 0.013 | 14.78 |
| 18B-18A | 30 | 3.851 | 0.8 | 0.013 | 11.17 |
| 18A-18 | 30 | 3.846 | 0.8 | 0.013 | 25.35 |
| 18-17 | 24 | 3.842 | 0.8 | 0.013 | 20.74 |
| 17-16 | 24 | 3.84 | 0.8 | 0.013 | 17.44 |
| 16-15 | 24 | 3.837 | 0.8 | 0.013 | 12.13 |
| 15-14 | 24 | 3.835 | 0.8 | 0.013 | 12.04 |
| 14-13 | 24 | 3.827 | 0.8 | 0.013 | 14.92 |
| 13-12 | 24 | 3.822 | 0.8 | 0.013 | 21.92 |
| 12-11 | 24 | 3.821 | 0.8 | 0.013 | 9.85 |
| 11-10 | 24 | 3.818 | 0.8 | 0.013 | 12.93 |
| 10-9 | 18 | 3.817 | 0.8 | 0.013 | 5.07 |
| 9-8 | 18 | 3.817 | 0.8 | 0.013 | 8.83 |
| 8-7 | 18 | 3.817 | 0.8 | 0.013 | 8.63 |
| 7-6 | 18 | 3.817 | 0.8 | 0.013 | 7.74 |

Red background cells denote new diameter.



Project: Sewer Line and Wastewater Treatment Facility Improvements
Applicant: City of Mount Shasta, Siskiyou County, California
Project Number: 07-79-07000

I. PROJECT DESCRIPTION

This project is located within and just west of the City of Mount Shasta (the City), Siskiyou County, California. The scope of work for this EDA project involves increasing the capacity of a main sewer line (upsizing an existing 12-inch sewer interceptor line to an 18 or 24-inch interceptor line). The applicant would replace 6,000 to 9,000 feet of line and manholes. The new sewer line would run parallel to the existing sewer line. The new sewer line would be within existing right-of-ways (ROW) and easements. The existing sewer line would be abandoned in place. The project also includes constructing two ponds (approximately 4 to 4.5 million gallons each) with earthen dikes and related headworks at the Mount Shasta Wastewater Treatment Plant (WTP) which is to the southwest of the City.

Specifically, the proposed sewer line will begin at Manhole 402 at the end of West Jessie Street. It will proceed west under the Interstate 5 (I-5) Freeway to the resumption of West Jessie Street on the west side of I-5. At that point, it will proceed approximately 600 feet to the intersection of West Jessie and Hatchery Lane. Then it will turn south crossing under Hatchery Lane and will proceed approximately 3,000 feet across wetlands and meadow. Then it will turn to the southwest to intersect Old Stage Road. It will cross Old Stage Road and will follow the ROW for 2,000 feet across pasture and wetlands to Ream Avenue. It will cross Ream Avenue and continue south to Manhole 20. This will be a gravity-flow system and there are no lift stations. The sewer line will also cross Cold Creek.

Details on project description are provided in the engineering report in the EDA Application for Federal Assistance and any amendments thereto.

II. PURPOSE AND NEED

These infrastructure improvements will support development in the commercially-zoned area along North Mount Shasta Boulevard which has pockets of industrial use. It would also support the reuse of a vacant water bottling facility.

The primary beneficiary would be Crystal Geyser Water Company which is a subsidiary of Otsuka Enterprises, a Japanese conglomerate. Crystal Geysers is in the process of purchasing the

vacant Coca Cola bottled water facility that was initially operated by Danone Waters of North American (Dannon). In addition to Crystal Geysers, other beneficiaries would include businesses that support the bottling plant, such as storage, refrigeration, and trucking companies. The sewer line upgrade would also support in-fill development along North Mount Shasta Boulevard.

II. DATA BASE

This Environmental Assessment and all attachments hereto are a part of the environmental file. Findings made in this Environmental Assessment that are based upon information referenced in this Section III are completed with the understanding that all data presented by the Applicant, public agencies, and other individuals and entities as referenced were provided truthfully and with full disclosure of the relevant facts. Detailed information upon which environmental impacts are assessed is contained in the following documents:

1. Applicant's Environmental Narrative, with attachments, notes, and addendums
2. CH2MHILL for the Central Valley Regional Water Quality Control Board, August 2001, Dannon Natural Spring Water Bottling Facility, Mount Shasta, California, Proposed Initial Study/Mitigated Negative Declaration
3. U.S. Geological Survey map
4. FEMA Floodplain map
5. U.S. Fish and Wildlife Service (FWS) National Wetlands Inventory map
6. North State Resources, Inc., March 6, 2013, letter to City Planner Keith McKinley regarding Biological Resources.
7. North State Resources, Inc., March 5, 2013, letter to City Planner Keith McKinley regarding Cultural Resources
8. Native American Historic Commission, February 1, 2011, Native American Tribal Consultation List
9. Letter to the U.S FWS
10. Siskiyou Daily News, August 9, 2013, Affidavit of Publication and newspaper clipping
11. Mount Shasta Herald, August 7 and 14, 2013, newspaper clipping
12. CH2MHILL, December 13, 2012, Technical Memorandum regarding Mt. Shasta Sewer Capacity Analysis for Crystal Geysers
13. Articles on bottled water facilities

IV. ENVIRONMENTAL IMACTS

The Environmental Narrative and documents in the Data Base are used to develop this Environmental Assessment in order to comply with the National Environmental Policy Act (NEPA) of 1969. This Environmental Assessment (EA) has been prepared to comply with the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) NEPA regulations (40 CFR Parts 1500-1506), and the U. S. Department of Commerce's Economic Development Administration's (EDA) Directive 17.02-2, *EDA Program to Implement the National Environmental Policy Act of 1969 and Other Federal Environmental Mandates as Required*. These laws and directive require an evaluation of potential environmental effects prior to the approval of the release of funding for a proposed construction project. EDA, as a federal agency, is required to complete an independent environmental assessment for each Federal Action not deemed qualified for a Categorical Exclusion as interpreted in EDA Directive 17.02-2 (10/14/92). The following subsections provide impact assessment for concerns that include wetlands, floodplains, wilderness, wild and scenic rivers, endangered species, land use, farmland,

historic preservation, archaeological resources, solid waste, hazardous waste, water quality, air quality, noise, transportation, coastal zones, environmental justice, and construction. Additionally, this document reviews public reaction, alternatives to the proposed project, and cumulative and indirect impacts.

A. Alternatives

The existing sewer line is through two wetlands, one of which is a wetlands mitigation bank. The applicant is working with both the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers on installing the new line parallel to the existing one. If for some reason this is not possible, the applicant has also considered running the line in the right-of-way of an adjacent road, although that route would require lift stations and the acquisition of easements and right-of-ways.

As for replacing the sewer line under I-5, the applicant believes there is adequate room for upsizing the interceptor. If there is not adequate room, the applicant will bore and jack under I-5 which will involve obtaining a permit from the California Department of Transportation (CalTrans).

The No Action alternative would curtail future developments in the northern and central areas of the City at some future point. It would also prevent the reuse of the water bottling facility.

If the preferred alternative route present significant environmental impacts and regulatory constraints that cannot be mitigated for (e.g., running the line through the wetlands conservation area, obtaining a CalTrans permit in a timely manner), then the alternative routes will be used.

B. Wetlands and Floodplains

The original sewer main was installed in 1970 through two seasonally-flooded wetlands (freshwater emergent). According to the application and retired City Manager Ted Marconi, in 1990, the northern-most wetland was set aside as a wetlands conservation area as mitigation for the development of a shopping center on the east side of I-5. The southern wetland, which is not in the conservation area, is used as pastureland. However, it still qualifies as a wetland under the U.S. Army Corps of Engineers' (Corps) Hydrogeomorphic methodology of identifying wetlands. The sewer line also crosses the Cold Creek. The applicant has applied for a Clean Water Act (CWA) Section 404 permit from the Corps for dredging and fill within the wetlands and a Water of the U.S. As part of this, the applicant will either need to conduct a wetland delineation or sign a Preliminary Jurisdictional Determination. The applicant anticipates that the Corps will require certain mitigation measures, such as planting willows, and stockpiling and replacing soil over the new line.

With the Corps' CWA Section 404 permit and the mitigation measure required by it, this project will have no significant impacts on wetlands or Waters of the U.S. The requirements in Executive Order 11990 are met.

FEMA Flood Insurance Rate Map Number 06093C3025D, effective January 19, 2011, was reviewed for potential floodplains. The sewer line and wastewater treatment facility are in Flood Zone X, which is protected from the 100-year flood. The requirements in Executive Order 11988 have been met. This project will have no significant impacts on floodplains.

C. Wilderness and Wild and Scenic Rivers

The project is located east of the Shasta National Forest. Part of the project is near the Sacramento River, although it is not designated as a Wild and Scenic River. There are no wilderness areas; wildlife habitats; state or national refuges, parks; or designated wild and scenic rivers in the immediate project area. This project will have no impacts on any of the above.

D. Endangered Species

City staff and a biologist from North State Resources, Inc. conducted a preliminary biological review of the sewer line route by driving the route and occasionally stopping and noting vegetation communities and wetland types. These field notes were compared to habitat requirements of special-status plant and wildlife species known to occur in the region to develop a preliminary list of special-status species that could occur in the project area. The results of the survey were sent to the City in a March 6, 2013 letter. There was a subsequent August 13, 2013 letter noting the lack of habitat for vernal pool fairy shrimp.

The results of the report indicated that no federally-listed wildlife species have the potential to occur within the project area. The preliminary biological reports notes that one federal candidate for listing, the Pacific fisher (*Martes pennanti*), has the potential to use the area for foraging.

Three state-listed species have potential to occur: the willow flycatcher (*Empidona traillii brewsteri*), greater sandhill crane (*Grus canadensis tabida*), and bald eagle (*Haliaeetus leucocephalus*). California species of special concern which may occur within the project area are the foothill yellow-legged frog (*Rana boylei*), the Cascades frog (*Rana cascadae*), northwestern pond turtle (*Clemmys marmorata marmorata*), and the yellow warbler (*Dendroica petechia*).

No federally-listed or state-listed plant species are likely to occur in the project area. There are four special status plant species, which are California Native Plant Society RPR 1b and 2-ranked species. These plants are: Oregon fireweed (*Epilobium oreganum*); Aleppo avens (*Geum aleppicum*); northern adder's tongue (*Ophioglossum pusillum*); and marsh skullcap (*Scutellaria galericulata*).

On March 12, 2013, the City sent an informal Endangered Act Section 7 consultation letter to the U.S. Fish and Wildlife Service (USFWS) Office in Yreka. In the letter, the City proposed that construction would be done in late summer/fall when there should be no immobile young fishers or nesting birds. A pre-construction survey for special status plants is also proposed. If special status plants are present, they will be mapped and avoided. If impacts to special status plants are unavoidable, appropriate conservation measures will be implemented. A determination of "may affect, but is not likely to adversely affect" was initially made for the proposed project.

In an August 28, 2013 email, the FWS concurred that there will be "no effect" to vernal pool fairy shrimp. According to the FWS, if there are indirect or cumulative impacts to Big Springs, then the effect of those impacts on listed species will need to be determined. An assessment will need to be done on proposed groundwater impacts to Big Springs before the FWS consultation can be concluded.

In an August 29, 2013 email, the FWS recommended contacting the National Oceanic and Atmospheric Administration (NOAA) Fisheries regarding Central Valley steelhead which are

federally listed as threatened and winter run chinook salmon. On August 30, 2013, NOAA Fisheries confirmed that there are no federally-listed fish above Shasta Dam and therefore none in the project area (personal communication, Amy Moore).

There are Black oak trees where the applicant proposes to construct the ponds at the Mount Shasta WTP. The Black oak trees may provide nesting habitat for birds protected under the Migratory Bird Treaty Act. Therefore, the trees should either be removed during non-nesting season or a survey should be conducted for nesting migratory birds prior to removal. If nesting migratory birds are present, then the applicant will need to wait until chicks have fledged and left the nest.

Implementing any mitigation measures that result from consultation with the FWS, NOAA Fisheries and CDFW should reduce any impact to federally listed species to less than adverse. Special conditions are included to address this.

E. Land Use and Zoning

The project is located within with the City of Mt. Shasta and unincorporated Siskiyou County. Land use includes open space, rural residential, small farms, and infrastructure (sewer plant, roads and interstate). The project crosses several zones including single-family residential and commercial (although in single-family housing) within the City. The zoning also includes County land zoned as Single Family with five acre minimum lot sizes, and Non-Prime Ag Land. North of I-5 is primarily residential, although there is commercial zoning along N. Mount Shasta Boulevard and pockets of industrial use. This project is consistent with land use and zoning.

F. Prime Farmland

There are no prime farmlands in the vicinity of the project site. There will be no significant impacts to prime farmland.

G. Historic/Archaeological Resources

The applicant has conducted a cultural resources records search through Northstate Resource, Inc. at the Northeast Information Center (NEIC). There is one prehistoric site within 0.07 miles of the site and four historic-era sites within 0.25 miles of the project site, the closest of which is 0.08 miles from the project. No resources listed on the National Register of Historic Places or on any of the California lists are located within the 0.25 mile radius of the project. No surveys have been conducted in the project area. Previous surveys (in the area) indicate a moderate probability for cultural resources, both prehistoric and historic-era, to be present.

A list of Native American Tribes was provided from the Native American Heritage Commission. The Native American Heritage Commission provided a list of eight tribes that expressed an interest in the project area. The archaeological consultant identifies the Winnemen Wintu Tribe, the Pit River Tribe, the Shasta Nation; and the Modoc Tribe as the tribes to be most likely associated with the area.

A special condition is included that National Historic Preservation Act Section 106 consultations must be completed with the State Historic Preservation Office and Native American Tribes before any earth-disturbing activities occur.

H. Solid Waste Disposal

The existing sewer line will be abandoned in place. Excess trenching spoils from construction will be disposed of in appropriate fill areas outside of wetlands. The primary beneficiary will produce wastes typical of bottling facilities including plastic, cardboard, and packing materials. California law requires that major commercial and industrial operations implement recycling programs for these materials. Other solid waste will be sent to one of the City's Black Butte Transfer Station where it is then sent to one of several Siskiyou County landfills. This project will have no significant impact on solid waste disposal.

I. Hazardous Waste

An EDA Form ED-535, Applicant Certification Clause, was executed for this project. There were no indicators from this form or other information provided by the applicant of concerns regarding hazardous materials or toxic substances. Based on the nature of the affected areas around the project components and the due diligence performed by the applicant, it is concluded that there are no hazardous material concerns related to the EDA project. Consistent with EDA Directive 17.01 (07/09/92; revised 03/18/98), a grant condition is in the Standard Terms and Conditions of the Grant Agreement to indemnify EDA from liability regarding any damages resulting from hazardous waste contamination.

J. Water Quality, Resources, and Uses

Surface Water

There are several surface water bodies near the project. The sewer line will cross Cold Creek. The WTP is near and discharges to the Sacramento River during certain times of the year. There are also numerous springs (e.g., Big Springs, Cold Springs) which feed in to Big Springs Creek and Cold Creek. These drain to Siskiyou Lake which is created by Box Canyon Dam on the Sacramento River.

A Streambed Alteration Agreement with the California Department of Fish and Wildlife (CDFW) will be required for work in Cold Creek. If the applicant decides to bore under the creek, a notice will still need to be provided to the CDFW. A Corps 404 permit will be required for trenching in the wetlands and creek.

A National Pollution Discharge Elimination Systems (NPDES) Stormwater Permit is required for this project if it disturbs more than one acre. With a Stormwater Permit and a Stormwater Pollution Prevention Plan (SWPPP), this project will have no significant erosion or runoff impacts.

In August 2001, a Proposed Initial Study/Mitigated Negative Declaration (IS/MND) that was prepared by CH2MHILL was used issued by the Central Valley Regional Water Quality Control Board (CVRWQC) for improvements at the Dannon bottled water facility. The IS/MND identified possible impacts to the California Department of Fish and Game (now California Department of Fish and Wildlife) Mount Shasta Fish Hatchery from groundwater pumping for the Dannon facility. The impacts were identified as being less than significant to Big Springs, Big Springs Creek, and the CDFG water diversion to the Mount Shasta Fish Hatchery. However, the IN/MND contained the mitigation measure that if over time there was a significantly reduced flow on Big Springs Creek, Dannon would discuss and participate with all other water users in developing a proportionate, equitable and mutually agreed action plan to address such an issue. It appears that Crystal Geyser will extract more groundwater than Dannon did (see discussion below). Therefore, impacts to Big Springs Creek will be greater, although without further information and analysis it is not known if they will be significant.

Wastewater

The permitted capacity of the Mount Shasta WTP is 0.8 million gallons per day (MGD). The average dry weather flow (ADWF) to the WTP is 0.6 MGD. Peak wet weather flow to the WTP is 2 to 3 MGD. Treated wastewater from the WTP is disposed in a variety of ways depending on several factors. During the summer months when it cannot be discharged into the Sacramento River, it is used to irrigate the Mount Shasta Resort Golf Course. It is also disposed in a leachfield near Highway 89.

With the two ponds and headworks improvements, an additional 0.25 MGD of treatment capacity will be added, resulting in an upgraded treatment capacity of 1.05 MGD, which provides 0.45 MGD in available treatment capacity. Upgrading the sewer line would increase the conveyance ability of the system by 0.75 MGD.

According to the CVRWQCB WDR, the average discharge rate for the Dannon facility with three production lines would be 60,000 gallons per day (gpd), with a maximum discharge rate of 108,000 gpd. According to a Technical Memorandum by CH2MHILL, dated December 13, 2012, the Crystal Geysers bottling facility will generate wastewater flows of 675,000 gpd. The Environmental Narrative states that the amount of wastewater generated by Crystal Geysers could ultimately reach 750,000 gpd. The wastewater would consist primarily of rinse water generated by cleaning bottles and equipment. The rinse water would contain fruit juices and peracetic acid (a weak acid used for cleaning).

The City is undertaking a feasibility study to determine if the current plant processes will enable them to meet new NPDES requirements and future loading from the primary beneficiary, or whether they will have to redesign the entire plant. While the proposed upgrade of the wastewater conveyance and treatment systems would facilitate the initial start-up of the primary beneficiary, additional wastewater infrastructure upgrades would be required for full build-out. The new lagoons, which are 4 to 4.5 million gallons in capacity, will be needed as storage and ballast even if they are not part of the treatment system in the future.

Groundwater

In the City of Mount Shasta, water is either provided by the City's water system (produce from Cold Springs and groundwater wells) or private wells. The sourcewater for the primary beneficiary is the Big Springs Aquifer. These sources are recharged by precipitation on the flanks of Mount Shasta. Studies prepared for Dannon indicated that the groundwater used by the bottling facility was in hydraulic connection with down-gradient Big Springs. The Dannon facility was served by one well (DEX-6) that is 2,000 feet to the north of the bottling facility. The Environmental Narrative states that Crystal Geyser facility will be served by a series of wells. The California Department of Water Resources requires permits for groundwater wells. Water produced by wells is regulated by the Siskiyou County Public Health Department.

According to the IN/MND, the Dannon facility with three production lines pumped an average of approximately 150 gallons per minute, or 78.8 million gallons per year, from the Big Springs Aquifer. Dannon also trucked in approximately 7.7 million gallons per year from Mossbrae Spring in Dunsmuir. According to the Environmental Narrative, the primary beneficiary could use up to one million gallons per day (1 MGD) of groundwater. This could equate to 365 million gallons per year, although it is unknown if the facility would use 1 MGD every day.

The IS/MND identified the following impacts to groundwater from the Dannon facility: a maximum reduction in groundwater levels to the closest private wells of approximately six (6) inches; and a slight reduction in flow from Big Springs (Headwaters Spring) of approximately 1.8 to 3.5 percent on average with a maximum effect of approximately five (5) percent. At the time the study was done, no municipal or private wells were closer than 1,500 feet from Dannon's production well (DEX-6). Impacts to groundwater, nearby wells, and springs were determined to be less than significant.

It appears that the primary beneficiary will use more groundwater than what was previously used. The facility will use more rinse water because of rinsing the equipment between the different flavors of water and teas that will be produced. The existing leachfield cannot handle the increase in rinse water so rinse water will be discharge to the sewer. This means recharge to groundwater will be less than when Dannon was using the leachfield for disposal of rinse water. With more groundwater use and no recharge to groundwater from the bottling facility, there will be greater impacts to groundwater, wells, Big Springs, and Big Springs Creek. A study will need to be done to determine if these impacts are significant.

Summary

Special conditions are included regarding the requisite Corps 404 permit, CDFW Streambed Alteration Agreement, and NPDES Stormwater Permit. With these permits and implementation of the mitigation measures within them, this project should not have significant impacts on surface water quality or, if there are significant impacts, they will be temporary.

The impact to groundwater levels, springs, and surface water fed by the springs could be potentially significant. Until more is known about the quantity and timing of groundwater extraction by the primary beneficiary, the impacts of the project on groundwater cannot be assessed in this Environmental Assessment. Information regarding documented impacts from the Dannon and Coca Cola operations to groundwater and springs would also be useful in assessing impacts. A special condition is included that the requisite CEQA analysis also examine indirect impacts from the project to groundwater, wells, springs, streams, and the CDFW Mt. Shasta Fish Hatchery.

K. Air Quality

According to the July 2013 U.S. EPA website on non-attainment areas, Siskiyou County is not in any non-attainment areas. As increase in truck traffic from the operation of the primary beneficiary will create additional impacts on air quality. The IN/MDN identified potentially significant air impacts from the Dannon plant. However, at the time that the IN/MND was prepared, the County was in non-attainment for PM10 (particulate material 10 micron or less in size). The County is no longer in non-attainment for PM10. Therefore, air impacts are less than significant.

L. Noise

The only potential for significant noise impacts associated with the EDA project would be during construction. Contractors will be expected to take appropriate measures and to use Best Management Practices (BMP) to keep noise levels to within tolerable and regulated limits such as using muffled construction equipment and limiting construction activity to reasonable hours. There will be no significant noise impact from this project.

M. Transportation

Regarding direct impacts to transportation from the proposed project, the wastewater line will intersect existing road right-of-ways (ROW) in three locations. Construction in the roads will create temporary impacts. The project also includes boring under the I-5 ROW and an encroachment permit will need to be obtained from the California Department of Transportation for that.

According to the Environmental Narrative, the transportation systems, both local streets and regional roads, will not change as a result of this project. However, the IS/MND indicated that there would be a slight increase in traffic on local roads with the operation of the bottling plant. For the Dannon facility, there were 3 to 5 delivery trucks per day and 10 truck of final product. Employee vehicle trips ranged from 22 to 35 per day. The IS/MND did not identify traffic impacts as being potentially significant.

N. Coastal Zone Management

The Coastal Zone Management Act does not apply to this project.

O. Environmental Justice

Executive Order 12898 concerns avoiding federal actions that may have a disproportionate adverse health or environmental impact on minority and low-income populations. This project will have no adverse impact on minority or low-income populations.

P. Construction

Contractors will be expected to use best management practices (BMP) methods to minimize noise, erosion, siltation, particulate air pollution, and other effects associated with construction activities. This project will have no significant construction impacts.

Q. Public Reaction

The City has discussed the proposed wastewater project at City Council meetings, but no formal public hearings have been held yet. Under CEQA, the City will conduct an analysis of the impacts associated with of the proposed wastewater infrastructure project.

As part of the EDA grant application process, NEPA public notices were published in local and regional newspapers. This was followed by a 15-day public comment period. The NEPA public notice was published in the weekly Mount Shasta Herald on August 7 and 14, 2013. The notice was published in the regional Siskiyou Daily News on August 9, 2013. The 15-day public comment period ended on August 29, 2013. No public comments were received.

While it was not disclosed in the Environmental Narrative, information from newspaper articles and websites indicate that bottled water facilities (the primary beneficiary) are controversial and contentious. A proposed new water bottling plant by Nestle Waters North America in the neighboring town of McCloud was the subject of a lawsuit and eventually not built. Crystal Geyser proposed building a water bottling facility in the town of Orland in Glenn County. Crystal Geyser decided to not build the new facility in Orland and instead decided to reopen the vacant Coca Cola water bottling facility in Mt. Shasta. Concerns in the McCloud project included impacts to streams and springs. Concerns in the Orland case included impacts to groundwater and adjacent wells.

V. CUMULATIVE AND INDIRECT IMPACTS

Environmental Narrative, under Item 20, Cumulative Impacts to Proposed Project, provided evidence of consideration of incremental impacts of the action, when added to other past, present, and reasonably foreseeable future actions. (40 CFR Section 1508.7)

The Environmental Narrative states that there are no foreseeable indirect or cumulative effects of this project on the environment that cannot be mitigated during the course of construction. However, the IN/MND for Dannon facility noted that the bottled water facility would have effects that are individually limited, but cumulatively considerable. Elsewhere in the IN/MND, it states that the Dannon project would not contribute to cumulative impacts to Big Springs aquifer, adjacent groundwater users, or Big Springs Creek.

The Mount Shasta Municipal Code, Chapter 13.95, specifically exempts commercial bottling water enterprises from having to obtain a groundwater extraction permit in the City of Mount Shasta. In Siskiyou County, bottling is permitted outright. Therefore, if other bottled water facilities located in or adjacent to the City of Mount Shasta, there could be significant cumulative impacts to groundwater. At

this time, there is no information that other bottling facilities plan on building additional bottled water facilities in the area.

The indirect impacts of pumping up to one million gallons per day of groundwater with no groundwater recharge could impact groundwater, wells, springs, creeks, and the Mount Shasta Fish Hatchery. The severity of those impacts cannot be assessed without additional information that will be collected as part of the CEQA process.

VI. CONCLUSION

While sewer infrastructure projects tend to not be controversial, the primary beneficiary of this sewer project will be a bottled water facility. Bottled water facilities have been controversial. Depending on the amount of groundwater extracted, the project has the potential to create significant adverse impacts to ground water quantity, springs, and possibly surface water quantity and quality. Review of all available data and completion of this Environmental Assessment have resulted in a Mitigated Finding of No Significant Impact (Mitigated FONSI). A CEQA analysis will be conducted for this proposed project. A determination of impacts to Big Springs will be necessary to finish the ESA consultation with the FWS. Should the impacts determination or CEQA analysis indicate that there are significant adverse impacts that cannot be mitigated to less than significant, then this Mitigated FONSI will be withdrawn.

With the requisite permits, consultations, agreements, and mitigation measures, in my opinion the approval of this project will not violate the following:

1. The National Environmental Policy Act of 1969, as amended
2. American Indian Religious Freedom Act
3. The Archeological and Historic Preservation Act of 1974
4. The Clean Air Act, as amended.
5. The Clean Water Act, as amended
6. Coastal Barrier Act
7. Coastal Zone Management Act as amended
8. Community Environmental Response Facilitation Act of 1992
9. Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended
10. The Endangered Species Act , as amended
11. Environmental Quality Improvement Act of 1970, as amended
12. Executive Order 11514, Protection and Enhancement of Environmental Quality, as amended
13. Executive Order 11593, Protection and Enhancement of the Cultural Environment
14. Executive Order 11988, Floodplain Management
15. Executive Order 11990, Protection of Wetlands
16. Executive Order 12088, Federal Compliance with Pollution Control Standards
17. Executive Order 12372, Intergovernmental Review of Federal Programs, as amended
18. Farmland Protection Policy Act
19. Fish and Wildlife Coordination Act, as amended
20. Marine Protection, Research and Sanctuaries Act of 1972, as amended
21. Marine Sanctuaries Amendments of 1984, as amended
22. The National Historic Preservation Act of 1966, as amended
23. Noise Control Act of 1972, as amended
24. Pollution Prevention Act of 1990
25. Resource Conservation and Recovery Act of 1976, as amended
26. The Safe Drinking Water Act
27. Superfund Amendments and Reauthorization Act of 1986
28. Toxic Substances Control Act, as amended
29. The Wild and Scenic Rivers Act, as amended

(19) **SPECIAL CONDITIONS:** To assure mitigation of potential environmental impacts, mitigation measures are used in the form of grant conditions. The following Special Conditions are recommended for placement on the Grant Agreement as an addendum to the General Term and Conditions:

U.S. ARMY CORPS OF ENGINEERS (ACOE): Prior to advertisement for construction bid, the Recipient shall provide evidence satisfactory to the EDA that the ACOE has issued a Clean Water Act Section 404 permit for the project.

U.S. FISH AND WILDLIFE (USFWS): Prior to advertisement for construction bid, the Recipient shall provide evidence satisfactory to the EDA that consultations with the FWS under the Endangered Species Act and Migratory Bird Treaty Act have been completed, and mitigation measures resulting from these have been incorporated into construction plans.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW): Prior to advertisement for construction bid, the Recipient shall provide evidence satisfactory to the EDA that a Streambed Alteration Agreement has been obtained from the CDFW for work in Cold Creek and resulting mitigation measures are incorporated into construction plans.

CALIFORNIA STATE HISTORIC PRESERVATION OFFICER (SHPO): Prior to any earth-disturbing activities, the Recipient shall provide evidence satisfactory to the EDA that the National Historic Preservation Act Section 106 consultations have been completed with the California SHPO and Native American Historic Preservation Officers, and recommendations resulting from these have been incorporated into construction plans.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA): Prior to advertisement for construction bid, the Recipient provide evidence satisfactory to EDA that a CEQA analysis of the project has been completed, including an analysis of indirect impacts from the project to groundwater, wells, springs, streams and the CDFW Mount Shasta Fish Hatchery

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEMS (NPDES): Prior to earth-disturbing activities, the Recipient shall provide evidence satisfactory to the EDA that a Stormwater NPDES Permit for General Construction has been obtained from the California Regional Water Quality Control Board.

PREPARED BY:

Shannon FitzGerald
Shannon FitzGerald
Regional Environmental Officer

DATE: 8.30.13

Note: This concise format is in accordance with NEPA guidance provided by the President's Council on Environmental Quality at: <http://www.nepa.gov/nepa/regs/guidance.html>

APPENDIX

ENVIRONMENTAL NARRATIVE, FIGURES, CORRESPONDENCE, AND
OTHER MATERIALS SUBMITTED BY APPLICANT AND OTHER PARTIES
ARE PART OF AND SUPPORT THE FINDINGS OF THE ENVIRONMENTAL
ASSESSMENT



U. S. DEPARTMENT OF COMMERCE
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Fax: 206.220.7669
Voice: 206.220.7660

Finding of No Significant Impact

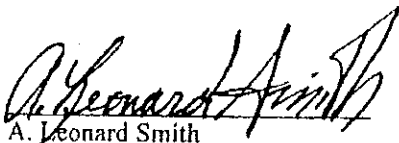
MEMORANDUM FOR THE PROJECT FILE

SUBJECT: Environmental Impact Determination and Necessary Environmental Findings for the City of Mt. Shasta, California, Sewer Line and Wastewater Treatment Facility Improvements Project Number 07-79-07000

An environmental assessment has been prepared for the subject project and is attached. After reviewing the assessment and supporting materials, I find that for the following reasons the project will not significantly affect the quality of the human environment.

- The project is a Class II Action as defined by EDA Directive 17.02-2.
- Both the individual and cumulative impacts will not be significant.
- No unique or unusual environmental conditions exist which would be adversely affected by the project.
- The project will not exceed two or more indicators of significance.
- The project is compatible with local land use plans, zoning restrictions, and the Comprehensive Economic Development Strategy (CEDS).
- The Agency policy with respect to Executive Orders 11988, Floodplain Management, and 11990, Wetlands Protection, has been met because the project will not impact either the values or functions of a floodplain or wetland.
- No known cultural resources will be impacted by the project.
- Project design will mitigate identified construction impacts.
- The pre-approval requirements of EDA Directive 17.02-7 are met.
- No negative comments have been received through the state or regional clearinghouse processes, and federal public notice process.

An environmental assessment has been prepared for the subject project and is attached. For the above reasons, and with the inclusion of the attached Special Condition, preparation of an environmental impact statement is not required.


A. Leonard Smith
Regional Director

9.3.2013
Date

Special Conditions:

U.S. ARMY CORPS OF ENGINEERS (ACOE): Prior to advertisement for construction bid, the Recipient shall provide evidence satisfactory to the EDA that the ACOE has issued a Clean Water Act Section 404 permit for the project.

U.S. FISH AND WILDLIFE (USFWS): Prior to advertisement for construction bid, the Recipient shall provide evidence satisfactory to the EDA that consultations with the FWS under the Endangered Species Act and Migratory Bird Treaty Act have been completed, and mitigation measures resulting from these have been incorporated into construction plans.

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NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEMS (NPDES): Prior to earth-disturbing activities, the Recipient shall provide evidence satisfactory to the EDA that a Stormwater NPDES Permit for General Construction has been obtained from the California Regional Water Quality Control Board.

Parker, Brian

From: Ted Marconi <TMarconi@ci.mt-shasta.ca.us>
Sent: Wednesday, August 14, 2013 12:11 PM
To: FitzGerald, Shannon; Parker, Brian
Subject: NEPA Publication Notices
Attachments: FWS Ltr Reconsideration.pdf; NEPA Notice Sisk.pdf; 6810 - nepa public notice - affidavit.pdf

Shannon and Brian,

Attached are the notices of publication for the NEPA and NHPA review.
Also attached is a copy of our letter requesting a reconsideration by the Fish and Wildlife office of their non-concurrence with our determination regarding threatened and endangered species.

Thank you for all your help with this project.

Ted Marconi
City Manager
City of Mt. Shasta
530) 926-7519
fax (530) 926-0339
marconi@ci.mt-shasta.ca.us

PROOF OF PUBLICATION
(2015.5 C.C.P.)

Mt. Shasta Area Newspapers
Mount Shasta Herald,
Weed Press, Dunsmuir News
STATE OF CALIFORNIA,
County of Siskiyou

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the Administrative Assistant of the Mt. Shasta Area Newspapers, newspapers of general circulation, published weekly in the cities of Mount Shasta, Weed and Dunsmuir, County of Siskiyou, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Siskiyou, State of California, under the dates of: Mount Shasta Herald-July 9, 1951, Case Number 14392; Weed Press-June 22, 1953, Case Number 15231; Dunsmuir News-May 25, 1953, Case Number 15186; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspapers and not in any supplement thereof on the following dates, to-wit:

August 7 and 14,

all in the year 2013

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Mount Shasta, California,

this 14th day of August

2013.

/s/ Marcella Gerace
Authorized Signature

PROOF OF PUBLICATION OF

CITY OF MT SHASTA
PUBLIC NOTICE

The U.S. Department of Commerce, Economic Development Administration (EDA) is considering a request for Federal assistance from the City of Mt. Shasta to construct a Mt. Shasta Wastewater System Upgrade in Mt. Shasta, Siskiyou County, California. Pursuant to the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHHPA), EDA is conducting an assessment of the potential of the proposed project to affect the environment and/or historic properties.

The project includes upgrading of the main sewer interceptor line and construction of two new ponds and associated headworks at the Wastewater Treatment Facility. The project will be located at in the current sewer line right of way primarily between Interstate 5 and Old Stage Road from West Jessie Street to Ream Avenue and at the Wastewater Treatment Facility at 1500 Grant Road. Project information is available for review at Mt. Shasta City Hall, 305 N. Mt. Shasta Blvd., Mt. Shasta, CA, (530) 928-7510.

If you have any information regarding potential impacts environmental resources or historic properties associated with this proposed project, please, provide it in writing to:

U.S. Department of Commerce
Economic Development
Administration
Seattle Regional Office
Attn: Regional Environmental
Officer
915 Second Avenue, Room 1890
Seattle, Washington
98174-1012

Comments received in the EDA Regional Office by 5:00 p.m. in the Pacific Time Zone on August 29, 2013 will be considered. A copy of the NEPA/NHHPA decisional document will be available upon request at the above EDA Regional Office.
6810 msan au7.14c

PROOF OF PUBLICATION

AFFIDAVIT OF PUBLICATION

CITY OF MT. SHASTA
ATTN: ACCOUNTS PAYABLE
305 N. MT. SHASTA BLVD.
MOUNT SHASTA, CA 96067

IN THE MATTER OF
NEWS #6808
CITY OF MT. SHASTA PUBLIC NOTICE

STATE OF CALIFORNIA) ss:
County of Siskiyou)

FATMA GAYNOR

of said County, being duly sworn, deposed and says: THAT she is and at all times herein mentioned was a citizen of the United States of America, over the age of twenty-one years, and that she is not, nor was she at any of the times hereinafter named a party to, nor interested in the above entitled matter; that she is the PRINCIPAL CLERK OF THE PRINTER OF THE SISKIYOU DAILY NEWS, a newspaper of general circulation, printed and published in the City of Yreka, County of Siskiyou, State of California, and which newspaper is published for the dissemination of local and telegraphic news and intelligence of a general character, and which newspaper at all times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of Yreka, County of Siskiyou, State of California, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to; and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or any number of same; that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof, on the following, dates, to-wit:

AUGUST 9, 2013

Siskiyou Daily News adjudicated May 18, 1953, No. 15190

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

(Signed)

Fatma Gaynor
Date: 8.9.13



U. S. DEPARTMENT OF COMMERCE
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Fax: 206.220.7669
Voice: 206.220.7660

DEC 19 2014

Mr. Paul Eckert
City Manager
City of Mt. Shasta
305 North Mt. Shasta Boulevard
Mount Shasta, California 96067

RE: EDA Award No. 07-79-07000
Mt. Shasta Sewer Line and Wastewater Treatment Facility Improvement Project

Dear Mr. Eckert:

EDA has reviewed your November 12 and November 26, 2014 letters regarding a budget revision to the subject EDA award as well as your response to EDA's November 21, 2014 letter. Thank you for the additional information. As you are aware, the project has experienced significant controversy involving the prime beneficiary which has resulted in the City's request to amend the project budget to help fund a California Environmental Quality Act Environmental Impact Report (EIR). The funding for the EIR was **not part** of the approved scope of work. Originally, the "Other A/E" line item was established at \$95,000 to accomplish necessary environmental reviews such as cultural resources consultations and wetlands delineation. However, the request to utilize both the "Other A/E" line item as well as 60 percent (\$269,263) of the "Contingency" line item is a substantial increase that fundamentally alters the original purpose of the EDA project funds. "Contingency" line item funds are typically utilized to address construction cost issues such as change orders. Therefore, after review of the City's budget revision request and with consideration of the original intent of the EDA grant award, EDA is not in a position to approve the proposed budget revision.

EDA realizes that these budget difficulties were essentially beyond your control, and we sincerely regret that the project has not proceeded as originally planned. We note the comments in your letter that the project may not continue without the proposed budget revision, and we offer the following alternatives for your consideration:

- The purpose of the EDA funds is to aid local economic development and ultimately lead to the creation of permanent jobs. EDA's funding purpose could be addressed with utilization of the EDA funds **solely** at the City's wastewater treatment plant. Further, if the City had State funding available for wastewater treatment plant work, then those State funds might be eligible to be used as match to the EDA funds and provide for increased improvements at the wastewater treatment plant. This would allow the City to serve future business development and meet State-mandated wastewater treatment requirements; or

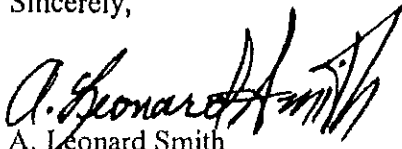
Mr. Paul Eckert
Page 2 of 2

EDA Award No. 07-79-07000
City of Mount Shasta, California

- The City could request a termination for convenience on the EDA grant, which will result in a termination of all of EDA's obligations to the project and a return of all non-obligated EDA project funds (less potential eligible, non-cancellable costs) to the U.S. Treasury.

To allow for the upcoming holiday period, please provide your response to EDA within 45 calendar days. Please address any questions to Mr. Stan Good, Civil Engineer, at (206) 220-7701.

Sincerely,



A. Leonard Smith
Regional Director

Copy to: Malinda Matson, EDR



CITY of
Mt SHASTA

305 North Mt. Shasta Boulevard
Mt. Shasta, California 96067

Tel (530) 926-7510

Fax (530) 926-1342

January 5, 2015

Mr. A. Leonard Smith
Regional Director
915 Second Avenue Room 1890
Seattle, WA 98174

RE: EDA Award No. 07-79-07000
Mt. Shasta Sewer Line and Wastewater Treatment Facility Improvement Project

Greetings Director Smith:

Again, thank you for most recent correspondence received December 26, 2014. This letter follows up on our most recent letter dated December 30, 2014. A Councilmember and our City Attorney suggested that City staff reemphasize an element of the line item transfer request contained in our prior letters. The City of Mt. Shasta wants to emphasize that the line item transfer represents the total amount of requested transfer. The amount of \$269,263 from the contingency is a "not to exceed" amount. The City would not request any additional transfers for the purpose of the environmental review. In the unlikely event more funding was required the City would utilize funds from other sources. As reminder, our request in no way affects the total amount of the EDA's Grant Award.

It is our understanding that a small vocal minority has reached out to the EDA. We want to underscore to you that this project has strong support from the broader community. Comments you may receive relating to the projected costs of the EIR process are speculative and flawed. The City believes the amount we have requested to transfer is an accurate reflection of future costs.

We hope this information is useful and that it may alter the alternatives you provided in your letter received December 26th. At this point we remain committed to recommending to the City Council that all work related to the Interceptor Project be terminated immediately until such time other alternatives are identified, if any. We will inform Crystal Geyser of our intentions as well. As mentioned, we may also approach the Siskiyou County Board of Supervisors regarding EIR funding since the project actually resides in the unincorporated County area and not the City of Mt. Shasta.

Again, we remain very appreciative of the award and your flexibility to allow it to be utilized for our ongoing WWTP Improvements. At this point, redirecting the funds to the WWTP appears the most likely outcome. The EDA's continued support of our region is critical to our region due to our distressed economics. As you may be aware, Siskiyou County has nearly the lowest per capita incomes and nearly the highest unemployment rate in the State of California.

As previously mentioned, we will discuss our alternatives at the January 26th public City Council meeting. We hope to respond to your letter shortly thereafter. We want to again assure you that we will

diligently cooperate with all EDA and other agency requirements while genuinely meeting the expectations of our area residents, openly and cooperatively.

We thank you for your support and the alternatives you have provide for our consideration. Our community remains very appreciative and excited about the beneficial economic impacts of our EDA Grant.

Respectfully,

A handwritten signature in black ink, appearing to read 'PE', is written over the printed name of Paul Eckert.

Paul Eckert, City Manager
City of Mt. Shasta

Copy City Council
City Finance Director
City Attorney John Kenny
Consultant Project Attorney Andrea Mattarazzo, Pioneer Law Group



CITY of
Mt SHASTA

305 North Mt. Shasta Boulevard
Mt. Shasta, California 96067

Tel (530) 926-7510
Fax (530) 926-1342

December 30, 2014

Mr. A. Leonard Smith
Regional Director
915 Second Avenue Room 1890
Seattle, WA 98174

RE: EDA Award No. 07-79-07000
Mt. Shasta Sewer Line and Wastewater Treatment Facility Improvement Project

Greetings Director Smith:

Thank you for most recent correspondence received December 26, 2014 including your response to our request for a line item transfer. Your response followed the attached letters regarding the line item transfer request from the City of Mount Shasta to the EDA dated: November 6th; November 12th; November 26th; and December 12th. We understand and greatly appreciate your response and alternatives. While not involved in the initial grant development, the Finance Director and I have consistently been under the impression that the funding of the EIR was an appropriate element of the EDA Grant Award. EDA staff members David Farnsworth-Martin and Stan Good understood and supported the EIR's financial impacts as long as they did not create overruns.

Our previous letters reflected this understanding and also included documents referencing the funding of WWTP improvements. As shared previously, the City does not have the financial means to fund the expanded EIR without the use of the existing EDA and Crystal Geyser funding. Simply put, our community cannot shoulder these expenses without additional funding. Therefore, staff will soon recommend to the City Council that all work related to the Interceptor Project be terminated immediately until such time other alternatives are identified, if any. We will inform Crystal Geyser of our intentions as well. We also hope to brainstorm options with Crystal Geyser that would allow for the Interceptor Project to continue. Crystal Geyser will have a variety of alternatives to consider, including onsite treatment and funding of the EIR among other options. We may also approach the Siskiyou County Board of Supervisors regarding EIR funding since the project actually resides in the unincorporated County area and not the City of Mt. Shasta.

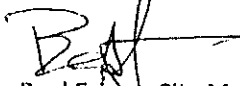
We remain very appreciative of the award and your flexibility to allow it to be utilized for our ongoing WWTP improvements. At this point, redirecting the funds to the WWTP appears the most likely outcome. The EDA's continued support of our region is critical to our region due to our distressed economics. As you may be aware, Siskiyou County has nearly the lowest per capita incomes and nearly the highest unemployment rate in the State of California.

We will discuss our alternatives at the January 26th public City Council meeting. We hope to respond to your letter shortly thereafter. We want to again assure you that we will diligently cooperate with all

EDA and other agency requirements while genuinely meeting the expectations of our area residents, openly and cooperatively.

We thank you for your support and the alternatives you have provide for our consideration. Our community remains very appreciative and excited about the beneficial economic impacts of our EDA Grant.

Respectfully,

A handwritten signature in black ink, appearing to read 'Paul Ecker', with a horizontal line extending to the right.

Paul Ecker, City Manager
City of Mt. Shasta

Copy City Council
City Finance Director
City Attorney John Kenny
Consultant Project Attorney Andrea Mattarazzo, Pioneer Law Group



U. S. DEPARTMENT OF COMMERCE
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Fax: 206.220.7669
Voice: 206.220.7660

DEC 19 2014

RECEIVED 12/26/14

Mr. Paul Eckert
City Manager
City of Mt. Shasta
305 North Mt. Shasta Boulevard
Mount Shasta, California 96067

RE: EDA Award No. 07-79-07000
Mt. Shasta Sewer Line and Wastewater Treatment Facility Improvement Project

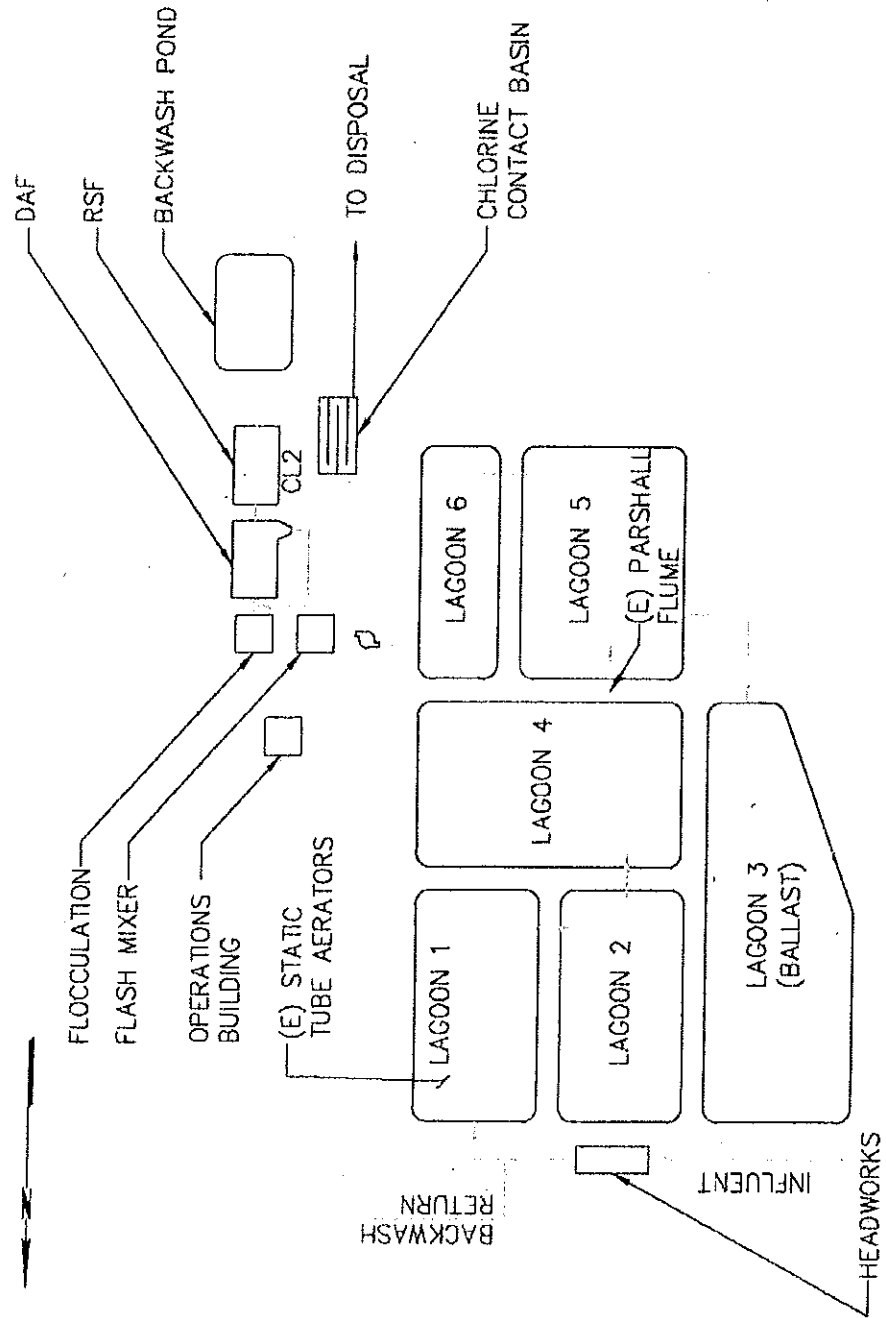
Dear Mr. Eckert:

EDA has reviewed your November 12 and November 26, 2014 letters regarding a budget revision to the subject EDA award as well as your response to EDA's November 21, 2014 letter. Thank you for the additional information. As you are aware, the project has experienced significant controversy involving the prime beneficiary which has resulted in the City's request to amend the project budget to help fund a California Environmental Quality Act Environmental Impact Report (EIR). The funding for the EIR was **not part** of the approved scope of work. Originally, the "Other A/E" line item was established at \$95,000 to accomplish necessary environmental reviews such as cultural resources consultations and wetlands delineation. However, the request to utilize both the "Other A/E" line item as well as 60 percent (\$269,263) of the "Contingency" line item is a substantial increase that fundamentally alters the original purpose of the EDA project funds. "Contingency" line item funds are typically utilized to address construction cost issues such as change orders. Therefore, after review of the City's budget revision request and with consideration of the original intent of the EDA grant award, EDA is not in a position to approve the proposed budget revision.

EDA realizes that these budget difficulties were essentially beyond your control, and we sincerely regret that the project has not proceeded as originally planned. We note the comments in your letter that the project may not continue without the proposed budget revision, and we offer the following alternatives for your consideration:

- The purpose of the EDA funds is to aid local economic development and ultimately lead to the creation of permanent jobs. EDA's funding purpose could be addressed with utilization of the EDA funds **solely** at the City's wastewater treatment plant. Further, if the City had State funding available for wastewater treatment plant work, then those State funds might be eligible to be used as match to the EDA funds and provide for increased improvements at the wastewater treatment plant. This would allow the City to serve future business development and meet State-mandated wastewater treatment requirements; or

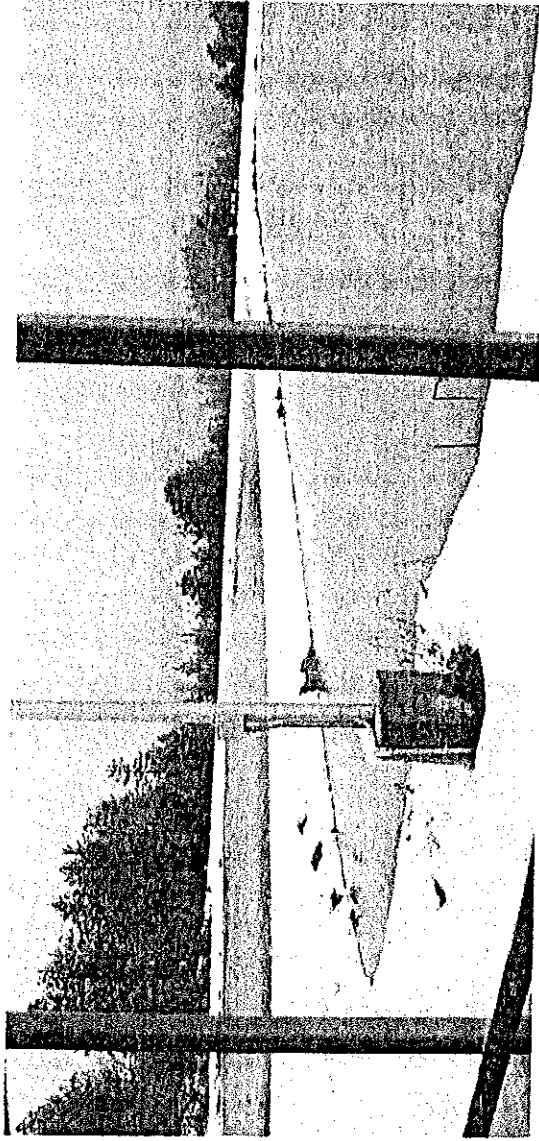
EXISTING SYSTEM



EXISTING SYSTEM

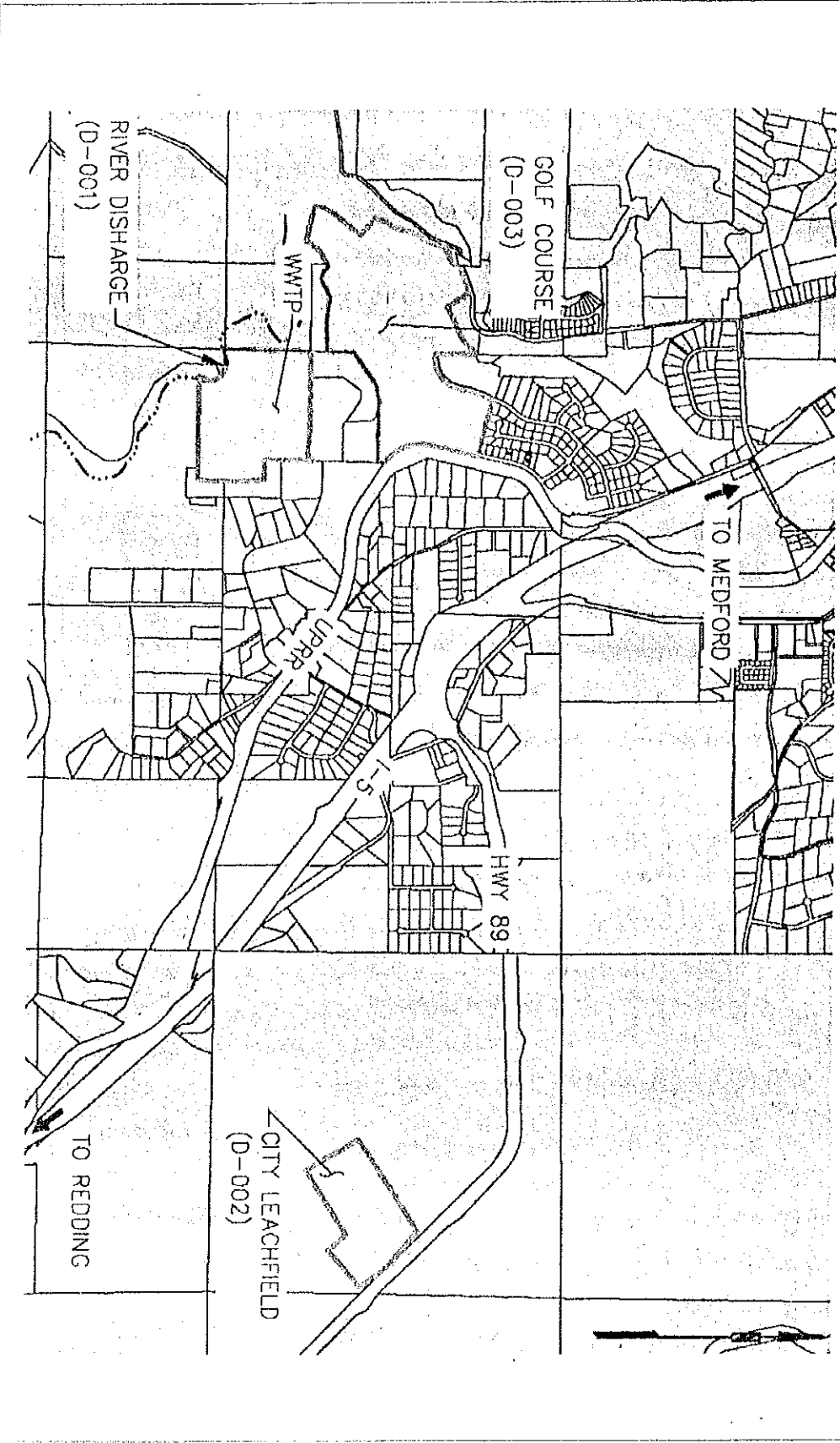
❖ Treatment Shortfalls


- ❖ Difficult to remove nitrogen in cold weather
- ❖ Ammonia resurgence from decay (New stringent ammonia limits)
- ❖ Limited process control
- ❖ Limited flexibility to meet future regulatory requirements
- ❖ Lack of wintertime filtration capacity



Mt. Shasta Lagoons 1 & 2

EXISTING SYSTEM





EXISTING SYSTEM

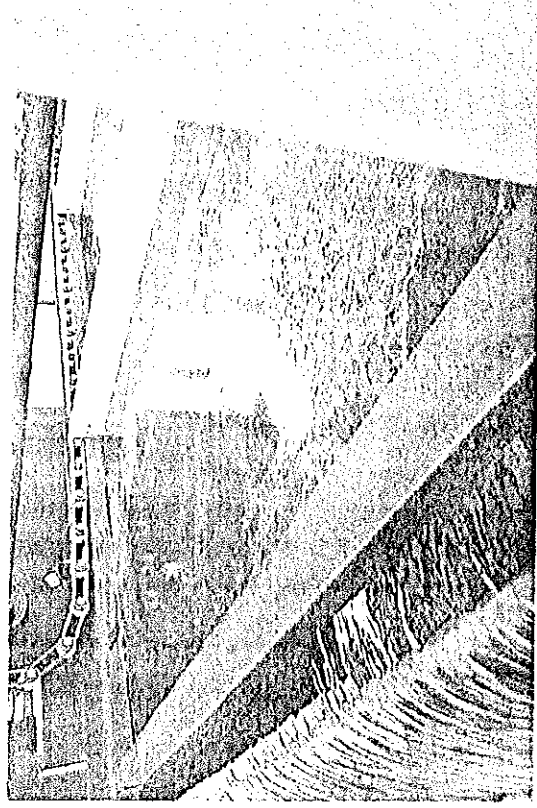
Existing Disposal Sites

- Sacramento River (Gravity flow, high degree of treatment)
 - During winter and early spring/late fall periods
- Leachfield (Pumped, limited treatment)
 - Anytime effluent standards cannot be met
- Golf Course (Pumped, high degree of treatment)
 - Spring to fall irrigation season

REGULATORY REQUIREMENTS

❖ The City Needs to Identify How it Will Comply With:

- ❖ More stringent metals removal (Cu & Zn)
- ❖ More Stringent nutrient removal (NH₄, NO₂ & NO₃)
- ❖ More stringent disinfection byproducts prevention and/or removal
- ❖ Insufficient treatment capacity (i.e., filtration)
- ❖ Disposal of treated wastewater



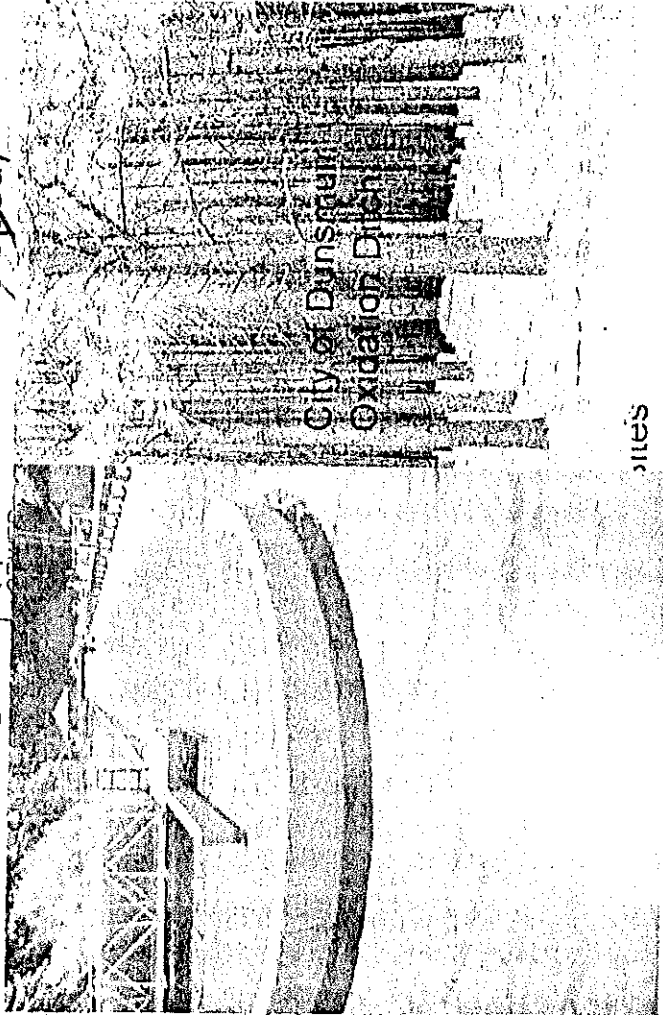
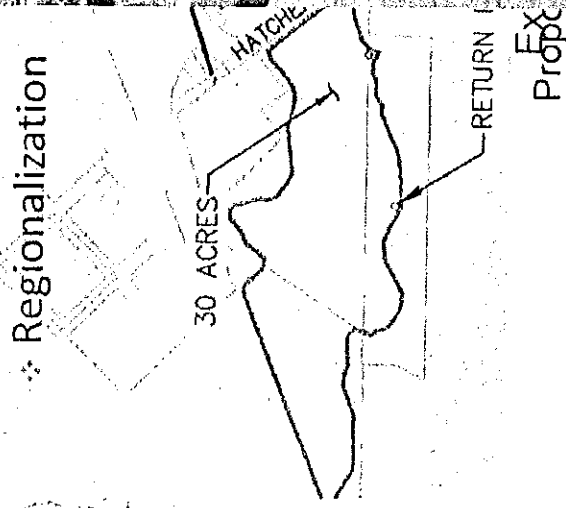
WWTP - DAF

ALTERNATIVES

❖ Determine Best Feasible Disposal Alternatives

- ❖ 1st - Investigate New Disposal Sites
- ❖ New wetlands/pasture irrigation (Combined 132 acres available)
- ❖ New subsurface disposal (Existing 42 acres ~~at 50% developed~~)

- ❖ Tree irrigation
- ❖ Regionalization



ALTERNATIVES

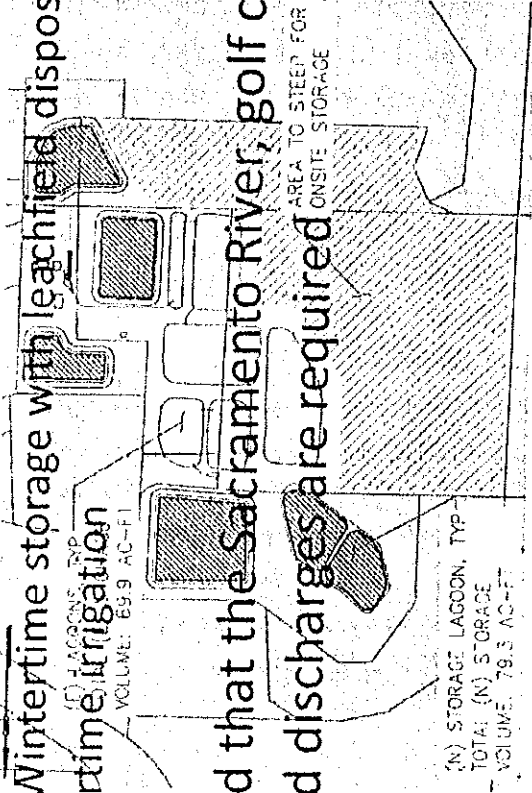
❖ Determine Best Feasible Disposal Alternatives

❖ 2nd - Develop Disposal Alternatives to Stop Sacramento River Discharge

❖ Wintertime storage and summertime irrigation

❖ Partial Wintertime storage with leachfield disposal and summertime irrigation

❖ We found that the Sacramento River, golf course, and leachfield discharges are required



ALTERNATIVES

❖ Determine required degree of treatment based on best disposal alternative

❖ Determine Best Feasible Treatment Alternative

- ❖ 7 treatment alternatives
- ❖ 3 utilize/repurpose existing lagoons
- ❖ 4 replace the existing lagoon system

| | | | |
|---------|-------------|-----|--------------------------|
| BiO-lac | AerBioShell | MBR | Moving Bed Bioreactor |
|---------|-------------|-----|--------------------------|



ALTERNATIVES

❖ Best Treatment Alternative

- ❖ Criteria
 - ❖ Increase WWTP Capacity
 - ❖ Increase process reliability/minimize discharge violations
 - ❖ Increase flexibility to meet future discharge requirements
 - ❖ Minimize effluent pumping cost (i.e., Leachfield)
 - ❖ Increase effluent quality discharged to the Sacramento River
 - ❖ Increase water reuse

ALTERNATIVES

❖ Determine the best solution for the City based on:

- ❖ Sewer rates
- ❖ Constructability
- ❖ Ease of O&M
- ❖ Ability to adapt/modify to meet future requirements
- ❖ Reliability
- ❖ Safety and security

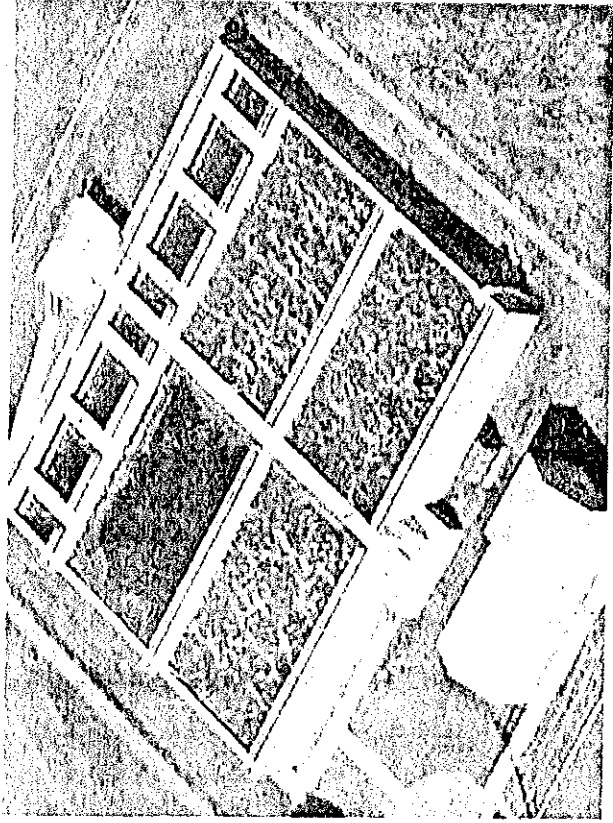
| No. | Criteria | Weight Factors | Treatment Alternatives | | | | | | | |
|-------------------------|---|----------------|------------------------|------------|------------|------------|------------|------------|------------|--|
| | | | BioLac | CAS | MBR | SBR | AeroMod | BioShell | MBBR | |
| 1 | Monthly Wastewater Rate | 20 | 6 | 3 | 5 | 6 | 7 | | | |
| 2 | Environmental & Permitting Constraints* | 5 | 7 | 8 | 8 | 8 | 8 | 10 | 9 | |
| 3 | Constructability & Ability to Implement* | 10 | 7 | 8 | 8 | 8 | 8 | 10 | 8 | |
| 4 | O&M Difficulty | 10 | 6 | 7 | 5 | 6 | 7 | 10 | 8 | |
| 5 | Ability to Adapt/Modify to Meet Future Discharge Requirements | 15 | 6 | 8 | 10 | 8 | 8 | 3 | 4 | |
| 6 | Treatment Process Performance & Reliability | 35 | 7 | 10 | 9 | 10 | 10 | 4 | 6 | |
| 7 | Security & Safety to Workers/Public | 5 | 7 | 9 | 10 | 9 | 9 | 6 | 5 | |
| Weighted Totals: | | 100 | 65% | 77% | 81% | 82% | 85% | 59% | 70% | |
| | | Previous | 67% | 73% | 69% | 76% | 83% | 71% | 81% | |

Decision Matrix

ALTERNATIVES

Best Treatment Alternative

- ❖ AeroMod's Sequox® Process
- ❖ Activated Sludge - Ludzack-Ettinger (LE) process with a second stage sequencing aeration



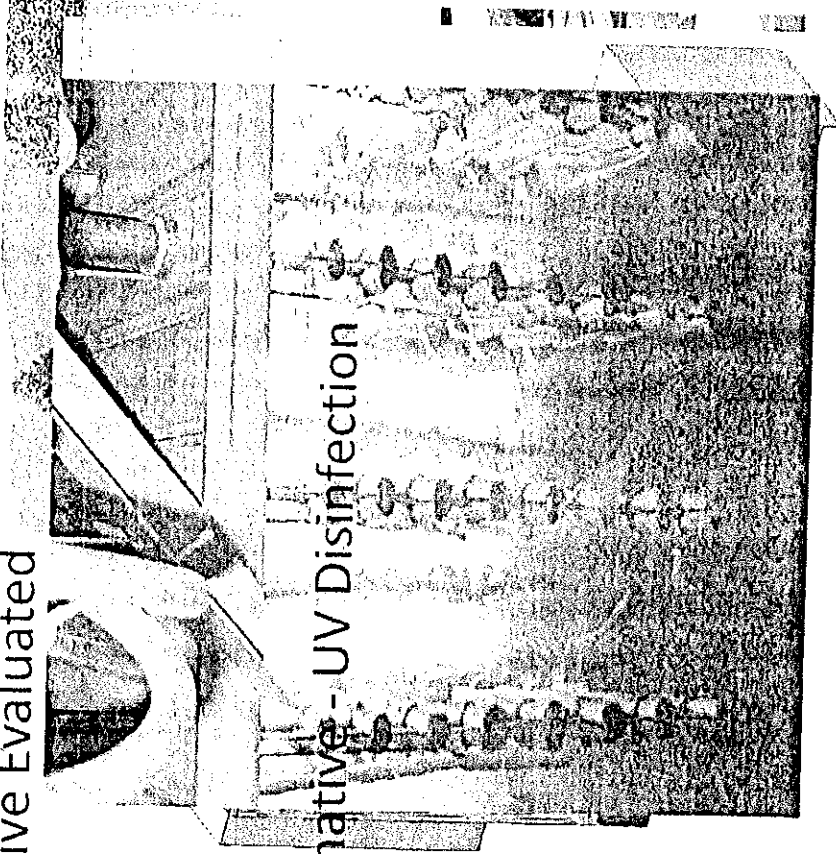
ALTERNATIVES

◆ Determine Best Disinfection Alternative

4 Disinfection Alternative Evaluated

| No. | Chlorine Gas | Sodium hypochlorite | Weight Factor |
|-------------------------|---|---|---------------|
| 1 | Project Costs | | 20 |
| 2 | O&M Cost | Ultraviolet (UV) | 20 |
| 3 | Likelihood to generate disinfection byproducts | Best Disinfection Alternative - UV Disinfection | |
| 4 | Ability to Adapt/deal with potential Future Discharge Requirements, i.e. Pharmaceuticals | | 10 |
| 5 | Lowest Potential Regulatory Burden, i.e. Least risk for disinfectant to cause a discharge violation | | 15 |
| 6 | Security & Safety to Workers/Public | | 20 |
| Weighted Totals: | | | 100 |

Decisic



ALTERNATIVES

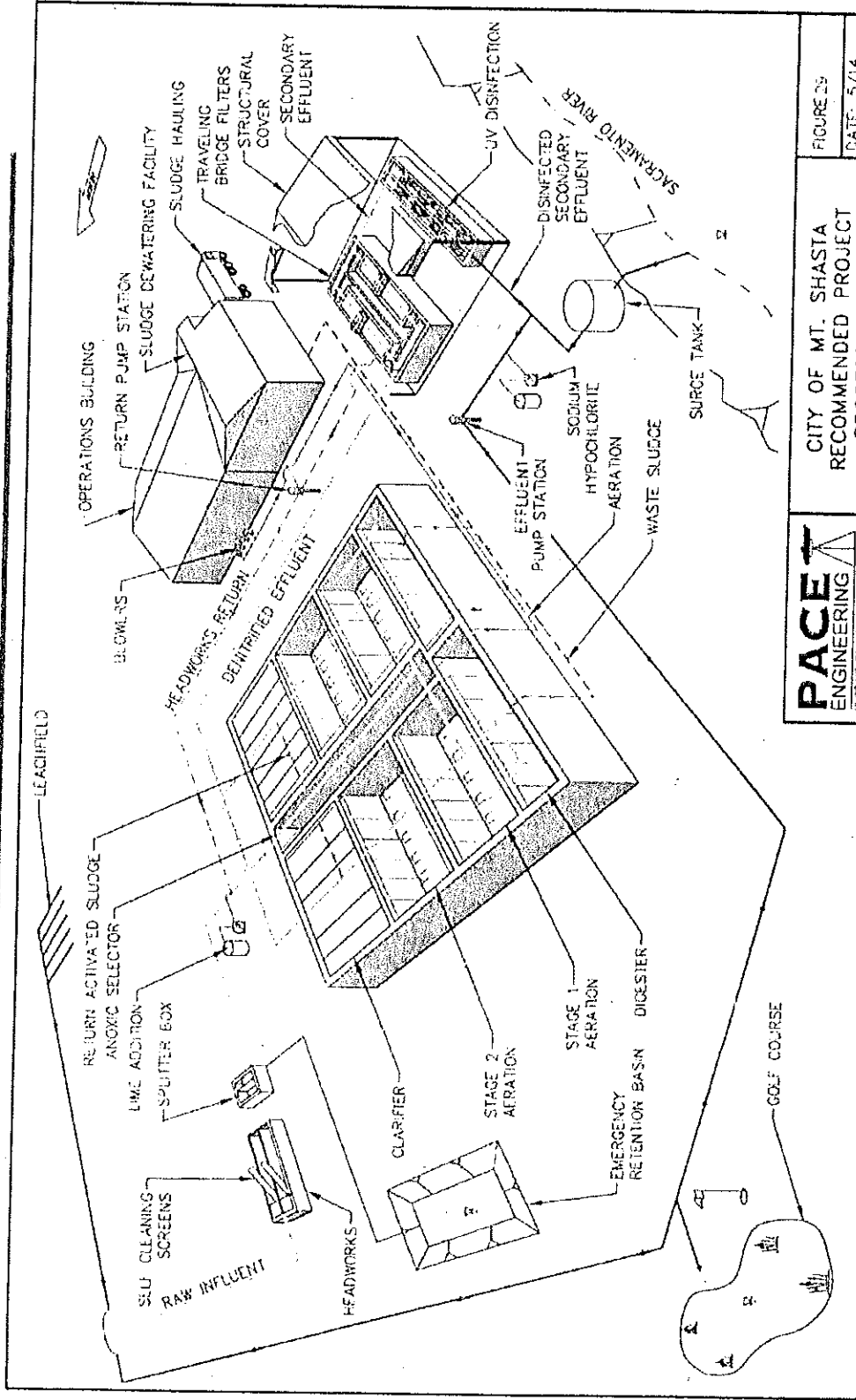
Present Worth Analysis

| No. | Project Description | Total Project Cost | New WWTP Annual O&M Cost | Present Worth O&M ⁽¹⁾ | Net Present Worth ⁽²⁾ |
|--------------------------|-------------------------------------|--------------------|--------------------------|----------------------------------|----------------------------------|
| WWTP Alternatives | | | | | |
| 1 | Conventional Activated Sludge Plant | \$20,000,000 | \$903,358 | \$15,357,602 | \$35,357,602 |
| 2 | Aero-Mod Activated Sludge Plant | \$16,300,000 | \$774,238 | \$13,162,495 | \$29,462,495 |
| 3 | Membrane Bioreactor Plant | \$14,600,000 | \$834,959 | \$14,194,782 | \$28,794,782 |
| 4 | Sequencing Batch Reactor Plant | \$13,300,000 | \$794,900 | \$13,513,766 | \$26,813,766 |
| 5 | BioLac Plant | \$16,600,000 | \$844,104 | \$14,350,255 | \$30,950,255 |
| 6 | BioShell Lagoon System | \$17,300,000 | \$691,954 | \$11,763,627 | \$29,063,627 |
| 7 | Moving Bed Bioreactor | \$12,000,000 | \$791,397 | \$13,454,216 | \$25,454,216 |

(1) Present worth based on 1.6% 20 year discount rate. Interest rate based on 20-yr federal discount rate from Appendix C of OMB Circular A-94 per USDA PER guidelines.

(2) Salvage value for all Alternatives is assumed to be zero

RECOMMENDED PROJECT



CITY OF MT. SHASTA
RECOMMENDED PROJECT
PROCESS DIAGRAM

| |
|-------------|
| FIGURE 29 |
| DATE: 5/14 |
| JOB # 11144 |

FINANCING

- ◊ Recommended project cost - \$16.5M
- ◊ Current sewer rate - \$23.95
- ◊ Sewer rate required to qualify for grant:
\$48.00 to \$53.00
- ◊ Potential grant sources
 - ◊ USDA Rural Development – Up to \$3M
 - ◊ CWSRF – Up to \$4M
 - ◊ CDBG – For low and very low income

FINANCING

Potential sewer rates with maximum grant:
\$54.00 & CG contribution

Rates could be higher if grant and no CG
Contribution

FINANCING

SINGLE - FAMILY MONTHLY SEWER BILL COMPARISON

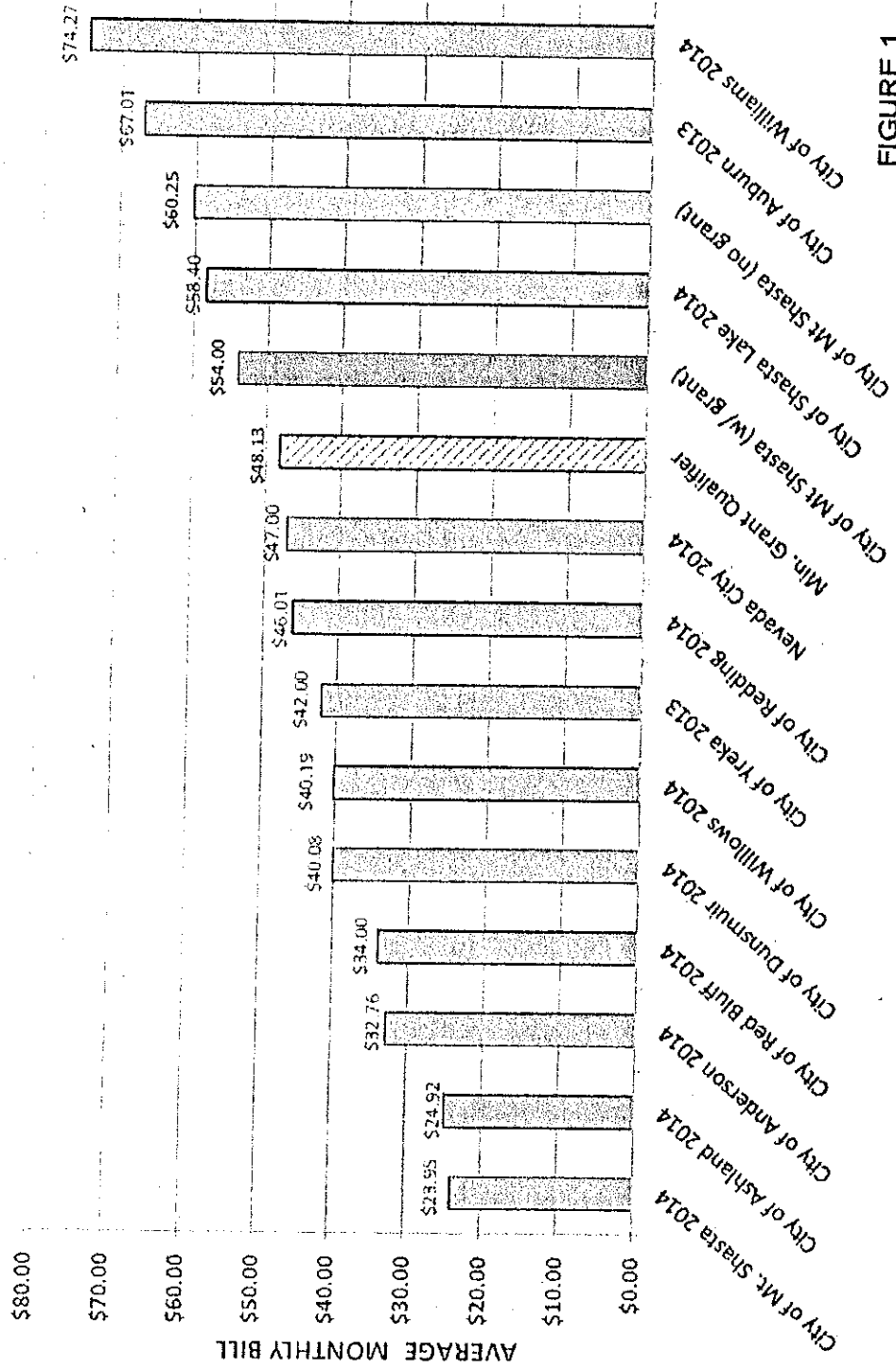
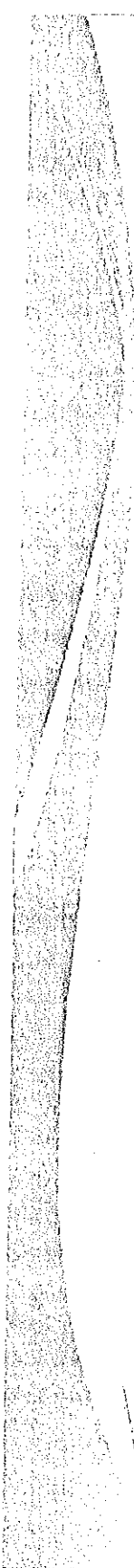


FIGURE 1



STEPS MOVING FORWARD

- ✧ Initiate environmental review – Mitigated Negative Declaration
- ✧ Prepare and submit applications for funding
 - ✧ Maximize grant opportunities
- ✧ Consider performing income survey in accordance with USDA and CWSRF guidelines
- ✧ Implement Proposition 218 rate increase proceedings

PROJECT SCHEDULING

| Task | Estimated Completion Date | NPDES Compliance Date |
|---|---------------------------|-----------------------|
| Submit Leach Field Design Investigation | Feb 28, 2014 | Apr 4, 2014 |
| Submit Groundwater Monitoring Well Network Tech Report | Oct 2014 | Apr 4, 2014 |
| Submit draft Wastewater Treatment and Disposal Feasibility | May 30, 2014 | Jun 1, 2014 |
| Method of Compliance — Title 22 Disinfection Requirements | May 30, 2014 | Jun 1, 2014 |
| Method of Compliance = BOD, TSS, and pH | May 30, 2014 | Jun 1, 2014 |
| Method of Compliance = Cu, Zn, and ammonia | May 30, 2014 | Jun 1, 2014 |
| Workshop with project stakeholders | Jun 18, 2014 | |
| Public presentation of draft PER | Jul 21, 2014 | |
| | | |

PROJECT SCHEDULING --CONT'D

| Task | Estimated Completion Date | NPDES Compliance Date |
|--|---------------------------|-----------------------|
| Submit final PER to project stakeholders | Aug-2014 | |
| Initiate environmental review, permitting, and financing options | Oct-2014 | Nov 23, 2016 |
| Submit project financing plan to CVRWQCB | Nov-2014 | Nov 23, 2014 |
| Adopt project environmental documents | Apr-2015 | - |
| Prepare funding applications for USDA and CWSRF funding | Dec-14 to Apr-15 | - |
| Obtain preliminary project funding commitments | Oct-2015 | - |
| Proposition 218 proceedings | Nov-15 to Mar-16 | - |
| Engineering design | Mar-16 to Dec-16 | - |
| Bidding/award/contract execution | Jan-17 to Apr-17 | - |
| Construct improvements | May-17 to Dec 18 | Nov 23, 2018 |
| Final project completion -- file Notice of Completion | Jan-2019 | - |
| Compliance with Cu, Zn, ammonia | Apr-2019 | Jun 1, 2017 |
| Compliance with BOD, TSS, pH, and Title 22 Disinfection | Apr-2019 | Nov 23, 2020 |
| Progress Reports | Jan of each year | Jan of each year |

QUESTIONS?

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Thursday, January 08, 2015 6:16 PM
To: Good, Stan; Skrinde, Kristine
Subject: FW: WWTP Feasibility Study complete
Attachments: Feasibility Study Presentation.pdf; ATT00001.htm

Hi Stan and Kris,

I just had a long call from Vicki Gold. She sent me this WWTP feasibility study which you might be interested in.

Thanks, Shannon

From: Vicki Gold [REDACTED]
Sent: Thursday, January 08, 2015 6:03 PM
To: FitzGerald, Shannon
Subject: Fwd: WWTP Feasibility Study complete

Hi Shannon,

This is the larger PACE Engineering WWTP Feasibility study with discussion of tertiary or secondary treatment modalities and options under consideration. The City will probably supply this to you and Stan if they haven't already.

I understand that the ball is in the City of Mount Shasta's court now to provide documentation for their rationale of using the grant for the larger state mandated WWTP renovation. Can you inquire as to whether the EDA can require the \$3 million match from CGWC?

Thanks so much,

Vicki Gold
530.926.4206

Begin forwarded message:

From: Vicki Gold [REDACTED]
Subject: WWTP Feasibility Study complete
Date: November 28, 2014 10:26:18 AM PST

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Monday, January 12, 2015 10:47 AM
To: FitzGerald, Shannon
Subject: Fwd: W.A.T.E.R Newsletter January 12

Hi Shannon,
I thought you might be interested in this. It just went out this morning.
Vicki

Begin forwarded message:

From: WATER group <mountshastawater@gmail.com>
Subject: W.A.T.E.R Newsletter January 12
Date: January 12, 2015 8:23:50 AM PST
To: Vicki [REDACTED]
Reply-To: WATER group <mountshastawater@gmail.com>



Even more comments on EIR flood Mount Shasta

The Mount Shasta Herald reported last week that a record 212 comment letters on the Crystal Geyser/ Interceptor line project were submitted to the City. North State Resources and the City's legal counsel, Pioneer Law Group, will read the comments and propose a scope of the draft EIR based on those comments. We need to ensure that the scoping document includes all of our concerns and includes a thorough investigation of the effects of the Crystal Geyser plant. Most interesting was the comment submitted by Crystal Geyser itself. They assert that they can immediately hook up to the City sewer system through existing sewer lines as long as they do not exceed the maximum capacity of the waste treatment plant. This would mean they could use all remaining capacity with no other users accommodated. They also consider things like truck traffic avoiding downtown to be "voluntary measures as a good neighbor." This shows more than ever why we need mandatory and enforceable limits on Crystal Geyser operations. (See [redacted] for complete document)

Crystal Geyser plans end run around EIR?

City Manager Paul Eckert told the Mount Shasta Herald that now CG is talking of opening their plant without an EIR by not starting with tea and juice squeeze drinks. Eckert stated: "But now Crystal Geyser is talking about starting with water only. We've verified with our attorneys that if bottling water only is consistent with the existing permit for the facility they can do that."

(see [redacted])

This would be a blatant attempt to evade an EIR and start the plant operations before an EIR can be done. We will need to fight such a bait and switch operation every step of the way.

Crystal Geyser applies to State for corporate welfare.

We have learned that Crystal Geyser has applied to the California Governor's Office of Business and Economic Development (GO-Biz) for a California Competes Tax Credit (CCTC). If awarded, this would give Crystal Geyser \$237,500 of our tax dollars to help

Parker, Brian

From: Ted Marconi <TMarconi@ci.mt-shasta.ca.us>
Sent: Tuesday, March 12, 2013 4:24 PM
To: Brian A Parker
Subject: Mt. Shasta App-Additional Docs
Attachments: EDA Env Narrative 1.pdf; EDA Topo & Nat Wet Inv Maps.pdf

Here is the Env narrative and first of maps.

Ted Marconi
City Manager
City of Mt. Shasta
530) 926-7519
fax (530) 926-0339
marconi@ci.mt-shasta.ca.us

FY 2013 Economic Development Assistance Program
Mt. Shasta Wastewater System Upgrade
Environmental Narrative

A. BENEFICIARIES

Direct beneficiaries of the project will be Crystal Geyser Water Company which proposes to purchase and reopen the Coca Cola water bottling facility north of Mt. Shasta, and Coca Cola which will realize the proceeds of the sale. Other direct beneficiaries will be holders of undeveloped infill property in north and central Mt. Shasta who may not be able to develop without upgrades to the sewer interceptor line.

B. PROJECT DESCRIPTION

1. Proposed Construction: The City of Mt. Shasta proposes to upgrade an existing 12" main sewer interceptor line to 18" to 30" sewer interceptor line. The project will involve replacing approximately 7,000 feet of line and associated manholes, located in Sections 16 and 21 of Township 40N Range 4W in Siskiyou County, California, approximately between 41°18'N, 122°19'W and 41°17'N, 122°18'W. The project will take place within the existing 20' wide easements and right of way. The project will entail trenching and laying of new parallel pipe and disposing in place the existing pipe. The project will require boring and jacking under the Interstate 5 Freeway where an existing crossing already exists.

The project will cross the alignment of Cold Creek and at least two delineated wetlands areas. The project area was previously disturbed in the 1970's when the current existing line was installed. One of the wetlands area is used as pasture land and one of the areas has been reclaimed and/or enhanced as a wetlands mitigation bank. None of the project area is considered to be flood plain.

The project also proposes to create two new ponds with earthen dikes and associated headworks facilities at the existing wastewater treatment facility located in Section 28 T40N R4W approximately 41°16'N, 122°19'W. The project will entail excavation and compaction of material to create the ponds and concrete work and associated piping for the headworks and connecting the ponds to the existing facility.

2. Alternatives to the Project: The No-Project alternative would leave the existing line in place and would prevent the reuse of the existing Coca Cola spring water bottling facility by Crystal Geyser for bottling flavored waters and teas. This alternative would also mean that the City of Mt. Shasta would have to curtail future developments in the northern and central areas of the City at some future point.

An alternative alignment that bypasses the wetlands areas and reroutes the interceptor line in existing roadways would require the installation and ongoing operation of lift stations, the acquisition of new rights of way and easements, and the disruption of travel and replacing of roadway after construction. The costs, both current and future, of this alternative are considerably higher than the proposed project.

3. Mitigation: Best management practices for construction activities include those for erosion control, siltation control, air quality, and noise will be implemented. Minimization of impacts to wetlands can be achieved through stockpiling and replacing removed top soils to maintain the existing riparian species, replanting with compatible species, and additional enhancements to the disturbed areas:

C. HISTORIC/ARCHEOLOGICAL RESOURCES

A records search (W13-31) was conducted for the City by Northstate Resources, Inc. at the Northeast Information Center (NEIC) on February 28, 2012. The search included the cultural resource records and survey reports as well as the lists of resources on the National Register of Historic Places (NRHP), the California Historical Landmarks listing, the California Register of Historical Resources (CRHR), and the California Points of Historical Interest. Seven cultural resources surveys have been conducted within 0.25 miles the undertaking. Five cultural resources have been recorded within 0.25 miles of the undertaking (see Table). The resources documented in the search radius include one prehistoric site and four historic-era sites. No resources listed on the National Register or any of the California lists are located in or within 0.25 miles of the project. Although no surveys have been conducted within the Project area, and no cultural resources have been identified in the Project area, the previous surveys indicate that there is a moderate probability for cultural resources, both prehistoric and historic-era, to be present.

| Site Number | Type | Distance from Project |
|-------------|--------------|-----------------------|
| CA-SIS-4095 | Prehistoric | 0.07 miles |
| CA-SIS-3889 | Historic-Era | 0.20 miles |
| CA-SIS-3888 | Historic-Era | 0.08 miles |
| CA-SIS-2558 | Historic-Era | 0.25 miles |
| CA-SIS-2446 | Historic-Era | 0.18 miles |

There are a number of Native American tribal organizations with historical ties in the surrounding area. Although no other sites are believed to be in the project area, the most likely occurrences would be associated with the Winnemem Wintu Tribe, the Pit River Tribe, the Shasta Nation, and the Modoc Tribe. (A list of all tribal contacts is attached).

D. AFFECTED ENVIRONMENT

1. **Affected Area:** The project affects two areas, the lands that the interceptor line passes through, and the Wastewater Treatment plant. In general, the project's affected area is in the planning area of the City of Mt. Shasta. The City of Mt. Shasta is located in southern Siskiyou County at the southwest base of Mount Shasta, a 14,162-foot volcanic peak in the Cascade Mountains of Northern California. The City of Mt Shasta and the immediate vicinity of the project is a montane mixed conifer and pasture environment with flat and rolling topography west of the city. The area is mostly within the Strawberry Valley, but comes close to the Sacramento River above the rim of a box canyon immediately downstream of Siskiyou Lake. The city of Mount Shasta and the project area are approximately 3600 ft. elevation at the City limit, and decreases to approximately 3400 feet.

The affected area includes lands that are immediately within, and adjacent to, an existing 20 foot wide easement that extends approximately 7000 linear feet from the terminus of West Jessie Street immediately east of Interstate 5, then under the Interstate 5 Right of Way (ROW), through an existing

residential neighborhood within the ROW of West Jessie Street and then south through undeveloped lands containing delineated wetlands and the channel for Cold Creek. The channel exits the wetland area and travels through very low density single family residential lands. The project area then intersects the ROW of North Old Stage Road and follows in the ROW briefly for approximately 500 feet then veers into open lands through wet pasture land until it intersects the West Ream Ave ROW and connects to the a manhole located approximately 500 feet south of West Ream Ave.

The affected area of the pond work is within the current wastewater treatment plant property located at Grant Road southwest of the City of Mt. Shasta. The project will add two additional ponds to the northwest of the existing ponds. The project site is almost all uplands, but is adjacent and in proximity to identified wetlands areas.

2. Shorelines, Estuaries, Beaches and Dunes: No river banks (shorelines), beaches or dunes will be affected by this project. This is not a designated coastal zone. There are no over-water structures as a part of this project.
3. Wetlands: Waters of the United States ("waters") are present in the Project area. Features observed include the large wet meadow complex (streams and wetlands), and roadside ditches. Prior to implementation of the project, all "waters" shall be mapped according to the U.S. Army Corps of Engineers (Corps) standards. The "wetland delineation" shall be submitted to the Corps for verification. Impacts to "waters" are likely due to the trenching required to construct the project. Prior to construction, the appropriate Clean Water Act Sections 401 and 404 permits shall be obtained authorizing the project. (National Wetlands Inventory maps are attached).

Adequate mitigation is required as a permit condition. Likely, the project would have to restore the temporary effects of the construction by recontouring the impacted area to pre-existing contours, replacing the top soil, and replanting the alignment with native wetland plant species. Because the wetland south of Hatchery Lane was created as mitigation for a past development, the City of Mt. Shasta will also have to research whether the Corps, or any other regulatory agency, placed restrictions (e.g., deed restriction, conservation easement) upon the area as a condition of its use as a mitigation area

4. Floodplains: There are no floodplains that will be affected by this project. The City is not located in an area that is mapped by FEMA for floodplains. (See attached Map).

5. Vegetation and wildlife resources: There are a variety of land uses and therefore a variety of vegetation and wildlife resources along Project alignment including open space, rural residential, small farms, and urban (sewer plant, roads and highways). The Project alignment would traverse several different plant community types including wet meadow, pasture, and mixed chaparral. It also crosses Interstate Highway 5 and several other area streets. Dominant plants observed during the "drive by" survey and other descriptive information from each land use type include the following:

- Rural residential, small farms - The rural residential areas include widely spaced homes with large lots and scattered small farmsteads. The lots are landscaped or left in a natural form, and the small farms largely consist of open pastures with scattered outbuildings. Dominant plants observed include: black oak (*Quercus kelloggii*), Russian olive (*Elaeagnus angustifolia*), black locust (*Robinia pseudoacacia*), ponderosa pine (*Pinus ponderosa*), willow (*Salix* sp.) shrub and tree forms, Himalayan blackberry (*Rubus artemisiifolius*), Scotchbroom (*Cytisus scoparius*), sweet pea (*Lathyrus latifolius*), and orchard grass (*Dactylis glomerata*).

- Open space - The large wetland area located near the northern end of the sewer pipe alignment, south of Hatchery Lane is a complex of wetlands with small streams, old ditches, and ponds, as well as pockets of fresh emergent wetland and seasonal wetlands. This wet meadow was formerly used as pasture, and then in the 1970's set aside as a wetland mitigation area for the development of the Mt. Shasta Shopping Center. The dominant vegetation observed includes willow shrubs, cattail (*Typha latifolia*), common tule (*Schoenoplectus acutus*), wetland grasses [e.g., spreading bent grass (*Agrostis stolonifera*)], sedges (*Carex* sp.), and rushes [e.g., Baltic rush (*Juncus balticus*)].
- Urban - The wastewater treatment plant occurs in an area directly south of the Mt. Shasta Resort golf course, in an area dominated by greenleaf manzanita (*Arctostaphylos patula*), young ponderosa pine, incense cedar (*Calocedrus decurrens*), bitter cherry (*Prunus emarginata*), scattered willow shrubs, young black oak, and various upland herbaceous species. The existing treatment ponds support fringe wetland vegetation and a host of waterfowl (e.g., ducks and grebes). The site is approximately 0.1 mile from the Sacramento River canyon ("Box Canyon").
- Interstate Highway - I-5 is a four-lane freeway, with an on-ramp in the north-bound lanes, and an off-ramp on the south-bound lanes. Roadside ditches occur on both sides of the freeway and supported flowing water during the March 1, 2013 site visit. Wetland vegetation including willows, sedges and wetland grasses were observed in the ditch features.

6. Endangered Species:

Botanical. No state or federally listed plants species are likely to occur in the project area. The four special-status plant species with potential to occur on the Project area are CNPS RPR 1b and 2-ranked species. Species designated as RPR Lists 1b or 2 are not protected under the federal or state Endangered Species Acts, but they are commonly considered by lead agencies under the California Environmental Quality Act (CEQA) review process. The following RPR plant species occur in wetland habitat types, and could be affected by the Project: *Epilobium oregonum*-Oregon fireweed; *Geum aleppicum* -Aleppo avens; *Ophioglossum pusillum*-Northern adder's tongue; and *Scutellaria galericulata*-Marsh skullcap. If such special status plants are identified during a pre-construction survey, their locations will be mapped and avoided or if unavoidable appropriate conservation measures will be implemented.

Wildlife. No federally listed wildlife species have the potential to occur within the Project area. One federal candidate for listing (Pacific fisher) has the potential to occur. Three state-listed species have potential to occur (willow flycatcher, greater sandhill crane and bald eagle). Several California species of special concern may occur within the Project area (foothill yellow-legged frog, Cascades frog, northwestern pond turtle, and yellow warbler).

Pacific fisher is a widely distributed mammal that occurs throughout the Sierra Nevada, Cascades and California Coast Ranges. Pacific fisher is a highly mobile species with a large home range. Fishers den in large trees, snags, logs, rock areas or slash piles, and they may occur in areas impacted by humans (e.g., small towns, farms) in search of food. They may traverse wetland areas, or utilize stream corridors as travel routes. The project area does not support typical denning features, but may be utilized by Pacific fishers during foraging. Recommendations provided below for birds would result in late summer/fall construction, which would correspond to the time when no immobile young are present. All juvenile and adult fishers would flee from the construction and would not likely be affected by the project.

Willow flycatcher, greater sandhill crane and bald eagle are state-listed birds that may be present in the vicinity of the project. Yellow warbler is a California species of special concern that may also nest in the area. Willow flycatchers and yellow warblers nest in willow shrubs in mosaic wetland/stream complexes. Greater sandhill cranes nest in large wetland areas, and bald eagles nest in large snags typically near large streams or lakes. Both the willow flycatcher and sandhill cranes may nest in the large wetland south of Hatchery Lane. Bald eagles may nest along the Box Canyon near the wastewater treatment plant. (Preliminary Assessment reports and Section 7 Consult Letter are attached).

7. Land Use and Zoning: The project is in two jurisdictions, the City of Mt. Shasta and the County of Siskiyou. Within the City limits, the project starts in a neighborhood zoned R-1, single family residential and immediately crosses underneath the Interstate 5 ROW. At the other side of the Interstate, the project area is along the West Jesse Street ROW in an area that is currently zoned (C-1) commercial but is primarily single family detached housing. The project then leaves the City of Mt. Shasta jurisdiction passes through relatively large open spaced land which is zoned for residential with a 1 acre minimum lot size (R-R-B-1). Farther south, the land use changes to be inhabited with single family residential and is zoned R-R-B-5. (Single Family with 5 acre minimums). The project then crosses a large tract of non-prime agricultural property used for pasture zoned Non-Prime Ag Land.

The primary beneficiaries are community wide, but specifically industry utilizing the interceptor lines are surrounded by various development. For example the zoning at the northern end of the City of Mt. Shasta is typically residential, but there are pockets of industrial land use adjacent to the site. The water bottling facility is located in industrial zoning, and has been in operation previously but closed in the last few years. (Siskiyou County zoning map is attached).

8. Solid Waste Management: The Project facilities themselves will produce no solid wastes. Trenching spoils and waste piping as a result of construction will be disposed of in appropriate fill areas outside of any wetlands. The primary beneficiary will produce solid wastes typical of bottling facilities including plastic, cardboard, packing materials. California law requires that major commercial and industrial operations implement recycling programs for these materials. Solid wastes for the entire County are transported to local transfer stations and then ultimately to out of area landfills, so there is no single disposal facility that is impacted.

9. Hazardous or Toxic Substances: No hazardous or radioactive substances will be used or produced by the project facilities or primary beneficiary. The project area does not contain any known hazardous or toxic substances. Construction vehicles and equipment will have gasoline and/or diesel engines and other automotive fluids. The affected area does not have any of the materials currently listed on the California Cortese list (CGC Section 65962.5). Spills from refueling will be minimized by establishing fixed fueling stations outside of the wetlands areas to minimize contamination by accidental spills. Hazardous materials regulation and enforcement in Siskiyou County is managed by the Siskiyou County Health Department, and Central Valley regional Water Quality Control Board.

10. Water resources: The only water course that will be impacted is the small stream, Cold Creek. The creek emerges from the ground immediately east of Mt. Shasta and at the project site meanders in a large open area that has been developed as a wetland mitigation bank. The disturbance to this stream will be temporary and will have a less than significant impact. Mitigation measures will be implemented as described in the section for wetlands and other biological resources. The effluent from the ponds to be created at the wastewater treatment facility will enter the facility and eventually discharge to the

Sacramento River during the winter season. The facility is operated under NPDES Permit CA 0078051 which sets effluent limitation limits for discharge.

11. Water Supply and Distribution System: The project will require no domestic water supply. The primary beneficiary obtains water from a series of private wells at their location. These wells and their output are used for production, domestic use, and fire suppression capability. The wells are regulated by the Siskiyou County Public Health Department and permitted by the California Department of Water Resources. The primary beneficiary could ultimately utilize up to a million gallons per day for production.

12. Wastewater Collection and Treatment Facilities: The project facilities are for wastewater conveyance and treatment. The treatment system consists of headworks, four oxidation/stabilization ponds, ballast lagoon, dosing basin, dissolved air flotation system, intermittent backwash filter, chlorine contact chamber, dechlorination system and discharge line. Treated Wastewater can be discharged to any of three locations, depending on water quality and time of year: the Sacramento River, a leach field located adjacent to highway 89, or Title 22 reclaimed water to the Mt. Shasta Resort Golf Course.

The primary beneficiary will create industrial effluent with constituents of juice residues and disinfection process components, primarily peracetic acid. Amounts could ultimately reach 0.75 million gallons per day (MGD). The current facility is rated for 0.8 MGD with average daily flows of 0.6 MGD and peak flows during extreme wet weather of 2 to 3 MGD. This project is designed to increase the capacity of the conveyance system to handle an additional 0.75 MGD, and the facility to handle an additional 0.25 MGD which will be required for the initial operations of the primary beneficiary. The facility does not currently meet the final effluent limitations established by the Regional Water Quality Control Board and is operating under interim limitations in the current NPDES Permit. The City is currently in the process of conducting a feasibility analysis of additional upgrades to the facility to meet new effluent discharge requirements and the additional loading from the bottling facility at ultimate buildout. These changes will then be part of a future project to be implemented in the next 5 to 7 years.

13. Environmental Justice: This project does not disproportionately affect minorities or lower income populations nor does it divide communities. The project is the upgrading of wastewater interceptor line replacing an existing older line. The affected area is typically low/very low density single family housing.

14. Transportation: The transportation systems; both local streets and regional roads, will not change as a result of this project. Most of the project site is not in existing roadways. The wastewater line intersects existing right of way (ROW) in three locations. The project includes boring under the Interstate 5 ROW, and flows along the right of way along West Jessie Street west of the Interstate and along S. Old Stage Road. No permanent impacts will occur as a result of the project. Construction will result in temporary interruptions of traffic when working in the ROW. Best management practices will be used for traffic control at those locations.

15. Air Quality: The project is located in Siskiyou County and is part of the Northwest Plateau Air Basin. The basin currently has no air quality plans in place, however Siskiyou County is in full attainment of federal and state ambient air quality standards. The project will involve the underground installation wastewater lines, and constructing additional ponds at the treatment plant. Construction will have temporary and localized impacts to air quality from digging and earthmoving. Equipment used during construction may contribute to temporary localized impacts to air quality from diesel and gasoline engines. Depending on weather conditions the City will incorporate best management practices for dust

control measures during construction. The addition of ponds at the waste water treatment plant will not have any long term impact on air quality.

16. Noise Pollution: The completed project will not contribute to an increase in noise or create new noise sources. The construction will contribute to ambient noise in the affected area although temporary. The addition of ponds will not contribute to additional noise. Best practices for noise mitigation will be implemented such as limiting the time for construction. Connecting to existing infrastructure also may include operation of a bypass pump if needed. Any pumping equipment will have residential grade muffler to limit noise levels.

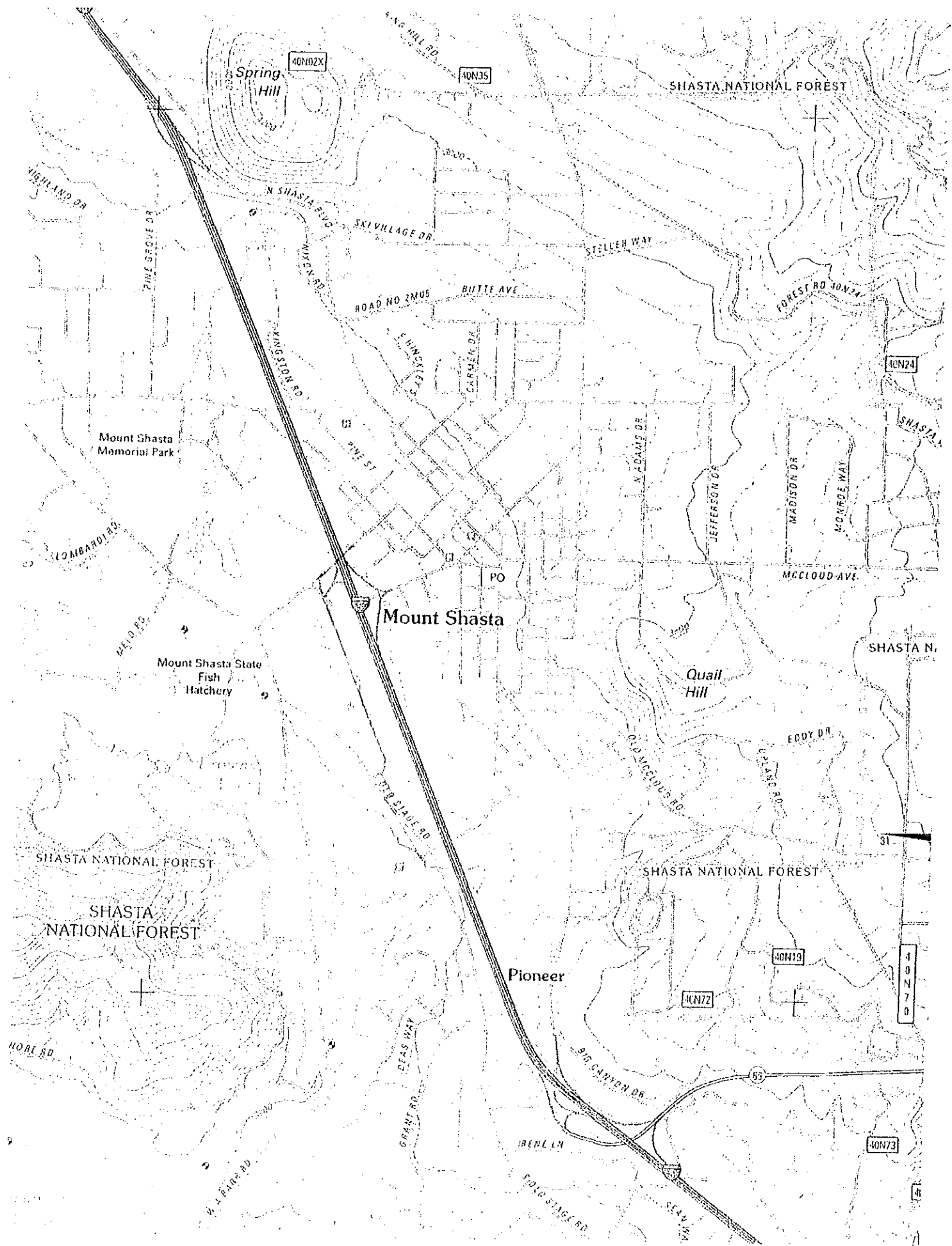
17. Permits: The Project will require an Army Corps of Engineers 404 Permit for operation in the wetlands areas. It will also require temporary encroachment permits from the California Department of Transportation and the Siskiyou County Public Works Department for construction in the ROW. As noted the City already holds an NPDES permit for operation of the wastewater treatment facility. (ACOE application is attached).

18. Public Notification/Controversy: The City has discussed the proposed project at City Council meetings, but no formal public hearings have yet been conducted. These will take place as part of the California Environmental Quality Act process, which requires a public review and comment period prior to project adoption, once the project has been fully designed. Public and reviewing agencies will be provided opportunity to submit comments written and at a public hearing. No formal hearings have been scheduled at this time, but as environmental documents are generated times and dates for public participation will be determined. Methods for public outreach are incorporated into the CEQA compliance process such as press releases, public notices, posting on city web-pages, and direct mailings to those immediately adjacent to the project.

19. Direct, Indirect, and Cumulative Effects: There are no foreseeable indirect or cumulative effects of this project on the environment that cannot be mitigated during the course of construction. While the project increases the size of the interceptor line, it does not extend its reach to new areas that are not already being served by the existing sewer collection system. It will facilitate the development of infill parcels within the current service area where there are already capacity issues, but the effects would be less than significant, or in the case of any unforeseen large project would have to be mitigated as part of such a project. The direct effects of the construction phase of the project will be rendered less than significant by the mitigation measures outlined in the preceding sections. The improvements will allow the reopening of a water bottling facility, and the increase in available jobs could affect traffic, air quality and other areas impacted by a concomitant increase in population, but impacts would not exceed those experienced when employment levels were higher than at present.

E. LIST OF ATTACHMENTS

- USGS Topographical Map of Project Area
- Tribal Consultation Contacts
- NFWS Wetlands Inventory Maps
- FIRM Floodplain Map
- Northstate Resources Preliminary Assessments
- USFWS Section 7 Request
- Siskiyou County Zoning Map
- Army Corps of Engineers Permit Application



Spring Hill

SHASTA NATIONAL FOREST

Mount Shasta Memorial Park

Mount Shasta

Mount Shasta State Fish Hatchery

Quail Hill

SHASTA NATIONAL FOREST

SHASTA NATIONAL FOREST

Pioneer

4000
700

4000
700











U.S. Fish and Wildlife Service

National Wetlands Inventory





EDA Sewer Project

Feb 8, 2013

Wetlands

-  Freshwater Emergent
-  Freshwater Forested/Shrub
-  Estuarine and Marine Deepwater
-  Estuarine and Marine Shallow
-  Freshwater Pond
-  Lake
-  Riverine
-  Other

Status

-  Digital
-  Scar
-  Non-Digital
-  No Data



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currency of the base data shown on this map. All wetland data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:











U.S. Fish and Wildlife Service

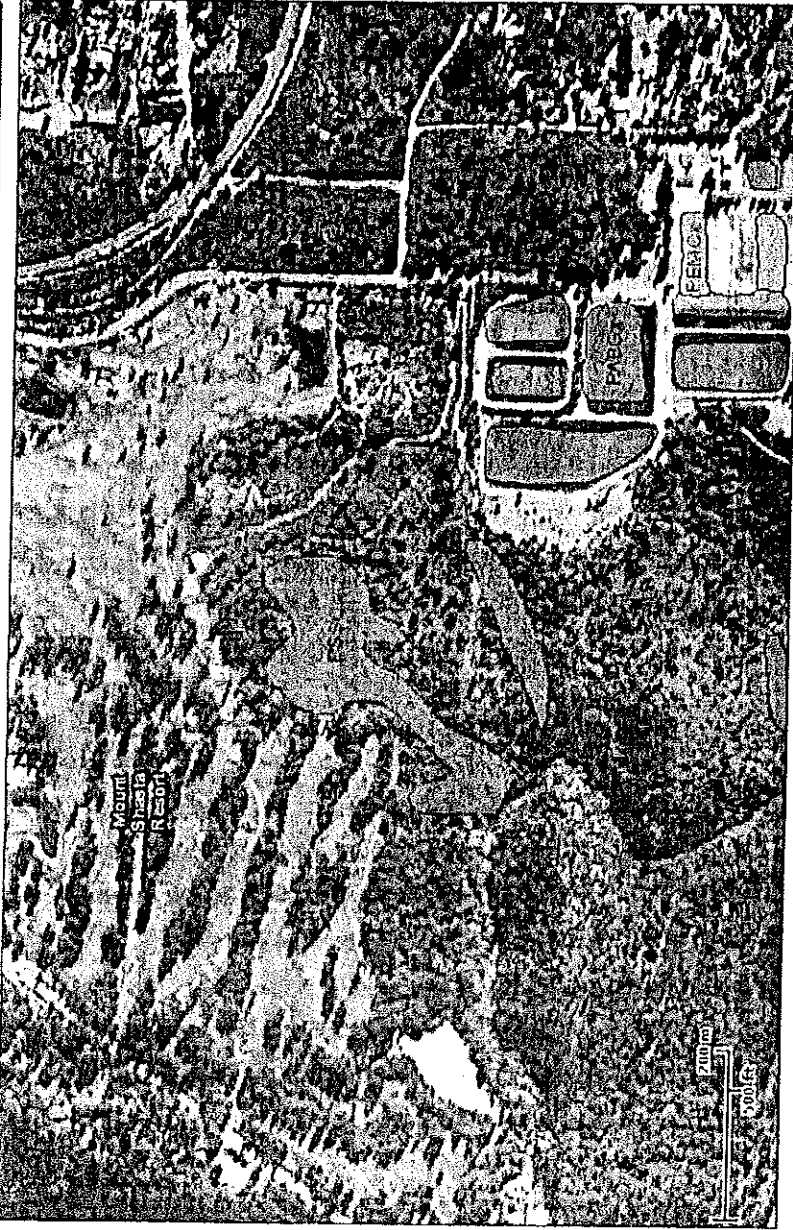
National Wetlands Inventory

EPA Lagoon
Project Area

Mar 11, 2013

Wetlands

-  Freshwater Emergent
-  Freshwater Forested/Shrub
-  Estuarine and Marine Deepwater
-  Estuarine and Marine
-  Freshwater Pond
-  Lake
-  Riverine
-  Other



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currency of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:


 No. 1000000000

Parker, Brian

From: Ted Marconi <TMarconi@ci.mt-shasta.ca.us>
Sent: Tuesday, March 12, 2013 4:27 PM
To: Brian A Parker
Subject: Mt. Shasta App-More Docs
Attachments: EDA FIRM & Zoning Maps.pdf; EDA Tribal Consult Lists.pdf

Here are the other maps and the tribal consult listing.

Ted Marconi
City Manager
City of Mt. Shasta
530) 926-7519
fax (530) 926-0339
marconi@ci.mt-shasta.ca.us



MAP SCALE 1" = 2000'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 3025D

FIRM FLOOD INSURANCE RATE MAP

SISKIYOU COUNTY,
CALIFORNIA
AND INCORPORATED AREAS

PANEL 3025 OF 3750

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS

COMMUNITY
LIMITS
OF
SISKIYOU COUNTY

MAJORS
ROADS
AND
RAILROADS

Notice to User: The Map Number shown below should be used when purchasing map orders. The Community Number shown above should be used on insurance applications for the subject community.

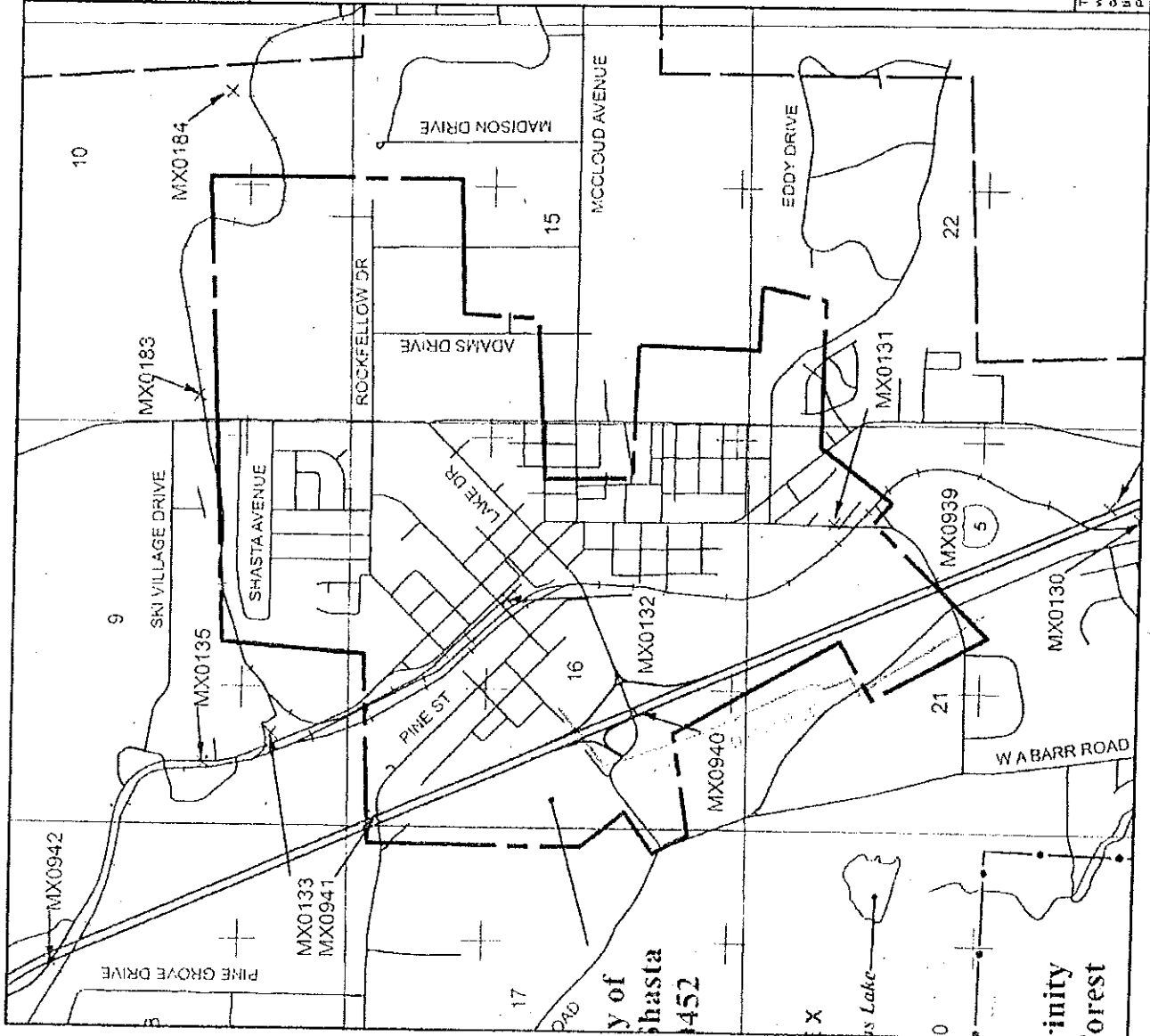


MAP NUMBER
06093C3025D

EFFECTIVE DATE
JANUARY 19, 2011

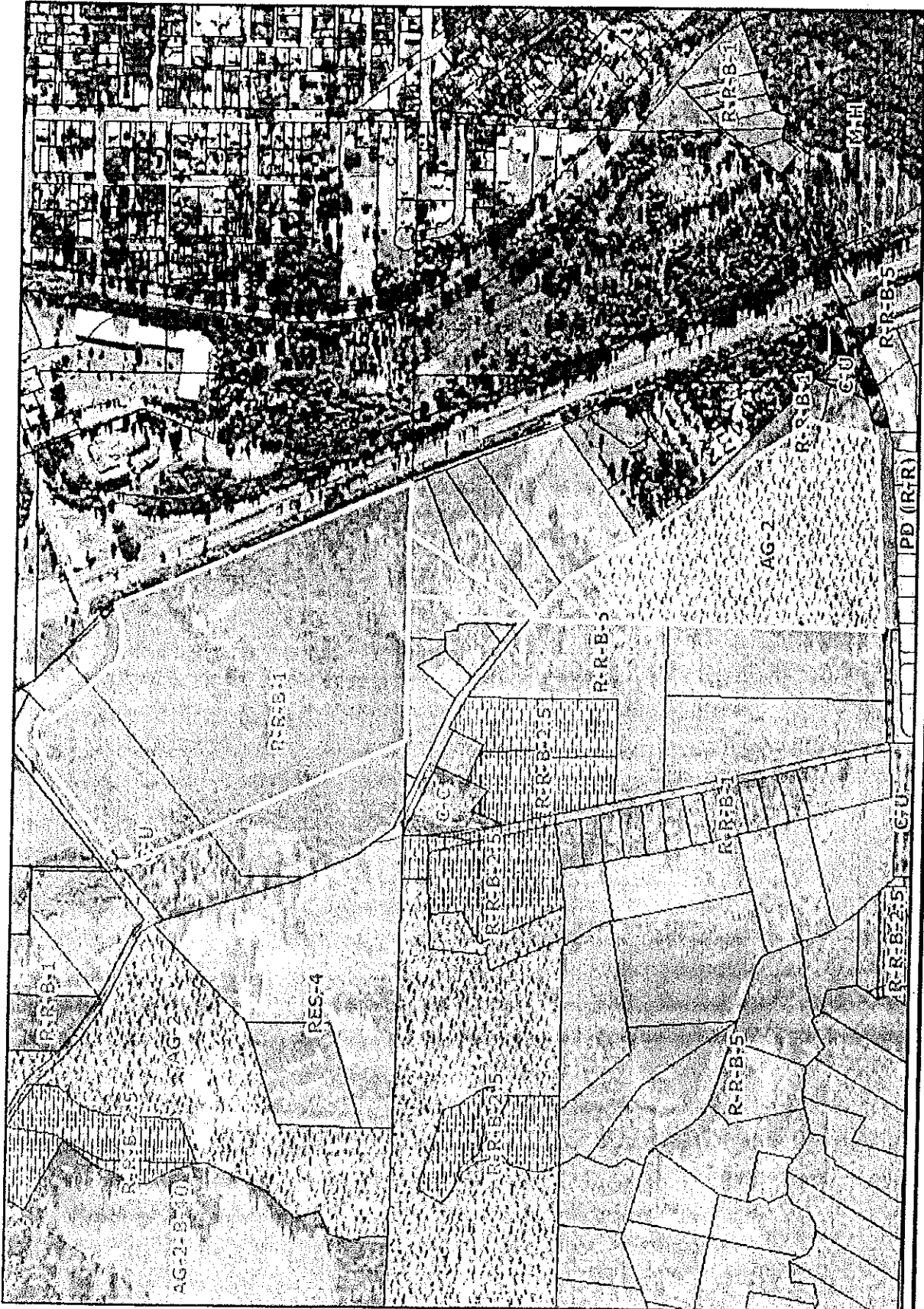
Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using FIRM On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Site at www.msc.fema.gov.



City of Shasta 452

Trinity Forest



City of Mt. Shasta Wastewater Interceptor Line

Siskiyou County Planning Division
March 1, 2013



Karuk Tribe

Helene Rouvier, THPO
PO Box 1016
Happy Camp, CA 96039
Tel: 530.493.1600 x 2202
Fax: 530.493.2564
Email: hrouvier@karuk.us

Pit River Tribe

Terry A. Del Bene, Ph.D., THPO
36970 Park Avenue
Burney, CA 96013
Tel: 530.335.5421 x 222
Email: terrydelbene@mc.com and thpo@pitrivertribe.org

Smith River Rancheria

Ms. Suntayea Steinruck, THPO
140 Rowdy Creek Road
Smith River, CA 95567-9525
Tel: 707.487.9255 x 3180
Fax: 707.487.0930
Email: sunsteinruck@tolowa.com
Website: <http://www.tolowa-nsn.gov>

Susanville Indian Rancheria

Melany Johnson, THPO
745 Joaquin Street
Susanville, CA 96130
Tel: 530.251.5633
Fax: 530.251.5635
Email: nagpra1@citlink.net

Yurok-Table Bluff Tribe

Robert McConnell, THPO
HC Box 196, Hwy 96
Hoopa, CA 95546
Tel: 530.625.4130 x 1629
Fax: 530.625.4841
Email: rmccconnell@yuroktribe.nsn.us

OFFICE OF HISTORIC PRESERVATION

1725 23rd Street, Suite 100
Sacramento, CA 95816

PHONE: 916-445-7000

FAX: 916-445-7053

EMAIL: calshpo@parks.ca.gov

Native American Tribal Consultation List
County of Siskiyou
February 1, 2011

Pit River Tribe of California
Ida Riggins, Chairperson
36970 Park Ave
Burney, CA 96013
(530) 335-5421

Pit River
Achumawi - Atsugewi
Wintun

Winnemem Wintu Tribe
Caleen Sisk-Franco, Tribal Chair
14840 Bear Mountain Road
Redding, CA 96003
winnemem@hotmail.com
(530) 275-2737

Karuk Tribe of California
Arch Super, Chairperson
P.O. Box 1016
Happy Camp, CA 96039
asuper@karuk.us
(800) 505-2785

Karuk / Karok

Modoc Tribe of Oklahoma
John Ballard, Environmental Director
515 G Street Southeast
Miami, OK 74354
modoc-oeg@cableone.net
(918) 542-1190

Quartz Valley Indian Community
Harrold Bennett, Chairperson
13601 Quartz Valley Road
Fort Jones, CA 96032
tribalchair@qvir.com
(530) 468-5907

Karuk
Shasta
Upper Klamath

Shasta Nation
Roy V. Hall, Jr, Chairperson
P.O. Box 1054
Yreka, CA 96097
(530) 842-5654

Wintu Tribe of Northern California
Kelli Hayward
PO Box 995
Shasta Lake, CA 96019
wintu_tribe@hotmail.com
(530) 245-0141
(530) 245-0241 - FAX

Wintu

Klamath Tribe
PO Box 436
Chiloquin, OR 97624
Modoc
taylor.david@klamathtribes.
(541) 783-2219

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

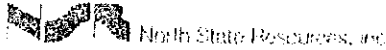
This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.

Parker, Brian

From: Ted Marconi <TMarconi@ci.mt-shasta.ca.us>
Sent: Tuesday, March 12, 2013 4:30 PM
To: Brian A Parker
Subject: Mt. Shasta App - Remaining Documents
Attachments: EDA Bio & Cult Assess Ltrs NSR.pdf; EDA ACOE App.pdf

Here are the Environmental Assessment reports, the USFWS consult application, and the Army Corps 404 application

Ted Marconi
City Manager
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530) 926-7519
fax (530) 926-0339
marconi@ci.mt-shasta.ca.us



March 6, 2013

Keith McKinley
City Planner
City of Mount Shasta Planning Department
305 N. Mt. Shasta Boulevard
Mt. Shasta, CA 96067

Subject: EDA Grant Preparation Assistance for the Mount Shasta Sewer Replacement Project, City of Mount Shasta, Siskiyou County, California (NSR Project #28152)

Dear Mr. McKinley:

In support of the Economic Development Agency (EDA) grant application being prepared by the City, North State Resources, Inc. (NSR) conducted a preliminary biological review conducted within the Mount Shasta Sewer Replacement Project (Project) Area. The purpose of this letter is to provide information for the EDA Environmental Narrative that will be included with the grant application. This letter describes the plant communities present, the special-status plants and animals that may occur within those communities, and strategies for avoiding sensitive biological resources present in the project area. The project would include the replacement of an approximately 9,000 foot long segment of sewer pipeline and portions of the existing treatment plant facility. The project is located in Sections 16 and 21 of Township 40 North, Range 4 West of the *City of Mount Shasta, California* 7.5-minute topographic map.

Methods

On March 1, 2013, Julian Colecott (NSR biologist) drove the alignment with City of Mt. Shasta staff, stopping periodically to view the proposed alignment. Notes on vegetation communities and wetland types within the alignment were recorded. These field notes were then compared to the habitat requirements of special-status plant and wildlife species known to occur in the region to develop a preliminary list of special-status plants and wildlife that could occur within the alignment.

For the purpose of this evaluation, special-status plant species include plants that are (1) listed as threatened or endangered under California Endangered Species Act (CESA) or federal Endangered Species Act (ESA); (2) designated as rare by the California Department of Fish and Wildlife (CDFW); (3) state or federal candidate or proposed species for listing as threatened or endangered; and/or (4) have a California Rare Plant Rank (RPR) 1A, 1B, or 2.

Special-status wildlife include species that are (1) listed as threatened or endangered under the CESA or ESA; (2) proposed or petitioned for federal listing as threatened or endangered; and/or (3) state or federal candidates for listing as threatened or endangered. Other special-status wildlife species are identified by the CDFW as Species of Special Concern or California Fully Protected Species.

The California Natural Diversity Database (CNDDDB) was reviewed for records of special-status plants and wildlife on the *Mt. Shasta City, California* USGS 7.5-minute quadrangle, and all adjacent quadrangles (California Department of Fish and Wildlife 2013). The CNDDDB is a database consisting of historical observations of special-status plant species, wildlife species, and natural plant communities. Because the CNDDDB is limited to reported sightings, it is not a comprehensive list of plant species that may occur in a particular area. However, it is useful in refining the list of special-status plant and wildlife species that have the potential to occur on the site. A list of the CNDDDB occurrences for the 9-quadrangle area surrounding the project area is available upon request.

A database search was performed using the CNPS *Electronic Inventory*, which allows users to query the *Inventory of Rare and Endangered Plants of California* using a set of search criteria (e.g., county, habitat type, elevation). The search was performed using the *Mt. Shasta City, California* USGS 7.5-minute quadrangle and all adjacent quadrangles (California Native Plant Society 2013). The *Inventory of Rare and Endangered Plants of California* can produce a comprehensive list of plant species depending on search criteria that may occur in a particular area. It is a very useful tool in determining the list of special-status plant species that have the potential to occur on the site. The CNPS query results for the 9-quadrangle area surrounding the project area is available upon request.

The U.S. Fish and Wildlife Service (USFWS) maintains a database that lists federal endangered, threatened, and candidate species for each USGS quadrangle or county within the jurisdiction of the Sacramento Fish and Wildlife Office. The database was queried and all plant and animal species within the range of the study area were reviewed for this analysis (U.S. Fish and Wildlife Service 2012). The USFWS list is available upon request.

The following information sources were also referenced to determine special-status plant and animal species and/or other special habitats having the potential to occur in the study area.

- *Mt. Shasta City California* USGS 7.5 minute topographic quadrangle map;
- Aerial photography of the Project area and vicinity;
- Pertinent literatures including: The Jepson Manual, Vascular Plants of California (Baldwin et al. 2012), the California's Wildlife series volumes I, II and III (Zeiner et al. 1988; Zeiner et al. 1990a; Zeiner et al. 1990b), Mt. Shasta General Plan Environmental Impact Statement (Biological Resources Section) (Pacific Municipal Consultants 2005), and other relevant literature.

Based on the results of the March 1, 2013 field visit and interpretation of the CNDDDB, CNPS, and USFWS query results, preliminary lists of special-status plant species (Table 1 attached) and special-status wildlife (Table 2) with the potential to occur on the site were developed.

Results/Discussion

Land uses within the Project alignment include open space, rural residential, small farms, and urban (sewer plant, roads and highways). The Project alignment would traverse several different plant community types including wet meadow, pasture, and mixed chaparral. It also crosses Interstate Highway 5 and several other area streets. Dominant plants observed during the "drive by" survey and other descriptive information from each land use type include the following:

- Rural residential, small farms - The rural residential areas include widely spaced homes with large lots and scattered small farmsteads. The lots are landscaped or left in a natural form, and the small farms largely consist of open pastures with scattered outbuildings. Dominant plants observed include: black oak (*Quercus kelloggii*), Russian olive (*Elaeagnus angustifolia*), black locust (*Robinia pseudoacacia*), ponderosa pine (*Pinus ponderosa*), willow (*Salix* sp.) shrub and tree forms, Himalayan blackberry (*Rubus artemisiifolius*), Scotchbroom (*Cytisus scoparius*), sweet pea (*Lathyrus latifolius*), and orchard grass (*Dactylis glomerata*).
- Open space - The large wetland area located near the northern end of the sewer pipe alignment, south of Hatchery Lane is a complex of wetlands with small streams, old ditches, and ponds, as well as pockets of fresh emergent wetland and seasonal wetlands. This wet meadow was originally set aside as a wetland mitigation area for the development of the Mt. Shasta Shopping Center. The dominant vegetation observed includes willow shrubs, cattail (*Typha latifolia*), common tule (*Schoenoplectus acutus*), wetland grasses [e.g., spreading bent grass (*Agrostis stolonifera*)], sedges (*Carex* sp.), and rushes [e.g., Baltic rush (*Juncus balticus*)].
- Urban - The wastewater treatment plant occurs in an area directly south of the Mt. Shasta Resort golf course, in an area dominated by greenleaf manzanita (*Arctostaphylos patula*), young ponderosa pine, incense cedar (*Calocedrus decurrens*), bitter cherry (*Prunus emarginata*), scattered willow shrubs, young black oak, and various upland herbaceous species. The existing treatment ponds support fringe wetland vegetation and a host of waterfowl (e.g., ducks and grebes). The site is approximately 0.1 mile from the Sacramento River canyon ("Box Canyon").

Interstate Highway 5 is a four-lane freeway, with an on-ramp in the north-bound lanes, and an off-ramp on the south-bound lanes. Roadside ditches occur on both sides of the freeway and supported flowing water during the March 1, 2013 site visit. Wetland vegetation including willows, sedges and wetland grasses were observed in the ditch features.

Botanical. No state or federally listed plants species are likely to occur in the project area. The four special-status plant species with potential to occur on the Project area are CNPS RPR 1b and 2-ranked species. Species designated as RPR Lists 1B or 2 are not protected under the federal or state Endangered Species Acts, but they are commonly considered by lead agencies under the California Environmental Quality Act (CEQA) review process. The RPR plant species identified in Table 1 occur in wetland habitat types, and could be affected by the Project. Measures recommended to protect special-status plants include:

- Conduct a botanical survey of the wetland portions of the Project alignment to locate any special-status plants. If no plants occur, then additional measures will not be necessary. If special status plants are observed, their locations shall be mapped and avoided during project implementation. If complete avoidance is not possible, then the project proponent (City of Mt. Shasta) shall consult with the CDFW to determine appropriate conservation measures. Such measures may include collecting seeds for propagation and planting, or transplanting individual plants to safe, suitable areas in the immediate vicinity.

Wildlife. No federally listed wildlife species have the potential to occur within the Project area. One federal candidate for listing (Pacific fisher) has the potential to occur. Three state-listed species have potential to occur (willow flycatcher, greater sandhill crane and bald eagle). Several California species of special concern may occur within the Project area (foothill yellow-legged frog, Cascades frog, northwestern pond turtle, and yellow warbler).

Pacific fisher is a widely distributed mammal that occurs throughout the Sierra Nevada, Cascades and California Coast Ranges. Pacific fisher is a highly mobile species with a large home range. Fishers den in large trees, snags, logs, rock areas or slash piles, and they may occur in areas impacted by humans (e.g., small towns, farms) in search of food. They may traverse wetland areas, or utilize stream corridors as travel routes. The project area does not support typical denning features, but may be utilized by Pacific fishers during foraging. Recommendations provided below for birds would result in late summer/fall construction, which would correspond to the time when no immobile young are present. All juvenile and adult fishers would flee from the construction and would not likely be affected by the project.

Willow flycatcher, greater sandhill crane and bald eagle are state-listed birds that may be present in the vicinity of the project. Yellow warbler is a California species of special concern that may also nest in the area. Willow flycatchers and yellow warblers nest in willow shrubs in mosaic wetland/stream complexes. Greater sandhill cranes nest in large wetland areas, and bald eagles nest in large snags typically near large streams or lakes. Both the willow flycatcher and sandhill cranes may nest in the large wetland south of Hatchery Lane. Bald eagles may nest along the Box Canyon near the wastewater treatment plant. The following measures are recommended to protect nesting special-status birds:

- Construction shall occur outside of the typical nesting period of the bird species with potential to occur. The typical nesting period for these species in Siskiyou County is from March 1 to September 30. Construction outside of these dates would not affect the species. If construction must occur within the nesting period, then preconstruction surveys for the species shall be conducted. If nesting special-status birds are observed, then, in consultation with the CDFW, a buffer of 100 feet to one-quarter mile (depending on the species) shall be established around the nest to avoid impacting the species. The nests shall be monitored by a qualified biologist and once the young have fledged the protective buffer shall be eliminated and work within the area can proceed.

Foothill yellow-legged frog, Cascades frog, northwestern pond turtle may occur in the aquatic features (ponds, creeks and flowing ditches) within the project area. Unlike birds, there is no season within which construction could occur to eliminate the potential to affect these species. Adult frogs and turtles, and potentially turtle nests may still be present during the late summer/fall construction period. Therefore, the following measures are recommended to protect special-status amphibians and reptiles:

- Preconstruction surveys are recommended within two weeks of the start of construction in any aquatic areas that may be affected by the Project. If adult frogs, turtles, or turtle nests are observed, then the CDFW would be contacted to determine the best approach to minimize adverse affects to the species. Typical measures include allowing the turtle or frog to move from the impact area, or relocating a turtle nest.

Mr. Keith McKinley

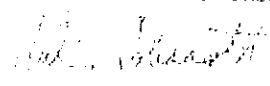
March 6, 2013
Page 5

Waters of the United States. Waters of the United States ("waters") are present in the Project area. Features observed include the large wet meadow complex (streams and wetlands), and roadside ditches. Prior to implementation of the project, all "waters" shall be mapped according to the U.S. Army Corps of Engineers (Corps) standards. The "wetland delineation" shall be submitted to the Corps for verification. Impacts to "waters" are likely due to the trenching required to construct the project. Prior to construction, the appropriate Clean Water Act Sections 401 and 404 permits shall be obtained authorizing the project. Adequate mitigation is required as a permit condition. Likely, the project would have to restore the temporary effects of the construction by recontouring the impacted area to pre-existing contours, replacing the top soil, and replanting the alignment with native wetland plant species.

Because the wetland south of Hatchery Lane was created as mitigation for a past development, the City of Mt. Shasta will also have to research whether the Corps, or any other regulatory agency, placed restrictions (e.g., deed restriction, conservation easement) upon the area as a condition of its use as a mitigation area.

If you have any questions about this report, please contact me by telephone at 530/926-3595 ext. 201, or by email at colescott@nsrnet.com.

Sincerely,
NORTH STATE RESOURCES, INC.


Julian Colecott
Project Manager

References

- Baldwin, Bruce et al eds. 2012. *The Jepson Manual: Vascular Plants of California*, Second Edition. University of California Press. Berkeley, California. 1600 pp.
- California Department of Fish and Game. 1988. *California's Wildlife, Volume I: Amphibians and Reptiles*. California Statewide Wildlife Habitat Relationships System. Editors David C. Zeiner, William F. Laudenslayer, Jr., Kenneth E. Mayer, and Marshall White.
- California Department of Fish and Game. 1990a. *California's Wildlife, Volume II: Birds*. California Statewide Wildlife Habitat Relationships System. Editors: David C. Zeiner, William F. Laudenslayer, Jr., Kenneth E. Mayer, and Marshall White.
- California Department of Fish and Game. 1990b. *California's Wildlife, Volume III: Mammals*. California Statewide Wildlife Habitat Relationships System. Editors: David C. Zeiner, William F. Laudenslayer, Jr., Kenneth E. Mayer, and Marshall White.
- California Department of Fish and Wildlife. 2013. Rarefind 4: California Natural Diversity Database (CNDDDB). Available at <http://www.dfg.ca.gov/biogeodata/cuddb/>. Last updated in 2012. Accessed on February 27, 2013.
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- Pacific Municipal Consultants. 2005. City of Mt. Shasta General Plan update Environmental Impact Report. Pacific Municipal Consultants. Mt. Shasta, California.
- U.S. Fish and Wildlife Service. 2012. List of Endangered and Threatened Species That May Occur in or be Affected by Projects in the Mt. Shasta City, California USGS Quadrangle. Available at http://www.fws.gov/sacramento/ES_Species/Lists/es_species_lists-form.cfm. Last updated on September 18, 2011. Accessed on February 27, 2013.

TABLE 1. PRELIMINARY REVIEW OF SPECIAL-STATUS PLANT SPECIES WITH POTENTIAL TO OCCUR IN THE MT. SHASTA SEWER PROJECT AREA

| Species | Federal/State/CNPS RPR Status | Habitat Suitability |
|---|-------------------------------|--|
| <i>Epilobium oregonum</i> Oregon fireweed | --/1B | Several historic (1914) records of the plant within 5 miles of the project area. The wetland area south of Hatchery Lane provides suitable habitat for this species. Prefers wet, gently sloping stream banks, meadows, and bogs from 500 to 7,800 feet in the Klamath Range. Blooms June-August (CNPS 2013). |
| <i>Geum aleppicum</i> Aleppo avens | -/12 | Several records of the species within 5 miles. The wetland area south of Hatchery Lane provides suitable habitat for this species. Great Basin scrub, lower montane coniferous forest, meadows and seeps from 1,350-4,500 feet. Blooms June-August (CNPS 2013). |
| <i>Ophioglossum pusillum</i> Northern adder's tongue | -/12 | One historic (1894) record of the species within 5 miles. The wetland area south of Hatchery Lane provides suitable habitat for this species. Marshes and swamp margins, valley foothill grassland at 3,000 to 6,000 feet. Blooms July (CNPS 2013). |
| <i>Scutellaria galericulata</i> Marsh skullcap | -/12 | One historic (1894) record of the species within 5 miles. The wetland area south of Hatchery Lane provides suitable habitat for this species. Lower montane coniferous forests, meadows and seeps (mesic) and marshes and swamps from 0 to 6,000 feet. Blooms June-September (CNPS 2013). |

NOTES:

FED = Federal

ST = State

Federal & State Codes:

E = Endangered; T = Threatened; R =

Rare; SC = Species of Concern

CNPS = California Native Plant Society

CNPS RPR Codes:

List 1B = Rare, Threatened or Endangered in CA and Elsewhere,

List 2 = Rare, Threatened or Endangered in CA, but more common elsewhere;

List 3 = More information is needed -- a review list

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Thursday, January 08, 2015 6:16 PM
To: Good, Stan; Skrinde, Kristine
Subject: FW: WWTP Feasibility Study complete
Attachments: Feasibility Study Presentation.pdf; ATT00001.htm

Hi Stan and Kris,

I just had a long call from Vicki Gold. She sent me this WWTP feasibility study which you might be interested in.

Thanks, Shannon

From: Vicki Gold [REDACTED]
Sent: Thursday, January 08, 2015 6:03 PM
To: FitzGerald, Shannon
Subject: Fwd: WWTP Feasibility Study complete

Hi Shannon,

This is the larger PACE Engineering WWTP Feasibility study with discussion of tertiary or secondary treatment modalities and options under consideration. The City will probably supply this to you and Stan if they haven't already.

I understand that the ball is in the City of Mount Shasta's court now to provide documentation for their rationale of using the grant for the larger state mandated WWTP renovation. Can you inquire as to whether the EDA can require the \$3 million match from CGWC?

Thanks so much,
Vicki Gold
530.926.4206

Begin forwarded message:

From: Vicki Gold [REDACTED]
Subject: WWTP Feasibility Study complete
Date: November 28, 2014 10:26:18 AM PST

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Monday, January 12, 2015 10:47 AM
To: FitzGerald, Shannon
Subject: Fwd: W.A.T.E.R Newsletter January 12

Hi Shannon.

I thought you might be interested in this. It just went out this morning.
Vicki

Begin forwarded message:

From: WATER group <mountshastawater@gmail.com>
Subject: W.A.T.E.R Newsletter January 12
Date: January 12, 2015 8:23:50 AM PST
To: Vicki [REDACTED]
Reply-To: WATER group <mountshastawater@gmail.com>



Even more comments on EIR flood Mount Shasta

The Mount Shasta Herald reported last week that a record 212 comment letters on the Crystal Geyser/ Intercepto: line project were submitted to the City. North State Resources and the City's legal counsel, Pioneer Law Group, will read the comments and propose a scope of the draft EIR based on those comments. We need to ensure that the scoping document includes all of our concerns and includes a thorough investigation of the effects of the Crystal Geyser plant. Most interesting was the comment submitted by Crystal Geyser itself. They assert that they can immediately hook up to the City sewer system through existing sewer lines as long as they do not exceed the maximum capacity of the waste treatment plant. This would mean they could use all remaining capacity with no other users accommodated. They also consider things like truck traffic avoiding downtown to be "voluntary measures as a good neighbor." This shows more than ever why we need mandatory and enforceable limits on Crystal Geyser operations. (See [link](#) for complete document)

Crystal Geyser plans end run around EIR?

City Manager Paul Eckert told the Mount Shasta Herald that now CG is talking of opening their plant without an EIR by not starting with tea and juice squeeze drinks. Eckert stated: "But now Crystal Geyser is talking about starting with water only. We've verified with our attorneys that if bottling water only is consistent with the existing permit for the facility, they can do that."

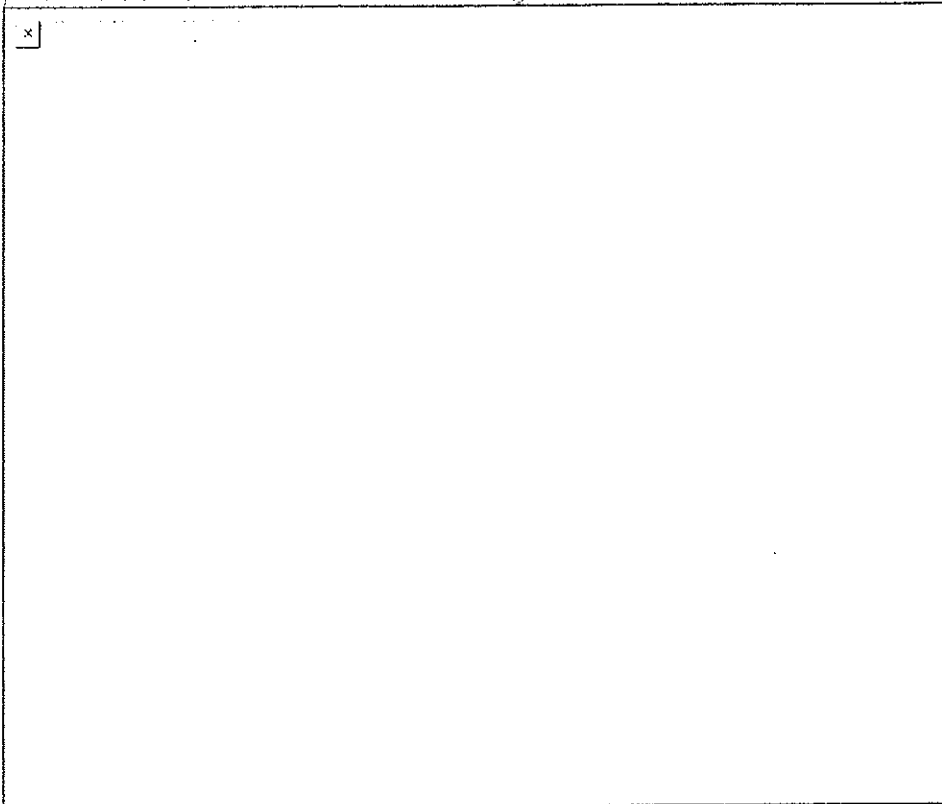
(see [link](#))

This would be a blatant attempt to evade an EIR and start the plant operations before an EIR can be done. We will need to fight such a bait and switch operation every step of the way.

Crystal Geyser applies to State for corporate welfare.

We have learned that Crystal Geyser has applied to the California Governor's Office of Business and Economic Development (GO-Biz) for a California Competes Tax Credit (CCTC). If awarded, this would give Crystal Geyser \$237,500 of our tax dollars to help

them run their tea and juice squeeze drink factory. The ostensible purpose of this tax credit is to help businesses that want to stay or grow in California. However the CCTC agreement document with Crystal Geysers (CG) shows that only 12 jobs will be added by CG over the next three years! My how things have changed. Originally CG claimed 200 jobs would be created (in the EDA grant application), then it was claimed that 50 to 60 jobs would be created; now while asking for a taxpayer handout they reveal a maximum of 12 jobs. Here are the details from the CCTC agreement:



Full document

We are strongly against CG getting our tax dollars while they refuse to agree to an EIR and fight any limits on their water extraction plans. WATER has written a letter to GO-Biz stating our objections. Stay tuned for further developments. See [URL HERE](#) to see the documents.

Crystal Geysers neglects fire safety.

On January 8 the Mt. Shasta Area Fire Safe Council met with the Spring Hill fuel reduction project as a key topic of discussion. Crystal Geysers owns Spring Hill. If you have walked up the popular Spring Hill trail you cannot help but notice the dense undergrowth and build up of flammable materials on the hillside. However at the meeting it was reported that each time the Fire Safe Council has approached Crystal

Geysers about brush reduction, they have been told no, they would not allow that on their property. The Fire Safe Council was offering Crystal Geysers a free service, but they have refused. We think that Crystal Geysers should immediately (and with their OWN money) perform the needed fuel reduction on Spring Hill. As we learned from the Boles fire, overgrown hillsides next to town can be VERY dangerous.

Thank You!

Last November WATER received a \$2000 matching donation. Due to several generous donations we were able to meet our match! This will help us to pay for environmental experts and legal help as we continue our fight to ensure that Crystal Geysers will not harm our Mount Shasta environment. If you can, please donate at <https://www.paycom-software.com/external/MSBEC> or mail checks to P O Box 1143, Mount Shasta, CA 96067, made out to MSBEC and write "FOR WATER" in the memo section. WATER is a fiscally sponsored project of the Mount Shasta Bioregional Ecology Center (MSBEC) and donations are tax deductible.

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You are receiving this email because you signed a petition or opted in on our web site.

Our mailing address is:
We Advocate Thorough Environmental Review
108 B Siskiyou Ave
Mount Shasta, Ca 96067

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[unsubscribe from this list](#) [update subscription preferences](#)

{Overwrite and Insert Date}

Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer
Office of Historic Preservation
State of California
1725 23rd Street
Sacramento, California 95816

RE: National Historic Preservation Act Section 106 consultation for proposed EDA grant assistance to construct sewer lines, Mount Shasta, California

Dear Dr. Roland-Nawi:

The City of Mt. Shasta has made an application for grant funding to the U.S. Department of Commerce, Economic Development Administration (EDA) to construct new sewer lines. Under 36 CFR §800.2(c)(4), EDA is delegating authority to the City of Mt. Shasta to consult with you on the behalf of EDA.

The project includes (Provide a detailed description of the project. For SHPO, this description must include depth, width and footprint of the "Area of Potential Effect" of the undertaking. The description must also include any ground disturbing activities or trenching that will occur as a result of the undertaking. Be precise in describing the location of the undertaking. If the undertaking includes the remodel of an existing building, include the date of the original building construction. Also include the description of any known historic or archaeological resources in the immediate area of the project effect (buildings, etc. of local importance). Include maps of the project area and photographs of buildings older than 50 years that will be renovated or demolished).

In accordance with 36 CFR §800 the City of Mt. Shasta is initiating the Section 106 consultation process on behalf of EDA.

Enclosed is documentation of the City of Mt. Shasta's effort to identify and evaluate historic properties pursuant to 36 CFR §800.4. This documentation includes:

- Evidence that all interested parties (*this includes Tribes, museums, and organizations*) were consulted pursuant to 36 CFR §800.4(a) (3)-(4);

- Documentation of effort to identify and evaluate historic properties. (*For instance, evidence that a record search was completed at the local Historical Information Center. As a result of this record search, a need for an historical/archaeological resources survey may be indicated. If a survey is, or has been, completed, provide a copy of the survey report*); and

An assessment of the undertaking's potential to affect historic properties pursuant to 36 CFR §800.4(d) or 36 CFR §800.5. (*Possible determinations are: (1) No historical properties present; (2) No historical properties affected; or (3) Historical properties affected.*)

We ask for your concurrence on these findings and determination. If further information is required, please contact me at {*Overwrite and Insert Telephone Number and/or E-Mail Address*}.

Sincerely,

Theodore Marconi
City Manager

Enclosures

c: Brian Parker, Economic Development Administration

Accounting Reservations

Project# 07660688502

| | | | |
|------------------|--------------|--------------------|--------------|
| EDA Reservations | \$125,000.00 | Total Reservations | \$125,000.00 |
|------------------|--------------|--------------------|--------------|

| Account# | Effective Date | Reservation |
|-----------------|----------------|--------------|
| D14410000 47510 | 07/21/2014 | \$125,000.00 |

Accounting Obligations

Project# 07660688502

| | | | |
|-----------------|--------------|-------------------|--------------|
| EDA Obligations | \$125,000.00 | Total Obligations | \$125,000.00 |
|-----------------|--------------|-------------------|--------------|

| Account# | Effective Date | Obligation |
|-----------------|----------------|--------------|
| D14410000 47510 | 08/13/2014 | \$125,000.00 |

Accounting Disbursements

Project# 07660688502

| | | | |
|-------------------|--------------|---------------------|--------------|
| EDA Disbursements | \$125,000.00 | Total Disbursements | \$125,000.00 |
|-------------------|--------------|---------------------|--------------|

| Account# | Effective Date | Disbursement |
|-----------------|----------------|--------------|
| D14410000 47510 | 11/02/2014 | \$10,471.00 |
| D14410000 47510 | 01/14/2015 | \$25,149.55 |
| D14410000 47510 | 03/12/2015 | \$3,988.56 |
| D14410000 47510 | 09/11/2015 | \$85,390.89 |

| | | | |
|--------------|--------|----------------|--------|
| EDA Balance: | \$0.00 | Total Balance: | \$0.00 |
|--------------|--------|----------------|--------|

FAS Summary as of 09/30/1999

project # 07660688502

Reservations:

Obligations:

Disbursements:

Undisbursed:

Accounting Reservations

Project# 07660688302

| | | | |
|------------------|--------------|--------------------|--------------|
| EDA Reservations | \$125,000.00 | Total Reservations | \$125,000.00 |
|------------------|--------------|--------------------|--------------|

| Account# | Effective Date | Reservation |
|-----------------|----------------|--------------|
| D14410000 47510 | 07/21/2014 | \$125,000.00 |

Accounting Obligations

Project# 07660688302

| | | | |
|-----------------|--------------|-------------------|--------------|
| EDA Obligations | \$125,000.00 | Total Obligations | \$125,000.00 |
|-----------------|--------------|-------------------|--------------|

| Account# | Effective Date | Obligation |
|-----------------|----------------|--------------|
| D14410000 47510 | 08/13/2014 | \$125,000.00 |

Accounting Disbursements

Project# 07660688302

| | | | |
|-------------------|--------------|---------------------|--------------|
| EDA Disbursements | \$124,054.12 | Total Disbursements | \$124,054.12 |
|-------------------|--------------|---------------------|--------------|

| Account# | Effective Date | Disbursement |
|-----------------|----------------|--------------|
| D14410000 47510 | 02/18/2015 | \$44,360.51 |
| D14410000 47510 | 09/01/2015 | \$79,693.61 |

| | | | |
|--------------|----------|----------------|----------|
| EDA Balance: | \$946.00 | Total Balance: | \$946.00 |
|--------------|----------|----------------|----------|

FAS Summary as of 09/30/1999

project # 07660688302

Reservations:

Obligations:

Disbursements:

Undisbursed:

Accounting Reservations

Project# 07660688202

| | | | |
|------------------|--------|--------------------|--------|
| EDA Reservations | \$0.00 | Total Reservations | \$0.00 |
|------------------|--------|--------------------|--------|

| Account# | Effective Date | Reservation |
|-----------------|----------------|----------------|
| D14410000 47510 | 08/18/2014 | (\$125,000.00) |
| D14410000 47510 | 07/21/2014 | \$125,000.00 |

Accounting Obligations

Project# 07660688202

| | | | |
|-----------------|--------------|-------------------|--------------|
| EDA Obligations | \$125,000.00 | Total Obligations | \$125,000.00 |
|-----------------|--------------|-------------------|--------------|

| Account# | Effective Date | Obligation |
|-----------------|----------------|--------------|
| D14410000 47510 | 08/18/2014 | \$125,000.00 |

Accounting Disbursements

Project# 07660688202

| | | | |
|-------------------|--------------|---------------------|--------------|
| EDA Disbursements | \$125,000.00 | Total Disbursements | \$125,000.00 |
|-------------------|--------------|---------------------|--------------|

| Account# | Effective Date | Disbursement |
|-----------------|----------------|--------------|
| D14410000 47510 | 09/04/2015 | \$27,833.80 |
| D14410000 47510 | 02/20/2015 | \$88,314.86 |
| D14410000 47510 | 05/22/2015 | \$8,851.34 |

| | | | |
|--------------|--------|----------------|--------|
| EDA Balance: | \$0.00 | Total Balance: | \$0.00 |
|--------------|--------|----------------|--------|

FAS Summary as of 09/30/1999

project # 07660688202

Reservations:

Obligations:

Disbursements:

Undisbursed:

Accounting Reservations

Project# 07660688002

| | | | |
|------------------|--------------|--------------------|--------------|
| EDA Reservations | \$100,000.00 | Total Reservations | \$100,000.00 |
|------------------|--------------|--------------------|--------------|

| Account# | Effective Date | Reservation |
|-----------------|----------------|--------------|
| D14410000 47510 | 07/21/2014 | \$100,000.00 |

Accounting Obligations

Project# 07660688002

| | | | |
|-----------------|--------------|-------------------|--------------|
| EDA Obligations | \$100,000.00 | Total Obligations | \$100,000.00 |
|-----------------|--------------|-------------------|--------------|

| Account# | Effective Date | Obligation |
|-----------------|----------------|--------------|
| D14410000 47510 | 08/13/2014 | \$100,000.00 |

Accounting Disbursements

Project# 07660688002

| | | | |
|-------------------|--------------|---------------------|--------------|
| EDA Disbursements | \$100,000.00 | Total Disbursements | \$100,000.00 |
|-------------------|--------------|---------------------|--------------|

| Account# | Effective Date | Disbursement |
|-----------------|----------------|--------------|
| D14410000 47510 | 06/11/2015 | \$61,050.28 |
| D14410000 47510 | 09/17/2015 | \$38,949.72 |

| | | | |
|--------------|--------|----------------|--------|
| EDA Balance: | \$0.00 | Total Balance: | \$0.00 |
|--------------|--------|----------------|--------|

FAS Summary as of 09/30/1999

project # 07660688002

Reservations:

Obligations:

Disbursements:

Undisbursed:

Accounting Reservations

Project# 07660687902

| | | | |
|------------------|--------------|--------------------|--------------|
| EDA Reservations | \$125,000.00 | Total Reservations | \$125,000.00 |
|------------------|--------------|--------------------|--------------|

| Account# | Effective Date | Reservation |
|-----------------|----------------|--------------|
| D14410000 47510 | 07/21/2014 | \$125,000.00 |

Accounting Obligations

Project# 07660687902

| | | | |
|-----------------|--------------|-------------------|--------------|
| EDA Obligations | \$125,000.00 | Total Obligations | \$125,000.00 |
|-----------------|--------------|-------------------|--------------|

| Account# | Effective Date | Obligation |
|-----------------|----------------|--------------|
| D14410000 47510 | 08/13/2014 | \$125,000.00 |

Accounting Disbursements

Project# 07660687902

| | | | |
|-------------------|--------------|---------------------|--------------|
| EDA Disbursements | \$125,000.00 | Total Disbursements | \$125,000.00 |
|-------------------|--------------|---------------------|--------------|

| Account# | Effective Date | Disbursement |
|-----------------|----------------|--------------|
| D14410000 47510 | 12/05/2014 | \$13,726.32 |
| D14410000 47510 | 03/10/2015 | \$31,834.78 |
| D14410000 47510 | 09/01/2015 | \$79,438.90 |

| | | | |
|--------------|--------|----------------|--------|
| EDA Balance: | \$0.00 | Total Balance: | \$0.00 |
|--------------|--------|----------------|--------|

FAS Summary as of 09/30/1999
project # 07660687902

Reservations:

Obligations:

Disbursements:

Undisbursed:

Accounting Reservations

Project# 07660688502

| | | | |
|------------------|--------------|--------------------|--------------|
| EDA Reservations | \$125,000.00 | Total Reservations | \$125,000.00 |
|------------------|--------------|--------------------|--------------|

| Account# | Effective Date | Reservation |
|-----------------|----------------|--------------|
| D14410000 47510 | 07/21/2014 | \$125,000.00 |

Accounting Obligations

Project# 07660688502

| | | | |
|-----------------|--------------|-------------------|--------------|
| EDA Obligations | \$125,000.00 | Total Obligations | \$125,000.00 |
|-----------------|--------------|-------------------|--------------|

| Account# | Effective Date | Obligation |
|-----------------|----------------|--------------|
| D14410000 47510 | 08/13/2014 | \$125,000.00 |

Accounting Disbursements

Project# 07660688502

| | | | |
|-------------------|--------------|---------------------|--------------|
| EDA Disbursements | \$125,000.00 | Total Disbursements | \$125,000.00 |
|-------------------|--------------|---------------------|--------------|

| Account# | Effective Date | Disbursement |
|-----------------|----------------|--------------|
| D14410000 47510 | 11/02/2014 | \$10,471.00 |
| D14410000 47510 | 01/14/2015 | \$25,149.55 |
| D14410000 47510 | 03/12/2015 | \$3,988.56 |
| D14410000 47510 | 09/11/2015 | \$85,390.89 |

| | | | |
|--------------|--------|----------------|--------|
| EDA Balance: | \$0.00 | Total Balance: | \$0.00 |
|--------------|--------|----------------|--------|

FAS Summary as of 09/30/1999

project # 07660688502

Reservations:

Obligations:

Disbursements:

Undisbursed:

Accounting Reservations

Project# 070606929

| | | | |
|------------------|-------------|--------------------|-------------|
| EDA Reservations | \$75,000.00 | Total Reservations | \$75,000.00 |
|------------------|-------------|--------------------|-------------|

| Account# | Effective Date | Reservation |
|-----------------|----------------|-------------|
| D12410000 48010 | 09/06/2012 | \$75,000.00 |

Accounting Obligations

Project# 070606929

| | | | |
|-----------------|-------------|-------------------|-------------|
| EDA Obligations | \$75,000.00 | Total Obligations | \$75,000.00 |
|-----------------|-------------|-------------------|-------------|

| Account# | Effective Date | Obligation |
|-----------------|----------------|-------------|
| D12410000 48010 | 09/21/2012 | \$75,000.00 |

Accounting Disbursements

Project# 070606929

| | | | |
|-------------------|-------------|---------------------|-------------|
| EDA Disbursements | \$75,000.00 | Total Disbursements | \$75,000.00 |
|-------------------|-------------|---------------------|-------------|

| Account# | Effective Date | Disbursement |
|-----------------|----------------|--------------|
| D12410000 48010 | 04/29/2013 | \$15,519.92 |
| D12410000 48010 | 04/03/2013 | \$9,293.42 |
| D12410000 48010 | 01/29/2014 | \$42,802.62 |
| D12410000 48010 | 04/23/2014 | \$7,384.04 |

| | | | |
|--------------|--------|----------------|--------|
| EDA Balance: | \$0.00 | Total Balance: | \$0.00 |
|--------------|--------|----------------|--------|

FAS Summary as of 09/30/1999

project # 070606929

Reservations:

Obligations:

Disbursements:

Undisbursed:

Accounting Reservations

Project# 070606927

| | | | |
|-------------------------|--------------------|---------------------------|--------------------|
| EDA Reservations | \$87,948.00 | Total Reservations | \$87,948.00 |
|-------------------------|--------------------|---------------------------|--------------------|

| Account# | Effective Date | Reservation |
|-----------------|----------------|-------------|
| D12410000 42010 | 09/06/2012 | \$87,948.00 |

Accounting Obligations

Project# 070606927

| | | | |
|------------------------|--------------------|--------------------------|--------------------|
| EDA Obligations | \$87,948.00 | Total Obligations | \$87,948.00 |
|------------------------|--------------------|--------------------------|--------------------|

| Account# | Effective Date | Obligation |
|-----------------|----------------|-------------|
| D12410000 42010 | 09/21/2012 | \$87,948.00 |

Accounting Disbursements

Project# 070606927

| | | | |
|--------------------------|--------------------|----------------------------|--------------------|
| EDA Disbursements | \$87,948.00 | Total Disbursements | \$87,948.00 |
|--------------------------|--------------------|----------------------------|--------------------|

| Account# | Effective Date | Disbursement |
|-----------------|----------------|--------------|
| D12410000 42010 | 06/05/2013 | \$9,990.36 |
| D12410000 42010 | 12/18/2013 | \$30,382.65 |
| D12410000 42010 | 02/07/2014 | \$16,294.77 |
| D12410000 42010 | 05/01/2014 | \$6,792.36 |
| D12410000 42010 | 09/10/2014 | \$24,487.86 |

| | | | |
|---------------------|---------------|-----------------------|---------------|
| EDA Balance: | \$0.00 | Total Balance: | \$0.00 |
|---------------------|---------------|-----------------------|---------------|

FAS Summary as of 09/30/1999
project # 070606927

Reservations:

Obligations:

Disbursements:

Undisbursed:

Accounting Reservations

Project# 070607037

| | | | |
|------------------|-------------|--------------------|-------------|
| EDA Reservations | \$99,337.00 | Total Reservations | \$99,337.00 |
|------------------|-------------|--------------------|-------------|

| Account# | Effective Date | Reservation |
|-----------------|----------------|-------------|
| D13411600 47010 | 09/24/2013 | \$99,337.00 |

Accounting Obligations

Project# 070607037

| | | | |
|-----------------|-------------|-------------------|-------------|
| EDA Obligations | \$99,337.00 | Total Obligations | \$99,337.00 |
|-----------------|-------------|-------------------|-------------|

| Account# | Effective Date | Obligation |
|-----------------|----------------|-------------|
| D13411600 47010 | 09/26/2013 | \$99,337.00 |

Accounting Disbursements

Project# 070607037

| | | | |
|-------------------|-------------|---------------------|-------------|
| EDA Disbursements | \$99,273.00 | Total Disbursements | \$99,273.00 |
|-------------------|-------------|---------------------|-------------|

| Account# | Effective Date | Disbursement |
|-----------------|----------------|--------------|
| D13411600 47010 | 08/01/2014 | \$66,126.00 |
| D13411600 47010 | 02/13/2015 | \$33,147.00 |

| | | | |
|--------------|---------|----------------|---------|
| EDA Balance: | \$64.00 | Total Balance: | \$64.00 |
|--------------|---------|----------------|---------|

FAS Summary as of 09/30/1999

project # 070607037

Reservations:

Obligations:

Disbursements:

Undisbursed:

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Thursday, January 08, 2015 5:54 PM
To: FitzGerald, Shannon
Subject: CGWC attorney's letter responding to NOP
Attachments: churchwellwhite.pdf

> Above attached is Barbara Brenner's NOP response for Crystal Geyser.

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Thursday, January 08, 2015 6:03 PM
To: FitzGerald, Shannon
Subject: Fwd: WWTP Feasibility Study complete
Attachments: Feasibility Study Presentation.pdf; ATT00001.htm

Hi Shannon,

This is the larger PACE Engineering WWTP Feasibility study with discussion of tertiary or secondary treatment modalities and options under consideration. The City will probably supply this to you and Stan if they haven't already.

I understand that the ball is in the City of Mount Shasta's court now to provide documentation for their rationale of using the grant for the larger state mandated WWTP renovation. Can you inquire as to whether the EDA can require the \$3 million match from CGWC?

Thanks so much,

Vicki Gold

530.926.4206

Begin forwarded message:

From: Vicki Gold [REDACTED]
Subject: WWTP Feasibility Study complete
Date: November 28, 2014 10:26:18 AM PST

CITY OF MT. SHASTA
Draft Wastewater Treatment
and Disposal Feasibility Study

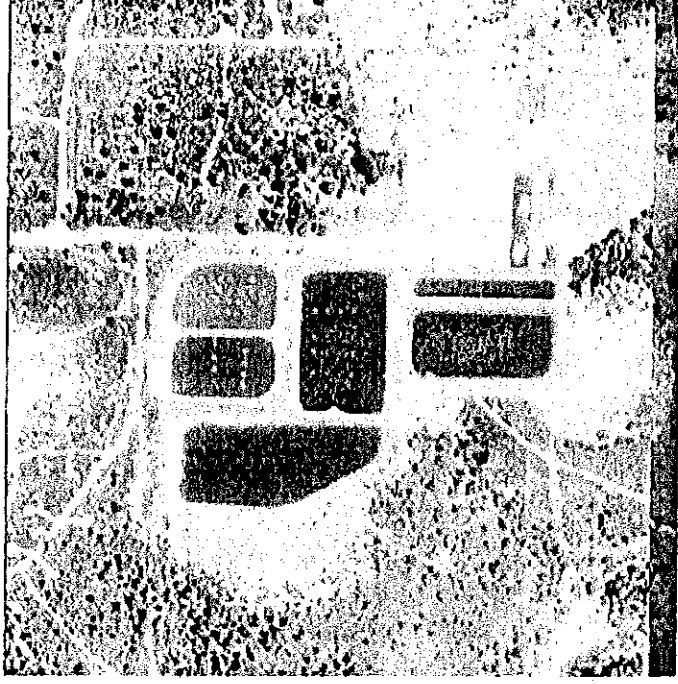
by

PACE Engineering, Inc.



BACKGROUND

- ❖ Timeline
 - ❖ 1976 – Original lagoon WWTP constructed
 - ❖ Biodegradable organics (BOD, TSS)
 - ❖ 1999 – Tertiary treatment improvements (DAF/RSF)
 - ❖ Summer flows
 - ❖ Extend discharge periods
 - ❖ 2007 – CVRWQCB Waste Discharge Requirements & Cease and Desist Order
 - ❖ Metal removal (Cu, Zn)
 - ❖ Disinfection byproducts



Mt. Shasta WWTP - 2004



BACKGROUND CONT'D

- ◆ Timeline
 - ◆ 2009 – Mixing Zone Dilution Study
 - ◆ Reduction in regulatory metals limit
 - ◆ 2012 – Disinfection Monitoring Improvements
 - ◆ Provide reliable, flow-paced disinfection
 - ◆ 2013 – Treatment & Disposal Feasibility Study
 - ◆ NPDES permit compliance
 - ◆ Disposal alternatives

BACKGROUND CONT'D

- ❖ Timeline
- ❖ 2013 – New EPA Ammonia Criteria
- ❖ More stringent ammonia limits

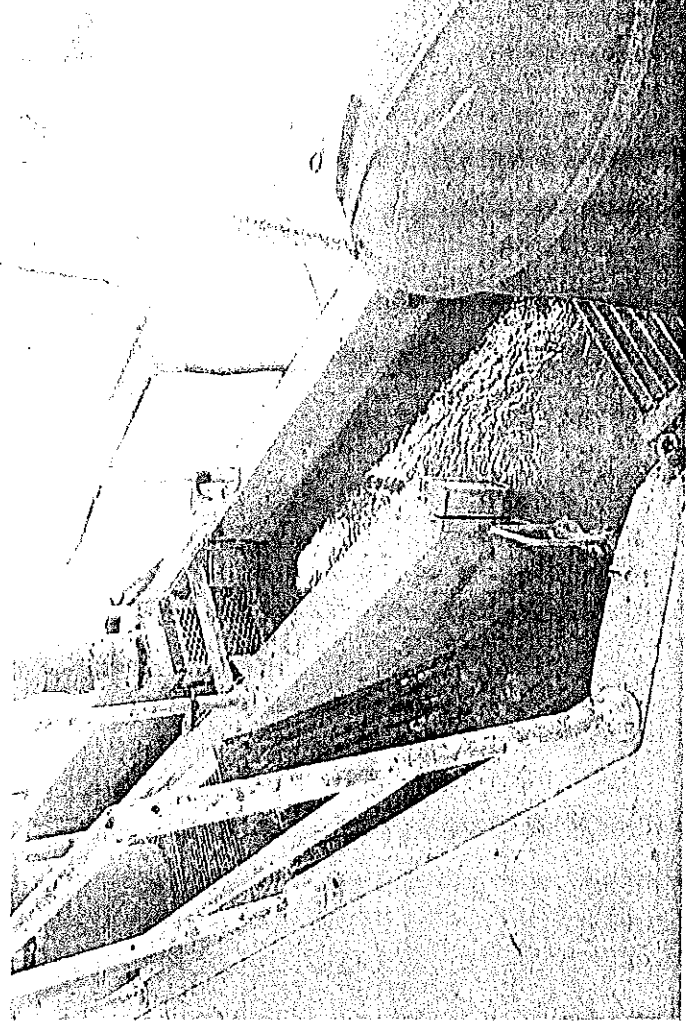


Western Pearlshell Mussel
(*Margaritifera falcata*)
Courtesy US Fish & Wildlife Services

EXISTING SYSTEM

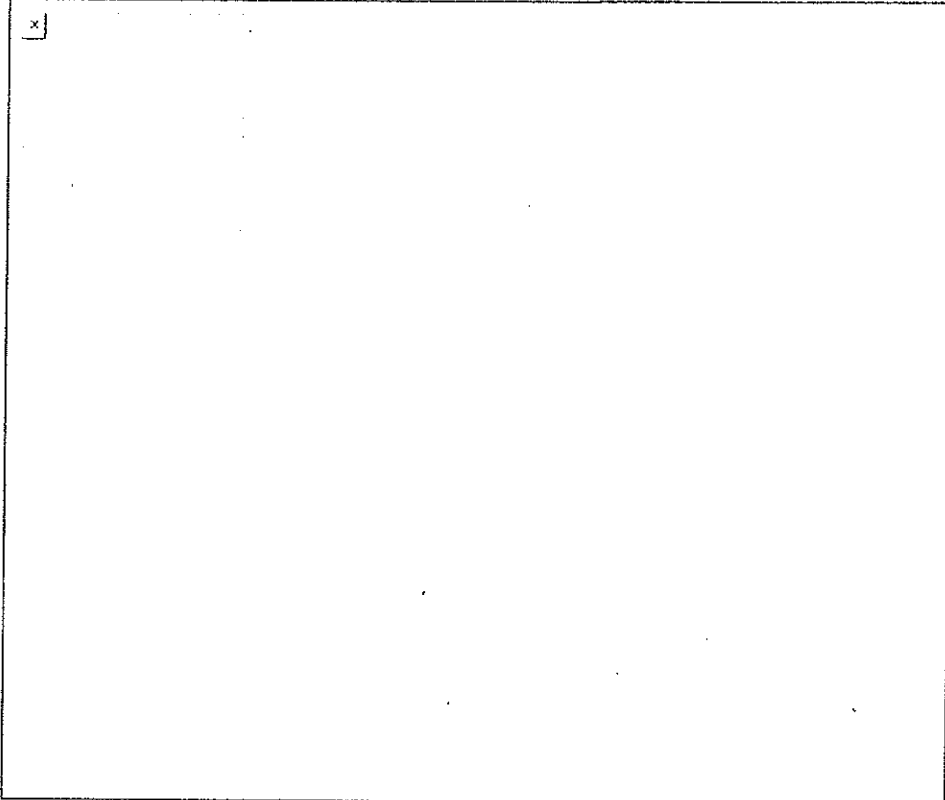
❖ Existing WWTP Process Components

- ❖ Treatment
- ❖ Disinfection
- ❖ Disposal



Mt. Shasta WWTP Headworks

them run their tea and juice squeeze drink factory. The ostensible purpose of this tax credit is to help businesses that want to stay or grow in California. However the CCTC agreement document with Crystal Geysers (CG) shows that only 12 jobs will be added by CG over the next three years! My how things have changed. Originally CG claimed 200 jobs would be created (in the EDA grant application), then it was claimed that 50 to 60 jobs would be created; now while asking for a taxpayer handout they reveal a maximum of 12 jobs. Here are the details from the CCTC agreement:



Full document

We are strongly against CG getting our tax dollars while they refuse to agree to an EIR and fight any limits on their water extraction plans. WATER has written a letter to GO-Biz stating our objections. Stay tuned for further developments. See [URL HERE](#) to see the documents.

Crystal Geysers neglects fire safety.

On January 8 the Mt. Shasta Area Fire Safe Council met with the Spring Hill fuel reduction project as a key topic of discussion. Crystal Geysers owns Spring Hill. If you have walked up the popular Spring Hill trail you cannot help but notice the dense undergrowth and build up of flammable materials on the hillside. However at the meeting it was reported that each time the Fire Safe Council has approached Crystal

Geysers about brush reduction, they have been told no, they would not allow that on their property. The Fire Safe Council was offering Crystal Geysers a free service, but they have refused. We think that Crystal Geysers should immediately (and with their OWN money) perform the needed fuel reduction on Spring Hill. As we learned from the Boles fire, overgrown hillsides next to town can be VERY dangerous.

Thank You!

Last November WATER received a \$2000 matching donation. Due to several generous donations we were able to meet our match! This will help us to pay for environmental experts and legal help as we continue our fight to ensure that Crystal Geysers will not harm our Mount Shasta environment. If you can, please donate

at _____ or mail checks to P O Box 1143, Mount Shasta, CA 96067, made out to MSBEC and write "FOR WATER" in the memo section. WATER is a fiscally sponsored project of the Mount Shasta Bioregional Ecology Center (MSBEC) and donations are tax deductible.

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Our mailing address is:
We Advocate Thorough Environmental Review
108 B Siskiyou Ave.
Mount Shasta, Ca 96067

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FitzGerald, Shannon

From: Good, Stan
Sent: Monday, April 06, 2015 11:23 AM
To: Skrinde, Kristine; FitzGerald, Shannon
Subject: FW: Documents for grant amendment
Attachments: EDA Env Narrative-COMLETE.PDF; EDA Engineering Narrative-COMLETE.pdf

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Monday, April 06, 2015 10:30 AM
To: Good, Stan
Cc: Rod Bryan; Muriel Howarth Terrell; Paul Reuter (preuter@paceengineering.us); Nicole Dove
Subject: RE: Documents for grant amendment

Good Morning Stan,

As committed on Friday, attached are several documents (Environmental Narrative and Engineering Narrative) for your review and consideration as part of the Mt. Shasta State Mandated Waste Water Treatment Plan Project. As shared in the documents, an Environmental Narrative was prepared for the prior EDA grant application for the Interceptor Sewer Replacement Project. Some relevant survey and solicitation work was performed as part of the effort to complete that narrative. As proposed by the EDA, funding will now be shifted to the State-Mandated WWTP Improvements. As you may be aware, the environmental impacts are different and far less significant.

Enplan, Redding, CA, has been contracted to complete environmental services for the State-Mandated WWTP Improvements Project, and they have begun that effort. Unfortunately, some of the initial surveys and solicitations are not complete due entirely to the project's original schedule which was much different than the originally EDA supported Interceptor Sewer Replacement Project. It is expected these studies for the newly supported Mt. Shasta State Mandated Waste Water Treatment Plan Project will be completed in the next two months. Some language from the prior narrative has been left in this document as a place-holder until new surveys and solicitations are completed. These areas are delineated in the documents.

Again, thank you for your support. Please let us know if we can be of assistance.

Respectfully,

Paul Eckert

From: Paul Eckert
Sent: Friday, April 03, 2015 1:30 PM
To: 'Good, Stan'

Cc: Rod Bryan (rbryan@mtshastaca.gov); Muriel Howarth Terrell (mterrell@mtshastaca.gov); Paul Reuter (preuter@paceengineering.us)
Subject: RE: Documents for grant amendment

Thanks Stan, have a nice weekend!

From: Good, Stan [<mailto:SGood@eda.gov>]
Sent: Friday, April 03, 2015 12:27 PM
To: Paul Eckert
Subject: RE: Documents for grant amendment

Paul:

Sure, Monday will work, but the sooner in the day the quicker I can add it to the agenda. Have a good week-end.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

City of Mt. Shasta
State-Mandated WWTP Improvements
Economic Development Agency (EDA) Grant Application
ENVIRONMENTAL NARRATIVE

A. BACKGROUND

An Environmental Narrative was prepared for the prior EDA grant application for the Interceptor Sewer Replacement Project. Some survey and solicitation work was performed as part of the effort to complete that narrative. Since it is proposed this EDA funding will now be shifted to the State-Mandated WWTP Improvements, environmental impacts are different and less significant. Enplan, Redding, CA, has been contracted to complete environmental services for the State-Mandated WWTP Improvements Project, and they have begun that effort. Unfortunately, some of the initial surveys and solicitations are not complete. It is expected these studies will be completed in the next one to two months.

Some language from the prior narrative has been left in this document as a place-holder until new surveys and solicitations are completed. These areas are delineated in the document hereinafter.

B. BENEFICIARIES

Direct beneficiaries of the project will be the entire existing population that is connected to the City's sewer system because it will allow the City to obtain compliance with State-mandated requirements associated with its wastewater treatment and disposal facilities. Other direct beneficiaries will be holders of undeveloped infill property in north and central Mt. Shasta, including Crystal Geysler, who may not be able to develop without upgrades to the City's wastewater treatment plant (WWTP) facility.

C. PROJECT DESCRIPTION

1. Proposed Construction: The City of Mt. Shasta proposes to replace its existing lagoon-based WWTP facility with a more modern biological nutrient removal activated sludge (BNR-ASP) treatment process to promote removal of nitrogen compounds and other organics. New filtration and UV disinfection facilities will be provided. Waste solids dewatering, using centrifuge technology, will also be provided. The facility is located in Sections 28 and 33 of Township 40N Range 4W in Siskiyou County, California. The project will take place within the existing disturbed footprint of the WWTP facility, currently owned by the City.

2. Alternatives to the Project: The No-Project alternative would cause the City to be out of compliance with its recently-adopted NPDES discharge permit and force it to look for other options to deal with treatment and disposal of wastewater from existing and future developments.

A number of effluent disposal and treatment alternatives were considered as part of the Feasibility Study/Preliminary Engineering Report (PER) effort, a copy of which is available upon request. However, considering cost, environmental impacts, ease of compliance with regulatory requirements, and other factors, the proposed project was deemed to be the best alternative.

3. Mitigation: Best management practices for construction activities include those for erosion control, siltation control, air quality, and noise will be implemented. There will be no impact to wetlands. Mitigation requirements for improvements to the existing effluent diffuser at the Sacramento River

City of Mt. Shasta
 State-Mandated WWTP Improvements
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 ENVIRONMENTAL NARRATIVE

discharge will be covered as part of the respective permits from California Department of Fish and Wildlife, US Army Corps of Engineers and Regional Water Quality Control Board.

D. HISTORIC/ARCHEOLOGICAL RESOURCES

(The following narrative was prepared when the Interceptor Sewer Replacement was part of the project, and thus, reflects potential historic/archeological resources along the interceptor alignment through the wetlands. This work is not part of the project anymore. However, the write-up is included until the environmental consultant performs the appropriate surveys at the WWTP site. It is expected there will be less impacts at the WWTP site.) A records search (W13-31) was conducted for the City by Northstate Resources, Inc. at the Northeast Information Center (NEIC) on February 28, 2012. The search included the cultural resource records and survey reports as well as the lists of resources on the National Register of Historic Places (NRHP), the California Historical Landmarks listing, the California Register of Historical Resources (CRHR), and the California Points of Historical Interest. Seven cultural resources surveys have been conducted within 0.25 miles the undertaking. Five cultural resources have been recorded within 0.25 miles of the undertaking (see Table below). The resources documented in the search radius include one prehistoric site and four historic-era sites. No resources listed on the National Register or any of the California lists are located in or within 0.25 miles of the project. Although no surveys have been conducted within the Project area, and no cultural resources have been identified in the Project area, the previous surveys indicate that there is a moderate probability for cultural resources, both prehistoric and historic-era, to be present.

| Site Number | Type | Distance from Project |
|-------------|--------------|-----------------------|
| CA-SIS-4095 | Prehistoric | 0.07 miles |
| CA-SIS-3889 | Historic-Era | 0.20 miles |
| CA-SIS-3888 | Historic-Era | 0.08 miles |
| CA-SIS-2558 | Historic-Era | 0.25 miles |
| CA-SIS-2446 | Historic-Era | 0.18 miles |

There are a number of Native American tribal organizations with historical ties in the surrounding area. Although no other sites are believed to be in the project area, the most likely occurrences would be associated with the Winnemem Wintu Tribe, the Pit River Tribe, the Shasta Nation, and the Modoc Tribe. (A list of all tribal contacts is attached).

E. AFFECTED ENVIRONMENT

1. Affected Area: The project affects the area within the City's Wastewater Treatment plant. The City of Mt. Shasta is located in southern Siskiyou County at the southwest base of Mount Shasta, a 14, 162-foot volcanic peak in the Cascade Mountains of Northern California. The City of Mt. Shasta and the

City of Mt. Shasta
State-Mandated WWTP Improvements
Economic Development Agency (EDA) Grant Application
ENVIRONMENTAL NARRATIVE

immediate vicinity of the project is a montane mixed conifer and pasture environment with flat and rolling topography west of the city. The WWTP area comes close to the Sacramento River above the rim of a box canyon immediately downstream of Siskiyou Lake. The city of Mount Shasta and the project area are approximately 3600 ft. elevation at the City limit, and decreases to approximately 3400 feet near the WWTP. The project site is primarily uplands.

2. Shorelines, Estuaries, Beaches and Dunes: No river banks (shorelines), beaches or dunes will be affected by this project. This is not a designated coastal zone. There are no over-water structures as a part of this project. However, it will be necessary to replace the existing steel pipe diffuser located on the back of the Sacramento River downstream of Box Canyon. The diffuser pipe will be lowered into Box Canyon with a helicopter and bolted to an existing flange. Not excavation or material deposition will be required.

3. Wetlands: Waters of the United States ("waters") are not present in the Project area.

4. Floodplains: There are no floodplains that will be affected by this project. The City is not located in an area that is mapped by FEMA for floodplains. (See attached Map).

5. Vegetation and wildlife resources: The wastewater treatment plant occurs in an area directly south of the Mt. Shasta Resort golf course, in an area dominated by greenleaf manzanita (*Arctostaphylos patula*), young ponderosa pine, incense cedar (*Calocedrus decurrens*), bitter cherry (*Prunus emarginata*), scattered willow shrubs, young black oak, and various upland herbaceous species. The existing treatment ponds support fringe wetland vegetation and a host of waterfowl (e.g., ducks and grebes). The site is approximately 0.1 mile from the Sacramento River canyon ("Box Canyon").

6. Endangered Species: ***(The following narrative was prepared when the Interceptor Sewer Replacement was part of the project, and thus, reflects potential endangered species along the interceptor alignment through the wetlands. This work is not part of the project anymore. However, the write-up is included until the environmental consultant performs the appropriate surveys at the WWTP site. It is expected there will be less potential impacts at the WWTP site.)***

Botanical. No state or federally listed plants species are likely to occur in the project area. The four special-status plant species with potential to occur on the Project area are CNPS RPR 1b and 2-ranked species. Species designated as RPR Lists 1b or 2 are not protected under the federal or state Endangered Species Acts, but they are commonly considered by lead agencies under the California Environmental Quality Act (CEQA) review process. The following RPR plant species occur in wetland habitat types, and could be affected by the Project: *Epilobium oregonum*-Oregon fireweed; *Geum aleppicum* -Aleppo avens; *Ophioglossum pusillum*-Northern adder's tongue; and *Scutellaria galericulata*-Marsh skullcap. If such special status plants are identified during a pre-construction survey, their locations will be mapped and avoided or if unavoidable appropriate conservation measures will be implemented.

Wildlife. No federally listed wildlife species have the potential to occur within the Project area. One federal candidate for listing (Pacific fisher) has the potential to occur. Three state-listed species have potential to occur (willow flycatcher, greater sandhill crane and bald eagle). Several California species of

City of Mt. Shasta
State-Mandated WWTP Improvements
Economic Development Agency (EDA) Grant Application
ENVIRONMENTAL NARRATIVE

special concern may occur within the Project area (foothill yellow-legged frog, Cascades frog, northwestern pond turtle, and yellow warbler).

Pacific fisher is a widely distributed mammal that occurs throughout the Sierra Nevada, Cascades and California Coast Ranges. Pacific fisher is a highly mobile species with a large home range. Fishers den in large trees, snags, logs, rock areas or slash piles, and they may occur in areas impacted by humans (e.g., small towns, farms) in search of food. They may traverse wetland areas, or utilize stream corridors as travel routes. The project area does not support typical denning features, but may be utilized by Pacific fishers during foraging. Recommendations provided below for birds would result in late summer/fall construction, which would correspond to the time when no immobile young are present. All juvenile and adult fishers would flee from the construction and would not likely be affected by the project.

Willow flycatcher, greater sandhill crane and bald eagle are state-listed birds that may be present in the vicinity of the project. Yellow warbler is a California species of special concern that may also nest in the area. Willow flycatchers and yellow warblers nest in willow shrubs in mosaic wetland/stream complexes. Greater sandhill cranes nest in large wetland areas, and bald eagles nest in large snags typically near large streams or lakes. Both the willow flycatcher and sandhill cranes may nest in the large wetland south of Hatchery Lane. Bald eagles may nest along the Box Canyon near the wastewater treatment plant.

7. Land Use and Zoning: The project is within the confines of the existing WWTP site, County of Siskiyou. (Siskiyou County Zoning Map is attached.)

8. Solid Waste Management: The Project facilities themselves will produce no solid wastes. Excavation and trenching spoils, as a result of construction, will be disposed on-site or in appropriate fill areas outside of any wetlands. The primary beneficiary will produce solid wastes typical of bottling facilities including plastic, cardboard, packing materials. California law requires that major commercial and industrial operations implement recycling programs for these materials. Solid wastes for the entire County are transported to local transfer stations and then ultimately to out of area landfills, so there is no single disposal facility that is impacted.

9. Hazardous or Toxic Substances: No hazardous or radioactive substances will be used or produced by the project facilities or primary beneficiary. The project area does not contain any known hazardous or toxic substances. Construction vehicles and equipment will have gasoline and/or diesel engines and other automotive fluids. The affected area does not have any of the materials currently listed on the California Cortese list (CGC Section 65962.5). Spills from refueling will be minimized by establishing fixed fueling stations outside of the wetlands areas to minimize contamination by accidental spills. Hazardous materials regulation and enforcement in Siskiyou County is managed by the Siskiyou County Health Department, and Central Valley regional Water Quality Control Board.

10. Water resources: Treated effluent from the WWTP will discharge to the Sacramento River during the winter season. The facility is operated under NPDES Permit CA 0078051 which sets effluent limitation limits for discharge.

11. Water Supply and Distribution System: The project will require no domestic water supply. The primary beneficiary obtains water from a series of private wells at their location. These wells and their

City of Mt. Shasta
State-Mandated WWTP Improvements
Economic Development Agency (EDA) Grant Application
ENVIRONMENTAL NARRATIVE

output are used for production, domestic use, and fire suppression capability. The wells are regulated by the Siskiyou County Public Health Department and permitted by the California Department of Water Resources.

12. Wastewater Collection and Treatment Facilities: The project facilities are for wastewater treatment. The proposed treatment system consists of headworks, BNR-ASP treatment process, filtration, UV disinfection, sludge digestion and dewatering. Treated Wastewater can be discharged to any of three locations, depending on water quality and time of year: the Sacramento River, a leach field located adjacent to highway 89, or Title 22 reclaimed water to the Mt. Shasta Resort Golf Course.

The primary beneficiary will create industrial effluent with constituents of juice residues and disinfection process components, primarily peracetic acid. Amounts could ultimately reach 0.15 million gallons per day (MGD). The current facility is rated for 0.8 MGD with average daily flows of 0.7 MGD and peak flows during extreme wet weather of 2 to 3 MGD. This project is designed to increase the capacity of the WWTP facility to handle an additional 0.15 MGD. The facility does not currently meet the final effluent limitations established by the Regional Water Quality Control Board and is operating under interim limitations in the current NPDES Permit.

13. Environmental Justice: This project does not disproportionately affect minorities or lower income populations nor does it divide communities. The project is the upgrading of wastewater treatment facility to meet State-mandated requirements.

14. Transportation: The transportation systems, both local streets and regional roads, will not change as a result of this project. The proposed project site is not in existing roadways.

15. Air Quality: The project is located in Siskiyou County and is part of the Northwest Plateau Air Basin. The basin currently has no air quality plans in place, however Siskiyou County is in full attainment of federal and state ambient air quality standards. The project will involve construction of buried and above-ground infrastructure at the treatment plant. Construction will have temporary and localized impacts to air quality from excavating and earthmoving. Equipment used during construction may contribute to temporary localized impacts to air quality from diesel and gasoline engines. Depending on weather conditions the City will incorporate best management practices for dust control measures during construction. The new infrastructure at the waste water treatment plant will not have any long term impact on air quality.

16. Noise Pollution: The completed project will not contribute to an increase in noise or create new noise sources. However, the new WWTP facilities will contain new blowers housed inside a sound-attenuated building. The construction will contribute to ambient noise in the affected area although temporary. Best practices for noise mitigation will be implemented such as limiting the time for construction.

17. Permits: The Project will require permits by California Department of Fish and Wildlife, US Army Corps of Engineers and Regional Water Quality Control Board for work involving replacing the existing diffuser pipe in the Upper Sacramento River. As noted the City already holds an NPDES permit for

City of Mt. Shasta
State-Mandated WWTP Improvements
Economic Development Agency (EDA) Grant Application
ENVIRONMENTAL NARRATIVE

operation of the wastewater treatment facility. Enplan will be obtaining applicable project permits as part of the environmental review process.

18. Public Notification/Controversy: A small group of concerned citizens made their opposition to Crystal Geyser known throughout the early environmental stages of the Interceptor Sewer Replacement Project, demanding an expanded environmental impact report (EIR) that considered all impacts from the proposed facility residing outside the City limits. According to Siskiyou County, the proposed facility falls under an existing Use Permit issued to Coca Cola when the facility was owned by them. As such, no further environmental studies were required. The proposed State-Mandated WWTP Improvements Project has been discussed at numerous public meetings over the last one to two years. The environmental impacts for the proposed project are much less severe, as evidenced by the belief that an IS/MND will be adequate to approve the project.

However, there is scuttlebutt that the small group of concerned citizens will try to tie the State-Mandated WWTP Improvements to the need to serve Crystal Geyser. Because the project will be required whether Crystal Geyser connects or not, it is not felt there is any CEQA-connection that would require consideration of Crystal Geyser impacts in the environmental review for the subject project.

Required public hearings will take place as part of the California Environmental Quality Act process, which requires a public review and comment period prior to project adoption. Public and reviewing agencies will be provided opportunity to submit comments written and at a public hearing. No formal hearings have been scheduled at this time, but as environmental documents are generated times and dates for public participation will be determined. Methods for public outreach are incorporated into the CEQA compliance process such as press releases, public notices, posting on city web-pages, and direct mailings to those immediately adjacent to the project.

19. Direct, Indirect, and Cumulative Effects: There are no foreseeable indirect or cumulative effects of this project on the environment that cannot be mitigated during the course of construction. The existing facility is rated for 0.8 million gallons per day (MGD). The proposed facility will be rated for 1.2 MGD, 0.15 MGD of which will be purchased by Crystal Geyser. The remaining surplus, 0.25 MGD will be surplus to accommodate future growth and to allow the most efficient construction of the scalable infrastructure. The direct effects of the construction phase of the project will be rendered less than significant by the mitigation measures outlined in the preceding sections.

F. LIST OF ATTACHMENTS

- Tribal Consultation Contacts
- FIRM Floodplain Map
- Siskiyou County Zoning Map

City of Mt. Shasta
State-Mandated WWTP Improvements
Economic Development Agency (EDA) Grant Application
ENGINEERING NARRATIVE

1. Project Background

The subject project is the result of State-mandated requirements set forth in the City of Mt. Shasta's National Pollution Discharge Elimination System (NPDES) wastewater discharge permit, issued by the California State Water Resources Control Board in October 2012. In part, the permit imposed more stringent effluent limits for Copper, Zinc, ammonia, Title 22 disinfection requirements, and other constituents. As a condition of the NPDES permit, the City hired PACE Engineering to prepare a Feasibility Study/Preliminary Engineering Report (PER) to evaluate effluent disposal and treatment alternatives to address the newly imposed requirements. The draft report was completed in June 2014 and has since been reviewed by the Regional Board and an independent "Peer Reviewer," Dr. Michael Stenstrom, Ph.D., P.E., Consulting Engineer and Distinguished Professor from UCLA.

After considering multiple effluent disposal alternatives and seven different treatment alternatives, the recommended project consists of a "packaged" biological nutrient removal-activated sludge process (BNR-ASP), utilizing the City's existing discharge to the Upper Sacramento River and Mt. Shasta Golf Course irrigation. Additional project specifics will be discussed below.

The Feasibility Study/PER will be finalized in the coming weeks to reflect the regulatory and peer review comments. The City is seeking project funding from the California Clean Water State Revolving Fund (CWSRF) and USDA Rural Development funding programs to supplement the expected EDA funding. Applications for these sources are being prepared. Enplan, Redding, CA has begun the environmental review process. It is expected that an Initial Study/Mitigated Negative Declaration (IS/MND) will be adequate to approve the project. A more detailed project schedule will be discussed below.

2. Project Elements

The City's existing wastewater treatment process consists of a series of oxidation ponds, dissolved air flotation thicker (DAF), effluent filtration and disinfection facilities. The ponds do not provide adequate nitrogen removal to promote reduction of ammonia. As such, the proposed BNR-ASP process is necessary to remove nitrogen compounds to below effluent limits. The proposed process by AeroMod utilizes common-wall construction, side-cast aeration and air-lift pumping which leads to a smaller footprint and lower construction cost. In addition, the side-cast aeration facilities are accessible from catwalks above the basins so it is not necessary to dewater a tank to perform routine maintenance on the aeration system.

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State-Mandated WWTP Improvements
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Secondary effluent from the BNR-ASP process will be conveyed through either, 1) travelling bridge sand filters or, 2) disk-type filters. The recommended filtration technology will be evaluated as part of a Preliminary Design Development Report (PDDR) prior to design of the facilities. Filtered effluent will be disinfected utilizing ultra-violet (UV) radiation.

Wasted solids will be oxidized in an aerobic digester and conveyed to a sludge dewatering facility utilizing a centrifuge to remove water to around 20% solids. Dewatered sludge would be hauled off-site. Refer to attached Figures 16, 17 and 28 from the Feasibility Study/PER.

3. Feasibility Analysis

The *Draft Feasibility Study/PER*, prepared by PACE, contains extensive analysis and alternative comparison tools used to evaluate the various treatment and disposal options. An electronic copy of the draft report is available upon request. The final report will be completed within the next several weeks.

a. Method of Construction

Project implementation will be in accordance with Design-Bid-Build procedures. The project will be advertised for public bidding in accordance with California Public Contract Code requirements and a construction contract awarded to the lowest responsive and responsible bidder. The Contract Documents will contain provisions for payment of prevailing wages, and any other requirements of the EDA and other applicable funding agencies.

b. Estimate of Useful Life

The useful life of the wastewater treatment plant (WWTP) infrastructure will be approximately 50 years. Pumps, blowers and other mechanical equipment will have useful lives of about 25 year and electrical and controls equipment approximately 10 to 15 years. There will be some surplus capacity built into the WWTP to accommodate future growth. The timing of exhaustion of this surplus will be dictated by local growth and addition of non-residential dischargers into the system.

c. Cost Estimate

The total estimated project cost for the project is approximately \$16.478M (March 2017 Dollars.) Refer to attached Tables 23 and 24 from the Feasibility Study/PER.

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d. Permits

The required project permits will be minimal. However, there is some minor work required at the City's diffuser into the Sacramento River. Thus, it will be necessary to obtain permits from the California Department of Fish and Wildlife, US Army Corps of Engineers and California Regional Water Quality Control Board. However, there will be very little disturbance, so it is expected the permit process will be relatively smooth.

Finally, it will be necessary to obtain an NPDES and General Construction Activity Storm Water permit for the construction activities on the existing WWTP site. Enplan has been contracted to perform permit acquisition services along with completion of the IS/MND for the project.

e. Timeline

The attached project schedule shows the important project milestones necessary to implement the subject project. Key critical path elements are the environmental and funding agency commitments such that Proposition 218 rate increase proceeding can begin by late 2015. As such, design and bid document preparation could begin by early spring 2016 and construction following by early fall 2017.

Table 23: Total Recommended Project Cost Estimate

| ITEM | Subtotal | Total |
|--|-------------|--------------|
| Property Purchase / Lease Agreements | | \$0 |
| Easement Acquisition / Right of Way / Water Rights | | \$0 |
| Bond Counsel | | \$50,000 |
| Legal Counsel | | \$30,000 |
| Interest/Refinancing Expense | | \$0 |
| Other (identify) | | \$0 |
| Environmental Services | | |
| - CEQA Environmental Report | \$80,000 | |
| - NEPA Environmental Report | \$30,000 | |
| - Environmental Mitigation Contract Services | \$10,000 | |
| Total - Environmental Services: | | \$120,000 |
| Engineering Services | | |
| <i>Basic Services:</i> | | |
| - Preliminary Engineering Report (PER) | \$120,000 | |
| - Preliminary and Final Design Phase Services | \$1,000,000 | |
| - Bidding/Contract Award Phase Services | \$50,000 | |
| - Construction and Post-Construction Phase Services (w/o inspection) | \$400,000 | |
| - Resident Project Representative Services (resident inspector) | \$500,000 | |
| <i>Additional Services:</i> | | |
| - Permitting | \$0 | |
| - Regulatory Compliance Reports | \$10,000 | |
| - Environmental Mitigation Services (Construction Phase) | \$20,000 | |
| - Easement Acquisition/ROW's Services (Construction Phase) | \$0 | |
| - Surveying Services (Construction Phase) | \$25,000 | |
| - Operation & Maintenance Manual(s) | \$50,000 | |
| - Geotechnical Services | \$20,000 | |
| - Hydrogeologist Services | \$0 | |
| - Materials Testing Services (Construction Phase) | \$10,000 | |
| - Other Services (describe) | | |
| Total - Engineering Services: | | \$2,205,000 |
| Equipment/Materials (Direct purchase using approved methods, separate from construction bid/cost) | | \$0 |
| Construction Cost Estimate (Attach breakdown) | | \$12,238,000 |
| Contingency | | \$1,835,000 |
| TOTAL PROJECT COST ESTIMATION: | | \$16,478,000 |

Table 24: Recommended Project Cost Estimate

| Item | Amount | Units | Unit Cost | ADWF = 1.2 MGD Total Cost |
|---|--------|-------|-------------|---------------------------------|
| Civil Site Work & Miscellaneous | | | | |
| 1 Mobilization & Demobilization | 1 | LS | \$100,000 | \$100,000 |
| 2 Site Grading and Aggregate Base | 1 | LS | \$20,000 | \$20,000 |
| 3 Erosion Control SWPPP & Implementation | 1 | LS | \$25,000 | \$25,000 |
| 4 Shop Drawings/Testing/Equipment Manuals | 1 | LS | \$50,000 | \$50,000 |
| 5 Cleanup | 1 | LS | \$20,000 | \$20,000 |
| Subtotal: | | | | \$215,000 |
| 1.2 MGD ADWF Aero-Mod Equipment | | | | |
| 6 Excavation (Selector, CAS, Clarifier & Digester) | 12200 | CY | \$30 | \$366,000 |
| 7 Headworks Excavation | 63 | CY | \$30 | \$1,880 |
| 8 Headworks Screen | 2 | EA | \$95,000 | \$190,000 |
| 9 Headworks Concrete | 1 | LS | \$57,659 | \$57,659 |
| 10 Parshall Flume | 1 | LS | \$6,000 | \$6,000 |
| 11 Pond Bypass Piping | 1100 | LF | \$240 | \$264,000 |
| 12 Aero-Mod Equipment | 1 | LS | \$2,190,000 | \$2,190,000 |
| 13 Aero-Mod Equipment & Interior Piping Installation Cost | 1 | LS | \$360,000 | \$360,000 |
| 14 Concrete (Selector, Aeration Tank, Clarifier & Digester) | 2100 | CY | \$1,200 | \$2,520,000 |
| 15 Aero-Mod Grout | 242 | CY | \$800 | \$193,600 |
| 16 Aero-Mod Yard Piping | 577 | LF | \$240 | \$138,000 |
| 17 12" Air Manifold, Process & Utility Piping | 560 | LF | \$150 | \$84,000 |
| 18 Blowers Building | 400 | SF | \$150 | \$60,000 |
| 19 Blower Building HVAC | 1 | LS | \$20,000 | \$20,000 |
| 20 Soda Ash or Lime Dosing Station | 1 | LS | \$130,000 | \$130,000 |
| 21 Generator & Ancillary Equipment | 1 | LS | \$84,000 | \$84,000 |
| Subtotal | | | | \$6,665,139 |
| 2.1 MGD ADWF 16'x46' TBF Equipment | | | | |
| 22 TBF Equip, Including Ancillary Equip, Instr/Controls | 2 | LS | \$251,000 | \$502,000 |
| 23 TBF Concrete Basin | 1 | LS | \$416,000 | \$416,000 |
| 24 TBF Excavation | 1200 | CY | \$30 | \$36,000 |
| 25 Process & Utility Piping | 240 | LF | \$175 | \$42,000 |
| 26 Metal Enclosure | 4800 | SF | \$25 | \$120,000 |
| Subtotal | | | | \$1,116,000 |
| 1.6 MGD PWWF UV Equipment | | | | |
| 27 UV Disinfection System Equipment | 1 | LS | \$570,000 | \$570,000 |
| 28 UV Concrete Treatment Basins | 1 | LS | \$130,000 | \$130,000 |
| 29 Electrical Controls | 1 | LS | \$250,000 | \$250,000 |
| Subtotal | | | | \$950,000 |

| Item | Amount | Units | Unit Cost | ADWF = 1.2 MGD Total Cost |
|---|----------|-------|-------------|---------------------------------|
| 1.55 MGD ADWF Dewatering Equipment | | | | |
| 30 Dewatering Equipment | 1 | LS | \$1,018,000 | \$1,018,000 |
| 31 Electrical | 1 | LS | \$250,000 | \$250,000 |
| 32 Building | 1 | LS | \$381,000 | \$381,000 |
| | Subtotal | | | \$1,649,000 |
| New Lab & Control Building | | | | |
| 33 New Control Building | 2500 | SF | \$250 | \$625,000 |
| 34 Laboratory Equipment | 1 | LS | \$50,000 | \$50,000 |
| | Subtotal | | | \$675,000 |
| Outfall Improvements | | | | |
| 35 New Diffuser and Ancillary Improvements | 1 | LS | \$93,000 | \$93,000 |
| Total Estimated Construction Cost without Contingency | | | | \$11,364,000 |
| Inflation to March 2017 @ 2.5% per year | | | | \$874,000 |
| Construction Contingency @ 15% | | | | \$1,835,000 |
| Indirect/Engineering | | | | \$2,405,000 |
| Subtotal | | | | \$4,240,000 |
| Total Estimated Project Cost (June 2014 Dollars) | | | | \$16,478,000 |

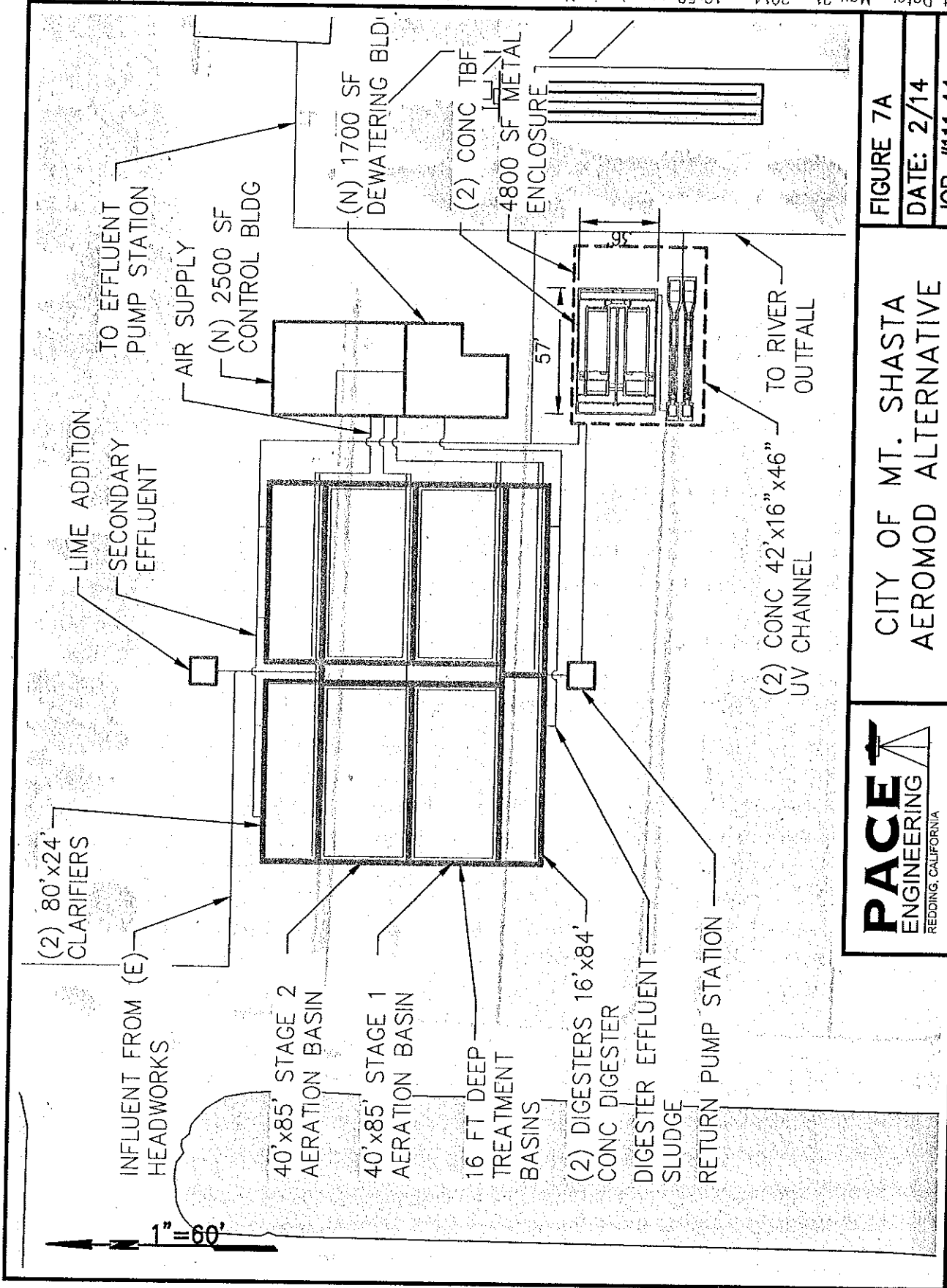


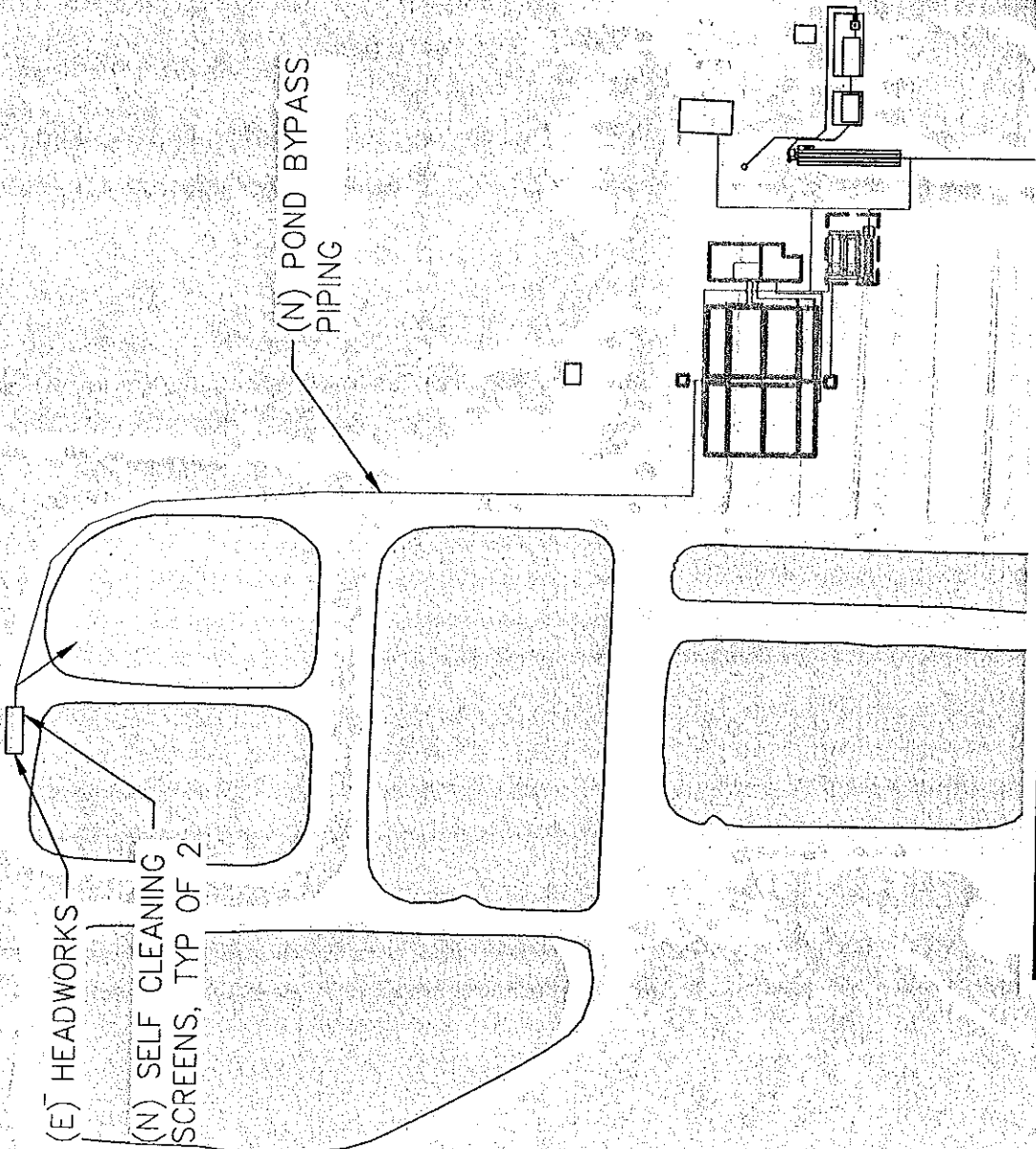
FIGURE 7A

DATE: 2/14

JOB #111.44

CITY OF MT. SHASTA
 AEROMOD ALTERNATIVE





1" = 200'

FIGURE 7B
DATE: 2/14
JOB #111.44

CITY OF MT. SHASTA
AEROMOD ALTERNATIVE



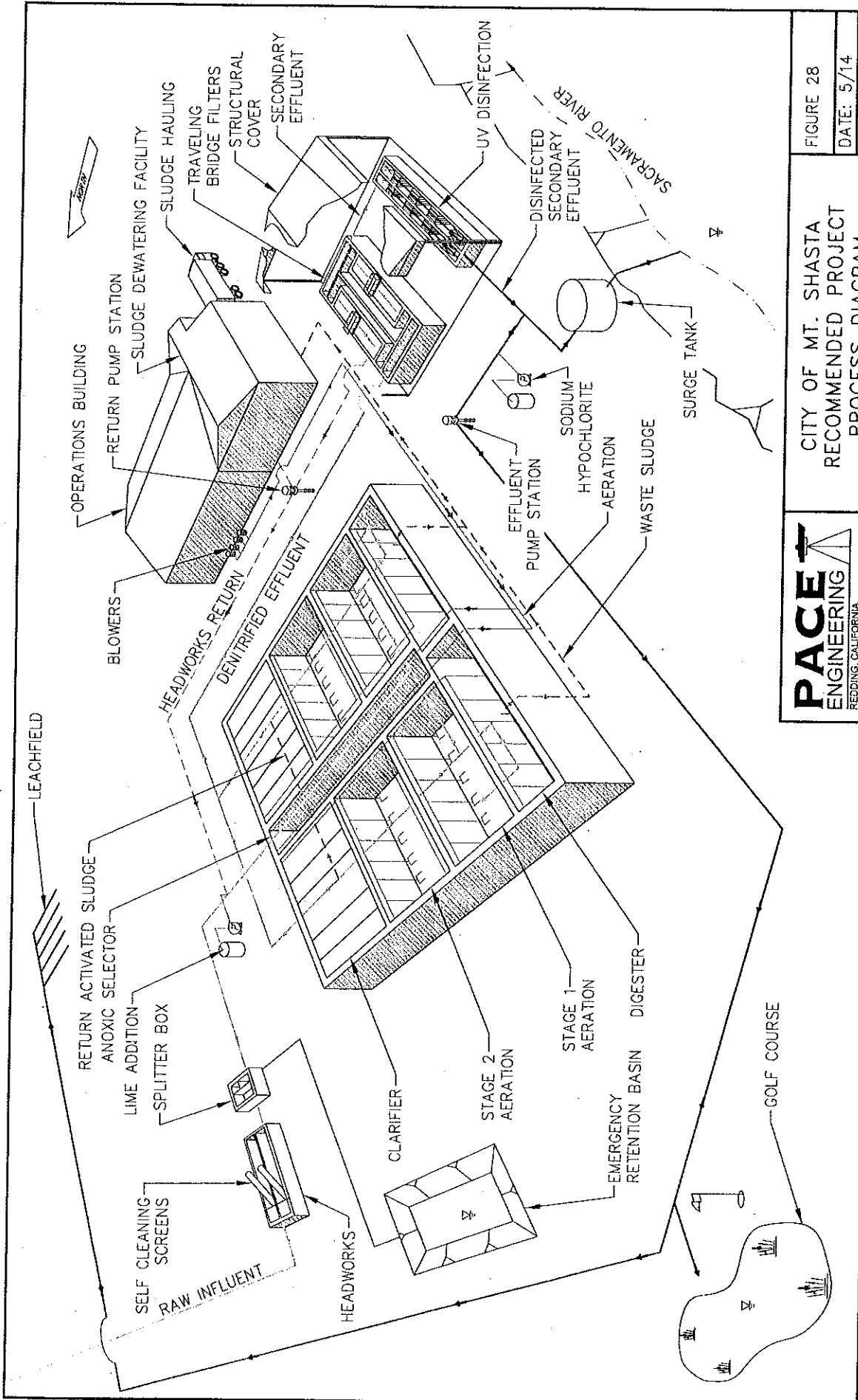


FIGURE 28
 DATE: 5/14
 JOB # 111.44

CITY OF MT. SHASTA
 RECOMMENDED PROJECT
 PROCESS DIAGRAM



FitzGerald, Shannon

From: Good, Stan
Sent: Tuesday, April 07, 2015 10:30 AM
To: FitzGerald, Shannon
Subject: Mt Shasta Revised Reports

Follow Up Flag: Follow up
Flag Status: Flagged

Shannon:

We all hope your mother is doing better. It must be a trying time for you.

I received revised Engineering and Environmental narratives from Mt. Shasta, which I have forwarded to you. I asked Paul Eckert if their engineer had considered constructed wetlands as the means to remove the nutrients, especially nitrogen. He said they had evaluated that process but didn't have the land. I let it drop but they are abandoning their existing lagoons which comprise several acres, more than sufficient space for wetlands. The space would have made excellent habitat for the birds and bunnies. Pace Engineering is recommending a package activated sludge plant that will certainly consume more power than a wetlands. I suppose all we can do is ask, they must make the decision themselves.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@cda.gov

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Tuesday, April 07, 2015 4:25 PM
To: Good, Stan
Subject: RE: Mt Shasta Revised Reports

Hi Stan,

Thanks for sending the environmental and engineering report.

Thanks for you kind thoughts for my mom. She is ready to go but we're not.

Thanks again, Shannon

From: Good, Stan
Sent: Tuesday, April 07, 2015 10:30 AM
To: FitzGerald, Shannon
Subject: Mt Shasta Revised Reports

Shannon:

We all hope your mother is doing better. It must be a trying time for you.

I received revised Engineering and Environmental narratives from Mt. Shasta, which I have forwarded to you. I asked Paul Eckert if their engineer had considered constructed wetlands as the means to remove the nutrients, especially nitrogen. He said they had evaluated that process but didn't have the land. I let it drop but they are abandoning their existing lagoons which comprise several acres, more than sufficient space for wetlands. The space would have made excellent habitat for the birds and bunnies. Pace Engineering is recommending a package activated sludge plant that will certainly consume more power than a wetlands. I suppose all we can do is ask, they must make the decision themselves.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@cda.gov

FitzGerald, Shannon

From: Good, Stan
Sent: Tuesday, April 21, 2015 2:20 PM
To: FitzGerald, Shannon
Subject: Mt. Shasta Amended EA
Attachments: Amended EA.docx

Since IRC approved Mt. Shasta, I'm getting started on the paperwork to amend the scope. Do we need to delete the road crossing SAC?

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@ceda.gov

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Tuesday, April 21, 2015 4:57 PM
To: Good, Stan
Subject: RE: Mt. Shasta Amended EA

Hi Stan,

Thanks for the amended EA. I'm working on an amended EA for Nympha and will work on the Mt. Shasta one when I'm done with that.

Thanks, Shannon

From: Good, Stan
Sent: Tuesday, April 21, 2015 2:20 PM
To: FitzGerald, Shannon
Subject: Mt. Shasta Amended EA

Since IRC approved Mt. Shasta, I'm getting started on the paperwork to amend the scope. Do we need to delete the road crossing SAC?

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Wednesday, April 29, 2015 2:16 PM
To: Good, Stan
Subject: Mt. Shasta

Hi Stan,

I was reviewing the environmental narrative for the Mt. Shasta proposed project (i.e., improvements at the WWTP). The City states that they have an environmental consultant doing environmental studies for the WWTP upgrades. Can you find out from the City what those studies are? Are they doing a cultural resource survey, biological assessment, and/or CEQA?

Also, they mention that they will need a Corps 404 permit, and approvals from the CA Dept. of Fish and Wildlife and the RWQCB. These will be needed for work in the stream. Is that in-water work even part of our proposed project?

Thanks, Shannon

FitzGerald, Shannon

From: Good, Stan
Sent: Monday, May 18, 2015 10:58 AM
To: FitzGerald, Shannon
Subject: Mt. Shasta Scope Change

Shannon:

Can you re-fresh my memory on where we are with the Mt. Shasta scope change? I recall reading their revised Engineering narrative and I forwarded their revised Environmental Narrative to you. Wasn't there some concern with the way they wrote the effluent discharge? Paul Eckert just emailed me to ask what was the status of the revised scope erview.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Monday, May 18, 2015 11:29 AM
To: Good, Stan
Subject: FW: Documents for grant amendment
Attachments: EDA Env Narrative-COMLETE.PDF; EDA Engineering Narrative-COMLETE.pdf

Hi Stan,

Any word on the completion of the environmental studies for the wastewater treatment plant upgrades?

Thanks, Shannon 206-220-7703

From: Good, Stan
Sent: Monday, April 06, 2015 11:23 AM
To: Skrinde, Kristine; FitzGerald, Shannon
Subject: FW: Documents for grant amendment

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Monday, April 06, 2015 10:30 AM
To: Good, Stan
Cc: Rod Bryan; Muriel Howarth Terrell; Paul Reuter (preuter@paceengineering.us); Nicole Dove
Subject: RE: Documents for grant amendment

Good Morning Stan,

As committed on Friday, attached are several documents (Environmental Narrative and Engineering Narrative) for your review and consideration as part of the Mt. Shasta State Mandated Waste Water Treatment Plan Project. As shared in the documents, an Environmental Narrative was prepared for the prior EDA grant application for the Interceptor Sewer Replacement Project. Some relevant survey and solicitation work was performed as part of the effort to complete that narrative. As proposed by the EDA, funding will now be shifted to the State-Mandated WWTP Improvements. As you may be aware, the environmental impacts are different and far less significant.

Enplan, Redding, CA, has been contracted to complete environmental services for the State-Mandated WWTP Improvements Project, and they have begun that effort. Unfortunately, some of the initial surveys and solicitations are not complete due entirely to the project's original schedule which was much different than the originally EDA supported Interceptor Sewer Replacement Project. It is expected these studies for the newly supported Mt. Shasta State Mandated Waste Water Treatment Plan Project will be completed in the next two months. Some language from the prior narrative has been left in this document as a place-holder until new surveys and solicitations are completed. These areas are delineated in the documents.

Again, thank you for your support. Please let us know if we can be of assistance.

Respectfully,

Paul Eckert

From: Paul Eckert
Sent: Friday, April 03, 2015 1:30 PM
To: 'Good, Stan'
Cc: Rod Bryan (rbryan@mtshastaca.gov); Muriel Howarth Terrell (mterrell@mtshastaca.gov); Paul Reuter (preuter@paceengineering.us)
Subject: RE: Documents for grant amendment

Thanks Stan, have a nice weekend!

From: Good, Stan [<mailto:SGood@eda.gov>]
Sent: Friday, April 03, 2015 12:27 PM
To: Paul Eckert
Subject: RE: Documents for grant amendment

Paul:

Sure, Monday will work, but the sooner in the day the quicker I can add it to the agenda. Have a good week-end.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

City of Mt. Shasta
State-Mandated WWTP Improvements
Economic Development Agency (EDA) Grant Application
ENVIRONMENTAL NARRATIVE

A. BACKGROUND

An Environmental Narrative was prepared for the prior EDA grant application for the Interceptor Sewer Replacement Project. Some survey and solicitation work was performed as part of the effort to complete that narrative. Since it is proposed this EDA funding will now be shifted to the State-Mandated WWTP Improvements, environmental impacts are different and less significant. Enplan, Redding, CA, has been contracted to complete environmental services for the State-Mandated WWTP Improvements Project, and they have begun that effort. Unfortunately, some of the initial surveys and solicitations are not complete. It is expected these studies will be completed in the next one to two months.

Some language from the prior narrative has been left in this document as a place-holder until new surveys and solicitations are completed. These areas are delineated in the document hereinafter.

B. BENEFICIARIES

Direct beneficiaries of the project will be the entire existing population that is connected to the City's sewer system because it will allow the City to obtain compliance with State-mandated requirements associated with its wastewater treatment and disposal facilities. Other direct beneficiaries will be holders of undeveloped infill property in north and central Mt. Shasta, including Crystal Geysers, who may not be able to develop without upgrades to the City's wastewater treatment plant (WWTP) facility.

C. PROJECT DESCRIPTION

1. Proposed Construction: The City of Mt. Shasta proposes to replace its existing lagoon-based WWTP facility with a more modern biological nutrient removal activated sludge (BNR-ASP) treatment process to promote removal of nitrogen compounds and other organics. New filtration and UV disinfection facilities will be provided. Waste solids dewatering, using centrifuge technology, will also be provided. The facility is located in Sections 28 and 33 of Township 40N Range 4W in Siskiyou County, California. The project will take place within the existing disturbed footprint of the WWTP facility, currently owned by the City.

2. Alternatives to the Project: The No-Project alternative would cause the City to be out of compliance with its recently-adopted NPDES discharge permit and force it to look for other options to deal with treatment and disposal of wastewater from existing and future developments.

A number of effluent disposal and treatment alternatives were considered as part of the Feasibility Study/Preliminary Engineering Report (PER) effort, a copy of which is available upon request. However, considering cost, environmental impacts, ease of compliance with regulatory requirements, and other factors, the proposed project was deemed to be the best alternative.

3. Mitigation: Best management practices for construction activities include those for erosion control, siltation control, air quality, and noise will be implemented. There will be no impact to wetlands. Mitigation requirements for improvements to the existing effluent diffuser at the Sacramento River

City of Mt. Shasta
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 ENVIRONMENTAL NARRATIVE

discharge will be covered as part of the respective permits from California Department of Fish and Wildlife, US Army Corps of Engineers and Regional Water Quality Control Board.

D. HISTORIC/ARCHEOLOGICAL RESOURCES

(The following narrative was prepared when the Interceptor Sewer Replacement was part of the project, and thus, reflects potential historic/archeological resources along the interceptor alignment through the wetlands. This work is not part of the project anymore. However, the write-up is included until the environmental consultant performs the appropriate surveys at the WWTP site. It is expected there will be less impacts at the WWTP site.) A records search (W13-31) was conducted for the City by Northstate Resources, Inc. at the Northeast Information Center (NEIC) on February 28, 2012. The search included the cultural resource records and survey reports as well as the lists of resources on the National Register of Historic Places (NRHP), the California Historical Landmarks listing, the California Register of Historical Resources (CRHR), and the California Points of Historical Interest. Seven cultural resources surveys have been conducted within 0.25 miles the undertaking. Five cultural resources have been recorded within 0.25 miles of the undertaking (see Table below). The resources documented in the search radius include one prehistoric site and four historic-era sites. No resources listed on the National Register or any of the California lists are located in or within 0.25 miles of the project. Although no surveys have been conducted within the Project area, and no cultural resources have been identified in the Project area, the previous surveys indicate that there is a moderate probability for cultural resources, both prehistoric and historic-era, to be present.

| Site Number | Type | Distance from Project |
|-------------|--------------|-----------------------|
| CA-SIS-4095 | Prehistoric | 0.07 miles |
| CA-SIS-3889 | Historic-Era | 0.20 miles |
| CA-SIS-3888 | Historic-Era | 0.08 miles |
| CA-SIS-2558 | Historic-Era | 0.25 miles |
| CA-SIS-2446 | Historic-Era | 0.18 miles |

There are a number of Native American tribal organizations with historical ties in the surrounding area. Although no other sites are believed to be in the project area, the most likely occurrences would be associated with the Winnemem Wintu Tribe, the Pit River Tribe, the Shasta Nation, and the Modoc Tribe. (A list of all tribal contacts is attached).

E. AFFECTED ENVIRONMENT

1. Affected Area: The project affects the area within the City's Wastewater Treatment plant. The City of Mt. Shasta is located in southern Siskiyou County at the southwest base of Mount Shasta, a 14, 162-foot volcanic peak in the Cascade Mountains of Northern California. The City of Mt. Shasta and the

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immediate vicinity of the project is a montane mixed conifer and pasture environment with flat and rolling topography west of the city. The WWTP area comes close to the Sacramento River above the rim of a box canyon immediately downstream of Siskiyou Lake. The city of Mount Shasta and the project area are approximately 3600 ft. elevation at the City limit, and decreases to approximately 3400 feet near the WWTP. The project site is primarily uplands.

2. Shorelines, Estuaries, Beaches and Dunes: No river banks (shorelines), beaches or dunes will be affected by this project. This is not a designated coastal zone. There are no over-water structures as a part of this project. However, it will be necessary to replace the existing steel pipe diffuser located on the back of the Sacramento River downstream of Box Canyon. The diffuser pipe will be lowered into Box Canyon with a helicopter and bolted to an existing flange. Not excavation or material deposition will be required.

3. Wetlands: Waters of the United States ("waters") are not present in the Project area.

4. Floodplains: There are no floodplains that will be affected by this project. The City is not located in an area that is mapped by FEMA for floodplains. (See attached Map).

5. Vegetation and wildlife resources: The wastewater treatment plant occurs in an area directly south of the Mt. Shasta Resort golf course, in an area dominated by greenleaf manzanita (*Arctostaphylos patula*), young ponderosa pine, incense cedar (*Calocedrus decurrens*), bitter cherry (*Prunus emarginata*), scattered willow shrubs, young black oak, and various upland herbaceous species. The existing treatment ponds support fringe wetland vegetation and a host of waterfowl (e.g., ducks and grebes). The site is approximately 0.1 mile from the Sacramento River canyon ("Box Canyon").

6. Endangered Species: ***(The following narrative was prepared when the Interceptor Sewer Replacement was part of the project, and thus, reflects potential endangered species along the interceptor alignment through the wetlands. This work is not part of the project anymore. However, the write-up is included until the environmental consultant performs the appropriate surveys at the WWTP site. It is expected there will be less potential impacts at the WWTP site.)***

Botanical. No state or federally listed plants species are likely to occur in the project area. The four special-status plant species with potential to occur on the Project area are CNPS RPR 1b and 2-ranked species. Species designated as RPR Lists 1b or 2 are not protected under the federal or state Endangered Species Acts, but they are commonly considered by lead agencies under the California Environmental Quality Act (CEQA) review process. The following RPR plant species occur in wetland habitat types, and could be affected by the Project: *Epilobium oregonum*-Oregon fireweed; *Geum aleppicum* -Aleppo avens; *Ophioglossum pusillum*-Northern adder's tongue; and *Scutellaria galericulata*-Marsh skullcap. If such special status plants are identified during a pre-construction survey, their locations will be mapped and avoided or if unavoidable appropriate conservation measures will be implemented.

Wildlife. No federally listed wildlife species have the potential to occur within the Project area. One federal candidate for listing (Pacific fisher) has the potential to occur. Three state-listed species have potential to occur (willow flycatcher, greater sandhill crane and bald eagle). Several California species of

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State-Mandated WWTP Improvements
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special concern may occur within the Project area (foothill yellow-legged frog, Cascades frog, northwestern pond turtle, and yellow warbler).

Pacific fisher is a widely distributed mammal that occurs throughout the Sierra Nevada, Cascades and California Coast Ranges. Pacific fisher is a highly mobile species with a large home range. Fishers den in large trees, snags, logs, rock areas or slash piles, and they may occur in areas impacted by humans (e.g., small towns, farms) in search of food. They may traverse wetland areas, or utilize stream corridors as travel routes. The project area does not support typical denning features, but may be utilized by Pacific fishers during foraging. Recommendations provided below for birds would result in late summer/fall construction, which would correspond to the time when no immobile young are present. All juvenile and adult fishers would flee from the construction and would not likely be affected by the project.

Willow flycatcher, greater sandhill crane and bald eagle are state-listed birds that may be present in the vicinity of the project. Yellow warbler is a California species of special concern that may also nest in the area. Willow flycatchers and yellow warblers nest in willow shrubs in mosaic wetland/stream complexes. Greater sandhill cranes nest in large wetland areas, and bald eagles nest in large snags typically near large streams or lakes. Both the willow flycatcher and sandhill cranes may nest in the large wetland south of Hatchery Lane. Bald eagles may nest along the Box Canyon near the wastewater treatment plant.

7. Land Use and Zoning: The project is within the confines of the existing WWTP site, County of Siskiyou. (Siskiyou County Zoning Map is attached.)

8. Solid Waste Management: The Project facilities themselves will produce no solid wastes. Excavation and trenching spoils, as a result of construction, will be disposed on-site or in appropriate fill areas outside of any wetlands. The primary beneficiary will produce solid wastes typical of bottling facilities including plastic, cardboard, packing materials. California law requires that major commercial and industrial operations implement recycling programs for these materials. Solid wastes for the entire County are transported to local transfer stations and then ultimately to out of area landfills, so there is no single disposal facility that is impacted.

9. Hazardous or Toxic Substances: No hazardous or radioactive substances will be used or produced by the project facilities or primary beneficiary. The project area does not contain any known hazardous or toxic substances. Construction vehicles and equipment will have gasoline and/or diesel engines and other automotive fluids. The affected area does not have any of the materials currently listed on the California Cortese list (CGC Section 65962.5). Spills from refueling will be minimized by establishing fixed fueling stations outside of the wetlands areas to minimize contamination by accidental spills. Hazardous materials regulation and enforcement in Siskiyou County is managed by the Siskiyou County Health Department, and Central Valley regional Water Quality Control Board.

10. Water resources: Treated effluent from the WWTP will discharge to the Sacramento River during the winter season. The facility is operated under NPDES Permit CA 0078051 which sets effluent limitation limits for discharge.

11. Water Supply and Distribution System: The project will require no domestic water supply. The primary beneficiary obtains water from a series of private wells at their location. These wells and their

City of Mt. Shasta
State-Mandated WWTP Improvements
Economic Development Agency (EDA) Grant Application
ENVIRONMENTAL NARRATIVE

output are used for production, domestic use, and fire suppression capability. The wells are regulated by the Siskiyou County Public Health Department and permitted by the California Department of Water Resources.

12. Wastewater Collection and Treatment Facilities: The project facilities are for wastewater treatment. The proposed treatment system consists of headworks, BNR-ASP treatment process, filtration, UV disinfection, sludge digestion and dewatering. Treated Wastewater can be discharged to any of three locations, depending on water quality and time of year: the Sacramento River, a leach field located adjacent to highway 89, or Title 22 reclaimed water to the Mt. Shasta Resort Golf Course.

The primary beneficiary will create industrial effluent with constituents of juice residues and disinfection process components, primarily peracetic acid. Amounts could ultimately reach 0.15 million gallons per day (MGD). The current facility is rated for 0.8 MGD with average daily flows of 0.7 MGD and peak flows during extreme wet weather of 2 to 3 MGD. This project is designed to increase the capacity of the WWTP facility to handle an additional 0.15 MGD. The facility does not currently meet the final effluent limitations established by the Regional Water Quality Control Board and is operating under interim limitations in the current NPDES Permit.

13. Environmental Justice: This project does not disproportionately affect minorities or lower income populations nor does it divide communities. The project is the upgrading of wastewater treatment facility to meet State-mandated requirements.

14. Transportation: The transportation systems, both local streets and regional roads, will not change as a result of this project. The proposed project site is not in existing roadways.

15. Air Quality: The project is located in Siskiyou County and is part of the Northwest Plateau Air Basin. The basin currently has no air quality plans in place, however Siskiyou County is in full attainment of federal and state ambient air quality standards. The project will involve construction of buried and above-ground infrastructure at the treatment plant. Construction will have temporary and localized impacts to air quality from excavating and earthmoving. Equipment used during construction may contribute to temporary localized impacts to air quality from diesel and gasoline engines. Depending on weather conditions the City will incorporate best management practices for dust control measures during construction. The new infrastructure at the waste water treatment plant will not have any long term impact on air quality.

16. Noise Pollution: The completed project will not contribute to an increase in noise or create new noise sources. However, the new WWTP facilities will contain new blowers housed inside a sound-attenuated building. The construction will contribute to ambient noise in the affected area although temporary. Best practices for noise mitigation will be implemented such as limiting the time for construction.

17. Permits: The Project will require permits by California Department of Fish and Wildlife, US Army Corps of Engineers and Regional Water Quality Control Board for work involving replacing the existing diffuser pipe in the Upper Sacramento River. As noted the City already holds an NPDES permit for

City of Mt. Shasta
State-Mandated WWTP Improvements
Economic Development Agency (EDA) Grant Application
ENVIRONMENTAL NARRATIVE

operation of the wastewater treatment facility. Enplan will be obtaining applicable project permits as part of the environmental review process.

18. Public Notification/Controversy: A small group of concerned citizens made their opposition to Crystal Geysers known throughout the early environmental stages of the Interceptor Sewer Replacement Project, demanding an expanded environmental impact report (EIR) that considered all impacts from the proposed facility residing outside the City limits. According to Siskiyou County, the proposed facility falls under an existing Use Permit issued to Coca Cola when the facility was owned by them. As such, no further environmental studies were required. The proposed State-Mandated WWTP Improvements Project has been discussed at numerous public meetings over the last one to two years. The environmental impacts for the proposed project are much less severe, as evidenced by the belief that an IS/MND will be adequate to approve the project.

However, there is scuttlebutt that the small group of concerned citizens will try to tie the State-Mandated WWTP Improvements to the need to serve Crystal Geysers. Because the project will be required whether Crystal Geysers connects or not, it is not felt there is any CEQA-connection that would require consideration of Crystal Geysers impacts in the environmental review for the subject project.

Required public hearings will take place as part of the California Environmental Quality Act process, which requires a public review and comment period prior to project adoption. Public and reviewing agencies will be provided opportunity to submit comments written and at a public hearing. No formal hearings have been scheduled at this time, but as environmental documents are generated times and dates for public participation will be determined. Methods for public outreach are incorporated into the CEQA compliance process such as press releases, public notices, posting on city web-pages, and direct mailings to those immediately adjacent to the project.

19. Direct, Indirect, and Cumulative Effects: There are no foreseeable indirect or cumulative effects of this project on the environment that cannot be mitigated during the course of construction. The existing facility is rated for 0.8 million gallons per day (MGD). The proposed facility will be rated for 1.2 MGD, 0.15 MGD of which will be purchased by Crystal Geysers. The remaining surplus, 0.25 MGD will be surplus to accommodate future growth and to allow the most efficient construction of the scalable infrastructure. The direct effects of the construction phase of the project will be rendered less than significant by the mitigation measures outlined in the preceding sections.

F. LIST OF ATTACHMENTS

- Tribal Consultation Contacts
- FIRM Floodplain Map
- Siskiyou County Zoning Map

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Native American Tribal Consultation List
County of Siskiyou
February 1, 2011

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Shasta
Upper Klamath

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This list is current only as of the date of this document.

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This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.



MAP SCALE 1" = 2000'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 3025D

FIRM
FLOOD INSURANCE RATE MAP
SISKIYOU COUNTY,
CALIFORNIA
AND INCORPORATED AREAS
PANEL 3025 OF 3750

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

| COUNTY | NUMBER | PANEL | SUFFIX |
|---------------------|--------|-------|--------|
| MT. SHASTA, CITY OF | 3025 | 3025 | 0 |
| MT. SHASTA, CITY OF | 3025 | 3025 | 0 |
| SISKIYOU COUNTY | 3025 | 3025 | 0 |

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

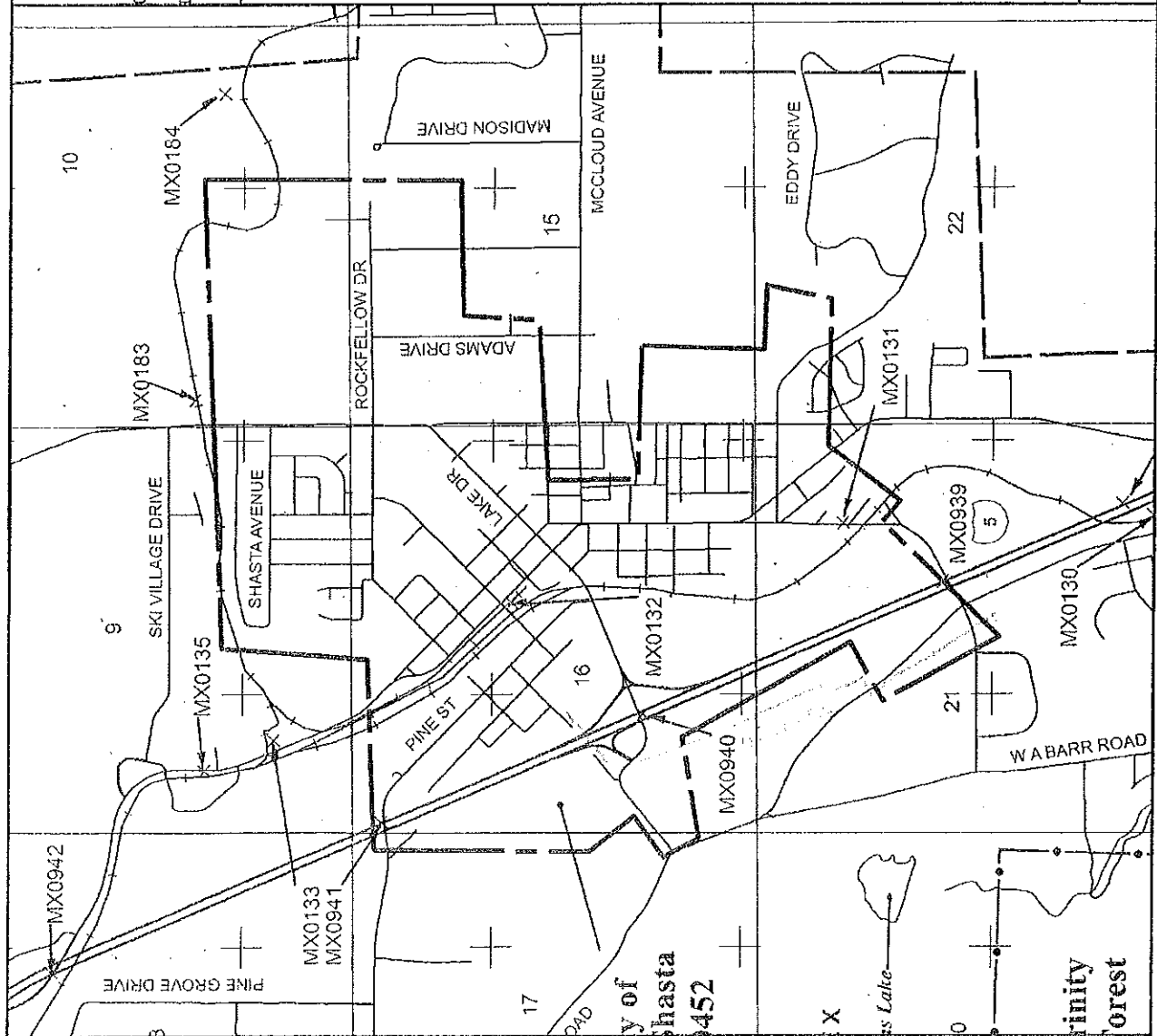
MAP NUMBER
06093C3025D

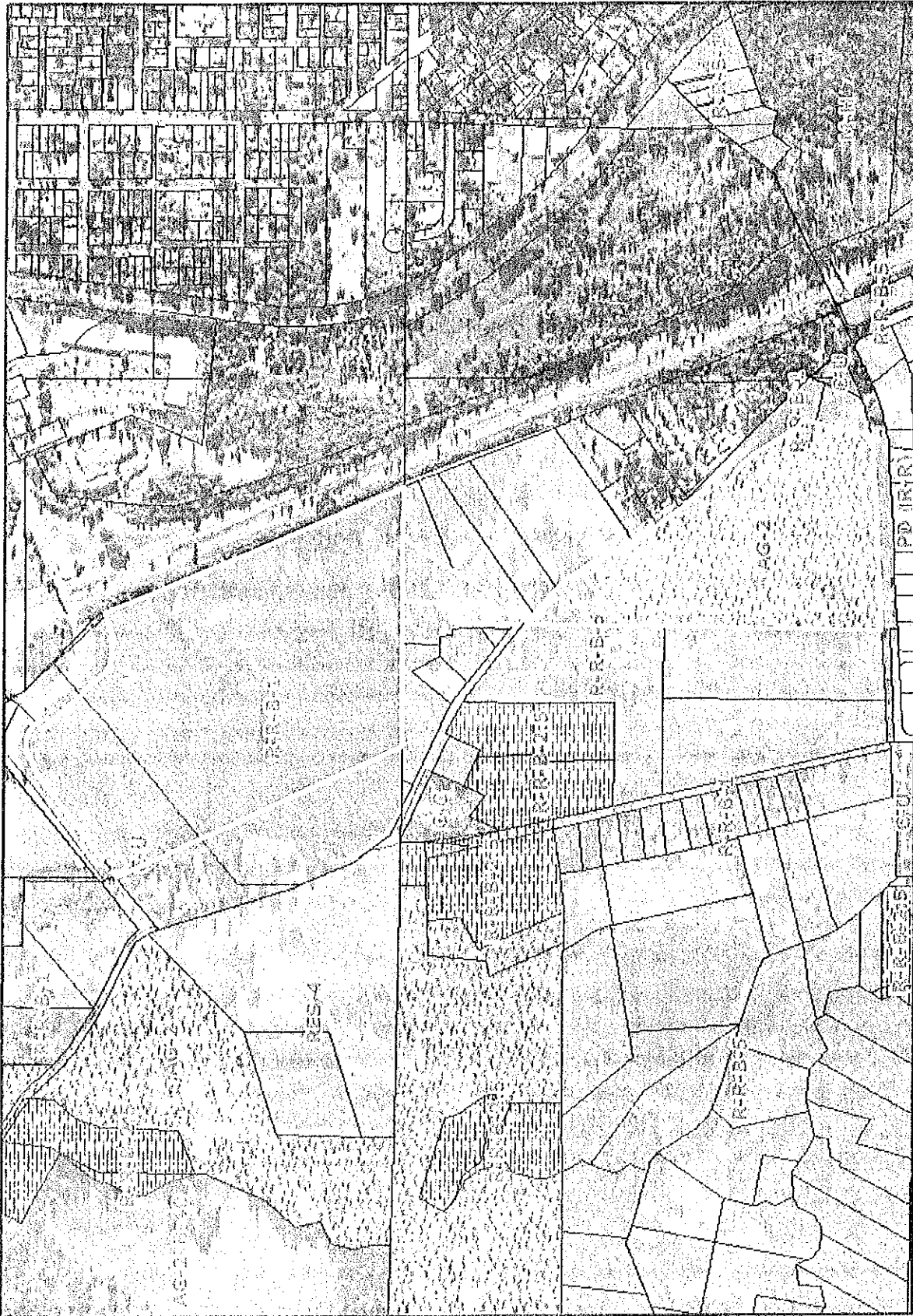
EFFECTIVE DATE
JANUARY 19, 2011

Federal Emergency Management Agency



This is an official copy of a portion of the above referenced flood map. It was extracted using FIRM On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.mtc.fema.gov





Shasta County Planning Division
March 1, 2013

City of Mt. Shasta Wastewater Interceptor Line

City of Mt. Shasta
State-Mandated WWTP Improvements
Economic Development Agency (EDA) Grant Application
ENGINEERING NARRATIVE

1. Project Background

The subject project is the result of State-mandated requirements set forth in the City of Mt. Shasta's National Pollution Discharge Elimination System (NPDES) wastewater discharge permit, issued by the California State Water Resources Control Board in October 2012. In part, the permit imposed more stringent effluent limits for Copper, Zinc, ammonia, Title 22 disinfection requirements, and other constituents. As a condition of the NPDES permit, the City hired PACE Engineering to prepare a Feasibility Study/Preliminary Engineering Report (PER) to evaluate effluent disposal and treatment alternatives to address the newly imposed requirements. The draft report was completed in June 2014 and has since been reviewed by the Regional Board and an independent "Peer Reviewer," Dr. Michael Stenstrom, Ph.D., P.E., Consulting Engineer and Distinguished Professor from UCLA.

After considering multiple effluent disposal alternatives and seven different treatment alternatives, the recommended project consists of a "packaged" biological nutrient removal-activated sludge process (BNR-ASP), utilizing the City's existing discharge to the Upper Sacramento River and Mt. Shasta Golf Course irrigation. Additional project specifics will be discussed below.

The Feasibility Study/PER will be finalized in the coming weeks to reflect the regulatory and peer review comments. The City is seeking project funding from the California Clean Water State Revolving Fund (CWSRF) and USDA Rural Development funding programs to supplement the expected EDA funding. Applications for these sources are being prepared. Enplan, Redding, CA has begun the environmental review process. It is expected that an Initial Study/Mitigated Negative Declaration (IS/MND) will be adequate to approve the project. A more detailed project schedule will be discussed below.

2. Project Elements

The City's existing wastewater treatment process consists of a series of oxidation ponds, dissolved air flotation thicker (DAF), effluent filtration and disinfection facilities. The ponds do not provide adequate nitrogen removal to promote reduction of ammonia. As such, the proposed BNR-ASP process is necessary to remove nitrogen compounds to below effluent limits. The proposed process by AeroMod utilizes common-wall construction, side-cast aeration and air-lift pumping which leads to a smaller footprint and lower construction cost. In addition, the side-cast aeration facilities are accessible from catwalks above the basins so it is not necessary to dewater a tank to perform routine maintenance on the aeration system.

City of Mt. Shasta
State-Mandated WWTP Improvements
Economic Development Agency (EDA) Grant Application
ENGINEERING NARRATIVE

Secondary effluent from the BNR-ASP process will be conveyed through either, 1) travelling bridge sand filters or, 2) disk-type filters. The recommended filtration technology will be evaluated as part of a Preliminary Design Development Report (PDDR) prior to design of the facilities. Filtered effluent will be disinfected utilizing ultra-violet (UV) radiation.

Wasted solids will be oxidized in an aerobic digester and conveyed to a sludge dewatering facility utilizing a centrifuge to remove water to around 20% solids. Dewatered sludge would be hauled off-site. Refer to attached Figures 16, 17 and 28 from the Feasibility Study/PER.

3. Feasibility Analysis

The *Draft Feasibility Study/PER*, prepared by PACE, contains extensive analysis and alternative comparison tools used to evaluate the various treatment and disposal options. An electronic copy of the draft report is available upon request. The final report will be completed within the next several weeks.

a. Method of Construction

Project implementation will be in accordance with Design-Bid-Build procedures. The project will be advertised for public bidding in accordance with California Public Contract Code requirements and a construction contract awarded to the lowest responsive and responsible bidder. The Contract Documents will contain provisions for payment of prevailing wages, and any other requirements of the EDA and other applicable funding agencies.

b. Estimate of Useful Life

The useful life of the wastewater treatment plant (WWTP) infrastructure will be approximately 50 years. Pumps, blowers and other mechanical equipment will have useful lives of about 25 year and electrical and controls equipment approximately 10 to 15 years. There will be some surplus capacity built into the WWTP to accommodate future growth. The timing of exhaustion of this surplus will be dictated by local growth and addition of non-residential dischargers into the system.

c. Cost Estimate

The total estimated project cost for the project is approximately \$16.478M (March 2017 Dollars.) Refer to attached Tables 23 and 24 from the Feasibility Study/PER.

City of Mt. Shasta
State-Mandated WWTP Improvements
Economic Development Agency (EDA) Grant Application
ENGINEERING NARRATIVE

d. Permits

The required project permits will be minimal. However, there is some minor work required at the City's diffuser into the Sacramento River. Thus, it will be necessary to obtain permits from the California Department of Fish and Wildlife, US Army Corps of Engineers and California Regional Water Quality Control Board. However, there will be very little disturbance, so it is expected the permit process will be relatively smooth.

Finally, it will be necessary to obtain an NPDES and General Construction Activity Storm Water permit for the construction activities on the existing WWTP site. Enplan has been contracted to perform permit acquisition services along with completion of the IS/MND for the project.

e. Timeline

The attached project schedule shows the important project milestones necessary to implement the subject project. Key critical path elements are the environmental and funding agency commitments such that Proposition 218 rate increase proceeding can begin by late 2015. As such, design and bid document preparation could begin by early spring 2016 and construction following by early fall 2017.

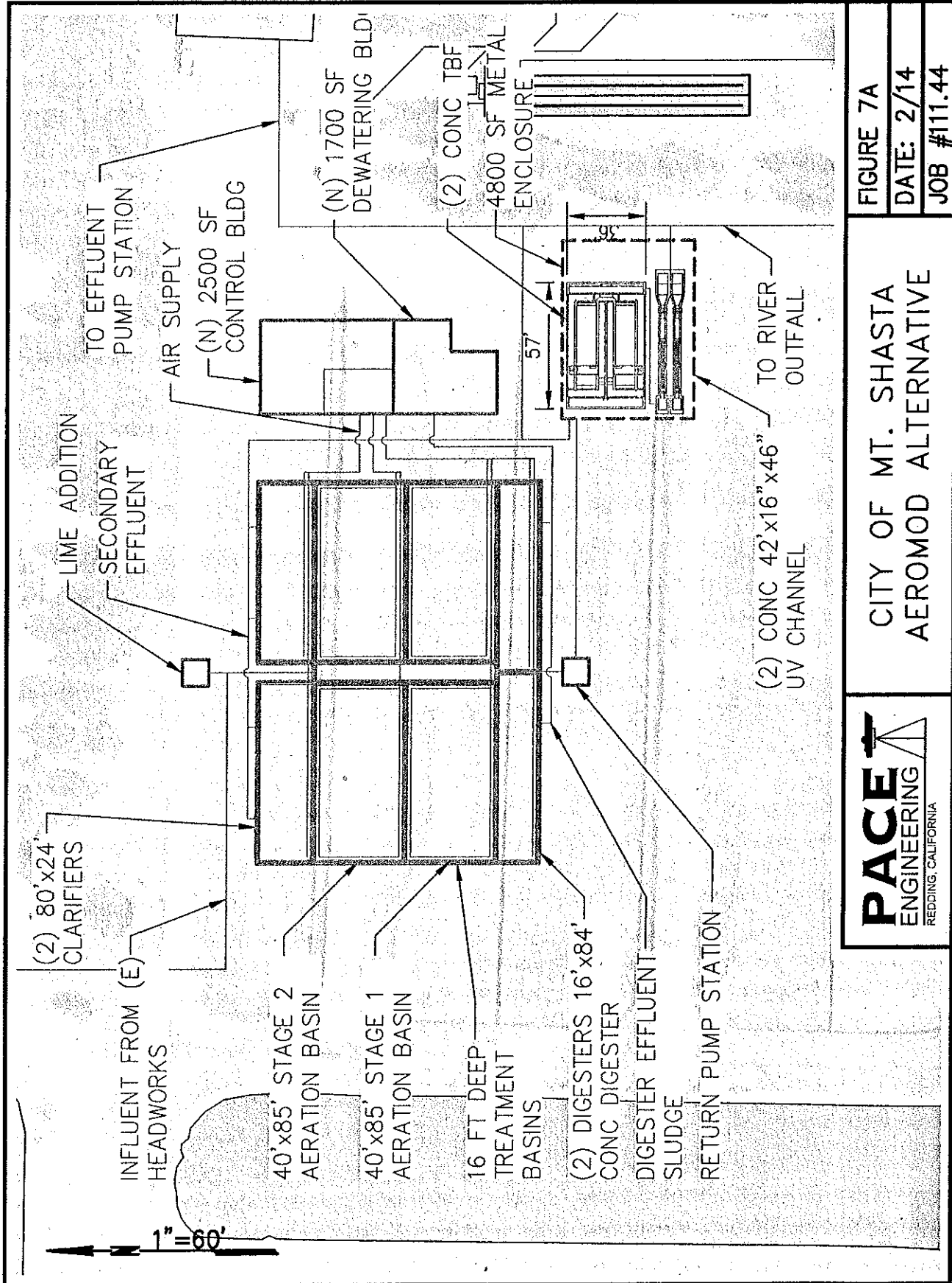
Table 23: Total Recommended Project Cost Estimate

| ITEM | Subtotal | Total |
|--|-------------|--------------|
| Property Purchase / Lease Agreements | | \$0 |
| Easement Acquisition / Right of Way / Water Rights | | \$0 |
| Bond Counsel | | \$50,000 |
| Legal Counsel | | \$30,000 |
| Interest/Refinancing Expense | | \$0 |
| Other (identify) | | \$0 |
| Environmental Services | | |
| - CEQA Environmental Report | \$80,000 | |
| - NEPA Environmental Report | \$30,000 | |
| - Environmental Mitigation Contract Services | \$10,000 | |
| Total - Environmental Services: | | \$120,000 |
| Engineering Services | | |
| <i>Basic Services:</i> | | |
| - Preliminary Engineering Report (PER) | \$120,000 | |
| - Preliminary and Final Design Phase Services | \$1,000,000 | |
| - Bidding/Contract Award Phase Services | \$50,000 | |
| - Construction and Post-Construction Phase Services (w/o inspection) | \$400,000 | |
| - Resident Project Representative Services (resident inspector) | \$500,000 | |
| <i>Additional Services:</i> | | |
| - Permitting | \$0 | |
| - Regulatory Compliance Reports | \$10,000 | |
| - Environmental Mitigation Services (Construction Phase) | \$20,000 | |
| - Easement Acquisition/ROW's Services (Construction Phase) | \$0 | |
| - Surveying Services (Construction Phase) | \$25,000 | |
| - Operation & Maintenance Manual(s) | \$50,000 | |
| - Geotechnical Services | \$20,000 | |
| - Hydrogeologist Services | \$0 | |
| - Materials Testing Services (Construction Phase) | \$10,000 | |
| - Other Services (describe) | | |
| Total – Engineering Services: | | \$2,205,000 |
| Equipment/Materials (Direct purchase using approved methods, separate from construction bid/cost) | | \$0 |
| Construction Cost Estimate (Attach breakdown) | | \$12,238,000 |
| Contingency | | \$1,835,000 |
| TOTAL PROJECT COST ESTIMATION: | | \$16,478,000 |

Table 24: Recommended Project Cost Estimate

| Item | Amount | Units | Unit Cost | ADWF = 1.2 MGD Total Cost |
|---|--------|-------|-------------|---------------------------------|
| Civil Site Work & Miscellaneous | | | | |
| 1 Mobilization & Demobilization | 1 | LS | \$100,000 | \$100,000 |
| 2 Site Grading and Aggregate Base | 1 | LS | \$20,000 | \$20,000 |
| 3 Erosion Control SWPPP & Implementation | 1 | LS | \$25,000 | \$25,000 |
| 4 Shop Drawings/Testing/Equipment Manuals | 1 | LS | \$50,000 | \$50,000 |
| 5 Cleanup | 1 | LS | \$20,000 | \$20,000 |
| Subtotal | | | | \$215,000 |
| 1.2 MGD ADWF Aero-Mod Equipment | | | | |
| 6 Excavation (Selector, CAS, Clarifier & Digester) | 12200 | CY | \$30 | \$366,000 |
| 7 Headworks Excavation | 63 | CY | \$30 | \$1,880 |
| 8 Headworks Screen | 2 | EA | \$95,000 | \$190,000 |
| 9 Headworks Concrete | 1 | LS | \$57,659 | \$57,659 |
| 10 Parshall Flume | 1 | LS | \$6,000 | \$6,000 |
| 11 Pond Bypass Piping | 1100 | LF | \$240 | \$264,000 |
| 12 Aero-Mod Equipment | 1 | LS | \$2,190,000 | \$2,190,000 |
| 13 Aero-Mod Equipment & Interior Piping Installation Cost | 1 | LS | \$360,000 | \$360,000 |
| 14 Concrete (Selector, Aeration Tank, Clarifier & Digester) | 2100 | CY | \$1,200 | \$2,520,000 |
| 15 Aero-Mod Grout | 242 | CY | \$800 | \$193,600 |
| 16 Aero-Mod Yard Piping | 577 | LF | \$240 | \$138,000 |
| 17 12" Air Manifold, Process & Utility Piping | 560 | LF | \$150 | \$84,000 |
| 18 Blowers Building | 400 | SF | \$150 | \$60,000 |
| 19 Blower Building HVAC | 1 | LS | \$20,000 | \$20,000 |
| 20 Soda Ash or Lime Dosing Station | 1 | LS | \$130,000 | \$130,000 |
| 21 Generator & Ancillary Equipment | 1 | LS | \$84,000 | \$84,000 |
| Subtotal | | | | \$6,665,139 |
| 2.1 MGD ADWF 16'x46' TBF Equipment | | | | |
| 22 TBF Equip, Including Ancillary Equip, Instr/Controls | 2 | LS | \$251,000 | \$502,000 |
| 23 TBF Concrete Basin | 1 | LS | \$416,000 | \$416,000 |
| 24 TBF Excavation | 1200 | CY | \$30 | \$36,000 |
| 25 Process & Utility Piping | 240 | LF | \$175 | \$42,000 |
| 26 Metal Enclosure | 4800 | SF | \$25 | \$120,000 |
| Subtotal | | | | \$1,116,000 |
| 1.6 MGD PWWF UV Equipment | | | | |
| 27 UV Disinfection System Equipment | 1 | LS | \$570,000 | \$570,000 |
| 28 UV Concrete Treatment Basins | 1 | LS | \$130,000 | \$130,000 |
| 29 Electrical Controls | 1 | LS | \$250,000 | \$250,000 |
| Subtotal | | | | \$950,000 |

| Item | Amount | Units | Unit Cost | ADWF = 1.2 MGD Total Cost |
|---|----------|-------|-------------|---------------------------------|
| 1.55 MGD ADWF Dewatering Equipment | | | | |
| 30 Dewatering Equipment | 1 | LS | \$1,018,000 | \$1,018,000 |
| 31 Electrical | 1 | LS | \$250,000 | \$250,000 |
| 32 Building | 1 | LS | \$381,000 | \$381,000 |
| | Subtotal | | | \$1,649,000 |
| New Lab & Control Building | | | | |
| 33 New Control Building | 2500 | SF | \$250 | \$625,000 |
| 34 Laboratory Equipment | 1 | LS | \$50,000 | \$50,000 |
| | Subtotal | | | \$675,000 |
| Outfall Improvements | | | | |
| 35 New Diffuser and Ancillary Improvements | 1 | LS | \$93,000 | \$93,000 |
| Total Estimated Construction Cost without Contingency | | | | \$11,364,000 |
| Inflation to March 2017 @ 2.5% per year | | | | \$874,000 |
| Construction Contingency @ 15% | | | | \$1,835,000 |
| Indirect/Engineering | | | | \$2,405,000 |
| Subtotal | | | | \$4,240,000 |
| Total Estimated Project Cost (June 2014 Dollars) | | | | \$16,478,000 |

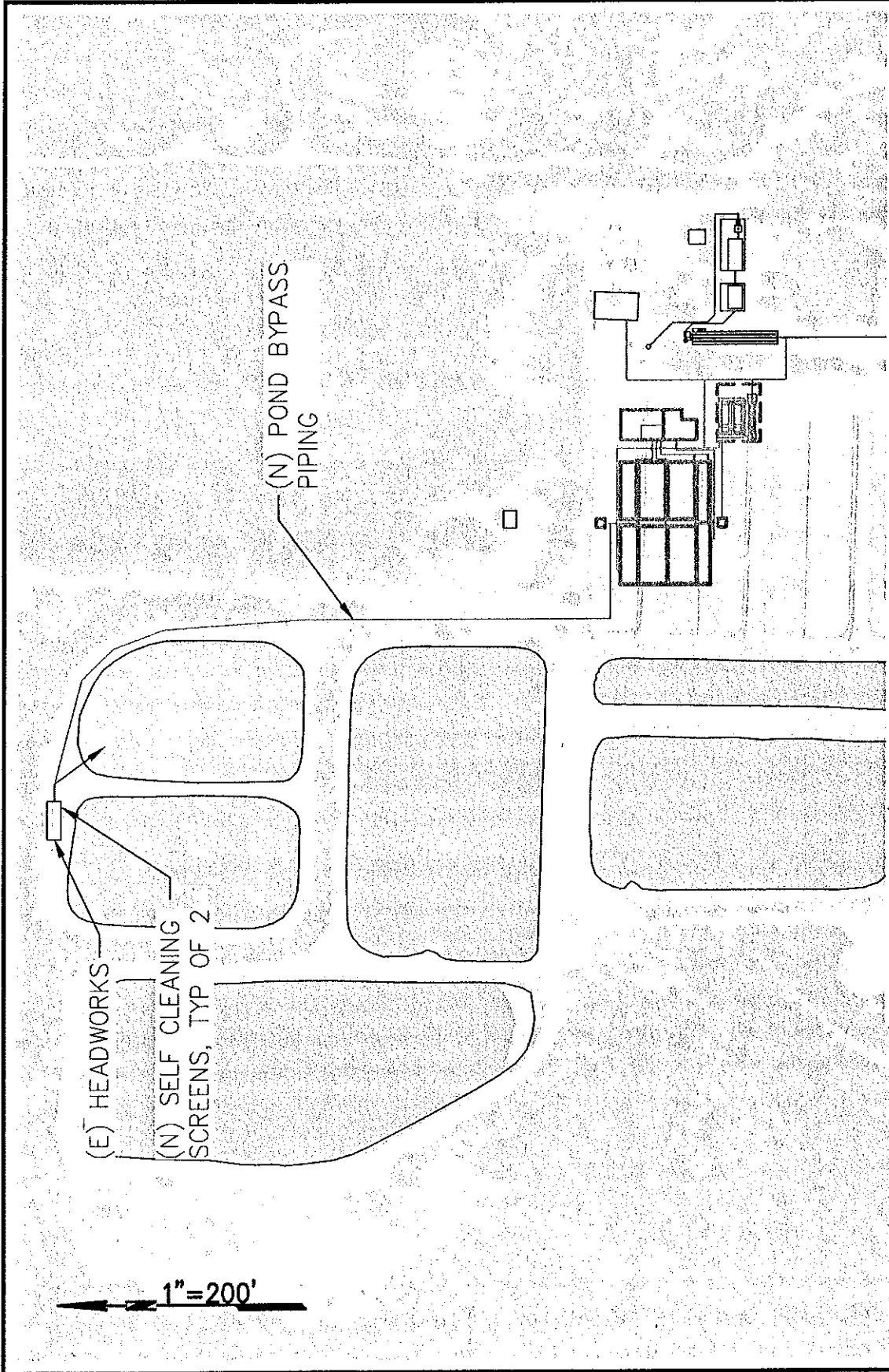


CITY OF MT. SHASTA
 AEROMOD ALTERNATIVE

FIGURE 7A

DATE: 2/14

JOB #111.44



1" = 200'



CITY OF MT. SHASTA
AEROMOD ALTERNATIVE

FIGURE 7B
DATE: 2/14
JOB #111.44

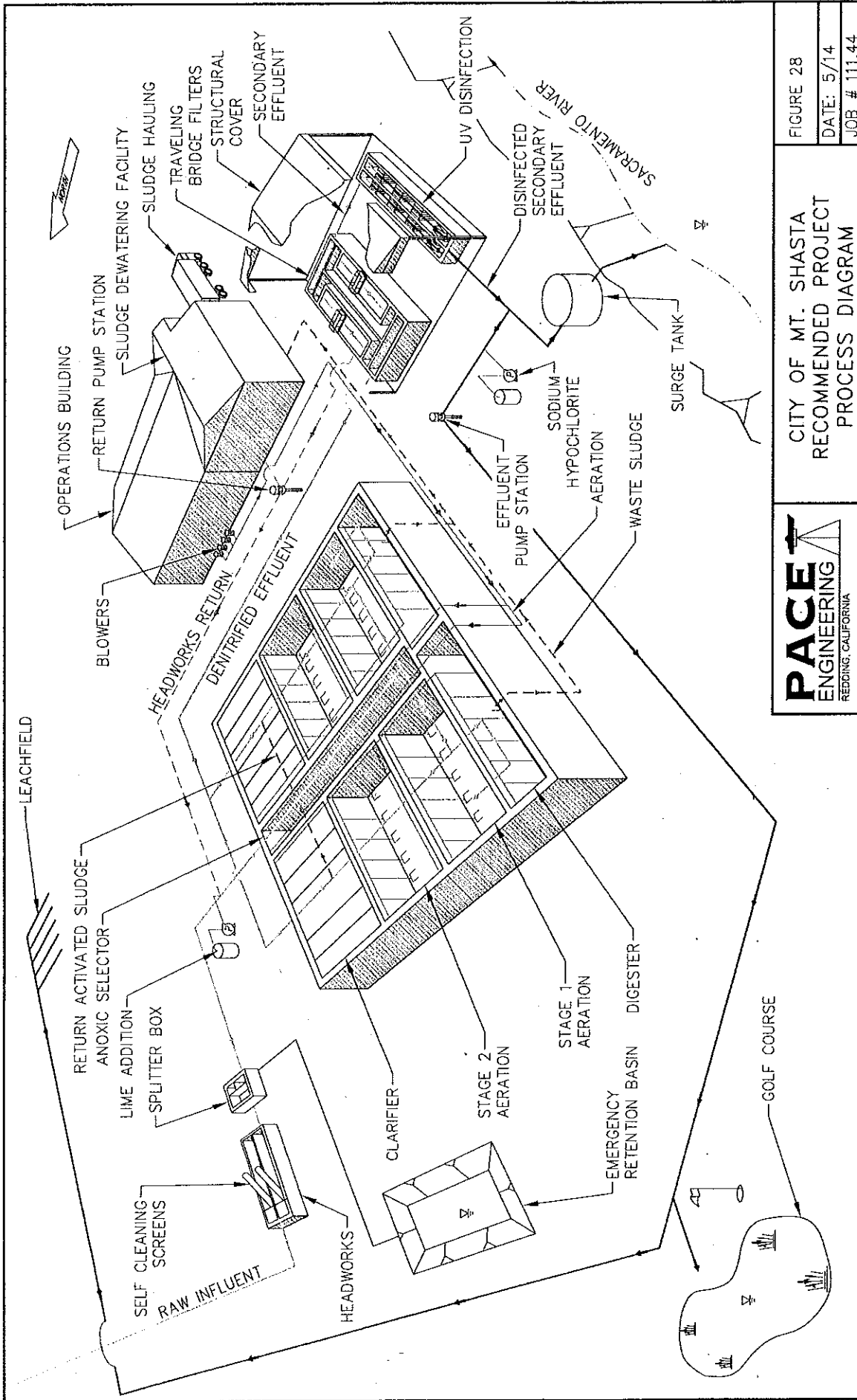


FIGURE 28
 DATE: 5/14
 JOB # 111.44

CITY OF MT. SHASTA
 RECOMMENDED PROJECT
 PROCESS DIAGRAM



Native American Tribal Consultation List
 County of Siskiyou
 February 1, 2011

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Susanville Indian Rancheria

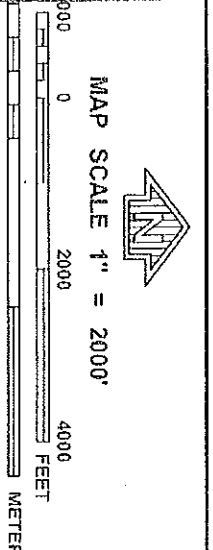
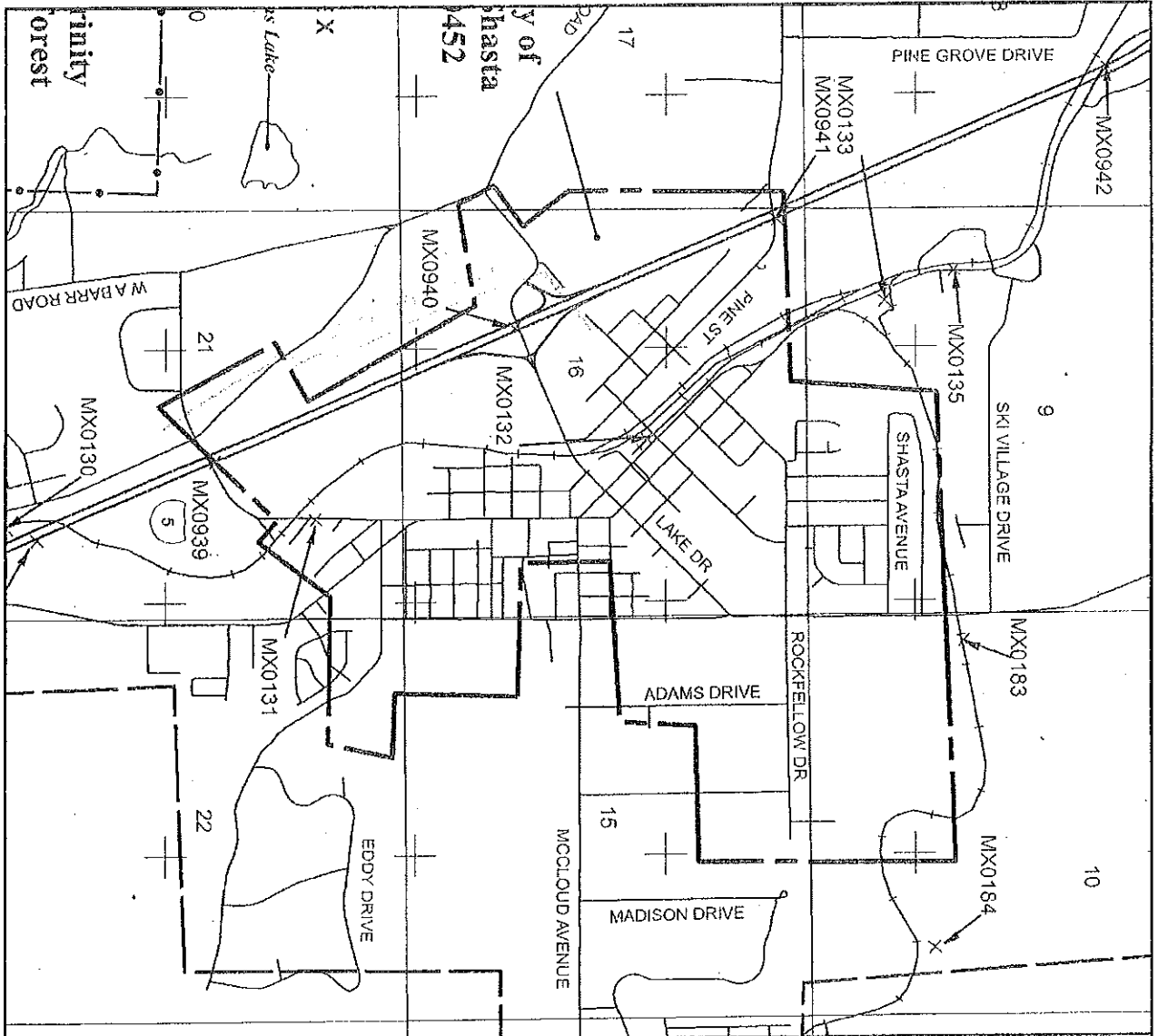
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Robert McConnell, THPO
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Hoopa, CA 95546
Tel: 530.625.4130 x 1629
Fax: 530.625.4841
Email: rmccconnell@yuroktribe.nsn.us

OFFICE OF HISTORIC PRESERVATION
1725 23rd Street, Suite 100
Sacramento, CA 95816

PH: 916-445-7000
FAX: 916-445-7053
EMAIL: eahshpo@parks.ca.gov



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP
SISKIYOU COUNTY,
CALIFORNIA
AND INCORPORATED AREAS
PANEL 3025 OF 3750
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

COMPANIES

| COMPANY | NUMBER | PANEL | SUBJECT |
|-----------------------|--------|-------|---------|
| COMMUNITY DEVELOPMENT | 00000 | 3025 | D |
| SISKIYOU COUNTY | 00000 | 3025 | D |

MAP NUMBER
060933C3025D

EFFECTIVE DATE
JANUARY 19, 2011

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using FIRM On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the site book. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.fema.gov

City of Mt. Shasta Wastewater Interceptor Line



Siskiyou County Planning Division
March 1, 2013



FitzGerald, Shannon

From: Good, Stan
Sent: Tuesday, May 26, 2015 7:42 AM
To: FitzGerald, Shannon
Subject: FW: Documents for grant amendment

FYI

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Thursday, May 21, 2015 3:23 PM
To: Paul Eckert; Muriel Howarth Terrell
Cc: Rod Bryan; Good, Stan
Subject: RE: Documents for grant amendment

Paul, et. al.,

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A question for Stan, would you like to see the draft document before it is circulated in accordance with CEQA requirements?

Thanks.

Paul J. Reuter, P.E.

Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us
Ph: 530-244-0202

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Wednesday, May 20, 2015 5:46 PM
To: Paul Reuter; Muriel Howarth Terrell
Cc: Rod Bryan; Stan Good (sgood@eda.gov)
Subject: RE: Documents for grant amendment

Thanks Paul. I'm sensitive to our past issues and want to keep the EDA update with our efforts.

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Wednesday, May 20, 2015 5:01 PM
To: Paul Eckert; Muriel Howarth Terrell
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Paul and Muriel,

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Thanks.

Paul J. Reuter, P.E. Ph: 530-244-0202

Managing Engineer
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1730 South St.
Redding, CA 96001
preuter@paceengineering.us

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]

Sent: Monday, May 18, 2015 2:18 PM

To: Muriel Howarth Terrell

Cc: Paul Reuter; Rod Bryan; Stan Good (sgood@eda.gov)

Subject: FW: Documents for grant amendment

Hi Muriel,

Can you please work with Paul Reuter to gather the information mentioned below.

Thanks,
Paul

From: Good, Stan [<mailto:SGood@eda.gov>]
Sent: Monday, May 18, 2015 11:40 AM
To: Paul Eckert
Subject: FW: Documents for grant amendment

Paul:

The change in scope was approved by the Investment Review Committee. Shannon needs to sign off on the environmental narrative and she just told me she is waiting for the final studies mentioned in the attached report. I highlighted that portion. Once she gets the final report, I then prepare the amendment memo, get it signed and you are good to go.

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Civil Engineer
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From: FitzGerald, Shannon
Sent: Monday, May 18, 2015 11:30 AM
To: Good, Stan
Subject: FW: Documents for grant amendment

Hi Stan,

Any word on the completion of the environmental studies for the wastewater treatment plant upgrades?

Thanks, Shannon 206-220-7703

From: Good, Stan
Sent: Monday, April 06, 2015 11:23 AM
To: Skrinde, Kristine; FitzGerald, Shannon
Subject: FW: Documents for grant amendment

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Monday, April 06, 2015 10:30 AM
To: Good, Stan
Cc: Rod Bryan; Muriel Howarth Terrell; Paul Reuter (preuter@paceengineering.us); Nicole Dove
Subject: RE: Documents for grant amendment

Good Morning Stan,

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Again, thank you for your support. Please let us know if we can be of assistance.

Respectfully,

Paul Eckert

From: Paul Eckert
Sent: Friday, April 03, 2015 1:30 PM
To: 'Good, Stan'
Cc: Rod Bryan (rbryan@mtshastaca.gov); Muriel Howarth Terrell (mterrell@mtshastaca.gov); Paul Reuter (preuter@paceengineering.us)
Subject: RE: Documents for grant amendment

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Email: sgood@eda.gov

FitzGerald, Shannon

From: Good, Stan
Sent: Tuesday, May 26, 2015 7:44 AM
To: Paul Reuter; Paul Eckert; Muriel Howarth Terrell
Cc: Rod Bryan; FitzGerald, Shannon
Subject: RE: Documents for grant amendment

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FitzGerald, Shannon

From: Paul Reuter <preuter@paceengineering.us>
Sent: Tuesday, May 26, 2015 8:45 AM
To: Good, Stan; Paul Eckert; Muriel Howarth Terrell
Cc: Rod Bryan; FitzGerald, Shannon
Subject: RE: Documents for grant amendment

Will do, Stan.
Thanks for the response.

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Cc: FitzGerald, Shannon; Paul Eckert (Eckert@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov)
Subject: FW: Status Update for WWTP IS/MND

Hello Stan,

The e-mail, below, provides an update on the status of the environmental work, and schedule moving forward, for the State-Mandated WWTP Improvements for the City of Mt. Shasta.

Please let me know if you have any questions, or comments.

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Paul J. Reuter, P.E.

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From: Don Burk [mailto:DBurk@enplan.com]
Sent: Wednesday, May 27, 2015 3:05 PM
To: Paul Reuter
Cc: Lindsay Kantor
Subject: Status Update for WWTP IS/MND

Paul-

Per your request, this is to provide you with a status report for the environmental studies for the Mt Shasta Wastewater Plant improvements. Our overall work plan has been to conduct the technical field studies, prepare the CEQA environmental documentation, and then to prepare the NEPA documentation. Permit applications will be prepared as our final work task.

Field Studies

Botanical: We have completed the early-season botanical field survey. One special-status plant species, Taylor's monkeyflower, was identified on the rock face above the site of the proposed outfall improvements. As we discussed, we anticipate that no work will be needed on the rock face, and that the identified plants can be avoided during construction activities. We will probably recommend flagging or a temporary construction fencing to ensure that the plants are fully avoided during construction. There are other plants in the study area that we are not yet able to identify; they could be special-status species, so additional surveys are needed. A follow-up botanical survey will occur in mid-June; depending on the results, a third survey could be needed later in the summer.

Wildlife: A general wildlife survey has been completed. A nesting osprey was observed adjacent to the study area. Ospreys typically return annually to the same nesting sites, so we anticipate that the pair will be present during the year in which construction would occur. The project site also provides habitat for special-status bats, turtles, and frogs. We did observe turtles in the treatment lagoons, but could not identify them to species. The site is also in winter deer range. We'll include standard mitigation measures for avoidance of turtles, frogs, and nesting birds (pre-construction nesting bird surveys; turtle/frog surveys immediately prior to the start of in-water construction).

We will be contacting CDFW shortly to discuss the results of the botanical and wildlife field studies. Given the resources present, we expect they will recommend a field meeting, which we will try to consolidate with our mid-June botanical survey. They will also have some input regarding the need for bat protection during construction, and could possibly ask that an acoustic bat survey be conducted at this time.

Wetlands/Waters of the United States: No wetlands are present in the study area. The Sacramento River is a "Water of the United States" subject to the jurisdiction of the Corps of Engineers. We are currently preparing a delineation report for submittal to the Corps.

Cultural Resources: A Sacred Lands Search request was sent to the Native American Heritage Commission on April 1. A records search at NE/CHRIS was conducted on April 6. The field survey of the project site was conducted on April 10. Request for comment letters have been sent out to the Native American Community and the comment period will close on June 3. Thus far, one response has been received from the Quartz Valley Indian Reservation indicating that they have no knowledge of cultural sites within the project area, but expressing their interest in any archaeological finds. We observed one historic site on the access road to the outfall improvements, however, it does not appear to satisfy the requirements for listing on the Californian Register of Historical Resources or National Register of Historic Places. Standard mitigation measures for the potential disturbance of subsurface cultural resources would apply.

IS/MND

We are currently drafting the Initial Study. We have identified several questions regarding the project description and regulatory requirements; we'll give you or Grant a call soon to discuss our questions. Generally speaking, most of Initial Study sections have been drafted but still need final review and refinement.

Schedule

We currently anticipate that the draft IS will be available for your review by early to mid-July. This allows time for us to conduct a second botanical survey and meet with CDFW prior to completing the draft report. If we do need a third botanical survey, we would conduct it just before release of the IS to the public. The IS would presumably be released for public review in August, for a 30-day circulation period. We would then respond to comments, which usually takes one to two weeks – but if we get a deluge of comments due to the Crystal Geyser pushback, that could get extended. The City should be able to hold a public hearing on the project a couple of weeks after we complete the responses. This would probably occur in October or November.

The EDA environmental narrative will be very easy to complete once we have finished the Initial Study. We are also expecting that we'll need to prepare NEPA documentation for other funding sources such as Rural Development and/or State Revolving Fund – we'll need confirmation from you as to which funding agencies will ultimately need environmental documentation. Assuming newspaper notifications are required for work in the floodplain, the various NEPA documents should be wrapped up in February. Permit applications could be submitted shortly thereafter.

Please let us know if you need additional information.

-Don

Donald Burk
Environmental Services Manager
ENPLAN
dburk@enplan.com
530/221-0140 x7102
530/221-6963 Fax
www.enplan.com

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Thursday, May 28, 2015 10:20 AM
To: 'Paul Reuter'; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: 'dburk@enplan.com'; Matson, Malinda; Good, Stan
Subject: RE: Status Update for WWTP IS/MND
Attachments: FWS-NMFS letter template.docx; SHPO letter template.docx; THPO letter template.docx

Hi All,

Thanks for detailed update. Stan was right—I have a couple of questions.

In addition to the City of Mt. Shasta consulting with state agencies under CEQA, EDA will be required to consult with the U.S. Fish and Wildlife Service under the Endangered Species Act Section 7, and the State and Tribal Historic Preservation Officers under the National Historic Preservation Act Section 106. While the information used for the CEQA consultations with the California Dept. of Fish and Wildlife and SHPO/THPOs can be used for the federal consultation (e.g., biological assessment, cultural resource survey, sacred lands file search), we need to also do the federal consultations. EDA can delegate the authority to the City to consult on EDA's behalf which may simplify things. I've attached templates of the letters that we use in our consultations.

To refresh my memory, I reviewed the Engineering Report that was part of the application. I saw that \$30,000 will go toward the NEPA Report. Is the \$30,000 for preparing an Environmental Assessment or is it for filling out the Environmental Narrative? If it is for preparing the EA, EDA will actually do that.

Thanks, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

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Donald Burk
Environmental Services Manager
ENPLAN
dburk@enplan.com
530/221-0440 x7102
530/221-6963 Fax
www.enplan.com

SAMPLE OF LETTER TO FWS/NMFS

Date:

(Name of Field Supervisor)

Field Supervisor

U.S. Fish and Wildlife Service *(or NOAA National Marine Fisheries Service)*

(Address)

RE: Endangered Species Act Section 7 consultation for proposed EDA grant assistance to construct *(Project)*, *(Location)*

Dear *(Name of Field Supervisor)*:

The *(Applicant's Name)* has made an application for grant funding to the U.S. Department of Commerce, Economic Development Administration (EDA) to construct *(General Project Description)*. The EDA designates the *(Applicant's Name)* as EDA's non-federal representative for the purpose of consultation with the U.S. Fish and Wildlife Service (FWS) under 50 CFR §402.08.

The project involves *(provide a detailed description of the project)*.

The project area includes *(describe where the project is located. This includes providing a recognizable map with the project area outlined on it and a detailed site plan of the project. Photographs can be useful in documenting whether the site is developed or undeveloped.)*.

List what species and habitat may be there. *(Determine if there are any federally-listed endangered or threatened species, species of concern, and critical habitat that could be impacted by the project. Lists of endangered and threatened species and maps of critical habitat can be obtained from the FWS. States also have list of species warranting state protect. State lists and lists of federal species of concern can be obtained from the State Natural Heritage Service. There are also lists that are published on-line that can help with the first cut.)*

If there are listed species and critical habitat, discuss the impacts of the project on these. *(This includes direct and indirect impacts of the project. For example, a direct impact is the construction of a boat ramp. The indirect impact is an increase in small boat traffic.)*

Based on the above information, a determination of *(Chose what applies: (1) no effect; (2) may affect but is not likely to adversely affect; or (3) may affect and is likely to adversely affect; and (4) adverse modification to habitat)* has been made.

We respectfully ask for your concurrence on these findings and determination. If further information is required, please contact me at *(Applicant's telephone number and email address)*. Thank you for your assistance.

Revised 4/26/12

Sincerely,

(Name)

(Title)

Enclosures

Copy to: EDA Project Officer

NOTE: For information regarding Section 7 consultations and implementing regulations, please refer to the U.S. Fish and Wildlife Service Web Page at

SAMPLE OF LETTER TO SHPO/THPO

Date:

(Name of State/Tribal Historic Preservation Officer)

(Name of Historic Preservation Officer)

(Address)

RE: National Historic Preservation Act Section 106 consultation for proposed EDA grant assistance to construct *(Project)*, *(Location)*

Dear *(Name of State/Tribal Historic Preservation Officer)*:

The *(Applicant's Name)* has made an application for grant funding to the U.S. Department of Commerce, Economic Development Administration (EDA) to construct *(General Project Description)*. Under 36 CFR §800.2(c)(4), EDA is delegating authority to *(Applicant's Name)* to consult with you on the behalf of EDA.

The project includes *(Provide a detailed description of the project. For SHPO, this description must include depth, width and footprint of the "Area of Potential Effect" of the undertaking. The description must also include any ground disturbing activities or trenching that will occur as a result of the undertaking. Be precise in describing the location of the undertaking. If the undertaking includes the remodel of an existing building, include the date of the original building construction. Also include the description of any known historic or archaeological resources in the immediate area of the project effect (buildings, etc. of local importance). Include maps of the project area and photographs of buildings older than 50 years that will be renovated or demolished)*.

In accordance with 36 CFR §800 the *(Applicant's Name)* is initiating the Section 106 consultation process on behalf of EDA.

Enclosed is documentation of the *(Applicant's Name)* effort to identify and evaluate historic properties pursuant to 36 CFR §800.4. This documentation includes:

- Evidence that all interested parties *(this includes Tribes, museums, and organizations)* were consulted pursuant to 36 CFR §800.4(a) (3)-(4);
- Documentation of effort to identify and evaluate historic properties. *(For instance, evidence that a record search was completed at the local Historical Information Center. As a result of this record search, a need for an historical/archaeological resources survey may be indicated. If a survey is, or has been, completed, provide a copy of the survey report); and*

- An assessment of the undertaking's potential to affect historic properties pursuant to 36 CFR §800.4(d) or 36 CFR §800.5. (*Possible determinations are: (1) No historical properties present; (2) No historical properties affected; or (3) Historical properties affected.*)

We ask for your concurrence on these findings and determination. If further information is required, please contact me at (*Applicant's telephone number and email address*).

Sincerely,

(*Name*)

(*Title*)

Enclosures

Copy to: EDA Environmental Officer

NOTE: For information regarding Section 106 and implementing regulations, please refer to the Advisory Council on Historic Preservation's Web Page at <http://www.uchp.gov/work106.html>

SAMPLE OF LETTER TO SHPO/THPO

Date:

(Name of State/Tribal Historic Preservation Officer)

(Name of Historic Preservation Officer)

(Address)

RE: National Historic Preservation Act Section 106 consultation for proposed EDA grant assistance to construct *(Project)*, *(Location)*

Dear *(Name of State/Tribal Historic Preservation Officer)*:

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FitzGerald, Shannon

From: Good, Stan
Sent: Thursday, May 28, 2015 10:29 AM
To: FitzGerald, Shannon; Paul Reuter; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: dburk@enplan.com; Matson, Malinda
Subject: RE: Status Update for WWTP IS/MND

Paul:

It is EDA's preference to utilize the grant funds for the necessary improvements to the wastewater treatment plant only. It has been suggested that EDA funds be used to help renovate the diffuser in the stream, but that would entail more permitting compliance. With EDA funds committed to just the treatment plant we simplify the environmental requirements and can approve the amended project quickly.

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Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

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Thanks, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657

sfitzgerald@eda.gov

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
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Thanks.

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1730 South St.
Redding, CA 96001
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Ph: 530-244-0202

From: Don Burk [<mailto:DBurk@enplan.com>]
Sent: Wednesday, May 27, 2015 3:05 PM
To: Paul Reuter
Cc: Lindsay Kantor
Subject: Status Update for WWTP IS/MND

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To: Paul Reuter; FitzGerald, Shannon; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: dburk@enplan.com; Matson, Malinda
Subject: RE: Status Update for WWTP IS/MND

Not at this time. With the EDA funds limited to the wastewater treatment plant we need Shannon's review of the environmental aspects before proceeding with the amendment.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
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Sent: Wednesday, May 27, 2015 3:59 PM
To: Good, Stan
Cc: FitzGerald, Shannon; Paul Eckert (Eckert@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov)
Subject: FW: Status Update for WWTP IS/MND

Hello Stan,

The e-mail, below, provides an update on the status of the environmental work, and schedule moving forward, for the State-Mandated WWTP Improvements for the City of Mt. Shasta.

Please let me know if you have any questions, or comments.

Thanks.

Paul J. Reuter, P.E.
Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001

From: Don Burk [mailto:DBurk@enplan.com]
Sent: Wednesday, May 27, 2015 3:05 PM
To: Paul Reuter
Cc: Lindsay Kantor
Subject: Status Update for WWTP IS/MND

Paul-

Per your request, this is to provide you with a status report for the environmental studies for the Mt Shasta Wastewater Plant improvements. Our overall work plan has been to conduct the technical field studies, prepare the CEQA environmental documentation, and then to prepare the NEPA documentation. Permit applications will be prepared as our final work task.

Field Studies

Botanical: We have completed the early-season botanical field survey. One special-status plant species, Taylor's monkeyflower, was identified on the rock face above the site of the proposed outfall improvements. As we discussed, we anticipate that no work will be needed on the rock face, and that the identified plants can be avoided during construction activities. We will probably recommend flagging or a temporary construction fencing to ensure that the plants are fully avoided during construction. There are other plants in the study area that we are not yet able to identify; they could be special-status species, so additional surveys are needed. A follow-up botanical survey will occur in mid-June; depending on the results, a third survey could be needed later in the summer.

Wildlife: A general wildlife survey has been completed. A nesting osprey was observed adjacent to the study area. Ospreys typically return annually to the same nesting sites, so we anticipate that the pair will be present during the year in which construction would occur. The project site also provides habitat for special-status bats, turtles, and frogs. We did observe turtles in the treatment lagoons, but could not identify them to species. The site is also in winter deer range. We'll include standard mitigation measures for avoidance of turtles, frogs, and nesting birds (pre-construction nesting bird surveys; turtle/frog surveys immediately prior to the start of in-water construction).

We will be contacting CDFW shortly to discuss the results of the botanical and wildlife field studies. Given the resources present, we expect they will recommend a field meeting, which we will try to consolidate with our mid-June botanical survey. They will also have some input regarding the need for bat protection during construction, and could possibly ask that an acoustic bat survey be conducted at this time.

Wetlands/Waters of the United States: No wetlands are present in the study area. The Sacramento River is a "Water of the United States" subject to the jurisdiction of the Corps of Engineers. We are currently preparing a delineation report for submittal to the Corps.

Cultural Resources: A Sacred Lands Search request was sent to the Native American Heritage Commission on April 1. A records search at NE/CHRIS was conducted on April 6. The field survey of the project site was conducted on April 10. Request for comment letters have been sent out to the Native American Community and the comment period will close on June 3. Thus far, one response has been received from the Quartz Valley Indian Reservation indicating that they have no knowledge of cultural sites within the project area, but expressing their interest in any archaeological finds. We observed one historic site on the access road to the outfall improvements, however, it does not appear to satisfy the requirements for listing on the Californian Register of Historical Resources or National Register of Historic Places. Standard mitigation measures for the potential disturbance of subsurface cultural resources would apply.

IS/MND

We are currently drafting the Initial Study. We have identified several questions regarding the project description and regulatory requirements; we'll give you or Grant a call soon to discuss our questions. Generally speaking, most of Initial Study sections have been drafted but still need final review and refinement.

Schedule

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The EDA environmental narrative will be very easy to complete once we have finished the Initial Study. We are also expecting that we'll need to prepare NEPA documentation for other funding sources such as Rural Development and/or State Revolving Fund – we'll need confirmation from you as to which funding agencies will ultimately need environmental documentation. Assuming newspaper notifications are required for work in the floodplain, the various NEPA documents should be wrapped up in February. Permit applications could be submitted shortly thereafter.

Please let us know if you need additional information.

-Don

Donald Burk
Environmental Services Manager
ENPLAN
dburk@enplan.com
530/221-0440 x7102
530/221-6963 Fax
www.enplan.com

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Thursday, May 28, 2015 11:34 AM
To: 'Paul Reuter'; Good, Stan; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: dburk@enplan.com; Matson, Malinda
Subject: RE: Status Update for WWTP IS/MND

Hi Paul,

Before I can do the NEPA environmental review for the proposed amendment, I will need the Environmental Narrative. Dan gave us a good update. Would it be possible to update the Environmental Narrative with that information and send it to us? In the amendment, we can include special action conditions regarding the completion of certain tasks such as the plant surveys and following consultation. Also, can you send us the information and letters that were sent to the Tribes?

Thanks, Shannon 206-220-7703

From: Paul Reuter [mailto:preuter@paceengineering.us]
Sent: Thursday, May 28, 2015 10:54 AM
To: Good, Stan; FitzGerald, Shannon; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: dburk@enplan.com; Matson, Malinda
Subject: RE: Status Update for WWTP IS/MND

We have no problem with that, Stan. There is plenty of infrastructure at the WWTP that we can allocate the EDA funding toward that won't have any environmental impacts. And, as has been suggested, we can separate the EDA-funded infrastructure from other funding sources in the contractor's bid proposal.

Do you need any more specifics from us, at this point, to head that direction?

Paul J. Reuter, P.E.

Managing Engineer

PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us
Ph: 530-244-0202

From: Good, Stan [mailto:SGood@eda.gov]
Sent: Thursday, May 28, 2015 10:29 AM
To: FitzGerald, Shannon; Paul Reuter; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: dburk@enplan.com; Matson, Malinda
Subject: RE: Status Update for WWTP IS/MND

Paul:

It is EDA's preference to utilize the grant funds for the necessary improvements to the wastewater treatment plant only. It has been suggested that EDA funds be used to help renovate the diffuser in the stream, but that would entail more permitting compliance. With EDA funds committed to just the treatment plant we simplify the environmental requirements and can approve the amended project quickly.

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

From: FitzGerald, Shannon
Sent: Thursday, May 28, 2015 10:21 AM
To: Paul Reuter; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: dburk@enplan.com; Matson, Malinda; Good, Stan
Subject: RE: Status Update for WWTP IS/MND

Hi All,

Thanks for detailed update. Stan was right—I have a couple of questions.

In addition to the City of Mt. Shasta consulting with state agencies under CEQA, EDA will be required to consult with the U.S. Fish and Wildlife Service under the Endangered Species Act Section 7, and the State and Tribal Historic Preservation Officers under the National Historic Preservation Act Section 106. While the information used for the CEQA consultations with the California Dept. of Fish and Wildlife and SHPO/THPOs can be used for the federal consultation (e.g., biological assessment, cultural resource survey, sacred lands file search), we need to also do the federal consultations. EDA can delegate the authority to the City to consult on EDA's behalf which may simplify things. I've attached templates of the letters that we use in our consultations.

To refresh my memory, I reviewed the Engineering Report that was part of the application. I saw that \$30,000 will go toward the NEPA Report. Is the \$30,000 for preparing an Environmental Assessment or is it for filling out the Environmental Narrative? If it is for preparing the EA, EDA will actually do that.

Thanks, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Wednesday, May 27, 2015 3:59 PM
To: Good, Stan
Cc: FitzGerald, Shannon; Paul Eckert (Eckert@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov)
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Please let us know if you need additional information.

-Don

Donald Burk
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www.enplan.com

FitzGerald, Shannon

From: Good, Stan
Sent: Monday, August 10, 2015 9:43 AM
To: FitzGerald, Shannon
Subject: FW: Quarterly report receipt

Shannon:
I asked what is happening and this was the reply.

Stan Good, P.E.
Civil Engineer
Seattle Regional Office
Ph: 206-220-7701
Email: sgood@eda.gov
Join EDA's mailing list today to get the latest agency news and grant opportunity information!

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Monday, August 10, 2015 9:33 AM
To: Paul Eckert; Good, Stan
Cc: Rod Bryan; Muriel Howarth Terrell; Don Burk (DBurk@enplan.com)
Subject: RE: Quarterly report receipt

Hello All,
Enplan (environmental consultant) expects to deliver a draft IS/MND later this month on the overall State-Mandated WWTP Improvements. In addition, we are working on a "stand-alone" project that can be designed this fall/winter and begin construction by next September 2016 for spending the EDA funding. We are expecting to complete the environmental narrative on the "stand-alone" project by late August/early September.
Let me know if you have any questions.
Thanks.

Paul J. Reuter, P.E.
Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us
Ph: 530-244-0202

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Thursday, July 30, 2015 3:11 PM
To: Good, Stan
Cc: Rod Bryan; Paul Reuter; Muriel Howarth Terrell
Subject: RE: Quarterly report receipt

Hi Stan,
Rod is out until next week so I don't have an answer to your question below yet. I have copied our City Engineer and we will get you an update early next week, if that's OK?.

Thanks again,

Paul

From: Good, Stan [<mailto:SGood@eda.gov>]
Sent: Wednesday, July 29, 2015 8:22 AM
To: Rod Bryan <rbryan@mtshastaca.gov>; Paul Eckert <eckert@mtshastaca.gov>
Subject: Quarterly report receipt

Thanks for the report. In order to proceed with the scope amendment it my understanding EDA is waiting for the amended Environmental Report. Is this close to finishing?

Stan Good, P.E.
Civil Engineer
Ph: 206-220-7701
Email: sgood@eda.gov

FitzGerald, Shannon

From: Paul Reuter <preuter@paceengineering.us>
Sent: Thursday, August 20, 2015 3:10 PM
To: Good, Stan; FitzGerald, Shannon
Cc: Paul Eckert (Eckert@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov)
Subject: EDA-Funded Wastewater Treatment Plan Improvements - Project Description
Attachments: EDA Project Description FINAL 8-20-15 Complete.pdf

Hello Shannon and Stan,
Attached is a project description for the EDA-Funded WWTP Improvements for the City of Mt. Shasta. It includes a project cost estimate, schedule and figures showing proposed improvements.
Feel free to contact me if you have questions or desire additional information.
Thank you.

Paul J. Reuter, P.E.

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Ph: 530-244-0202

CITY OF MT. SHASTA WASTEWATER TREATMENT PLANT EDA-FUNDED FILTRATION AND DISINFECTION IMPROVEMENTS PROJECT DESCRIPTION

BACKGROUND

The City of Mt. Shasta (City) owns and operates the Mt. Shasta Wastewater Treatment Plant (WWTP), which provides service to Mt. Shasta and adjacent areas. The existing Mt. Shasta WWTP was originally constructed in 1976 and was designed for an average dry weather flow (ADWF) of 0.7 MGD and a peak wet weather flow of 2.1 MGD. The facility has undergone several treatment modifications and upgrades in the past several years. In 1999, the original intermittent sand filter system was replaced with a dissolved air flotation thickener and rapid sand filtration system. The current treatment train consists of five treatment lagoons followed by clarification (i.e., dissolved air flotation thickener), filtration (i.e., rapid sand filtration system), and gaseous chlorine disinfection.

On October 4, 2012, the Central Valley Regional Water Quality Control Board (CVRWQCB) adopted Waste Discharge Requirements (WDR) Order No. R5-2012-0086 for the WWTP. At that time, Time Schedule Order (TSO) No. R5-2012-0087 was issued. The TSO included a compliance schedule to bring ammonia, copper, zinc, biological oxygen demand (BOD5), total suspended solids (TSS), and pH levels into compliance. In addition, the TSO requires a compliance schedule for Title 22 Disinfection Requirements. The TSO required that a preliminary engineering report be developed to determine a method of compliance.

PACE's 2015 Engineering Report and Feasibility Study evaluated several treatment alternatives to meet these effluent requirements. With respect to filtration, the study concluded that use of effluent filtration would adequately remove metals from the effluent; the current treatment system does not have adequate filtration capacity to remove metals during all existing flow conditions as required by the City's NPDES permit. With respect to disinfection, the study concluded that the current gas chlorination system should be replaced by ultraviolet (UV) disinfection. The City's existing gaseous chlorination facility has posed operational challenges in recent years. Use of chlorination for effluent disinfection requires that all chlorine be removed from the waste stream prior to discharge to the Sacramento River. Sulfur dioxide gas is used for this purpose. Any glitches in the controls or equipment used in this process can lead to positive chlorine residual in the effluent and subsequent fines by the CVRWQCB. The City has had fines for positive chlorine residuals in recent years. Further, gas chlorination poses the threat of a chlorine gas leak into the environment and is unsafe for WWTP staff. Similarly, due to the terrorism threat after 9/11, the federal Department of Homeland Security expressed concern with municipal facilities using chlorine gas.

In September 2013, the City of Mt. Shasta received a \$3.0M grant from the Economic Development Agency (EDA). Together with a \$3.0M contribution from Crystal Geyser, the City intended to replace approximately 8,000 feet of undersized interceptor sewer to accommodate proposed wastewater contributions from Crystal Geyser. During engineering and environmental review of the project, it became evident the environmental hurdles associated

CITY OF MT. SHASTA WASTEWATER TREATMENT PLANT EDA-FUNDED FILTRATION AND DISINFECTION IMPROVEMENTS PROJECT DESCRIPTION

with the project would be too difficult to overcome. Therefore, EDA pulled funding from the project and proposed the \$3.0M grant be used to remedy existing deficiencies at the WWTP.

The City's EDA grant agreement was executed on September 25, 2013. According to EDA guidelines, an implementation project must be under construction within three (3) years of the date of agreement execution, which will be September 2016. The purpose of this project description is to convey the proposed project, along with cost estimates and schedule, which will allow use of the EDA grant dollars in accordance with the schedule requirements.

PROJECT DESCRIPTION

The City of Mt. Shasta is proposing to construct filtration and UV disinfection facilities within the footprint of the abandoned intermittent sand filters (Figure 1). The new filtration and disinfection processes would include the components and steps described below.

Effluent would travel from the existing oxidation lagoons to the filtration facilities for final removal of total suspended solids. The feasibility study was planned around travelling bridge filters. However, as part of the preliminary design effort for the project, other filtration technologies will be evaluated, such as disk or cloth filtration technology. The final filtration technology selection will not affect the location or purpose of this process. In fact, if another technology is selected (other than travelling bridge), the footprint would be much smaller. Filtered effluent would be received by one of two UV channels. Each of the UV channels would contain three banks of UV lamps. Both UV channels would share the same enclosure as the filtration facilities to reduce exposure to the environment and algae growth in both processes. After disinfection, effluent would be discharged from the WWTP to one of the three approved discharge locations.

The proposed project offers the following benefits:

- The proposed facilities are fully consistent with the state-mandated requirements as expressed in WDR Order No. R5-2012-0086 and TSO No. R5-2012-0087.
- The proposed filtration and disinfection facilities would not limit upgrade options for upstream treatment processes that may be needed to meet the new discharge requirements.
- Project implementation would allow the City to meet the requirements for removing copper and zinc from the waste stream, which become effective in 2017 (before other needed treatment plant improvements can be fully implemented).
- Project implementation would eliminate the potential risks associated with chlorine gas disinfection.

CITY OF MT. SHASTA WASTEWATER TREATMENT PLANT EDA-FUNDED FILTRATION AND DISINFECTION IMPROVEMENTS PROJECT DESCRIPTION

- Project implementation would not increase the overall capacity of the WWTP and would therefore not be growth inducing.
- The proposed filtration and disinfection facilities would be constructed within the footprint of the abandoned intermittent sand filters. Because the area has been previously developed, no adverse environmental impacts to the project site are anticipated. Likewise, project implementation would not result in off-site environmental effects such as substantially increased noise levels, air emissions, or traffic volumes.
- The proposed filtration and disinfection facilities constitute a stand-alone project that would provide significant benefits to the City regardless of whether additional improvements are made to the wastewater treatment system.

Attached Table 1 contains a breakdown of the overall project cost, including indirect costs, such as environmental, permitting, design, and construction administration services. As indicated, it appears proposed filtration and disinfection facilities can be constructed for \$3.02M.

RIGHT-OF-WAY CLEARANCE

The City owns all of the property in which the existing WWTP resides, including the proposed footprint for the filtration and disinfection facilities. Therefore, it is not necessary to obtain land or right-of-way for the proposed improvements. Refer to Figure 2 which shows the City's property boundary overlain on an aerial photo of the existing facilities.

ENVIRONMENTAL CLEARANCE

As noted above, the proposed filtration and ultraviolet (UV) disinfection facilities would be constructed within the footprint of the previously disturbed sand filter beds and no adverse impacts to the environment would occur. The capacity of proposed processes would be sized to accommodate peak wet weather flows, as mandated in the City's 2012 NPDES permit. The City's current filtration facilities cannot accommodate current peak wet weather flows. The proposed improvements, effectively, increase the filtration capacity of the WWTP but only due to regulatory mandates that require the City to filter its wintertime flows. Conversion from chlorine gas to UV disinfection would have no effect on treatment capacity. Thus, the project would not be growth inducing. For these reasons, it is anticipated that a CEQA Categorical Exemption and NEPA Categorical Exclusion would provide an appropriate level of environmental review. With respect to CEQA, a Class 1 exemption would apply; Class 1 allows minor alteration of existing public facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

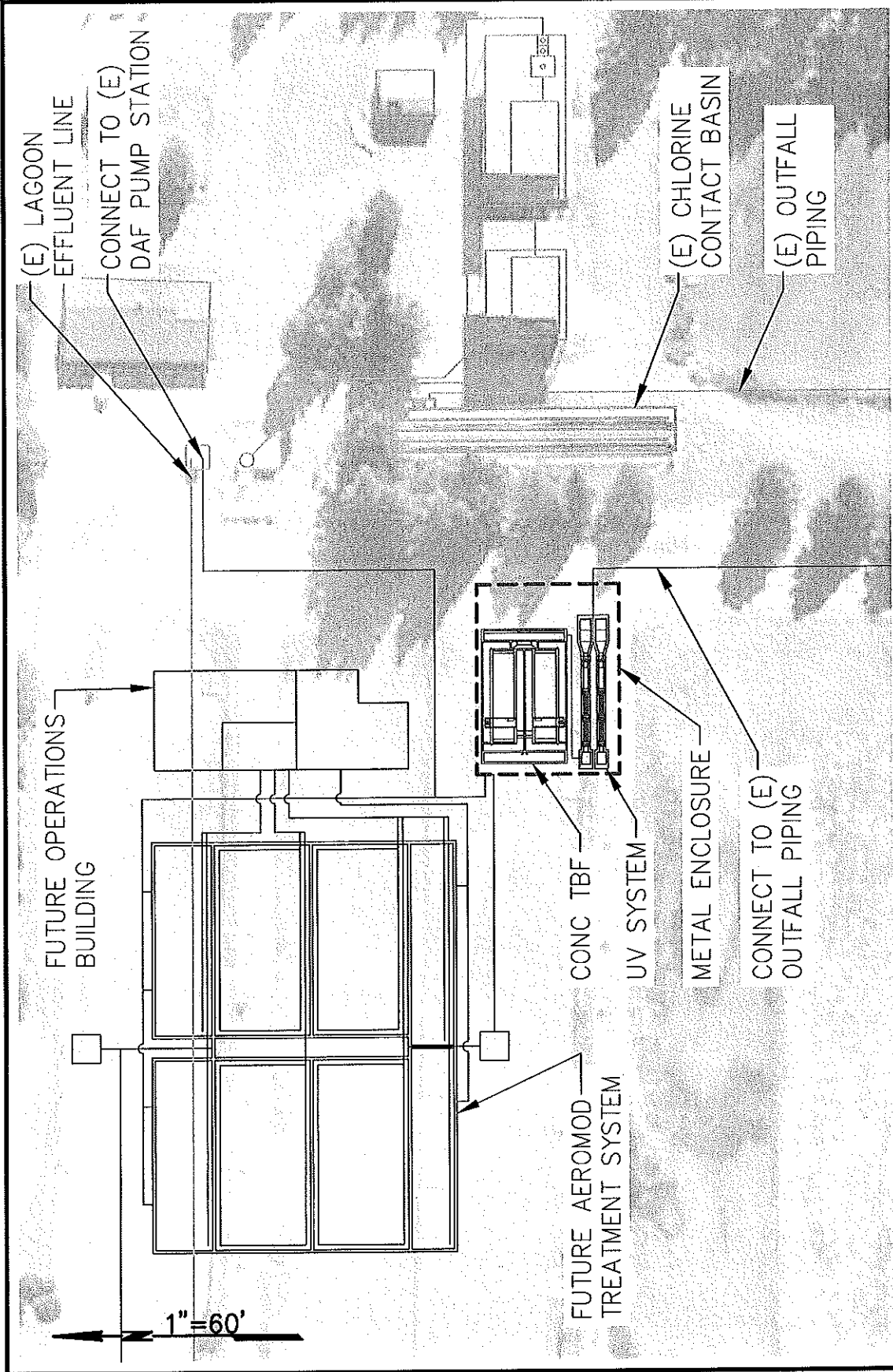
**CITY OF MT. SHASTA WASTEWATER TREATMENT PLANT
EDA-FUNDED FILTRATION AND DISINFECTION IMPROVEMENTS
PROJECT DESCRIPTION**


PROJECT SCHEDULE

In order to meet the September 25, 2016 deadline to begin construction on the project using EDA grant funds, the following schedule is anticipated:

| <u>Milestone</u> | <u>Date</u> |
|---|--------------------|
| Obtain EDA approval to proceed with the proposed project: | Sep. 18, 2015 |
| City authorize PACE to proceed with PDDR & final design: | Sep. 28, 2015 |
| Design surveys and mapping completed: | Oct. 16, 2015 |
| Preliminary Design Development Report completed: | Dec. 18, 2015 |
| Advertise for Public Bids: | Apr. 29, 2016 |
| Public Bid Opening: | Jun. 2, 2016 |
| Issue Notice to Proceed to Contractor: | Aug. 2, 2016 |
| Construction Completed: | Sep. 1, 2017 |

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| | | |
|--|--|--------------------|
|  <p>PACE ENGINEERING REDDING, CALIFORNIA</p> | <p>CITY OF MT. SHASTA EDA-FUNDED WWTP IMPROVEMENTS</p> | |
| | <p>FIGURE 1</p> | |
| | <p>DATE: 8/15</p> | <p>JOB #111.54</p> |

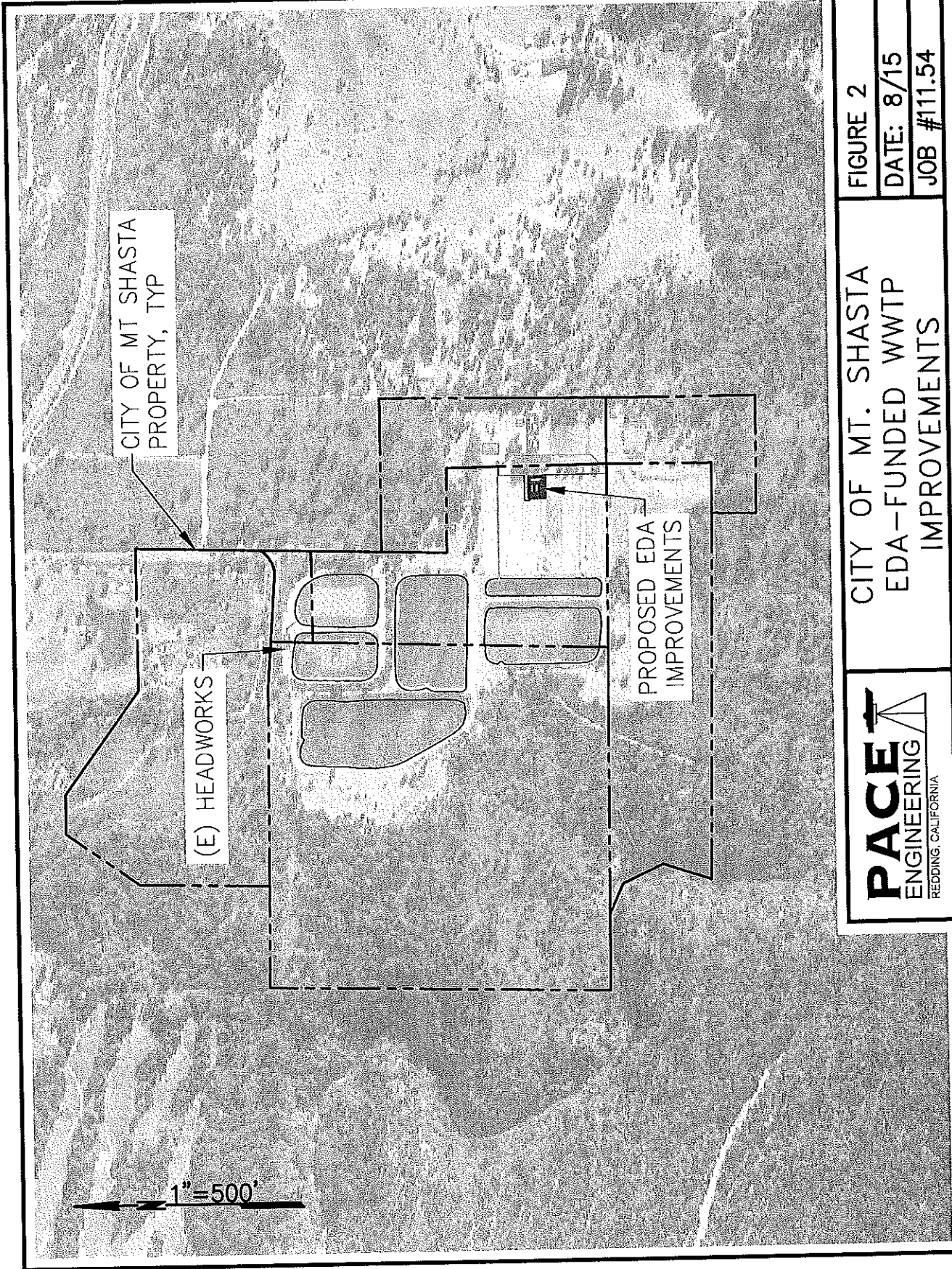


FIGURE 2
DATE: 8/15
JOB #111.54

CITY OF MT. SHASTA
EDA-FUNDED WWTP
IMPROVEMENTS



TABLE 1
City of Mt. Shasta
EDA-FUNDED WASTEWATER TREATMENT PLANT IMPROVEMENTS

PROJECT COST ESTIMATE
(August 15, 2015)

| Description | QTY | UNITS | UNIT COST | CONTRACT AMOUNTS |
|--|------|-------|-----------|--------------------|
| Filtration Facilities | | | | |
| Equipment and Controls | 2 | EA | \$251,000 | \$502,000 |
| Concrete structure | 1 | LS | \$416,000 | \$416,000 |
| Structure excavation and backfill | 1200 | CY | \$30 | \$36,000 |
| Process and utility piping | 240 | LF | \$175 | \$42,000 |
| Steel enclosure | 4800 | SF | \$25 | \$120,000 |
| UV Disinfection Facilities | | | | |
| UV disinfection equipment | 1 | LS | \$570,000 | \$570,000 |
| Concrete basin | 1 | LS | \$130,000 | \$130,000 |
| Electrical and controls | 1 | LS | \$250,000 | \$250,000 |
| Subtotal Filtration & Disinfection Improvements (June 2014 Dollars): | | | | \$2,066,000 |
| Inflation @ 2.5%/yr for 2 years: | | | | \$105,000 |
| Contingency Allowance @ 15%: | | | | \$326,000 |
| Total Construction Cost (Including Contingency): | | | | \$2,497,000 |
| INDIRECT COSTS | | | | |
| Grant Administration Cost: | | | | \$15,000 |
| Environmental (IS/MND): | | | | \$3,000 |
| Survey/Mapping: | | | | \$25,000 |
| Preliminary Design & Development Report: | | | | \$20,000 |
| 10% Design on Overall State-Mandated Project: | | | | \$30,000 |
| Design: | | | | \$195,000 |
| Contract Services (Bidding/Award/Contract Execution): | | | | \$25,000 |
| Labor Code Compliance Services: | | | | \$30,000 |
| Construction Administration: | | | | \$80,000 |
| Construction Observation: | | | | \$100,000 |
| TOTAL ESTIMATED PROJECT COST (June 2016 Dollars): | | | | \$3,020,000 |

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Monday, August 24, 2015 6:08 PM
To: Matson, Malinda
Subject: FW: EDA-Funded Wastewater Treatment Plan Improvements - Project Description
Attachments: EDA Project Description FINAL 8-20-15 Complete.pdf

Hi Malinda,

I'm sending you what the City of Mt. Shasta's engineer sent to us, so when I copy you on my reply it will make sense. Their consultant sent some information, but it is not the Environmental Narrative, Applicant Certification Clause, and Engineering Report that Stan and I need to amend the scope of work. Stan is in training most of this week, so I'll respond for the both of us.

Thanks, Shannon

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Thursday, August 20, 2015 3:10 PM
To: Good, Stan; FitzGerald, Shannon
Cc: Paul Eckert (Eckert@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov)
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Ph: 530-244-0202

CITY OF MT. SHASTA WASTEWATER TREATMENT PLANT EDA-FUNDED FILTRATION AND DISINFECTION IMPROVEMENTS PROJECT DESCRIPTION

BACKGROUND

The City of Mt. Shasta (City) owns and operates the Mt. Shasta Wastewater Treatment Plant (WWTP), which provides service to Mt. Shasta and adjacent areas. The existing Mt. Shasta WWTP was originally constructed in 1976 and was designed for an average dry weather flow (ADWF) of 0.7 MGD and a peak wet weather flow of 2.1 MGD. The facility has undergone several treatment modifications and upgrades in the past several years. In 1999, the original intermittent sand filter system was replaced with a dissolved air flotation thickener and rapid sand filtration system. The current treatment train consists of five treatment lagoons followed by clarification (i.e., dissolved air flotation thickener), filtration (i.e., rapid sand filtration system), and gaseous chlorine disinfection.

On October 4, 2012, the Central Valley Regional Water Quality Control Board (CVRWQCB) adopted Waste Discharge Requirements (WDR) Order No. R5-2012-0086 for the WWTP. At that time, Time Schedule Order (TSO) No. R5-2012-0087 was issued. The TSO included a compliance schedule to bring ammonia, copper, zinc, biological oxygen demand (BOD5), total suspended solids (TSS), and pH levels into compliance. In addition, the TSO requires a compliance schedule for Title 22 Disinfection Requirements. The TSO required that a preliminary engineering report be developed to determine a method of compliance.

PACE's 2015 Engineering Report and Feasibility Study evaluated several treatment alternatives to meet these effluent requirements. With respect to filtration, the study concluded that use of effluent filtration would adequately remove metals from the effluent; the current treatment system does not have adequate filtration capacity to remove metals during all existing flow conditions as required by the City's NPDES permit. With respect to disinfection, the study concluded that the current gas chlorination system should be replaced by ultraviolet (UV) disinfection. The City's existing gaseous chlorination facility has posed operational challenges in recent years. Use of chlorination for effluent disinfection requires that all chlorine be removed from the waste stream prior to discharge to the Sacramento River. Sulfur dioxide gas is used for this purpose. Any glitches in the controls or equipment used in this process can lead to positive chlorine residual in the effluent and subsequent fines by the CVRWQCB. The City has had fines for positive chlorine residuals in recent years. Further, gas chlorination poses the threat of a chlorine gas leak into the environment and is unsafe for WWTP staff. Similarly, due to the terrorism threat after 9/11, the federal Department of Homeland Security expressed concern with municipal facilities using chlorine gas.

In September 2013, the City of Mt. Shasta received a \$3.0M grant from the Economic Development Agency (EDA). Together with a \$3.0M contribution from Crystal Geysers, the City intended to replace approximately 8,000 feet of undersized interceptor sewer to accommodate proposed wastewater contributions from Crystal Geysers. During engineering and environmental review of the project, it became evident the environmental hurdles associated

CITY OF MT. SHASTA WASTEWATER TREATMENT PLANT EDA-FUNDED FILTRATION AND DISINFECTION IMPROVEMENTS PROJECT DESCRIPTION

with the project would be too difficult to overcome. Therefore, EDA pulled funding from the project and proposed the \$3.0M grant be used to remedy existing deficiencies at the WWTP.

The City's EDA grant agreement was executed on September 25, 2013. According to EDA guidelines, an implementation project must be under construction within three (3) years of the date of agreement execution, which will be September 2016. The purpose of this project description is to convey the proposed project, along with cost estimates and schedule, which will allow use of the EDA grant dollars in accordance with the schedule requirements.

PROJECT DESCRIPTION

The City of Mt. Shasta is proposing to construct filtration and UV disinfection facilities within the footprint of the abandoned intermittent sand filters (Figure 1). The new filtration and disinfection processes would include the components and steps described below.

Effluent would travel from the existing oxidation lagoons to the filtration facilities for final removal of total suspended solids. The feasibility study was planned around travelling bridge filters. However, as part of the preliminary design effort for the project, other filtration technologies will be evaluated, such as disk or cloth filtration technology. The final filtration technology selection will not affect the location or purpose of this process. In fact, if another technology is selected (other than travelling bridge), the footprint would be much smaller. Filtered effluent would be received by one of two UV channels. Each of the UV channels would contain three banks of UV lamps. Both UV channels would share the same enclosure as the filtration facilities to reduce exposure to the environment and algae growth in both processes. After disinfection, effluent would be discharged from the WWTP to one of the three approved discharge locations.

The proposed project offers the following benefits:

- The proposed facilities are fully consistent with the state-mandated requirements as expressed in WDR Order No. R5-2012-0086 and TSO No. R5-2012-0087.
- The proposed filtration and disinfection facilities would not limit upgrade options for upstream treatment processes that may be needed to meet the new discharge requirements.
- Project implementation would allow the City to meet the requirements for removing copper and zinc from the waste stream, which become effective in 2017 (before other needed treatment plant improvements can be fully implemented).
- Project implementation would eliminate the potential risks associated with chlorine gas disinfection.

CITY OF MT. SHASTA WASTEWATER TREATMENT PLANT EDA-FUNDED FILTRATION AND DISINFECTION IMPROVEMENTS PROJECT DESCRIPTION

- Project implementation would not increase the overall capacity of the WWTP and would therefore not be growth inducing.
- The proposed filtration and disinfection facilities would be constructed within the footprint of the abandoned intermittent sand filters. Because the area has been previously developed, no adverse environmental impacts to the project site are anticipated. Likewise, project implementation would not result in off-site environmental effects such as substantially increased noise levels, air emissions, or traffic volumes.
- The proposed filtration and disinfection facilities constitute a stand-alone project that would provide significant benefits to the City regardless of whether additional improvements are made to the wastewater treatment system.

Attached Table 1 contains a breakdown of the overall project cost, including indirect costs, such as environmental, permitting, design, and construction administration services. As indicated, it appears proposed filtration and disinfection facilities can be constructed for \$3.02M.

RIGHT-OF-WAY CLEARANCE

The City owns all of the property in which the existing WWTP resides, including the proposed footprint for the filtration and disinfection facilities. Therefore, it is not necessary to obtain land or right-of-way for the proposed improvements. Refer to Figure 2 which shows the City's property boundary overlain on an aerial photo of the existing facilities.

ENVIRONMENTAL CLEARANCE

As noted above, the proposed filtration and ultraviolet (UV) disinfection facilities would be constructed within the footprint of the previously disturbed sand filter beds and no adverse impacts to the environment would occur. The capacity of proposed processes would be sized to accommodate peak wet weather flows, as mandated in the City's 2012 NPDES permit. The City's current filtration facilities cannot accommodate current peak wet weather flows. The proposed improvements, effectively, increase the filtration capacity of the WWTP but only due to regulatory mandates that require the City to filter its wintertime flows. Conversion from chlorine gas to UV disinfection would have no effect on treatment capacity. Thus, the project would not be growth inducing. For these reasons, it is anticipated that a CEQA Categorical Exemption and NEPA Categorical Exclusion would provide an appropriate level of environmental review. With respect to CEQA, a Class 1 exemption would apply; Class 1 allows minor alteration of existing public facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

**CITY OF MT. SHASTA WASTEWATER TREATMENT PLANT
EDA-FUNDED FILTRATION AND DISINFECTION IMPROVEMENTS
PROJECT DESCRIPTION**

PROJECT SCHEDULE

In order to meet the September 25, 2016 deadline to begin construction on the project using EDA grant funds, the following schedule is anticipated:

| <u>Milestone</u> | <u>Date</u> |
|---|---------------|
| Obtain EDA approval to proceed with the proposed project: | Sep. 18, 2015 |
| City authorize PACE to proceed with PDDR & final design: | Sep. 28, 2015 |
| Design surveys and mapping completed: | Oct. 16, 2015 |
| Preliminary Design Development Report completed: | Dec. 18, 2015 |
| Advertise for Public Bids: | Apr. 29, 2016 |
| Public Bid Opening: | Jun. 2, 2016 |
| Issue Notice to Proceed to Contractor: | Aug. 2, 2016 |
| Construction Completed: | Sep. 1, 2017 |

M:\Jobs\0111\0111.54 EDA-Funded WWTP Improvements\Environmental\EDA Project Description FINAL 8-20-15.docx

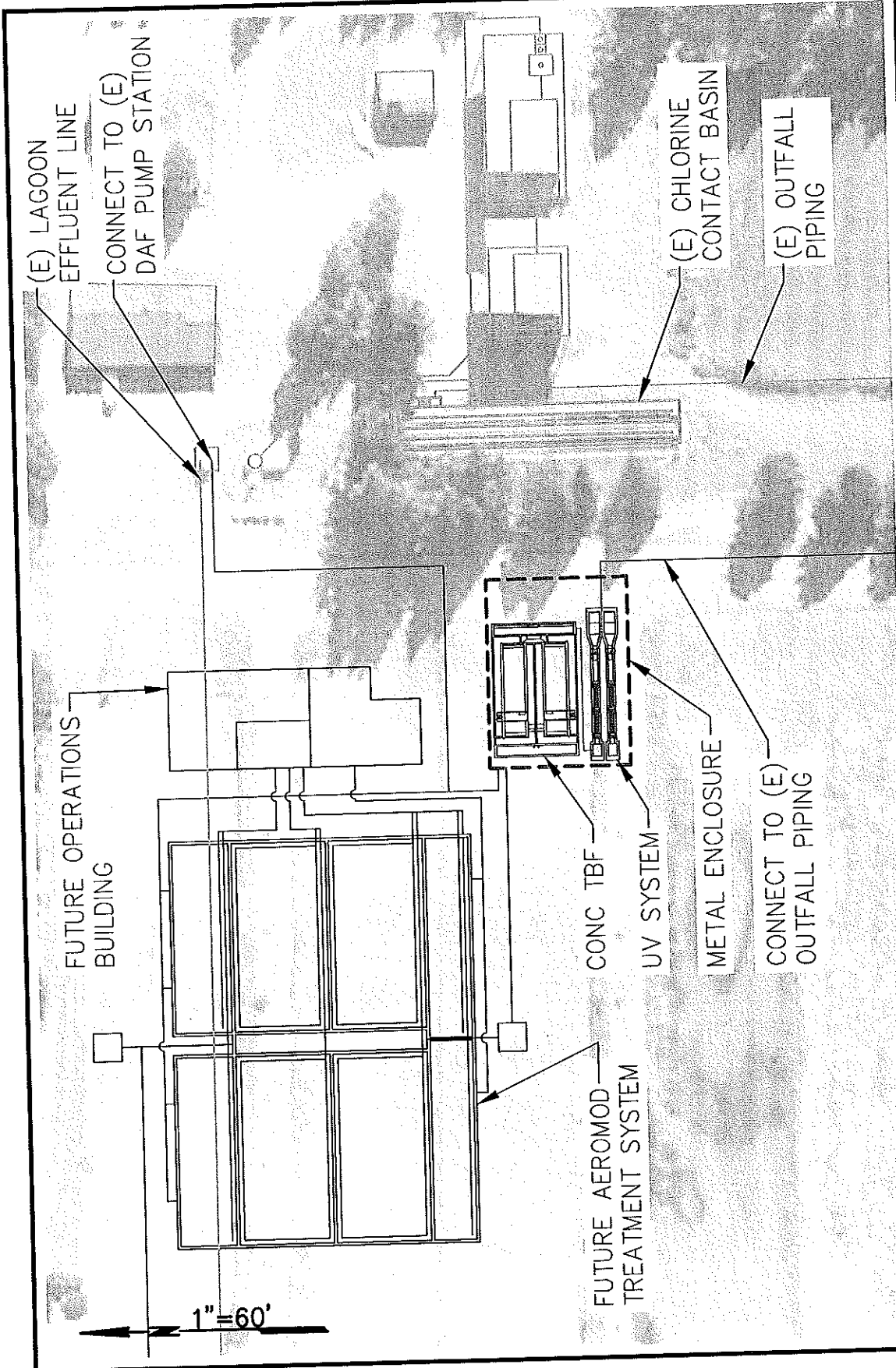


FIGURE 1
 DATE: 8/15
 JOB #111.54

CITY OF MT. SHASTA
 EDA-FUNDED WWTP
 IMPROVEMENTS



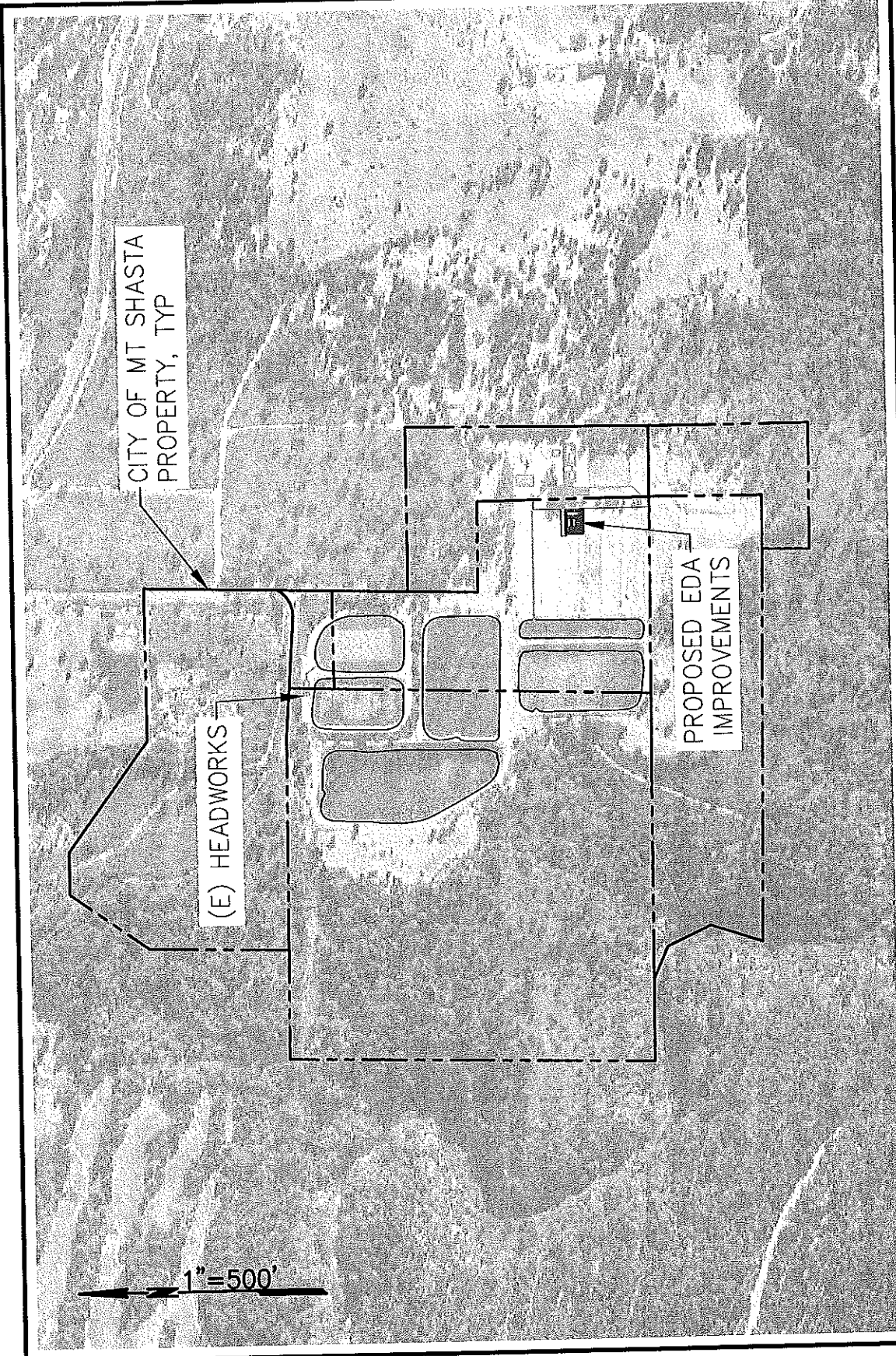


FIGURE 2
DATE: 8/15
JOB #111.54

CITY OF MT. SHASTA
EDA-FUNDED WWTP
IMPROVEMENTS

PACE
ENGINEERING
REDDING, CALIFORNIA

TABLE 1
City of Mt. Shasta
EDA-FUNDED WASTEWATER TREATMENT PLANT IMPROVEMENTS

PROJECT COST ESTIMATE
(August 15, 2015)

| Description | QTY | UNITS | UNIT COST | CONTRACT AMOUNTS |
|--|------|-------|-----------|--------------------|
| Filtration Facilities | | | | |
| Equipment and Controls | 2 | EA | \$251,000 | \$502,000 |
| Concrete structure | 1 | LS | \$416,000 | \$416,000 |
| Structure excavation and backfill | 1200 | CY | \$30 | \$36,000 |
| Process and utility piping | 240 | LF | \$175 | \$42,000 |
| Steel enclosure | 4800 | SF | \$25 | \$120,000 |
| UV Disinfection Facilities | | | | |
| UV disinfection equipment | 1 | LS | \$570,000 | \$570,000 |
| Concrete basin | 1 | LS | \$130,000 | \$130,000 |
| Electrical and controls | 1 | LS | \$250,000 | \$250,000 |
| Subtotal Filtration & Disinfection Improvements (June 2014 Dollars): | | | | \$2,066,000 |
| Inflation @ 2.5%/yr for 2 years: | | | | \$105,000 |
| Contingency Allowance @ 15%: | | | | \$326,000 |
| Total Construction Cost (Including Contingency): | | | | \$2,497,000 |
| INDIRECT COSTS | | | | |
| Grant Administration Cost: | | | | \$15,000 |
| Environmental (IS/MND): | | | | \$3,000 |
| Survey/Mapping: | | | | \$25,000 |
| Preliminary Design & Development Report: | | | | \$20,000 |
| 10% Design on Overall State-Mandated Project: | | | | \$30,000 |
| Design: | | | | \$195,000 |
| Contract Services (Bidding/Award/Contract Execution): | | | | \$25,000 |
| Labor Code Compliance Services: | | | | \$30,000 |
| Construction Administration: | | | | \$80,000 |
| Construction Observation: | | | | \$100,000 |
| TOTAL ESTIMATED PROJECT COST (June 2016 Dollars): | | | | \$3,020,000 |

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Monday, August 24, 2015 6:13 PM
To: Paul Eckert (eckert@ci.mt-shasta.ca.us); Paul Reuter (preuter@paceengineering.us)
Cc: Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTERrell@mtshastaca.gov); Matson, Malinda
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description
Attachments: Environmental_Narrative_Template.doc; Applicant Certification Clause.doc; Preliminary_Engineering_Report_Requirements.doc

Hi Paul and Paul,

We received the information. Thanks. What Stan and I need before we can amend the scope of work is an Environmental Narrative, Applicant Certification Clause and Engineering Report filled out for the proposed wastewater treatment plant project. I've attached all three templates.

Thanks in advance for getting those to us. -Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Thursday, August 20, 2015 3:10 PM
To: Good, Stan; FitzGerald, Shannon
Cc: Paul Eckert (Eckert@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTERrell@mtshastaca.gov)
Subject: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hello Shannon and Stan,
Attached is a project description for the EDA-Funded WWTP Improvements for the City of Mt. Shasta. It includes a project cost estimate, schedule and figures showing proposed improvements.
Feel free to contact me if you have questions or desire additional information.
Thank you.

Paul J. Reuter, P.E.
Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us
Ph: 530-244-0202

Environmental Narrative Requirements

All Applicants for Construction Assistance must provide all required environmental information in order for an application to be considered complete.

The National Environmental Policy Act (NEPA) requires Federal agencies to assess the expected environmental impacts associated with proposed federal actions. Per EDA Directive 17.02-2, EDA must ensure that “proper environmental review of program activities takes place, that there is a proper balance between the goals of economic development and environmental enhancement, and that adverse environmental impacts are mitigated or avoided to the extent possible”.

In order to comply with NEPA requirements, the applicant must submit, in its application package, information detailing the present environmental condition of the project area and how the project will impact environmental resources in and around the project area.

The Applicant must provide detailed, comprehensive information for the:

1. site(s) where the proposed project facilities will be constructed and the surrounding areas affected by its operation; and
2. areas to be affected by any primary beneficiaries of the project.

The information submitted must be sufficient to evaluate all reasonable alternatives to the proposed project, the direct and indirect environmental impacts, as well as the cumulative impacts on the environment as defined in the Council on Environmental Quality (CEQ) regulations for implementing NEPA set out at 40 C.F.R. 1500-1508. The level of detail should be commensurate with the complexity and size of the project, and the magnitude of the expected impact. Relevant, recently completed environmental impact documentation (assessments, impact statements, etc.) for activities in the region in which the proposed project will be located may be included along with the environmental narrative.

Applicants must provide information on all the items identified below in their application for EDA assistance. Applicants must provide a detailed explanation for any area in which the applicant asserts that an item is not applicable to a project. Applicants are encouraged to contact their designated Economic Development Representative or the applicable EDA Regional Environmental Officer with questions (please see the EDA website for contact information).

Several issues discussed in the environmental narrative below may require consultation with other State or Federal agencies before EDA’s final approval of an award (for example, the State Historic Preservation Agency or the U.S. Fish and Wildlife Service). **While EDA does not require that applicants complete such consultations before submitting an application, applicants should be aware that in the event their project is selected for funding, the applicant will be expected to proceed with consultations in an expeditious manner. EDA expects applicants to be prepared to submit all required information to the appropriate agencies upon receipt of a Non-Binding Commitment letter.**

APPLICANTS MUST PROVIDE INFORMATION ON THE FOLLOWING ITEMS IN THE ENVIRONMENTAL NARRATIVE:

Note: Applicants must provide all information requested below. Although EDA strongly recommends following the format of this template, other formats will be accepted provided that the narrative contains all required information.

A. BENEFICIARIES

Identify any existing businesses or major developments that will benefit from the proposed project, and those that will expand or locate in the area because of the project.

B. PROJECT DESCRIPTION

1. Proposed Construction

Describe the project construction components in detailed, quantifiable terms. Describe the project location, proposed construction methods, and schedule. Summarize the environmental resources that would be impacted by the project. See the mock example below for the level of specificity expected by EDA:

The City of _____ is proposing to construct a 30-inch (in) water line which would be constructed within an existing 50-foot City of _____ right-of-way (ROW) and measure 1,220 linear feet (lf). The project is located within Township 39N, Range 10E, Section 24 in the City of _____ County, [[[State]]]. The project would be constructed over a three-month period from April June 2011. Construction of this project would entail trenching a 1 ft wide by 3 ft. deep ditch and installing the 30-in. pipe within the existing ROW. Total land disturbance will be 2.1 acres. The construction staging area would be located entirely within the existing ROW. Best Management Practices (BMP) would be implemented including the installation of straw bales and silt fences to minimize impacts to storm water. Construction would only occur from 7 am-5 pm to minimize noise impacts in the project areas. Minor maintenance would occur during the operation of the waterline, but would not entail any ground disturbing activities. The waterline would bisect a palustrine emergent wetland in two places and result in the impact of 0.10 acre of wetland.

As an exhibit to this Narrative, provide a topographical map of the project area and a site map (with legends) displaying the project location and boundaries, existing and proposed project components and location of all sites and/or companies benefiting from the proposed project. The documents should be of sufficient clarity for adequate interpretation of the Applicant's intentions.

2. Alternative to the Proposed Project

Provide a detailed description of alternative actions that were considered during the project planning but were not selected (e.g., alternative locations, designs, other projects having similar benefits, or a "no project" alternative). Explain why this project/site was selected as the preferred alternative with respect to other choices. Provide detail on why others alternatives were rejected (e.g. did not meet the purpose and need of the project, implicated more environmental impacts than the proposed action).

3. Mitigation

Describe methods to be employed to reduce adverse impacts from construction, such as noise, dust generation, soil erosion, and siltation. List all mitigation measures that would be implemented to minimize impacts to environmental resources from project implementation.

C. HISTORIC/ARCHEOLOGICAL RESOURCES

Identify any known historic/archeological resources within the project site(s) or area of potential effect that are either listed on the National Register of Historic Places or considered to be of local or State significance and perhaps eligible for listing on the National Register. Discuss the potential impacts of the project on culturally significant resources and provide a determination as

to whether there will be: no historical properties/culture resources present; no historical properties/culture resources adversely affected; or historical properties/culture resources adversely impacted.

Provide a list of Tribal Historic Preservation Officers (THPO), Tribal Leaders, and other interested parties to be consulted with, as well as any comments already obtained from these parties. This can be obtained from the State Historic Preservation Officer (SHPO), Native American organizations, or online. The National Association of Tribal Historic Preservation Officers maintains a database of currently recognized THPOs. In addition, the Advisory Council on Historic Preservation (ACHP) and the National Park Service both has information on THPOs.

Applicants will be required to provide the relevant SHPO with information about the project and request that the SHPO submit comments on the proposed project to the appropriate EDA Regional Office **prior to final approval** of any award. **Note that the applicant is not required to contact the SHPO until directed to do so by EDA.** If comments from the SHPO have already been received, they should be attached along with copies of the information provided to the SHPO. The following information will be required for the SHPO to review the project:

- a. a narrative description of the project's elements and its location;
- b. a map of the area surrounding the project, which identifies the project site, adjacent streets and other identifiable objects, and the Area of Potential Effect;
- c. line drawings or sketches of the project;
- d. photographs of the affected properties if building demolition or renovation is involved; and
- e. an archeological survey and report if one has been prepared.

D. AFFECTED ENVIRONMENT

For the resource areas identified below, indicate potential direct, indirect, and cumulative impacts from proposed project activities and specify proposed measures to mitigate probable impacts.

1. Affected Area

Describe the general project area, including topography, historic land usages, unique geological features, and economic history. Provide site photographs if available.

2. Shorelines, Estuaries, Beaches and Dunes

Identify any shorelines, beaches, dunes, or estuaries within or adjacent to the project site(s). Indicate whether the project is located within a designated coastal zone subject to the Coastal Zone Management Act. Information on coastal zone boundaries is available on the National Oceanic and Atmospheric Administration's (NOAA) website at www.noaa.gov. Also indicate if there are any proposed overwater structures that could impact navigable waters.

3. Wetlands

Identify any wetlands within or adjacent to the project site(s). If available, provide an on-site wetland/waters delineation performed in accordance with the 1987 (or current version) U.S.

Army Corps of Engineers Wetland Delineation Manual, as amended. If the delineation has received a preliminary or final Jurisdictional Determination from the U.S. Army Corps of Engineers (USACE), please provide the determination. Provide a determination of effects including the amount of jurisdictional waters affected by type (e.g. 1.1 acres of palustrine emergent wetlands would be impacted by the proposed project).

If wetlands, streams, or navigable waters may be impacted, it is recommended that Applicants contact USACE concerning any jurisdictional waters resources. Include any correspondence or comments from USACE related to the project's impacts as an exhibit to the environmental narrative as part of the application for EDA assistance.

4. **Floodplains**

Provide a FEMA floodplain map (with the map number and effective date) displaying the project location and boundaries, existing and proposed project components, and location of all sites and/or companies benefiting from the proposed project. The document should be of sufficient clarity for adequate interpretation of the applicant's intentions. Floodplain maps can be viewed and printed from FEMA's website at www.fema.gov. If FEMA floodplain maps do not exist in the project area, provide a letter from a Professional Engineer regarding the presence or absence of a 100-year flood plain. The narrative should also indicate whether the Applicant's community participates in the National Flood Plain Insurance Program.

5. **Vegetation and Wildlife Resources**

Identify native vegetation and wildlife found in the project area or its immediate vicinity. Describe the amount and type of vegetation in the project area and indicate the impact to vegetation if removed (e.g., 1.2 acres of early successional native hardwood forest). Identify any designated State and National Parks, National Wildlife Refuges, or National Game Preserves located on or in the vicinity of the proposed project activities. Identify any Wilderness Areas, as designated or proposed under the Wilderness Act, or wild or scenic rivers, as designated or proposed under the Wild and Scenic Rivers Act, that are located on or in the vicinity of the proposed project activities.

6. **Endangered Species**

Provide a list of all threatened, endangered, and candidate species located in the project area and its immediate vicinity. Identify these species' potential or existing habitat, and critical habitat designations in the project area. Critical habitat designations and lists of protected species by county are generally available on the U.S. Fish and Wildlife Services (USFWS) website. If an Effect Determination or Biological Assessment has been completed for any of the species listed, please provide them. Applicants may refer to the most recent USFWS Endangered Species Consultation Handbook for effect determination definitions.

Applicants should include any correspondence with the USFWS that exists related to their proposal for EDA investment assistance as an exhibit to the Environmental Narrative. For projects with possible impacts to marine/coastal species, provide and correspondence with the National Marine Fisheries Service (NMFS).

7. **Land Use and Zoning**

Describe the present formal zoning designation and current land use of the specific project site and adjacent land parcels. The areas include: the site of construction activities, adjacent areas,

and areas affected by the primary beneficiaries. Land uses to be considered include, but are not limited to, industrial, commercial, residential, agriculture, recreational, woodlands, mines/quarries, and open spaces. Please indicate if the project is located entirely within a city limit. Identify agriculture land parcels designated as "prime/unique agriculture lands" by the U.S. Department of Agriculture (USDA) under the Federal Farmlands Protection Act or a local equivalent. Additional information may be found at the USDA's Natural Resources Conservation Service website.

8. Solid Waste Management

Indicate the types and quantities of solid wastes to be produced by the project facilities and primary beneficiary. Describe local solid waste collection and disposal methods and the expected useful life of the disposal facility.

Indicate if recycling or resource recovery programs are currently being use or will be used in the future.

9. Hazardous or Toxic Substances

Describe any toxic, hazardous, or radioactive substances that will be utilized or produced by the proposed project facilities and primary beneficiaries.

Describe the manner in which these substances will be stored, used, or disposed.

Complete and sign one "Applicant Certification Clause" for each co-applicant (see Appendix A). If a recent Phase I or Phase II Environmental Site Assessment has been performed, please provide a copy.

10. Water Resources

Describe surface and underground water resources at or near the project site(s) and any impacts of the project to these. If groundwater will be used, is the aquifer in overdraft and /or adjudicated? If there will be discharges to surface water, is the receiving surface water body listed on the U.S. Environmental Protection Agency's (EPA) Section 303(d) list of impaired waters? Is a National Pollution Discharge Elimination System (NPDES) permit required for any discharges to surface waters? Indicate if the proposed project is located within an area mapped by the EPA as sole source aquifer recharge area (maps and further information are available on EPA's website at www.epa.gov). Describe any induced changes in local surface water runoff patterns, and the status of storm water discharge permit processes (if applicable).

11. Water Supply and Distribution System

Indicate the source, quality, and supply capacity of local domestic and industrial/commercial water resources, and the amount of water that project facilities and primary beneficiaries are expected to utilize. Applicants should note whether the water that is being supplied is in compliance with the Safe Drinking Water Act, and if not, what steps are being taken to ensure compliance.

12. Wastewater Collection and Treatment Facilities

Describe all domestic class or process wastewater or other discharges associated with the project facilities and its primary beneficiaries, and the expected composition and quantities to be discharged either to a municipal system or to the local environment:

Describe the wastewater treatment facilities available for processing the additional effluent and indicate their design capacities and current loading (both daily average and peak), and their adequacy in terms of degree and type of treatment required. Indicate all discharges that will

require on-site pre-treatment. Applicants should note whether the wastewater treatment plant is in violation of the Clean Water Act, and if so, what steps are being taken to ensure compliance. If local treatment and sewer systems are or will be inadequate or overloaded, describe the steps being taken for necessary improvements and their completion dates.

13. **Environmental Justice (Executive Order 12898)**
Applicants should describe whether the proposed project will result in disproportionate adverse human health or environmental impacts relative to minority and low income populations. Sufficient detail should be provided to enable EDA to determine whether the project will comply with Executive Order 12898.
14. **Transportation (Streets, Traffic and Parking)**
Briefly describe the local street/road system serving the project site(s) and describe any new traffic patterns that may arise because of the project. Indicate if land use in the vicinity, such as residential, hospital, school, or recreational, will be affected by these new traffic patterns. Indicate if any existing capacities of these transportation facilities will be exceeded as a direct or indirect result of this project implementation, particularly in terms of car and truck traffic, and what the new Level of Service designation will be.
15. **Air Quality**
Indicate types and quantities of air emissions (including odors) to be produced by the project facilities and its primary beneficiaries, and any measures proposed to mitigate adverse impacts. Indicate the impact that the project would have on greenhouse gas emissions. Is the proposed project site classified as a "non-attainment" area for any criteria pollutants? If so, what are those pollutants? Indicate any local topographical or meteorological conditions that hinder the dispersal of air emissions.
16. **Noise Pollution**
Will operation of project facilities or primary beneficiaries' facilities increase local ambient noise levels? If yes, indicate the estimated levels of increase, and the areas and sensitive receptors (e.g., residences) to be affected.
17. **Permits**
Identify any Federal, State, or local permits of an environmental nature needed for the project (e.g., USACE, US Environmental Protection Agency (EPA), Coastal Zone Management/Shoreline Management, Air Quality, State Environmental Policy Act, NPDES, etc.) and the status of any such permits. Attach copies of any such permits and all associated correspondence, including the permit applications.
18. **Public Notification/Controversy**
Provide evidence of the community's awareness of the project, such as newspaper articles or public notification and/or public meetings, as applicable. If a formal public hearing has been held, attach a copy of the transcript. Fully describe any public controversy or objections which have been made concerning this proposed project and discuss steps taken to resolve such objections.

19. Direct, Indirect, and Cumulative Effects

Please list projects (public and private) that have occurred or will occur in the past, present, and future in and around the project area that could result in significant cumulative or indirect impacts when considered in aggregate with the proposed EDA project. Cumulative impacts result from the incremental impacts of a proposed action when added to other past, present and reasonable foreseeable future actions (40 C.F.R. Section 1508.7). Indirect impacts are those that are caused by a proposed action, but that may occur later in time or farther removed in distance, relative to the primary impacts of the proposed action (40 C.F.R. Section 1508.7)

Applicants should identify the direct and indirect effects of the proposed action; which resources, ecosystems, and human communities are affected; and which effects on these resources are important from a cumulative effects perspective.

E. LIST OF ATTACHMENTS

The following checklist is a list of required and optional attachments to the Environmental Narrative as described in the sections above. The items listed in the optional section may be required by EDA at a later date to complete the project review and selection process, so it is recommended that you provide them now if they are currently available to expedite decision-making. While the documents listed below are the most common required to make determinations of compliance with all environmental requirements, EDA reserves the right to request additional items that are not listed below when necessary.

Applicants are not required to contact other governmental agencies for environmental or historical resources consultation until directed by EDA, though any interagency coordination letters that may be currently available should be provided. **EDA expects that all Applicants whose projects are selected for a Non-Binding Commitment letter will proceed with consultations in an expeditious manner. As such, Applicants should have the required information prepared for submission immediately upon notification of selection by EDA.** If you determine that your project may affect environmental or historical resources, you may contact the appropriate Regional Environmental Officer to determine if early interagency consultation is appropriate.

Checklist of Required Environmental Documents that must be submitted with Application:

- USGS topographic map(s) and site map(s) (see Section B1)
- FEMA floodplain map with map number (see D4)
- Appendix A: Applicant Certification Clause (See D9)

Checklist of Optional Environmental Documents that should be submitted with Application if available (will expedite review and selection process):

- SHPO/THPO and Tribal leader comments and copy of submittals (see Section C)
- Site photographs (see Section D1)
- Coastal Zone consistency determination (see D2)
- Wetland delineation and/or Jurisdictional Determination (see D3)
- Preliminary wetland info (see D3)
- U.S. Army Corps of Engineers comments, Section 404 Permit, Section 10 Permit, and/or Water Quality Certification (401 approval) (see D3)
- Biological Assessment and/or survey for federally protected species (see D6)
- Correspondence with US Fish and Wildlife Service and/or National Marine Fisheries Service (see D6)
- Natural Resources Conservation Service determination of Prime Farmland, Form AD-1006, if applicable (see D7)
- Phase I and II Environmental Site Assessment (see D9)
- Sole Source Aquifer review by US Environmental Protection Agency, if applicable (see D10)
- Other federal, state and local environmental permits (see D17)
- Copies of public notices, public hearing minutes, etc. (see D18)

All References refer to applicable Environmental Compliance section of Form ED-900, *Application for EDA Assistance*. Applicants should carefully review the applicable FFO for unique requirements for each individual grant competition.

Updated October 14, 2010

Appendix A: Applicant Certification Clause

The applicant represents and certifies that it has used due diligence to determine that the description of the project site described herein is accurate with respect to the presence or absence of contamination from toxic and hazardous substances. The term "site" includes the entire scope of the project, including future phases of the project and all areas where construction will occur.

1. Is the site currently, or has it in the past 50 years, been used for any of the following operations or activities:

- a. Generation of hazardous substances or waste?
 Yes No
- b. Treatment, storage (temporary or permanent), or disposal of solid or hazardous substances or waste?
 Yes No
- c. Storage of petroleum products?
 Yes No
- d. Used/waste oil storage or reclamation units?
 Yes No
- e. Research or testing laboratory?
 Yes No
- f. Ordinance research, testing, production, use, or storage?
 Yes No
- g. Chemical manufacturing or storage?
 Yes No
- h. Weapons or ammunition training, use, or testing?
 Yes No
- i. Iron works/foundry?
 Yes No
- j. Railroad yard?
 Yes No
- k. Industrial or manufacturing operation?
 Yes No

If any of the above operations ever occurred at the site, and if appropriate cleanup or other mitigation actions were performed in accordance with the local, State, and federal laws, please attach documentation of these actions.

- 2. Do wells draw from an underlying aquifer to provide the local domestic water supply?
 Yes No
- 3. Has a federal, State, or local regulatory authority ever conducted an environmental assessment, environmental impact statement, or a preliminary assessment/site inspection, or similar environmental surveyor inspection report at the site? If yes, please list here and attach copies of these reports or results.
 Yes No

Appendix A: Applicant Certification Clause

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____

- 4. Have any environmental or OSHA citations or notices of violation been issued to a facility at the site? If yes, please attach copies.
 Yes No
- 5. Have any unauthorized releases of hazardous substances occurred at any facility at the site which resulted in notification of the EPA's National Response Center?
 Yes No
- 6. Is any material containing asbestos or lead paint located at the site? If yes, please attach information concerning State and federal regulatory compliance.
 Yes No
- 7. Is there any equipment (electrical transformers, etc.) containing polychlorinated biphenyls (PCB) on the site? If yes, please attach a description of the equipment.
 Yes No
- 8. Are there underground or above ground storage tanks on the site? If yes, please attach a detailed description, including the number of underground storage tanks on the site, whether the tanks have been inspected (or removed) and the results of such inspections.
 Yes No
- 9. Has the site been tested for radon? If yes, please attach results.
 Yes No
- 10. Have there been, or are there now any environmental investigations by federal, State or local government agencies that could affect the site in question? If yes, please attach available information.
 Yes No

The applicant acknowledges that this certification regarding hazardous substances and/or waste is a material representation of fact upon which EDA relies when making and executing an award. EDA reserves the right to terminate any award made in conjunction with the representations contained herein if, at any time during the useful life of the project, EDA becomes aware of the presence of hazardous materials or waste at the site, or that hazardous materials or waste have been inappropriately handled thereon.

Further, if it is determined at any time that the presence of hazardous materials or waste, or handling thereof, has been misrepresented, EDA may pursue other available legal remedies against the applicant.

 Applicant's Name

 Name and Title of Applicant's Authorized Representative

 Signature of Applicant's Authorized Representative

 Date

Overview

EDA is required to complete an engineering review for all construction and design projects before making an award. EDA's Application Form (Form ED-900, *Application for EDA Assistance*) and related forms require Applicants to provide key information about the proposed construction and design projects to enable EDA to complete its requisite reviews.

All applications for construction and design assistance must complete the **Preliminary Engineering Report (PER)**. The following outline provides more detailed information on these requirements in order to assist Applicants in preparing their application.

Preliminary Engineering Report Requirements

In order to be considered for assistance, all construction and design applications must include a PER that at a minimum provides the following information:

1. Description of Project Components – Provide a general description of all project components involved in the project. Indicate where the project involves the construction of new facilities or the renovation or replacement of existing ones. Describe each of the project components in terms of dimensions, quantities, capacities, square footage, etc..
2. A statement verifying the project components described in the engineering report are consistent with the EDA investment project description that is provided in Section A.2 of Form ED-900. Engineering reports that describe project components that are inconsistent with the EDA investment project description in Section A.2 of Form ED-900 will not be considered valid.
3. Sketches of schematics showing the general layout and location of the existing site conditions and of the project components as well as location of project beneficiary(s) identified in Section B.5 of Form ED-900 that provide economic justification for the project, if any. Rough dimensions and quantities for major project components should be shown and labeled on the drawings. Drawings should clearly identify the project components that are being proposed. Applicants are encouraged to clarify such drawings, for example, through color coding, labeling, and other appropriate methods.
4. A feasibility analysis for the constructability of the project, including a review of the existing conditions and noting particular features, alignments, and events affecting construction of project components.
5. The proposed method of construction. Indicate whether construction procurement shall be done through competitive bid or other method. Indicate if any portion of the project is to be done by design/build, construction management at risk, by the applicant's own forces, or whether a third party construction manager will be used. If an alternate construction procurement method (other than traditional design/bid/build with sealed competitive bid process) is proposed, a construction services procurement plan must be provided to EDA for approval in accordance with EDA's regulation at 13 C.F.R. 305.6(a).
6. The number of construction contracts anticipated. If multiple contracts are proposed, provide a description of the project components included in each contract. If separate contracts are

anticipated for demolition or site work, the budget information cost classification should reflect the estimated costs for these components. If project phasing is proposed, a project phasing request must be provided to EDA for approval per EDA's regulation at 13 C.F.R. 305.9(a).

7. A current detailed construction cost estimate for each of the project components, showing quantities, unit prices, and total costs. Provide a basis for the determination of construction contingencies.
8. If the budget includes costs for real property acquisition, the Applicant should include a current fair market value appraisal completed by a certified appraiser for the property to be purchased.
9. A list of all permits required for the proposed project and their current status. Identify all permits required; include the timeline to obtain the permits and discuss how the permitting relates to the overall project schedule. If the project crosses a railroad right-of-way or is within a railroad right-of-way, provide an explanation of any permitting or approvals that may be required from the railroad or other authority and the timeframe for obtaining these permits or approvals.
10. An overall estimated project schedule, including the number of months for each of the following:
 - i. design period;
 - ii. period of time to obtain required permits;
 - iii. period of time to obtain any required easements of rights-of-way;
 - iv. solicitation of bids and awarding of contracts, and
 - v. construction period.

FitzGerald, Shannon

From: Paul Eckert <eckert@mtshastaca.gov>
Sent: Tuesday, August 25, 2015 8:15 AM
To: FitzGerald, Shannon
Cc: Paul Reuter (preuter@paceengineering.us); Rod Bryan; Muriel Howarth Terrell
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Shannon,
We greatly appreciate the assistance. City Engineer Paul Reuter will follow up.

Thanks you!
Paul

From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Monday, August 24, 2015 6:13 PM
To: Paul Eckert <eckert@mtshastaca.gov>; Paul Reuter (preuter@paceengineering.us) <preuter@paceengineering.us>
Cc: Rod Bryan <rbryan@mtshastaca.gov>; Muriel Howarth Terrell <mterrell@mtshastaca.gov>; Matson, Malinda <MMatson@eda.gov>
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Regional Environmental Officer
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Seattle, WA 98174
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Fax: 206-220-7657
sfitzgerald@eda.gov

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Thursday, August 20, 2015 3:10 PM
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Thank you.

Paul J. Reuter, P.E.

Managing Engineer

PACE Engineering, Inc.

1730 South St.

Redding, CA 96001

preuter@paceengineering.us

Ph: 530-244-0202

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From: Paul Reuter <preuter@paceengineering.us>
Sent: Thursday, August 27, 2015 10:56 AM
To: FitzGerald, Shannon
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Shannon,
Can you send me a link to Form ED-900?

Paul J. Reuter, P.E.

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From: FitzGerald, Shannon
Sent: Thursday, August 27, 2015 2:52 PM
To: 'Paul Reuter'
Cc: Good, Stan
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description
Attachments: ED_900_Application for EDA Assistance (Entire Form).pdf

Hi Paul,

With a project officer's help, I found the ED-900. I don't normally work with these forms, so if you have any other questions, I'd recommend talking with Stan or project officer Shalini Bansal at sbansal@eda.gov.

Thanks, Shannon 206-220-7703

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Sent: Monday, August 24, 2015 6:13 PM
To: Paul Eckert (eckert@ci.mt-shasta.ca.us); Paul Reuter
Cc: Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov);

Matson, Malinda
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Paul and Paul,

We received the information. Thanks. What Stan and I need before we can amend the scope of work is an Environmental Narrative, Applicant Certification Clause and Engineering Report filled out for the proposed wastewater treatment plant project. I've attached all three templates.

Thanks in advance for getting those to us. –Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Thursday, August 20, 2015 3:10 PM
To: Good, Stan; FitzGerald, Shannon
Cc: Paul Eckert (Eckert@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov)
Subject: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hello Shannon and Stan,
Attached is a project description for the EDA-Funded WWTP Improvements for the City of Mt. Shasta. It includes a project cost estimate, schedule and figures showing proposed improvements.
Feel free to contact me if you have questions or desire additional information.
Thank you.

Paul J. Reuter, P.E. Ph: 530-244-0202
Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us



ECONOMIC DEVELOPMENT ADMINISTRATION

**APPLICATION FOR
 INVESTMENT ASSISTANCE**

The Economic Development Administration (EDA) uses the Application for Investment Assistance to evaluate applications under EDA's economic development assistance programs. EDA may ask applicants to provide supplemental information as needed during the evaluation and selection process. **Please visit our Internet website at www.eda.gov for more information on EDA's programs, selection and evaluation criteria, and application procedures, as set forth in applicable Federal Funding Opportunity (FFO) announcements. These FFO announcements are also published annually in the *Federal Register*.**

| | |
|---|---|
| PWEDA Section 201 (CFDA No. 11.300) Public Works and Economic Development Program PWEDA Section 203 (CFDA No. 11.302) Planning Program PWEDA Section 207 (CFDA No. 11.303) Local and National Technical Assistance and University Center Economic Development Program PWEDA Section 207 (CFDA No. 11.312) Research and Evaluation Program PWEDA Section 209 (CFDA No. 11.307) Economic Adjustment Assistance Program | Section A - To Be Completed by All Applicants |
| | Section B - Regional Eligibility (Public Works and Economic Adjustment Assistance) |
| | Section C - Technical Assistance & Research/Evaluation Assistance |
| | Section D - To Be Completed by All Non-Governmental Applicants (excluding Public Universities) |
| | Section E - Budgeting and Staffing/Non-Construction Assistance |
| | Section F - Partnership Planning Assistance |
| | Section G - Short-Term Planning Assistance |
| | Section H - State Planning Assistance |
| | Section I - Local or National Technical Assistance |
| | Section J - University Center Program Assistance |
| | Section K - Economic Adjustment Assistance |
| | Section L - Revolving Loan Fund (RLF) Assistance |
| | Section M - Construction Assistance |
| | Section N - Design and Engineering Assistance |

Application for Investment Assistance (Form ED-900)

OMB Control No. 0610-0094

Expires 05/31/2013

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless the collection of information displays a currently valid OMB Control Number.

The information requested in this Application for Investment Assistance is required to obtain or retain benefits from EDA pursuant to the Public Works and Economic Development Act of 1965 (PWEDA), as amended (42 U.S.C. 3121 *et seq.*). The reasons for collecting this information are to enable applicants to submit applications for financial assistance and to assist EDA in determining applicants' eligibility and compliance with legal and programmatic requirements. The information submitted on this application and in accompanying documents is subject to public disclosure under the Freedom of Information Act, as amended (5 U.S.C. 552), unless exempt from disclosure as trade secrets or privileged or confidential commercial or financial information under 5 U.S.C. 552(b)(4).

The public reporting burden for this collection of information is estimated to average 22 hours per response, including time for reviewing instructions, gathering data, and completing the application. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing paperwork burden may be sent to: Economic Development Administration, U.S. Department of Commerce, 1401 Constitution Avenue, N.W., Washington, D.C. 20230, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.

INSTRUCTIONS FOR ELECTRONIC AND HARDCOPY FORMATS

Electronic Submissions: Please visit <http://www.grants.gov/assets/FindApplyUserGuide.pdf> for detailed instructions on electronic submissions. This form is designed to be completed in **Adobe Acrobat Reader, versions 8.1.1 and above**. If using Adobe Acrobat Reader version 8.1.1 or above, all interactive features will work. Responses may be composed in a separate word processing program and then copied and pasted into the appropriate response field. NOTE: Applicants who would like to save a copy for their records must save a copy to their local hard drive under a unique name. Additional documentation or information applicants must provide may be submitted as electronic attachments using the 'Attachments' form that is part of the application package downloaded from www.Grants.gov.

Hardcopy Submissions: EDA encourages applicants to submit applications in electronic format via www.Grants.gov. However, if the applicant is unable to complete this application using the latest compatible Adobe Reader version, the applicant may send in a hardcopy application. If submitting a hardcopy application, the applicant should print this application (ED-900), the SF-424, and either the SF-424A (Non-construction Investments) or the SF-424C (Construction Investments), and either the SF-424B (Non-Construction Investments) or the SF-424D (Construction Investments), and the CD-511, and type or print the responses. Applicants should mail the completed application to the appropriate Regional Office. See EDA's internet website (www.eda.gov) for a listing of Regional Offices.

NOTE ON EDA'S APPLICATION PROCESS

To limit the burden on the applicant, EDA only requests certain items of documentation if EDA determines that the applicant's project merits further consideration. Applicants should note that the following items will be subsequently requested if, and only if, EDA selects their project for further consideration:

For all types of projects:

- A copy of the region's Comprehensive Economic Development Strategy (CEDS) or alternate EDA-approved planning document
- Letters of commitment to document non-EDA funding

For construction projects only:

- USGS map of project site
- Letters of commitment from private beneficiaries of the proposed project
- Comments from the metropolitan area review/clearinghouse agency
- A legal opinion and other documentation, as necessary, verifying the applicant's answer to questions regarding project ownership, operation, maintenance, and management
- An engineering report
- An environmental narrative
- Documented approval from the State Historic Preservation Officer (SHPO)

For Revolving Loan Fund projects only:

- Revolving Loan Fund Plan

For non-profit applicants only:

- Certificate of good standing from the state
- A copy of the organization's Articles of Incorporation and By-Laws
- Resolution from a general purpose subdivision of government of a state acknowledging that the organization is acting in cooperation with officials of that subdivision
- Comments from a general purpose government entity (construction projects only)

SECTION A - TO BE COMPLETED BY ALL APPLICANTS

General Instructions

Please answer all questions completely and accurately and provide a concise narrative statement for each question below. Most narratives need not exceed one paragraph. Any attachments to this application may either be attached electronically through www.Grants.gov or submitted in hardcopy to the Regional Office (www.eda.gov/AboutEDA/Regions.xml) that processes applications for your state. Applicants should consult EDA's program requirements and evaluation criteria set forth in 13 C.F.R. Chapter III (EDA's regulations), as supplemented by the applicable Federal Funding Opportunity Announcement (FFO) on www.Grants.gov, when completing this application. (EDA's regulations begin on page 20 of the Federal Register notice posted at www.eda.gov/ImageCache/EDAPublic/documents/pdfdocs2006/2006final_20rule_2epdf/v1/2006final_20rule.pdf.) Applicants are encouraged to contact an EDA representative (see list of Regional Offices above) for assistance in completing this application. Preparation of an application may involve coordination with other local, state and federal agencies. Public Works and Economic Adjustment Assistance projects must satisfy regional eligibility requirements (see 13 C.F.R. § 304.1). Legal citations referencing EDA's regulations are included for the applicant's information; however, all of the information needed to complete this application is contained within the form itself or within the web links included in this form. Legal assistance is not generally required to complete this form, although applicants may need to consult with an attorney concerning any legal issues implicated by the receipt of federal assistance.

Please indicate the type of EDA investment assistance for which you are applying. If you change the type of EDA Investment Assistance for which you are applying, make sure you save the application under a different file name.

| | |
|---|--|
| <input type="checkbox"/> Public Works | <i>(Complete Sections A, B, and M and Exhibits A, D and E.)</i> |
| <input type="checkbox"/> Economic Adjustment | <i>(Complete Sections A, B, and K and Exhibit C. Also Complete Sections M and Exhibits A, D, and E if request has construction components, and Section N if request has only design/engineering requirements. Complete Section E if request has no construction components.)</i> |
| <input type="checkbox"/> Partnership Planning | <i>(Complete Sections A, C, E, and F and Exhibit C.)</i> |
| <input type="checkbox"/> Short-term Planning | <i>(Complete Sections A, C, E, and G and Exhibit C.)</i> |
| <input type="checkbox"/> State Planning | <i>(Complete Sections A, C, E, G, and H and Exhibit C.)</i> |
| <input type="checkbox"/> University Center | <i>(Complete Sections A, C, E, and J and Exhibit C.)</i> |
| <input type="checkbox"/> Local Technical Assistance | <i>(Complete Sections A, C, E, and I and Exhibit C.)</i> |
| <input type="checkbox"/> National Technical Assistance | <i>(Complete Sections A, C, E, and I and Exhibit B.)</i> |
| <input type="checkbox"/> Research and Evaluation Assistance | <i>(Complete Sections A, C, E and Exhibit B.)</i> |
| <input type="checkbox"/> Revolving Loan Fund | <i>(Complete Sections A, B, E, K, and L and Exhibit C.)</i> |
| <input type="checkbox"/> Design and Engineering | <i>(Complete Sections A, B, and N and Exhibit C.)</i> |

Please indicate which type of applicant you are:

- | |
|---|
| <input type="checkbox"/> Governmental (or quasi-governmental, to include District Organizations, universities, or public institutions of higher learning) |
| <input type="checkbox"/> Non-governmental (e.g. private or public non-profit organizations, for-profit organizations) |

In addition to the sections specific to the program for which you are applying (see above), non-governmental applicants also must complete Section D.

A.1. Investment (Project) Region

Identify and describe the region where the project will be located, identify and describe the region that will benefit from the project (if different from or in addition to the region in which the project will be located), and discuss the project's expected economic impact. For purposes of this application, a region is defined as "an economic unit of human, natural, technological, capital or other resources, defined geographically. Geographic areas comprising a region need not be contiguous or defined by political boundaries, but should constitute a cohesive area capable of undertaking self-sustained economic development." (See 13 C.F.R. § 300.3 for the definition of "Region.")

A.2. Investment (Project) Description

Provide a detailed description of the complete scope of work for the proposed EDA investment. If you are proposing a construction project, please include specific construction components. Also, for National Technical Assistance, Training and Research and Evaluation Projects, provide a description of the methodology to be used to complete the project.

Note: If EDA determines that your project merits further consideration, and if your project includes construction, you will be required to provide a USGS map of the site. You may provide this now using the 'Attachments' form that is part of the application package downloaded from www.Grants.gov or in hard copy.

A.3. Economic Development Needs

- a. Does the region in which the project will be located have a Comprehensive Economic Development Strategy (CEDS)? (See www.eda.gov/ImageCache/EDAPublic/documents/pdfdocs2006/cedsflyer081706_2epdf/v1/cedsflyer081706.pdf.) (Note: Except for strategy grants as described in 13 C.F.R. § 303.7, the region in which Public Works or Economic Adjustment projects will be located must have a CEDS with which the project is consistent.)

Yes

No

If **Yes**, what is the source? *Note: If you are unsure if your region has a CEDS, please contact your local District Organization.*

If **No**, what alternate strategic planning document do you wish to govern this investment? *Note: You will be asked to provide a copy of this planning document if your project is selected for further consideration. You may provide this now using the 'Attachments' form that is part of the application package downloaded from www.Grants.gov or in hard copy.*

b. Briefly describe the economic development needs of the region and how the proposed investment addresses the goals and objectives of the CEDS for the region or the alternate strategic planning document as noted above. (See 13 C.F.R. part 303.)

c. Briefly describe the economic conditions of the region described in A.1, as well as the economic adjustment problems or economic dislocations the region has experienced (or is about to experience) and the regional impact of these conditions.

A.4. Investment (Project) Impact and Fit with EDA Funding Priorities

Discuss how the proposed investment satisfies EDA's Investment Policy Guidelines as set forth in 13 C.F.R. § 301.8, as well as the EDA funding priorities set forth in the applicable Federal Funding Opportunity (FFO) announcement on www.Grants.gov.

A.5. Applicant's Capability

Briefly describe the applicant's capability to administer, implement, and attract private sector investments to the project.

A.6. Proposed Time Schedule for the Project

Provide a proposed time schedule for completion of the project, including when (month/year) the project will begin and end. Explain any potential issues that could affect project implementation.

A.7. Civil Rights

a. Does the applicant understand and agree to comply with all applicable civil rights requirements (see 13 C.F.R. § 302.20), including the requirement to provide signed assurances of compliance? Yes No (explain below)

b. Do identified "Other Parties" as defined in 13 C.F.R. § 302.20(b) understand and agree to comply with all applicable civil rights requirements, including the requirement to provide signed assurances of compliance?

Yes No (explain below) Not Applicable (No Other Parties Identified)

A.8. Proposed Project Budget

- For Construction investments, complete Form SF-424C.
- For Non-Construction investments, complete Form SF-424A.

Note: If you are applying in hardcopy, you may download these forms from www.Grants.gov/techlib/SF424A-V1.0.pdf and www.Grants.gov/techlib/SF424C-V1.0.pdf, or go to EDA's website at www.eda.gov.

A.9. Non-EDA Funding for the Project

a. Identify the source, nature and amount of all non-EDA funds, including in-kind contributions (non-cash contributions of space, equipment, services, or assumptions of debt; see definition of "In-Kind Contribution(s)" in 13 C.F.R. § 300.3). Explain the status of all funding commitments, including the date the funds will be available from each source, and describe any conditions or restrictions on the use of such funds. If in-kind contributions are included, explain the basis on which they are valued.

b. Are all non-EDA funds committed to the project, available as needed, and not conditioned or encumbered in any way that would preclude their use consistent with the purpose of the project? (See 13 C.F.R. § 301.5.) **Yes** **No** (explain below)

Note: If EDA determines that your project merits further consideration, and if your project includes construction, you will be required to provide letters of commitment. You may provide these now using the 'Attachments' form that is part of the application package downloaded from www.Grants.gov or in hard copy.

c. Discuss the actions that need to be taken and the timing required to secure the non-EDA funds.

d. Does the applicant plan to seek other federal financial assistance as part of or in connection with this project? If so, please describe the source, amount and any terms and conditions of the funding, and when the funding will be available for use by the applicant.

Yes (explain below) **No**

e. Is the requested EDA investment assistance available from any other federal economic development program? **Yes** (explain below) **No** (explain below)

If **Yes**, identify the source and provide an explanation of why EDA investment assistance is required.

If **No**, explain your efforts to identify and obtain funding from other sources.

A.10. Lobbying Certifications

All applicants for federal financial assistance must certify that federal funds have not been used and will not be used for lobbying in connection with this request for federal financial assistance (Form CD-511). If non-federal funds have been or are planned to be used for lobbying in connection with this request for federal financial assistance, Form SF-LLL also must be completed. Please certify to the following:

- Applicant's "Certifications Regarding Lobbying" (Form CD-511) is completed. (If applicant is applying in hardcopy, access the form at www.Grants.gov or at EDA's website at www.eda.gov.)
- Applicant's "Disclosure of Lobbying Activities" (Form SF-LLL) is attached, if required. (If not required by law, also check the box. If applicant is applying in hardcopy, access the form at www.whitehouse.gov/omb/grants/sfillin.pdf.)

Note: Applicants must comply with 13 C.F.R. 302.10 regarding attorneys' and consultants' fees and the employment of expeditors. This regulation requires that applicants identify and disclose the amount of fees paid to anyone engaged to assist the applicant in obtaining assistance under the Public Works and Economic Development Act of 1965 (PWEDA), as amended.

A.11. Compliance with Executive Order 12372, State Single Point of Contact (SPOC)

- a. Does the state in which the project will be located have a project review process that requires submission to a Single Point of Contact (SPOC)? (See 13 C.F.R. § 302.9(b).) *Note: If you are unsure if your state has a Single Point of Contact, or do not know who this individual is, please refer to OMB's SPOC list (www.whitehouse.gov/omb/grants/spoc.html).*

Yes No (go to A.12)

- b. If **Yes** to A.11(a) above, does this request for EDA investment assistance meet the SPOC process established by the state?

Yes No (go to question A.11.d)

- c. If **Yes** to A.11(b) above, were SPOC comments/clearance received?

Yes, and the comments/clearance are attached.

No, the review period has expired and no comments were received.

- d. If **No** to question A.11(b) above, please explain any known reason for the lack of comments.

A.12. Justification for Sole Source Procurement

- a. Will you subcontract work to complete part or all of this project?

Yes No

- b. If **Yes**, will contracts be awarded by competitive bid?

Yes No

- c. If contracts will **not** be awarded by competitive bid, please provide a justification. A cost analysis will be necessary when adequate price competition is lacking, and for sole source procurements, including contract modifications or change orders. (See 15 C.F.R. § 14.40-14.48 or § 24.36, as applicable.)

A.13. Assurances

For Construction investments, complete Form SF-424D.

For Non-Construction investments, complete Form SF-424B.

Note: If you are applying in hardcopy, you may access these forms as part of the application package downloaded from www.Grants.gov, from www.Grants.gov/techlib/SF424B-V1.1.pdf and www.Grants.gov/techlib/SF424D-V1.1.pdf, or go to EDA's website at www.eda.gov.

**SECTION B - REGIONAL ELIGIBILITY:
TO BE COMPLETED BY APPLICANTS FOR PUBLIC WORKS
OR ECONOMIC ADJUSTMENT ASSISTANCE ONLY**

Public Works and Economic Adjustment Assistance projects (including Revolving Loan Fund Assistance and Design and Engineering Assistance) must satisfy regional eligibility requirements (see 13 C.F.R. part 301). This section will assist EDA in determining if the proposed project satisfies these eligibility requirements. Please answer all questions completely and accurately and attach explanations and supporting documentation where applicable.

1. Identify the region upon which the applicant is basing the eligibility calculation.

a. If this region is **different** from the region described in Section A of this application, please explain.

b. If this region is **not** defined by political boundaries (e.g., it is a neighborhood within a large city rather than an autonomous town), provide a description of the project region and documentation to show that: (i) the region is of sufficient size appropriate for the proposed project, and (ii) the area used for regional eligibility is the same as the area that will benefit from the proposed project.

2. **Source of data provided for regional eligibility determination:** Check the source of data used to determine regional eligibility, and **attach an explanation and a copy of this data** (additional documentation or information applicants must provide may be submitted as electronic attachments using the 'Attachments' form that is part of the application package downloaded from www.Grants.gov). The explanation must: (i) identify the data used (e.g., American Community Survey (ACS)); (ii) if the data used are other than the ACS, explain why ACS data were not used; and (iii) if the data used are other than federal data, explain why federal data were not used and identify the source of the non-federal data. ACS data (www.census.gov/acs) should be used whenever possible, but if such data are not available, the order of data preference is as listed below.

- a. The most recent ACS data published by the U.S. Census Bureau.
- b. The most recent other federal data for the region in which the project is located (e.g., U.S. Census Bureau or the Bureaus of Economic Analysis, Labor Statistics, Indian Affairs, etc.)
- c. If no federal data are available, the most recent data available through the state government for the region in which the project is located.
- d. Other data to substantiate regional eligibility based on a "Special Need" as defined in 13 C.F.R. § 300.3.

3. **Economic Distress:** Check all that apply in establishing regional eligibility (see 13 C.F.R. § 301.3 (a)(1)):

- A. **Unemployment rate:** The project is located in a region that has an unemployment rate that is, for the most recent 24-month period for which data are available, at least one percentage point above the national unemployment rate.
- B. **Per capita income:** The project is located in a region that has a per capita income that is, for the most recent period for which data are available, 80 percent or less of the national average per capita income.
- C. **Special need:** The project is located in a region that has experienced or is about to experience a "Special Need" (as defined in 13 C.F.R. § 300.3) arising from actual or threatened severe unemployment or economic adjustment problems resulting from severe short-term or long-term changes in economic conditions, including:
 - Substantial out-migration or population loss;
 - Underemployment; that is, employment of workers at less than full-time or at less skilled tasks than their training or abilities permit;
 - Military base closure or realignment, defense contractor reductions-in-force, or U.S. Department of Energy defense-related funding reductions;
 - Natural or other major disasters or emergencies;
 - Extraordinary depletion of natural resources;
 - Closing or restructuring of an industrial firm or loss of other major employer;
 - Negative effects of changing trade patterns; or
 - Other circumstances set forth in the applicable FFO (please explain below).

4. **Substantial Direct Benefit:** A project located within an Economic Development District (EDD) that is located in a region that does not meet the economic distress criteria set forth in section B.3 above, is also eligible for EDA investment assistance if EDA determines that the project will be of "substantial direct benefit" to a geographic area within the EDD that meets the distress criteria set forth in question B.3 above by providing significant employment opportunities for unemployed, underemployed, or low-income residents of the distressed geographic area within the EDD. If applicable, identify the EDD in which the proposed project will be located, as well as the geographic area within the EDD that meets the economic distress criteria detailed in section B.3. above, and explain how the proposed project will provide a substantial direct benefit to this geographic area within the EDD. (See 13 C.F.R. § 301.3 (a)(2).)

No, not applicable. The project is located in a region that meets the economic distress criteria in section B.3.

Yes, this project will provide a "substantial direct benefit" to residents of an area meeting the economic distress criteria. Please provide an explanation below.

If Yes, explain:

5. **Project Beneficiaries:** Identify private sector employers that will benefit from the project, and attach letters of commitment electronically (using the 'Attachments' form that is part of the application package downloaded from www.Grants.gov) or in hardcopy, if available. In the last column, select 'Committed' if the company has committed to being a partner in the project or 'Interest Only' if it has merely expressed interest. PLEASE NOTE: Exhibit A must be completed for EACH beneficiary listed in the chart below. The applicant must send an electronic or hard copy of Exhibit A to each beneficiary. Each beneficiary should then complete Exhibit A and return to the applicant. Once received, the applicant can attach Exhibit A (all copies) electronically using the 'Attachments' form that is part of the application package downloaded from www.Grants.gov or the applicant can submit Exhibit A (all copies) as part of a hard copy application.

If none, check this box, do not complete this chart, and go to Section C.

| Company | Products and Services Produced by Company (5 digit NAICS code) | Number of Jobs Saved by Project | Number of Jobs Created by Project | Amount of Company Investment (\$) | Company Committed or Only Interested? |
|---------|--|---------------------------------|-----------------------------------|-----------------------------------|---------------------------------------|
| | | | | | |

Note: If EDA determines that your project merits further consideration, you will be required to provide letters of commitment from the project's beneficiaries, verifying the above information.

SECTION C - MAXIMUM ALLOWABLE EDA INVESTMENT RATES: TO BE COMPLETED BY PLANNING, TECHNICAL ASSISTANCE, UNIVERSITY CENTER PROGRAM, AND RESEARCH/EVALUATION APPLICANTS ONLY

According to EDA's regulations, the maximum allowable EDA investment rate for Planning Investments, Local and National Technical Assistance, the University Center Program, and Research and Evaluation Investments shall be based on the relative needs of the Region that the project will serve. However, a project of a national scope may be eligible for up to a 100 percent investment rate if the project will be of no or only incidental benefit to the eligible recipient or if the project merits, and is otherwise infeasible without further EDA assistance. Please answer the following questions completely to determine eligibility for an EDA investment rate greater than 50 percent.

1. Is this project national in scope?

Yes No (go to Section D)

2. Please describe how the project is national in scope.

3. Will the project be of no benefit or only incidental benefit to the applicant?

Yes (go to question C.4) No (explain below)

4. Is the project not otherwise feasible without an EDA investment rate greater than 50 percent?

Yes (explain) No

If **Yes**, explain why the project merits an EDA investment rate greater than 50 percent.

5. All applicants for EDA National Technical Assistance, Training, and Research and Evaluation Assistance must complete the EDA National Technical Assistance, Training, and Research and Evaluation Investments Additional Assurances form. See attached Exhibit B of this application.

- Yes**, the applicant's Additional Assurances form is completed.
- Not applicable**; the applicant is not applying for National Technical Assistance, Training, or Research and Evaluation investment assistance.

**SECTION D - TO BE COMPLETED BY ALL
NON-GOVERNMENTAL APPLICANTS (EXCLUDING
PUBLIC UNIVERSITIES AND DISTRICT ORGANIZATIONS)**

1. All non-governmental applicants for federal financial assistance must provide a 'Name Check' form (Form CD-346) completed by each officer, the executive director, and the chief financial officer of the applicant organization, unless: (i) proposed award amounts are \$100,000 or less; or (ii) applicants have been recipients of DOC financial assistance for three or more consecutive years without any adverse programmatic or audit findings.

Unless you meet one of the two exemption criteria listed above, please list the names of your organization's Chief Financial Officer, Executive Director, and all other officers.

Yes, applicant's "Name Check" form(s) is/are attached. (Download form from www.doc.gov/forms/direct.htm.) Additional documentation or information applicants must provide may be submitted as electronic attachments using the 'Attachments' form that is part of the application package downloaded from www.Grants.gov.

No, applicant's "Name Check" form(s) is/are not attached. **If No**, explain below.

2. Non-profit organization applicants must provide a current Certificate of Good Standing from the State in which they are incorporated.

Can you provide a Certificate of Good Standing (or its legal equivalent) from the State in which your organization is incorporated?

Yes No (explain below)

Note: You will be asked to provide this at a later date if your project is selected for further consideration. You may provide this now using the 'Attachments' form that is part of the application package downloaded from www.Grants.gov or in hard copy.

3. New non-profit organization applicants must provide their Articles of Incorporation and By-Laws. Non-profits with an active EDA grant must either provide a) a revised copy of their Articles of Incorporation or By-Laws if these have been amended or b) a statement certifying that there has been no change in the organization's Articles of Incorporation or By-Laws.

Can you provide this?

Yes No (explain below)

Note: You will be asked to provide this at a later date if your project is selected for further consideration. You may provide this now using the 'Attachments' form that is part of the application package downloaded from www.Grants.gov or in hard copy.

4. Will you be able to provide a resolution passed by (or a letter signed by) an authorized representative of a general purpose political subdivision of a State (e.g., local government entity), acknowledging that the applicant is acting in cooperation with officials of the political subdivision? EDA may waive this requirement for certain projects of significant regional or national scope. (See 13 C.F.R. § 301.2(b).)

Yes No (explain below)

Note: You will be asked to provide these comments at a later date if your project is selected for further consideration. You may provide this now using the 'Attachments' form that is part of the application package downloaded from www.Grants.gov or in hard copy.

5. If you are applying for a construction or RLF investment, you must afford the appropriate general purpose governmental authority a minimum of 15 days to review and comment on the proposed project. (See 13 C.F.R. § 302.9(a).) *Note: You will be asked to provide this at a later date if your project is selected for further consideration.*

Will you be able to provide these comments?

Yes
 Not applicable, because I am not applying for a construction or RLF grant.
 No, for another reason (explain)

**SECTION E - BUDGETING AND STAFFING SUPPLEMENT:
TO BE COMPLETED BY APPLICANTS
FOR NON-CONSTRUCTION ASSISTANCE ONLY**

1. Explain the proposed use of any amounts budgeted for "Equipment," "Contractual," or "Other," if any, on Form SF-424A, 'Budget Information - Non-Construction Programs.'

2. Explain the types of indirect costs, if any, on Form SF-424A.

Note: A completed Indirect Cost Rate Agreement or other documentation applicable to an indirect cost rate determination will be requested if EDA selects the project for further consideration.

3. Identify key applicant staff who will undertake and complete project activities. Include a description of the knowledge, organizational experience, and expertise of individual staff members. In addition, explain how organizational resources will be used to complete project activities. For National Technical Assistance, Training and Research and Evaluation projects, specify which positions will be charged to the federal and non-federal portion of the project budget. If project is construction ONLY, enter "Not Applicable."

**SECTION F - TO BE COMPLETED BY APPLICANTS
FOR PARTNERSHIP PLANNING ASSISTANCE ONLY**

1. Explain how the proposed scope of work will develop, implement, revise, or replace a Comprehensive Economic Development Strategy (CEDS) for the region and be part of a continuous planning process. The CEDS must comply with EDA's requirements. (See 13 C.F.R. § 303.7.)

2. Provide a list of the applicant's Strategy Committee members. The Strategy Committee must represent the main economic interests of the region and must include private sector representatives as a majority. In addition, the Committee should include public officials, community leaders, representatives of workforce development boards, institutions of higher education, minority and labor groups, and private individuals. A State or Indian tribal planning organization should contact the appropriate EDA Regional Office if it needs to vary the composition of its Committee. (See 13 C.F.R. § § 303.2 and 303.6(a).)

3. Provide a list of the applicant's governing board members. Board membership must comply with EDA's regulations at 13 C.F.R. § 304.2(c)(2).

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SECTION G - TO BE COMPLETED BY APPLICANTS FOR SHORT-TERM OR STATE PLANNING ASSISTANCE

1. Explain how the proposed scope of work will develop the economic development planning capacity of the State, local government, university, or non-profit organization to assist in institutional capacity building or to undertake innovative approaches to economic development in economically distressed regions. If a CEDS exists for the region in which the project will be located, explain how the proposed scope of work relates to the CEDS. (See 13 C.F.R. § 303.9.)

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2. Explain how the proposed scope of work will function in conjunction with any other available federal, State, or local planning assistance.

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3. Explain what performance measures will be used to evaluate the success of the project.

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SECTION H - TO BE COMPLETED BY APPLICANTS FOR STATE PLANNING ASSISTANCE

1. Does a State CEDS already exist that satisfies EDA CEDS requirements?
(See 13 C.F.R. § 303.7.)

| | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

2. If **Yes**, please attach a copy of the CEDS. You may provide this using the 'Attachments' form that is part of the application package downloaded from www.Grants.gov or in hard copy.

If **No**, is the proposed project for the development of a CEDS?

Yes No

3. If the proposed project is for the development of a CEDS, explain how the State CEDS will incorporate existing local CEDS, as well as input from other State agencies, local governments, and District Organizations.

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**SECTION I - TO BE COMPLETED BY APPLICANTS
FOR LOCAL OR NATIONAL TECHNICAL ASSISTANCE ONLY**

1. Describe how the proposed project will strengthen the capacity of local, State, or national organizations and institutions to undertake and promote effective economic development programs targeted to regions of economic distress.

2. Describe whether and how the proposed project will benefit distressed regions.

3. Describe any innovative approaches that will be used to stimulate economic development in distressed regions.

4. If applicable, describe how the proposed project is consistent with an EDA-approved CEDS for the region in which the project will be located. (See 13 C.F.R. § 306.2.)

**SECTION J - TO BE COMPLETED BY APPLICANTS
FOR UNIVERSITY CENTER PROGRAM ASSISTANCE ONLY**

1. Explain how the proposed project will address the economic development needs, issues, and opportunities of the region and benefit distressed areas of the region.

2. Describe how the proposed project will provide services that are unique and maximize coordination with other organizations in the region.

3. Discuss how the proposed project activities are consistent with the expertise, programs, and other available resources of the sponsoring institution.

4. Describe the commitment and support (both financial and non-financial) for the proposed project by the sponsoring institution's senior level management.

5. Describe the sponsoring institution's past experience in administering technical assistance programs. (See 13 C.F.R. § 306.5.)

SECTION K - TO BE COMPLETED BY APPLICANTS FOR ECONOMIC ADJUSTMENT ASSISTANCE ONLY

Are you applying for a "Strategy Grant" under 13 C.F.R § 307.3. ?

Yes

No

1. Explain how the proposed project will assist in overcoming major obstacles already identified in a CEDS (or other strategic planning document), expand the capacity of public officials and economic development organizations to work effectively with employers, enable the region to plan and coordinate the use of available resources to support economic recovery and the development of a regional economy, and/or develop innovative approaches to economic revitalization in the region.

2. Explain how the proposed project will help the region meet a "Special Need". (See 13 C.F.R. §§ 300.3 and 307.2(b).)

SECTION L - TO BE COMPLETED BY APPLICANTS FOR REVOLVING LOAN FUND (RLF) ASSISTANCE ONLY

1. Explain the need for a new or expanded public financing tool to enhance other business assistance programs and services targeting economic sectors described in the CEDS (or alternate EDA-approved plan or economic development strategy) for the region.

Note: A strategy other than a CEDS must be approved by EDA.

2. Explain the types of financing activities anticipated.

3. Describe the capacity of the RLF organization to manage lending activities, create networks between the business community and other financial providers, and implement the CEDS (or alternate EDA approved plan or strategy). (See 13 C.F.R. § 307.4.(c)(2)).

If EDA determines that your project merits further consideration, you will be asked to provide a Revolving Loan Fund Plan. This Plan must comply with EDA's RLF Plan requirements set forth in 13 C.F.R. § 307.9. Also, please note that you will be asked to provide a copy of the CEDS or alternate EDA-approved economic development plan or strategy for your region at a later date if your project is selected by EDA for further consideration.

SECTION M - TO BE COMPLETED BY CONSTRUCTION ASSISTANCE APPLICANTS ONLY

Are you applying for Construction Assistance?

| | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

M.1. Metropolitan Area Review

a. Projects involving the development of hospitals, airports, libraries, water supply and distribution facilities, sewage and waste treatment works, highways, transportation facilities, water development, or land conservation within a metropolitan statistical area (MSA), require comments from the metropolitan area clearinghouse/agency. Does the proposed project involve any of the above identified developments within an MSA?

| | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

b. If **Yes**, please indicate which of the following you will be able to provide:

- Comments from the responsible metropolitan area clearinghouse/agency and a statement that such comments have been considered; or
- An explanation as to why comments are not available; or
- A statement indicating the date the application was made available to the appropriate metropolitan area clearinghouse/agency and units of general local government for review and certifying that the application has been before the metropolitan area clearinghouse/agency for a period of 60 days without comments or recommendations.

M.2. District Organization Project Administration

Will the District Organization for the region in which the project will be located administer the project for the applicant?

| | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

If **Yes**, you must certify to all of the following and indicate your certification by checking each box:

- The administration of the project is beyond the capacity of the applicant's current staff and would require hiring additional staff or contracting for such services;
- No local organization/ business exists that could administer the project in a more efficient or cost-effective manner than the District Organization; and
- The District Organization will administer the project without subcontracting the work.

If the project will be administered by the District Organization and you did not certify to all of the above, explain below.

M.3. Engineering Report

An engineering report must be submitted if EDA selects the project for further consideration and must include (at a minimum) the following information:

1. A statement of project components. Indicate if the proposed project involves the construction of a new facility or facilities or the enlargement, expansion, renovation, or replacement of an existing facility or facilities. Describe the existing facility and proposed project components in terms of dimensions, capacities, quantities, etc.
2. Clear copies of sketches or schematics showing the general layout and location of the project components.
3. A feasibility analysis. Include a review of existing conditions. Discuss any potential problems that might delay construction and affect project components.
4. A proposed method of construction. Indicate whether the project will be constructed by competitive bid, single contract, or multiple contracts. Indicate if any portion of the construction work is proposed to be done by design/build, construction management at risk, or by the applicant's own forces.
5. An estimate of useful life of the facility and an explanation of basis on which it is determined.
6. A current detailed construction cost estimate for each of project component, showing quantities, unit prices, and total costs.
7. A list of all permits required for the proposed project and the status of each permit.
8. An estimate of the number of months for each of the following: (i) design period, (ii) solicitation of bids and awarding of contracts, and (iii) construction period.

Will you be able to provide this information? Yes No (explain below)

Note: If this information is available at this time, you may submit it as an electronic attachment through www.Grants.gov or in hardcopy.

M.4. Title Requirements

- a. Does the applicant currently hold title to all project facilities, underlying land, necessary easements, and rights-of-way required for the project?

Yes (go to question M.4.d) No (explain below)

- b. If No, does the applicant plan to obtain title?

Yes

How and when will the applicant obtain title? (After answering this, go to question M.4(d))

No

Please explain why not (and answer question M.4(c))

- c. If you indicated that the applicant does not currently have title and does not intend to obtain title, does the applicant hold a long-term lease or hold interest in project property for a period not less than the estimated useful life of the project?

Yes No

If **No**, Please explain below why EDA should not require the applicant to have title to or a long-term leasehold interest in the property.

- d. Describe any required State permits, easements, rights-of-way or leases necessary to construct, operate, and maintain the project.

- e. Describe any liens, mortgages, other encumbrances, reservations, reversionary interests or other restrictions on the applicant's interest in the property.

- f. Is the project located on a military or Department of Energy installation that is closed or scheduled for closure or realignment?

Yes No

- g. Does the project involve construction within a railroad's right-of-way or over a railroad crossing?

Yes (explain below) No

- h. Does the project include construction of a highway owned by a State or local government (other than the applicant)?

Yes (explain below) No

M.5. Sale or Lease

- a. Does the applicant intend to sell, lease, transfer, dedicate or otherwise convey any interest in the project facilities, underlying land, or any land improved with EDA investment assistance?

Yes (explain below) No

b. Is the purpose of the project to construct facilities to serve industrial or commercial parks or sites owned by the applicant for sale or lease to private parties?

Yes No

If **Yes**, identify the owners of the acreage, provide an estimate of the number of acres benefiting from the proposed investment **and** explain how EDA's requirements will continue to be met after any sale or lease.

Note: If EDA determines the project merits further consideration, the applicant will be asked to provide documentation that EDA's requirements will continue to be met after the sale or lease.

c. Is the purpose of the project to construct facilities to serve privately-owned industrial or commercial parks or sites for sale or lease?

Yes No

If **Yes**, identify the owners of the acreage, provide an estimate of the number of acres benefiting from the proposed investment, and explain below how EDA's requirements will continue to be met after the sale or lease. Note that EDA may require evidence that the private party has title to the park or site prior to such sale or lease and condition the award of investment assistance upon assurances given by the private party that EDA determines are necessary to ensure consistency with the project purpose(s). (See 13 C.F.R. § 314.7.)

d. For privately-owned land, is the private owner willing to enter into an agreement to limit the sale price of the improved land to its fair market value before the improvements for a reasonable period of time?

Yes (explain below) No Not applicable (no private owners)

e. Is the purpose of the project to construct, renovate or purchase a building?

Yes (explain below) No (go to M.6)

f. Will the building be leased in whole or in part?

Yes (explain below) No

g. Is the purpose of the building to provide incubator space to new companies?

Yes (explain below) No

h. Will there be limitations on the length of the lease term?

Yes (explain below) No

i. Is the purpose of the project to provide building space to a single user or multiple users? In either case, explain below the terms of the proposed lease.

M.6. Ownership, Operation, Maintenance and Management

a. Briefly describe plans for the ownership, operation, maintenance and management of all project facilities, including any land, improved land, structures, appurtenances thereto, other improvements, or personal property.

Note: You will be asked to provide a legal opinion verifying your answers to these questions if EDA selects the project for further consideration.

b. Will real property or project facilities to be acquired or improved with EDA investment assistance be owned, operated, or maintained by an entity other than the applicant?

(See 13 C.F.R. § 314.7.) Yes (explain below) No

c. Will real property or project facilities to be acquired or improved with EDA investment assistance, including any industrial or commercial park acreage, be mortgaged or used to collateralize any type of financing, including but not limited to bonds or tax credits, or is any real property to be used for the project currently mortgaged or being used as collateral?

Yes (explain below) No

d. Will the applicant provide EDA a security interest or other statement of EDA's interest in the real property or in significant items of tangible personal property acquired or improved with EDA investment assistance? (See 13 C.F.R. §§ 314.8 and 314.9.)

Yes No (explain below)

e. Is (or was) any real property to be acquired or improved with the proposed EDA investment assistance subject to eminent domain proceedings or the threat of such proceedings?

Yes (explain below) No

- f. Does the project include the acquisition or improvement of significant items of tangible personal property (i.e., items that are moveable and not permanently attached to the land, such as business equipment, furniture or vehicles)?

Yes (explain below) No

M.7. Calculation of Estimated Relocation and Land Acquisition Expenses

All applicants must complete the "Calculation of Estimated Relocation and Land Acquisition Expenses" form (see Exhibit E), and enter the estimated total for "costs incidental to land acquisition" (line item 1) on line item 3 ("relocation expenses and payments") of Form SF-424C, 'Budget Information - Construction Programs.' This is separate from the estimated purchase price of the property.

- a. Are relocation expenses part of the proposed project's EDA budget?

Yes No

- b. Will the proposed project cause the displacement of individuals, families, businesses or farms?

Yes No

If Yes, explain how relocation procedures will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1990 (13 C.F.R. § 302.5 ; see Certification #11 on Form SF-424D, 'Assurances - Construction Programs, for an explanation of this requirement.)

M.8. Environmental Requirements

- a. Provide a brief physical description of the project site, noting topography, vegetation, bodies of water, and location and condition of any man-made structures or buildings. If available, provide a Geographic Information System (GIS) analysis of the sensitive environmental areas, including contaminated sites, archeological sites, properties or sites listed on the National Register of Historic Places, and wetlands that are within a two-mile radius of the project site.

- b. Will the project be located in or adjacent to a floodplain or wetland area?

Yes (explain) No

- c. Will the project be located in or adjacent to an area with known hazardous or toxic contamination?

Yes (explain) No

- d. Will there be any toxic or hazardous waste or asbestos removal associated with the project?

Yes (explain) No

e. Will the project impact any archeological sites, buildings or structures older than 50 years, or any properties listed or eligible for listing on the National Register of Historic Places?

Yes (explain)
 No

Note: If EDA determines that the applicant's project merits further consideration, the applicant will be required to submit materials to the appropriate State Historic Preservation Officer (SHPO).

Regardless of whether the applicant believes historic or archaeological artifacts are present, the applicant will be required to provide the SHPO with: (i) a narrative description of the project's elements and its location; (ii) a map of the area surrounding the project that identifies the project site, adjacent streets, and other identifiable objects; (iii) line drawings or sketches of the project; and (iv) photographs of the affected properties if building demolition or renovation is involved.

Please note that the clearance process can be lengthy. When submitting this material to the SHPO, the applicant must request that the SHPO submit comments on the proposed project to the EDA Regional Office processing the application. If the applicant has already received comments from the SHPO, please provide as an electronic attachment (using the 'Attachments' form that is part of the application package downloaded from www.Grants.gov) or in hardcopy.

f. Will this project result in any other adverse environmental impacts that could affect endangered or threatened species, scenic rivers, or other sensitive ecological habitats?

Yes (explain)
 No

g. Has an environmental impact statement or other similar analysis been completed for this proposed project or for other activities in the region?

Yes (explain)

No (explain)

Federal agencies are required by law to assess the expected environmental impacts associated with proposed federal actions.

IF EDA SELECTS THE PROJECT FOR FURTHER CONSIDERATION, EDA may request additional information to obtain an understanding of the current environmental conditions and the project elements that will affect the environment.

It is important to understand the comprehensive nature of the information required to complete an environmental review in accordance with the National Environmental Policy Act (NEPA). Information must be provided for the: (i) site(s) where the proposed project facilities will be constructed and the surrounding areas affected by its operation; and (ii) areas to be affected by any primary beneficiaries of the project. The information submitted must be sufficient to evaluate all reasonable alternatives to the proposed project and the direct and indirect environmental impacts of the project, as well as the cumulative impacts on the environment as defined in the regulations for implementing the procedural provisions of NEPA (see 40 C.F.R. parts 1500-1508). The level of detail should be commensurate with the complexity and size of the project and the magnitude of the expected impact. Previously completed environmental impact documentation (assessments, impact statements, etc.) for activities in the region in which the proposed project will be located may be used as documentation.

h. Will you be able to provide the above information?

Yes No (explain)

Note: If EDA selects the project for further consideration, the template for the environmental narrative that the applicant will be required to submit is available at the 'Funding Opportunities' portion of www.eda.gov. If you currently have this information, you may submit it as an electronic attachment (using the 'Attachments' form that is part of the application package downloaded from www.Grants.gov) or in hardcopy.

SECTION N - TO BE COMPLETED BY APPLICANTS FOR DESIGN AND ENGINEERING ASSISTANCE ONLY

Is the primary purpose of the EDA investment to accomplish only the design and engineering work required? Yes No

When the primary purpose of the EDA investment is to accomplish **only** the design and engineering work required for the construction of a complex or environmentally sensitive public works or development facility project, the following information must be provided. **Note: EDA will award grants for design and engineering work only when there is a reasonable expectation that construction of the project can and will begin soon after the completion of design and engineering. EDA's funding of the project for design and engineering work does not in anyway obligate EDA to fund construction of the project. (See 13 C.F.R. § 305.4.)**

1. Provide a description of the components of the project for which the design and engineering work will be accomplished. Also, please describe any known environmental issues related to the site and/or project, including floodplains, wetlands, contamination, asbestos, endangered species, and/or archeological/historic sites.

2. Explain the reasons why such work needs to be accomplished separately from the project's construction phase. For example, describe the highly specialized features or complex or environmentally-sensitive nature of the project such that design and engineering work must be completed to determine the project's feasibility or to ensure that all required permits and approvals by State or federal regulatory authorities (e.g., the Environmental Protection Agency) can be obtained in the most effective and efficient manner possible.

3. Provide a statement regarding the proposed method of financing and funding sources that will be used to finance the construction of the project upon completion of the design and engineering work, including commitments made, if any, for the project's permanent financing and the likelihood that EDA or another federal assistance agency will be requested to provide funds for the construction of the project. *Note: EDA cannot make a commitment against a future fiscal year's appropriation.*

4. Provide an estimate of how many months will be required after the design and engineering work is completed for the project's construction phase to begin. *Note: Even if the proposed project can be constructed in phases, the design and engineering work must be completed before construction can begin.*

Exhibit A.

ASSURANCES OF COMPLIANCE
With Civil Rights and Other Legal Requirements
 (To Be Executed by "Other Parties")

"Other Party" is herein defined as an entity that creates and/or saves (or intends to create/and or save) 15 or more permanent jobs as a result of the Economic Development Assistance (EDA) investment assistance, provided that such entity is also either specifically named in the application as benefiting from the project or is or will be located in a building, port, facility, or industrial, commercial, or business park constructed or improved in whole or in part with EDA investment assistance prior to EDA's final disbursement of funds. See 13 C.F.R. § 302.20.

| | |
|---|---|
| Applicant's Name: <div style="border: 1px solid black; height: 20px; width: 95%;"></div> | "Other Party" Name: <div style="border: 1px solid black; height: 20px; width: 95%;"></div> |
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Address:

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|------------------|--|---------------|--|
| Street 1: | | | |
| Street 2: | | | |
| City: | | County: | |
| State: | | | |
| Province: | | | |
| Country: | | | |
| Zip/Postal Code: | | Phone Number: | |

The obligations incurred under this form apply only to the building, port, facility, or industrial, commercial or business park constructed or improved in whole or in part with investment assistance from the EDA. This form must be executed by an "Other Party" who satisfies the following conditions:

- The "Other Party" will (or intends to) create and/or save fifteen (15) or more permanent jobs (estimated number of jobs) as a result of the EDA investment assistance; and (check applicable section below)
- (a) is specifically named in the application for EDA investment assistance as benefiting from the project; or
- (b) is or will be located in a building, port, facility, or industrial, commercial or business park constructed or improved in whole or in part with EDA investment assistance before EDA has made its final disbursement of EDA funds.

ASSURANCES OF COMPLIANCE WITH THE U.S. DEPARTMENT OF COMMERCE AND EDA REGULATIONS (13 C.F.R. § 302.20) UNDER SECTION 601 OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, SECTION 112 OF PUBLIC LAW 92-65, TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, SECTION 504 OF THE REHABILITATION ACT OF 1973, AND THE AGE DISCRIMINATION ACT OF 1975, ALL AS AMENDED.

The "Other Party" assures that it will comply with Section 601 of Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), and the U.S. Department of Commerce's implementing regulations found at 15 C.F.R. part 8, and any amendments thereto.

The "Other Party" agrees to comply with the provisions of Section 112 of Public Law 92-65 (42 U.S.C. 3123) and 42 U.S.C. 6709, and the U.S. Department of Commerce's implementing regulations found at 15 C.F.R. §§ 8.7-8.15, and any amendments thereto.

The "Other Party" agrees to comply with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and the U.S. Department of Commerce's implementing regulations found at 15 C.F.R. part 8b; Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.); the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.) and the U.S. Department of Commerce's implementing regulations found at 15 C.F.R. part 20, and the non-discrimination on the basis of age regulations found at 45 C.F.R. part 90.

Such requirements hold that no person in the United States shall on the ground of race, color, national origin, sex, handicap, or age be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity for which federal financial assistance has been extended.

In accordance with these assurances and without limiting the above, the "Other Party" agrees that these assurances shall be binding upon it and any grantees, assignees, transferees, lessees, and successors in interest. These assurances shall also be binding through any modification or amendment to the financial assistance award or to the project.

The "Other Party" acknowledges that it is aware that if there appears to be a failure or threatened failure to comply with these assurances and the noncompliance or threatened noncompliance cannot be corrected by informal means, compliance may be effected by the suspension or termination of, or refusal to grant or to continue, federal financial assistance or by any other means authorized by law.

NOTICE

This form must be executed by an official authorized to make the aforementioned assurances, with full authority to bind the "Other Party" identified herein. If the "Other Party" is a corporation, this form must be executed by a corporate officer or person so authorized to make such assurances, and the title block must clearly indicate such authority. Assurance forms executed by employees other than corporate officers will not be accepted unless they are accompanied by a separate certification signed by a corporate officer or corporate counsel stating that the assessor has full authority to legally bind the "Other Party" identified below. In the case of an individual executing this assurance form as a sole owner, the sole owner's title must be indicated. For circumstances other than those discussed herein, contact the EDA Regional Office for instructions.

ACCEPTANCE OF ASSURANCES OF COMPLIANCE

These assurances are made binding for:

Name of "Other Party":

Address:

Street 1:

Street 2:

City:

County:

State:

Province:

Country:

Zip/Postal Code:

Telephone Number:

By:

Prefix:

First Name:

Middle Name:

Last Name:

Suffix:

*(Title of Corporate Officer)

(Signature of Official)

(Date)

* If the person signing this form is not a corporate officer, the company's corporate officer or corporate counsel must certify in writing that the signatory is authorized to legally bind the company. Such written certification should be included as an electronic signature through www.Grants.gov or in hardcopy.

--WARNING--

False statements or representations made in connection with the "ASSURANCES OF COMPLIANCE" are a violation of federal law punishable by a fine of not more than \$10,000 or by imprisonment for not more than five years, or both (see 42 U.S.C. 3220; 18 U.S.C. 1001).

Exhibit B.

**EDA NATIONAL TECHNICAL ASSISTANCE, TRAINING, AND
RESEARCH AND EVALUATION INVESTMENTS
ADDITIONAL ASSURANCES**

As a duly authorized representative of the applicant, I further certify that the applicant:

1. Will comply with applicable regulations regarding indirect cost rates, if indirect costs are included in the application.
2. Will comply with the requirement that this investment assistance will not provide a proprietary benefit to a private individual, for-profit corporation, or other commercial entity.
3. Understands that attorneys' or consultants' fees, whether direct or indirect, expended for securing or obtaining EDA investment assistance are not eligible costs. See 13 C.F.R. § 302.10(a).
4. Understands that conflicts of interest or appearances of conflicts of interest are prohibited and may jeopardize this application or result in the forfeiture of investment funds. A conflict of interest occurs, for example, where a representative, official, employee, architect, attorney, engineer, or inspector of the applicant, or a representative or official of the federal, State or local government, has a direct or indirect financial interest in the acquisition or furnishing of any materials, equipment, or services to or in connection with the project. See 13 C.F.R. § 302.17.
5. Will comply with the reporting requirements under the Government Performance and Results Act (GPRA) of 1993 for measuring and reporting project performance.

Completed by Grants.gov upon submission

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

TITLE

Completed by Grants.gov upon submission

APPLICANT ORGANIZATION

DATE

Exhibit C.

EDA CAPACITY BUILDING INVESTMENTS ADDITIONAL ASSURANCES

As a duly authorized representative of the applicant, I further certify that the applicant:

1. Will comply with applicable regulations regarding indirect cost rates, if indirect costs are included in the application.
2. Will comply with the requirement that this investment assistance will not provide a proprietary benefit to a private individual, a for-profit corporation or other commercial entity.
3. Understands that attorneys' or consultants' fees, whether direct or indirect, expended for securing or obtaining EDA investment assistance are not eligible costs. See 13 C.F.R. § 302.10(a).
4. Understands that conflicts of interest or appearances of conflicts of interest are prohibited and may jeopardize this application, or result in the forfeiture of investment funds. A conflict of interest occurs, for example, where a representative, official, employee, architect, attorney, engineer or inspector of the applicant, or a representative or official of the federal, State or local government, has a direct or indirect financial interest in the acquisition or furnishing of any materials, equipment, or services to or in connection with the project. See 13 C.F.R. § 302.17.
5. Will comply with the reporting requirements under the Government Performance and Results Act (GPRA) of 1993 for measuring and reporting project performance.

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| SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL | TITLE |
| <div style="border: 1px solid black; height: 30px; width: 90%; margin: 0 auto;"></div> | <div style="border: 1px solid black; padding: 2px; width: 90%; margin: 0 auto;">Completed by Grants.gov upon submission</div> |
| APPLICANT ORGANIZATION | DATE |

Exhibit D.

EDA CONSTRUCTION INVESTMENTS ADDITIONAL ASSURANCES

As a duly authorized representative of the applicant, I further certify that the applicant:

1. Will operate and maintain the facility in accordance with at least the minimum standards as may be required or prescribed by applicable federal, State and local agencies for the maintenance and operation of such facilities.
2. Will require the facility to be designed to comply with the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. 12101 *et seq.*), the Architectural Barriers Act of 1968 (42 U.S.C. 4151 *et seq.*) and the Accessibility Guidelines for Buildings and Facilities regulations, as amended (36 CFR part 1191), and will be responsible for conducting inspections to insure compliance with these requirements.
3. For the two-year period beginning on the date EDA investment assistance is awarded, will refrain from employing, offering any office or employment to, or retaining for professional services any person who, on the date on which the investment assistance is awarded or within the one-year (1) period ending on that date, served as an officer, attorney, agent or employee of the Department of Commerce and occupied a position or engaged in activities that EDA determines involved discretion with respect to the award of investment assistance under PWEDA. See section 606 of PWEDA and 13 C.F.R. §302.10(b).
4. Will have no facilities under ownership, lease or supervision to be utilized in this project that are listed or under consideration for listing on EPA's List of Violating Facilities.
5. Will comply with Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction," which imposes requirements that federally-assisted facilities be designed and constructed in accordance with the most current local building codes determined by the awarding agency or by the Interagency Committee for Seismic Safety in Construction (ICSSC) and the most recent edition of the American National Standards Institute Standards A58, Minimum Design Loads for Buildings and Other Structures.
6. Will observe and comply with federal procurement rules, as set forth in 15 CFR parts 14 or 24, as applicable, for award of any contracts for architectural engineering, grant administration services, or construction financed with EDA investment assistance.
7. Understands that attorneys' or consultants' fees, whether direct or indirect, expended for securing or obtaining EDA investment assistance are not eligible costs. See 13 C.F.R. § 302.10(a).
8. Understands that conflicts of interest or appearances of conflicts of interest are prohibited and may jeopardize this application, or result in the forfeiture of investment funds. A conflict of interest occurs, for example, where a representative, official, employee, architect, attorney, engineer or inspector of the applicant, or a representative or official of the Federal, State or local government, has a direct or indirect financial interest in the acquisition or furnishing of any materials, equipment or services to or in connection with the project. See 13 C.F.R. § 302.17.
9. Will comply with the reporting requirements under the Government Performance and Results Act of 1993 (GPRA) for measuring and reporting project performance.

Completed by Grants.gov upon submission

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

TITLE

[Signature Box]

Completed by Grants.gov upon submission

APPLICANT ORGANIZATION

DATE

Exhibit E.

**CALCULATION OF ESTIMATED RELOCATION
AND LAND ACQUISITION EXPENSES**

Are you applying for Construction Assistance?

Yes No

ITEM 1. COSTS INCIDENTAL TO LAND ACQUISITION - ESTIMATES

Number of land transactions involved (including options, easements and rights-of-way):

Recording fees, transfer taxes, surveys, appraisals, title search and similar expenses-Section 303(1)

Penalty costs-Section 303(2)

Real Property taxes-Section 303(3)

Litigation expenses-Section 304(a)

Total - Estimated costs incidental to transfer of title

ITEM 2. RELOCATION - ESTIMATES

a. TENANTS - Estimates: Number of Claims

(1) Moving Expenses:

Actual Expenses-Section 202(a)(1)

In lieu payments-Section 202(b)

Total - Moving Expenses

(2) Replacement housing payments:

Rental payments-Section 204(1)

Down payment-Section 204(2)

Total - Replacement housing payments

Total - Estimated Tenants

b. OWNER-OCCUPANTS - Estimates: Number of Claims

(1) Moving expenses:

Actual Expenses-Section 202(a)(1)

In lieu payments-Section 202(b)

Total - Moving Expenses

(2) Replacement housing payments:

Purchase payments-Section 203(a)(1)

Reasonable replacement costs-Section 203(a)(1)(A)

Increased interest costs-Section 203(a)(1)(B)

Closing costs-Section 203(a)(1)(C)

Rental payments-Section 204(1)

Down payment-Section 204(2)

Total - Replacement housing payments

Total - Estimated Owner-Occupants

c. BUSINESS - Estimates: Number of Claims

Moving Expenses:

Actual Expenses-Section 202(a)(1)

Actual loss of tangible personal property-Section 202(a)(2)

Actual searching expenses-Section 202(a)(3)

In lieu payments-Section 202(c)

Total - Estimated Business

d. NONPROFIT ORGANIZATIONS - Estimates: Number of Claims

Moving Expenses:

Actual Expenses-Section 202(a)(1)

Actual loss of tangible personal property-Section 202(a)(2)

Actual searching expenses-Section 202(a)(3)

In lieu payments-Section 202(c)

Total - Estimated Nonprofit Organizations

e. FARM OPERATIONS - Estimates: Number of Claims

Moving Expenses:

Actual Expenses-Section 202(a)(1)

Actual loss of tangible personal property-Section 202(a)(2)

Actual searching expenses-Section 202(a)(3)

In lieu payments-Section 202(c)

Total - Estimated Farm Operations

f. ADVISORY SERVICES - Estimates: Number of Claims

Total - Expenses of grantee/borrower-Section 205

g. ADMINISTRATION - Estimates: Number of Claims

Contracting with individual, firm, association, or corporation-
Section 212

Agreement w/ Federal or State government agency or
instrumentality- Section 212

Total - Estimated Administration

ITEM 3. GRAND TOTAL

Enter the sum of Items 1 and 2 (parts (a) through (g)) in this Item

GRAND TOTAL RELOCATION EXPENSES

FitzGerald, Shannon

From: Paul Reuter <preuter@paceengineering.us>
Sent: Thursday, August 27, 2015 2:53 PM
To: FitzGerald, Shannon
Cc: Good, Stan
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Thank you!

Paul J. Reuter, P.E.

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Thanks.

Paul J. Reuter, P.E.

Ph: 530-244-0202

Managing Engineer

PACE Engineering, Inc.

1730 South St.

Redding, CA 96001

preuter@paceengineering.us

From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]

Sent: Thursday, August 27, 2015 2:52 PM

To: Paul Reuter

Cc: Good, Stan

Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Paul,

With a project officer's help, I found the ED-900. I don't normally work with these forms, so if you have any other questions, I'd recommend talking with Stan or project officer Shalini Bansal at sbansal@eda.gov.

Thanks, Shannon 206-220-7703

From: Paul Reuter [<mailto:preuter@paceengineering.us>]

Sent: Thursday, August 27, 2015 2:39 PM

To: FitzGerald, Shannon

Cc: Good, Stan

Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Thanks Shannon. I'm looking for two sections of ED-900 that are referenced in the PER Requirements, i.e. Section A-2 and B-5, specifically. I went to your link but I don't see a specific reference to Form ED-900.

The PER requirements indicate we need to submit proof of compliance with Section A.2 and B.5 of Form ED-900. I'm just trying to see what these sections say.

Thanks.

Paul J. Reuter, P.E.

Ph: 530-244-0202

Managing Engineer

PACE Engineering, Inc.

1730 South St.

Redding, CA 96001

preuter@paceengineering.us

From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]

Sent: Thursday, August 27, 2015 2:20 PM

To: Paul Reuter

Cc: Good, Stan

Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Paul,

Sorry that I didn't get back to you sooner. I was on a conference call.

To access, Form ED-900, go to www.grants.gov and click on "Browse agencies." EDA is under "Department of Commerce." The grant you want to click on for access to the form is "EDAP2015."

I could send Form ED-900 to you as an attachment, but there are about a dozen appendices. Is there a specific part of ED-900 that you are looking for? The environmental and engineering forms are also available on EDA's website—www.eda.gov.

Thanks, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Thursday, August 27, 2015 10:56 AM
To: FitzGerald, Shannon
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Shannon,
Can you send me a link to Form ED-900?

Paul J. Reuter, P.E. Ph: 530-244-0202

Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us

From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Thursday, August 27, 2015 10:04 AM
To: Paul Reuter; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov);

Matson, Malinda

Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Thanks Paul.

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Thursday, August 27, 2015 10:01 AM
To: FitzGerald, Shannon; Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Matson, Malinda
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Thanks Shannon.
We'll get right on this.

Paul J. Reuter, P.E. Ph: 530-244-0202

Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us

From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Monday, August 24, 2015 6:13 PM
To: Paul Eckert (eckert@ci.mt-shasta.ca.us); Paul Reuter
Cc: Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov);

Matson, Malinda

Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Paul and Paul,

We received the information. Thanks. What Stan and I need before we can amend the scope of work is an Environmental Narrative, Applicant Certification Clause and Engineering Report filled out for the proposed wastewater treatment plant project. I've attached all three templates.

Thanks in advance for getting those to us. -Shannon

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Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Thursday, August 20, 2015 3:10 PM
To: Good, Stan; FitzGerald, Shannon
Cc: Paul Eckert (Eckert@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov)
Subject: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hello Shannon and Stan,
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Feel free to contact me if you have questions or desire additional information.
Thank you.

Paul J. Reuter, P.E. Ph: 530-244-0202
Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us

FitzGerald, Shannon

From: Lindsay Kantor <lkantor@enplan.com>
Sent: Thursday, September 03, 2015 10:54 AM
To: FitzGerald, Shannon
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Shannon,

I realized after we spoke about SHPO consultation the other day that I didn't provide you with my e-mail address and you likely didn't have it.

Thanks,
Lindsay

☐
Lindsay Kantor
Environmental Planner
ENPLAN
lkantor@enplan.com
530.221.0440 x7111
www.enplan.com

Wildfire Viewer: wv.enplan.com

Wildfire maps updated hourly.

Parcel Viewer: pv.enplan.com

Parcel and record data for select counties.

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To: Paul Eckert (eckert@ci.mt-shasta.ca.us); Paul Reuter
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Thank you.

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Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Thursday, September 03, 2015 11:46 AM
To: 'Lindsay Kantor'
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Lindsay,

Thanks for your email. I'm just finishing up this EA and will send you the SHPO information after lunch.

Thanks again, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

From: Lindsay Kantor [<mailto:lkantor@enplan.com>]
Sent: Thursday, September 03, 2015 10:54 AM
To: FitzGerald, Shannon
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Shannon,

I realized after we spoke about SHPO consultation the other day that I didn't provide you with my e-mail address and you likely didn't have it.

Thanks,
Lindsay


Lindsay Kantor
Environmental Planner
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From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Monday, August 24, 2015 6:13 PM
To: Paul Eckert (eckert@ci.mt-shasta.ca.us); Paul Reuter

Cc: Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Matson, Malinda
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Paul and Paul,

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Thanks in advance for getting those to us. -Shannon

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sfitzgerald@eda.gov

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Sent: Thursday, August 20, 2015 3:10 PM
To: Good, Stan; FitzGerald, Shannon
Cc: Paul Eckert (Eckert@mtshastaca.gov); Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov)
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Thank you.

Paul J. Reuter, P.E. Ph: 530-244-0202
Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Thursday, September 03, 2015 4:30 PM
To: 'Lindsay Kantor'
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description
Attachments: SHPO letter template.docx; THPO letter template.docx

Hi Lindsay,

Here is a template of the letter that the City will need to send to the State Historic Preservation Officer (SHPO) on EDA's behalf. We need to get their concurrence on the determination of the effects of the project on any cultural resources that may be present at the site before any restoration to the buildings is done. If the wastewater treatment plant is older than 45 year, then it would not qualify as a historic property. We could then make the determination that there are no historic properties at the project site. But I will defer to the determination that the consulting archaeologist made in their report. The SHPO's contact information is:

Julianne Polanco
State Historic Preservation Officer
California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

If you need assistance at the SHPO's office, Tristan Tozer is the staff person that we work with. His number is 916-445-7027 and his email address is ttozer@parks.ca.gov.

I've also included the template of the letter that will need to be sent to Tribe identified on the Native American Heritage Commission's (NAHC) Native American Contact List. The letter will need to go to both the Tribal leader (it could be a chairperson or president) and the Tribal Historic Preservation Officer (or cultural resources director if there isn't a federally recognized THPO). I'd be glad to review a draft of the letter to the SHPO and one of the letters to the Tribes. In addition to requesting a Native American Contact List, also ask the NAHC for a Sacred Lands File Search. They use to have a website that you could submit a request electronically, but one of our grantees said that that no longer worked. The NAHC contact information is:

Native American Heritage Commission
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone: 916-373-3710
Fax: 916-373-5471
nahc@nahc.ca.gov

It sounds like the consulting archaeologist contacted the Northeast Information Center in Chico for cultural resources information. That would be good to emphasize that in the letter to the SHPO if it is not identified in the cultural resources report that was produced. If for some reason, you need to contact them, the coordinator is Antoinette Martinez at 530-898-6256.

If you have any questions, you can also contact me. Thanks for doing this, Shannon

Shannon FitzGerald
Regional Environmental Officer

Economic Development Administration
915 Second Ave., Room 1890
Seattle, WA 98174
phone: 206-220-7703
fax: 206-220-7657
sfitzgerald@eda.gov

From: Lindsay Kantor [<mailto:lkantor@enplan.com>]
Sent: Thursday, September 03, 2015 10:54 AM
To: FitzGerald, Shannon
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Shannon,

I realized after we spoke about SHPO consultation the other day that I didn't provide you with my e-mail address and you likely didn't have it.

Thanks,
Lindsay

✉
Lindsay Kantor
Environmental Planner
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Parcel and record data for select counties.

From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Monday, August 24, 2015 6:13 PM
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Cc: Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Matson, Malinda
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Paul and Paul,

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Thanks in advance for getting those to us. --Shannon

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Sent: Thursday, August 20, 2015 3:10 PM
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Subject: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

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Feel free to contact me if you have questions or desire additional information.
Thank you.

Paul J. Reuter, P.E. Ph: 530-244-0202
Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us

SAMPLE OF LETTER TO SHPO

Date:

(Name of State Historic Preservation Officer)

(Name of Historic Preservation Officer)

(Address)

RE: National Historic Preservation Act Section 106 consultation for proposed EDA grant assistance to construct *(Project)*, *(Location)*

Dear *(Name of State Historic Preservation Officer)*:

The *(Applicant's Name)* has made an application for grant funding to the U.S. Department of Commerce, Economic Development Administration (EDA) to construct *(General Project Description)*. Under 36 CFR §800.2(c)(4), EDA is delegating authority to *(Applicant's Name)* to consult with you on the behalf of EDA.

The project includes *(Provide a detailed description of the project. For SHPO, this description must include depth, width and footprint of the "Area of Potential Effect" of the undertaking. The description must also include any ground disturbing activities or trenching that will occur as a result of the undertaking. Be precise in describing the location of the undertaking. If the undertaking includes the remodel of an existing building, include the date of the original building construction. Also include the description of any known historic or archaeological resources in the immediate area of the project effect (buildings, etc. of local importance). Include maps of the project area and photographs of buildings older than 50 years that will be renovated or demolished)*.

In accordance with 36 CFR §800 the *(Applicant's Name)* is initiating the Section 106 consultation process on behalf of EDA.

Enclosed is documentation of the *(Applicant's Name)* effort to identify and evaluate historic properties pursuant to 36 CFR §800.4. This documentation includes:

- Evidence that all interested parties *(this includes Tribes, museums, and organizations)* were consulted pursuant to 36 CFR §800.4(a) (3)-(4);
- Documentation of effort to identify and evaluate historic properties. *(For instance, evidence that a record search was completed at the local Historical Information Center. As a result of this record search, a need for an historical/archaeological resources survey may be indicated. If a survey is, or has been, completed, provide a copy of the survey report); and*

- An assessment of the undertaking's potential to affect historic properties pursuant to 36 CFR §800.4(d) or 36 CFR §800.5. (*Possible determinations are: (1) No historical properties present; (2) No historical properties affected; or (3) Historical properties affected.*)

We ask for your concurrence on these findings and determination. If further information is required, please contact me at (*Applicant's telephone number and email address*).

Sincerely,

(*Name*)

(*Title*)

Enclosures

Copy to: EDA Environmental Officer

NOTE: For information regarding Section 106 and implementing regulations, please refer to the Advisory Council on Historic Preservation's Web Page at <http://www.achp.gov/work106.html>

SAMPLE OF LETTER TO THPO

(Date)

(Name of Tribal Historic Preservation Officer or Tribal Leader)

(Title)

(Address)

RE: National Historic Preservation Act Section 106 consultation for proposed EDA grant assistance to construct (*Project*), (*Location*)

Dear (*Name of Tribal Historic Preservation Officer or Tribal Leader*):

The (*Applicant's Name*) has made an application for grant funding to the U.S. Department of Commerce, Economic Development Administration (EDA) to construct (*General Project Description*).

The project includes (*Provide a detailed description of the project. For SHPO, this description must include the depth, width and footprint of the "Area of Potential Effect" of the undertaking. The description must also include any ground disturbing activities or trenching that will occur as a result of the undertaking and the depth of excavation. Be precise in describing the location of the undertaking. If the undertaking includes the remodel of an existing building, include the date of the original building construction. Also include the description of any known historic or archaeological resources in the immediate area of the project effect (buildings, etc. of local importance). Include maps of the project area and photographs of buildings older than 50 years that will be renovated or demolished.*

In accordance with 36 CFR §800 the (*Applicant's Name*) is initiating the Section 106 consultation process on behalf of EDA. If you would rather consult directing with the EDA, please let us know.

Enclosed is documentation of the (*Applicant's Name*) effort to identify and evaluate historic properties pursuant to 36 CFR §800.4. This documentation includes:

- Documentation of effort to identify and evaluate historic properties. (*For instance, evidence that a record search was completed at the local Historical Information Center and for California—the Native American Heritage Commission⁰⁹. As a result of this record search, a need for an historical/archaeological resources survey may be indicated. If a survey is, or has been, completed, provide a copy of the survey report*); and
- An assessment of the undertaking's potential to affect historic properties pursuant to 36 CFR §800.4(d) or 36 CFR §800.5. (*Possible determinations are: (1) No historical*

properties present; (2) No historical properties affected; or (3) Historical properties affected.)

If you have information that you can share with us regarding cultural resources that may be in the vicinity or need addition information, please contact me at (*Applicant's telephone number and email address*).

Sincerely,

(*Name*)

(*Title*)

Enclosures

Copy to: EDA Environmental Officer

NOTE: For information regarding Section 106 and implementing regulations, please refer to the Advisory Council on Historic Preservation's Web Page at <http://www.achp.gov/work106.html>

FitzGerald, Shannon

From: Lindsay Kantor <lkantor@enplan.com>
Sent: Friday, September 04, 2015 3:20 PM
To: FitzGerald, Shannon
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Thanks so much, Shannon. Looks pretty straight-forward but I'll let you know if I have any questions.

Thanks,
Lindsay



Lindsay Kantor
Environmental Planner
ENPLAN
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From: FitzGerald, Shannon [mailto:SFitzGerald@eda.gov]
Sent: Thursday, September 03, 2015 4:30 PM
To: Lindsay Kantor <lkantor@enplan.com>
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

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Thanks,
Lindsay

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Parcel and record data for select counties.

From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]

Sent: Monday, August 24, 2015 6:13 PM

To: Paul Eckert (eckert@ci.mt-shasta.ca.us); Paul Reuter

Cc: Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Matson, Malinda

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Thank you.

Paul J. Reuter, P.E. Ph: 530-244-0202

Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Thursday, September 17, 2015 2:11 PM
To: Good, Stan
Subject: Mt. Shasta update

Hi Stan,

I checked my emails and we have not received the Environmental Narrative for the modified scope of work.

Thanks, Shannon

FitzGerald, Shannon

From: Paul Reuter <preuter@paceengineering.us>
Sent: Friday, September 18, 2015 11:04 AM
To: Good, Stan; FitzGerald, Shannon
Subject: Fwd: EDA-Funded Wastewater Treatment Plan Improvements - Project Description
Attachments: ATT00001.htm; Applicant Certification Clause Form with Attachments.pdf; ATT00002.htm; 1972 WWTP EIR.pdf; ATT00003.htm; EDA-PER_Report-w-Attachments.pdf; ATT00004.htm

Stan and Shannon,
I sent the attachments to the City yesterday. You should be receiving them from the City by early next week.

Sent from my iPhone

Begin forwarded message:

From: "Paul Reuter" <preuter@paceengineering.us>
To: "Rod Bryan" <rbryan@mtshastaca.gov>, "Muriel Howarth Terrell" <mterrell@mtshastaca.gov>
Cc: "Paul Eckert" <eckert@mtshastaca.gov>
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Rod,

Along with the two Applicant Certification attachments you prepared (attached), please send the following attachments to Stan Good and Shannon FitzGerald at EDA. Stan mentioned they had to come from the City on your letterhead, but I suggest e-mailing and asking if they needed hard copies as well.

1. Applicant Certification documents
2. Preliminary Engineering Report (PER)
3. Environmental Narrative

Thanks.

Paul J. Reuter, P.E.
Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us<mailto:preuter@paceengineering.us>

Ph: 530-244-0202

From: Rod Bryan [mailto:rbryan@mtshastaca.gov]
Sent: Friday, September 04, 2015 11:24 AM
To: Paul Reuter; Muriel Howarth Terrell

Cc: Paul Eckert
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Paul Reuter,

Here is the Applicant Certification Clause with attachments. Please let me know if you need the hard copies as well. Also, If you need to modify anything, I have attached the original Word docs.

Thanks,
Rod

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Thursday, August 27, 2015 10:00 AM
To: Rod Bryan <rbryan@mtshastaca.gov<<mailto:rbryan@mtshastaca.gov>>>>; Muriel Howarth Terrell <mterrell@mtshastaca.gov<<mailto:mterrell@mtshastaca.gov>>>>
Cc: Paul Eckert <eckert@mtshastaca.gov<<mailto:eckert@mtshastaca.gov>>>>
Subject: FW: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Rod and Muriel,

We will work with Enplan on the Enviro Narrative and PER. Can you guys fill out the Applicant Certification Clause?

Paul J. Reuter, P.E.
Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us<<mailto:preuter@paceengineering.us>>

Ph: 530-244-0202

From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Monday, August 24, 2015 6:13 PM
To: Paul Eckert (eckert@ci.mt-shasta.ca.us<<mailto:eckert@ci.mt-shasta.ca.us>>>); Paul Reuter
Cc: Rod Bryan (RBryan@mtshastaca.gov<<mailto:RBryan@mtshastaca.gov>>>); Muriel Howarth Terrell (MTerrell@mtshastaca.gov<<mailto:MTerrell@mtshastaca.gov>>>); Matson, Malinda
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Paul and Paul,

We received the information. Thanks. What Stan and I need before we can amend the scope of work is an Environmental Narrative, Applicant Certification Clause and Engineering Report filled out for the proposed wastewater treatment plant project. I've attached all three templates.

Thanks in advance for getting those to us. –Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration

915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov<<mailto:sfitzgerald@eda.gov>>

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Thursday, August 20, 2015 3:10 PM
To: Good, Stan; FitzGerald, Shannon
Cc: Paul Eckert (Eckert@mtshastaca.gov<<mailto:Eckert@mtshastaca.gov>>); Rod Bryan (RBryan@mtshastaca.gov<<mailto:RBryan@mtshastaca.gov>>); Muriel Howarth Terrell (MTerrell@mtshastaca.gov<<mailto:MTerrell@mtshastaca.gov>>)
Subject: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hello Shannon and Stan,
Attached is a project description for the EDA-Funded WWTP Improvements for the City of Mt. Shasta. It includes a project cost estimate, schedule and figures showing proposed improvements.
Feel free to contact me if you have questions or desire additional information.
Thank you.

Paul J. Reuter, P.E.
Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us<<mailto:preuter@paceengineering.us>>

Ph: 530-244-0202

FitzGerald, Shannon

From: Good, Stan
Sent: Monday, September 21, 2015 7:44 AM
To: FitzGerald, Shannon
Subject: FW: Environmental Narrative Documents
Attachments: Env Narrative DRAFT 9-10-15_complete.pdf; Applicant Certification Clause Form with Attachments.pdf; 1972 WWTP EIR.PDF; EDA-PER_Report-w-Attachments.pdf

I specifically asked them to forward to you. Must not have your email address.

Stan Good, P.E.
Civil Engineer
Seattle Regional Office
Ph: 206-220-7701
Email: sgood@eda.gov
Join EDA's mailing list today to get the latest agency news and grant opportunity information!

From: Rod Bryan [<mailto:rbryan@mtshastaca.gov>]
Sent: Monday, September 21, 2015 6:15 AM
To: Good, Stan
Cc: Paul Eckert; Paul Reuter <preuter@paceengineering.us> (preuter@paceengineering.us)
Subject: Environmental Narrative Documents

Stan,
Please see the attached requested documents. I can send hard copies as well if you need them.
If you need anything else, please let me know.

Thanks,

Rod Bryan
Public Works Director
City of Mt. Shasta
(530) 926-7526

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Monday, October 05, 2015 3:47 PM
To: 'Lindsay Kantor'
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Lindsay,

Thanks for the draft. I'll take a look at it now and get back to you.

Thanks again, Shannon

From: Lindsay Kantor [mailto:lkantor@enplan.com]
Sent: Monday, October 05, 2015 3:20 PM
To: FitzGerald, Shannon
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Shannon,

Please see attached for the revised SHPO consultation letter. A word file containing just the letter without the attachments is attached as well. If all looks good, we'll apply the same changes to the THPO consultation letters, as appropriate.

Thanks,
Lindsay



Lindsay Kantor
Environmental Planner
ENPLAN
lkantor@enplan.com
530.221.0440 x7111
www.enplan.com

Wildfire Viewer: wv.enplan.com
Wildfire maps updated hourly.

Parcel Viewer: pv.enplan.com
Parcel and record data for select counties.

From: FitzGerald, Shannon [mailto:SFitzGerald@eda.gov]
Sent: Wednesday, September 30, 2015 5:05 PM
To: Lindsay Kantor <lkantor@enplan.com>
Cc: Good, Stan <SGood@eda.gov>; Paul Eckert (eckert@ci.mt-shasta.ca.us) <eckert@ci.mt-shasta.ca.us>
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Lindsay,

Thanks on waiting to send out the National Historic Preservation Act Section 106 consultation letters to the SHPO and THPOs until I was out of training and had a chance to look at them. Today I spoke with Tristan Tozer in the SHPO's office. Tristan agrees that EDA's consultation letters (EDA has delegated authority to the City to consult on its behalf) should be limited to the undertaking funded by EDA which is the new filtration and UV disinfection facility. In the future, as other federal agencies fund other parts of the overall project, they can consult on their specific undertakings.

So please revise the letter and the Area of Potential Effect map to include just the EDA-funded filtration and UV disinfection.

Also, please send each Tribal entity their own consultation letter and please send us the responses. If a Tribe requests to consult directly with EDA, then we will do that.

Thanks again, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

From: Lindsay Kantor [<mailto:lkantor@enplan.com>]
Sent: Monday, September 28, 2015 4:10 PM
To: FitzGerald, Shannon
Cc: Good, Stan
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Thanks, Shannon. We can talk about this after Wednesday, but I did want to comment that the scope of work contained in the draft SHPO and THPO letters should be current.

To better explain my e-mail below: while the work scope for the purpose of EDA funds is limited to the UV and filtration facilities, for the purpose of SHPO/THPO consultation, the work scope entails the entire project site/all improvements as a whole (new treatment facility, access road, *plus* the filtration, UV facilities, etc.), which is what the letters include. This is because the entire project site/all improvements were treated together for archaeological review, and SHPO consultation/concurrence will be needed later on down the road as USDA Rural Development Rural Development, and other federal agencies will likely provide further funding for the remaining improvements. Thus, the letters request that SHPO/THPO review the entire project site/all improvements as a whole.

Hopefully that clears things up in the interim, and if we need to better clarify the above in the SHPO and THPO letters, it's no problem. Talk to you soon.

Thanks,
Lindsay


Lindsay Kantor
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From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Monday, September 28, 2015 3:46 PM
To: Lindsay Kantor <lkantor@enplan.com>
Cc: Good, Stan <SGood@eda.gov>
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Lindsay,

Thanks for sending the drafts of the consultation letters. I was out sick and am in office-wide training today and tomorrow. The draft letters appear to contain an old scope of work which has been modified. Before you send anything out, let me check with Stan Good, the engineer on the project, to confirm that the scope has been changed. We will get back to you with comments—definitely by Wednesday if not sooner.

Thanks again, Shannon 206-220-7703

From: Lindsay Kantor [<mailto:lkantor@enplan.com>]
Sent: Monday, September 28, 2015 10:07 AM
To: FitzGerald, Shannon
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Shannon,

Attached are draft SHPO and THPO letters for the Mt. Shasta Wastewater Treatment Plant project. Do have time to take a look at the letters before we finalize them with the City and send out to the respective parties?

Both of the letters will have two figures and the cultural report enclosed (see attached).

Also, as you may remember the SHPO/THPO consultation/concurrence will be requested for *all* of the potential improvements at the wastewater treatment plant, not just the EDA-funded filtration and disinfection improvements, as USDA Rural Development will also be funding a portion of the improvements. The letters indicate this.

Thanks for your help!
Lindsay



Lindsay Kantor
Environmental Planner
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From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Thursday, September 03, 2015 4:30 PM
To: Lindsay Kantor <lkantor@enplan.com>
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Lindsay,

Here is a template of the letter that the City will need to send to the State Historic Preservation Officer (SHPO) on EDA's behalf. We need to get their concurrence on the determination of the effects of the project on any cultural resources that may be present at the site before any restoration to the buildings is done. If the wastewater treatment plant is older than 45 year, then it would not qualify as a historic property. We could then make the determination that there are no historic properties at the project site. But I will defer to the determination that the consulting archaeologist made in their report. The SHPO's contact information is:

Julianne Polanco
State Historic Preservation Officer
California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

If you need assistance at the SHPO's office, Tristan Tozer is the staff person that we work with. His number is 916-445-7027 and his email address is ttozer@parks.ca.gov.

I've also included the template of the letter that will need to be sent to Tribe identified on the Native American Heritage Commission's (NAHC) Native American Contact List. The letter will need to go to both the Tribal leader (it could be a chairperson or president) and the Tribal Historic Preservation Officer (or cultural resources director if there isn't a federally recognized THPO). I'd be glad to review a draft of the letter to the SHPO and one of the letters to the Tribes. In addition to requesting a Native American Contact List, also ask the NAHC for a Sacred Lands File Search. They use to have a website that you could submit a request electronically, but one of our grantees said that that no longer worked. The NAHC contact information is:

Native American Heritage Commission
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone: 916-373-3710
Fax: 916-373-5471
nahc@nahc.ca.gov

It sounds like the consulting archaeologist contacted the Northeast Information Center in Chico for cultural resources information. That would be good to emphasize that in the letter to the SHPO if it is not identified in the cultural resources report that was produced. If for some reason, you need to contact them, the coordinator is Antoinette Martinez at 530-898-6256.

If you have any questions, you can also contact me. Thanks for doing this, Shannon

Shannon FitzGerald
Regional Environmental Officer

Economic Development Administration
915 Second Ave., Room 1890
Seattle, WA 98174
phone: 206-220-7703
fax: 206-220-7657
sfitzgerald@eda.gov

From: Lindsay Kantor [<mailto:lkantor@enplan.com>]
Sent: Thursday, September 03, 2015 10:54 AM
To: FitzGerald, Shannon
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Shannon,

I realized after we spoke about SHPO consultation the other day that I didn't provide you with my e-mail address and you likely didn't have it.

Thanks,
Lindsay

■
Lindsay Kantor
Environmental Planner
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From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Monday, August 24, 2015 6:13 PM
To: Paul Eckert (eckert@ci.mt-shasta.ca.us); Paul Reuter
Cc: Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Matson, Malinda
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Paul and Paul,

We received the information. Thanks. What Stan and I need before we can amend the scope of work is an Environmental Narrative, Applicant Certification Clause and Engineering Report filled out for the proposed wastewater treatment plant project. I've attached all three templates.

Thanks in advance for getting those to us. –Shannon

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Phone: 206-220-7703

Fax: 206-220-7657
sfitzgerald@eda.gov

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Subject: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hello Shannon and Stan,
Attached is a project description for the EDA-Funded WWTP Improvements for the City of Mt. Shasta. It includes a project cost estimate, schedule and figures showing proposed improvements.
Feel free to contact me if you have questions or desire additional information.
Thank you.

Paul J. Reuter, P.E. Ph: 530-244-0202
Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us

FitzGerald, Shannon

From: Lindsay Kantor <lkantor@enplan.com>
Sent: Monday, October 05, 2015 3:51 PM
To: FitzGerald, Shannon
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Great. Thanks, Shannon.

Lindsay

From: FitzGerald, Shannon [mailto:SFitzGerald@eda.gov]
Sent: Monday, October 05, 2015 3:47 PM
To: Lindsay Kantor <lkantor@enplan.com>
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

Hi Lindsay,

Thanks for the draft. I'll take a look at it now and get back to you.

Thanks again, Shannon

From: Lindsay Kantor [mailto:lkantor@enplan.com]
Sent: Monday, October 05, 2015 3:20 PM
To: FitzGerald, Shannon
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Thanks again, Shannon

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Regional Environmental Officer
Economic Development Administration
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Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

From: Lindsay Kantor [<mailto:lkantor@enplan.com>]
Sent: Monday, September 28, 2015 4:10 PM
To: FitzGerald, Shannon
Cc: Good, Stan
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

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Thanks again, Shannon 206-220-7703

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Sent: Monday, September 28, 2015 10:07 AM
To: FitzGerald, Shannon
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Thanks for your help!
Lindsay

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From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Thursday, September 03, 2015 4:30 PM
To: Lindsay Kantor <lkantor@enplan.com>
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State Historic Preservation Officer
California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

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1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone: 916-373-3710
Fax: 916-373-5471
nahc@nahc.ca.gov

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fax: 206-220-7657
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To: FitzGerald, Shannon
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Hi Shannon,

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Thanks,
Lindsay

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Sent: Monday, August 24, 2015 6:13 PM
To: Paul Eckert (eckert@ci.mt-shasta.ca.us); Paul Reuter
Cc: Rod Bryan (RBryan@mtshastaca.gov); Muriel Howarth Terrell (MTerrell@mtshastaca.gov); Matson, Malinda
Subject: RE: EDA-Funded Wastewater Treatment Plan Improvements - Project Description

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Thanks in advance for getting those to us. --Shannon

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To: Good, Stan; FitzGerald, Shannon
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Feel free to contact me if you have questions or desire additional information.
Thank you.

Paul J. Reuter, P.E. Ph: 530-244-0202
Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Tuesday, October 06, 2015 11:01 AM
To: Lindsay Kantor (lkantor@enplan.com)
Cc: Good, Stan; Paul Eckert (eckert@ci.mt-shasta.ca.us); Rod Bryan (RBryan@mtshastaca.gov) (RBryan@mtshastaca.gov); Paul Reuter (preuter@paceengineering.us)
Subject: Mt. Shasta SHPO consultation letter

Hi All,

I really appreciate the work that folks have contributed to drafting consultation letter to the SHPO. I started marking it up to focus the letter on the EDA-funded project and it got pretty messy. Also, the determination of effect in the draft letter did not match the determination of effect in the Cultural Resources Inventory. So what I will do is use parts of the draft letter and EDA will consult directly with the SHPO. So there is no need for the City to send a letter to the SHPO.

In the Cultural Resources Inventory there are letters to the Tribes and two responses. So we do not need to send another consultation letter to the Tribes. However, if there is an inadvertent discovery during construction, we will stop work in the immediate vicinity of the find and contact the Tribes and the SHPO.

Thanks for providing the information for the letter. Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

FitzGerald, Shannon

From: Lindsay Kantor <lkantor@enplan.com>
Sent: Tuesday, October 06, 2015 11:49 AM
To: FitzGerald, Shannon
Cc: Good, Stan; Paul Eckert (eckert@ci.mt-shasta.ca.us); Rod Bryan (RBryan@mtshastaca.gov) (RBryan@mtshastaca.gov); Paul Reuter (preuter@paceengineering.us); Don Burk
Subject: RE: Mt. Shasta SHPO consultation letter

Thanks, Shannon. Sounds good.

Lindsay



Lindsay Kantor
Environmental Planner
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Sent: Tuesday, October 06, 2015 11:01 AM
To: Lindsay Kantor <lkantor@enplan.com>
Cc: Good, Stan <SGood@eda.gov>; Paul Eckert (eckert@ci.mt-shasta.ca.us) <eckert@ci.mt-shasta.ca.us>; Rod Bryan (RBryan@mtshastaca.gov) (RBryan@mtshastaca.gov) <RBryan@mtshastaca.gov>; Paul Reuter (preuter@paceengineering.us) <preuter@paceengineering.us>
Subject: Mt. Shasta SHPO consultation letter

Hi All,

I really appreciate the work that folks have contributed to drafting consultation letter to the SHPO. I started marking it up to focus the letter on the EDA-funded project and it got pretty messy. Also, the determination of effect in the draft letter did not match the determination of effect in the Cultural Resources Inventory. So what I will do is use parts of the draft letter and EDA will consult directly with the SHPO. So there is no need for the City to send a letter to the SHPO.

In the Cultural Resources Inventory there are letters to the Tribes and two responses. So we do not need to send another consultation letter to the Tribes. However, if there is an inadvertent discovery during construction, we will stop work in the immediate vicinity of the find and contact the Tribes and the SHPO.

Thanks for providing the information for the letter, Shannon

Shannon FitzGerald

Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

FitzGerald, Shannon

From: Lindsay Kantor <lkantor@enplan.com>
Sent: Tuesday, October 13, 2015 2:43 PM
To: FitzGerald, Shannon
Subject: Mt. Shasta WWTP Public Notice

Hi Shannon—Quick follow-up to our phone conversation. A public notice for the EDA-funded project may still be the right way to go, however, I failed to mention that Crystal Geyser announced last month that they will be preparing an EIR for expansion of their bottling facility. It's our hope that this decision will take most of the heat off of our CEQA document for the wastewater treatment plant. Wanted to make sure you got wind of local news... ☺

Thanks,
Lindsay



Lindsay Kantor
Environmental Planner
ENPLAN
lkantor@enplan.com
530.221.0440 x7111
www.enplan.com

Wildfire Viewer: wv.enplan.com
Wildfire maps updated hourly.

Parcel Viewer: pv.enplan.com
Parcel and record data for select counties.

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Tuesday, October 13, 2015 3:43 PM
To: 'Lindsay Kantor'
Subject: RE: Mt. Shasta WWTP Public Notice

Hi Lindsay,

Thanks for the update. 40 CFR §1506.6 states that agencies shall make diligent efforts to involve the public in preparing and implementing their NEPA procedures. So EDA will go ahead and publish a public notice in the newspaper. I'll keep you in the loop on when that will be.

Thanks again for all your help. –Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
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Thanks,
Lindsay

✉
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Parcel and record data for select counties.

FitzGerald, Shannon

From: Lindsay Kantor <lkantor@enplan.com>
Sent: Tuesday, October 13, 2015 3:51 PM
To: FitzGerald, Shannon
Subject: RE: Mt. Shasta WWTP Public Notice

Sounds good. Thanks, Shannon!

Lindsay

From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Tuesday, October 13, 2015 3:43 PM
To: Lindsay Kantor <lkantor@enplan.com>
Subject: RE: Mt. Shasta WWTP Public Notice

Hi Lindsay,

Thanks for the update. 40 CFR §1506.6 states that agencies shall make diligent efforts to involve the public in preparing and implementing their NEPA procedures. So EDA will go ahead and publish a public notice in the newspaper. I'll keep you in the loop on when that will be.

Thanks again for all your help. –Shannon

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915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
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To: FitzGerald, Shannon
Subject: Mt. Shasta WWTP Public Notice

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Thanks,
Lindsay

☺
Lindsay Kantor
Environmental Planner

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Wildfire maps updated hourly.

Parcel Viewer: pv.enplan.com

Parcel and record data for select counties.

FitzGerald, Shannon

From: Paul Reuter <preuter@paceengineering.us>
Sent: Tuesday, October 13, 2015 6:47 PM
To: FitzGerald, Shannon
Cc: Good, Stan; Grant Maxwell
Subject: Re: area?

Thanks Shannon.

I'm on vacation until the 27th, but I believe Rod Bryan is trying to provide the information needed. Grant Maxwell at PACE will be our point of contact until I get back on the 27th. Grant can provide any areas you need. I think Rod just needed clarification whether the area needs to include the EDA-funded portion of the work or the overall State-Mandated project.

Thanks.

Sent from my iPhone

On Oct 13, 2015, at 1:28 PM, FitzGerald, Shannon <SFitzGerald@eda.gov> wrote:

Hi Paul,

Can you provide us with the area that will be disturbed by the filtration and UV disinfection facilities, and the piping?

Thanks, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Wednesday, October 14, 2015 10:06 AM
To: Paul Eckert (eckert@ci.mt-shasta.ca.us)
Cc: Good, Stan; 'bryan@ci.mt-shasta.ca.us'; Paul Reuter (preuter@paceengineering.us); Lindsay Kantor (lkantor@enplan.com)
Subject: draft NEPA public notice for EDA scope amendment
Attachments: Mt. Shasta NEPA Public Notice(2).docx

Hi Paul,

Before EDA finalized its Environmental Assessment for the original scope of work, we published a NEPA public notice. For the scope amendment, we will issue another NEPA public notice. Please fill in the attached public notice and publish it in a local newspaper (Mt. Shasta Herald) for three consecutive days. I vaguely recall that the Mt. Shasta Herald may be a weekly newspaper. If that is the case, you could also publish the public notice in a county-wide newspaper.

Thanks, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

Publish this notice in the daily newspaper with the greatest local circulation for three (3) consecutive days. Provide an affidavit of publication to EDA upon publication.

PUBLIC NOTICE

The U.S. Department of Commerce, Economic Development Administration (EDA) is considering a request from the City of Mt. Shasta to amend the scope of work for an existing grant. The proposed scope of work would fund the construction of new filtration and ultraviolet (UV) disinfection facilities and associated piping at the Mt. Shasta Waste Water Treatment Plant (WWTP) in Siskiyou County, California. Pursuant to the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA), EDA is conducting an assessment of the potential of the proposed project to affect the environment and/or historic properties.

Under the proposed project, filtration and UV disinfection facilities would be constructed at the Mt. Shasta WWTP on Grant Road to the southwest of the City of Mt. Shasta. The filtration and UV disinfection facilities would be located where abandoned intermittent sand filters currently exist. Project information is available for review at applicant's office, address and phone number.

If you have any information regarding potential impacts environmental resources or historic properties associated with this proposed project, please provide it in writing to:

Regional Environmental Officer
US Department of Commerce
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
sfitzgerald@eda.gov

Comments received in the EDA Regional Office by 5:00 pm on insert date 15 days after the third day of publication of this notice. If the newspaper is not a daily, please contact the Regional Environmental Officer prior to publication to determine the deadline for comments will be considered. A copy of the NEPA/NHPA decisional document will be available upon request from the above EDA Regional Office.

FitzGerald, Shannon

From: Good, Stan
Sent: Wednesday, October 14, 2015 1:54 PM
To: FitzGerald, Shannon
Subject: FW: Engineering Narrative
Attachments: FIG1 - API.pdf

Shasta WWTP site

Stan Good, P.E.
Civil Engineer
Seattle Regional Office
Ph: 206-220-7701
Email: sgood@eda.gov

Join EDA's mailing list today to get the latest agency news and grant opportunity information!

From: Grant Maxwell [<mailto:gmaxwell@paceengineering.us>]
Sent: Wednesday, October 14, 2015 11:11 AM
To: Good, Stan; Rod Bryan
Cc: Paul Eckert; Paul Reuter
Subject: RE: Engineering Narrative

Stan

Please find the attached figure. Giving the site a generous buffer gives us an area of impact less than 0.8 acres.

Let me know if you have any questions.

Thanks

Grant Maxwell

PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
gmaxwell@paceengineering.us

Ph: 530-244-0202, Fax: 530-244-1978

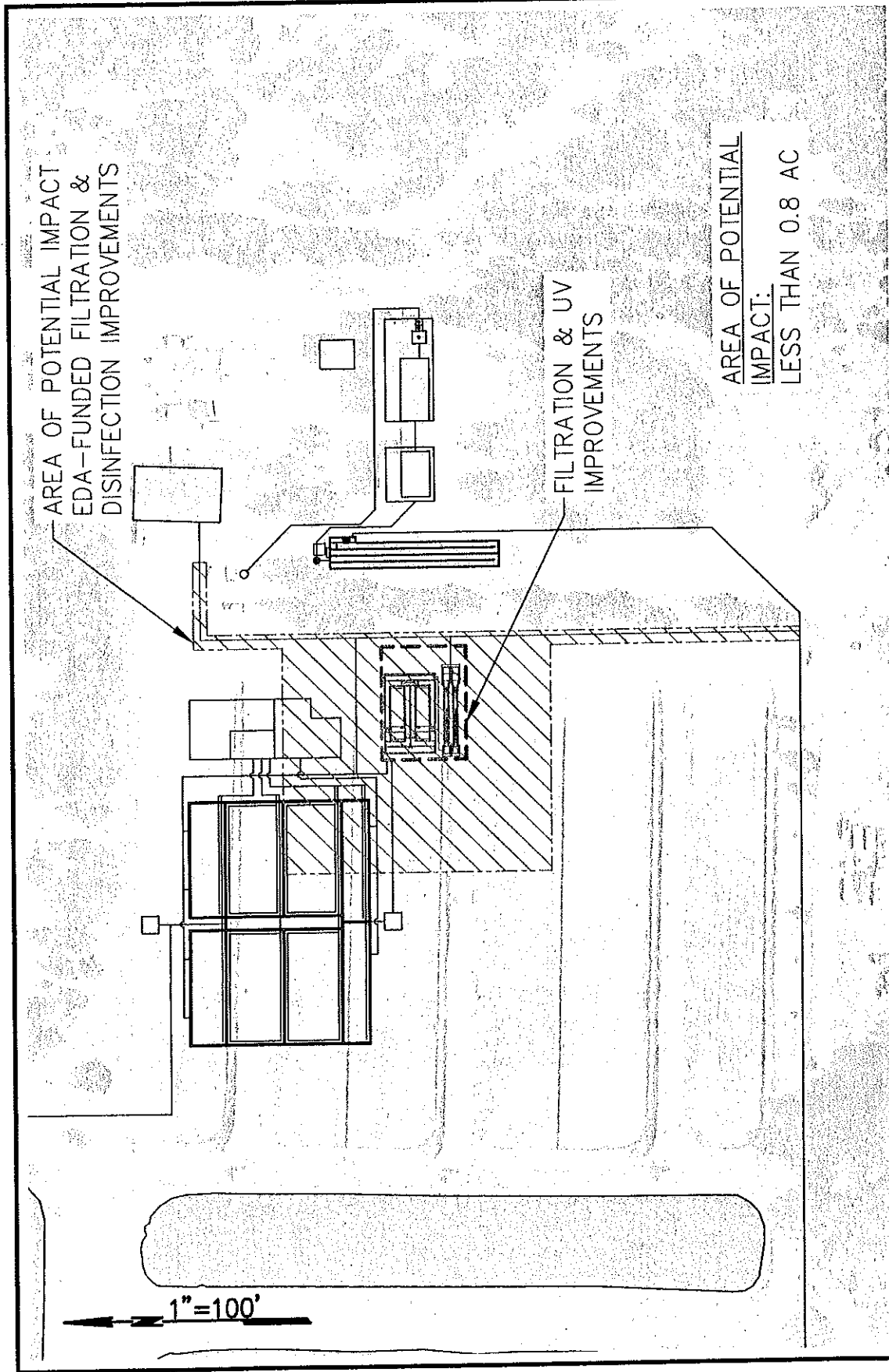


FIGURE 1
DATE: 3/15
JOB #111.44

CITY OF MT. SHASTA
EDA-FUNDED FILTRATION & DISINFECTION
IMPROVEMENTS PROJECT
AREA OF POTENTIAL IMPACT



FitzGerald, Shannon

From: Good, Stan
Sent: Wednesday, October 14, 2015 2:32 PM
To: FitzGerald, Shannon
Subject: RE: Engineering Narrative

They said 0.8 acre.

Stan Good, P.E.
Civil Engineer
Seattle Regional Office
Ph: 206-220-7701
Email: sgood@eda.gov

Join EDA's mailing list today to get the latest agency news and grant opportunity information!

From: FitzGerald, Shannon
Sent: Wednesday, October 14, 2015 2:09 PM
To: Good, Stan
Subject: RE: Engineering Narrative

It is less than an acre—one less special condition. Thanks.

From: Good, Stan
Sent: Wednesday, October 14, 2015 1:54 PM
To: FitzGerald, Shannon
Subject: FW: Engineering Narrative

Shasta WWTP site

Stan Good, P.E.
Civil Engineer
Seattle Regional Office
Ph: 206-220-7701
Email: sgood@eda.gov

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From: Grant Maxwell [<mailto:gmaxwell@paceengineering.us>]
Sent: Wednesday, October 14, 2015 11:11 AM
To: Good, Stan; Rod Bryan
Cc: Paul Eckert; Paul Reuter
Subject: RE: Engineering Narrative

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Let me know if you have any questions.

Thanks

Grant Maxwell

PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
gmaxwell@paceengineering.us

Ph: 530-244-0202, Fax: 530-244-1978

FitzGerald, Shannon

From: Paul Eckert <eckert@mtshastaca.gov>
Sent: Sunday, October 18, 2015 4:38 PM
To: FitzGerald, Shannon; Good, Stan
Cc: Paul Reuter (preuter@paceengineering.us); Rod Bryan; Muriel Howarth Terrell; Larisa Proulx
Subject: FW: agenda and minutes of public meeting can substitute for public notice
Attachments: cc01.26.15_FINALnumbered.pdf; cc01.26.15_MINUTES Approved.pdf

Greetings Shannon and Stan;

Please find attached the requested documentation. Thank you for your ongoing assistance.

Paul Eckert
City Manager

From: Larisa Proulx
Sent: Thursday, October 15, 2015 4:17 PM
To: Paul Eckert <eckert@mtshastaca.gov>
Subject: RE: agenda and minutes of public meeting can substitute for public notice

Is this what he is looking for?

The agenda packet and minutes are also posted on the City's website:

minutes: http://ci.mt-shasta.ca.us/clerk/council/cc01.26.15_MINUTES_Approved.pdf

agenda packet: http://ci.mt-shasta.ca.us/clerk/council/CC_09.28.15_AgendaPacket.pdf

Larisa

From: Paul Eckert
Sent: Thursday, October 15, 2015 8:31 AM
To: Larisa Proulx <lproulx@mtshastaca.gov>
Cc: Paul Reuter (preuter@paceengineering.us) <preuter@paceengineering.us>; Rod Bryan <rbryan@mtshastaca.gov>
Subject: FW: agenda and minutes of public meeting can substitute for public notice

Hi Larisa,

Can you please search for the information requested below when you have time.

Thank you!

Paul

From: FitzGerald, Shannon [mailto:SFitzGerald@eda.gov]
Sent: Wednesday, October 14, 2015 2:18 PM
To: Paul Eckert <eckert@mtshastaca.gov>
Cc: Good, Stan <SGood@eda.gov>; Paul Reuter (preuter@paceengineering.us) <preuter@paceengineering.us>; Lindsay

Kantor (lkantor@enplan.com) <lkantor@enplan.com>

Subject: agenda and minutes of public meeting can substitute for public notice

Hi Paul,

I was just rereading the history of the project. It looks like there was a City Council public meeting on January 26, 2015 regarding the proposed amended scope of work. If you can send me the agenda and minutes for that meeting which document that the proposed project was discussed and it was a public meeting, then that can substitute in lieu of a public notice.

Thanks, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

Mt. Shasta City Council Regular City Council Meeting Agenda

Mt. Shasta Community Center, 629 Alder Street
Monday, January 26, 2015; 5:30 p.m.

"Our mission is to maintain the character of our "small town" community while striking an appropriate balance between economic development and preservation of our quality of life. We help create a dynamic and vital City by providing quality, cost-effective municipal services and by forming partnerships with residents and organizations in the constant pursuit of excellence."

| Page | Item | STANDING AGENDA ITEMS |
|--|------|--|
| | 1. | Call to Order and Flag Salute |
| | 2. | Roll call |
| | 3. | Special Presentations & Announcements: Water Conservation- Meadow Fitton |
| P 5-7 P 9-10 P 11-14 P 15-18 P 19-20 | 4. | City Council Interviews of Board/Commission /Commissioner Candidates: <ul style="list-style-type: none"> a. Melanie Findling – Planning Commission b. Lorie Saunders – Beautification Committee c. Alexis Meadows – Beautification Committee d. Leslie Holland – Beautification Committee e. Terez Maniatis – Beautification Committee |
| | 5. | Public Comment: <p>Welcome to our City Council meeting. The Council invites the public to address the Council on matters on the Consent Agenda and matters not listed on the agenda that are within the Council's subject matter jurisdiction. If the Public wishes to comment on matters that are on the agenda, the Council will request comment when the matter is heard. The Council reserves the right to limit public comment on matters that are outside its subject matter jurisdiction.</p> <p>The City Council may regulate the total amount of time on particular issues and for speakers (typically 3 minutes). The Council may place additional time limits on comments, to ensure members of the public have an opportunity to speak and the Council is able to complete its business. A group may be asked to choose a spokesperson to address the Council on a subject matter, or the Council may limit the number of persons addressing the Council whenever a group of persons wishes to address the council on the same subject matter. Speakers may not cede their time to another.</p> <p>The Mayor manages the City Council meeting with a commitment to effective engagement while maintaining a positive, respectful decorum. The Mayor will typically start the Public Comment period sharing the following reminders relating decorum and Brown Act compliance efforts:</p> <ul style="list-style-type: none"> ✓ This is the time for the public to address the Council on matters on the Consent Agenda or matters NOT on the Council Agenda. This will be a comment period only. If the public wishes a response they may provide their contact information to the Deputy City Clerk. ✓ The Mayor will recognize each speaker in an orderly fashion. Most often, the Mayor will call the speakers whom have signed in first and shall then call for those who would like to address the Council but whom did not sign in by inviting them to come to the front of the room and wait to be recognized to speak. Once the speaker is recognized, the speaker will address the Council only and shall provide comment from the public microphone. Public Comment will typically not be taken from any |

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| | <p>person shouting from the audience.</p> <ul style="list-style-type: none"> ✓ No heckling or shouting from the audience at a speaker shall be permitted. ✓ The City Council may ask "clarifying" questions only. Due to equity and Brown Act concerns, the Council will avoid engaging in dialogue or debate. ✓ If there is an item of great community significance/interest and is within the Council's subject matter jurisdiction, the Council may request the item be agendaized for further consideration at a subsequent Council meeting. |
| | <p>6. Meeting Recess (As Necessary)</p> |
| <p>CITY COUNCIL BUSINESS</p> | |
| <p>P 21 P 23-25 P 27-30 P 31-34 P 35 P 37 P 39-46</p> | <p>7. Consent Agenda - The City Manager recommends approval of the following Consent Agenda items. All Resolutions and Ordinances on this agenda, or added hereto, shall be introduced or adopted, as applicable, by title only, and the full reading thereof is hereby waived.</p> <ul style="list-style-type: none"> a. Approval of Minutes: December 16, 2014 Special City Council Meeting b. Approval of Minutes: January 12, 2015 Regular City Council Meeting c. Acceptance of Brown Act Committee Minutes: <ul style="list-style-type: none"> ATC Regular Meeting Minutes of November 21, 2014 ATC Regular Meeting Minutes of December 19, 2014 Beautification Committee Regular Meeting Minutes of October 8, 2014 Beautification Committee Special Meeting Minutes of October 8, 2014 d. Approval of Disbursements: Accounts Payable: 1/9/15; 1/9/15; and 1/12/15; Total Gross Payroll and Taxes: For Period Ending 1/7/15 (Finance Director) e. City Council Committee Assignments: <ul style="list-style-type: none"> i. LTC – Michael Burns Sr. ii. ATC – Michael Burns Sr. iii. Beautification Committee – Jeffrey Collings iv. CEDAC – Tim Stearns & Geoff Harkness v. LTAC – Geoff Harkness vi. DEAC – Michael Burns Sr. vii. Crystal Geyser Communications Ad Hoc Committee – Jeffrey Collings viii. Water Main and Water Meters Ad Hoc Committee – Jeffrey Collings ix. Waste Water Treatment Plant Construction (WWTP) Ad Hoc Committee – Michael Burns Sr. & Jeffrey Collings x. SAGE – Tim Stearns xi. Solid Waste JPA – City Manager |
| <p>P 47</p> | <p>8. Prop 84 Water Meters and Pipeline Projects funded through the Regional Water Management Group (RWMG)- Project Process and Update</p> <p><u>Background:</u> Staff will provide an update on the progress on the proposed projects and summarize next steps.</p> <p><u>Report By:</u> Rod Bryan, Public Works Director</p> |

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| | <p><u>Council Action:</u> Provide direction to staff in selection of a water meter.</p> |
| P 49 | <p>9. Selection of a project alternative for the Caltrans SR 89/South Mt. Shasta Boulevard Intersection Improvement Project Concepts.</p> <p><u>Background:</u> Caltrans will present alternatives and seek Council input on alternatives for improving the Highway 89/South Mt. Shasta Boulevard intersection.</p> <p><u>Report By:</u> Rod Bryan, Public Works Director and Caltrans Representatives</p> <p><u>Council Action:</u> City Council direction regarding preferred alignment on Highway 89.</p> |
| P 51-61 | <p>10. City response to U.S. Economic Development Administration (EDA).</p> <p><u>Background:</u> City Staff will provide and update regarding the U.S. Economic Development Administration (EDA) Grant Award changes. The City Council will be asked to consider and decide among two alternatives, returning the funds or directing the funds to the Mt. Shasta State Mandated Waste Water Treatment Plant Project.</p> <p><u>Report By:</u> Paul Eckert, City Manager</p> <p><u>Council Action:</u> City Council to provide direction regarding U.S. Economic Development Administration (EDA) alternatives stated above.</p> |
| P 63-64 | <p>11. Efforts to obtain funding from various sources for the well documents necessary to <u>complete</u> repairs to the City's Interceptor Line.</p> <p><u>Background:</u> The Interceptor Line Repair, has been a top priority in the City's Sewer Master Plan for several decades. Completing the project remains a top priority of the City Council. The loss of the EDA funding requires that alternative funding sources be identified.</p> <p><u>Report By:</u> Paul Eckert, City Manager</p> <p><u>Council Action:</u> Provide direction to staff regarding exploring and obtaining funding sources for repairs to the City's Interceptor Line.</p> |
| CITY COUNCIL/STAFF REPORTING PERIOD | |
| | 12. Council Reports on Attendance at Appointed/Outside Meetings |
| | 13. Council and Staff Comments |
| | <p>14. Future Agenda Items (Appearing on the agenda within 60-90 days):</p> <ul style="list-style-type: none"> a. Review of Ordinance #275 with the intent to add language allowing the inclusion of downtown property owners to be eligible to sit on the DEAC – 2/2015 (Waiting for legal review) b. LED Light System Update – 2/2015 |

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| | <ul style="list-style-type: none">c. Overview of election process for Councilmembers – 2/2015d. ATC jurisdiction review – 2/2015e. Water conservation communication efforts – 3/2015f. Commercial Recycling Oversight Requirements – 3/2015g. Updates from Council appointed committees – 4/2015 |
| | <p>15. Adjourn</p> <p>Availability of Public Records: All public records related to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at City Hall located at 305 North Mt. Shasta Blvd., Mt. Shasta, CA at the same time the public records are distributed or made available to the members of the legislative body. Agenda related writings or documents provided to a majority of the legislative body after distribution of the Agenda packet will be available for public review within a separate binder at City Hall at the same time as they are made available to the members of the legislative body.</p> <p>The City of Mt. Shasta does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or provision of services. In compliance with the Americans with Disabilities Act, persons requiring accommodations for a disability at a public meeting should notify the City Clerk or Deputy City Clerk at least 48 hours prior to the meeting at (530) 926-7510 in order to allow the City sufficient time to make reasonable arrangements to accommodate participation in this meeting</p> |

Mt. Shasta City Council Regular Meeting Minutes

Mt. Shasta Community Center, 629 Alder Street

Monday, January 26, 2015 - 5:30 p.m.

Approved as submitted February 9, 2015

“Our mission is to maintain the character of our “small town” community while striking an appropriate balance between economic development and preservation of our quality of life. We help create a dynamic and vital City by providing quality, cost-effective municipal services and by forming partnerships with residents and organizations in the constant pursuit of excellence.”

| Page | Item | STANDING AGENDA ITEMS |
|------|------|---|
| | 1. | <p>Call to Order and Flag Salute</p> <p>At the hour of 5:35 p.m., Mayor Geoffrey Harkness called the meeting to order and led the audience in the Pledge of Allegiance.</p> |
| | 2. | <p>Roll Call</p> <p>Councilmembers Present: Mayor Pro Tem Jeffrey Collings, Burns, Stearns, Mayor Harkness Councilmembers Absent: None</p> |
| | 3. | <p>Special Presentations and Announcements: Water Conservation - Meadow Fitton</p> <p>Meadow Fitton, Water Education Consultant, gave a brief presentation on the preparations being made with the City of Mt. Shasta to advise its citizens about water conservation in drought conditions. An informational brochure will be mailed to City utility customers in the third week of February, 2015. Three “water talks,” which will include an informational video, have been scheduled in the City of Mt. Shasta for March 10, May 21, and October 21, 2015.</p> |
| | 4. | <p>City Council Interviews of Board/Commission /Commissioner Candidates:</p> <ul style="list-style-type: none"> a. Melanie Findling – Planning Commission b. Lorie Saunders – Beautification Committee c. Alexis Meadows – Beautification Committee d. Leslie Holland – Beautification Committee e. Terez Maniatis – Beautification Committee <p>MOTION to fill the four (4) vacancies on the Planning Commission with Melanie Findling, Alan Pardee, Emily Derby, and Casey Clure.</p> <p>Motion by: Councilmember Stearns Second by: Councilmember Burns 4 Ayes – (Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness)</p> |

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| | <p>MOTION to fill existing two (2) vacancies on the Beautification Committee with Terez Maniatis and Leslie Holland.</p> <p>Motion by: Councilmember Stearns Second by: No second on motion.</p> <p>Council Action: This item was postponed for a future regular meeting of the City Council.</p> |
| | <p>5. Public Comment:</p> <p>Members of the audience voiced their comments and concerns regarding: geo engineering; the Interceptor Line Project, an Environmental Impact Report (EIR); logging at Lake Siskiyou campground; the impact on the health and welfare of the community with installation of smart water meters; and Caltrans SR 89/South Mt. Shasta Boulevard Intersection Project.</p> |
| | <p>6. Meeting Recess: A brief recess was taken at 7:45 p.m.</p> |
| <p>CITY COUNCIL BUSINESS</p> | |
| | <p>7. Consent Agenda - The City Manager recommends approval of the following Consent Agenda items. All Resolutions and Ordinances on this agenda, or added hereto, shall be introduced or adopted, as applicable, by title only, and the full reading thereof is hereby waived.</p> <ul style="list-style-type: none"> a. Approval of Minutes: December 16, 2014 Special City Council Meeting b. Approval of Minutes: January 12, 2015 Regular City Council Meeting c. Acceptance of Brown Act Committee Minutes: <ul style="list-style-type: none"> ATC Regular Meeting Minutes of November 21, 2014 ATC Regular Meeting Minutes of December 19, 2014 Beautification Committee Regular Meeting Minutes of October 8, 2014 Beautification Committee Special Meeting Minutes of October 8, 2014 d. Approval of Disbursements: Accounts Payable: 1/9/15; 1/9/15; and 1/12/15; Total Gross Payroll and Taxes: For Period Ending 1/7/15 (Finance Director) e. City Council Committee Assignments: <ul style="list-style-type: none"> i. LTC – Michael Burns Sr. ii. ATC – Michael Burns Sr. iii. Beautification Committee – Jeffrey Collings iv. CEDAC – Tim Stearns & Geoff Harkness v. LTAC – Geoff Harkness vi. DEAC – Michael Burns Sr. vii. Crystal Geyser Communications Ad Hoc Committee – Jeffrey Collings viii. Water Main and Water Meters Ad Hoc Committee – Jeffrey Collings |

- ix. Waste Water Treatment Plant Construction (WWTP) Ad Hoc Committee – Michael Burns Sr. & Jeffrey Collings
- x. SAGE – Tim Stearns
- xi. Solid Waste JPA – City Manager

MOTION to approve consent agenda item 7(a) Approval of Minutes: December 16, 2014 Special City Council Meeting; 7(b) Approval of Minutes: January 12, 2015 Regular City Council Meeting; 7(c) Acceptance of Brown Act Committee Minutes: ATC Regular Meeting Minutes of November 21, 2014; ATC Regular Meeting Minutes of December 19, 2014; Beautification Committee Regular Meeting Minutes of October 8, 2014; Beautification Committee Special Meeting Minutes of October 8, 2014; and 7(d) Approval of Disbursements: Accounts Payable: 1/9/15; 1/9/15; and 1/12/15; Total Gross Payroll and Taxes: For Period Ending 1/7/15 (Finance Director); and 7(e) City Council Committee Assignments: i. LTC – Michael Burns Sr.; ii. ATC – Michael Burns Sr.; iii. Beautification Committee – Jeffrey Collings; iv. CEDAC – Tim Stearns and Geoff Harkness; v. LTAC – Geoff Harkness; vi. DEAC – Michael Burns Sr.; vii. Crystal Geyser Communications Ad Hoc Committee – Jeffrey Collings; viii. Water Main and Water Meters Ad Hoc Committee – Jeffrey Collings; ix. Waste Water Treatment Plant Construction (WWTP) Ad Hoc Committee – Michael Burns Sr. and Jeffrey Collings; x. SAGE – Tim Stearns; and xi. Solid Waste JPA – City Manager

Motion by: Councilmember Stearns, with one exception. Item 7(e) City Council Committee Assignments, Item i., LTC – Michael Burns, Sr. This committee position is assigned by the Mayor's Committee of the League of Local Agencies (LOLA). Councilmember Stearns reported that Michael Burns, Sr. was appointed to fill one of two vacancies on the LTC by that Committee in their meeting the previous week.

MOTION to accept consent agenda items, with the exception of item 7(e)i:

Motion by: Councilmember Stearns
Second by: Councilmember Burns
4 Ayes – (Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness)

8. Prop 84 Water Meters and Pipeline Projects funded through the Regional Water Management Group (RWMG)- Project Process and Update

Background: Staff will provide an update on the progress on the proposed projects and summarize next steps.

Report By: Rod Bryan, Public Works Director

Council Action: Provide direction to staff in selection of a water meter.

Mayor Pro Tem Collings gave a presentation on his extensive research regarding various types of water meters, their safety and efficiency, benefits, costs, and role in water conservation, now and for the long-term.

| | |
|--|--|
| | <p>In order to minimize health impacts on the City of Mt. Shasta's utility customers, labor and maintenance costs to the City, in addition to providing ongoing data to promote water conservation, City Council unanimously directed the Public Works Department to move forward with the installation of the <i>Census / Pearl</i> "drive-by" Automatic Meter Reading (AMR) system, which is not a smart meter.</p> |
| | <p>9. Selection of a project alternative for the Caltrans SR 89/South Mt. Shasta Boulevard Intersection Improvement Project Concepts.</p> <p><u>Background:</u> Caltrans will present alternatives and seek Council input on alternatives for improving the Highway 89/South Mt. Shasta Boulevard intersection.</p> <p><u>Report By:</u> Rod Bryan, Public Works Director and Caltrans Representatives</p> <p><u>Council Action:</u> City Council direction regarding preferred alignment on Highway 89.</p> <p>No direction was given or action taken by City Council on this project at this meeting.</p> |
| | <p>10. City response to U.S. Economic Development Administration (EDA).</p> <p><u>Background:</u> City Staff will provide and update regarding the U.S. Economic Development Administration (EDA) Grant Award changes. The City Council will be asked to consider and decide among two alternatives, returning the funds or directing the funds to the Mt. Shasta State Mandated Waste Water Treatment Plant Project.</p> <p><u>Report By:</u> Paul Eckert, City Manager</p> <p><u>Council Action:</u> City Council to provide direction regarding U.S. Economic Development Administration (EDA) alternatives stated above.</p> <p>MOTION to redirect grant award funds from the U.S. Economic Development Administration (EDA) to the State Mandated Waste Water Treatment Plant Project for the City of Mt. Shasta.</p> <p>Motion by: Mayor Pro Tem Collings Second by: Councilmember Stearns 4 Ayes – (Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness)</p> |
| | <p>11. Efforts to obtain funding from various sources necessary to complete repairs to the City's Interceptor Line.</p> <p><u>Background:</u> The Interceptor Line Repair has been a top priority in the City's Sewer Master Plan for several decades. Completing the project remains a top priority of the City Council. The loss of the EDA funding requires that alternative funding sources be identified.</p> <p><u>Report By:</u> Paul Eckert, City Manager</p> <p><u>Council Action:</u> Provide direction to staff regarding exploring and obtaining funding sources for repairs to the City's Interceptor Line.</p> |

| | |
|--|---|
| | <p>City Council tasked City Manager Eckert with exploring and obtaining alternative funding for the City of Mt. Shasta's Interceptor Line, and to keep Council apprised of those ongoing efforts.</p> |
| | <p>CITY COUNCIL/STAFF REPORTING PERIOD</p> |
| | <p>12. Council Reports on Attendance at Appointed/Outside Meetings</p> <p>Councilmember Stearns reported that he has been elected as Chair of the League of Local Agencies (LOLA).</p> |
| | <p>13. Council and Staff Comments</p> <p>City Manager Eckert reported that the Public Works Department is doing an exceptional job on improving the City's infrastructure. The City's mechanic must also be commended for his expertise and efforts in saving the City substantial costs associated with vehicle maintenance.</p> <p>Public Works Director Rod Bryan addressed the ongoing improvements to City water lines and pressure regulators. Future coliform samples will be taken from the City's water mains instead of residential or commercial samplings, as in the past.</p> |
| | <p>14. Future Agenda Items (Appearing on the agenda within 60-90 days):</p> <ul style="list-style-type: none"> a. Review of Ordinance #275 with the intent to add language allowing the inclusion of downtown property owners to be eligible to sit on the DEAC – 2/2015 (Waiting for legal review) b. LED Light System Update – 2/2015 c. Overview of election process for Councilmembers – 2/2015 d. ATC jurisdiction review – 2/2015 e. Water conservation communication efforts – 3/2015 f. Commercial Recycling Oversight Requirements – 3/2015 g. Updates from Council appointed committees – 4/2015 |
| | <p>15. Adjourn</p> <p>There being no further business before the City Council, the meeting was adjourned by Mayor Harkness at the hour of 11:15 p.m.</p> |

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Monday, October 19, 2015 2:28 PM
To: 'Paul Eckert'; Good, Stan
Cc: Paul Reuter (preuter@paceengineering.us); Rod Bryan; Muriel Howarth Terrell; Larisa Proulx
Subject: RE: agenda and minutes of public meeting can substitute for public notice

Hi Paul,

Thanks for sending the January 26 City Council meeting agenda and minutes—and on a Sunday evening.

Thanks again, Shannon 206-220-7703

From: Paul Eckert [mailto:eckert@mtshastaca.gov]
Sent: Sunday, October 18, 2015 4:38 PM
To: FitzGerald, Shannon; Good, Stan
Cc: Paul Reuter (preuter@paceengineering.us); Rod Bryan; Muriel Howarth Terrell; Larisa Proulx
Subject: FW: agenda and minutes of public meeting can substitute for public notice

Greetings Shannon and Stan;

Please find attached the requested documentation. Thank you for your ongoing assistance.

Paul Eckert
City Manager

From: Larisa Proulx
Sent: Thursday, October 15, 2015 4:17 PM
To: Paul Eckert <eckert@mtshastaca.gov>
Subject: RE: agenda and minutes of public meeting can substitute for public notice

Is this what he is looking for?

The agenda packet and minutes are also posted on the City's website:

minutes: http://ci.mt-shasta.ca.us/clerk/council/cc01.26.15_MINUTES_Approved.pdf

agenda packet: http://ci.mt-shasta.ca.us/clerk/council/CC_09.28.15_AgendaPacket.pdf

Larisa

From: Paul Eckert
Sent: Thursday, October 15, 2015 8:31 AM
To: Larisa Proulx <lproulx@mtshastaca.gov>
Cc: Paul Reuter (preuter@paceengineering.us) <preuter@paceengineering.us>; Rod Bryan <rbryan@mtshastaca.gov>
Subject: FW: agenda and minutes of public meeting can substitute for public notice

Hi Larisa,

Can you please search for the information requested below when you have time.

Thank you!

Paul

From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]

Sent: Wednesday, October 14, 2015 2:18 PM

To: Paul Eckert <eckert@mtshastaca.gov>

Cc: Good, Stan <SGood@eda.gov>; Paul Reuter (preuter@paceengineering.us) <preuter@paceengineering.us>; Lindsay

Kantor (lkantor@enplan.com) <lkantor@enplan.com>

Subject: agenda and minutes of public meeting can substitute for public notice

Hi Paul,

I was just rereading the history of the project. It looks like there was a City Council public meeting on January 26, 2015 regarding the proposed amended scope of work. If you can send me the agenda and minutes for that meeting which document that the proposed project was discussed and it was a public meeting, then that can substitute in lieu of a public notice.

Thanks, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

FitzGerald, Shannon

From: Good, Stan
Sent: Monday, October 26, 2015 7:19 AM
To: Skrinde, Kristine; FitzGerald, Shannon
Subject: Mt. Shasta Engineering Narrative
Attachments: ENGINEERING NARRATIVE.docx

As attached

Stan Good, P.E.
Civil Engineer
Seattle Regional Office
Ph: 206-220-7701
Email: sgood@eda.gov

Join EDA's mailing list today to get the latest agency news and grant opportunity information!

ENGINEERING NARRATIVE
City of Mount Shasta, CA
EDA Grant No. 07-79-07000
October 2015

Project Background

The EDA made an Award on September 25, 2013 to fund sewer line and wastewater treatment plant improvements. The project has experienced a significant amount of controversy involving the primary beneficiary which resulted in the City's request to amend the project budget to help fund a California Environmental Quality Impact Report. The funding for the EIR was not part of the approved scope of work. EDA sent a letter on December 19, 2014 stating EDA is not in a position to approve the proposed budget revision and offered that the EDA funds be used to solely fund state mandated improvements at the wastewater treatment plant.

On January 26, 2015 the City Council voted to accept the recommended alternative to fund the mandated improvements to the wastewater treatment plant. The City's project manager has prepared and sent to EDA on April 06, 2015 an amended Environmental Narrative and an amended Engineering Narrative that addresses only the wastewater treatment plant improvements. The change in scope is necessary to allow the project to proceed.

Revised Scope of Work

The City's existing wastewater treatment process consists of a series of oxidation ponds, dissolved air flotation thicker (DAF), effluent filtration and disinfection facilities. The ponds do not provide adequate nitrogen removal to promote reduction of ammonia. The recommended project consists of a "packaged" biological nutrient removal-activated sludge process (BNR-ASP), utilizing the City's existing discharge to the Upper Sacramento River and Mt. Shasta Golf Course irrigation.

As such, the proposed BNR-ASP process is necessary to remove nitrogen compounds to below effluent limits. The proposed process by AeroMod utilizes common-wall construction, side-cast aeration and air-lift pumping which leads to a smaller footprint and lower construction cost. In addition, the side-cast aeration facilities are accessible from catwalks above the basins so it is not necessary to dewater a tank to perform routine maintenance on the aeration system.

The revised project is the result of State-mandated requirements set forth in the City of Mt. Shasta's National Pollution Discharge Elimination System (NPDES) wastewater discharge permit, issued by the California State Water Resources Control Board in October 2012. In part, the permit imposed more stringent effluent limits for Copper, Zinc, ammonia, Title 22 disinfection requirements, and other constituents. As a condition of the NPDES permit, the City hired PACE Engineering to prepare a Feasibility Study/Preliminary Engineering Report (PER) to evaluate effluent disposal and treatment alternatives to address the newly imposed requirements. The draft report was completed in June 2014 and has since been reviewed by the Regional Board and an independent peer reviewer.

FitzGerald, Shannon

From: Good, Stan
Sent: Monday, October 26, 2015 8:00 AM
To: Skrinde, Kristine; FitzGerald, Shannon
Subject: Revised narrative for Mt. Shasta w budget
Attachments: ENGINEERING NARRATIVE.docx; Am-1 ED-508_Budget.xlsx

The initial budget for the grant had a typo in the budget. We had agreed to correct it in the Amendment. See attached

Stan Good, P.E.
Civil Engineer
Seattle Regional Office
Ph: 206-220-7701
Email: sgood@eda.gov

Join EDA's mailing list today to get the latest agency news and grant opportunity information!

ENGINEERING NARRATIVE
City of Mount Shasta, CA
EDA Grant No. 07-79-07000
October 2015

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Revised Budget

The initial budget had a typographical error where the Construction line item was shown in the Demolition line item. This Amendment will correct that error. The budget is attached.

AMENDMENT No. 1
PUBLIC WORKS PROJECT COST CLASSIFICATIONS

EDA Award No. 07-79-07000 State: CA County Siskiyou

| <u>Cost Classification</u> | <u>Approved Project</u> | <u>Revised Approved</u> |
|--|-------------------------|-------------------------|
| | <u>Cost</u> | <u>Project Cost</u> |
| Administrative and legal expenses | \$10,000 | \$10,000 |
| Land, structures and rights-of-ways , etc. | \$30,000 | \$30,000 |
| Relocation expenses and payments | \$0 | \$0 |
| Architectural and engineering fees | \$450,000 | \$450,000 |
| Other architectural and engineering fees | \$95,000 | \$95,000 |
| Project inspection fees | \$150,000 | \$150,000 |
| Site Work | \$0 | \$0 |
| Demolition and removal | \$4,814,000 | \$0 |
| Construction | \$0 | \$4,814,000 |
| Equipment | \$0 | \$0 |
| Miscellaneous | \$0 | \$0 |
| Contingencies | \$451,000 | \$451,000 |
| TOTAL PROJECT COSTS | \$6,000,000 | \$6,000,000 |

Remarks

| | | | |
|----------------|--------------------|-----------------|------|
| <u>FUNDING</u> | \$2,503,731 | EDA Award | 48% |
| | \$2,799,012 | Recipient Share | 52% |
| | <u>\$5,302,743</u> | Total Cost | 100% |

FitzGerald, Shannon

From: Paul Eckert <eckert@mtshastaca.gov>
Sent: Friday, October 30, 2015 3:50 PM
To: FitzGerald, Shannon
Cc: Good, Stan; Rod Bryan; Paul Reuter (preuter@paceengineering.us)
Subject: RE: public notice

Hi Shannon,
Thank you for the follow-up. I have asked City Engineer Paul Reuter to respond directly. I think we've done much of what you suggested. We will follow-up very soon.

Thank you for your leadership with this effort!

Paul

From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Friday, October 30, 2015 3:09 PM
To: Paul Eckert <eckert@mtshastaca.gov>
Cc: Good, Stan <SGood@eda.gov>
Subject: public notice

Hi Paul,

Yesterday afternoon I got a call from Vicki Gold who saw the public notice that was published on Wednesday, October 28, for the proposed amended scope of work (filtration and UV disinfection at the WWTP) for the EDA-funded project. Last we emailed, I thought the agenda and minutes from the City Council meeting on January 26 could be used in lieu of a public notice because the minutes did not reflect any controversy regarding the proposed upgrades to the WWTP. I did not realize that you were also going to publish a public notice. From what Vicki said, it sounds like there were comments at the City Council meeting regarding the proposed WWTP upgrade. In light of that, it makes sense to publish the public notice to see what the comments are.

Normally, the public notice would be published for three consecutive days, but because the Mt. Shasta Herald is a weekly newspaper, please publish the public notice a total of three times in the Mt. Shasta Herald. From the attached public notice, it looks like it might have been published on October 21 and 28. Please confirm what the publication dates are. Did you publish it in any other newspapers? Also, please revise the comment period deadline to 15 days after the last publication of the public notice. Once EDA has had a chance to review public comments, we will issue the final NEPA document.

On another note, I sent the National Historic Preservation Action Section 106 consultation letter to the State Historic Preservation Officer on October 21. So we should be receiving a letter back before the end of November. I will share the SHPO's letter with you once I receive it.

Thanks for doing this. –Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174

Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

FitzGerald, Shannon

From: Rod Bryan <rbryan@mtshastaca.gov>
Sent: Friday, October 30, 2015 4:22 PM
To: FitzGerald, Shannon; Good, Stan
Cc: Paul Reuter; Paul Eckert
Subject: RE: public notice
Attachments: FW: draft NEPA public notice for EDA scope amendment; 7406 - nepa notice - affidavit.pdf; CITYOFMTSH-1-754224-1.pdf

Per the attached email, we published the public notice. I have also attached the affidavit from the Herald and the proof from the Record Searchlight-we have not yet received the legal affidavit from the RS.

Thanks

Rod Bryan
Public Works Director
City of Mt. Shasta
(530) 926-7526

From: Paul Reuter [<mailto:preuter@paceengineering.us>]
Sent: Friday, October 30, 2015 3:56 PM
To: Paul Eckert <eckert@mtshastaca.gov>
Cc: Rod Bryan <rbryan@mtshastaca.gov>
Subject: RE: public notice

Paul,
I'm not sure what arrangements city staff made to publish said public notice. I can respond to Shannon, but you'll need to tell me what City staff did.

Paul J. Reuter, P.E.

Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us
Ph: 530-244-0202

From: Paul Eckert [<mailto:eckert@mtshastaca.gov>]
Sent: Friday, October 30, 2015 3:50 PM
To: FitzGerald, Shannon
Cc: Good, Stan; Rod Bryan; Paul Reuter
Subject: RE: public notice

Hi Shannon,
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Thank you for your leadership with this effort!

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From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Friday, October 30, 2015 3:09 PM
To: Paul Eckert <eckert@mtshastaca.gov>
Cc: Good, Stan <SGood@eda.gov>
Subject: public notice

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Thanks for doing this. –Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

FitzGerald, Shannon

From: Paul Eckert <eckert@mtshastaca.gov>
Sent: Wednesday, October 14, 2015 10:11 AM
To: Rod Bryan
Subject: FW: draft NEPA public notice for EDA scope amendment
Attachments: Mt. Shasta NEPA Public Notice(2).docx

Making certain you received this...

From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Wednesday, October 14, 2015 10:06 AM
To: Paul Eckert <eckert@mtshastaca.gov>
Cc: Good, Stan <SGood@eda.gov>; bryan@ci.mt-shasta.ca.us; Paul Reuter (preuter@paceengineering.us) <preuter@paceengineering.us>; Lindsay Kantor (lkantor@enplan.com) <lkantor@enplan.com>
Subject: draft NEPA public notice for EDA scope amendment

Hi Paul,

Before EDA finalized its Environmental Assessment for the original scope of work, we published a NEPA public notice. For the scope amendment, we will issue another NEPA public notice. Please fill in the attached public notice and publish it in a local newspaper (Mt. Shasta Herald) for three consecutive days. I vaguely recall that the Mt. Shasta Herald may be a weekly newspaper. If that is the case, you could also publish the public notice in a county-wide newspaper.

Thanks, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

Publish this notice in the daily newspaper with the greatest local circulation for three (3) consecutive days. Provide an affidavit of publication to EDA upon publication.

PUBLIC NOTICE

The U.S. Department of Commerce, Economic Development Administration (EDA) is considering a request from the City of Mt. Shasta to amend the scope of work for an existing grant. The proposed scope of work would fund the construction of new filtration and ultraviolet (UV) disinfection facilities and associated piping at the Mt. Shasta Waste Water Treatment Plant (WWTP) in Siskiyou County, California. Pursuant to the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA), EDA is conducting an assessment of the potential of the proposed project to affect the environment and/or historic properties.

Under the proposed project, filtration and UV disinfection facilities would be constructed at the Mt. Shasta WWTP on Grant Road to the southwest of the City of Mt. Shasta. The filtration and UV disinfection facilities would be located where abandoned intermittent sand filters currently exist. Project information is available for review at applicant's office, address and phone number.

If you have any information regarding potential impacts environmental resources or historic properties associated with this proposed project, please provide it in writing to:

Regional Environmental Officer
US Department of Commerce
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
sfitzgerald@eda.gov

Comments received in the EDA Regional Office by 5:00 pm on insert date 15 days after the third day of publication of this notice. If the newspaper is not a daily, please contact the Regional Environmental Officer prior to publication to determine the deadline for comments will be considered. A copy of the NEPA/NHPA decisional document will be available upon request from the above EDA Regional Office.

PROOF OF PUBLICATION
(2015.5 C.C.P.)

**Mt. Shasta Area Newspapers
Mount Shasta Herald,
Weed Press, Dunsmuir News**
STATE OF CALIFORNIA,
County of Siskiyou

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the Administrative Assistant of the Mt. Shasta Area Newspapers, newspapers of general circulation, published weekly in the cities of Mount Shasta, Weed and Dunsmuir, County of Siskiyou, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Siskiyou, State of California, under the dates of: Mount Shasta Herald-July 9, 1951, Case Number 14392; Weed Press-June 22, 1953, Case Number 15231; Dunsmuir News-May 25, 1953, Case Number 15186; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspapers and not in any supplement thereof on the following dates, to-wit:

October 21, 28,

all in the year 2015

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Mount Shasta, California,

this 28th day of October

2015.

/s/ Marcella Gerace
Authorized Signature

PROOF OF PUBLICATION OF

PUBLIC NOTICE

The U.S. Department of Commerce, Economic Development Administration (EDA) is considering a request from the City of Mt. Shasta to amend the scope of work for an existing grant. The proposed scope of work would fund the construction of new filtration and ultraviolet (UV) disinfection facilities and associated piping at the Mt. Shasta Waste Water Treatment Plant (WWTP) in Siskiyou County, California. Pursuant to the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA), EDA is conducting an assessment of the potential of the proposed project to affect the environment and/or historic properties.

Under the proposed project, filtration and UV disinfection facilities would be constructed at the Mt. Shasta WWTP on Grant Road to the southwest of the City of Mt. Shasta. The filtration and UV disinfection facilities would be located where abandoned intermittent sand filters currently exist. Project information is available for review at the City of Mt. Shasta, 305 N. Mt. Shasta Boulevard, Mt. Shasta, CA. 96067, or by calling (530) 926-7510.

If you have any information regarding potential impacts environmental resources or historic properties associated with this proposed project, please provide it in writing to:

Regional Environmental Officer
US Department of Commerce
Economic Development
Administration

915 Second Avenue, Room 1890
Seattle, WA 98174
sfitzgerald@eda.gov

Comments received in the EDA Regional Office by 5:00 pm on November 12, 2015 will be considered. A copy of the NEPA/NHPA decisional document will be available upon request from the above EDA Regional Office.

7406

msan oc21,28c

Record Searchlight

Ad Proof

Sales Rep: Lorene Liebespeck (R9103)

Phone: (530) 225-8229

Email: lorene.liebespeck@redding.com

Account Information

Date: 10/20/15

Account Number: 550020 (R00601097)

Company Name: CITY OF MT SHASTA

Contact Name:

Email: lproulx@mtshastaca.gov

Address: 305 N MT SHASTA BLVD, MT SHASTA, CA, 96067

Phone: (530) 926-3464

Fax: (000) 000-0000

Insertion Information

This is a proof of your ad scheduled to run on the dates indicated below.

Please confirm placement prior to deadline by contacting your account rep at (530) 225-8229 .

Ad Id: 754224 P.O. Number: Total Cost: \$202.10

Tag Line: PUBLIC NOTICE The U.S. Department of

Start Date: 10/26/15

Stop Date: 10/28/15

Number of Times: 3

Class: 16100 - Legal Notices

Publications: RR-Record Searchlight, RR-Internet-redding.com

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I agree this ad is accurate and as ordered.

PUBLIC NOTICE

The U.S. Department of Commerce, Economic Development Administration (EDA) is considering a request from the City of Mt. Shasta to amend the scope of work for an existing grant. The proposed scope of work would fund the construction of new filtration and ultraviolet (UV) disinfection facilities and associated piping at the Mt. Shasta Waste Water Treatment Plant (WWTP) in Siskiyou County, California. Pursuant to the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA), EDA is conducting an assessment of the potential of the proposed project to affect the environment and/or historic properties.

Under the proposed project, filtration and UV disinfection facilities would be constructed at the Mt. Shasta WWTP on Grant Road to the southwest of the City of Mt. Shasta. The filtration and UV disinfection facilities would be located where abandoned intermittent sand filters currently exist. Project information is available for review at the City of Mt. Shasta, 305 N. Mt. Shasta Boulevard, Mt. Shasta, CA. 96067, or by calling (530) 926-7510.

If you have any information regarding potential impacts environmental resources or historic properties associated with this proposed project, please provide it in writing to:

Regional Environmental Officer
US Department of Commerce
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
sfitzgerald@eda.gov

Comments received in the EDA Regional Office by 5:00 pm on November 12, 2015 will be considered. A copy of the NEPA/NHPA decisional document will be available upon request from the above EDA Regional Office.

October 26, 27, and 28, 2015

754224

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Friday, October 30, 2015 6:23 PM
To: Rod Bryan (RBryan@mtshastaca.gov) (RBryan@mtshastaca.gov)
Cc: Good, Stan; Paul Eckert (eckert@ci.mt-shasta.ca.us); Paul Reuter (preuter@paceengineering.us)
Subject: FW: agenda and minutes of public meeting can substitute for public notice
Attachments: cc01.26.15_FINALnumbered.pdf; cc01.26.15_MINUTES Approved.pdf

Hi Rod,

Thanks for your work on this and the documentation. Thanks, too, for forwarding the affidavit from the Record Searchlight when you receive it.

After I sent that email on 10/14/15, I remembered that there had been a City Council public meeting on the WWTP upgrade. I let Paul know that the agenda and minutes could be used in lieu of a public notice. We've done that before on projects. It looks like you got the email eventually, but I should have copied you on the original email. Well, at least the project can't be challenged for not having a public notice.

Thanks again, Shannon 206-220-7703

From: Paul Eckert [mailto:eckert@mtshastaca.gov]
Sent: Sunday, October 18, 2015 4:38 PM
To: FitzGerald, Shannon; Good, Stan
Cc: Paul Reuter (preuter@paceengineering.us); Rod Bryan; Muriel Howarth Terrell; Larisa Proulx
Subject: FW: agenda and minutes of public meeting can substitute for public notice

Greetings Shannon and Stan;

Please find attached the requested documentation. Thank you for your ongoing assistance.

Paul Eckert
City Manager

From: Larisa Proulx
Sent: Thursday, October 15, 2015 4:17 PM
To: Paul Eckert <eckert@mtshastaca.gov>
Subject: RE: agenda and minutes of public meeting can substitute for public notice

Is this what he is looking for?

The agenda packet and minutes are also posted on the City's website:

minutes: http://ci.mt-shasta.ca.us/clerk/council/cc01.26.15_MINUTES_Aproved.pdf

agenda packet: http://ci.mt-shasta.ca.us/clerk/council/CC_09.28.15_AgendaPacket.pdf

Larisa

From: Paul Eckert
Sent: Thursday, October 15, 2015 8:31 AM
To: Larisa Proulx <lproulx@mtshastaca.gov>
Cc: Paul Reuter (preuter@paceengineering.us) <preuter@paceengineering.us>; Rod Bryan <rbryan@mtshastaca.gov>
Subject: FW: agenda and minutes of public meeting can substitute for public notice

Hi Larisa,
Can you please search for the information requested below when you have time.

Thank you!

Paul

From: FitzGerald, Shannon [<mailto:SFitzGerald@eda.gov>]
Sent: Wednesday, October 14, 2015 2:18 PM
To: Paul Eckert <eckert@mtshastaca.gov>
Cc: Good, Stan <SGood@eda.gov>; Paul Reuter (preuter@paceengineering.us) <preuter@paceengineering.us>; Lindsay Kantor (lkantor@enplan.com) <lkantor@enplan.com>
Subject: agenda and minutes of public meeting can substitute for public notice

Hi Paul,

I was just rereading the history of the project. It looks like there was a City Council public meeting on January 26, 2015 regarding the proposed amended scope of work. If you can send me the agenda and minutes for that meeting which document that the proposed project was discussed and it was a public meeting, then that can substitute in lieu of a public notice.

Thanks, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

Mt. Shasta City Council Regular City Council Meeting Agenda

Mt. Shasta Community Center, 629 Alder Street
Monday, January 26, 2015; 5:30 p.m.

"Our mission is to maintain the character of our "small town" community while striking an appropriate balance between economic development and preservation of our quality of life. We help create a dynamic and vital City by providing quality, cost-effective municipal services and by forming partnerships with residents and organizations in the constant pursuit of excellence."

| Page | Item | STANDING AGENDA ITEMS |
|---------|------|---|
| | 1. | Call to Order and Flag Salute |
| | 2. | Roll call |
| | 3. | Special Presentations & Announcements: Water Conservation- Meadow Fitton |
| | 4. | City Council Interviews of Board/Commission /Commissioner Candidates: |
| P 5-7 | a. | Melanie Findling – Planning Commission |
| P 9-10 | b. | Lorie Saunders – Beautification Committee |
| P 11-14 | c. | Alexis Meadows – Beautification Committee |
| P 15-18 | d. | Leslie Holland – Beautification Committee |
| P 19-20 | e. | Terez Maniatis – Beautification Committee |
| | 5. | <p>Public Comment:</p> <p>Welcome to our City Council meeting. The Council invites the public to address the Council on matters on the Consent Agenda and matters not listed on the agenda that are within the Council's subject matter jurisdiction. If the Public wishes to comment on matters that are on the agenda, the Council will request comment when the matter is heard. The Council reserves the right to limit public comment on matters that are outside its subject matter jurisdiction.</p> <p>The City Council may regulate the total amount of time on particular issues and for speakers (typically 3 minutes). The Council may place additional time limits on comments, to ensure members of the public have an opportunity to speak and the Council is able to complete its business. A group may be asked to choose a spokesperson to address the Council on a subject matter, or the Council may limit the number of persons addressing the Council whenever a group of persons wishes to address the council on the same subject matter. Speakers may not cede their time to another.</p> <p>The Mayor manages the City Council meeting with a commitment to effective engagement while maintaining a positive, respectful decorum. The Mayor will typically start the Public Comment period sharing the following reminders relating decorum and Brown Act compliance efforts:</p> <ul style="list-style-type: none"> ✓ This is the time for the public to address the Council on matters on the Consent Agenda or matters NOT on the Council Agenda. This will be a comment period only. If the public wishes a response they may provide their contact information to the Deputy City Clerk. ✓ The Mayor will recognize each speaker in an orderly fashion. Most often, the Mayor will call the speakers whom have signed in first and shall then call for those who would like to address the Council but whom did not sign in by inviting them to come to the front of the room and wait to be recognized to speak. Once the speaker is recognized, the speaker will address the Council only and shall provide comment from the public microphone. Public Comment will typically not be taken from any |

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| | <p>person shouting from the audience.</p> <ul style="list-style-type: none"> ✓ No heckling or shouting from the audience at a speaker shall be permitted. ✓ The City Council may ask "clarifying" questions only. Due to equity and Brown Act concerns, the Council will avoid engaging in dialogue or debate. ✓ If there is an item of great community significance/interest and is within the Council's subject matter jurisdiction, the Council may request the item be agendaized for further consideration at a subsequent Council meeting. |
| | 6. Meeting Recess (As Necessary) |
| | CITY COUNCIL BUSINESS |
| <p>P 21</p> <p>P 23-25</p> <p>P 27-30</p> <p>P 31-34</p> <p>P 35</p> <p>P 37</p> <p>P 39-46</p> | <p>7. Consent Agenda - The City Manager recommends approval of the following Consent Agenda items. All Resolutions and Ordinances on this agenda, or added hereto, shall be introduced or adopted, as applicable, by title only, and the full reading thereof is hereby waived.</p> <ul style="list-style-type: none"> a. Approval of Minutes: December 16, 2014 Special City Council Meeting b. Approval of Minutes: January 12, 2015 Regular City Council Meeting c. Acceptance of Brown Act Committee Minutes: <ul style="list-style-type: none"> ATC Regular Meeting Minutes of November 21, 2014 ATC Regular Meeting Minutes of December 19, 2014 Beautification Committee Regular Meeting Minutes of October 8, 2014 Beautification Committee Special Meeting Minutes of October 8, 2014 d. Approval of Disbursements: Accounts Payable: 1/9/15; 1/9/15; and 1/12/15; Total Gross Payroll and Taxes: For Period Ending 1/7/15 (Finance Director) e. City Council Committee Assignments: <ul style="list-style-type: none"> i. LTC – Michael Burns Sr. ii. ATC – Michael Burns Sr. iii. Beautification Committee – Jeffrey Collings iv. CEDAC – Tim Stearns & Geoff Harkness v. LTAC – Geoff Harkness vi. DEAC – Michael Burns Sr. vii. Crystal Geyser Communications Ad Hoc Committee – Jeffrey Collings viii. Water Main and Water Meters Ad Hoc Committee – Jeffrey Collings ix. Waste Water Treatment Plant Construction (WWTP) Ad Hoc Committee – Michael Burns Sr. & Jeffrey Collings x. SAGE – Tim Stearns xi. Solid Waste JPA – City Manager |
| P 47 | <p>8. Prop 84 Water Meters and Pipeline Projects funded through the Regional Water Management Group (RWMG)- Project Process and Update</p> <p><u>Background:</u> Staff will provide an update on the progress on the proposed projects and summarize next steps.</p> <p><u>Report By:</u> Rod Bryan, Public Works Director</p> |

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| | <p><u>Council Action:</u> Provide direction to staff in selection of a water meter.</p> |
| P 49 | <p>9. Selection of a project alternative for the Caltrans SR 89/South Mt. Shasta Boulevard Intersection Improvement Project Concepts.</p> <p><u>Background:</u> Caltrans will present alternatives and seek Council input on alternatives for improving the Highway 89/South Mt. Shasta Boulevard intersection.</p> <p><u>Report By:</u> Rod Bryan, Public Works Director and Caltrans Representatives</p> <p><u>Council Action:</u> City Council direction regarding preferred alignment on Highway 89.</p> |
| P 51-61 | <p>10. City response to U.S. Economic Development Administration (EDA).</p> <p><u>Background:</u> City Staff will provide and update regarding the U.S. Economic Development Administration (EDA) Grant Award changes. The City Council will be asked to consider and decide among two alternatives, returning the funds or directing the funds to the Mt. Shasta State Mandated Waste Water Treatment Plant Project.</p> <p><u>Report By:</u> Paul Eckert, City Manager</p> <p><u>Council Action:</u> City Council to provide direction regarding U.S. Economic Development Administration (EDA) alternatives stated above.</p> |
| P 63-64 | <p>11. Efforts to obtain funding from various sources <u>for the well documents necessary to complete</u> repairs to the City's Interceptor Line.</p> <p><u>Background:</u> The Interceptor Line Repair has been a top priority in the City's Sewer Master Plan for several decades. Completing the project remains a top priority of the City Council. The loss of the EDA funding requires that alternative funding sources be identified.</p> <p><u>Report By:</u> Paul Eckert, City Manager</p> <p><u>Council Action:</u> Provide direction to staff regarding exploring and obtaining funding sources for repairs to the City's Interceptor Line.</p> |
| CITY COUNCIL/STAFF REPORTING PERIOD | |
| | 12. Council Reports on Attendance at Appointed/Outside Meetings |
| | 13. Council and Staff Comments |
| | <p>14. Future Agenda Items (Appearing on the agenda within 60-90 days):</p> <ul style="list-style-type: none"> a. Review of Ordinance #275 with the intent to add language allowing the inclusion of downtown property owners to be eligible to sit on the DEAC – 2/2015 (Waiting for legal review) b. LED Light System Update – 2/2015 |

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| | <ul style="list-style-type: none">c. Overview of election process for Councilmembers – 2/2015d. ATC jurisdiction review – 2/2015e. Water conservation communication efforts – 3/2015f. Commercial Recycling Oversight Requirements – 3/2015g. Updates from Council appointed committees – 4/2015 |
| | <p>15. Adjourn</p> <p>Availability of Public Records: All public records related to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at City Hall located at 305 North Mt. Shasta Blvd., Mt. Shasta, CA at the same time the public records are distributed or made available to the members of the legislative body. Agenda related writings or documents provided to a majority of the legislative body after distribution of the Agenda packet will be available for public review within a separate binder at City Hall at the same time as they are made available to the members of the legislative body.</p> <p>The City of Mt. Shasta does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or provision of services. In compliance with the Americans with Disabilities Act, persons requiring accommodations for a disability at a public meeting should notify the City Clerk or Deputy City Clerk at least 48 hours prior to the meeting at (530) 926-7510 in order to allow the City sufficient time to make reasonable arrangements to accommodate participation in this meeting</p> |

Mt. Shasta City Council Regular Meeting Minutes

Mt. Shasta Community Center, 629 Alder Street

Monday, January 26, 2015 - 5:30 p.m.

Approved as submitted February 9, 2015

"Our mission is to maintain the character of our "small town" community while striking an appropriate balance between economic development and preservation of our quality of life. We help create a dynamic and vital City by providing quality, cost-effective municipal services and by forming partnerships with residents and organizations in the constant pursuit of excellence."

| Page | Item | STANDING AGENDA ITEMS |
|------|------|---|
| | 1. | <p>Call to Order and Flag Salute</p> <p>At the hour of 5:35 p.m., Mayor Geoffrey Harkness called the meeting to order and led the audience in the Pledge of Allegiance.</p> |
| | 2. | <p>Roll Call</p> <p>Councilmembers Present: Mayor Pro Tem Jeffrey Collings, Burns, Stearns, Mayor Harkness Councilmembers Absent: None</p> |
| | 3. | <p>Special Presentations and Announcements: Water Conservation - Meadow Fitton</p> <p>Meadow Fitton, Water Education Consultant, gave a brief presentation on the preparations being made with the City of Mt. Shasta to advise its citizens about water conservation in drought conditions. An informational brochure will be mailed to City utility customers in the third week of February, 2015. Three "water talks," which will include an informational video, have been scheduled in the City of Mt. Shasta for March 10, May 21, and October 21, 2015.</p> |
| | 4. | <p>City Council Interviews of Board/Commission /Commissioner Candidates:</p> <ul style="list-style-type: none"> a. Melanie Findling – Planning Commission b. Lorie Saunders – Beautification Committee c. Alexis Meadows – Beautification Committee d. Leslie Holland – Beautification Committee e. Terez Maniatis – Beautification Committee <p>MOTION to fill the four (4) vacancies on the Planning Commission with Melanie Findling, Alan Pardee, Emily Derby, and Casey Clure.</p> <p>Motion by: Councilmember Stearns Second by: Councilmember Burns 4 Ayes – (Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness)</p> |

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| | <p>MOTION to fill existing two (2) vacancies on the Beautification Committee with Terez Maniatis and Leslie Holland.</p> <p>Motion by: Councilmember Stearns Second by: No second on motion.</p> <p>Council Action: This item was postponed for a future regular meeting of the City Council.</p> |
| | <p>5. Public Comment:</p> <p>Members of the audience voiced their comments and concerns regarding: geo engineering; the Interceptor Line Project, an Environmental Impact Report (EIR); logging at Lake Siskiyou campground; the impact on the health and welfare of the community with installation of smart water meters; and Caltrans SR 89/South Mt. Shasta Boulevard Intersection Project.</p> |
| | <p>6. Meeting Recess: A brief recess was taken at 7:45 p.m.</p> |
| <p>CITY COUNCIL BUSINESS</p> | |
| | <p>7. Consent Agenda - The City Manager recommends approval of the following Consent Agenda items. All Resolutions and Ordinances on this agenda, or added hereto, shall be introduced or adopted, as applicable, by title only, and the full reading thereof is hereby waived.</p> <ul style="list-style-type: none"> a. Approval of Minutes: December 16, 2014 Special City Council Meeting b. Approval of Minutes: January 12, 2015 Regular City Council Meeting c. Acceptance of Brown Act Committee Minutes: <ul style="list-style-type: none"> ATC Regular Meeting Minutes of November 21, 2014 ATC Regular Meeting Minutes of December 19, 2014 Beautification Committee Regular Meeting Minutes of October 8, 2014 Beautification Committee Special Meeting Minutes of October 8, 2014 d. Approval of Disbursements: Accounts Payable: 1/9/15; 1/9/15; and 1/12/15; Total Gross Payroll and Taxes: For Period Ending 1/7/15 (Finance Director) e. City Council Committee Assignments: <ul style="list-style-type: none"> i. LTC – Michael Burns Sr. ii. ATC – Michael Burns Sr. iii. Beautification Committee – Jeffrey Collings iv. CEDAC – Tim Stearns & Geoff Harkness v. LTAC – Geoff Harkness vi. DEAC – Michael Burns Sr. vii. Crystal Geyser Communications Ad Hoc Committee – Jeffrey Collings viii. Water Main and Water Meters Ad Hoc Committee – Jeffrey Collings |

- ix. Waste Water Treatment Plant Construction (WWTP) Ad Hoc Committee – Michael Burns Sr. & Jeffrey Collings
- x. SAGE – Tim Stearns
- xi. Solid Waste JPA – City Manager

MOTION to approve consent agenda item 7(a) Approval of Minutes: December 16, 2014 Special City Council Meeting; 7(b) Approval of Minutes: January 12, 2015 Regular City Council Meeting; 7(c) Acceptance of Brown Act Committee Minutes: ATC Regular Meeting Minutes of November 21, 2014; ATC Regular Meeting Minutes of December 19, 2014; Beautification Committee Regular Meeting Minutes of October 8, 2014; Beautification Committee Special Meeting Minutes of October 8, 2014; and 7(d) Approval of Disbursements: Accounts Payable: 1/9/15; 1/9/15; and 1/12/15; Total Gross Payroll and Taxes: For Period Ending 1/7/15 (Finance Director); and 7(e) City Council Committee Assignments: i. LTC – Michael Burns Sr.; ii. ATC – Michael Burns Sr.; iii. Beautification Committee – Jeffrey Collings; iv. CEDAC – Tim Stearns and Geoff Harkness; v. LTAC – Geoff Harkness; vi. DEAC – Michael Burns Sr.; vii. Crystal Geyser Water Meters Ad Hoc Committee – Jeffrey Collings; viii. Water Main and Plant Construction (WWTP) Ad Hoc Committee – Michael Burns Sr. and Jeffrey Collings; x. SAGE – Tim Stearns; and xi. Solid Waste JPA – City Manager

Motion by: Councilmember Stearns, with one exception. Item 7(e) City Council Committee Assignments, Item i., LTC – Michael Burns, Sr. This committee position is assigned by the Mayor's Committee of the League of Local Agencies (LOLA). Councilmember Stearns reported that Michael Burns, Sr. was appointed to fill one of two vacancies on the LTC by that Committee in their meeting the previous week.

MOTION to accept consent agenda items, with the exception of item 7(e)i:

Motion by: Councilmember Stearns
Second by: Councilmember Burns
4 Ayes – (Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness)

8. Prop 84 Water Meters and Pipeline Projects funded through the Regional Water Management Group (RWMG)- Project Process and Update

Background: Staff will provide an update on the progress on the proposed projects and summarize next steps.

Report By: Rod Bryan, Public Works Director

Council Action: Provide direction to staff in selection of a water meter.

Mayor Pro Tem Collings gave a presentation on his extensive research regarding various types of water meters, their safety and efficiency, benefits, costs, and role in water conservation, now and for the long-term.

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| | <p>In order to minimize health impacts on the City of Mt. Shasta's utility customers, labor and maintenance costs to the City, in addition to providing ongoing data to promote water conservation, City Council unanimously directed the Public Works Department to move forward with the installation of the <i>Census / Pearl</i> "drive-by" Automatic Meter Reading (AMR) system, which is not a smart meter.</p> |
| | <p>9. Selection of a project alternative for the Caltrans SR 89/South Mt. Shasta Boulevard Intersection Improvement Project Concepts.</p> <p><u>Background:</u> Caltrans will present alternatives and seek Council input on alternatives for improving the Highway 89/South Mt. Shasta Boulevard intersection.</p> <p><u>Report By:</u> Rod Bryan, Public Works Director and Caltrans Representatives</p> <p><u>Council Action:</u> City Council direction regarding preferred alignment on Highway 89.</p> <p>No direction was given or action taken by City Council on this project at this meeting.</p> |
| | <p>10. City response to U.S. Economic Development Administration (EDA).</p> <p><u>Background:</u> City Staff will provide and update regarding the U.S. Economic Development Administration (EDA) Grant Award changes. The City Council will be asked to consider and decide among two alternatives, returning the funds or directing the funds to the Mt. Shasta State Mandated Waste Water Treatment Plant Project.</p> <p><u>Report By:</u> Paul Eckert, City Manager</p> <p><u>Council Action:</u> City Council to provide direction regarding U.S. Economic Development Administration (EDA) alternatives stated above.</p> <p>MOTION to redirect grant award funds from the U.S. Economic Development Administration (EDA) to the State Mandated Waste Water Treatment Plant Project for the City of Mt. Shasta.</p> <p>Motion by: Mayor Pro Tem Collings Second by: Councilmember Stearns 4 Ayes – (Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness)</p> |
| | <p>11. Efforts to obtain funding from various sources necessary to complete repairs to the City's Interceptor Line.</p> <p><u>Background:</u> The Interceptor Line Repair has been a top priority in the City's Sewer Master Plan for several decades. Completing the project remains a top priority of the City Council. The loss of the EDA funding requires that alternative funding sources be identified.</p> <p><u>Report By:</u> Paul Eckert, City Manager</p> <p><u>Council Action:</u> Provide direction to staff regarding exploring and obtaining funding sources for repairs to the City's Interceptor Line.</p> |

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| | <p>City Council tasked City Manager Eckert with exploring and obtaining alternative funding for the City of Mt. Shasta's Interceptor Line, and to keep Council apprised of those ongoing efforts.</p> |
| | <p>CITY COUNCIL/STAFF REPORTING PERIOD</p> |
| | <p>12. Council Reports on Attendance at Appointed/Outside Meetings</p> <p>Councilmember Stearns reported that he has been elected as Chair of the League of Local Agencies (LOLA).</p> |
| | <p>13. Council and Staff Comments</p> <p>City Manager Eckert reported that the Public Works Department is doing an exceptional job on improving the City's infrastructure. The City's mechanic must also be commended for his expertise and efforts in saving the City substantial costs associated with vehicle maintenance.</p> <p>Public Works Director Rod Bryan addressed the ongoing improvements to City water lines and pressure regulators. Future coliform samples will be taken from the City's water mains instead of residential or commercial samplings, as in the past.</p> |
| | <p>14. Future Agenda Items (Appearing on the agenda within 60-90 days):</p> <ul style="list-style-type: none"> a. Review of Ordinance #275 with the intent to add language allowing the inclusion of downtown property owners to be eligible to sit on the DEAC – 2/2015 (Waiting for legal review) b. LED Light System Update – 2/2015 c. Overview of election process for Councilmembers – 2/2015 d. ATC jurisdiction review – 2/2015 e. Water conservation communication efforts – 3/2015 f. Commercial Recycling Oversight Requirements – 3/2015 g. Updates from Council appointed committees – 4/2015 |
| | <p>15. Adjourn</p> <p>There being no further business before the City Council, the meeting was adjourned by Mayor Harkness at the hour of 11:15 p.m.</p> |

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Friday, October 30, 2015 6:43 PM
To: Vicki Gold [REDACTED]
Subject: EDA NEPA public notice

Hi Vicki,

In my earlier email, I thought the NEPA public notice had just been published on October 28, 2015 and I was going to have the City publish it two more times. Late this afternoon I received information from Rod Bryan with the City that the public notice was published in the Mt Shasta Herald, Weed Press and Dunsmuir News on October 21 and 28. It was also published in the Record Searchlight on October 26, 27 and 28. So there won't be any other publications and November 12, 2015 is the deadline for comments.

Thanks, Shannon

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Friday, October 30, 2015 8:52 PM
To: FitzGerald, Shannon
Subject: Re: EDA NEPA public notice

Thank you Shannon,
We simply didn't see it last week.
Have a great week end. Snow is predicted here Monday & Tuesday, a welcome relief if it produces snowpack.
Vicki
On Oct 30, 2015, at 6:42 PM, "FitzGerald, Shannon" <SFitzGerald@eda.gov> wrote:

Hi Vicki,

In my earlier email, I thought the NEPA public notice had just been published on October 28, 2015 and I was going to have the City publish it two more times. Late this afternoon I received information from Rod Bryan with the City that the public notice was published in the Mt Shasta Herald, Weed Press and Dunsmuir News on October 21 and 28. It was also published in the Record Searchlight on October 26, 27 and 28. So there won't be any other publications and November 12, 2015 is the deadline for comments.

Thanks, Shannon

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Thursday, November 12, 2015 1:33 PM
To: Vicki Gold [REDACTED]
Subject: fax # and snail mail

Hi Vicki,

I got your voicemail message. I tried calling [REDACTED] but got the message that the number has been disconnected. I will try finding another number for you.

I did not receive your email. I have contacted DOC IT and there is a system-wide problem that they are working on. In the meantime, please use our fax 206-220-7657 or regular mail.

Thanks, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Thursday, November 12, 2015 2:03 PM
To: Vicki Gold [REDACTED]
Cc: Good, Stan
Subject: extension of public comment period for City of Mt. Shasta scope amendment

The U.S. Economic Development Administration (EDA) is experiencing problems with its email system. Unrecognized email addresses are being bounced. Several incident reports have been filed with IT which is working to resolve it.

Today was to be the last day for public comments on the amended scope of work of the grant that the City of Mt. Shasta received from the EDA. The proposed amended scope of work is for the construction of filtration and UV disinfection facilities at the Mt. Shasta Wastewater Treatment Plant. Due to the problem with the email system, the public comment period will be extended until the end of Friday, November 13, 2015. If the email problem is not resolved by then, there will be a further extension. I will provide you with a status update when I receive one from IT.

Thanks for your patience.

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Thursday, November 12, 2015 3:17 PM
To: Paul Eckert (eckert@ci.mt-shasta.ca.us); Rod Bryan (RBryan@mtshastaca.gov) (RBryan@mtshastaca.gov)
Cc: Good, Stan; Skrinde, Kristine
Subject: extension of the public comment period

Hi Paul and Rod,

EDA's email system appears to be bouncing emails that don't have an EDA address (I was hoping that it was just a nice quiet day). I called our IT desk and they confirmed that there have been several complaints about this. In addition to your voicemail message about this, Rod, I also got a message from Vicki Gold regarding the same thing. When I called her back, she said that several people had contacted her about their emails bouncing. She suggested that the public comment period be extended until tomorrow. I agreed to that. I had suggested to Vicki that people use fax (as you did) or snail mail. She said that people no longer have faxes or printers, so we will wait until email works. If the problem isn't resolved by tomorrow, I will continue to extend the public comment period until it is and we can get people's email comments.

Thanks for posting the public notice and also for faxing your comments. -Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Friday, November 13, 2015 9:27 AM
To: FitzGerald, Shannon
Cc: Good, Stan
Subject: IT problems with emails

Hi Shannon & Stan,
I'm just checking in to see if you are able to receive emails yet. Please respond asap so I can let others know when to send their responses in.

Thanks so much,
Vicki Gold
530.926.4206

FitzGerald, Shannon

From: MountShasta Water <mountshastawater@gmail.com>
Sent: Friday, November 13, 2015 9:58 AM
To: FitzGerald, Shannon; Good, Stan
Subject: Re: Comments on Mt. Shasta WWTP EDA grant

Can you please confirm that your email system is working and you received the email and attachments sent by us earlier today?

Emails were being rejected yesterday.

Thank you,
Bruce Hillman

On Fri, Nov 13, 2015 at 7:29 AM, MountShasta Water <mountshastawater@gmail.com> wrote:

Hello,

Attached are comments by We Advocate Thorough Environmental Review (W.A.T.E.R) on the grant to the City of Mount Shasta. Also attached is a letter from our attorney referenced in the comments letter and the Public Notice announcement we are commenting on.

Thank you,
Bruce Hillman
President, W.A.T.E.R.

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Friday, November 13, 2015 10:52 AM
To: 'MountShasta Water'
Subject: RE: Comments on Mt. Shasta WWTP EDA grant

Hi Bruce,

IT fixed the problem and we are receiving email comments including yours and the three attachments.

Thanks for checking, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

From: MountShasta Water [<mailto:mountshastawater@gmail.com>]
Sent: Friday, November 13, 2015 9:58 AM
To: FitzGerald, Shannon; Good, Stan
Subject: Re: Comments on Mt. Shasta WWTP EDA grant

Can you please confirm that your email system is working and you received the email and attachments sent by us earlier today?

Emails were being rejected yesterday.

Thank you,
Bruce Hillman

On Fri, Nov 13, 2015 at 7:29 AM, MountShasta Water <mountshastawater@gmail.com> wrote:
Hello,

Attached are comments by We Advocate Thorough Environmental Review (W.A.T.E.R) on the grant to the City of Mount Shasta. Also attached is a letter from our attorney referenced in the comments letter and the Public Notice announcement we are commenting on.

Thank you,
Bruce Hillman
President, W.A.T.E.R.

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Friday, November 13, 2015 6:31 PM
To: 'Angelina Cook'; Good, Stan
Subject: RE: Mt. Shasta City WWTP Grant - Public Comment

Hi Angelina,

The deadline for comments was yesterday but we extended it through today because of an email glitch yesterday. Having an organization provide comments, versus an individual, doesn't give them extra weight. So that was good thinking to get them in today as a concerned citizen.

Thanks, Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

From: Angelina Cook [REDACTED]
Sent: Friday, November 13, 2015 5:12 PM
To: FitzGerald, Shannon; Good, Stan
Subject: Mt. Shasta City WWTP Grant - Public Comment

Greetings,

I wanted to submit the following comments on behalf of my organization, but did not get approval in time. So I am submitting these as a concerned citizen. Would you still accept a revised version of these comments on behalf of the organization on Monday?

Thank you.
Angelina Cook
###

November 12, 2015

US Department of Commerce
Economic Development Administration
Regional Director A. Leonard Smith
915 Second Avenue, Room 1890
Seattle, WA 98174

U.S. Department of Commerce
Economic Development Administration
Regional Environmental Officer
915 Second Avenue, Room 1890
Seattle, WA 98174

Dear Regional Director Smith, Mr. Good and Ms. Fitzgerald,

First, I would like to thank you for your support in Mt. Shasta City's sewerage treatment facilities much-needed repairs. The limited capacity and environmental sensitivities surrounding the existing plant have thwarted economic activity in the region for many years. I am grateful that federal

agencies such as yours are in a position to facilitate meaningful expansion in our community, which has been dealing with decades of economic contraction.

I have been working to represent public interests in natural resource decision-making processes in the region for more than 10 years. Due to a remarkable lack of leadership addressing urgent issues associated with our changing physical and economic landscapes, I teamed up last year with the Mount Shasta Bioregional Ecology Center to draft a collaborative climate adaptation plan in 2014. The living document, entitled "*Renew Siskiyou - Roadmap to Resilience*" addresses the impacts of rising temperatures in our bioregion and sets forth recommended adaptation priorities. Because rising temperatures entail increased forest morbidity and less precipitation falling as snow, water conservation and forest restoration are paramount in safeguarding the region and downstream watershed stakeholders against catastrophic fire and persistent drought.

As you can agree, industrial water extraction and export in little toxic bottles using untold amounts of fossil fuels for global distribution is clearly not compatible with drought relief or climate adaptation and mitigation. Though it is unsurprising that Crystal Geyser does not want to undergo an Environmental Impact Review (EIR) or Environmental Impact Statement (EIS), it is appalling that local and state government representatives are conspiring with another private sector attempt to forego environmental review at the community's expense.

Dianne Feinstein's and Wally Herger's letters to the EDA in 2012 not only undermine our regions ability to uphold their own states climate and groundwater sustainability legislation (Global Warming Solutions Act - AB 32 and the Groundwater Sustainability Management Act) but they perpetuate a dysfunctional democracy and a economic power structure that is designed to favor multinational corporate development while marginalizing active and caring citizens who simply want to know what is going on in their communities, much less have a say in how it gets done. No wonder smaller agencies, such as Mt. Shasta City and Siskiyou County, with limited capacity and resources, shirk from their duty to protect public interests and go with the default, albeit defunct, mechanisms of the status quo.

Because the EDA is mandated to review project proposals in a comprehensive manner, and prohibited from advancing fragmented components of projects to avoid environmental review, I trust that your assistance of the treatment plant upgrade will be predicated upon adherence to federal and state environmental quality laws, thereby ensuring the durability of the grant itself and well as economic development associated with the treatment plant improvements.

Unfortunately, many of the project components remain obscure, due to non-transparency and short timelines between announcements requesting public comment and relevant document availability. From what I was able to gather, I request that you pursue the following course of action in response to Mt. Shasta City's EDA 2015 grant application; Prepare an Environmental Impact Statement (EIS) to assess the direct, indirect and cumulative impacts of the proposed industrial development to be connected to Mt. Shasta City's Waste Water Treatment Plant, and request that the City revise their grant application to include the Crystal Geyser Water Company's project components in their treatment plant upgrades.

I fully support every point raised in Mt. Shasta Tomorrow's very thorough comment letter to the EDA in regard to this matter. Thankfully, this region is well endowed with natural assets and has many opportunities for community revitalization and sustainable economic development, which you will hopefully get a chance to see in the "alternatives analysis" of the EIS. I urge you to ensure the efficacy of this project by requiring the highest level of environmental review possible.

Thank You.

Angelina Cook
Resilient Watershed & Community Advocate
(530) 926-5655 office



FitzGerald, Shannon

From: Rod Bryan <rbryan@mtshastaca.gov>
Sent: Wednesday, November 18, 2015 5:52 AM
To: Good, Stan; FitzGerald, Shannon
Cc: Larisa Proulx
Subject: FW: proofs of posting
Attachments: 7406 - nepa notice - affidavit.pdf; SKMBT_C55015111214020.pdf

Trying this again...
Hopefully your email issues are worked out!
Please confirm receipt of this.

Thanks,

Rod Bryan
Public Works Director
City of Mt. Shasta
(530) 926-7526

From: Rod Bryan
Sent: Thursday, November 12, 2015 1:13 PM
To: 'SGood@eda.gov' <SGood@eda.gov>
Cc: Paul Eckert <eckert@mtshastaca.gov>
Subject: proofs of posting

Mr. Good,
Please see attached proof of publications for the EDA scope of work amendment public notice.

Let me know if any questions.

Thanks,

Rod Bryan
Public Works Director
City of Mt. Shasta
(530) 926-7526

CERTIFICATE OF PUBLICATION
RECORD SEARCHLIGHT

CITY OF MT SHASTA
ATTN: LARISA PROULX CITY OF MT SHASTA
305 N MT SHASTA BLVD
MT SHASTA CA 96067

REFERENCE: 550020 2015
754224

State of California
County of Shasta

I hereby certify that the Record Searchlight is a newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the city of Redding, County of Shasta, State of California; that I am the principal clerk of the printer of said newspaper; that the notice of which the annexed clipping is a true printed copy was published in said newspaper on the following dates, to wit;

FILED ON: 11/12/15

PUBLISHED ON:
10/26/2015, 10/27/2015, 10/28/2015

PUBLIC NOTICE

The U.S. Department of Commerce, Economic Development Administration (EDA) is considering a request from the City of Mt. Shasta to amend the scope of work for an existing grant. The proposed scope of work would fund the construction of new filtration and ultraviolet (UV) disinfection facilities and associated piping at the Mt. Shasta Waste Water Treatment Plant (WWTP) in Siskiyou County, California. Pursuant to the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA), EDA is conducting an assessment of the potential of the proposed project to affect the environment and/or historic properties.

Under the proposed project, filtration and UV disinfection facilities would be constructed at the Mt. Shasta WWTP on Grant Road to the southwest of the City of Mt. Shasta. The filtration and UV disinfection facilities would be located where abandoned intermittent sand filters currently exist. Project information is available for review at the City of Mt. Shasta, 305 N. Mt. Shasta Boulevard, Mt. Shasta, CA, 96067, or by calling (530) 926-7510.

If you have any information regarding potential impacts environmental resources or historic properties associated with this proposed project, please provide it in writing to:

Regional Environmental Officer
US Department of Commerce
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
sfitzgerald@eda.gov

Comments received in the EDA Regional Office by 5:00 pm on November 12, 2015 will be considered. A copy of the NEPA/NHPA decisional document will be available upon request from the above EDA Regional Office.

October 26, 27, and 28, 2015

754224

I certify under penalty of perjury that the foregoing is true and correct, at Redding, California on the above date.

RECORDER SEARCHLIGHT
1101 Twin View Blvd, Redding, CA 96003

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Wednesday, November 18, 2015 8:48 AM
To: 'Rod Bryan'; Good, Stan
Cc: Larisa Proulx
Subject: RE: proofs of posting

Hi Rod,

Thanks for resending them. It did come through this time. -Shannon

P.S. FYI. We received about three dozen comment letters/email. I've been preparing for an IRC that's today, but after that I will focus on going through the comment letters.

From: Rod Bryan [<mailto:rbryan@mtshastaca.gov>]
Sent: Wednesday, November 18, 2015 5:52 AM
To: Good, Stan; FitzGerald, Shannon
Cc: Larisa Proulx
Subject: FW: proofs of posting

Trying this again...
Hopefully your email issues are worked out!
Please confirm receipt of this.

Thanks,

Rod Bryan
Public Works Director
City of Mt. Shasta
(530) 926-7526

From: Rod Bryan
Sent: Thursday, November 12, 2015 1:13 PM
To: 'SGood@eda.gov' <SGood@eda.gov>
Cc: Paul Eckert <eckert@mtshastaca.gov>
Subject: proofs of posting

Mr. Good,
Please see attached proof of publications for the EDA scope of work amendment public notice.

Let me know if any questions.

Thanks,

Rod Bryan
Public Works Director
City of Mt. Shasta
(530) 926-7526

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Wednesday, November 18, 2015 9:51 AM
To: FitzGerald, Shannon
Subject: Fwd: talked with Shannon at EDA

Hi Shannon,

I stand corrected on my comment yesterday regarding the Central Valley Regional Water Quality Control Board. Raven is head of the Gateway Neighborhood Association where they are doing CASGEM testing of between 20-30 local residential wells surrounding the plant as baseline studies for 18 months now.

Thank you,
Vicki

Begin forwarded message:

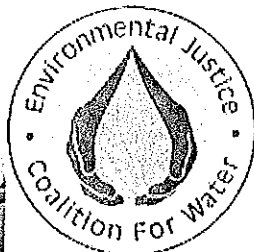
From: Raven [REDACTED] >

The Board has been responsive Vicki. They reviewed it and have chosen to do nothing! But they did not ignore the requests. They just didn't find any issue with the permit.

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Saturday, November 21, 2015 9:08 AM
To: FitzGerald, Shannon
Subject: Mt Shasta EDA grant response

Water Flows Free



Hello Shannon,

I am hoping you will include these comments with the public responses which closed last week. There is new relevant information. PacifiCorp just agreed with our complaint that their public notices were misleading and contained errors that were substantive. While they are reposting their notices in the Mt Shasta Herald on 11/25 and 12/2, I am not convinced that the clock will start over after reading the "public guidelines" online (which win the award for the most user unfriendly document I've ever encountered). The timing of the upgrade at the "Lassen" Substation is clearly driven by the Crystal Geysers operation. As you recall Dianne Feinstein specifically mentioned in her letter of support for the EDA grant that CGWC would provide a substation on their property. This is quite obviously a strategy to avoid CEQA which we have been anticipating having read through all the emails among Siskiyou County, PacifiCorp, GoBiz office and the SCEDC from 2012 and 2013.

I understand that the EDA cannot and should not be the lead agency for an EIR. Yet perhaps a single EIR and EIS, jointly prepared by the EDA and both the County and the City, could provide the necessary review of the various pieces of Crystal Geysers to date secret project puzzle? The City, County and Central Valley Regional Water Quality Control Board claim they have no hooks with which to cause Crystal Geysers to pay for an EIR which would reveal their full operational goals. The City paid lip service to the concept of the EDA grant for the Interceptor Line being the vehicle for the EIR. Yet as we followed all the city council meetings and statements, it was clear that they were not eager to make clear demands of CGWC. Or at least they didn't share them with the public. Perhaps they would actually be relieved if the EDA encouraged proper review. The County has not determined if the permits for the generators are discretionary and thus would trigger the APCD to take the lead. None of us feel the APCD is equipped to handle the overall project. I'm sure you read the article in the Mt. Shasta Herald 9/23/15 in which Judy Yee, at a press conference, states that CGWC will pay for the EIR. Many of us think it was a PR move because of the major water event planned for 9/26/15 at City Park with so many speakers and the Winnemem Wintu Chief as keynote speaker, addressing our water and the Sacramento River.

A joint EIS/EIR's was recently mentioned in a new court decision issued last week that also involved federal funding. This case revolved around a hotel suing L.A. because of a subway project's environmental impacts:

<http://www.courts.ca.gov/opinions/nonpub/B260855M.PDF>

Today's IV v. Los Angeles County Metropolitan Transp. Authority

Because of partial federal funding for the project, the Federal Transit Administration was required to conduct environmental review pursuant to the National Environmental Policy Act. (42 U.S.C. § 4321 et

seq.) Apart from a dispute concerning public record disclosure, plaintiff's challenges arise under the California Environmental Quality Act. (Pub. Resources Code 1, § 21000 et seq.) **Under these circumstances, an environmental impact report/environmental impact study must be jointly prepared by federal and local authorities.** (Environmental Protection Information Center v. California Dept. of Forestry and Fire Protection (2008) 44 Cal.4th 459, 472; Cal. Code of Regs., tit. 14, § 15220 et seq. (Guidelines2).) For clarity's sake, the final environmental impact report/environmental impact study will be referred to as the environmental impact report.

(Excerpt from EPIC v. CDFG case):

Because the state SYP and federal HCP contained overlapping and interrelated analyses and provisions, a decision was made to prepare for both of these documents a single joint environmental impact report (EIR) under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) and an environmental impact statement (EIS) under the National Environmental Policy Act (42 U.S.C. § 4321 et seq.).

Bottom line: maybe we could urge the EDA's attorneys to press for the EDA to become the Lead Agency since our local agencies are unwilling?

In my many years of experience in watching local jurisdictions deal with large corporate projects, I have never seen a small town allow itself to become financially so vulnerable to the whims of a corporation with deep pockets. Of the \$262,000 already spent on the Interceptor Line NOP of which \$62,000 was billed to CGWC, not a dime has been paid and the public is left holding this bag. The PacifiCorp project would again leave the ratepayers subsidizing the CGWC's wants for more power. *If there is anything the EDA can do to extend the time for the grant to be implemented and to encourage the jurisdictions to work together to cause CGWC to comply with statements in its press release in September, they would come out looking like an agency truly responsible and responsive to the public.* I am aware that the EDA's mission is about economics, community vitality and jobs, yet in extreme drought in a state where everyone knows the challenges we are all facing in California, perhaps this is an opportune moment for the EDA to act as guardian of the public funds and public welfare.

In the excellent film "Thirsty for Justice" linked here: www.ejcw.org even Jerry Brown tells the people suffering in the Central Valley to "go and make me do the right thing". It is about our water; it is about the purity of the Sacramento River; it is about justice. The residents of the City of Mt Shasta have conserved water (45% decreased use per Mayor Harkness at a recent Water Talk). Why should an international Japanese pharmaceutical conglomerate be allowed to take up to 1 million gallons/ day, unregulated and dump up to 750,000 gallons per day into an already challenged collector system and WWTP? I believe the total output daily of Cold Spring that serves the city is 2 million gpd. While it isn't the same spring tapped by the plant, the hard rock lava geology has not been adequately studied. Many independent PhD geologists have concurred that little is known of the hydrogeology of the area. This CGWC project could give a whole new meaning to the phrase being "left high and dry" here in Mt Shasta.

Thank you for considering these thoughts about transparency, public funding, corporate welfare and the possibility of a solution for a very special community. You don't hear from the hundreds of people on a spiritual path who are praying in their various ways, who never write letters or engage at this level of public government deliberation. I assure you they are there and they are sending light from this beacon of Mount Shasta.

In Gratitude, always,

Vicki Gold

Water Flows Free

FitzGerald, Shannon

From: Vicki Gold [REDACTED]
Sent: Saturday, November 21, 2015 9:14 AM
To: FitzGerald, Shannon
Subject: Fwd: Public Notice Re: Lassen Substation upgrade

Just to keep you in the latest PacifiCorp loop.
Vicki

Begin forwarded message:

From: Vicki Gold [REDACTED]
Subject: Re: Public Notice Re: Lassen Substation upgrade
Date: November 21, 2015 8:13:54 AM PST
To: "Allen, Cathie" <Cathie.Allen@pacificorp.com>
Cc: "jarmstrong@goodinmacbride.com" <jarmstrong@goodinmacbride.com>, "Michael.Rosauer@cpuc.ca.gov Rosauer" <Michael.Rosauer@cpuc.ca.gov>

<http://www.cpuc.ca.gov/NR/rdonlyres/B1C2F5B2-8A22-492B-B695-8751AE7FBA76/0/GuidePblcPrteptnApr10.pdf>

Now with the link. Apparently the numbing of my mind after reading it led me to omit it from the email. Humor is the saving grace in my life.

On Nov 21, 2015, at 8:12 AM, Vicki Gold <victoria7@snowcrest.net> wrote:

Cathie,

I forgot to ask the most important question for the community. Will the time allowed for responses to the PEA and application be extended as determined by the new public notice dates, in this case 12/2/15? I read through the link below and frankly found it to be one of the most user unfriendly documents I've ever encountered in my many years. It appears to be equally burdensome for utilities as for the public, yet the public usually has fewer legal and financial resources with which to address such a bureaucratic maze. I can only assume that the Daily Calendar date of 1 1/2 cannot remain as the start of the clock for the 30 day protest period. Please clarify this most important point.

Thank you,

Vicki

On Nov 20, 2015, at 4:09 PM, "Allen, Cathie" <Cathie.Allen@pacificorp.com> wrote:

Vicki

Thank you for your email and interest in the Lassen Substation project. I appreciate you notifying us that the street name stated in the newspaper notice was incorrect. We will be making a correction to the notice that will run in the weekly paper on November 25 and December 2. The notice is meant to inform the public that Pacific Power is proposing to build a new substation and how they may participate in the process so we do want the location to be accurate.

As I noted in an earlier email, Pacific Power has been planning to construct a new substation for several years. We hosted an open house in 2010 to talk with the community about the planned project. As stated in the fact sheet

provided at the open house, the Lassen substation is necessary to address capacity needs; importantly, while specific customer demands (e.g., from individual customers) may drive the timing of the construction of the Lassen substation, Pacific Power's decision to construct the Lassen substation is driven by system reliability needs. The Mt. Shasta Substation is a severely deteriorated wood structure. Rot and damage caused by birds have brought the structure to near the end of its useful life. This situation has prompted concerns about the Mt. Shasta Substation being able to safely and reliably meet current and future local and contractual system demand.

If you would like to participate in the process at the California Public Utilities Commission, please contact the Public Advisor's Office at:

Public Advisor's Office
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
Or by email to: public.advisor@cpuc.ca.gov

415-703-2074
1-866-849-8390
TTY 415-703-5282
TTY toll free 1-866-836-7825

Regards,
Cathie

From: Vicki Gold [REDACTED]
Sent: Monday, November 16, 2015 11:34 AM
To: Allen, Cathie
Cc: jarmstrong@goodinmacbride.com; Michael.Rosauer@cpuc.ca.gov Rosauer
Subject: Public Notice Re: Lassen Substation upgrade

<image001.png><image002.png>

Cathie.Allen@pacificorp.com
cc:jarmstrong@goodinmacbride.com
"Michael.Rosauer@cpuc.ca.gov Rosauer" <Michael.Rosauer@cpuc.ca.gov>

November 16, 2015

Dear Cathie,

I represent Water Flows Free, a group of almost 700 people, both local Mt Shasta residents and visitors who frequent our internationally renowned tourist town. We are very concerned about the Crystal Geyser Water Company/ Otsuka Holdings (CGWC) plant and the quite obvious lack of environmental review surrounding the project by all agencies: Siskiyou County, the City of Mt Shasta and the Central Valley Regional Water Quality Control Board. Now there is a recent application filed which will give the local APCD an opportunity to review what we also consider to be discretionary permits. We are not optimistic that they will step up either. But I digress.

The Public Notice filed in the Mt Shasta Herald last week appears to have been designed to misinform the public. First, the name: renaming of the Mt Shasta Substation to Lassen creates a misconception that this is not even in Siskiyou County. Why is there a name change when Dunsmuir and Weed Substations retain their original names? Is it because CGWC originally intended to have a substation on their 262 acre property as stated in Dianne Feinstein's 2012 letter of support to the EDA during their granting process? We are in receipt of many emails from 2012 to present, among Jason Rancadore in the GoBiz office, the SCEDC, the CPUC regarding the potential CEQA implications of the CGWC's stated desired PacifiCorp power needs for future expansion. All of these can easily be provided to you, but since Monty Mendenhall was probably party to many of those phone calls and communications, the email trail should be available in your PacifiCorp records.

We know that this project is driven by an effort to serve "a light industrial consumer" not named. It is clearly inequitable to ask the public ratepayers to cover PacifiCorp's "upgrade" to accommodate CG's wants of 4 times the power used by the prior CocaCola plant operators. Lines are clearly to be installed to serve the plant (shown on the maps, but not named), yet the Public Notice fails to name CGWC as a primary beneficiary of the upgrade. This is corporate welfare. If the PEA evaluation is \$518,000 for a Mitigated Negative Declaration, plus the costs of the CPUC review by Dudek and the construction costs, this is a significant subsidy by the ratepayers and taxpayers. My group is only one of many who are tracking this issue.

The public has not been apprised of the true nature of the Substation upgrade and we feel this should be remedied first by a new public notice. We also feel *the name of the project should be kept as Mt Shasta Substation Project*. The street mentioned is also in error; it is not the correct name of the street which is South Old Stage Road, not Old Stage Coach Road, which is in Redding. This is another

error that must be corrected. Why was the end of the comment period not listed as 12/4/15? This makes it very difficult for the public to perceive the urgency of their responses.

I would appreciate your reply to my email.

Thank you,

Vicki Gold

Water Flows Free

Mt Shasta

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 11:04 AM
To: 'Vicki Gold'
Subject: RE: Mt Shasta EDA grant response

Hi Vicki,

I tried returning your voice mail message, but I keep getting the message that "You have reached a number that has been disconnected or is no longer in service...."

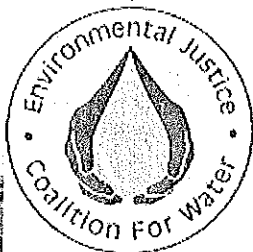
Per your voice mail question, I have not spoken with the City recently.

Regarding the comments below, they came a week after the close of the public comment period. So we are not going to include them in the public comments. But you are correct—to streamline the federal and state environmental review processes, a NEPA EIS can be combined with a CEQA EIR. I believe the CEQA regulations cover this and it is referred to as "CEQA Plus."

Thanks, Shannon 206-220-7703

From: Vicki Gold [REDACTED]
Sent: Saturday, November 21, 2015 9:08 AM
To: FitzGerald, Shannon
Subject: Mt Shasta EDA grant response

Water Flows Free



Hello Shannon,

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I understand that the EDA cannot and should not be the lead agency for an EIR. Yet perhaps a single EIR and EIS, jointly prepared by the EDA and both the County and the City, could provide the necessary review of the various pieces of Crystal Geyser's to date secret project puzzle? The City, County and Central Valley Regional Water Quality Control Board claim they have no hooks with which to cause Crystal Geyser to pay for an EIR which would reveal their full operational goals. The City paid lip service to the concept of the EDA grant for the Interceptor Line being the vehicle for the EIR. Yet as we followed all the city council meetings and statements, it was clear that they were not eager to make clear demands of CGWC. Or at least they didn't share

them with the public. Perhaps they would actually be relieved if the EDA encouraged proper review. The County has not determined if the permits for the generators are discretionary and thus would trigger the APCD to take the lead. None of us feel the APCD is equipped to handle the overall project. I'm sure you read the article in the Mt. Shasta Herald 9/23/15 in which Judy Yee, at a press conference, states that CGWC will pay for the EIR. Many of us think it was a PR move because of the major water event planned for 9/26/15 at City Park with so many speakers and the Winnemem Wintu Chief as keynote speaker, addressing our water and the Sacramento River.

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Because of partial federal funding for the project, the Federal Transit Administration was required to conduct environmental review pursuant to the National Environmental Policy Act. (42 U.S.C. § 4321 et seq.) Apart from a dispute concerning public record disclosure, plaintiff's challenges arise under the California Environmental Quality Act. (Pub. Resources Code, § 21000 et seq.) **Under these circumstances, an environmental impact report/environmental impact study must be jointly prepared by federal and local authorities.** (Environmental Protection Information Center v. California Dept. of Forestry and Fire Protection (2008) 44 Cal.4th 459, 472; Cal. Code of Regs., tit. 14, § 15220 et seq. (Guidelines2).) For clarity's sake, the final environmental impact report/environmental impact study will be referred to as the environmental impact report.

(Excerpt from EPIC v. CDFG case):

Because the state SYP and federal HCP contained overlapping and interrelated analyses and provisions, a decision was made to prepare for both of these documents a single joint environmental impact report (EIR) under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) and an environmental impact statement (EIS) under the National Environmental Policy Act (42 U.S.C. § 4321 et seq.).

Bottom line: maybe we could urge the EDA's attorneys to press for the EDA to become the Lead Agency since our local agencies are unwilling?

In my many years of experience in watching local jurisdictions deal with large corporate projects, I have never seen a small town allow itself to become financially so vulnerable to the whims of a corporation with deep pockets. Of the \$262,000 already spent on the Interceptor Line NOP of which \$62,000 was billed to CGWC, not a dime has been paid and the public is left holding this bag. The PacifiCorp project would again leave the ratepayers subsidizing the CGWC's wants for more power. ***If there is anything the EDA can do to extend the time for the grant to be implemented and to encourage the jurisdictions to work together to cause CGWC to comply with statements in its press release in September, they would come out looking like an agency truly responsible and responsive to the public.*** I am aware that the EDA's mission is about economics, community vitality and jobs, yet in extreme drought in a state where everyone knows the challenges we are all facing in California, perhaps this is an opportune moment for the EDA to act as guardian of the public funds and public welfare.

In the excellent film "Thirsty for Justice" linked here: www.ejcw.org even Jerry Brown tells the people suffering in the Central Valley to "go and make me do the right thing". It is about our water; it is about the purity of the Sacramento River; it is about justice. The residents of the City of Mt Shasta have conserved water (45% decreased use per Mayor Harkness at a recent Water Talk). Why should an international Japanese

pharmaceutical conglomerate be allowed to take up to 1 million gallons/ day, unregulated and dump up to 750,000 gallons per day into an already challenged collector system and WWTP? I believe the total output daily of Cold Spring that serves the city is 2 million gpd. While it isn't the same spring tapped by the plant, the hard rock lava geology has not been adequately studied. Many independent PhD geologists have concurred that little is known of the hydrogeology of the area. This CGWC project could give a whole new meaning to the phrase being "left high and dry" here in Mt Shasta.

Thank you for considering these thoughts about transparency, public funding, corporate welfare and the possibility of a solution for a very special community. You don't hear from the hundreds of people on a spiritual path who are praying in their various ways, who never write letters or engage at this level of public government deliberation. I assure you they are there and they are sending light from this beacon of Mount Shasta.

In Gratitude, always,

Vicki Gold

Water Flows Free

FitzGerald, Shannon

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 2:50 PM
To: 'mark@miyoshidaiko.com'
Subject: NHPA Section 106 consultation
Attachments: Mt Shasta - NAHC Native American Contact List.pdf

Dear Mr. Miyoshi,

Thank you for forwarding the letter from Spiritual Leader and Chief Caleen Sisk. We also received the hardcopy in the mail. The Economic Development Administration (EDA) will send a formal response to Chief Sisk, but I wanted to share this information with you before things slow down for the holiday.

First of all, I want to apologize for not including the Winnemem Wintu Tribe in the National Historic Preservation Act (NHPA) Section 106 consultation regarding EDA's grant to the City of Mt. Shasta (City) for filtration and UV disinfection facilities at the City's wastewater treatment plant. A consultant hired by the City had contacted the Native American Heritage Commission (NAHC) for a Sacred Lands File Search and Native American Contact List (see attached reply from the NAHC). The NAHC provided a contact list, but it does not include the Winnemem Wintu Tribe. Following the receipt of the letter from Chief Sisk, I called and left a message with Ms. Sanchez at the NAHC letting her know to add the Winnemem Wintu Tribe to the Native American Contact List for the Mt. Shasta area.

Should the EDA proceed with this project, EDA will consult with the Winnemem Wintu Tribe government-to-government under Section 106 of the NHPA.

I want to thank you for bringing this to our attention. -Shannon

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., ROOM 100
West SACRAMENTO, CA 95691
(916) 373-3710
Fax (916) 373-5471



April 23, 2015

Heldi Shaw
ENPLAN
3179 Bechell Ln., Ste 100
Redding, CA 96002

Sent by Fax: (530) 221-8963
Number of Pages: 2

Re: City of Mt. Shasta Wastewater Treatment and Disposal Improvement Project, Siskiyou County.

Dear Ms. Shaw,

A record search of the sacred land file has failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the sacred lands file does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Enclosed is a list of Native Americans individuals/organizations who may have knowledge of cultural resources in the project area. The Commission makes no recommendation or preference of a single individual, or group over another. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated, if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe or group. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at (916) 373-3712.

Sincerely,

Handwritten signature of Katy Sanchez in cursive script.

Katy Sanchez
Associate Government Program Analyst

**Native American Contact List
Siskiyou County
April 23, 2015**

Quartz Valley Indian Community
Harold Bennett, Chairperson
13601 Quartz Valley Road Karuk
Fort Jones , CA 96032 Shasta
tribalchair@qvir.com Upper Klamath
(530) 468-5907

(530) 468-5908 Fax

Shasta Indian Nation
Sami Jo Difuntorum, Cultural Resources
P.O. Box 634 Shasta
Newport , OR 97365
samijodif@yahoo.com
(530) 643-2463 Cell

Shasta Nation
Mary Carpelan, Cultural & Archaeological Res.
P.O. Box 1054 Shasta
Yreka , CA 96097
(530) 842-5654

Shasta Nation
Roy V. Hall, Jr, Chairperson
P.O. Box 1054 Shasta
Yreka , CA 96097
(530) 468-2314

Quartz Valley Indian Community
Evette Lewis, Cultural Resources Coordinator
13601 Quartz Valley Road Karuk
Fort Jones , CA 96032 Shasta
qvirnichelle@yahoo.com Upper Klamath
(530) 468-5907

(530) 468-5908 Fax

Butte Valley Indian Community
Sami Jo Difuntorum, Administrator
P.O. Box 100 Shasta
Macdoel , CA 96058
samijodif@gmail.com
(530) 643-2463

Quartz Valley Indian Community
Rebekah Sluss, Environmental Coordinator
13601 Quartz Valley Road Karuk
Fort Jones , CA 96032 Shasta
qvirnichell@yahoo.com Upper Klamath
(530) 468-5907

(530) 468-5908 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting locative Americans with regard to cultural resources for the proposed City of Mt. Shasta Wastewater Treatment and Disposal Improvement Project, Siskiyou County.

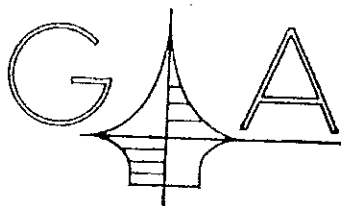


CITY OF MT. SHASTA

Water · Pollution · Control · Facilities

ENVIRONMENTAL IMPACT REPORT

SEPT., 1972



W. A. GELONEK & AFFILIATES

Engineers

Planners

1005 YUBA STREET

Phone 916 - 241-7820

REDDING, CALIFORNIA

G A W. A. GELONEK & AFFILIATES
Engineers and Planners

W. A. GELONEK
JIM HUSTON 1931 - 1967

September 1972

State of California
Water Resources Control Board
Grants for Clean Water
1416 Ninth Street, Room 1015
Sacramento, California 95814

Attention: Mr. John Olaf Nelson, Manager

Re: Environmental Impact Statement - Water Pollution
Control Facilities - City of Mt. Shasta

Gentlemen:

Attached hereto is a report dealing with the environmental considerations as they relate to the proposed water pollution control facilities outlined in the Project Report of September 1972.

We have attempted to make the report as inclusive as necessary to measure the impact on all facets of the environment.

Very truly yours,

W. A. GELONEK & AFFILIATES



W. A. Gelonek

WAG:bfl

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SECTION I

PROJECT DESCRIPTION

Recommended Action

The proposed Mt. Shasta Water Pollution Control Facility project consists of modifying and supplementing portions of the existing Mt. Shasta sewage disposal system, including increasing the treatment capacity and effluent quality, and eliminating discharge to the Sacramento River during the recreation season, May 1st through October 31st.

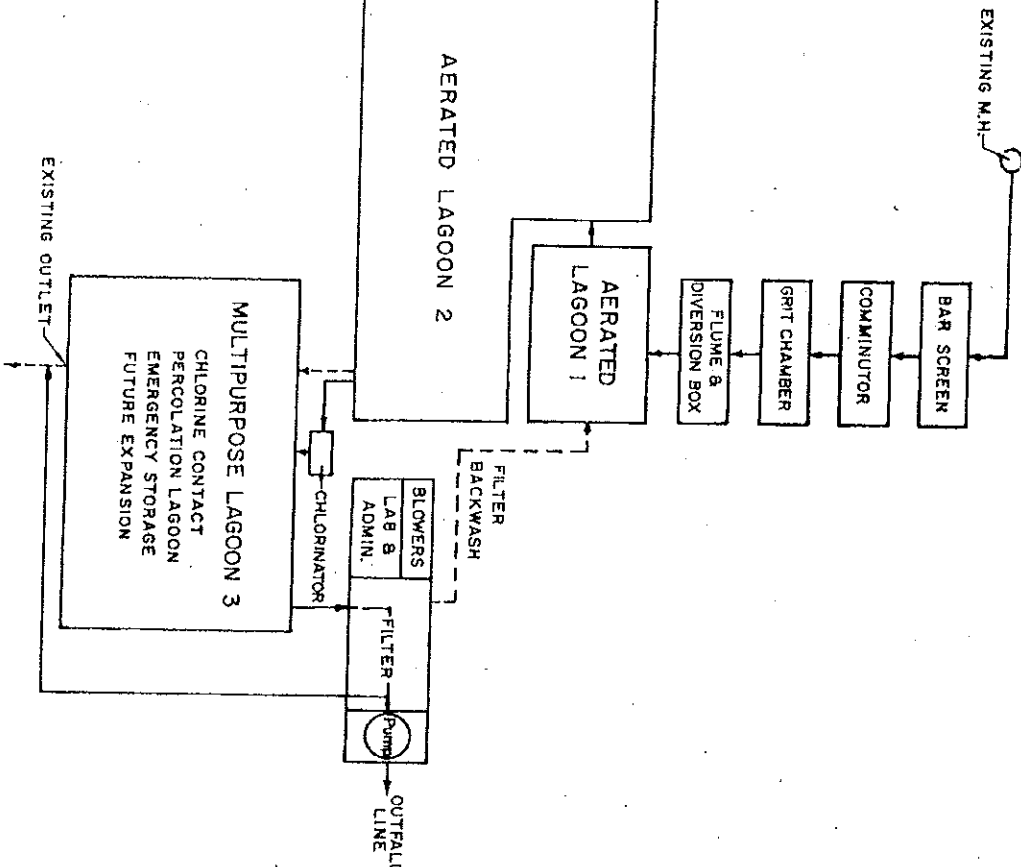
Specific tasks include:

- a) Replacement of the existing 12" interceptor line.
- b) Inclusion of primary treatment including bar screen, comminutor, and grit chamber.
- c) Excavation of the existing Ponds #1 and #2 to accommodate a 10-foot water depth.
- d) Modification of the ponds to include a controlled aeration system.
- e) Inclusion of a filtration system for effluent polishing.
- f) Installation of a pumping station, force main and land discharge system for use during the recreation season.

Plate 1 is a summary of the design data and a diagram of the operational flow of the proposed facility.

Purpose of the Action

The purpose of the proposed action is to modify the existing City of Mt. Shasta sewage disposal system to comply with current standards of the California Regional Water Quality Board as required



DESIGN DATA

FLOW, M.G.D.
 DESIGN FLOW, AVERAGE DRY WEATHER 1.5
 DESIGN FLOW, PEAK 3.7

PLANT DESIGN

DESIGN POPULATION, ACTUAL 6000
 POPULATION, EQUIVALENT 9400
 B.O.D. TOTAL, LBS/DAY 1600

STRUCTURES AND EQUIPMENT

PARSHALL FLUME
 BAR SCREEN, MECHANICAL
 COMMUNICATOR
 GRIT CHAMBER
 AERATED LAGOONS VOLUME, MILLION GALLONS 25.0
 CHLORINATOR
 HOLDING LAGOON, EMERGENCY STORAGE,
 CHLORINE CONTACT CHAMBER VOLUME, MILLION GALLONS 11.0

PERFORMANCE

PLANT WILL PROVIDE SECONDARY TREATMENT WITH FINAL EFFLUENT POLISHING FOR LAND DISPOSAL DURING MAY 1ST THRU OCTOBER 31ST AND SECONDARY TREATMENT WITH FINAL EFFLUENT POLISHING AND DISINFECTION FOR WINTER DISCHARGE TO THE SACRAMENTO RIVER.

MAX. B.O.D. IN EFFLUENT, M.G./L. 20
 MAX. S.S. IN EFFLUENT, M.G./L. 20
 MIN. PERCENTAGE B.O.D. REMOVAL 90
 MIN. PERCENTAGE S.S. REMOVAL 90
 MAX. CONCENTRATION OF RESIDUAL CHLORINE, M.G./L. 0.10

PLATE 1
 PROPOSED SEWAGE TREATMENT
 FLOW DIAGRAM

in Order No. 71-210, adopted March 26, 1971. The existing stabilization ponds, constructed as part of the Lake Siskiyou Recreation Project, are currently unable to meet the following standards.

1) No effluent release into the Sacramento River during the recreation period of May 1st to October 31st.

2) If river disposal is to be utilized during recreation periods prior to May 1, 1973 a minimum pond retention time (for stabilization ponds) of 150 days is required.

Proposed modifications include primary secondary, and polishing treatment of the combined sewage from the City of Mt. Shasta, Lake Siskiyou recreational area, and additional neighboring areas. The treatment will be effective in assuring that water quality, including turbidity, temperature, dissolved oxygen, suspended solids, pH, bacteriological quality and other parameters will be consistent with the current Sacramento River water quality objectives.

Project Location

The proposed water pollution control project is located in and around the incorporated City of Mt. Shasta, California, in the County of Siskiyou. The City rests at the extreme southeast end of Shasta Valley with 4,000 - 5,000 feet Rainbow Ridge to the west and 14,161 feet Mt. Shasta to the northeast. The City is almost entirely surrounded by lands of the Shasta National Forest.

The project area can be located on the Regional Map, Plate 2.

The project boundaries, including the service, treatment and discharge areas, are shown in Plate 3. The project coordinate number,

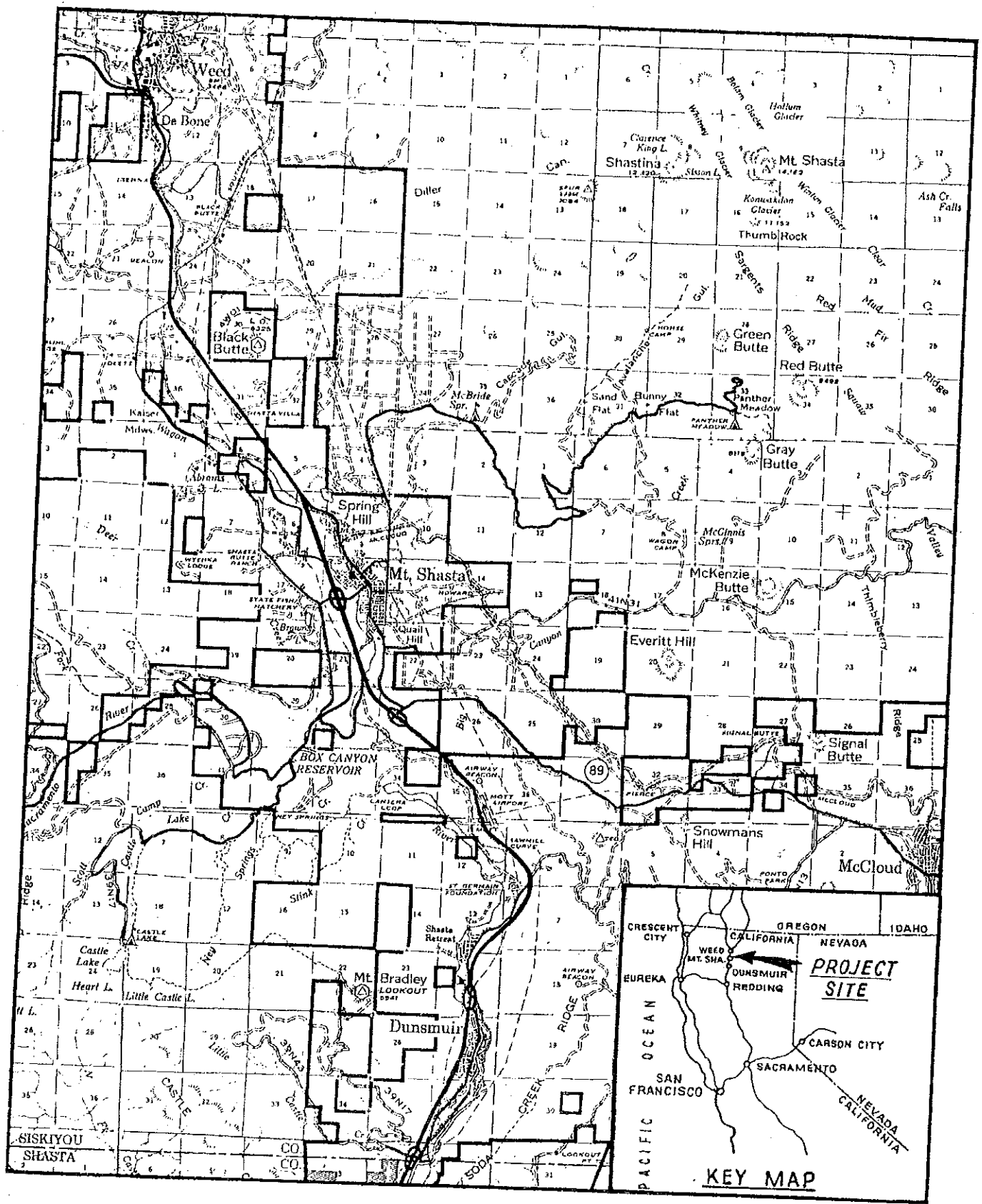
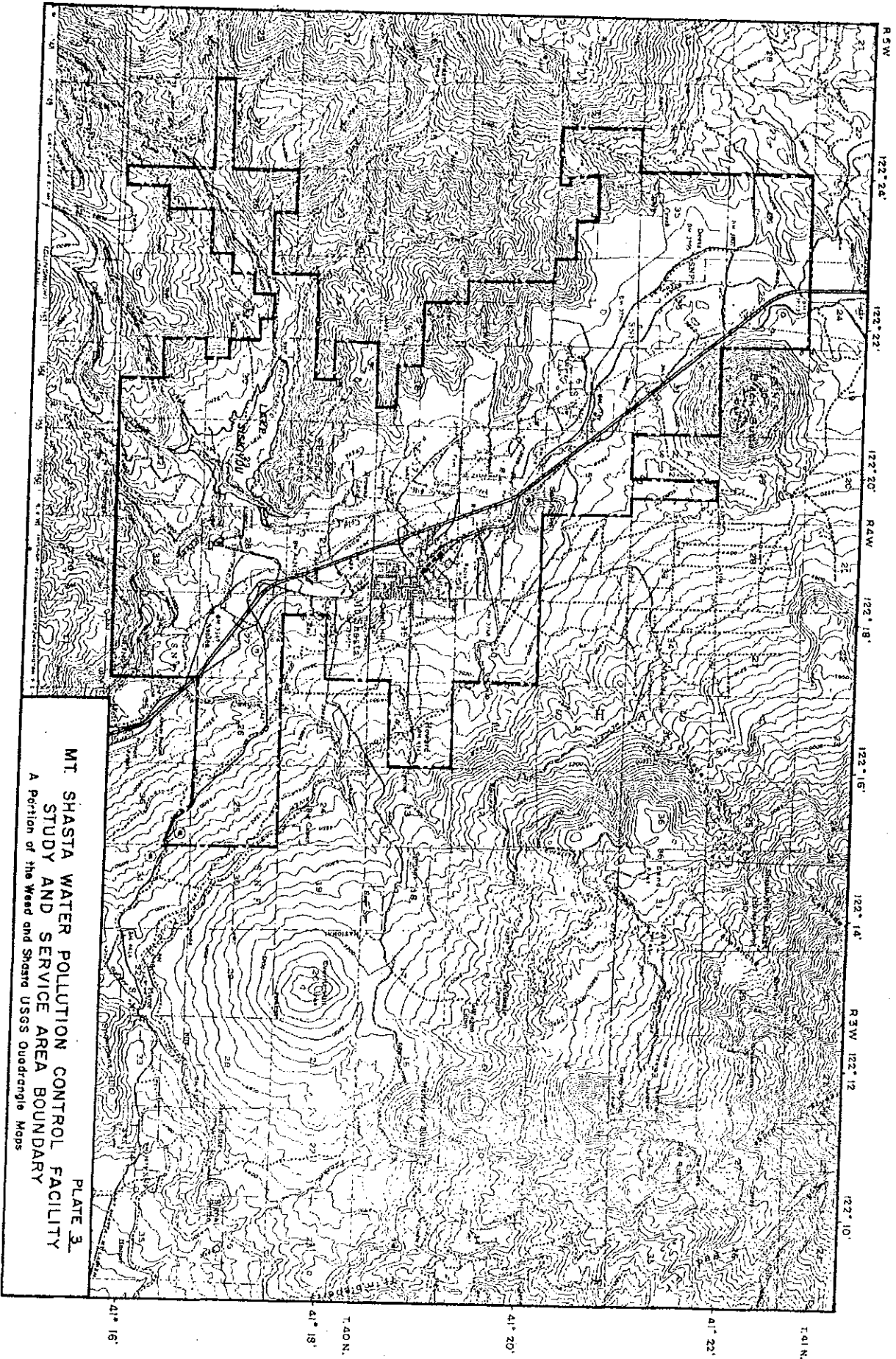


PLATE 2
 MT. SHASTA WATER POLLUTION CONTROL FACILITY
 REGIONAL MAP



based on the approximate center of the project area, is North lat. 41°19',
West longitude 122°19'.

Implementation of Proposal

It is proposed to conform with the following schedule for the design, construction and operation of the Mt. Shasta Water Pollution Control Facility.

| <u>TASK</u> | <u>COMPLETION DATE</u> |
|---|------------------------|
| 1. Consumate final agreements between participating agencies - | January 15, 1973 |
| 2. Complete final arrangements for project financing - | May 1, 1973 |
| 3. Authorize engineering plans and specifications - | May 15, 1973 |
| 4. Complete plans and specifications - | March 1, 1974 |
| 5. Advertise for project construction bids - | April 15, 1974 |
| 6. Award construction contract - | June 1, 1974 |
| 7. Complete land disposal element of contract - | May 1, 1975 |
| 8. Complete final construction and demonstrate facility performance - | November 1, 1975 |

Item No. 7 is to be stipulated in the contract to provide for no recreational period discharge to the river following May 1, 1975.

Interrelationship With Other Projects

The project is closely related to the Lake Siskiyou Recreation Area. The stabilization ponds currently in use were built in 1967 to compensate for land required for the Lake Siskiyou Project, and currently handle the combined sewage of the City of Mt. Shasta and the recreational facilities of the project. Facilities capable of accommodating 1,000 recreationist will be sewerred on the combined system.

Consideration has been given to including the cities of Mt. Shasta, Weed and Dunsmuir in a combined regional facility, however, such a proposal has been discounted, based on economic and other considerations. The sewage treatment facilities for the three cities will remain as separate projects. Responsibility for the preparation of the project reports and environmental impact statements for these related projects has been determined as follows:

| | |
|--------------------|--|
| City of Dunsmuir - | Robert A. Lounsbury Civil and Sanitary Engineering P.O. Box 51 Wilton, California 95693 |
|--------------------|--|

| | |
|----------------|--|
| City of Weed - | Piemme & Bryan Engineers and Surveyors 331 W. Miner Yreka, California 96097 |
|----------------|--|

Referral to Supporting Documents

An Engineering Report in two volumes, entitled "Project Report for Water Pollution Control Facilities at the City of Mt. Shasta", dated September 1972, and prepared by W. A. Gelonek & Affiliates of Redding, California serves as a technical reference for this impact statement.

SECTION II

ENVIRONMENTAL SETTING

Regional Setting

Geology

Volcanic activity played the major role in geologic development of this area. The project site is located near the geologic boundary between the Klamath Mountains and the Cascade Range. Characteristic rock formations of both mountain ranges are present nearby. The Klamath Mountains, lying west of the area, contain intrusive, sedimentary, and volcanic rocks. The Cascade Range contains volcanic rocks which are divided into two units, the Western Cascade series and the High Cascade series. The Western Cascade series, an older outcropping, lies to the west of the peaks of the Cascade Range and extends north from Mt. Shasta into Oregon. The High Cascade series, a younger unit, includes both Mt. Shasta and Mt. Lassen.

This part of the High Cascades geologic province is underlain by volcanic rocks and alluvium of the Pleistocene Age. These deposits lay unconformably on tertiary volcanic rocks and older sedimentary and metamorphic rocks.

The earthquake history of the area, including the Klamath Mountains to the west and the Cascade Range to the east, indicates a relatively low seismic activity. No shocks greater than magnitude 4 on the Richter Scale are known to have occurred within a 40-mile radius of the project site.

Hydrology

The Mt. Shasta City area is one of heavy precipitation and abundant water supply. The Sacramento River collects the accumulated runoff from a drainage area of 122 square miles. Fall and winter rains on the relatively impervious basin area west of Rainbow Ridge provide one increment of runoff while another increment is provided by the sustained springtime runoff from melting snows in the high mountainous areas. Precipitation on the Mt. Shasta side of the basin does not produce surface runoff directly into the Sacramento system, but infiltrates into the extremely porous volcanics to increase ground water storage, and eventually discharges as part of the sustained summer yield. This sustained summer flow is regulated both by storage in the Mt. Shasta snowpack and by ground water basin seepage into the Sacramento drainage system.

The slopes of Mt. Shasta are covered by deposits of porous volcanic ash and coarse debris blown out during past eruptions or carried downhill by subsequent erosion. This material ranges from poor to highly permeable, depending on particle size and sorting. Rain falling on the mountain slopes infiltrates immediately; very little runs off in surface streams. Snow falls are retained on the mountain, both as winter snowpack and as permanent glaciers. Melt water runs in torrents down the mountainside for short distances until it, too, infiltrates into the porous soil.

Reference to the USGS Weed Quadrangle (Plate 3) discloses the near absence of surface drainage from the west and southwest slopes of Mt. Shasta into the Sacramento River. The triangle approximately defined by Dunsmuir, Black Butte, and the peak of Mt. Shasta, about 40 square miles in area, is an area of ground water storage. The numerous springs which emerge from the hillside on the east side of the Sacramento River as far south as Dunsmuir are all supplied from this ground water storage, which regulates runoff from the accumulated winter precipitation to a constant rate of flow. The uniform flow of these springs supplies the Sacramento River with a firm base flow in the Mt. Shasta - Dunsmuir area.

Both Mt. Shasta City and Dunsmuir derive their water supply from such uniform springs. There also are many individual household wells in the rural areas outside Mt. Shasta City that draw from the abundant ground water.

Flora and Fauna

a) General: The Mt. Shasta region shares the common features of two mountain ranges; the Cascade Range of Oregon and the Sierra Nevada Range of California. It affords the northernmost limit of Sierra species, and the southernmost limit of Cascade species. Hence, its flora and fauna are an over-lapping of both, sharing a large percentage of the common species and a mixture of restricted Sierra and Cascade species.

b) Trees: The ground cover ranges from Manzanita to virgin stands of many varieties of pine and fir. The dwindling of virgin timber is supplemented by reforestation practices to sustain the milling and manufacturing operations of the local lumber industry.

c) Fish: Rainbow, Eastern Brook, and Brown Trout inhabit many small lakes and streams of the area including the headwaters of the Sacramento River. During Trout season, the State Fish Hatchery at Mt. Shasta City supplements the native population with weekly plantings of catchable-sized Rainbow Trout in the Sacramento River.

d) Land Animals: The Shasta-Trinity National Forest contains big game animals such as the Rocky Mountain Elk, Black Bear, Columbian Black Tailed Deer, and the Rocky Mountain Mule Deer; upland game animals such as the Audubon Cottontail, Black Tailed Hare and various squirrels; small fur-bearers such as beavers, foxes, racoons, fishers and martens; and large fur-bearers such as the coyote and bobcat.

e) Birds: Also included in the regional wildlife are several varieties of upland game birds such as quail, grouse, pigeon and dove, and over 130 species of non-game birds. Water-fowl in the Shasta National Forest is generally limited to the Shasta Lake and Lake Britton areas and is not prevalent in the project area.

f) Rare or Endangered Species: There are no "rare" or "endangered" species of fish, reptiles or birds in the region. The southern variety Bald Eagle, whose population has dwindled to 87 (1971), has been classified "endangered". Although it can be found in the area of Shasta Lake and on occasion as far north as McCloud, it is not specifically known to occupy the project area.

Martens and fishers do habitate the Mt. Shasta area. They are classified as "unique" species. Although they are rare in California, they are not so on a nationwide basis, and therefore they are not classified "rare". They don't get along with development and have been greatly suppressed in the vicinity of the City. Previous concentrated development has tended to displace their population back into protected wooded land.

Climate

a) Temperature

The City of Mt. Shasta lies in the lee of the westerly coastal mountains and is generally protected from marine influence. Temperature recordings in the City report an all-time maximum temperature of 103°F and a minimum of -8°F, but indicate a mean maximum of 85.3 in July and a mean minimum of 25.1 in January. Complete monthly temperature means and extremes can be found in Table 1.

CLIMATE - CITY OF MT. SHASTA

Temperature Means and Extremes (°F)

| <u>Data</u> | <u>Jan.</u> | <u>Feb.</u> | <u>March</u> | <u>April</u> | <u>May</u> | <u>June</u> | <u>July</u> | <u>Aug.</u> | <u>Sept.</u> | <u>Oct.</u> | <u>Nov.</u> | <u>Dec.</u> | <u>Year.</u> |
|-----------------|-------------|-------------|--------------|--------------|------------|-------------|-------------|-------------|--------------|-------------|-------------|-------------|--------------|
| Highest Temp. | 65 | 71 | 78 | 84 | 91 | 96 | 100 | 101 | 103 | 92 | 80 | 72 | 103 |
| Mean Max. Temp. | 41.4 | 46.5 | 52.1 | 60.3 | 67.6 | 74.9 | 85.3 | 84.7 | 78.4 | 65.6 | 52.5 | 44.6 | 52.8 |
| Mean Temp. | 33.3 | 37.0 | 41.2 | 47.5 | 53.8 | 60.3 | 68.0 | 66.7 | 61.5 | 51.9 | 41.8 | 35.9 | 49.9 |
| Mean Min. Temp. | 25.1 | 27.5 | 30.2 | 34.6 | 39.9 | 45.7 | 50.7 | 48.6 | 44.5 | 38.2 | 31.0 | 27.2 | 36.9 |
| Lowest Temp. | -3 | 0 | 11 | 10 | 21 | 25 | 31 | 34 | 26 | 17 | 11 | -8 | -8 |

Average Monthly and Seasonal Precipitation* (inches)

| <u>Data</u> | <u>Jan.</u> | <u>Feb.</u> | <u>March</u> | <u>April</u> | <u>May</u> | <u>June</u> | <u>July</u> | <u>Aug.</u> | <u>Sept.</u> | <u>Oct.</u> | <u>Nov.</u> | <u>Dec.</u> | <u>Season</u> |
|--------------------|-------------|-------------|--------------|--------------|------------|-------------|-------------|-------------|--------------|-------------|-------------|-------------|---------------|
| Avg. Precipitation | 6.36 | 5.91 | 4.46 | 2.77 | 1.99 | 1.25 | 0.30 | 0.18 | 0.87 | 2.44 | 3.97 | 6.22 | 36.72 |

Average Monthly and Seasonal Snowfall (inches of depth)

| <u>Data</u> | <u>Sept.</u> | <u>Oct.</u> | <u>Nov.</u> | <u>Dec.</u> | <u>Jan.</u> | <u>Feb.</u> | <u>Mar.</u> | <u>April</u> | <u>May</u> | <u>June</u> | <u>Season</u> |
|---------------|--------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------|------------|-------------|---------------|
| Avg. Snowfall | 0 | 0.3 | 3.4 | 19.2 | 31.1 | 19.7 | 14.7 | 6.4 | 1.3 | 0 | 96.1 |

* Moisture falling from the air to the ground, whether in liquid or frozen form. If in frozen form, the melted liquid moisture content is used as a measure of the precipitation.

b) Precipitation

The annual precipitation pattern is generally characteristic of the rest of California with heavy precipitation during the winter months and much lighter rainfall during the summer. It is not uncommon however, to receive a few showers and an occasional thunderstorm during the summer months. Close proximity to towering Mt. Shasta (elev. 14,161 feet above sea level) provides a local topographic condition that results in an average snowfall of around 100 inches per year. This is a higher than average snowfall for the City's elevation (approx. 3,600 feet above sea level). Most intermediate elevations in the County receive an average from 25 to 35 inches per year. Average monthly and seasonal precipitation (including snowfall) can also be found in Table 1.

c) Evaporation

There are only limited evaporation records within the County, but indications are that the annual total loss from a standard 4-foot evaporation pan ranges from around 50 to 60 inches in the central part of the County. Seventy-five to eighty percent of this total is evaporated during the months of April through September. Evaporation from lakes and reservoirs is somewhat less, the annual total amounting to around 35 to 45 inches.

Land Usage

The Mt. Shasta area lies in a forested area north of the Sacramento Valley. Through this area passes the most favorable transportation route from the Central Valley in California to communities in Oregon and the Northwest. Residents of the Mt. Shasta area have traditionally depended upon lumber, the railroad, and, to a lesser extent, upon tourism and agriculture for their livelihood. Although the lumber and railroad industries have experienced a decline in recent years, the income provided by agriculture has remained relatively stable. An additional source of income has resulted from the rapidly expanding use of the area for recreational pursuits.

Lumbering

Prior to settlement of the Mt. Shasta area by the white man, the southern slope of Mt. Shasta and the surrounding territory were covered by virgin growths of pine and fir. Subsequent decades of lumbering and destructive forest fires have reduced the amount of harvestable timber available and left many areas unproductive.

Logging, milling, and transportation of lumber supported the early economy of the area, but the dwindling of virgin timber resources and the slow recovery brought by reforestation practices has resulted in decline of the local lumber industry. However, the demand for forest products has remained high during recent years and the lumber industry continues to provide a major source of income for the area.

Agriculture

The extent of irrigated and irrigable lands within the Mt. Shasta area is very limited. Agriculture mainly consists of the raising of cattle and those pasture and hay crops required to support cattle. Crops, for profitable production, generally require irrigation from May through October. Most of the acreage suitable for tillage or irrigated pasture is presently developed and provided with irrigation water from the nearby creeks and springs.

Transportation

The location of Mt. Shasta on an important interstate transportation route contributes in many ways to the economy of the area.

The north-south highway is heavily used by both automobile travel and by commercial trucks. The entire system is heavily used by vacationers during the spring, summer, and fall months.

When the railroad was constructed from Redding to Dunsmuir in 1886 and on to Oregon the next year, the first impetus was given to the lumber industry in the Mt. Shasta area. Today the railroad is an important contributor to the lumber industry and the general economy of the area.

Recreation

The Mt. Shasta area, as well as many other communities in Northern California, is growing in its attraction to recreationists. The reasons for this growth stem both from the natural attributes of the locality and from the improved highway systems which has led to a general exodus from metropolitan centers, for "relief" from overcrowded conditions.

Mt. Shasta itself is an outstanding attraction. The 14,161 foot volcanic mountain dominates the entire project area. For much of the year snow covers that portion of the peak above 8,000 feet and several glaciers cling year around to the mountain.

Around the skirts of the mountain, and in the McCloud River and Mt. Eddy areas, fish and game abound. The upper reaches of the Sacramento River above Shasta Lake, for instance, are noted for the excellence of their trout fishery.

Despite easy access to the project area, little has been done until recent years toward the organized development of recreational opportunities in the area. Private individuals and organizations recently have developed improved campgrounds along the Sacramento River near Mt. Shasta and at Castle Lake. Such facilities make use of the river water during the summer vacation seasons.

In 1958, the completion of the Mt. Shasta Ski Bowl chair lift and lodge initiated a large-scale attempt to popularize the area for winter sports. Heavy snowpacks that reached 200 inches on the slopes of Mt. Shasta had long suggested this possibility. The ski season is generally long, beginning in late November and continuing through June. Recently, major improvements to the ski areas have been discussed and plans are now being formulated.

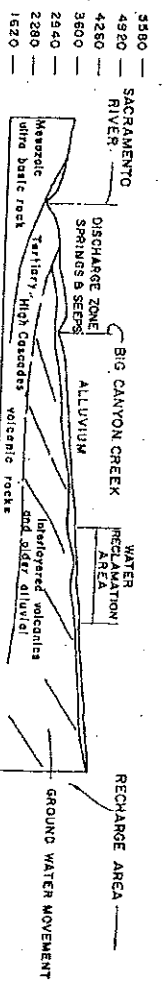
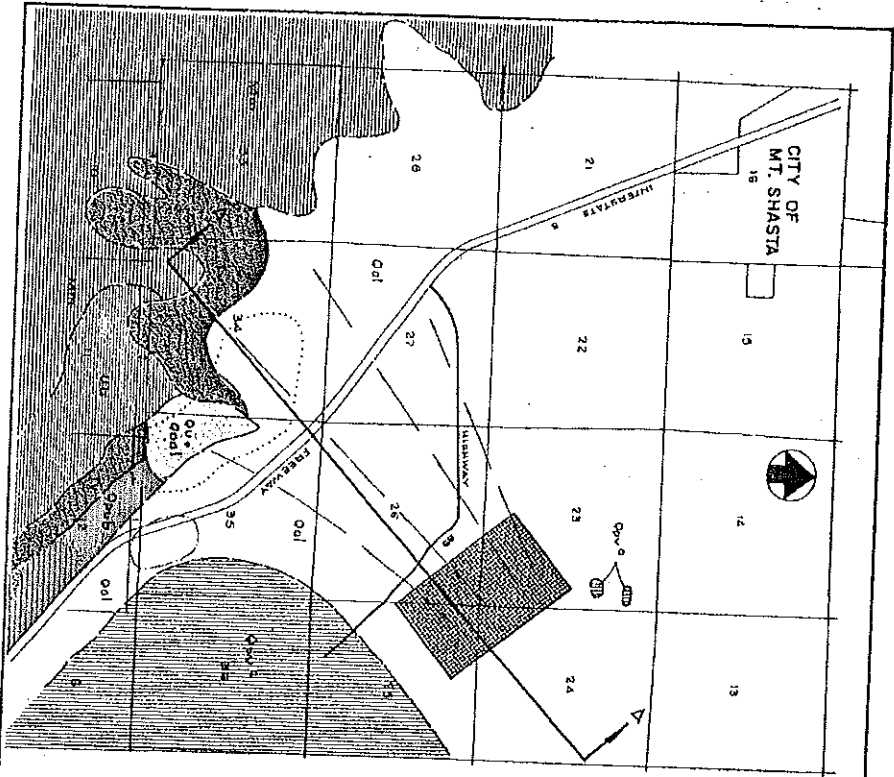
Around 1970 the opening of camping and picnicing facilities at the Box Canyon Dam Project (Lake Siskiyou) increased summer attraction to the project area. The reservoir is formed primarily from flows from Wagon Creek and from the north, middle, and south forks of the Sacramento River.

Project Setting

Geology

The geology of the project area has been examined primarily in the interest of identifying potential sites for the return of the treated water, and examining the geologic conditions at the project site. The geologic and hydrologic characteristics of various areas considered in the vicinity of the treatment facility are considered in the "Alternatives to The Proposed Action" section of this report.

The proposed site, on the basis of all information available, appears to be the only logical one from both technical and economic approaches. It is shown on Plate 4 and lies in Sections 23, 24, 25 and 26, T 40 N, R 4 W, two miles southeast of the center of the City of Mt. Shasta. Elevation ranges from 3900 ft. to 4200 ft. The site is part of the Big Canyon Plantation reforestation area in the Shasta National Forest. The proposed disposal site is underlain by rhyolitic and andesitic volcanic flows interlayered with older alluvium. It is in turn covered by a mantle of alluvium and rubble of a few feet to tens of feet thick. The soil of the site is highly variable in character, ranging from material with a high percentage of fine to coarse open rubble, but is generally a very poorly sorted mixture of weathering products from the underlying volcanic rocks and older sediments. The thickness of the soil development is highly variable, probably ranging from near zero to 100 to 200 feet.



LEGEND:

- PROPOSED WATER RECLAMATION
- EXISTING SPRING AREA
- AREA OF COMESTIC WELLS
- DIRECTION OF PROBABLE GROUND WATER MOVEMENT

SOILS DESCRIPTION

- Qol** Stream and glacial outwash, generally poorly sorted, sandy to bouldery sand, silt and clay. Low to moderate permeability.
- Qodl** Recent Mt. Shasta andesitic volcanics, flows, massive to rubby, mud flow breccias. Slight to moderate permeability.
- Qpvd** Recent basaltic rocks, massive basalt flows, lava tubes, coarse open rubble. Locally very permeable.
- Qpub** Volcanic and bedded rocks of high cascades series. Generally poorly permeable and without large openings.
- Tv** Ultra-basaltic igneous rocks. Essentially impermeable.
- Ub** Mesozoic metamorphic and crystalline rocks. Essentially impermeable.
- Mm**

PLATE 4
**EXISTING GEOLOGICAL & HYDROLOGICAL CONDITIONS
 AT PROPOSED WATER RECLAMATION SITE**

Hydrology

The hydrology of the project setting is dominated by the variable topography, with the high slopes of Mt. Shasta from which permanent recharge occurs, and the canyon of the Sacramento River which drains the area. Ground water in the saturated zones moves southwesterly under the proposed disposal site and discharges in a large number of seeps and springs in the slopes above the river (Plate 4).

Effluent from the proposed site will percolate vertically downward an unknown distance to the saturated zone and then will move down the hydraulic gradient in a general southwesterly direction through the poor to moderately permeable volcanic rocks and older alluvium toward the discharge zone two miles away.

Consideration was given to the risks of contamination of existing water supplies. The main water supply for the City of Mt. Shasta is at a higher elevation spring one mile north of the proposed disposal site. An existing well in the Mt. Shasta water system is some two miles to the north at only slightly lower elevation and well away from probable paths of ground water movement from the site. There are some domestic wells in the vicinity of Mott Airport which may be on the fringe of ground water movement from the site. Considering the low to moderate permeability of the materials, absence of cavernous rocks or lava tubes to provide a direct route of

influent seepage to these wells, and the distance involved, it is doubtful that should any of the effluent enter the wells, any bacterial or viral contamination will occur.

Historical or Archeological Sites

There are no known historical or archeological sites in the project area that will be affected by the proposed project.

SECTION III

ASSESSMENT OF ENVIRONMENTAL IMPACT

The following matrix, Table 2, serves to locate the activities of the proposed project which will cause an environmental impact. The ratings are determined, taking into consideration the degree and duration of the impacts cited.

The magnitude of the impact relationship is evaluated and rated on a scale of 1 to 5. A rating of 5 represents the greatest magnitude of the impact and a rating of 1 represents the least.

The importance of the impact is also determined and represented on a scale of 1 to 5. A rating of 5 represents the greatest "importance" of the impact and 1, the least.

A plus sign (+) is placed in front of an impact which is felt to be beneficial to the project environment.

In the determination of the ratings, judgements include the overall effect of the proposed project including the measures proposed to mitigate negative environmental effects. As an aid in interpretation of the matrix and rating system, the proposed actions will be discussed with regard to their impact on the existing environmental elements.

The alteration of ground water hydrology will result from the disposal of the treated water over land. Due to the large quantities of ground water in the area, total impact on the hydrology of the area will be low.

The noise and vibration of the construction period will have an impact on the birds and land animals of the area, but such impact will not be of major significance.

TABLE 2

II PROPOSED ACTIONS WHICH MAY CAUSE ENVIRONMENTAL IMPACT
(to include acquisition, development, operation, and phase out of proposed project)

ENVIRONMENTAL IMPACT ASSESSMENT MATRIX*
CLEAN WATER GRANTS

Responsible Agency _____
State Clearinghouse Number _____
INSTRUCTIONS

- Identify all actions (located across the top of the matrix) that are part of the proposed project.
- Under each of the proposed actions, place a slash at the intersection with each item on the side of the matrix if an impact is possible.
- Having completed the matrix, in the upper left-hand corner of each box with a slash, place a number from 1 to 5 which indicates the MAGNITUDE of the possible impact; 5 represents the greatest magnitude of impact and 1, the least (no zeroes). Before each number place + if the impact would be beneficial. In the lower right-hand corner of the box place a number from 1 to 5 which indicates the IMPORTANCE of the possible impact [e.g., regional vs. local]; 5 represents the greatest importance and 1, the least (no zeroes).

A text should accompany the matrix and discuss those columns and rows with boxes marked.

SAMPLE MATRIX

| | | | | | |
|---|---|---|---|---|---|
| | a | b | c | d | e |
| a | | 2 | 1 | | 5 |
| b | 4 | 1 | 4 | 3 | 5 |
| | | 2 | 4 | 1 | 4 |

*Based on U.S.G.S. Circular 645

| EXISTING CHARACTERISTICS AND CONDITIONS OF THE ENVIRONMENT | MODIFICATION OF REGIME | LAND TRANSFORMATION AND CONSTRUCTION | RESOURCE RENEWAL CHANGES IN TRAFFIC | WASTE EMPLACEMENT AND TREATMENT | CHEMICAL TREATMENT | ACCIDENTS | | | | | | | | | | | | | | | | | | | | | | | |
|--|-----------------------------|--------------------------------------|-------------------------------------|---------------------------------|--------------------|-----------|---------------------------|---------------|-----------------------------------|--|-------------------------------|--------------------------|------------------------|-------------------------------|--------------------------|-------------------------------|---------------------------------------|--------------------------|--------------------|--------------------------|------------------|----------------|-------------------|-------------|------------------------|--------------------------|--------------------|--|--------------------------------------|
| | | | | | | | a. Alteration of drainage | b. Irrigation | c. Noise, vibration, and lighting | d. Transmission lines, pipelines and corridors | e. Barriers including fencing | f. Dams and impoundments | g. Offshore structures | h. Waste treatment structures | i. Blasting and drilling | j. Cut, fill, spoil, and dust | k. Tunnels and underground structures | l. Ground water recharge | m. Waste recycling | n. Automobile & Trucking | o. Water traffic | p. Air traffic | q. Ocean disposal | r. Landfill | s. Underground storage | t. Deep well emplacement | u. Waste treatment | v. Liquid effluent discharge, incl. spray irrigation | w. Stabilization and oxidation ponds |
| EARTH | a. Soils | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | b. Land form | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| WATER | a. Surface | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | b. Ocean | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | c. Underground | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | d. Quality | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | e. Temperature | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | f. Recharge | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | g. Snow, ice | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ATMOSPHERE | a. Quality | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PROCESSES | a. Floods | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | b. Erosion | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | c. Deposition | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| FLORA | a. Trees (PLANTATION) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | b. Shrubs | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | c. Grass | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | d. Crops | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | e. Microflora | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | f. Aquatic plants | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | g. Endangered species | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | h. Barriers | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | i. Corridors | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | FAUNA | a. Birds | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| b. Land animals | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| c. Fish and shellfish | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| d. Benthic organisms | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| e. Insects | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| f. Microfauna | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| g. Endangered species | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| h. Barriers | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| i. Corridors | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| LAND USE | | a. Open spaces | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | b. Wetlands | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | c. Forestry | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | d. Grazing | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | e. Agriculture | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | f. Residential | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | g. Commercial | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | h. Industrial | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| RECREATION | a. Fishing | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | b. Boating | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | c. Swimming | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| AESTHETICS AND HUMAN INTEREST | a. Scenic views and vistas | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | b. Wilderness qualities | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | c. Open space qualities | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | d. Landscape design | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | e. Unique physical features | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | f. Parks and reserves | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CULTURAL STATUS | a. Cultural patterns | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | b. Health and safety | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | c. Employment | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | d. Population density | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MAN-MADE FACILITIES AND ACTIVITIES | a. Structures | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | b. Transportation network | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | c. Utility networks | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | d. Waste disposal | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | e. Barriers | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | f. Corridors | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ECOLOGICAL RELATIONSHIPS | a. Salinization | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | b. Eutrophication | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | c. Disease-insects | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | d. Food chains | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

The installation of pipeline is centered mainly around the burial of the interceptor, outfall line, and discharge field perforated lines. Soils, shrubs and grass will be affected along the trench lines but to a minor degree, and all will recover by natural seeding and the fact that topsoil will be preserved and placed on top of the refilled trenches.

The waste treatment structure is by far the most important element of the project. There will be some alteration of soils and some deposition and recharge resulting from the oxidation ponds. But of major importance is the positive effect on the utility network and treatment of wastewaters for the Mt. Shasta community. A small beneficial cultural effect will result from the employment of a full-time plant operator.

Blasting and cut and fill operations will have an effect on the soils of the existing ponds as these operations are utilized to deepen Ponds #1 and #2 and raise the elevation of the berm. Such effects will be limited to the soils of the existing treatment site, an area previously committed to the wastewater treatment function.

The actual recharge of ground water will result from the discharge of the treated water into the soils of the Big Canyon Plantation, a U. S. Forest Service reforestation area. It is important that the recharge should not effect the quality of the normal ground waters

in a negative manner. Due to the high level of treatment it is anticipated that this will not occur and that the overall effect will be minimal. It is of still greater importance that the discharge not impact the plantation trees in a negative way. The project proposal includes specific measures to protect the trees, and so again, the total impact will be minimal.

The actual waste treatment function is again the most important aspect of the proposed project. It is for the treatment of the wastewater of the community and the elimination of negative environmental effects of the existing treatment operations that the study was performed. The importance of the wastewater treatment on water quality is rated high as a beneficial impact. The magnitude of the impact is also high, reflecting the high degree of treatment.

The "liquid effluent discharge" action is equivalent to the previously discussed "ground water recharge" action, and the "oxidation pond" element is similarly equivalent to the "waste treatment structures" element.

The final possible action would be the improbable, but possible accident of an "operational failure". Such an action might result in a discharge to the Sacramento River during the recreation season when such discharge is prohibited. Plant design and recommended operations will assure that in the worst case, the failure of the single force main outfall line, water discharged to the river would have

received full treatment prior to such an activity. Allowing even for accidents and failures, it is not anticipated that any untreated wastewater would be discharged to the river. For that reason, the magnitude of the impact would be low.

The above discussions are basically only a summary of the total environmental considerations. Complete and detailed discussion of these impacts can be found in the following section.

SECTION IV

ENVIRONMENTAL IMPACT STATEMENT

Probable Impact of The Project On The Total Environment

It is the nature of the project to reduce negative impact on the Mt. Shasta local and downstream environments. The proposal allows for:

- a) The elimination of current effluent discharge into the headwaters of the Sacramento River during the recreation season, May 1st through October 31st.
- b) Continual secondary treatment and polishing of municipal wastewater with controlled air-oxidation, and filtration.
- c) Increased recharge of natural water systems through sub-surface discharge of treated water during the spring, summer and early autumn seasons.
- d) Minimizing construction impact and claiming of additional land area through maximum utilization of existing treatment facilities.
- e) Use of air-oxidation to eliminate requirements for additional land area acquisition for stabilization ponding.
- f) Control of pond odor by providing adequate oxygen to allow for non-septic (aerobic) digestion of suspended material in wastewater.
- g) Protection of ground water resources through sealing of the existing second pond bottom which is thought to allow for short-circuit connection with ground water through fissures in the

underlying strata.

It is planned to include areas in the project which are now outside the City Limits and are currently utilizing septic tanks as the only treatment process prior to return of wastewaters to the natural water environment. Such inclusion will eliminate the constant return of the poorly treated septic tank effluent to the ground waters of the area.

The proposed action calls for the use of existing treatment ponds, thus containing future treatment facility operations on land previously allocated for such purposes. The major impact on the environment will result from the return of the treated water. Secondary effluent, reduced as it is, is still not pure water. Although the treatment processes remove essentially all of the soluble biologically degradable organics, a portion is converted into the organic cell material of the digestive organisms. Thus, the removal of organics which impart BOD to the effluent is limited, generally to the order of 60 - 90%. The proposed filtration will assure continued BOD and SS reduction in excess of 90%.

Non-bio-degradable organics are of course, not removed by secondary bio-degradation techniques. Inorganic compounds, such as phosphates and nitrates are also not completely removed by secondary treatment. Ions of inorganic salts containing calcium,

magnesium, sodium, potassium, etc. will always be found in water, natural and municipal, due to the almost universal solvent power of water. Of course, the cation content of a wastewater is dependent on the quality of the municipal water source and the spring water supply of the City of Mt. Shasta is of high quality with low ionic concentrations. Finally, secondary treatment does not remove 100% of the suspended particulate solids and without chlorination removal of pathogenic bacteria (typhoid) and viruses (infectious hepatitis) is not complete.

The mere presence of these elements does not make water unsuitable for usage. In fact, these factors will be found in all waters except those treated specifically for chemical purity. The content of waters including organics, non-organics, ions, gases, etc. is commonly used to determine the relative quality of the water when compared to established standards. Water from the controlled aeration treatment, followed by clarification and mixed media filtration, will be of a quality suitable for irrigation, capable of supporting aquatic life including trout, and is in most aspects equivalent to potable municipal water. However, it is felt that additional reduction of these elements prior to return to natural water systems is possible and is desirable. The proposed action calls for return of the polished secondary effluent to the soil during the critical period of water quality in the Sacramento River. Soil reclamation will allow for the continued treatment of the water by natural purification functions

such as mechanical filtration, chemical oxidation and immobilization, and biological degradation and reduction. The soil will provide continued treatment, in most aspects equivalent to the best available in-plant treatment.

Mitigation Measures Proposed to Minimize the Impact

High Level of Wastewater Treatment

Under favorable conditions stabilization ponds treat municipal wastes under aerobic conditions. The effectiveness of a pond however, is dependent upon a number of factors such as sunlight, temperature, pond depth, sewage characteristics and wind action. These factors affect the reoxygenation rate but cannot be controlled during operation. The slow progress of the wastewater through the ponds requires large amounts of land. Erratic performance of the pond cannot be avoided due to the inefficiency of algae as an oxygen producer during conditions of inadequate sunlight. Lack of light penetration and lack of thermal mixing in cold weather result in variations of dissolved oxygen throughout the depth of the pond. Conditions of insufficient oxygen promote putrefaction, digestion by anaerobic organisms which produce methane gas and odorous waste products such as sulphide gases.

Controlled Aeration

These conditions will be mitigated by use of a compressed air controlled aeration system. The system utilizes an air diffusion

technique for accelerating aerobic biological oxidation and is suitable for increasing the capabilities of existing lagoon installations. It provides for treatment consisting of primary settling, biological oxidation, final settling, sludge disposal, re-circulation and odor control.

Sheets of rising air bubbles from a grid network of polyethylene tubing create lineal barriers which divide the lagoon laterally into hydraulic cells. The laminar rise of the water above the tube (rise rate of less than 1 ft/sec.) produces counter rotating currents which persistently roll the wastewater over and over before it escapes into the next cell. This prevents short-circuiting of flow which can be found in stabilization ponds in summertime or under the ice in winter time.

The water is constantly exposed to new air allowing for aerobic degradation of suspended solids. The low downward circulation rate (sink rate of less than .03 ft/sec.) allows for the suspended solids, which cannot be degraded aerobically while in the water, to settle out at the bottom.

Circulation of oxygenated water over the deposited material transfers oxygen to the sludge so the top layer is aerobically reduced to carbon dioxide and water. The next layer digests by means of facultative bacteria. If the sludge is still deeper, anaerobic digestion

takes place further down. Sulphide gases and other resulting odorous compounds go into solution in the aerated water. Before the objectionable odors reach the air, they are turned by aerobic bacteria into carbon dioxide, water and similar inoffensive substances.

Methane gas, formed anaerobically, now serves a useful purpose. The sludge fills with gas, causing it to break off in small pieces. These chunks, rising to the surface, get caught up in the circulation pattern. Air bubbles work to break them into fine particles which become digested while in suspension or as they settle. The amount of inert ash, the final solid end product, eventually produced from normal domestic waste, requires that a lagoon be cleaned only at an interval of 20 - 30 years.

Treatment continues along the length of the pond making use of biologic elements to digest the organic material suspended in the wastewater, and in turn to provide a chain of consumption of the biologic elements. As the flow progresses and the sewage bacteria consume sludge, and the oxygen content of the water increases, the bacteria themselves become food for ciliates. As the oxygen content increases the pond can house sludge worms, cray fish, snails, insects and other scavengers which live on the sludge and consume it, so that some of the ash content is taken into the hard shells of cray fish and insects. Through this cycle of consumption and oxidation most of the sludge is converted to carbon dioxide, water, ash, and to a lesser extent, biotic cell material.

In effect, the system parallels the natural cleansing action of a fast moving (velocity greater than 2 miles/hour) stream, where, due to bottom drag, water tends to roll down a stream bed carrying water and oxygen from the surface to the bottom sludge, oxidizing solid organics and preventing septic consumption. Similarities in the progression of water quality allows the natural stream biotic cycle to exist in the pond, thus aiding further in reclaiming the water from municipal waste.

The treated product will be an effluent reduced in BOD in the order of 70% which is stabilized, will not cause odors, has a dissolved oxygen content (5-8 ppm) approaching saturation, and which will not remove oxygen from receiving waters. The secondary treatment will be followed by chlorination and dechlorination to eliminate the public health threat of pathogenic micro-organisms in the water returned to the environment.

Polishing Treatment

Polishing or final treatment prior to pumping to the disposal fields or discharge to the river during the winter months shall be accomplished by filtration. Buildup of biologically inert solids and digestive organism cell material within treatment ponds will eventually lead to the discharge of solids unless these are removed by further or polishing treatment.

Filtration will be accomplished by means of the mixed media process. That is, providing a coarse to fine filter gradation in the direction of flow. This is a very efficient means of filtration and the combined process should result in a total reduction of at least 90% in both BOD and SS.

From the filtration unit the wastewater shall be subjected to chlorination and then passed to the holding lagoon which shall also serve as a chlorination chamber and for emergency storage.

At each of the aforementioned stages of treatment, tests will be run to determine the degree of treatment received.

Effluent Discharge

In discharging of the treated effluent it is necessary to consider the possible environmental implications and what effects the action will have on existing ecological balances. Both land and river discharge are called for in the project proposal. Each will be considered separately.

a) Land Discharge

It is planned to discharge effluent waste on land during the recreation season, May 1st through October 31st. Improper disposal could result in assorted adverse environmental effects. Consideration of four major types of land discharge is summarized below.

1) Percolation/Evaporation Basins: The use of percolation/evaporation basins is discounted for two major reasons. Primarily, no area is economically available for such ponding. Completion of the reclamation of the water is best afforded if at least several thousand feet of percolation distance is allowed before ground waters containing the reclaimed water become available for contact with the general public. Secondly, according to California State Water Resources Control Board, evaporation is to be discouraged as a means of reclamation. It is considered to be less preferable than recharging ground waters.

2) Percolation Furrows: The use of furrows or trenches for percolation has proved useful in some instances. For example, requirements of the State of California Lahontan Regional Water Quality Control Board led to a furrow type disposal system north of the Lake Tahoe Basin. Such usage was permitted by a use permit requested of the U. S. Forest Service. The use of such a system in the Mt. Shasta proposal was eliminated for two major reasons. First, the use of open trenches commits the land primarily to that usage thus curtailing the range of other beneficial uses and introducing a major interference to the plantation function of the recommended site. Secondly, the close proximity of Highway 89 would permit undesirable public access to the exposed discharge area.

3) Sprinkler Discharge: Sprinkler discharge has been successfully employed in many locations. It has several inherent factors, however, which make its use undesirable for the Mt. Shasta proposal. Besides such disadvantages as surface pooling, run-off, damage to vegetation from prolonged conditions of top soil saturation, winter problems of ground freezing and ice formation, and public health concerns, the slope of the Big Canyon Plantation exceeds the recommended allowable slope for sprinkler discharge. An 8% slope is generally considered to be the limit for spray fields. Slopes up to 14% have been utilized in specific instances. The 12% slope of the Big Canyon Plantation falls within the range considered to be marginal for reliable sprinkler discharge.

4) Sub-surface Discharge: It is desired instead to utilize an unimposing subsurface system which will deposit the reclaimed water with no exposure to the surface. Such discharge will avoid erosive runoff and excessive wet conditions at the surface which could adversely affect wildlife habitation patterns, and threaten increased incidence of disease, such as hoof rot in deer. It will also tend to avoid upset of existing vegetative balances resulting from the deposition of chemical substances such as nutrients and inorganic salts in the topsoil. This is accomplished by avoiding contact with the topsoil from which plants derive the major portion of their nutrition.

The recommended site for this water reclamation is the Big Canyon Plantation, a reforestation area on U. S. Forest Service Lands. It was planted from 1963 to 1965 with 600,000 pine seedlings. The trenching necessary to bury the perforated water reclamation system will be on the order of 10 feet deep to assure deposit adequately

below the root zone of the plantation pines. The lower 5 feet will be utilized for percolation, while the upper 5 feet will remain an unsaturated earth blanket. The flow will be dispersed on an intermittent schedule to allow for recovery and aeration of the saturated soils.

The reclaimed water thus deposited reasonably beneath the zones of plant and animal habitation, is free to percolate and continue purification through the mechanical, chemical and biological cleansing actions of the permeable material underlying the reclamation site.

b) River Discharge

The proposal calls for disposal of effluent in the Sacramento River during the period of November 1st through April 31st, thus allowing for the natural mixing and cleansing action of the youthful-stage stream flow. Such action is most effective during the high flow periods of the river, when natural mixing and aeration are most effective. The period of river discharge coincides closely with high stages of the Sacramento River, generally considered to be about October 1st through April 1st. The California Regional Water Quality Control Board will continue to set requirements for the quality of influent to the river. The proposal allows for the continued option of land discharge should the treated effluent at any time not meet these or any future revisions of river influent standards.

Final Purification by Soil Mechanisms

Recently, new interest has been generated in the reclamation of secondary effluents and other biodegradable wastes by deposit in the soil. The land discharge of secondary effluent and the consequent percolation

through soil make use of natural saprophytic organisms and other soil mechanisms to continue treatment of the wastewater prior to ground water recharge. Filtering wastewater through soil is effective at removing remaining bio-degradable material, fecal micro-organisms, inorganic salts and suspended solids. Of major concern is the capability of the soil to reduce phosphorous and nitrogen concentrations without the use of tertiary treatment facilities.

Phosphorous, mostly present in the effluent in the form of phosphate, is capable of reacting with soil elements to form insoluble compounds such as aluminum, iron and calcium phosphates. In addition to mineralization, phosphorus can be immobilized by incorporation into microbial tissue. It has also been suggested that anaerobic reduction of phosphate by soil micro-organisms may result in the volatilization of phosphorus in a gaseous form, such as phosphine. The soil can make an effective sink for phosphorous capable of removals up to and exceeding 90%.

Nitrogen, added to sewage in the form of human excreta, food waste and other organic materials and compounds, is acted on almost immediately by various proteolytic organisms which tend to reduce its form from complex proteins, polypeptides, amino acids, etc. to ammonia. Raw sewage has proceeded through this ammonification process to such an extent that by the time it reaches the treatment facility as much as 90% of the nitrogen can be in the form of ammonia or compounds from which ammonia is readily formed.

The abundant supply of oxygen in the proposed aerated secondary ponds will allow for partial biological nitrification of the ammonia-nitrogen into the nitrate form by aerobic bacteria. Nitrate concentrations are commonly increased 200-500% in effective secondary treatment. A nitrified effluent is desirable for use in reclamation where bacterial denitrification of nitrates to the form of free nitrogen gas is to be utilized for nitrogen reduction.

Various dispositions of the nitrogen in the wastewater are possible, dependent upon a multitude of varying conditions (See "Probable Adverse Effects Which Cannot be Avoided" of this section). Total removal of nitrogen and ammonia may be as high as 90% of the original content of the secondary effluent, but could be considerably less, depending on the nature of the soil and other factors.

Ammonia and ammonium ions will tend to be held near the soil surface by adsorption to soil particles, cation exchange reactions, or fixation in clay lattice. Under alkaline conditions some free ammonia gas will be released from the ionic state to escape as a volatile or to be adsorbed by organic materials. The fixed or adsorbed ammonia will be resistant to chemical oxidation and will remain in the soil minerals. During dry periods however, the ammonium cation can be removed and oxidized by nitrifying bacteria.

Nitrate and nitrite anions are repelled by the negatively charged surfaces of soil particles and tend to move freely in percolating waters. It is this characteristic that renders as ineffective, the reduction of nitrate concentrations by percolation alone. The most effective

natural mechanism for the reduction of nitrates is denitrification (nitrate reduction) by facultative bacteria. Under anaerobic conditions they are able to utilize nitrates and nitrites as electron acceptors (sources of oxygen), using the oxygen thus obtained for the metabolic oxidation of carbon and sulphur compounds. This results in the liberation of the nitrogen as a gas. This is surely the most desirable disposition, for the nitrogen is simply returned to the atmosphere without polluting air or water.

Denitrification takes place best under anaerobic conditions such as in soil after flooding or a heavy rainfall. It can also occur alternately with nitrification by use of an intermittent flooding schedule.

Intermittent Discharge

At the completion of secondary treatment more than 90% of the nitrogen present in the effluent will have completed the ammonification process. High concentrations of ammonium-nitrogen will be present, contributing to the total oxygen demand of disposed wastewater. It is necessary to maintain aerobic conditions in the upper zone of the receiving soil to allow for the oxidation of ammonium ions to nitrates by nitrifying bacteria. Continued conversion to nitrates will prevent ammonia saturation in the soil and allow the anionic nitrates

to move freely in the percolating water. When applied to soil water movement proceeds as a film over the surfaces of soil particles until reduction of porosity fills the capillary pores. Water movement will then continue in free downward and lateral flow. This saturated zone then provides the anaerobic conditions necessary for the denitrification process.

To accomplish the maintenance of aerobic conditions in the upper levels of the soil, it is proposed to discharge effluent on an intermittent schedule. Research has indicated that intermittent discharge can provide for reaeration of the soil, high percolation rates and optimum degree of advanced treatment, and that aerobic nitrification can be maintained with an intermittent flooding schedule. Freedom of adjustment of the discharge period will afford some control of the total nitrogen content of the reclaimed water.

Bypass Analysis

Downstream Water Uses

Below the Mt. Shasta area, the Sacramento River proceeds south through approximately 30 miles of a youthful-stage canyon until reaching Shasta Lake. The major utilization of the river water is for recreational purposes such as fishing and swimming. Domestic water along the canyon is derived mainly from springs and wells; there is no domestic usage of river flows at this point.

Shasta Lake is formed partially by the flow of the river and is one of the major recreational attractions of the north state. The first major usage of the water for domestic purposes is below the lake at the City of Redding, where river water is pumped and distributed

to the city residents. In addition, a portion of the river flow is diverted to supply irrigation for the Anderson-Cottonwood Irrigation District. The need to prevent bypassing of untreated or partially treated wastewater is in the interest of protecting recreation, irrigation and domestic uses of the Sacramento River water.

Power Failure

The proposed treatment facility will be safe - guarded against bypassing untreated water to the Sacramento River in case of power failure during the recreation season. The pump station will house an emergency generator to power the pumping station, back wash pump and all other electrical requirements of the treatment facility.

Infiltration

Infiltration flow components currently add more than acceptable amounts of flow to the sewage treatment facility. Modifications to the existing collection system are currently being planned to replace old and broken lines and lines of inadequate capacity. The proposed modifications are expected to bring infiltration down to within acceptable levels.

Plant Unit Maintenance and Repair

Provisions for maintenance and repair of the treatment facility will be provided for in a manner which will not necessitate bypassing of untreated wastewater to discharge.

The grit chamber shall consist of two separate channels, each capable of handling the entire flow while the second is shut-down for cleaning and repair.

In the event that it becomes necessary to shut-down one of the ponds for maintenance, flow will be diverted around the pond but will continue to receive the benefits of all other treatment elements.

The filter is necessarily designed as a dual system due to backflush requirements. This allows for repetitive periods of shut-down of each filter unit. Should maintenance or repairs exceed the operational time of the alternate filter, the secondary effluent will receive chlorination and be stored in the emergency storage capacity of the third pond awaiting normal treatment.

The pumping station will house two pumps which will operate individually or in parallel as determined by treated effluent flows. In the case of maintenance or repair of one of the pumps the opposite should operate as required with excess flows being contained in the third pond during the repair period.

There will be only one outfall line (force main) to the water reclamation site. Should this line fail, or should both pumps simultaneously fail, the third pond will afford 10 - 15 days storage capability while the

failure is located and repaired. Should repairs entail amounts of time in excess of what the third pond storage capability can provide, the effluent will be discharged to the river. It should be emphasized that the water entering the river however, will have received full treatment and be within the standards required for non-recreation season discharge.

Flood Protection

The proposed use of the existing treatment site provides the significant flood protection advantage inherent in the location of the ponds. Elevation data on the three ponds is as follows:

Pond No. 1

| | |
|-------------------|------------|
| Bottom elevation: | 3295.0 ft. |
| Water level: | 3299.0 ft. |
| Berm elevation: | 3302.0 ft. |

Pond No. 2

| | |
|-------------------|------------|
| Bottom elevation: | 3280.0 ft. |
| Water level: | 3284.5 ft. |
| Berm elevation: | 3287.0 ft. |

Pond No. 3

| | |
|-------------------|------------|
| Bottom elevation: | 3275.0 ft. |
| Water level: | 3280.5 ft. |
| Berm elevation: | 3282.0 ft. |

The elevation of the Sacramento River adjacent to the ponds varies from 2925 feet down to 2905 feet. The resulting elevation difference between the river and the berm of the third pond is at least 350 feet.

The existing reservoir at the Box Canyon Dam site provides a buffer to prevent flood conditions downstream of the dam through controlled release of reservoir waters. The water level of the reservoir was recorded as 3181.5 on January 2, 1970. Flood waters would have to top the dam by well over 100 feet to reach the level of the third pond. It is not anticipated that this condition will ever occur.

During the recreation season treated water will be pumped from the pond site an additional 1100 feet in elevation to the water reclamation area. The discharge site elevation is approximately 4000 feet, which is considered adequate protection from flood conditions.

The local flood control agency is:

Siskiyou County Flood Control and
Water Conservation District
Yreka, California

Probable Adverse Environmental Effects Which Cannot Be Avoided

Construction Period Disruption

The pond holding time required for the secondary treatment requires that the depth of Ponds #1 and #2 be increased to 10 feet. The excavation required to deepen the ponds will result in the noise and dust associated with heavy construction equipment and probably with blasting, for it is anticipated that in some locations, rock will be encountered under the ponds. The blasting will be accomplished in small controlled increments and will be employed only to break up rock sufficiently to allow removal by standard excavation equipment. The isolated location of the ponds will assure that noise levels and blast over-pressures will diffuse to well within public safety standards prior to any impingement on public areas. Material excavated from the bottom of the first and second ponds will be used to build up the dikes of the ponds. A combination of increasing the berm elevations and deepening the pond floors will be utilized to accommodate the desired five foot increase in pond depth.

Also during the construction period, there will be unavoidable disruption of soil and vegetation with the placement of the new interceptor line to the treatment site, and the new force main and sub-surface water reclamation system.

The interceptor will basically follow the path of the line it is replacing. The discharge pump station and treatment facility developments will be in the area of the existing ponds on previously acquired and developed land.

The new force main will travel a course which is currently undetermined. Efforts are being made to route a significant portion of the new line along an abandoned portion of Old Route 89. The line would be located on an existing bench which parallels the new highway. The advantages of this route would include utilizing the existing grade and avoiding clearing and pioneering a new route through previously undisturbed vegetated areas. In addition, the route is generally down the bank and screened from the existing route 89 and would provide little disruption of normal traffic flow during construction. Of particular importance is the use of existing grades to cross Big Canyon, thus avoiding the necessity for a supportive trestle or siphon system to carry the line across the canyon.

The installation of the discharge lines will require unavoidable disruption of the soils at the water reclamation site. The topsoil will be removed to a depth of 6 to 8 inches and set aside separately to be replaced on top of the trench lines. The seeds generally present in this soil element will allow for the re-seeding of the disrupted areas with natural vegetative cover, and the re-establishment of cover

will provide for protection against erosional damage. Dust control will be implemented as stipulated in standards of the California State Division of Highways.

The proposed reclamation site is a portion of the Big Canyon Plantation, a reforestation area planted from 1963 to 1965. Brush had been cleared at that time to favor the 600,000 pine seedlings. The seedlings now are 8 to 10 feet tall, and a significant amount of brush has become re-established in the area. Trenching in the area will once again disrupt some of the competitive brush. Vegetative spoil will be chipped and spread in a manner which will not present a future fire hazard. No spoil will be burned.

Trenches will be placed to provide the best possible routing considering seedling location, slope contours and discharge line gradient requirements. It is possible that removal of some of the seedlings could result if no other compromise in line routing can be accommodated. Provisions for the replacement of removed seedlings have been discussed with the National Forest Service.

Incomplete Nitrogen Removal

The extent to which various soil mechanisms will work on either nitrates or remaining ammonia varies according to prevailing conditions. The rate and extent of chemical and microbial actions is dependent upon soil structure and mineral content, variations in moisture content and aeration, availability of essential nutrients and energy sources for the saprophytic micro-organisms, soil pH,

temperature, presence of toxic substances, concentrations of the bio-degradable substances, and method of delivery (flooding, sprinkling, subsurface, etc.).

It is felt safe to assume that the lengthy percolation (approximately 2 miles) through the predicted ground water course will effectively complete the reduction of all sewage elements except perhaps the nitrogen forms. It is impossible to accurately determine the actual disposition of the nitrogen without definition of the various variables throughout the entire recharge course. The degree of nitrogen survival in the recharging water will, therefore, not be determined prior to application of the effluent. In the absence of in-plant tertiary treatment, it is recognized that there may be higher concentration of nitrogen compounds (ammonia or nitrates) in the recharging water than in the receiving water.

Alternatives to The Proposed Action

Treatment Alternatives

The most obvious alternative method of increasing the capabilities of the existing stabilization ponds is that of expanding the ponds to handle future flows and to meet discharge requirements. As concluded in the following examination however, the use of stabilization ponds as the sole source of treatment for the anticipated future flows and discharge requirements proves to be impractical.

Stabilization Ponds

Stabilization ponds have been used as a method of disposal of wastewater long enough so that adequate design criteria can be applied to many areas. When the ponds are properly designed and the area is suitable, they have proved to be a very effective means of disposal of wastewater.

Proper design, of course, is the foundation for successful operation of any system. There are many factors which have to be considered including loading, soil conditions and climatic conditions. If one or more conditions are not suitable, there is a strong likelihood that success will not be achieved.

These matters will be discussed, along with references to the existing stabilization ponds, to attempt to determine ponding effectiveness for a method of treatment, recognizing that only a system of non-overflowing (no discharge) ponds can meet the no discharge requirements of the Water Quality Control Board. If this system

is not possible, land disposal of the pond discharge must be evaluated in the light of a pond effluent quality and its potential of being successfully reclaimed on land.

Loading:

As has been previously determined by all studies which have been made in the past the present stabilization ponds are not able to successfully handle the required loading.

Briefly, to refer to Dr. W. J. Oswald's study, presented to the City of Mt. Shasta in 1968, the following facts are discussed.

Standard loading is recommended to be in the ratio of 1 acre per 100 persons served. (The same criteria has been established by the Ten-State Committee*). Such a loading rate should result in a system where stabilization of the sewage would result but does not imply that no discharge conditions would result or that the quality of the discharge would meet current requirements. This produces a requirement for the present population of 23 surface acres and which when projected to the design population of 6,000, would require 60 surface acres.

On Page 20 of Dr. Oswald's report, under land requirements, he states that the quantity of land set aside for the ponds should be at least 20 percent greater than the active water surface. This means that with a design population of 6,000, the minimum land area required would be 75 acres. Most sources use a figure of 33 percent which would bring this figure to 80 required acres.

* The Committee on Development of Uniform Standards for Sewage Works

The surface area of the existing ponds totals 15.8 acres and the area of the entire treatment site is limited to the extent of the parcel allocated for treatment purposes, approximately 20 acres.

Soil Conditions:

Soil conditions is a rather broad aspect including the slope of the land, ground water, permeability, ground cover, and other related factors.

Slope of land must be considered as must the general topography of the area. It is obvious that to construct ponds a fairly level area would be desirable. The land surrounding the existing ponds tends to slope away at unfavorable rates, especially to the south and west as the terrain drops off into the walls of the Sacramento River Canyon. It is only possible to construct ponds on steep hillside locations if cost is disregarded but cost cannot be disregarded as a factor. Terracing of ponds is very expensive and since it is desirable to have a gravity flow system it would require an elaborate pond arrangement. Therefore, it would be necessary to look for an area of adequate size where ponds of the proper areas could easily be built and could maintain flow from one to another in series by gravity. Such an approach would be limited by the expenses of land acquisition and pond construction, could still require land disposal of pond overflow, and would not take advantage of the availability of the existing ponds.

Existing ground water conditions must be considered. It is undesirable to locate the ponds in a swamp or springs area or where the existing underground flow may become contaminated or degraded by percolation from the system.

Percolation of a part of the waste water from the ponds is an important phase of disposal of the treated water. With non-overflowing ponds there are only two disposal methods, percolation and evaporation. Percolation of course, depends upon the capability of the soil to absorb and drain away the liquid without the soil becoming overloaded and to drain this liquid at a rate which will produce an adequate treatment before the liquid reaches underground water supplies or surface watercourses.

High ground water conditions in the area of the present collection system and the existing ponds has proven to be a problem in the past. The original site borings associated with the pond design and construction show that water was encountered at 3 feet below ground level just above Pond No. 1, which in turn was 10 feet above the proposed pond floor. Observations of heavy water flows issuing into Ponds 1 and 2 have been made by City and County personnel.

The percolation here is affected by the previously mentioned infiltration. It is certain that if an area is already saturated, we cannot hope to dispose of more liquids there. Following is an excerpt from a Soil Survey of the existing ponds by the U. S. Soil Conservation Service, made in 1972 which refers to these conditions.

"The purpose of the pond in the waste water disposal system is to filter the water by percolating it through the earth underlying the pond."

"The purpose of the (our) excavations was to determine, if possible, why water percolation through the pond floor decreases in a short time. The pond became incapable of percolating the volume of water for which it was designed."

"The pond was constructed in glacial till, deposited by alpine glaciers from Mt. Shasta. The soils that developed in the till are moderately permeable and are 20 to 50 inches deep over consolidated layers. The consolidated layers are similar to a hardpan (duripan cemented by iron and silica compounds), or tuff-like soft rock. The cementation of this material is weak to moderate in strength and includes sand, silt, clay and imbedded fragments of rock ranging in size from fine gravel to large boulders of andesite or basalt."

"The excavations show that the soil material was removed when the pond was constructed and most of it was used to construct a compacted pond embankment. The floor of the pond is the cemented till."

"The surface few inches of the cemented layer is laminar, breaking along horizontal planes into fragments about two to three inches thick. Below the laminar layers the material is essentially massive with a few near vertical, fractures. Water is able to wet the entire mass of the cemented layers, which are several feet thick. Transmissal (sic) of the water, however, is very slow except along the horizontal and vertical fracture seams. The seams are filling with translocated silt and clay particles and possibly organic and inorganic compounds from the sewage effluent. The filling of the seams with this material is reducing the water permeability of the cemented layers."

"When the pond was constructed, about four years ago, the cemented layer was ripped mechanically, to depths of 20 to 30 inches, at intervals of about four feet. The ripping was parallel in an east to west and west to east direction across the floor of the pond. Examination of the excavations showed the ripping has little lateral effect on the cemented layer. The layer was fractured only six to eight inches on each side of the ripper blade. There was no evidence of the fractured material reconsolidating."

"The rapidly decreased rate of water percolation through the pond floor is caused mainly by the inherent very slow permeability of the cemented layers of till. These layers are very thick and once they are thoroughly wet, their permeability is decreased. There is also translocation of silt and clay particles which are carried by the percolating waters into the seams and cracks and deposited. This further reduces the permeability. Rapid weathering of the rock fragments and some of the minerals in the cemented layers is also taking place and producing silt and clay. Weathering also produces chemicals which may react with the chemicals in the water to form other compounds that may produce a further reduction in permeability. In time the pond floor will become essentially impermeable and useless for leaching sewage effluent."

This indicates that the area underlying the existing ponds is not desirable for this treatment and another location would have to be found.

It must therefore be concluded that in the existing treatment area, normally functioning stabilization ponds are not feasible.

Evaporation is the second method of disposing of the wastewater. The net evaporation obtained from figures established by the U. S. Weather Bureau is 33.8 inches per year. Using this rate we would expect to lose the following:

$$\frac{33.8 \times 325,850 \text{ gallons/acre foot}}{12} = 917.811 \text{ gallons/acre/year}$$

This would result in an amazingly large number of acres required considering a design requirement of 1.2 million gallons per day.

$$\frac{1,200,000 \times 365}{917,811} = 477 \text{ acres surface area}$$

$$\text{Surface area} \times 1.33 = 634 \text{ land acres required}$$

It should also be noted that reliance on evaporation for disposal is contrary to the Grant Program Guidelines since it eliminates the recharge of ground water resources within the area.

Examination of the foregoing data leads to three conclusions:

- 1) The existing stabilization ponds cannot, by themselves, properly meet the needs of the area,
- 2) Use of stabilization ponds alone as a method of waste water treatment for the City of Mt. Shasta is not feasible and if undertaken, would result in the necessity of acquiring a completely different site which is not practical, and
- 3) Land disposal is a necessity since a no-discharge condition is not a practical reality.

It is therefore recommended that stabilization ponds alone not be used but rather to combine the existing ponds with other processes which will result in the maximum utilization of the existing plant and provide the most economical and efficient method of waste water treatment under the present conditions.

Unique Conditions

The unique conditions which must be met in the design of a treatment facility very sharply narrow the choice of treatment types available.

In the Mt. Shasta City Water Pollution Control Facility Study these requirements consist of the following:

- 1) Utilization of the existing treatment ponds as an integral part of the proposed treatment. Of course, this will require modifications of the existing facilities. Pre-treatment equipment such as a bar rack, grit chamber and comminutor would be required for any proposed concept.
- 2) Ease and convenience in winterizing portions of the system which may be removed from service at such times when river discharge is permitted.
- 3) Flexibility of operation within the treatment system to provide efficient operations under conditions of variation in flow.
- 4) A system which can operate through wide ranges of climatic conditions, capable of accommodating the low temperatures and heavy snowfall of the area.
- 5) Provision for a discharge which will be compatible with the ecological balances of the area.
- 6) Provision for an emergency power source for the facility.

7) Provision of a system which will be adequate to accomplish the aforementioned objectives while providing for a minimum of required maintenance and obtaining this by the most economical method.

8) Provisions for development and addition of future areas which may be served.

Alternate Treatments

There are many different types of systems of sewage treatment and several of these systems could be adapted to obtain the necessary results desired here. However, after examining the unique considerations it appears that utilization of the existing facilities with modifications is by far the most economical and efficient way to achieve these results. Detailed discussion of the proposed method is included in the "Recommended Project" portion of this report.

Among the many treatment processes which were considered were activated sludge, modified activated sludge, trickling filters, oxidation ditch, moving bed filters, extended oxidation, chemical treatment, and combinations of these processes. These concepts generally entail new facility installations and do not take advantage of the existence of current treatment facilities.

Use of available land area and continual usage of the existing facilities was primary among our considerations. Also, there are no available areas appropriate for disposing of large or even moderate

amounts of sludge which would result from some of these treatment methods. For this reason it is desirable to utilize a system which could generally reduce sludge resulting from its operation within its own limits.

For ease of maintenance a gravity flow method is considered desirable throughout the treatment facility. This not only will reduce costs by eliminating additional pumping costs but will utilize the existing system.

Conclusion

The selected recommendation for obtaining the required results after consideration of the conditions unique to this study, is the continued use of the existing ponds with the addition of a controlled aeration system, primary screening and grit removal prior to the ponding, and filtration following the ponding. The combined effect will be capable of meeting the treatment requirements and in addition, offers the following advantages.

- a) Utilization of the existing treatment ponds, current line routings and gravity flow operations.
- b) Maintaining treatment operations in the current desirable location on property already allocated for that use.
- c) Utilization of existing supportive functions, such as roads, power lines, fencing, etc.
- d) No disposal requirements for sludge.

- e) Control of pond odor by providing adequate oxygen to allow for non-septic (aerobic) digestion of suspended material in wastewater.
- f) Use of controlled aeration to eliminate requirements for additional land area acquisition for stabilization ponding.
- g) Flexibility in operation to provide efficient operation for the variations in daily flows.
- h) Full operational capability in winter under conditions of severe cold and snow loading.
- i) Emergency storage capability during periods of maintenance or failure.
- j) Provisions for maintenance and repair in a manner which will not necessitate bypassing of untreated water to discharge.
- k) Flood protection inherent in the location of the existing ponds.
- l) Minimum sensitivity to changes in population or inflow loading.
- m) Ease of expansion to accommodate increased flows as additional areas are included in the total service area.

Water Reclamation Method Alternatives

Perhaps the most important aspect of the required improvements is the necessity for curtailing all direct discharge into the Sacramento

River during the recreation season. This treated water must be dealt with and eventually returned to the natural water environment.

The three major alternatives for the ultimate reclaiming of treated water are as follows:

- a) Terminal Ponding - Ponding that completely offsets in-flow by equivalent total rates of evaporation and percolation.
- b) Direct reusage, such as irrigation or direct return to a flow or body of water.
- c) Indirect reusage which allows for the spreading of the treated water over adequate land area to allow for percolation into the soil and eventual recharge of ground water or return to surface water through springs.

Terminal ponding is not possible for the existing facilities as evidenced by current operations in which the third pond overflows at a rate of approximately 0.3 MGD into the Sacramento River. Expansion of the current pond area has been considered. The current pond area of 15.8 acres would have to be increased to 60 acres to provide for a loading of 100 population served per acre of stabilization ponding. This minimum area would be required to achieve the complete disposal of the treated water by evaporation and percolation, assuming favorable soil and climate conditions. This alternative has been

discounted for the Mt. Shasta facility. Evaluation of the terminal ponding concept is included in the discussion of stabilization ponds in the "Stabilization Ponds" portion of this "Alternative" section.

Direct reuse of the effluent from the treatment facilities is primarily based upon water need. In some locations reuse of water is needed for a potable water supply. In this area that is not necessary. Neither is there a demand for water for irrigation at this location. The only possible direct use of the reclaimed wastewater would be for immediate delivery to water recreational facilities.

The most practical location for such discharge of the reclaimed water in the area would be the Box Canyon Reservoir. The effluent could be pumped to the Cold Creek Arm of the reservoir and then dispersed to the lake. This would in turn, intermingle in the reservoir and be diluted by waters from the Sacramento and Scott Camp Creek Arms.

Various projects have proven the feasibility of reuse of reclaimed wastewater. However, they are in areas where a need for the water exists. In the Mt. Shasta area there is an abundance of existing water supply. In addition, the concept of reuse of wastewater is still in the experimental stage and would require considerable time and effort put forth in study. The need for a new

treatment and disposal area at this location is now. In the interests of immediate action and also economy, for the studies would be costly and might prove to be unusable, and recognizing current regulations regarding return of effluent directly to surface waters, it is not considered desirable to utilize such concepts for the Mt. Shasta area.

Indirect reuse of treated water involves the return of water to natural water systems by means of distribution over land areas. It is felt that reclamation of water by land discharge will allow for the continued treatment of the water by natural purification functions such as mechanical filtration, chemical oxidation and immobilization and biological degradation.

Short-Term Use Versus Long-Term Productivity

The use of the environment, as cited in this report, is an investment in the long-term productivity of the environment. The proposed actions will help insure:

- 1) The future use of the Sacramento River as a source for downstream domestic and irrigation water,
- 2) The future use of the Sacramento flow as a source for safe recreational water, and

3) The preservation of the existing ecological balances of the river environment.

Short-term impact centers mainly around modifications on previously acquired land and existing facilities. The deepening of the aeration ponds and the burying of the force main and new discharge lines on undeveloped and vegetative land, the major short-term impacts, are countered by the decreased discharge into the river and the increase in ground water recharge during the warm months of the year.

The "no-action" alternative would result in continued year-round discharge of the stabilization pond effluent into the Sacramento River. Future increases in the area population would consistently increase loading and decrease the "holding time" capability of the existing ponds, thus increasing the pollution effects of the effluent.

The selected method of water reclamation provides for a significant reduction in current adverse environmental impact.

Irreversible and Irretrievable Commitments of Resources

There will be no extraction or consumption of organic or mineral resources other than construction materials and supplies. There will be no reduction of watershed, no threat to rare or endangered species and no significant alterations in land use or appearance.

The major irreversible commitments will be in the installation of the new interceptor, pump station, and water reclamation system whose future removal would be unlikely, although not impossible.

Following recovery from the construction period land use will be effectively unaltered.

The involvement of land use considerations and planning to assure the protection of the Big Canyon Plantation as an existing resource is demonstrated in the selection of the method of reclaiming the water. This selection process is detailed in the section of this report entitled "Mitigation Measures Proposed to Minimize the Impact".

Objections to The Project and Their Resolution

It is anticipated that a public hearing will be scheduled during the period following October 1, 1972. This hearing will follow the submittal of the Project Report and the Environmental Impact Statement to the City of Mt. Shasta and the State Water Quality Control Board. At that time all interested parties will be free to comment on the proposal following review of the proposal documents. Any objections to the proposal will be considered at that time and their resolution will be documented.

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:18 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Winnemem Wintu Tribe comment letter for EDA/Mount Shasta City WWTP Grant
Attachments: WWT comment to EDA-MS grant (f)11-13-15.pdf

From: Mark Miyoshi [<mailto:mark@miyoshidaiko.com>]
Sent: Friday, November 13, 2015 2:41 PM
To: Smith, A. Leonard; FitzGerald, Shannon; Good, Stan
Cc: Caleen Sisk; Claire Cummings; Darcie Houck; Gary Hayward Slaughter Mulcahy; Michael Preston
Subject: Winnemem Wintu Tribe comment letter for EDA/Mount Shasta City WWTP Grant

Dear Ms. Fitzgerald and Mr. Good,

Please find attached the Winnemem Wintu Tribe's comment letter for the pending EDA Grant to the City of Mount Shasta for their Waste Water Treatment Plant Upgrade. Due to EDA server problems Thursday November 12, we are re-submitting our letter on this extended deadline as instructed by EDA. Please only accept today's letter dated November 13, 2015 as our Tribe's final comment. Contact us if you have any questions.

With Respect,

Mark Miyoshi
Luisa Navejas
Mount Shasta District Representatives and Water Advisors
Winnemem Wintu Tribe
(530) 926-4408



WINNEMEM WINTU TRIBE

14840 BEAR MOUNTAIN ROAD • REDDING, CA • 96003
WWW.WINNEMEMWINTU.US

November 13, 2015

U.S. Department of Commerce
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174

Regional Director A. Leonard Smith
asmith@eda.gov
Regional Environmental Officer Shannon Fitzgerald
sfitzgerald@eda.gov
Project Engineer Stan Good
SGood@eda.gov

Submitted via email to A. Leonard Smith, Regional Director; Stan Good, Project Manager; and Shannon Fitzgerald, Regional Environmental Officer

Re: EDA Grant to City of Mount Shasta for Waste Water Treatment Plant Upgrade

Dear Regional Director Smith, Ms. Fitzgerald and Mr. Good,

Please consider this letter official government to government communication submitted to your agency from the Winnemem Wintu Tribe (WWT).

The Winnemem Wintu Tribe has reviewed the Environmental Narrative compiled by ENPLAN for the City of Mount Shasta and the Economic Development Administration for the proposed Waste Water Treatment Plant Upgrade and has determined that this Narrative completely disregards requirements to investigate WWT historic interests and properties:

- On page 26, ENPLAN states that they “consulted to obtain information the Native American Heritage Commission and the local Native American community.” The Winnemem Wintu Tribe is a Historic California Tribe with historic properties and interests in the study area, is well known to the City of Mount Shasta, and is listed with NAHC. The WWT has not received any inquiry from ENPLAN or EDA and the City of Mount Shasta has not contacted the Tribe regarding this matter. We do not know who the “local Native American community” is that the Narrative references.
- A requirement of NHPA is that the EDA is required to conduct a Section 106 evaluation of historic properties. Since the WWT has historic properties in and near the proposed project area, the Tribe is expecting full and comprehensive consultation.
- As required by CEQA, the City of Mount Shasta will have to conduct AB 52 consultations with WWT for the proposed project.

November 13, 2015

The WWT requests that the EDA conduct a comprehensive Section 106 review before committing to the funding of the Mount Shasta WWTP upgrade as required by NHPA (36 CFR 800.1 (c)).

The WWT requests that the EDA prepare a comprehensive Environmental Impact Statement for the proposed project as required by NEPA. Upgrading the WWTP will facilitate significant urban and commercial growth within and near the City of Mount Shasta, which alone would demand full EIS review.

Crystal Geysers has been the focus of a many year controversy in the local community that has been aired in both public government hearings and the State of California courts. As you are well aware, Crystal Geysers intends to expand their operations many fold while closing their other California operations. The effects of the WWTP upgrade/CGWC expansion and the attendant community controversy are far reaching and require EIS review of the proposed Waste Water Treatment Plant Upgrade.

The Winnemem Wintu Tribe expects a comprehensive environmental review and that the EDA will fully respect the rights and historic properties of the Tribe. Thank you for your consideration and review.

Under One Sky,



Chief and Spiritual Leader
Winnemem Wintu Tribe

Contact information and correct protocol: Please address your official correspondence by post to: Ms. Caleen Sisk, Tribal Chief and Spiritual Leader, Winnemem Wintu Tribe, 14840 Bear Mountain Road, Redding, California 96003 and cc Chief Sisk and the following by email, as specified below.

Chief Caleen Sisk, by email to: caleenwintu@gmail.com.

Claire Hope Cummings, by email to: chcummings@gmail.com
Legal advisor to Winnemem Wintu Tribe

Darcie Houck, by email to: dhouck@ndnlaw.com
Fredericks Peebles & Morgan LLP
2020 L St., Suite 250
Sacramento CA 95811

Mark Miyoshi, by email to: markmwinnemem@gmail.com
Luisa Navejas, by email to: lnavejas@finestplanet.com
Mount Shasta District Representatives and Water Advisors, Winnemem Wintu Tribe

"If the Sacred Fires are not lit, how will our children learn?"
Honor Your Traditional Lifeways

November 10, 2015

Ms. Shannon Fitzgerald
US Department of Commerce Economic
Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174



Greetings Ms. Fitzgerald;

The City of Mt. Shasta greatly appreciates the Economic Development Administration's transfer of EDA funds to the City's State Mandated Wastewater Treatment Plant and Disposal Improvement Project that were previously approved for our Interceptor Project. Our Elected Body wishes to underscore the importance of this vital project to our community and region. Despite letters and comments you may receive to the contrary, the City of Mt. Shasta City Council cannot emphasize enough that the mandated reconstruction of our Waste Water Treatment Plant (WWTP) is required to meet our long term economic success and to immediately meet the mandates of the State of California and the Federal Environmental Protection Agency. The reconstruction will benefit all current and future employers and residents.

Among others, beneficiaries of the EDA funding will include existing and future residents, businesses, and downstream users. Opponents of the Crystal Geyser Facility, a facility outside of our Mt. Shasta City limits, are currently attempting to link the Crystal Geyser Facility to the City of Mt. Shasta's WWTP Reconstruction Project. We wish to emphasize that the current phase of the State Mandated Project that includes the Ultraviolet and Filtration systems, as well all future phases including Aeromod and Control Facilities, will be built entirely within the footprint of the existing plant. The construction efforts require very minimal environmental mitigation.

As shared with the EDA and shared frequently with our public, the State Mandated Waste Water Plant Project must move forward regardless of the potential Crystal Geyser under the jurisdiction of the Siskiyou County Board of Supervisors. There will be no consideration for serving Crystal Geyser in the design of the Filtration and Ultraviolet disinfection facilities and the remaining State Mandated improvements. Our Municipal Waste Water Utility has not received or seen an industrial waste discharge permit application and we are not aware of the specific quantity and nature of any potential effluent from Crystal Geyser. Ultimately, our newly reconstructed Municipal Waste Water Treatment Facility will be designed and constructed to be easily expanded for any existing or new employer.

We appreciate the EDA's dedication to assist with our community's economic success by supporting the reconstruction of our waste water treatment facilities. The reconstructed facilities will assist with our business retention and attraction efforts. The reconstruction will further allow for compliance with mandated requirements of the State of California and the EPA. In an effort to maximize our investment in our facilities, future connections and expansions will be required to develop on-site pretreatment improvements as part of our City's efforts to limit impacts to our new waste water treatment facility.

Thank you for your ongoing leadership.

Respectfully

A handwritten signature in black ink, appearing to read "Rod Bryan". The signature is fluid and cursive, written over a white background.

Rod Bryan
Public Works Director



300 Pine Street
Mt. Shasta, CA 96067
(530) 926-3696 • (530) 926-4863
info@mtshastachamber.com
mtshastachamber.com

November 11, 2015
Ms. Shannon Fitzgerald
US Department of Commerce Economic
Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174

Greetings Ms. Fitzgerald;

The Mt. Shasta Chamber of Commerce appreciates the opportunity to comment on the Economic Development Administration's (EDA) support of the City of Mt. Shasta Wastewater Treatment Plant. As we understand it, the current phase of the Treatment Plant includes the Ultraviolet and Filtration systems. Based on the facts we have been given we would like to emphasize that the project is within the foot print of the existing City Waste Water Treatment Plan and therefore the construction efforts require very minimal environmental mitigation. The State Mandated Waste Water Plant Project must move forward regardless of the potential Crystal Geyser project in Siskiyou County.

The Mt. Shasta Chamber of Commerce greatly appreciates the Economic Development Administration's efforts to assist with our Region's economic success by supporting the reconstruction of our waste water treatment facilities. We are confident the reconstructed facilities will assist with our regional business retention and attraction efforts.

Please let us know if we can be of assistance.

Sincerely,

Jim Mullins

Executive Director

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:24 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Comments on Mt. Shasta WWTP EDA grant
Attachments: WATER Comments on EDA NEPA EA- WWTP_FINAL.doc.pdf; 11-9-15LtrLeadAgency.pdf; Mt Shasta NEPA Public Notice.pdf

From: MountShasta Water [<mailto:mountshastawater@gmail.com>]
Sent: Friday, November 13, 2015 7:29 AM
To: FitzGerald, Shannon; Good, Stan
Subject: Comments on Mt. Shasta WWTP EDA grant

Hello,

Attached are comments by We Advocate Thorough Environmental Review (W.A.T.E.R) on the grant to the City of Mount Shasta. Also attached is a letter from our attorney referenced in the comments letter and the Public Notice announcement we are commenting on.

Thank you,
Bruce Hillman
President, W.A.T.E.R.

We Advocate Thorough Environmental Review (W.A.T.E.R.)

P.O. Box 873

Mt. Shasta, CA 96067

mountshastawater@gmail.com

November 12, 2015

Regional Environmental Officer
US Department of Commerce
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174

Submitted via email to:

Stan Good, Project Manager SGood@eda.gov
Shannon Fitzgerald sfitzgerald@eda.gov

We Advocate Thorough Environmental Review (W.A.T.E.R.) is a California 501c3 non-profit corporation incorporated to promote quality local and regional planning, land use and development, as well as to preserve a healthy human and natural environment within the Siskiyou County area.

W.A.T.E.R. is responding to a request for feedback on the amended scope of work for the EDA grant being considered for the City of Mt. Shasta, CA. The amended scope of work would fund the construction of new filtration and ultraviolet (UV) disinfection facilities and associated piping at the Mt. Shasta Waste Water Treatment Plant (WWTP) in Siskiyou County, California. The EDA announcement specifically requests feedback on the potential of the proposed project to affect the environment and/or historic properties. While W.A.T.E.R. supports the proposed upgrades to the WWTP and compliance with current environmental standards, W.A.T.E.R. is concerned that the current construction of a Crystal Geyser beverage production plant is going forward with NO environmental review and that this plant is a "project beneficiary" of this grant. W.A.T.E.R. and other concerned groups and individuals have been trying for some time to have environmental review of this plant, but Crystal Geyser's delay in submitting required discretionary permits to both Siskiyou County and the City of Mount Shasta has resulted in no review being done at this time.

DOCUMENTATION REVIEWED:

We have been provided with the documents entitled: (A) "Environmental Narrative," prepared by ENPLAN, Appendix A: Applicant Certification Clause" signed by Rod Bryan on September 4, 2015; (B) "Proposed Mitigated Negative Declaration and Initial Study" (IS/MND) by ENPLAN; and (C) "City of Mt. Shasta EDA-Funded Waste Water Treatment Plant

Improvements Preliminary Engineering Report (PER). In addition we have access to the original proposal to the EDA for upgrades to an interceptor line.

PROJECT PURPOSE:

The purpose of the project as stated in the PER (page 1, item #1) is: "The City of Mt. Shasta proposes to construct filtration and ultra-violet (UV) disinfection facilities in order to meet State-mandated waste discharge requirements imposed in the 2012 National Pollution Discharge Elimination System (NPDES) permit." The work is necessary to correct deficiencies that have led to penalties imposed by the Central Valley Regional Water Quality Control Board (as documented in Appendix A: Applicant Certification Clause and attachments therein). These filtration and disinfection facilities are a subset of a larger project to completely rebuild the WWTP, as conveyed in the IS/MND. The California Environmental Quality Act (CEQA) requires that projects cannot be "piecemealed," that complete projects must be reviewed for environmental impacts. The removal of a subset of upgrades from reconstruction of the WWTP has the appearance of "piecemealing."

PROJECT BENEFICIARIES:

There are inconsistencies among the documents regarding the project primary beneficiaries. The PER document explicitly states (page 2, item #3) that "The project beneficiaries are unchanged from the original ED-900," and documentation from the original EDA grant is given as an attachment. The original EDA grant proposal listed Crystal Geysers as the primary beneficiary, and the document was signed by a Crystal Geysers representative confirming that Crystal Geysers was "committed" to the project. The current Environmental Narrative does not mention Crystal Geysers and refers only to the current users and anticipated 1% growth rate expected over the next 20 years (including residential, commercial, industrial, church, school, government, and other users...). The IS/MND refers to the possibility that Crystal Geysers may hook up to the WWTP for the discharge of industrial effluent. The IS/MND also states:

Preparation of a separate environmental document pursuant to CEQA is needed to address the proposed Crystal Geysers operation. In September 2015, Crystal Geysers announced plans to prepare an Environmental Impact Report (EIR) for proposed plant operations.

However at this time no EIR has yet been considered by either the County or the city of Mount Shasta

Although Crystal Geysers has not yet applied to the City for an industrial hook-up permit to the WWTP, it is clear that they will NOT be able to begin production without it. Crystal Geysers's comments in its permit application to use an on-site leach field for rinse water disposal to the California Regional Water Control Board states: "*Crystal Geysers has decided to send all wastewater from the flavored water production line and associated CIP (clean in place) activities to the City sanitary sewer system to be treated at the City's wastewater treatment plant.*" The on-site leach field is NOT permitted for industrial waste effluent. It is also clear that the existing WWTP does not have the capacity to accept Crystal Geysers's effluent. Thus Crystal Geysers is clearly a primary beneficiary of this project. As such, its operations at full

build-out must be included in the Environmental Narrative and in a full Environmental Impact Review.

A. COMMENTS ON THE "ENVIRONMENTAL NARRATIVE":

There are additional concerns with the Environmental Narrative (EN) that must be addressed.

One of the requirements of the new WWTP is to reduce the release of metals in the effluent, specifically copper and zinc. The EN simply states (page 1, paragraph 3) that the new filtration system, although the exact system has not yet been chosen, will remove metals. The existing facility also has a filtration system that does not adequately remove metals. There needs to be an explanation of how the new filtration system will remove metals (in a way that the existing system does not). Neither the EN nor IS/MND address the issue of how the entrapped metals (which are toxic) will be handled and disposed of in an environmentally safe manner.

Section C3, page 6, discusses mitigations, saying that "No mitigation is warranted." Then goes on to quote a paragraph from page 9 that is a mitigation regarding nesting of migratory birds.

To ensure that active nests of migratory birds are not disturbed, vegetation removal and construction activities shall occur between August 31 and February 1, if feasible. If vegetation removal or construction must occur during the nesting season, a nesting survey shall be conducted by a qualified biologist to identify active nests in and adjacent to the work area. The survey shall be conducted no more than one week prior to the initiation of vegetation removal or facility construction. If nesting birds are found, the nest sites shall not be disturbed until after the young have fledged. Further, to prevent nest abandonment and mortality of chicks and eggs, no vegetation removal or construction activities shall occur within 500 feet of an active nest, unless a smaller buffer zone is authorized by the California Department of Fish and Wildlife and the United States Fish and Wildlife Service (the size of the construction buffer zone may vary depending on the species of nesting birds present).

The highlighted phrase, "if feasible" makes this an optional, not mandatory mitigation. The EN needs to acknowledge (in item 3) that mitigations are required (not just if feasible), and the mitigations must be written to be enforceable.

Section D, PAGE 7, HISTORICAL/ARCHEOLOGICAL RESOURCES. ENPLAN conducted a surface survey of the WWTP site. Since no excavation was performed for the archeological survey, the EN needs a statement that if any human remains or other indicators of archeological significance are exposed during excavation for the project, work must immediately cease until a full archeological analysis can be completed.

Section E5, page 10 second paragraph, states: "Although the project site is located in the Klamath River watershed, and the Klamath River is included in the National Wild and Scenic River System, the proposed project is located approximately 41 miles south of the main stem of the river and 40 miles southeast of the Scott River segment of the river system." This is clearly a wrong statement! The project site is in the Upper Sacramento River watershed, that is why the

effluent from the WWTP goes into the Sacramento River. The impact on the Sacramento River watershed needs to be assessed, not the impact on the Klamath.

Section 8, page 12-13. Solid Waste Management. In addressing solid waste management this section notes: "Beneficiaries of the project (i.e., existing and future users within the WWTP service area) would also produce solid waste; however, the majority of the waste would be generated from existing households, and thus, would not result in a significant increase in disposal needs." This statement is NOT true-- the operation of the Crystal Geyser plant will result in significant amounts of solid waste (fruit juice pulp, packaging, etc.), and this is part of the reason that full operations of the plant must be considered for the EN.

Section 9, page 13, Hazardous or Toxic Substances. In addressing hazardous and toxic substances the EN states: "Beneficiaries of the proposed project may also use relatively small quantities of materials such as household cleaning products, motor oil, paint, and pesticides." The large manufacturing facility, Crystal Geyser, will likely use industrial quantities of cleaning products, etc., and these need to be considered for an environmental review.

Section 10, page 13-14. Water Resources. The impact of beneficiaries on water resources needs to be addressed. Operation of a beverage production facility will likely have significant impacts on water resources.

Section 14, page 15, Transportation. This section discusses traffic around the WWTP, but ignores the increase in traffic associated with beneficiaries. Operations at the Crystal Geyser production facility will significantly increase truck traffic that needs to be evaluated in the EN.

Section 15, page 15, Air Quality: This section discusses emissions and air quality issues resulting from construction and operation of the WWTP, but neglects emissions from beneficiaries. Significant emissions will result from Crystal Geyser operations, including emissions from plant operations and increased truck traffic. These need to be addressed.

Section 16, page 15, Noise Pollution. Whereas noise pollution around the WWTP may be minor, noise pollution by beneficiaries such as Crystal Geyser could be significant and need to be assessed.

Section 18, page 16. Public Notification/Controversy. Whereas there is broad recognition that the WWTP needs improvements, and little controversy about that, there is significant controversy about a huge industrial project like the Crystal Geyser beverage production facility beginning operations without a full, impartial environmental impact report as governed by CEQA. To date, no EIR process has been initiated. A lawsuit has been filed by W.A.T.E.R. against Siskiyou County and Crystal Geyser challenging the County's industrial zoning of the plant property and lack of a ground water extraction permit.

B. COMMENTS ON THE "INITIAL STUDY/MITIGATED NEGATIVE DECLARATION":

IS page 9: Crystal Geyser is "secondary". "The principal factor driving the need for expansion is anticipated population growth within the WWTP service area. A secondary consideration is

the possibility that Crystal Geyser may apply for additional capacity in order to expand its production operation."

The expected population growth is probably a rough guess. It could well decline. But that is still the "principal" factor. Then it says that Crystal Geyser may "apply" for additional capacity... Then it says that the "additional capacity" (presumably from 0.9 to 1.05 MGD) is for Crystal Geyser to "expand" its operation. So it would appear that before Crystal Geyser "expands" (from what to what?), it would still fit well into the 0.9 MGD. If that is what is meant (and it is not clear), then part of the 0.9 assumes Crystal Geyser is contributing effluent. That means that perhaps the whole expansion from 0.75 to 0.9 is unnecessary except for the contribution of Crystal Geyser effluent. In other words, is the whole expansion really for Crystal Geyser and NOT for "population growth".

IS page 9. Population growth. To justify an "expansion" of the WWTP from about .75 to 0.9 (without Crystal Geyser) and 1.05 MGD (with Crystal Geyser), the IS postulates population growth of 0.7%/year. Has this been the case in recent years? Does it account for greater conservation efforts producing less wastewater?

IS page 10. Crystal Geyser waste flow. The added 0.15 MGD for Crystal Geyser (presumably from three production lines at 0.05 each) is based entirely on Crystal Geyser's numbers. Is that reliable? Without any monitoring, what prevents Crystal Geyser from going up to 0.75 MGD (as they originally proposed in the first EDA application)?

IS page 10. The addition of Crystal Geyser as a "possible" beneficiary in this document, *if* they should request a hookup, raises complex questions. How much effluent they have depends on the scale of their operations, and that is not known for sure. Crystal Geyser should be subject to a full EIR. The outcome of the EIR struggle may affect their operations. The outcome could be any of the following: (a) Crystal Geyser withdraws because they know they will run into troubles from a full EIR, as they did in Orland; (b) an EIR may call for mitigations, some of which may reduce the amount of their source pumping or even allow for an increase; (c) the mitigations may or may not be enforced.; (d) Crystal Geyser and the County get away with avoiding any environmental review and the issue drags on in court with unknown outcomes; (e) Crystal Geyser builds its own on-site sewage treatment. So with all these unknowns, projecting a 0.15 MGD effluent rate is uncertain at best.

IS page 12. "Further expansion of the treatment and disposal system to accommodate addition of 0.15 MGD from Crystal Geyser would be possible in the future if approved by the City of Mt. Shasta". .

This statement clearly implies that the addition of Crystal Geyser is a discretionary decision by the City (i.e., one that could trigger a full EIR.) and requires more permitting. See also IS page 19 for explicit acknowledgement of the need for more permitting for Crystal Geyser

IS page 20: Concerning zoning:" The site is zoned by Siskiyou County as Non-Prime Agricultural/Combining District for 40-acre parcels (AG-2-B-40).According to Article 49, Section 10-6.4903, of the Siskiyou County Code, a public utility is permitted in the AG-2

District under a special use permit. However, because the project site is owned by the City, the WWTP is not subject to County zoning requirements."

Does this mean that a County discretionary decision may be involved here?

IS page 61. " The effects of increased wastewater generation by a potentially foreseeable project, Crystal Geysers, are also addressed. "

CRYSTAL GEYSER is "addressed" in the IS, but the figures relevant to Crystal Geysers are subject to large uncertainties, so the "addressing" hardly means anything.

C. COMMENTS ON EDA-FUNDED PRELIMINARY ENGINEERING REPORT (PER)

The PER document (Item #1) states that the new facilities are needed to meet State-mandated waste discharge requirements: in the past the facility has been cited for problems with discharge violations including copper, zinc, chlorine, and excesses volume being released into the Sacramento River. Whereas the UV disinfection technology will eliminate chlorine contamination, it does not appear that the filters and UV treatment will impact metal ions and volume issues. Thus significant environmental impacts will continue for the river.

Item #3 of the PER document addresses the project beneficiary. Crystal Geysers is the project beneficiary, as was the case for the original scope of work. The EDA documentation clearly states that Crystal Geysers is "committed" to the project. However, throughout the IS/MND, Crystal Geysers hook-up to the city sewer system is considered optional. This is a glaring inconsistency. There are many environmental issues associated with the construction and operation of the beverage production facility, and although IS/MND says these will be evaluated in other projects, there is currently NO agency that is mandating an EIS/EIR for that plant. Since EDA regulations stipulate that the entire project needs to be evaluated, including beneficiaries, unless either the City of Mount Shasta or Siskiyou County agrees to perform an EIR, the IS/MND is inadequate until it covers Crystal Geysers plant operations,

PER section A1. "The successful completion of this project would allow for the opening of a state of the art beverage bottling plant and the creation of 60 new jobs. It would also prepare the city for the needs of future development".

So here, Crystal Geysers is central to the project. The needs of future development (presumably including population growth) is ranked as secondary. The IS/MND document (see above) has the priorities exactly reversed, with Crystal Geysers deemed optional and secondary.

PER section A5. Crystal Geysers is listed as "committed" to the project, not just "interested". The IS/MND on the other hand implies that Crystal Geysers may or may not sign on, but the project is mainly needed for the City, not for Crystal Geysers.

D. THE NEED FOR LEAD AGENCY FOR CEQA REVIEW OF CRYSTAL GEYSER PLANT

W.A.T.E.R.'s lawyer, Donald B. Mooney, has submitted a letter to both Siskiyou County and the City of Mount Shasta urging them to determine a proper lead agency for CEQA review of the Crystal Geysler plant stating in conclusion:

Given CEQA and CEQA Guidelines' direction regarding the scope of environmental review and the appropriate lead agency, the City and County must determine which agency should serve as the lead agency to address all aspects of the Project. An agreement should be reached sooner rather than later so that any environmental review will be complete and cover the whole of the Project. (See CEQA Guidelines, § 15051.) If agreement cannot be reached then the County and City should refer the matter to the Office of Planning and Research for the appropriate determination of lead agency. (See CEQA Guidelines, § 15053(a).) (full letter attached, see 11-9-15LtrLeadAgency.pdf)

It would be appropriate for the EDA to also urge that the City of Mount Shasta or Siskiyou County perform an Environmental Impact Review of the Crystal Geysler plant as a condition of this grant.

Thank you for your consideration,



Bruce Hillman
President, We Advocate Thorough Environmental Review (W.A.T.E.R.)

LAW OFFICE OF DONALD B. MOONEY

129 C Street, Suite 2
Davis, California 95616
Telephone 530-758-2377
dhmooney@dcn.org

November 9, 2015

Siskiyou County Air Pollution Control District
c/o Siskiyou County Board of Supervisors
510 North Street
Yreka, CA 96097

City Council
City of Mt. Shasta
305 N. Mt. Shasta Boulevard
Mt. Shasta, CA 96067

Re: *Compliance with the California Environmental Quality Act for Approval of Crystal Geysler Water Company's Mt. Shasta Facility*

Dear Supervisors and City Councilmembers:

Crystal Geysler, a subsidiary of the Japanese pharmaceutical company, Otsuka Pharmaceutical, purchased the site and shell building of a former water bottling plant in Mt. Shasta, CA, from Coca-Cola in 2013. Crystal Geysler intends to use the site as a beverage facility, producing sparkling water, flavored water, juice and brewed tea drinks. Previously Coca-Cola used this building to bottle water; Coca-Cola closed its plant in 2010.

For a historical perspective, Mitigated Negative Declaration (MND) was prepared in 2001 for the previous owner's operation of a water bottling facility on this parcel. The Regional Water Quality Control Board ("Regional Board") served as the lead agency for the MND. The Regional Board's approval of the project and MND included mitigation measures that the Regional Board expected would be enforced by agreement with the County. But arrangements seem to have been left unfulfilled and there appears to be no existing formal enforcement agreement.

Unfortunately, neither the County nor the Regional Board have enforced the mitigations measures of the original MND. Aesthetic and landscaping mitigation measures have been ignored. Residents have recorded and notified agencies of truck deliveries in the night, and construction well after the 7 am to 7 pm permitted hours. No measures to suppress construction related dust emissions have been implemented.

The County initially claimed that Crystal Geysler's operations required only ministerial permits. In the last few weeks, however, Crystal Geysler's proposal for installation and operation of boilers requires that it obtain an authority to construct permit from the Siskiyou County Air Pollution Control District (APCD). As the permits are discretionary, the APCD must comply with the California Environmental Quality Act prior to approving any such permits. Crystal Geysler stated it has now "become aware" of

the need for an Environmental Impact Report. According to an interview in the Mt. Shasta Herald on October 7, Judy Yee, Executive VP, Crystal Geysler, stated that the "planned EIR would cover all aspects of the planned operation." That same article referenced that the County was unsure of what level of CEQA review and whether the County would be the lead agency.

There is a material difference in planned operation of the facility and environmental impacts based on the previous use of the facility. This is demonstrated in part by Crystal Geysler's need for additional discretionary permits and the need to connect to the City's wastewater treatment plant ("WWTP"). The concern now is that Crystal Geysler must obtain discretionary permits that will require CEQA compliance. Crystal Geysler has expanded the building footprint beyond the original building permit plans, adding refrigeration units, cooling towers, CO₂ and N₂ liquid gas tanks and a 30,000 gallon propane tank. Pacific Power has submitted an application to the California Public Utilities Commission for expanded power service requirements to the plant. Crystal Geysler has reported to the Regional Board that it intends to release industrial waste to the Mt. Shasta City wastewater treatment plant, which will require the City approve of an Industrial User permit, and requiring expansion of the treatment plant, including pre-treatment of Crystal Geysler's effluent as shown by the Initial Study/MND just released by City of Mt. Shasta. The City has also named Crystal Geysler as the main beneficiary of the new project for the EDA grant application. Crystal Geysler's large industrial propane tanks and its proposal to install a diesel electrical generator will also need to be regulated by the County Environmental Health Division, as the local Certified Unified Program Agency (CUPA). Hydrology studies originally presented by the Crystal Geysler are woefully inadequate and must be updated as part of any CEQA review. Given the numerous permits and approvals that Crystal Geysler must obtain to operate this controversial project, there is a danger of piecemealing this project, unless the public agencies initiate a comprehensive CEQA process.

CEQA is "to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." (*Friends of Mammoth v. Board of Supervisors* (1972) 8 Cal.3d 247, 259.) As a result, courts have given the term "project" a broad interpretation and application to maximize protection of the environment. (*Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.4th 1165, 1198; *Friends of the Sierra Railroad v. Tuolumne Park & Recreation District* (2007) 147 Cal.App.4th 643, 653 ["CEQA's conception of a project is broad"].) Based upon this broad interpretation of "project", CEQA requires that an EIR address the whole of the project. (CEQA Guidelines, § 15378(a), (c)-(d); *RiverWatch v. Olivenhain Municipal Water District* (2009) 170 Cal.App.4th 1186.) The action reviewed under CEQA is not the approval itself but the development or other activities resulting from the agency's approval of the project. In preparing an EIR, an agency may not conceal environmental considerations by focusing on separate parts of the project and ignoring the cumulative effect of the whole action. (*Bozung v. LAFCO* (1975) 13 Cal.3d 268, 283.) Thus, CEQA "cannot be avoided by

Siskiyou County Air Pollution Control District
City of Mt Shasta City Council
November 9, 2015
Page 3

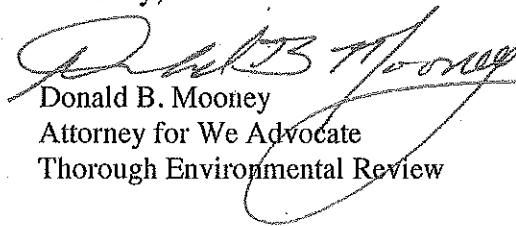
chopping up proposed projects into bite-sized pieces which, individually considered, might be found to have no significant effect on the environment or to be only ministerial." (*Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonora* (2007) 155 Cal.App.4th 1214, 1223.)

As CEQA requires that environmental review address the whole of the action, such review must address the City of Mount Shasta's expected responsibility for treating Crystal Geysers' industrial waste and any other expected permit applications and/or agency approvals as discussed above.

Given the various approvals that Crystal Geysers must obtain to operate the Project, the City and County should coordinate to determine the proper lead agency for preparation and approval of the environmental document. According to CEQA, the Lead Agency is the agency that has the "principal responsibility for carrying out or approving a project which may have a significant effect on the environment." (Pub. Resources Code, § 21067; *Planning & Conservation League v. Castaic Lake Water Agency* (2009) 180 Cal.App.4th 210, 239.) The CEQA Guidelines clarify that: "The Lead Agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose such as an air pollution control district or a district which will provide a public service or public utility to the project." (CEQA Guidelines § 15051(b)(1); see *Eller Media Co. v. Community Redevelopment Agency* (2003) 108 Cal.App.4th 25, 38.)

Given CEQA and CEQA Guidelines' direction regarding the scope of environmental review and the appropriate lead agency, the City and County must determine which agency should serve as the lead agency to address all aspects of the Project. An agreement should be reached sooner rather than later so that any environmental review will be complete and cover the whole of the Project. (See CEQA Guidelines, § 15051.) If agreement cannot be reached then the County and City should refer the matter to the Office of Planning and Research for the appropriate determination of lead agency. (See CEQA Guidelines, § 15053(a).)

Sincerely,



Donald B. Mooney
Attorney for We Advocate
Thorough Environmental Review

cc: Client

PUBLIC NOTICE

The U.S. Department of Commerce, Economic Development Administration (EDA) is considering a request from the City of Mt. Shasta to amend the scope of work for an existing grant. The proposed scope of work would fund the construction of new filtration and ultraviolet (UV) disinfection facilities and associated piping at the Mt. Shasta Waste Water Treatment Plant (WWTP) in Siskiyou County, California. Pursuant to the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA), EDA is conducting an assessment of the potential of the proposed project to affect the environment and/or historic properties.

Under the proposed project, filtration and UV disinfection facilities would be constructed at the Mt. Shasta WWTP on Grant Road to the southwest of the City of Mt. Shasta. The filtration and UV disinfection facilities would be located where abandoned intermittent sand filters currently exist. Project information is available for review at the City of Mt. Shasta, 305 N. Mt. Shasta Boulevard, Mt. Shasta, CA. 96067, or by calling (530) 926-7510.

If you have any information regarding potential impacts environmental resources or historic properties associated with this proposed project, please provide it in writing to:

Regional Environmental Officer
US Department of Commerce
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
sfitzgerald@eda.gov

Comments received in the EDA Regional Office by 5:00 pm on November 12, 2015 will be considered. A copy of the NEPA/NHPA decisional document will be available upon request from the above EDA Regional Office.

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:28 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: EDA grant for WWTP facility Mt Shasta
Attachments: EDA letter response .rtfd.zip; ATT00001.txt

-----Original Message-----

From: Vicki Gold [REDACTED]
Sent: Friday, November 13, 2015 1:39 PM
To: FitzGerald, Shannon
Subject: EDA grant for WWTP facility Mt Shasta

Hi Shannon,
Please let me know if you have difficulty opening my letter attached.

wff_113x70.png ▯ ejcw_125x125.png ▯
Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov
Stan Good
Project Engineer
Economic Development Administration
SGood@eda.gov

November 11, 2015

***Re: Public Comments on EDA \$3,000,000 Grant for City of Mt. Shasta's
Upgrades to its Waste Water Treatment Plant to Additionally
Serve Primary Beneficiary Crystal Geyser Water Company***

Dear Shannon & Stan,

I represent Water Flows Free, a group of approximately 700 people who either reside in Mt. Shasta or who visit regularly to enjoy the many beautiful experiences in nature that are available for the world to experience. As you know Mt Shasta is a world class spiritual and eco-tourism destination and a beacon for the world. Our tourists come from as far as Tahiti, China, New Zealand and Chile. We are all concerned about the issue of clean potable water for hygiene for Mt Shasta and the world. Water bottling and water privatization, especially in extreme drought is cause for the most stringent environmental review. The purity of the water of the Sacramento River for kayaking, hiking and fishing, are issues that engage our interest. Any large industrial project proposed to be accommodated by a major expansion of the wastewater treatment system feeding into the Sacramento River is of concern. Water extraction for profit at the public's expense, especially when the profits are internalized and the costs externalized through grants and loans paid by rate increases by the community must be evaluated with utmost care. Brock Dolman, renowned permaculturist states wryly: "Planning is best done in advance!"

There are many procedural disconnects evident in this process aside from

environmental red flags in ENPLAN's Mitigated Negative Declaration for the WWTP and the EDA grant. I'll address both.

The EDA grant is greatly appreciated, however what is problematic is the rush to construct a new facility or additions to the existing facility, prior to understanding the true needs of the community and the ratepayers' willingness to soon become indebted for the improvements, especially if related to Crystal Geysers (CGWC). The EDA grant is the first step in the inevitable next piece (i.e. acquisition of loans to cover an estimated \$16 million upgrade.)

1. There is no application by Crystal Geysers (CGWC) to connect to the WWTP, yet they are very involved in the process with the city regarding the new industrial permit application. Apparently there is so much pressure on the City of Mt Shasta that the City has their outside CEQA consultants Pioneer Law Group working on this. This is a good thing, yet citizens are subsidizing this process. ***No legal escrow account has been set up with Crystal Geysers, as would be expected, to cover costs associated with their project. Not one dime has been paid by the multinational conglomerate to cover staff and legal counsel expenses incurred to address this corporate project.***

The City and their engineering consultants admit that CGWC has not been forthcoming with estimates of the amount and nature of the effluent anticipated to be produced at the plant. Thus it appears that whatever improvements are undertaken with grant money from the EDA may prove to be inadequate to accommodate the future needs of the industrial consumer. On page 2 of the Preliminary Engineering Report (PER) 3. it states "The project beneficiaries are unchanged from the original Form ED-900". This means that CGWC is still clearly a primary beneficiary.

Is CGWC delaying its formal application so it can evade being connected to the WWTP upgrade, avoid having to pay for portions of that WWTP's CEQA costs, and to avoid more specific disclosure now and later pay mitigation costs for its discharges? I believe there may be a good deal of contention between the City and Crystal Geysers on many points even if the City Council does not admit this publicly.

2. While there is still mention of Crystal Geysers as the Primary Beneficiary of the grant in attachments, there is no mention of them in the Environmental Narrative although they are mentioned in the draft Initial Study/ MND. The problems identified with using the Crystal Geysers leach field persist. We hear rumors that

they intend to use the leach field and will probably be given a pass by the Central Valley Regional Water Quality Control Board. (Also see #8. below) Many people feel that the prior operators of the Dannon and later CocaCola plant contaminated the aquifer by relying on the leach field. We note in reviewing EDA FOIA documents that mention was made of the unusual original permitting of a leach field to accommodate 108,000 gpd of wastewater. We believe that part of this review should also be to encourage the state regional water board (CVRWQCB) to withdraw that permit in order to protect the aquifer. The soil type DEETZ 125 specifically is identified as porous and unsuitable for leach fields. How did this pass through the review system in 2001? In a separate email I will submit a few letters submitted during the Interceptor Line NOP process as they relate to this leach field and wastewater treatment plant upgrade.

3. The WWTP improvements will be growth inducing. It is my understanding that that is one of the goals of most EDA grants. The City says it will not induce growth, but clearly if the WWTP is now over capacity in wet weather conditions, there can be no growth and a moratorium would eventually be mandated by the state water board. There appears to be contradictory information in the documentation in that both the Environmental Narrative and the IS/MND state that some growth is being planned for with the WWTP work, yet in another statement they declare that no review is necessary since the work will not be growth inducing.

4. Everyone knows that there is substantial controversy surrounding the Crystal Geyser plant. There have been dozens of letters to the editor in the Mt Shasta Herald. The statewide press has covered it extensively. The local jurisdictions seem unwilling to accept responsibilities associated with being lead agency. There is, in effect, no applicant, no proponent, no identifiable clear project. There now is a completely re-tooled building, with new concrete poured, foundation altered, equipped and near ready to operate, except with no connection to the wastewater treatment plant, inadequate power to accomplish their goals of production of plastic bottles, teas, juices. ***This is not an example of best practices or compliance with either the letter or the intent of CEQA or NEPA law. We feel an EIS and EIR are necessary.***

Most importantly the concept of unlimited groundwater pumping so close to the Headwaters of the Sacramento River elicits justifiable community concern. Most of the neighborhood residential and industrial occupants are currently on wells that are probably connected to the same source as the primary production well of CGWC. Last year an important case was won by ELF (Environmental Law

Foundation). They issued this press release: "Court Rules Groundwater Protected as Public Trust". Farmers and landowners in Siskiyou County were pumping ground water near the Scott River. See link:
<http://www.envirolaw.org/documents/ScottOrderPressReleaseJuly2014.pdf>.

People are waking up. Allowing toxic metals, chemicals and other hazardous waste such as phthalates from plastics to enter one of the main river arteries of Northern California is an idea whose time has passed. ***Mt Shasta should be the vanguard of enlightened environmental practices. This is why we must look at the larger picture in such a pristine mountain village. The EDA can help make this a reality.*** Page 8 of the Environmental Narrative states: "With the decline in timber production, tourism is now the core industry and economic generator in the Mt. Shasta area."

The wastewater treatment plant and the interceptor line to the plant cannot be separated and treated as unrelated to the wants of the Crystal Geysers Water Co (a wholly owned subsidiary of parent corporation Otsuka Holdings). The ENPLAN study should encompass the entire wastewater treatment infrastructure, collection system and Crystal Geysers plant. Otherwise it is piecemealing. This is an opportunity for the EDA to make a very significant contribution to the health and well being and sustainable economic growth of the community by addressing these questions. Your encouragement will be greatly appreciated by the public who will then understand that indeed, environmental protection is one of your primary goals while also encouraging economic growth.

5. Has the EDA decided to waive the stipulations that are usually part and parcel of the grant awards? If Crystal Geysers decides to leave, will the grant money be in jeopardy? If no new local jobs are created by the project at the WWTP after construction, will the grant requirements still be deemed fulfilled? We know that one of the conditions of EDA funding is that the beneficiary may not use the funds to relocate their business thus creating blight in other communities. There is concern among the public that the EDA might come back and demand the return of the funds under certain conditions as has been done in Redding and in Ford City, PA. What assurances do we have that this will not occur in Mt. Shasta? Link:
<http://triblive.com/news/armstrong/8917599-74/borough-debt-eda#axzz3qzE4h3y6>

6. This is quoted from the EDA Project Description prepared by PACE & ENPLAN:
"The City's EDA grant agreement was executed on September 25, 2013.
According to EDA

guidelines, an implementation project must be under construction within three (3) years of the

date of agreement execution, which will be September 2016. *There is not enough time*

between now and then to complete environmental, secure financing, complete a Proposition

218 rate increase, and design the State-Mandated Project improvements to begin construction. Therefore, to avoid losing the grant, it is necessary to phase the State-Mandated WWTP Improvements by implementing a project using EDA funds only."

Is this accurate? *Is it not possible to start the clock again NOW from summer 2015 when the City's new plans were approved by the EDA's Investment Research Committee*, to allow more time for the City to assess the true needs of the community and the distinction between those needs and the wants of the industrial corporation CGWC? *Were extensions requested by the City and denied? Were they informed of that possibility? Is there a true need to rush the project before there is adequate information about the ultimate impacts of full build out of CGWC?* To not address CGWC is to miss the elephant in the room.

7. In other communities with beverage companies producing sugary effluent, damage has been done to the WWTP infrastructure requiring huge investment by the municipality. See Northhampton, MA. Link:

http://www.masslive.com/news/index.ssf/2012/03/coke_agrees_to_surcharges_which.html. Also in Apple Valley, Victorville 8/15/15: "The report takes issue with the way Victorville used money from its water department and airport authority accounts to construct an industrial wastewater treatment plant for Dr Pepper Snapple Group." See link:

<http://www.vvdailynews.com/article/20150430/NEWS/150439969>

Many bottling operations in other communities have functioned by operating their own onsite wastewater treatment facilities because of the inability of the local community wastewater treatment plants to accept the problematic (quality and quantity) effluent.

8. Please see this link:

<http://www.inyoplanning.org/documents/CabinBar-CommentsforPChearingAugust62014.pdf> which discusses the very high levels of barium, arsenic, molybdenum, cadmium, beryllium at the Olancho Crystal Geyser Roxanne plant owned by the same parent company Otsuka Holdings. There is no discussion of the probable origin of the contaminants. This should give pause to those evaluating the nature of

the effluent from the large industrial CGWC project.

We are justifiably concerned that the City's engineer PACE is recommending disposing of water used at the CG plant without knowing the chemical constituents of the water. Because there is no permit application by CG for connection to the WWTP the city engineers and public are in the dark about what potential contamination to both the leach field and ultimately the WWTP may be likely.

This is an opportunity for the EDA to require that CG release this information as part of the EA. To do otherwise is metaphorically equivalent to building a structure with no concept of how many occupants and what commercial, residential or industrial activities they plan to engage in when they move in. We want to ascertain that the new UV and filtration facility funded through the EDA grant will be able to handle the worst case scenario of potential effluent constituents. That is why we feel that the entire WWTP system should be addressed in the EIS and EIR process.

There is a PACE engineering document that was circulated by the City of Mt Shasta in 2013, the Pollution Prevention Plan, (City can provide scanned document) that addressed the need to look at point sources of contaminants, specifically ammonia, zinc and copper. This document could be part of the EA attachments as well. I don't believe it was circulated to all residents and businesses located within the sphere of influence of the City. It is a good document, yet should be updated. There is no discussion about hospitals, clinics and physician offices as point sources for zinc. This is widely accepted knowledge; other communities commonly require onsite pre-treatment by hospitals in order to remove stress on the WWTP facility. This could be an EDA recommendation an an opportunity for the community to take steps as individuals that would perhaps make the very expensive \$16 million upgrade unnecessary. If we are building new infrastructure to manage these metal contaminants in the waste stream, it seems prudent to recommend circulation of the document more broadly as a preventative component of the grant. I believe the community would welcome knowing how they can assist in better management of their personal contributions to effluent headed for the Sacramento River.

Again, please understand that the community is indeed grateful that you have allowed the grant money to be applied to needed improvements at the WWTP for compliance with NPDES regulations. We want to take advantage of the opportunity to fine tune the review process and to capture as much data as possible in order to be certain that the new engineering technology will last for many years and serve the needs of the community.

Thank you for reviewing these comments,
Respectfully submitted,
Vicki Gold
Water Flows Free
Mt Shasta

NB: See these two following documents which are extracted from records of emails recently received from the City of Mt Shasta. They illustrate the complexities resulting from the CGWC project.

Paul Eckert
To: Tim's Gmail; Geoff Harkness
Cc: Paul Reuter (preuter@paceengineering.us)
Subject: Phone Conference
Date: Friday, October 02, 2015 8:14:07 AM

Greetings Mayor and Tim;

Three related areas of concern for today's conference call with CG:

1) Leach Field use for the system flush and bottled water operation – Rod and I talked with

several folks at the RWQCB this week regarding the CG leach fields. George Lowe is the

staff specialist. George indicated he requested CG provide him the constituent matter for

the flush and the sparkling water. He was very clear that the RWQCB did not reject the CG

leach field use request and only asked for the flow characteristics. He said CG has gone quiet and he hasn't heard a word during the three to four week period since their conversation. PACE believes the City has no choice but to request the same effluent characteristic information. PACE believes CG should use the Industrial Users Application

Form as a basis for sharing of the effluent information prior to the City accepting their effluent.

2) It's also important to note the City has informed CG they appear to have an illegal connection. At some point we need to hear from them about how the connection was made. Either they connected it or it was connected prior to the CG property purchase. If it

was connected prior to purchase it seems it would have been identified as a disclosure or

verified during CG's due diligence.

3) Jeff Collings has talked with CG at length about the need for a packaged treatment plant

that operates from truck trailers. Jeff is convinced it's the best way to solve any concerns

regarding the leach field use for bottled water.

Thank you for your assistance. Let us know if we should address other topics with CG.

Paul Eckert, City Manager

305 N. Mt Shasta Blvd
Mount Shasta, CA 96067
Phone (530) 926-7510

www.mtshastaca.gov

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Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:30 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Letter of response to NOP Mount Shasta Sewer Line Improvements Project Notice of Preparation (NOP) and Crystal Geysers Water Company projects

From: Vicki Gold [REDACTED]
Sent: Friday, November 13, 2015 6:22 PM
To: FitzGerald, Shannon
Subject: Fwd: Letter of response to NOP Mount Shasta Sewer Line Improvements Project Notice of Preparation (NOP) and Crystal Geysers Water Company projects

Hi Shannon,

I just realized that I forgot to send you my own philosophical letter responding to the NOP in December. Please attach this as well to my letter. Thank you.

Vicki

Begin forwarded message:

From: Vicki Gold [REDACTED]
Subject: Re: Letter of response to NOP Mount Shasta Sewer Line Improvements Project Notice of Preparation (NOP) and Crystal Geysers Water Company projects
Date: December 1, 2014 10:26:35 AM PST
To: TLapthorne@mtshastaca.gov
Cc: Eckert@mtshastaca.gov

Ms. Tammy Lapthorne November 30, 2014

Deputy City Clerk, City of Mt. Shasta

Mr. Paul Eckert, City Manager, City of Mount Shasta

Phone: (530) 926-7510

305 N. Mt. Shasta Boulevard

City of Mt. Shasta, CA 96067

Email: TLapthorne@mtshastaca.gov

cc: Eckert@mtshastaca.gov

Dear Ms. Lapthorne:

Please accept the attached comment letter on the Mount Shasta Sewer Line Improvements Project Notice of Preparation (NOP) and Crystal Geysers Water Company Projects

My intention is to invite a broader perspective or, as First Nation People say, the vision of "7 Generations". What is our vision for Mount Shasta? We have all enjoyed viewing paintings and drawings, hearing sagas of the mountain created

over the past 250 to 1000s of years. What are we engendering now by our actions for the future of the bioregion? What footprints will we leave behind? What will our great grandchildren experience?

It is easy to get mired down in details of gallons of extracted water, problematic effluent to the WWTP, a myriad of environmental issues: air quality, hydrology including water quality and quantity, traffic and noise challenges posed by these projects. All are important, especially surrounding water. Mount Shasta has been a sacred site to Native People for thousands of years; it is a spiritual and eco-tourism destination for millions from around the planet. The responsibility of the community to preserve our natural resources, our quality of life for us and for the world, is substantial. Mount Shasta is attractive because it offers something unique and precious. This is an opportunity to rekindle our love for our home, for the mountain and for ourselves. Many of us are appealing to that unique sense of wonder in our City Council members, in you, the contractors who will write the EIR- the same comfort and respect for Nature that brought us all here. Admission that this NOP process was flawed from the start would be a highly conscious and respected next step.

Crystal Geyser's purchase of the empty CocaCola building is just the precipitating event for a re-awakening of community consciousness surrounding Mount Shasta. In reviewing the long history of the CG property, it is clear that there is a conflict between the County General Plan Woodland Production Overlay and the M-H zoning on the property. Anyone with minimal awareness can see evidence of the obvious lack of wisdom in past zoning policy in Siskiyou County in the Mount Shasta sphere of influence. Who today would allow a solid waste landfill at the base of Black Butte? an industrial cement producing facility directly in front of Mount Shasta? Heavy-Industrial zoning in the foothills of Mount Shasta next to neighborhoods? Was it lack of vision, greed, ineptitude on the part of local county planning staff? or perhaps simply their awareness of the resource extractive mentality of the local representatives may have led to the current debacle.

We now have an opportunity to avoid repetition of past planning errors. If we don't take advantage of this opening now, when will we? Rethinking the whole process would be seen as a sign of maturity and evolution, not an admission of failure. Failure would be proceeding with this defective NOP. Clearly we need to review the City and County General Plans. Some communities do so on an annual or at minimum, every 10 years basis, not every 20 to 40 years as in Siskiyou County. Some elements, such as Conservation, apparently have not been reviewed since the 1970's. Pressure will only increase as water becomes more precious in extreme drought. We have recently witnessed an attempt to further jeopardize the CEQA process by County Planning. This whole CEQA process should be handled as part of a joint County/ City EIR. Since the City has taken the lead role, above all they owe it to their community to protect the land, the people, the waters, our quality of life. This is the culture, the beauty, the light, that attracts people to our home. It is fragile and extremely vulnerable to negligence.

This Sewer Enhancement/ Crystal Geyser project NOP provides a forum, early on in the process, for discussion of the many problems associated with water extraction, plastic production and concomitant stress of effluent on our sewer infrastructure. We need to look at the big picture. Potential corporate "partners"

deserve to hear all of the comments of the public so they are not caught off guard, assuming smooth sailing, full steam ahead with their plans for full build out in a non-sustainable industry. This community is aware and awake; Otsuka Pharmaceuticals Crystal Geysers WC should be aware of this by now. E-mails among CG, Siskiyou County, the PUC, the City of Mount Shasta and articles in newspapers discuss CG's plans for major expansion. If our community objects to their vision, CG deserves to know up front.

Some have addressed the serious issue of possible contamination of the land surrounding DEX 6 well and near the leach fields on the CG property. This has been brought to the attention of the City Council, the County, and the Crystal Geysers executives. This is not a problem only for CGWC, but for the whole community. The County and State agencies responsible for monitoring pollution and toxins should be alerted. WATER has addressed in detail the many omissions in the NOP. I concur with all of their comments and questions and assume they will be directed to the appropriate authorities.

There are no villains here, just people who were short-sighted, looking for money, a handful of jobs, thinking inside the box by blindly seeking to fill an empty warehouse with the same unsustainable extractive industry that previously failed. The substantial hidden costs were overlooked. We must look at the expansion of the WWTP and collector system with eyes wide open. The plant cannot handle CG's production of sweet juices and teas, not now, perhaps never. We know that CocaCola fouled a WWTP in Massachusetts when it switched to sweet juices, placing an unexpected burden on the township. This should be fully investigated before we consider even allowing the sewer connection. Full authority to demand cease and desist and monitoring of all extraction and effluent, must reside with the City. Should incidents involving effluent at CGWC occur in the future, who will have control?

Most communities use expansion of WWTPs and collector system upgrades as rare opportunities to assess the broadest possible development implications and community goals. This deserves much more than a MND as recommended by PACE for the state mandated upgrade. Also many have witnessed blight created in downtown areas in other communities with additions of new sewers, roads, highways, big box commercial developments. PBS reported this week that no new malls have been built since 2006 and 500 have been abandoned which leads me to conclude that Small is Beautiful. Mount Shasta deserves careful strategic planning.

Just because the EDA grant started a clock ticking in September 2013, does not imply that proper environmental review should be rushed, piecemealed and rubber stamped in order to accommodate a "primary beneficiary", Crystal Geysers. CGWA should have been required to deposit a substantial sum into an escrow account to cover costs of staff time, consultants' fees, legal counsel and the EIR. Ratepayers and tax payers should not foot the bill for a multibillion dollar international corporation landing here to take our water for the profit of stockholders. Besides, the sister company, Crystal Geysers Roxanne, already has its huge straw deeply driven into the mountain aquifer, and creating an enormous carbon footprint by sending water to Japan and elsewhere. It defies logic to think the supply is infinite, and the consequences to the neighborhoods and the region negligible.

We must ask:

1. Why is this NOP circulated before the WWTP EIR/ MND? Who benefits?
2. When has it ever worked out for a community to sell its resources, especially water, under conditions of planet-wide drought?
3. Why should we be finessed into accommodating an extractive industry's "wants" before addressing our challenged WWTP infrastructure and the true "needs" and rights of local people who have been in line for years to hook up to the sewer WWTP system? The surcharging in the community must be prioritized. That is the objective filling community needs.
4. Who pays? Could this threaten the city's financial stability? Why is the city not indemnified? Until this is addressed, this whole process should logically come to a full stop. PACE and NSR should recognize their own vulnerability as they proceed.
5. How do we weigh the long and short term costs and benefits? What price can be put on purity, tranquility and water, which should logically be treated as a public good, available to everyone?
6. Are we communicating clearly to Otsuka/ CGWA corporate headquarters or sending mixed messages?

All of these questions should have been asked before the City applied for the EDA grant. They must be asked now!

What do you do if you find yourself in a hole? Stop digging!!! The NOP should be canceled and prepared as one expanded project for WWTP, sewer collector system and interceptor line and Crystal Geysers at full project build out.

The community wants to know that the City Council is not operating from a position of weakness. An international pharmaceutical company should not have control of our destiny. It seems the City has a tiger by the tail. Mount Shasta deserves better. PACE and NSR have an opportunity to make a real difference in the management of this highly controversial project. They can educate the City Council and the County in best practices, in adherence to CEQA principles and in wise leadership by advising major caution. There is much to be said for the advice: "Don't just do something; Sit there!"

Please acknowledge receipt of this letter.

Respectfully submitted,

Vicki Gold



Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:30 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: NOP scoping comments submitted to City of Mt Shasta 12/1/14
Attachments: City o' Mt. Shasta - Dannon Mitigated Negative Declaration Review-2.pdf; Comments on the NOP of a draft EIR for the Mt Shasta sewer line improvement project - Axelrod.doc; NOP_Comments_Bruce-Hillman .pdf; SPA NOP Comments.pdf; Scoping Comments - Lowe.pdf; Notice of Preparation of Draft EIR comments 11-13-14.docx; NSR-Scoping Paper11-26-14.pdf; ATT00001.txt

-----Original Message-----

From: Vicki Gold [REDACTED]
Sent: Friday, November 13, 2015 11:50 AM
To: FitzGerald, Shannon
Subject: Fwd: NOP scoping comments submitted to City of Mt Shasta 12/1/14

Hello Shannon,

This is submitted as an addendum to my letter of response to the EDA grant for the City of Mt Shasta's wastewater facility upgrade.

Please attach to my letter which I will send within the hour. These letters address the Interceptor Line and the City's Wastewater treatment plant. They are still relevant for the new project and should be part of the record illustrating why a full and comprehensive EIR and EIS are necessary in order to avoid criticism on the basis of piecemealing. Thank you for reviewing them.

>

November 23, 2014

Ms. Tammy Lapthorne
Deputy City Clerk
City of Mt. Shasta
305 North Mt. Shasta Blvd
City of Mt. Shasta, CA 96067

Subject: Notice of Preparation – City of Mt. Shasta sewer line upgrade
Crystal Geyser industrial waste discharge through their existing leach line

Dear Ms. Lapthorne:

I wanted to take this opportunity to both comment on the situation at the proposed Crystal Geyser facility and thank you for your attention to this matter.

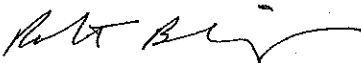
As a brief background, the Crystal Geyser facility has two potential means for discharge of its industrial waste water: the sanitary sewer line that is referenced in the NOP, and the leach field disposal that allows Crystal Geyser to discharge directly into the aquifer beneath its property. The Executive Order (hereafter referred to as 'the permit') that allows Crystal Geyser to discharge underground to the drinking water aquifer was originally issued to Danone and has apparently been transferred to Crystal Geyser. That permit is issued and overseen by the Regional Water Quality Control Board – Central Valley Region (RWQCB). The city of Mt. Shasta has neither control nor regulatory input over the discharge to the aquifer that is, literally, in its backyard.

The industrial waste discharge is euphemistically referred to as 'bottle rinse water' in both the Mitigated Negative Declaration previously filed by Danone and the permit that was issued based on that work. An excerpt of that permit is attached which shows that *both bottle rinse water and 'floor water' are allowed to be discharged*. The floor water was found to contain acetone and 2-butanone in the permit application sampling; the permit thus allows discharge of those compounds to the aquifer, untreated.

This is the most lenient permit that I have seen in 25 years of work in the environmental field. The permit allows up to 3,000,000 gallons per month of untreated industrial waste to be discharged; I have never seen nor would expect an untreated industrial waste allowed to discharge directly to a drinking water aquifer. The compliance sampling required under the permit requires only one sample of the waste discharge to be analyzed per year – thus 36,000,000 gallons of industrial waste can be discharged with only one sample to identify what is actually in that waste. As a reference, permits of this nature typically require sampling based on throughput. That is, the greater the volume of discharge the greater the number of samples, to ensure compliance with the permit conditions. A discharge of the magnitude proposed by Crystal Geyser should require hundreds of samples over the course of a year as opposed to only one.

In conclusion, I strongly urge the city of Mt. Shasta to review the attached documentation and use its influence to compel the abandonment of the leach lines currently located on the Crystal Geyser property. A discharge of untreated industrial waste, known to be contaminated with acetone, is simply unacceptable. Consultants hired by Danone (previously) and Crystal Geyser (currently) have argued that the industrial waste is bottle rinse water and should be allowed to discharge into local drinking water supplies. My final thought on that issue is that if the industrial waste is OK for the local community to drink, why doesn't Crystal Geyser simply bottle that water and sell it to its customers?

Sincerely,



Robert Blankenship, B.A.
Project Manager

DANONE Mitigated Negative Declaration Review

Section Groundwater Impact 4 (GW4)

This section begins:

"Construction of the leach field would allow DANONE to discharge rinsewater to the aquifer beneath the facility. Rinsewater is used during production to remove small dust particles that occur during production of the plastic bottles. Aside from the small amount of inert dust, however, the rinsewater is substantially the same quality as water withdrawn from the aquifer."

Comment: DANONE implies that only bottle "rinsewater" will be discharged to the aquifer, but the Waste Discharge Requirements (WDR's) generated by the Regional Water Quality Control Board state differently. Page 2 of the WDR's states that both "bottle rinsewater" and "floor water" can be discharged directly to the aquifer. The floor water was noted to contain both acetone (commonly used as nail polish remover) and 2-butanone. The analysis of that effluent would have been conducted by DANONE themselves, and a reasonable person could conclude that the floor water discharge was not included in the MND because it would not have been looked upon favorably.

Section Groundwater Impact 4 (GW4) continues, in the same paragraph:

"Table 5-1 provides summary data from a detailed water quality analysis performed on the rinsewater and raw water directly from DEX-6. A certified laboratory, using standard practices for determination of water quality characteristics, performed water quality tests". Then the results of some lab analyses are presented in Table 5-1.

Comment: The RWQCB issued effluent monitoring requirements for DANONE which are included in the attachment. Those requirements include monitoring for Priority Pollutants – Metals and Priority Pollutants – Organics as the primary contaminants of concern that could be introduced into the effluent as a result of the industrial bottling process. Table 5-1 includes the results of the Priority Pollutants – Metals analysis but does not include the analysis for the Priority Pollutants – Organics. This is striking because a reviewer would typically have greater concern of organics in the effluent because of the plastics production; DANONE also already confirmed there were organics in the effluent in the WDR. Note that DANONE stated "Table 5-1 provides summary data from a detailed water quality analysis performed on the rinsewater and raw water directly from DEX-6". So this "summary data" may not contain *all* the data that they had in their possession, and a reasonable person could conclude that the Priority Pollutants – Organics analysis was not included in the MND because it would not have been looked upon favorably

Section Groundwater Impact 4 (GW4) concludes, in the final paragraph:

"Water quality results indicate that the rinsewater proposed to be discharged to the leach field is substantially the same as raw water extracted from DEX-6 and is well within all applicable standards for drinking water quality. **Therefore, there would be no impact to water quality in the area near the leach field**" (bolded in original).

Comment: This statement is deceptive both by omission and fact. Both the "rinsewater" and "floor water" discharge are permitted under the WDR, and to omit the acetone-impacted floor water from consideration misleads the reader. And to state that there would be no impact to water quality, when their own data shows organic solvent contamination of the effluent stream, defies their own laboratory analysis submitted to the RWQCB.

claims are pre-1914 (Gunbee pers. comm., 1997). Any projected reduction caused by operation of the facility is not projected to disrupt existing water rights.

Therefore, no significant impacts to Big Springs Creek are anticipated in terms of substantially impacting in-stream flows or affecting downstream uses during critical periods.

Groundwater Impact 4 (GW4): Groundwater Quality Impact from Leach Field Discharge.

Construction of the leach field would allow Dannon to discharge rinsewater to the aquifer beneath the facility. Rinsewater is used during production to remove dust particles that occur during production of the plastic bottles. Aside from the small amount of inert dust, however, the rinsewater is substantially the same quality as water withdrawn from the aquifer. Table 5-1 provides summary data from a detailed water quality analysis performed on the rinsewater and raw water directly from DEX-6. A certified laboratory, using standard practices for determination of water quality characteristics, performed water quality tests.

TABLE 5-1
Water Quality Analysis Summary Data

| Analyte | Raw Water Result | Rinsewater Result | Units | Minimum Detection Limit |
|------------------------|------------------|-------------------|--------------------|-------------------------|
| Silver, total | ND | ND | mg/L | 0.010 |
| Arsenic, total | 1.2 | 1.2 | $\mu\text{g/l}$ | 1.0 |
| Beryllium, total | ND | ND | mg/L | 0.0010 |
| Cadmium, total | ND | ND | mg/L | 0.005 |
| Chemical Oxygen Demand | ND | ND | mg/L | 5.0 |
| Chromium, total | ND | ND | mg/L | 0.010 |
| Copper, total | ND | ND | mg/L | 0.010 |
| Specific conductance | 93 | 95 | $\mu\text{mho/cm}$ | 4.0 |
| Mercury | ND | ND | $\mu\text{g/L}$ | 0.20 |
| Nickel, total | ND | ND | mg/L | 0.020 |
| Lead, total | ND | ND | $\mu\text{g/L}$ | 0.50 |
| Lab pH | 7.2 | 7.2 | Units | 0.0010 |
| Antimony, total | ND | ND | $\mu\text{g/L}$ | 1.0 |
| Selenium, total | ND | ND | $\mu\text{g/L}$ | 5.0 |
| Total dissolved solid | 130 | 100 | mg/L | 10 |
| Thallium, total | ND | ND | $\mu\text{g/L}$ | 1.0 |
| Zinc, total | ND | ND | mg/L | 0.020 |

ND = not detectable.

$\mu\text{g/L}$ = micrograms per liter.

$\mu\text{mho/cm}$ = micromhos per centimeter.

Note: The national drinking water standard for arsenic is 50 $\mu\text{g/L}$.

Water quality results indicate that the rinsewater proposed to be discharged to the leach field is substantially the same as raw water extracted from DEX-6 and is well within all applicable standards for drinking water quality. Therefore, there would be no impact to water quality in the area near the leach field.

Surface-water Impact 2 (SW2): Surface-water Impact from Stormwater Discharge. Expansion of the facility from two to three water bottling lines would not impact the amount of impervious area at the site because the third line would be installed in the existing facility. Therefore, there would be no additional impact to water running off the property.

Stormwater flows are collected and held in two retention basins capable of withstanding a 100-year, 30-minute rainfall event (see Figure 5-7). The retention basins hold water flowing across the impervious portion of the site to contain flows onsite. The basin then drains via a 5-inch pipe, located at the southernmost end of the basin, along a ditch that parallels the McCloud Railway through the site, under Mt. Shasta Boulevard, and into the City drainage system, eventually discharging into North Fork Cold Creek. Minimal quantities of fuel, oil, and lubricants associated with truck and passenger vehicle use that could be mobilized by storm flows are contained by a central trap consisting of a sand media prior to water entering the detention basin. This addition, as well as the re-forestation of the majority of the site, were major improvements over the existing condition, where previously, significant unimpeded flows were conveyed into the existing Field Street stormwater system and then discharged into North Fork Cold Creek.

Section 402(b) of the CWA establishes the framework for regulating stormwater discharges under the National Pollutant Discharge Elimination System (NPDES) Program. The regulations require that stormwater associated with industrial activity that discharges directly to surface waters must be regulated by an NPDES permit. If necessary, an SWPPP will be prepared for the plant. The general permit that would be required includes development and implementation of an SWPPP emphasizing BMPs. The General Permit requires development and implementation of a monitoring program to sample stormwater locations. Monitoring would be required of the discharge of storm water from the 5-inch pipe and would include at a minimum total suspended solids, pH, specific conductance, and oil and grease.

Water quality impacts to surface waters including North Fork Cold Creek and Big Springs Creek are anticipated to be less than significant because the stormwater detention facilities include sand filters that effectively protect receiving surface waters. Additionally, further actions may be required under the CWA that would ensure the protection of these waters. Therefore, the impact from construction of the leach field and the expansion is less than significant.

Mitigation

Mitigation GW2: None Required. Operational impacts from the current water bottling facility, as well as the proposed expansion to a third water bottling line, to adjacent groundwater users are considered to be less than significant; therefore, no mitigation is required.

WASTE DISCHARGE REQUIREMENTS ORDER NO.
 DANONE WATERS OF NORTH AMERICA
 DANNON NATURAL SPRING WATER BOTTLING FACILITY
 SISKIYOU COUNTY

36,000 gpd. The expansion would result in a total average flow of 60,000 gpd and a total maximum flow of 108,000 gpd for the three lines. The Report of Waste Discharge describes the discharge as follows:

| <u>Constituent</u> | <u>Bottle Rinse Water</u> | <u>Floor Water</u> |
|------------------------|---------------------------|--------------------|
| Specific Conductance | 95 μ mhos/cm | 113 μ mhos/cm |
| Total Dissolved Solids | 100 mg/l | 140 mg/l |
| pH | 7.2 | 6.9 |
| COD | -- | 64 mg/l |
| Acetone | -- | 109 μ g/l |
| Arsenic, Total | 1.2 μ g/l | -- |
| 2-Butanone | -- | 11 μ g/l |
| Zinc, Total | -- | 29 μ g/l |

Analyses of the bottle rinse water and floor water for priority pollutant metals and organics indicated no other constituents were detected.

4. The proposed leachfield is located immediately to the south of the existing bottling facility as shown on Attachment B, a part of this order. The leachfield will initially consist of 1,683 lineal feet (9 lengths of 187 ft) of 4-inch diameter perforated polyethylene leachline about 16 inches below ground surface. The initial leachfield area is approximately 0.55 acres and will be designed to handle the maximum 72,000 gpd discharge. The Discharger has made provision in the leachfield design to accommodate the additional 36,000 gpd maximum discharge for a total maximum flow of 108,000 gpd. If the third bottling line were installed, the leachfield would expand to 14 lengths of leachline (2,520 lineal feet) and comprise approximately 0.83 acres. Flow to the leachfield would be by gravity and will be measured by a turbine type flow meter immediately upstream from the leachfield. From October through March, discharge to the leachfield will average 50 % below capacity. The system will have the capacity for one portion of the leachfield to be shut off for a "rest period". The flow to each system area can be changed at the splitter box located at the head of the system. Specific leach line flow can be controlled at each distribution box.
5. Soils in the leachfield area consist of compact loams over extremely cobbly moderately hard sandy loam to loamy sand. The percentage of cobbles, stones and boulders increases with depth. No restrictive layers have been encountered. Percolation rates in the area of the leachfield range from 6-14 minutes per inch. The level of groundwater in the vicinity of the leachfield is approximately 40 ft below ground surface (bgs).
6. Four piezometers (shallow groundwater monitoring wells) will be installed within the leachfield to monitor groundwater levels resulting from leachfield operations. The Discharger is proposing to install two down gradient monitoring wells, screened at a depth to monitor the quality of the groundwater resulting from leachfield operations. An existing

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM NO.
FOR
DANONE WATERS OF NORTH AMERICA
DANNON NATURAL SPRING WATER BOTTLING FACILITY
SISKIYOU COUNTY

EFFLUENT MONITORING

The discharge of bottle rinse/floor wash wastewater to the leachfield shall be monitored as follows:

| <u>Parameter</u> | <u>Units</u> | <u>Type of Sample</u> | <u>Sampling Frequency</u> |
|------------------------------|-----------------|-----------------------|---------------------------|
| Flow | gallons per day | Flow meter | Daily |
| Specific Conductance | µmhos/cm | Grab | Weekly ¹ |
| Total Dissolved Solids | mg/l | Grab | Weekly ¹ |
| pH | units | Grab | Weekly ¹ |
| Chemical Oxygen Demand (COD) | mg/l | Grab | Weekly ¹ |
| Total Coliform Organisms | MPN/100 ml | Grab | Weekly ¹ |
| Priority Pollutants-Metals | µg/l | Grab | Annually |
| Priority Pollutants-Organics | µg/l | Grab | Annually |

¹ The sampling frequency may be reduced to monthly after one year of sampling upon approval of the Executive Officer.

GROUND WATER MONITORING

Piezometers

Each of the Piezometers within the leachfield shall be monitored for depth to groundwater from the surface as follows:

| <u>Parameter</u> | <u>Units</u> | <u>Type of measurement</u> | <u>Measurement Frequency</u> |
|-----------------------|--------------|----------------------------|------------------------------|
| Depth beneath surface | feet | Visual | Weekly |

Daniel Axelrod, Ph.D



November 30, 2014

Tammy Laphorne, Deputy Clerk
City of Mt. Shasta
305 North Mount Shasta Blvd.
Mt. Shasta, CA 96067

Dear Ms. Laphorne:

As a community member and an active Professor Emeritus of Physics of the University of Michigan, I hereby submit the following list questions that need to be addressed in an EIR. These questions are in response to the recently released Mt Shasta Sewer Line Improvements Project Notice of Preparation (NOP).

I am requesting *scientifically valid* answers to these questions, both about the impact of CG pumping on the local hydrology, and the effect on the local economy. The questions are motivated by the oft-repeated but possibly dubious Crystal Geysers (CG) assertions that pumping at their main production well will have negligible effects on groundwater, and will have positive effects of the local economy. The questions here are in bold, followed by an explanation to clarify the meaning. These questions should be answered not by a repeat of the poorly based assurances as publicized by CG (and their hired firm Geosyntec) which were apparently designed mainly to pacify the public, but rather by actual data and logic which would be more persuasive.

It is unfortunate that the NOP focuses almost exclusively on the sewer line, rather than also on issues that need to be considered in the promised "expanded EIR". Hopefully, this inappropriate narrowing of the focus will not continue.

HYDROLOGY QUESTIONS

(1) **How well-understood is the hydrology of Mount Shasta?** CG claims it is well-understood, but several independent and well-qualified hydrologists in the region say it is poorly understood. A good understanding means knowledge of the size, course, flow rate, and interconnections of subterranean water flows through alluvial beds and through fractured lava at all relevant levels.

(2) **To what extent is the water available at CG's DEX-6 actually known to be otherwise headed toward Big Springs?** CG says their projected pumping rate is 1% of the flow at Big Springs. But this is relevant only if all the water at DEX-6 was otherwise headed to Big Springs. If the DEX-6 water is primarily headed elsewhere, this 1% figure is irrelevant.

Previous studies (by the Source Group) extrapolated from an indirect connection: (a) a hydraulic connection (i.e., depletion of groundwater at DEX-6 leads to a depletion at monitoring well DEX-3A), and (b) a tracer connection (of unreported strength) of DEX-3A to 3 out of 5 sites in Big Springs. Since some (perhaps small) amount of DEX-6 water might have been otherwise headed toward Big Springs,

Dannon could claim DEX-6 could be certified as "spring water" for commercial labeling. But no direct tracer connection was ever established between DEX-6 and Big Springs, much less quantified. What is the quantitative actual connection between DEX-6 and Big Springs? Or is the DEX-6 water actually headed elsewhere so that its depletion might influence other locations?

(3) Was flow in Big Springs Creek ever measured reliably? The available data contains a number of quirks and inconsistencies that cast doubt on its veracity. For example, the data shown by CG/Geosyntec show sudden spike-like *decreases* in Big Springs Creek water level that occur right after heavy precipitation events. Surface runoff would be expected to cause *increases*.

(4) To what extent will pumping at DEX-6 affect other wells in the surrounding area? It is conceivable, perhaps likely, that withdrawal from the DEX-6 (which was drilled deep into fractured andesite), might cause water percolating through the overlying alluvial layer to drop in level as it refills the andesite layer below. This would negatively affect the neighboring wells (both private and city-owned, mostly drilled shallow into alluvial ground). Was this possibility actually tested?

There is a bathtub analogy here. A full bathtub with running water flowing in through the faucet has two drains: the high overflow drain and the low main drain at the bottom. Consider the high overflow drain as being analogous to shallow alluvial wells, the main drain at the bottom being analogous to the deep andesite-drilled DEX-6, and the input faucet analogous to precipitation. In this analogy, opening up main drain at the bottom will cause the water level to drop below the overflow drain at the top. The flow at the bottom (i.e., DEX-6) is thereby increased while the flow at the top (i.e., neighboring wells) is consequently decreased. This analogy is of course oversimplified, but the actual complications make a serious study even more imperative and the outcomes even more unpredictable. The oversimplification is not an excuse to ignore the question, as CG/Geosyntec has done in all of their prior public statements.

(5) What has been the historical relationship between (a) groundwater levels at the production well and monitoring wells and (b) the actual rate of pumping? The publicly available data on this important point is skimpy but more crucial information may be available if Dannon/Coca-Cola/CG can be induced to provide it.

(6) At what altitude and locations are the sources of DEX-6 water? Can overpumping at DEX-6 disrupt the natural flow pattern so that more water flows toward DEX-6 rather than other paths?

(7) Is there a maximum rate of DEX-6 pumping, over which depletion of surrounding wells will become a problem? What is that rate? This maximum rate is important to know so reasonable and enforceable caps can be imposed.

(8) Would a pumping-induced drop in the level of shallow aquifers affect water available to trees in the nearby forests? This would weaken trees by reducing their access to water percolating up from shallow aquifers and flow channels. The weakening might lead to drying, death, and increased fire hazard (and consequent reduction in outdoor-oriented tourism).

(9) **What will be the maximum rate of withdrawal by CG in full build-out?** CG is presently talking about one or two production lines, but is it possible they may eventually increase to more? If so, the full build-out pumping rate should also be evaluated for environmental impacts.

(10) **Will overpumping lead to a permanent rerouting of underground flow patterns?** This could conceivably occur if certain underground channels collapse when they no longer carry water due to combined effects of drought and overpumping. Collapse has been observed at other locations (e.g., the Central Valley), attributable to overpumping. Has there ever been a study of this possibility here and at what depletion level/pumping rate it might be triggered?

(11) **What is the recovery time for groundwater levels lowered by pumping at DEX-6?** "Recharge times" evidently have never been measured after long-term pumping. The only measurement reported by Geosyntec has been after a short 60-hr pumping episode. But recharge times are likely to increase greatly with prolonged pumping because it produces a much deeper and wider depletion zone. The recharge times should be measured both at DEX-6 itself and at surrounding alluvial wells within a mile at least.

(12) **Can overpumping affect the water quality?** Can the load of impurities in the groundwater - silt, minerals, and toxic pollution (from point sources such as the Erickson Trucking oil spill several years ago across the street from the present CG) - be affected by changes in the flow rate or direction of underground streams as a result of heavy pumping?

ECONOMIC QUESTIONS

Economic affairs clearly affect the local environment, in ways well-studied and too numerous to mention here. What is the real effect of a major plastic bottle molding and fruit juice production heavy industrial operation in an area mainly known as a tourism and retiree destination? Specifically:

(13) **How many jobs will be created?** Crystal Geysers's plant is likely to be highly automated, so the number of initial jobs for setup are likely quite different from long term jobs. CG's assurances on this subject are not adequate: a look at similar operations across the country - including CG Weed - is required.

(14) **Are these jobs at wages that will keep worker families well above the poverty line?** The average pay of \$32K (as computed from CG announcements) means that half the workers will get even less than that. And a corollary question:


(15) **Does this level of wages help the county's tax rolls or is it an additional burden because of increased services and police required without much concomitant increase in property tax and business?** Bigger is not necessarily better. The experience of large US cities clearly demonstrates that population size does not necessarily increase quality of life or economic vitality; often the opposite is true.

(16) **Is the CG plant good or bad for the local economy?** Many factors need be considered here, not just "jobs" and "tax rolls" as if that was the only effect of CG's plant. The Mt. Shasta area is a mecca for tourists and retirees. Conversion of part of the city into an active industrial operation with its noise, air pollution (from plastic molding fumes and truck exhaust), truck traffic, and visual pollution, might make the area less desirable for tourists and retirees, a clear money-loser in the very arena that is the basis of Mt. Shasta's economy.

(17) **What happens to the local economy when/if CG vacates their new plant?** This is not an idle hypothetical question. In the last ten years, the CG site has seen three different owners, including a complete shutdown and evisceration of all the equipment, transported to distant sites and leaving an empty shell. Corporations "move on" due to all kinds of considerations: sales, competition, consolidation, depletion of the resource (in this case, lack of water due to drought), new state regulation, etc. CG is far from immune from such reversals in corporate policy, particularly as a subsidiary of a large foreign pharmaceutical corporation with no real historical ties to the community.

(18) **To what extent will an economic player with financial and legal resources that dwarf anything local be able to "call the shots" on a wide variety of local public issues, including parks, environmental protection, new shopping centers, and electoral campaigns?** Particularly in view of the Citizen's United Supreme Court decision making political contributions and influence difficult to trace, will local democracy be subverted as Mt. Shasta essentially becomes a "company town"?

Please send me an email reply acknowledging receipt by the City of this letter. Also, please send e-copies to all City Council members and to the City Manager. Thank you.

Best regards, Daniel Axelrod (Ph.D. in Physics, UC Berkeley), 

To:
Ms. Tammy Laphorne, Deputy City Clerk
City of Mt. Shasta
305 North Mt. Shasta Boulevard
City of Mt. Shasta, CA 96067
Phone: (530) 926-7510
E-Mail: TLaphorne@mtshastaca.gov

From:
Bruce Hillman

Comments and questions on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Mount Shasta Sewer Line Improvements Project.

The title of the "Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Mount Shasta Sewer Line Improvements Project" contains the major problem of the notice in its name. The purpose of a NOP is to disclose to decision makers, public agencies and public at large the potential significant environmental effects of the proposed activities. However the NOP leaves out any discussion of the environmental effects of the building and operation of the new Crystal Geyser plant, the co-funder and *raison d'être* for the sewer line improvement. The project purpose of the NOP does mention the need "to accommodate additional wastewater flows from the Crystal Geyser bottling facility, but NONE of the project objectives even mentions the building, operation and effects of the Crystal Geyser plant itself (page 7 NOP). The NOP also is misleading the public and interested agencies in stating, "Crystal Geyser proposes to reopen the existing bottling facility" (page 6 NOP). There is no "existing bottling facility" only an empty building with all previous equipment removed. One might as well describe the building as a "Disaster Relief Storage and Distribution Facility", since that was its last use after the Boles Fire. The proposed Crystal Geyser bottling facility operations are described in the NOP but NO mention or description is made of the potentially serious environmental effects of such plant operations. The maps and diagrams attached to the NOP do not even show the Crystal Geyser plant. Under the section *Environmental Issues and Potential Environmental Impacts* (page 7 NOP) there is one sentence: "For purposes of the Draft EIR, the physical conditions in the vicinity of the proposed project include the bottling facility and its existing physical structures." There is no explanation of what the "existing physical structures" really are and no explanation of the potential effects of the building and operation of the proposed bottling facility.

The NOP lacks basic information to, as CEQA requires, give the public a chance to understand the potential environmental impacts of the project. Incredibly, the NOP fails to identify any feasible alternatives to minimize or eliminate altogether a project's significant environmental impacts, as mandated by CEQA.

At the November 12 "Public Scoping Workshop" hosted by PACE/NSR four additional sewer line alternative plans were presented to the public for the first time. None of these alternatives were mentioned in the NOP and so no one other than those members of the public attending are now aware of these "alternatives" and NONE of the public agencies have been informed of these alternatives. Furthermore releasing these alternative plans on November 12 denies everyone the 30-day period to comment. How can State agencies and members of the public submit informed comments on plan alternatives that were

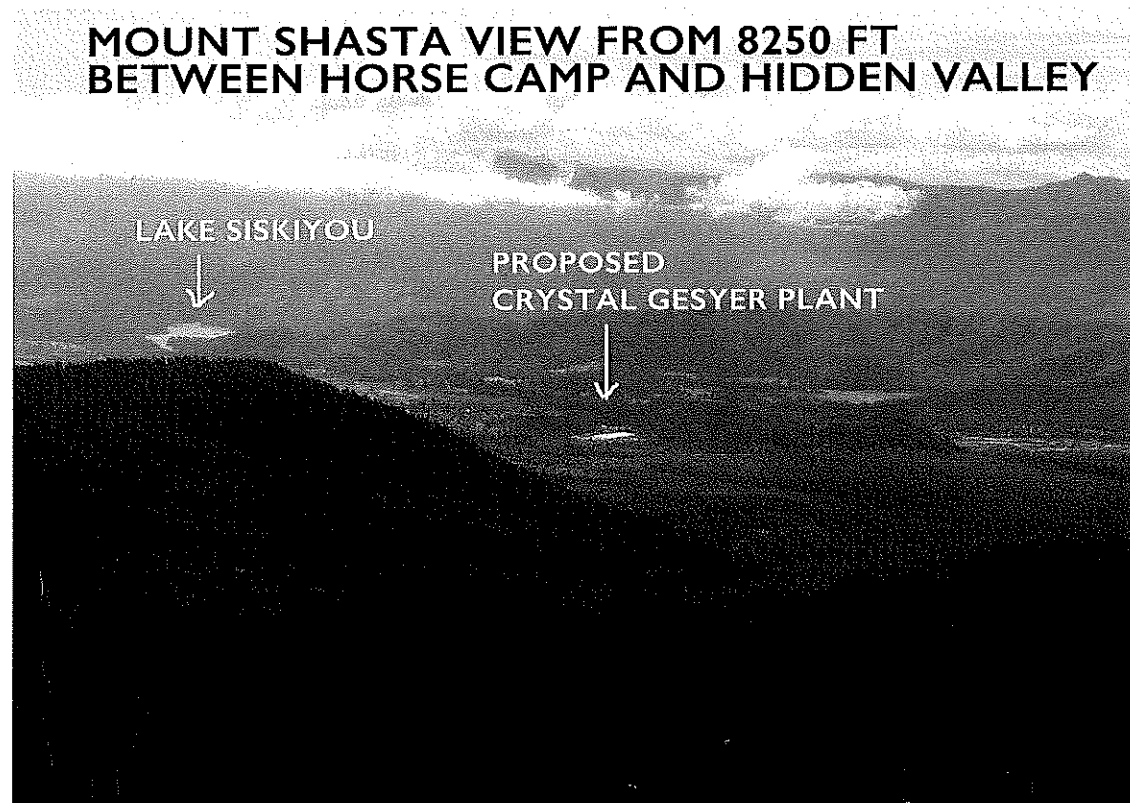
never disclosed in the original NOP?

The purpose of an NOP is to “solicit guidance from members of the public agencies as to the scope and content of the environmental information to be included in the EIR.” CEQA Guidelines § 15375; see also CEQA Guidelines § 15082. In order to effectively solicit such guidance, the NOP must provide adequate and reliable information regarding the nature of the Project and its probable environmental impacts. The tacking on of a grab bag list of potential issues at the end of the report and releasing project alternatives at a later date is not an adequate or specific disclosure of the issues at stake. The City’s NOP does not meet the minimum standard for adequacy in this regard. We respectfully request that the City revise and recirculate its NOP in order to remedy this serious problem

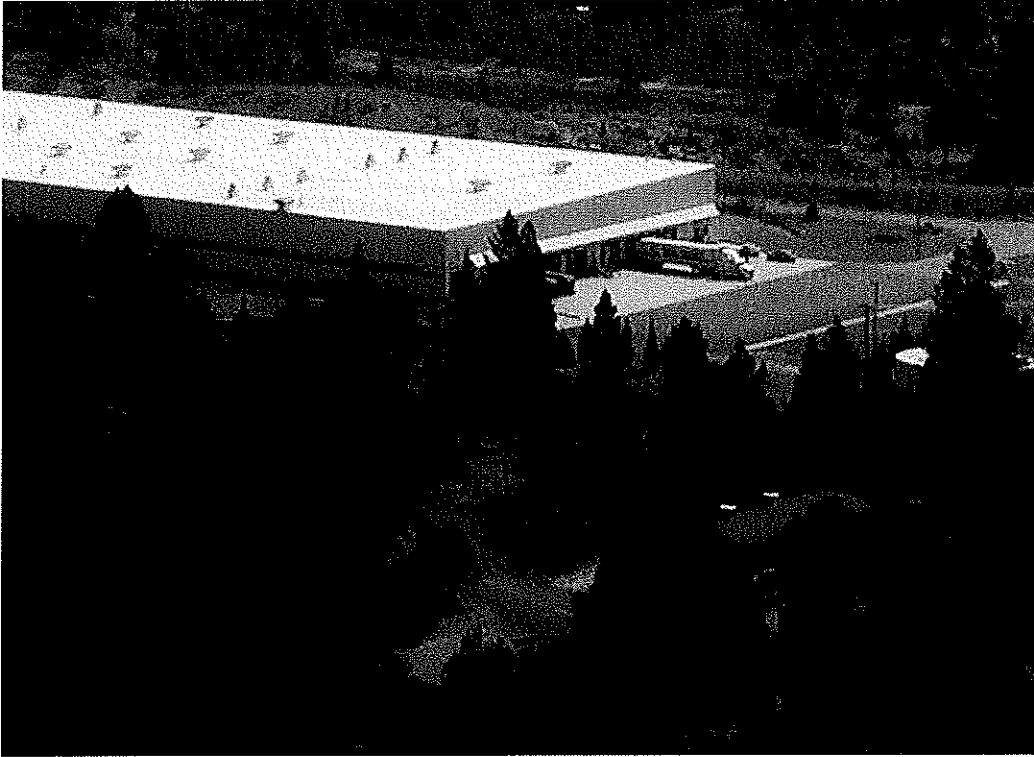
Comments on Aesthetic Issues

The EIR must analyze the impacts of the proposed Project on aesthetics including scenic vistas, scenic resources, and the juxtaposition of the proposed development with the existing community. The lack of any meaningful analysis or enforcement of mitigations of the previous owners environmental impact is no excuse to ignore these issues. The Mount Shasta area is one of the premiere hiking and outdoor recreation areas in the Western United States. It is a major destination for both serious mountain climbers and casual hikers. The proposed plant will be the largest and most visible structure in the entire Mount Shasta area negatively impacting the views from all of the numerous hills and mountain ranges surrounding Mount Shasta City.

Here is a view from one of the main hiking trails on Mount Shasta.



Here are views of the proposed plant from popular Spring Hill trail just Northwest of the plant.



From farther up Spring Hill.



Given the Project's substantial size and view obstruction, it will be particularly important to disclose the Project's aesthetic impacts and propose meaningful alternatives or mitigations.

The previous owners of the building signed a negative mitigation agreement with the Regional Water Control Board agreeing to moderate the visual impact of the plant.

Agreeing in part to:

Building and free-standing signage will be constructed of non-reflective materials and will not be internally illuminated.

- Elevations and specifications will describe materials and color selection.

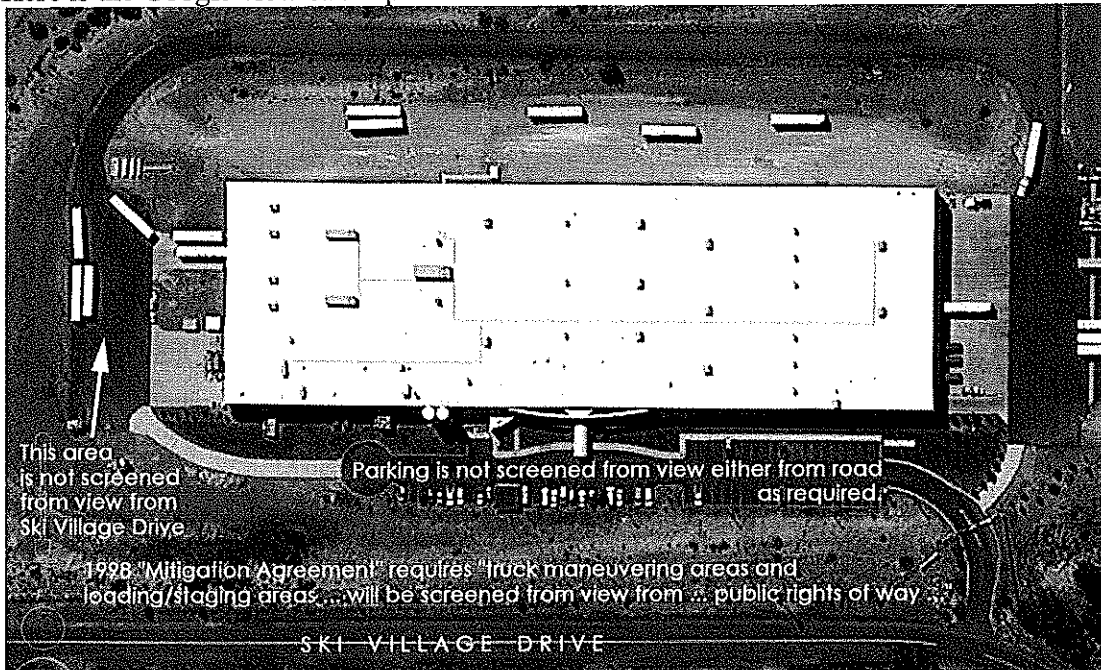
The applicant will work with the City and County to determine a mutually acceptable theme.

- Truck maneuvering areas and loading/staging areas, and all outdoor mechanical equipment, will be screened from view from adjacent properties and public rights-of-way using landscaping, screening, earthen berms, or such means to accomplish screening to the degree commercially feasible. A landscape plan for the proposed project site with line-of sight cross sections should be prepared and provided to the City for review.

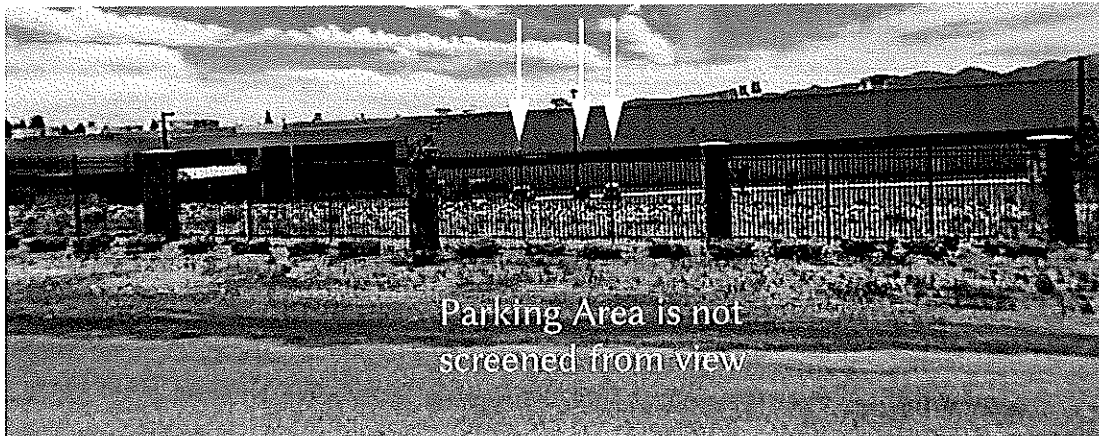
- The public/employee parking area will be screened from view from Ski Village Drive using landscaping, a landscaped berm, 10ft wall, or such means to accomplish screening to the degree commercially feasible. The screen should be placed outside the building setback area to maximize its effectiveness.

However none of the mitigations agreed to were implemented or enforced. The building is painted bright white and no serious view blocking landscaping has ever been put in place. The previously agreed to mitigations need to be addressed and strengthened.

Here is the Google view of the plant with notes



Here is the view of the plant from Ski Village Drive:



The EIR must address the substantial issue of visual blight and aesthetics of the plant.

Light effects of the Crystal Geyser plant

Mount Shasta and its surrounding area is a relatively pollution free area of the state with impressive nighttime views of the stars and sky. Light pollution caused by industrial development and indiscriminate outdoor lighting is a serious threat to this important and increasingly rare outdoor resource.

The Siskiyou County codes for lighting states:

- Sec. 10-6.5602. - Light, glare, and heat.

Exposed sources of light, glare, or heat shall be shielded so as not to be directed outside their premises. (§ I, Ord. 86-26, eff. August 21, 1986)

However many near by residents have complained about the nighttime lighting of the plant under its previous owner. During testimony to the Central Valley Regional Water Control Board on the application of Dannon (previous operator of the plant) for a discharge permit more than a dozen Mount Shasta residents opposed the permit, asking the plant to curb its noise and light levels. They said the company has been operating at noise and light levels that are too high. (*Redding Searchlight*: Sept. 8, 2001).

Crystal Geyser Plant zoning of M-H is incompatible with County General Plan.

The NOP fails to discuss potential land use planning conflicts. An EIR evaluates not just a project's real-world environmental impacts. It also must analyze whether a project is consistent with local planning laws. CEQA considers an inconsistency between a project and the local laws to also be a significant environmental impact.

The zoning of the lot containing the Crystal Geyser plant is currently zoned Heavy Industrial (M-H). This is in conflict with the plant area being designated a "Woodland Productivity" area in the County's General Plan. A Woodland Productivity area does not allow Heavy Industrial Zoning, only Light Industrial. The Siskiyou County General Plan Land Use Policies on Woodland Productivity areas states this in Policy 32:

Policy 32. Single family residential, light commercial, light industrial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi public uses only may be permitted.

See "Land Use and Circulation Element" at http://www.co.siskiyou.ca.us/sites/default/files/docs/GP_LandUse-CirculationElement.pdf

The County's allowing a heavy industrial use contradicts that; policy #32 that does not allow heavy industrial use. Manufacturing of plastics is not permitted under light industrial use zoning.

Issues of Crystal Geyser effluent, the interceptor line and the WWTP.

The original application for the EDA grant funding the sewer line expansion included explanation of a funding for expansion of the WWTP to accommodate the waste flows from the proposed CG plant:

This project encompasses improvements to the City of Mt. Shasta's wastewater system that serves areas in both the City and County. These improvements include upsizing approximately 7300 feet of main sewer interceptor line from 12 inch to 30 inch line and building two to three new storage lagoons at the wastewater treatment facility to accommodate flows from the bottling plant and future development.

The NSR scope of work document to the City of Mt. Shasta concerning the "EDA-Funded Wastewater Interceptor and Wastewater Treatment Plant Improvements" dated Dec 12, 2013 stated as point 2 (of 2) of the project goals:

2. *Providing aeration improvements to the City's existing static-tube diffused air aeration system to accommodate increased flows and biological loading from the proposed Crystal Geyser Bottling Facility, which is located on land under the jurisdiction of Siskiyou County. These improvements will be considered interim until the City completes its Wastewater Treatment and Effluent Disposal Feasibility Study which is due in June 2014.*

In an email dated Dec 11, 2013 from Paul Reuter of PACE to City manager Paul Eckert the needs for WWTP improvements were detailed:

Wastewater Treatment Plant Improvements: *The WWTP improvements proposed in the EDA grant application for accommodating the Crystal Geyser flows consisted of the following:*

- *Add two aerated lagoons*
- *New headworks for lagoons*
- *New effluent piping to blend lagoon and filter effluent*
- *Increase reclamation pumps to 200 HP*
- *Increase capacity of existing lagoon piping*
- *Electrical/controls modifications*

- *Miscellaneous improvements*

Further in this same email Paul Reuter states:

Crystal Geyser Flows and Waste Strength: Initially, Crystal Geyser indicated it will discharge 0.75 MGD into the City's sewer system at ultimate build-out. More recent discussions with Crystal Geyser have revealed their ultimate wastewater discharge could be significantly less by incorporating more efficient processing technology. Initial flows could be in the 0.05 MGD range. It will be important to determine and evaluate the anticipated flows from Crystal Geyser as part of initial design so that the interim and state-mandated WWTP improvements can be designed accordingly.

However the NOP blandly states on page 6:

*According to Crystal Geyser, it is anticipated the first bottling production line will generate up to 25,000 gallons per day (GPD) of wastewater. A second production line, expected 5 to 7 years after start-up, could potentially generate an additional 25,000 GPD. The City's existing WWTF has enough surplus capacity to accommodate up to 100,000 GPD without any improvements. **Therefore, no improvements to the WWTF are proposed as part of this project.***

The NOP also states:

As indicated above, wastewater flow rates from the proposed bottling facility are expected to be about 25,000 gallons per day (GPD) for the first production line and could potentially double to 50,000 GPD when a second production line is added in 5 to 7 years. Based on wastewater strength data provided by Crystal Geyser from a similar facility in Bakersfield, California, it is believed the overall waste strength will be slightly less than typical municipal wastewater. However, waste strengths will be somewhat higher concentrated during flavor changes. Therefore, it will be important to meter this waste into the wastewater collection system over time so as not to upset the biological treatment processes at the WWTF.

However NSR had earlier disclosed in their Scope of Work:

During early discussions with Crystal Geyser, they provided anticipated discharge flows and waste strength based on a similar facility they own and operate in Bakersfield, CA. The Bakersfield facility is considerably smaller than the anticipated facility in Mt. Shasta.

Below is a summary of discharge characteristics from this facility:

- Average Daily Wastewater Flow: 0.058 MGD
- Average Annual Waste Strength: 120 parts per million (ppm)
(Not including flavor changes)
- Average Volume of Flavor Changes: 5,000 Gallons

- Estimated Strength of Flavor Change Waste:
 - Juice Squeeze: 1,600 ppm
 - Mineral Water: 440 ppm
 - Tea: 1,000 ppm (Assumed)
- Frequency of Flavor Change: One per month

The waste strengths during flavor changes are more than “somewhat higher” they are 4 to 13 times as high (from 120ppm to 1600ppm)!

The Bakersfield data (supplied by CG?) in the NSR scope of work is interesting, but also confusing. Wastewater strength is typically measured as biochemical oxygen demand (BOD) or total organic carbon (TOC). So unless they have a magic "strengthometer", it's not clear what's meant by wastewater strength in parts per million.

There also needs to be a much more detailed estimate of the Crystal Geyser wastewater and flow characteristics, so that its impacts on the plant can be better assessed. For example, how will sudden flow surges of high concentration waste impact the plant when Crystal Geyser cleans out their tanks? The flow surges in conjunction with the higher concentrations could be a problem.

- **What is the effect of these concentrations on the operation of the WWTP?**
- **Why is the previously acknowledged need for the WWTP to be upgraded to accommodate the increased flows and biological loading from the proposed CG plant been dismissed in the NOP?**
- **Why are not the environmental effects of Crystal Geyser effluent on WWTP processing revealed or discussed in the NOP? If a “more efficient processing technology” is the reason for this why is this not discussed and what is this technology and its effects?**

By leaving these plans and issues out of the NOP, once again the public is denied its chance to know of these plans and discuss and comment on them in a timely manner.

Plastic Pollution and landfill issues:

According to the NOP, Crystal Geyser plans to pump 217, 000 gallons of water per day with two bottling lines and dispose 50,000 gallons a day into the Mount Shasta waste water treatment plant. This leaves 167,000 gallons a day to be bottled. With a 32 ounce bottle this means **668,000 plastic bottles a day will be produced!** While these are, of course, rough approximations the number of plastic bottles produced will be immense. The pollution in production of these bottles and the landfill and waste pollution must be analyzed and considered in the EIR. Plastic beverage containers have caused the state recycling program to run large deficits. An evaluation of the impact on local and state solid waste landfills and recycling programs must be part of the Draft EIR. The carbon footprint of plastics was not fully appreciated at the time of the permitting of the Dannon/ CocaCola plant. This is new information and must be addressed.
<http://www.latimes.com/local/lanow/la-me-ln-recycling-program-deficits-20141106-story.html>

QUESTIONS FOR THE Draft EIR.

- 1.) Will the NOP be corrected and reissued given the misleading descriptions and lack of alternatives only later presented at the Public Scoping Meeting?
- 2.) Will the previous negative mitigations agreed to by previous owners be retained and enforced?
- 3.) How will the degradation of the Shasta Valley views caused by the plant be addressed?
- 4.) How will the light pollution caused by unshielded outdoor lighting be addressed?
- 5.) What is the effect of ignoring the County's own general plan land use guidelines?
- 6.) What is the effect of 50,000 gallons per day of potentially high sugar content wastewater on the operation of the WWTP?
- 7.) Why is the need to upgrade the WWTP left out of the NOP when this was proposed in the EDA grant and NSR scope of work letter?
- 8.) What are the pollution effects caused by the manufacturing and disposal of hundreds of thousands of plastic bottles a day?

Thank you,
Bruce Hillman
Mount Shasta

December 1, 2014



To:
Ms. Tammy Lapthorne, Deputy City Clerk
City of Mt. Shasta
305 North Mt. Shasta Boulevard
City of Mt. Shasta, CA 96067
Phone: (530) 926-7510
E-Mail: TLapthorne@mtshastaca.gov

From: Siskiyou Progressive Alliance

Comments and questions on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Mount Shasta Sewer Line Improvements Project

On May 8, 2012, the California Attorney General's office released a report entitled "Environmental Justice at the Local and Regional Level – Legal Background" which stated:

Cities, counties, and other local governmental entities have an important role to play in ensuring environmental justice for all of California's residents. Under state law: "Environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. (Gov. Code, § 65040.12, subd. (e).)

Fairness in this context means that the benefits of a healthy environment should be available to everyone, and the burdens of pollution should not be focused on sensitive populations or on communities that already are experiencing its adverse effects.

The current sewer line expansion plan, the environmental effects of the Crystal Geysers plant and the related WWTP upgrade plan must be analyzed together and the cost paid by low income local tax payers must be considered. There are Residents of Mt. Shasta who are on fixed incomes, low income, and currently suffer from food insecurity. How will this project affect these residents? Who will pay if extra treatment for the sugary effluent from Crystal Geysers is needed to meet wastewater discharge

standards? Similar beverage bottling plants have overwhelmed local waste treatment facilities. For example the web site <http://www.triplepundit.com/2012/03/northampton-coca-cola/> reported:

Northampton, a town of 29,000 people in Western Massachusetts, is home to a Coca-Cola plant that churns out several of Coke's fruit juice lines. And that plant is also churning out wastewater that is becoming to expensive for Northampton's wastewater treatment facility to process. Rising costs and the possibility of tensions increasing between a city and one of its largest employers is an example of how municipalities end up fronting and subsidizing the costs of a large company's operations.... To deal with the additional costs, Northampton is considering increasing wastewater processing rates by as much as 23 percent.

It is imperative that local low-income taxpayers not pay for the sewage overloads caused by Crystal Geyer waste effluent.

Enlarging the sewer lines and sewer plant will allow growth and increased discharge. In the summer time Mt. Shasta currently disposes most of the sewage discharge to the golf course. This is very economical compared to the expense of pumping to the leach field. Who will pay for this added expense when the golf course is unable to utilize the extra water/sewage?

WWTF RWQCB Violations and project segmentation.

The NOP states that the existing wastewater plant is not able to currently meet the RWQCB effluent limits for various constituents with the current capacity (NOP page 3). How can the City to allow an additional wastewater load from an industrial user before improvements have first been made at the treatment plant that will ensure compliance?

The City seems to imply in the NOP that the installation of the interceptor line is part of the solution to the problem. This is not a solution at all; it will further overload the treatment plant. The WWTF improvements currently planned need to be made before the load to the plant can be increased.

The NOP last paragraph on page 3 states:

On October 4, 2012, the Central Valley RWQCB issued new waste discharge requirements for the City's wastewater treatment facility (Order R5-2012-0086, NPDES No. CA0078051). The new permit's effluent limits

will require substantial modification to the City's current treatment process.

This seems to contradict the statement on page 6 that states:

"The City's existing WWTF has enough surplus capacity to accommodate up to 100,000 GPD without any improvements. Therefore, no improvements to the WWTF are proposed as part of this project."

There may be enough physical capacity, but if the plant can't meet the new discharge standards, there is no surplus loading capacity. This also further indicates why the WWTF and the Crystal Geysers sewer expansion cannot be segmented into separate projects but must be considered together.

How will the city comply with Municipality code 13.95.030?

Considering the indirect effects on city ground water supply from Crystal Geysers water extraction a permit should be required for export use outside the City. The Crystal Geysers plant is **not** a "commercial bottling water enterprise" but a beverage manufacturing plant.

Municipality code 13.95.030 states:

- It shall be unlawful to extract groundwater underlying the City, **directly or indirectly**, for use of that groundwater so extracted outside City and/or County boundaries, or use that groundwater so extracted to replace water transported outside City and/or County boundaries, without first obtaining a permit as provided in this chapter. This chapter shall not apply to the extraction of groundwater:
(A) For use within the City's boundaries of a district which is in part located within the County where such extraction quantities and use are consistent with historical practices of the district; or
(B) For extractions to boost heads for portions of district facilities, consistent with historical practices of the district; or
(C) For bottling and/or transporting bottled water by a commercial bottling water enterprise. This exemption for commercial bottled water does not create an exemption for water that is extracted and exported for bottling at a location other than in the City of Mt. Shasta and/or Siskiyou County. (Ord. CCO-98-05, 1998)

<http://www.codepublishing.com/ca/mtshasta/html/MtShasta13/MtShasta1395.html>

Air, water and ground pollution from plastic bottles

There have been reported wildly different amount of water usage from Crystal Geysers, from the 750,000 gallons per day (gpd) reported in the EDA grant to the much more modest 115,000 gpd in the NOP. Even by the most conservative estimate this will fill over **650,000** plastic bottles a day! The NOP estimates 25 trucks a day filled to the brim with plastic bottles. Reasonable calculations suggest much more than this. Our planet is awash in plastic waste. A plant that can produce multiple BILLIONS of plastic bottles over its lifetime is a crime against the environment. The greenhouse gas emissions from this much plastic production must be considered. The toxic effects of plastic production both locally and throughout the supply chain must be considered. The environmental effects, air pollution, and roadway deterioration of diesel trucking all the bottles must be considered. The effect on landfills from all this plastic must be considered. The adverse effects on water supplies from manufacturing, washing, and disposal of all this plastic must be considered.

Aquifer depletion

The local and regional effects of industrial water extraction are very hard to determine. A complete hydrological study of the complex volcanic area underground aquifer system is needed to fairly determine the effects on local wells. No matter what hydrological studies may predict, an enforceable limit on well pumping must be mandated when aquifer level reduction causes local well failures.

Thank you for your consideration of our comments,

Geneva Omann for the
Siskiyou Progressive Alliance
108 B Siskiyou Ave., Mt Shasta, CA
siskiyoualliance@gmail.com

Dec. 1, 2014

Ms. Tammy Laphorne
Deputy City Clerk, City of Mt. Shasta
305 North Mt. Shasta Blvd
Mt. Shasta, CA 96067
TLaphorne@mtshastaca.gov
Eckert@mtshastaca.gov

Re: Scoping Comments on the "Notice of Preparation of a Draft Environmental Impact Report for the Mount Shasta Sewer Line Improvements Project."

Dear Ms. Laphorne

The following are concerns, comments and questions in regard to the above mentioned Scoping Process and the upcoming Environment Review

The Scoping Document remains incomplete in spite of public requests encouraging a reissue of the document. The title alone clearly gives no indication of the Environmental Review proposed of the Crystal Geyser Proposed Project (CG) within the Sphere of Influence of Mount Shasta (City), nor does it provide the alternatives in regard to the Sewer Improvement Project (SIP), and it clearly represents piecemealing of 2 ongoing sewer projects ignoring the relationship of both projects and in violation of CEQA.

This document is defective and the NOP should be recirculated.

SCOPING

It seems apparent that the document was almost purposefully titled such so that responding agencies and citizens were not aware of the entirety of the projects to be assessed in this NOP.

Prior to the public Scoping Meeting of November 10th, the City provided the following comments from Wirt Lanning of North State Resources when they asked him to explain concerns regarding the CG Facility not being referenced sufficiently in the NOP. Mr. Lanning responded "... The discretionary action being considered by the City, and what is the focus of evaluation in the EIR, is the proposed improvements to the City's existing sewer system. Re-operation of the bottling facility by Crystal Geyser is not a discretionary action under the City's jurisdiction and, as such, is not part of the proposed project. That said, given the project's linkage to re-operation of the existing bottling facility (e.g. funding being provided by CG), the EIR will need to evaluate related impacts as part of the cumulative impacts analysis. The scope and breadth of this analysis will be informed by the Scoping Process. Please note that the project description in the NOP does in fact include a subsection call 'Proposed Crystal Geyser Bottling Facility Operations' which describes proposed operations, so it is not accurate for anyone to assert that '..the CG Facility is not a part of the project description in the NOP.' Further, there is repeated reference throughout the NOP to the linkage...."

1. Please provide evidence of an existing bottling facility.

First and foremost Mr. Lanning's statement declares that the CG project is a "Re operation of the existing bottling facility." Evidence does not support this statement. In May of 2011, all of the existing water bottling line infrastructure was removed. Operations at the existing bottling facility ceased in December 2010, or before, and operations were more than likely at a minimum with minimal employees.

2. Why is the county not listed as a Responsible Party in the NOP? Along with CG, the County prepared a Frequently Asked Questions available on the county Website and it states "The County is unable to require that an environmental document be prepared for the Crystal Geysers plant because re-opening the plant does not require any discretionary approval from the County." However the FAQ states that "However, should Crystal Geysers require any discretionary permits from the County, that project would require review pursuant to CEQA. However until that time, the County cannot require the preparation of an environmental document for ministerial actions involving the County." - Information available now clearly indicates that Discretionary permits concerning Air Quality and Power Generation likely are necessary amongst other things. Potentially all new permits will be required for a new project such as this.

3. If the City makes the erroneous decision to not recirculate the NOP, please provide all permits which Siskiyou County has granted for the previous uses of the CG property operators.

PIECEMEAL PROJECTS.

1. How surprising to read that the City had recently hired or was working with another Consulting firm other than NSR to prepare environmental documents for the WWTP. Could this be true? Certainly the City is not using such discretion and in violation of CEQA. Does this comply with EDA requirements for upgrades at the WWTP.
2. There exists a close relationship between all 3 of these projects as identified in EDA Documents.

CRYSTAL GEYSER OPERATIONS AND QUESTIONS:

It appears to an outsider that this proposed operation is merely syphoning water, to fill bottles, plastic and glass, and transport these bottles out of the area. Several others bottlers have tried in this area and been unsuccessful. Along with those closures, a recent attempt at another huge project within 15 miles of this project was abandoned due to the myriad of Environmental Issues. With automation, the jobs in this industry decrease. The residents are left with financial infrastructure burden of an unsustainable industry which does not induce productive growth for employees or the community.

It is merely a mining, bottling and transportation operation with needs of taking a natural resource from the area, without any consequence or cap on it's extraction, and using

Leach fields and an outdated WWTP for it's needs. All of which results in huge corporate profits at all costs.

Is it known that the EDA documents completed for this project differ from what the public is now told?

As any good person would, and corporations have personhood, they would want to clearly work with the local agencies to provide as much information to them and to the public which would ultimately benefit themselves and the community. That hasn't happened in this regard. Information has been less than forthcoming and the cities often pay deeply when corporations come into towns with intents not revealed.

TRANSPORTATION

1. Where will the staging area be established when too many trucks are arriving/leaving at the same time? On Mount Shasta Blvd? Especially on the hot summer days, with engines running.
2. CG is unwilling to talk about future plans, claiming only a few lines. How will the water/drinks be transported when the company increases from one line to two and then to an unknown as CG has proposed expanding the size of the building and has informed the EDA of expanded use of the Interceptor line? What is the proposed expansion and how many more trucks are anticipated on the highways, including I-5 and Hwy 89.
3. According to trade agreements, this water can be shipped anywhere. Please provide information on shipping water overseas and on transporting water to Mexico.
4. If operations involve glass containers, where will the glass bottles come from? What is the estimate of truck traffic increase to provide these containers to the site?
5. With CG announcing fruit drinks, the number of trucks increases exponentially as products are brought into the plant.
6. What are the mitigations for road repair in the immediate vicinity? Will the residents pay for these road issues?

PLASTICS

1. How will the waste stream of the plastic be addressed by the EIR. State subsidized recycling industries are suffering financially. Will CG subsidize recycling plants? How can the company prevent creating plastics which are now known to cause lengthy or no deterioration in land fills, or on streets, in lakes and oceans. How can the company eliminate the fact that plastic bottles are now and will continue to be a danger to the ecosystem of the ocean and indeed to the entire state and beyond.
2. CG's plastics manufacturing in Mount Shasta is alarming which others have addressed.

SOLID WASTE

1. How will hazardous waste be removed?

2. Will the local landfill be subsidized? And what is the expected increase?

EDA GRANT

1. Was the EDA informed that the larger the Interceptor line and the use of the existing CG on site leach field, that this greater volume ultimately leads to a further depletion of ground water. Were they aware of no controls over water extraction at this time? Was the EDA informed of these consequences prior to their agreeing to this project? Were they aware that CG would not, unlike a normal development, co-operate with existing CEQA law and become an active participant in this CEQA process?
2. It is unclear to what level of CEQA application (per the Mt. Shasta City municipal Code) that CG has applied for prior to the Scoping and NOP. Is the EDA aware that if indeed this NOP includes the CG project, that the EDA money is now to be used for CEQA review of the interceptor line, WWTP and CG operations? And is it true that by agreement the residents will pay 50% of the CEQA review including 50% of CEQA costs for the review of the private CG Operation?
3. Is there a signed agreement with CG about this arrangement of the city EDA funds paying a portion of the total CEQA?
4. Is there an escrow account from CG and/or the EDA established for CEQA ongoing costs and for time and costs of public employees?

WATER

1. Is the EDA aware they are inadvertently enabling increased water extraction from the area watershed. The larger the sewer interceptor the more ground water pumping, and the EDA should be aware that CG has no intention to release it's right to pump rinse water into it's own leach field, thus they can release one line into the sewer line and the permit apparently will allow almost the equivalent to be released into the leach field. Will there be water meters as one council member promised?
2. Without water meters or any controls the amounts of ground water used will remain an unknown and this is apparent in the Siskiyou County FAQ where Crystal Geysers has supplied information to the EDA that their maximum effluent for will be .75 million gallons per day, once they are operating 4 or 5 lines during peak operations.
3. Hydrology studies have been requested by many. The data provided by CG at their meeting on March 24th was inconclusive, outdated and some reports were not available. These are the reports CG claims to be hanging their hat on, however area residents have presented far more inclusive data to date, and yet, far more data and study are necessary to ensure local residents with wells and all of the citizens concerned with area ground water. Also, area streams including water supplied to the Fish Hatchery must be evaluated. The effects of large extractions especially in a drought cause harm throughout the Sacramento Watershed.
4. Will CG be obtaining a Spring Water State Certification?

DROUGHT

1. Clearly the state has been and will again be in drought conditions. CG remained conspicuously quiet however and made no statement during this year of drought that their operations would ever be effected by state mandated controls. Why no statement or agreement?
2. Low river flows compounded by increased extraction will reduce the temperature of the waterways causing unknown ecological consequences of a project such as this.
3. Debra R. Slon, Assistant Attorney General, State of California, wrote the following on July 28, 2008 to the Siskiyou County Planning Department concerning the Nestle Waters North America Environmental Impact Report: "CEQA requires that"each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." (Pub, Res.Code #21001.1 subd (b).) This requirement is the "core of an EIR." ...Global warming is an 'effect on the environment" under CEQA, and an individual project's contribution to global warming can be significant or cumulatively considerable. Projects that increase greenhouse gas emissions over long periods of time will make it more difficult for the State to combat warming and to achieve the aggressive reductions required by AB 32 and the Executive Order."

In conclusion, as Ms. Slon wrote, "All phases of a project must be considered when evaluating its impact on the environment: planning, acquisition, development, and operation....."

Yours truly,

Diane and Woody Lowe





**SIERRA
CLUB**
FOUNDED 1892

Shasta Group
Mother Lode Chapter
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Redding, CA 96049-1554
www.motherlode.sierraclub.org/shasta

November 13, 2014

Tammy Laphorne, Deputy Clerk
City of Mount Shasta
305 North Mt. Shasta Blvd
City of Mount Shasta, CA 96067

Subject: Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Mount Shasta Sewer Line Improvements Project

The Shasta Group of the Sierra Club has over 750 members and covers the area from Red Bluff to the Oregon border and from Buckhorn Summit on the west to the Nevada state line. Many of our members live in and around the City of Mt. Shasta. The Shasta Group offers the following comments on the NOP.

1. The cumulative impact analysis must include the current conditions for water supply and wastewater generation of the City and future startup of the Crystal Geysers Plant and the ultimate build-out of the Crystal Geysers Plant. This will set the basis for all the impact analysis.
2. The DEIR should include not only the wastewater flows but also how the wastewater is generated, and where the water is projected to come from that ultimately ends up as wastewater. This is critically important since the source of water for the Crystal Geysers Plant is not unlimited and climate change will likely have a profound impact on the water supply for both the bottling facility but also the entire City.
3. The Crystal Geysers Plant will have a significant impact on the City wastewater treatment facility, therefore the EIR should evaluate the cumulative impacts of how much groundwater will be extracted, what effect it will have on the City water supply availability, and long term impacts to the expansion of the wastewater treatment plant.
4. The City cannot afford the risks associated with a weak cumulative impact analysis. The rate payers of the City will be shouldered with costs associated with either costly wastewater treatment plant upgrades or water rationing if the City water supply is adversely impacted.
5. The effects of climate change are directly related to the cumulative impact analysis required in the EIR. How will the City wastewater treatment plant be impacted if there is more rain and less snow? What if the treatment plant capacity is restricted and the City must tell Crystal Geysers to shut down part of its production due to lack of capacity? These issues need to be addressed because of the sensitive location of Mt. Shasta in the watershed.

Sincerely,

John Livingston
Chair, Shasta Group of the Sierra Club

Scoping Comments for the Notice of Preparation of a Draft Environmental Impact Report for the Mount Shasta Sewer Line Improvements Project

From: Raven Stevens



11/26/14

North State Resources and City of Mt. Shasta,

This NOP lacks basic information to, as CEQA requires, give the public and agencies a chance to understand the potential environmental impacts of the project. There is no project description of the Crystal Geysers Water Company's (CGWC) plans or description of what operations would look like at full build out. This must be presented in order for the public to be able to comment on the entire project. As it stands, most agencies and an uneducated public would not even think to comment on anything related to the actual operation of the plant owned by CGWC. This is, in fact happening as agencies have actually stated that by reading this NOP they thought a second NOP was coming out for plant operations.

CEQA requires the EIR to analyze the entirety of the action. An accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed project. An inaccurate or incomplete project description renders the analysis of significant environmental impacts inherently unreliable.

It looks to me as if the City of Mt. Shasta has been put in the untenable position of producing an NOP for a proposal about which the Crystal Geysers Water Company has not provided sufficient information. The best course of action would be to withdraw the NOP, resubmit an entirely new project application and subsequently resubmit a new NOP that gives the public and agencies some sense of what's really at stake.

All impacts considered in the EIR must be looked at under the lens of "full build out" of the Crystal Geysers plant. As it stands now, the building is simply four walls: an empty shell of the former water bottling plant. There are reasonably foreseeable issues when one considers the full build out of the plant.

You will, of course, remember that in the updated contract agreement proposal between NSR and the City, hydrological studies were proposed because the EIR would require it. The following is taken directly from the proposed contract change from NSR to the Mt. Shasta City Council, 2014. (CD ROM "Pace/NSR Amendment No. 1, Sub-Task 3.b: Conduct Hydrology/Water Quality Review (Page 14 of document or page 16 of pdf.)

"Aquifer Description

Because the project involves operating a well, which will pump groundwater, groundwater impacts must be evaluated. Groundwater impacts can be both short-term and long-term. Of the short-term impacts, the one of most concern generally is interference. Drawdown caused by a pumping well extends for some distance from the pumping well, and if there are neighboring wells within that distance they will experience a decline in water levels.

A significant interference impact is one that causes a reduction in a neighboring well's yield or an inability of the well to pump water.

Long-term impacts relate to overall availability of water. Even if a pumping well does not cause significant interference impacts, if it is pumped at a higher rate than the aquifer can sustain, overdraft will occur. Overdraft is considered a significant impact.

Interference impacts (drawdown on neighboring wells) typically are short term because once pumping stops, water levels return to static levels. "

"L&A will calculate interference using spreadsheet analysis and two-dimensional analytical models; we will not develop a three-dimensional, numerical groundwater model.

The results of the interference analysis will be presented in tabular and graphical formats. Graphically, L&A will show the extent of predicted drawdown on a map of the project vicinity such that the potential impacts, if any, can be graphically related to other wells in the vicinity.

Overdraft in a groundwater basin occurs when pumping exceeds recharge, leading to continuously declining groundwater levels.

Previous analysis suggested impacts to Big Springs from pumping the well at the Bottling Facility site, although the impacts were interpreted as "less than significant". L&A will re-evaluate that conclusion, based on the updated interpretations developed during their work."

Question: Where is the accurate project description, project objectives and map outlining/including the Crystal Geyser Water Company's plant operation?

Question: Where is the accurate NOP that includes the Crystal Geyser Water Company's plant operation and the above listed items that NSR's intended to study? That list must, at a "minimum level of evaluation", be included.

Hydrology Background:

Lee Davison, California Professional Geologist of ML Davison & Associates, Inc. in his March 19, 2014 (CD ROM "Davison Ltr") letter submitted to the Mt. Shasta City Council states that "...groundwater in and around the city of Mt. Shasta is anything but simple. This stems from the fact that groundwater and its emergence as spring discharge is controlled by potentially complex and largely unmapped subsurface conduits created by the volcanic deposits in which they flow." None of those flows on the SW side of Mt. Shasta have been mapped or studied.

Hydrology of both groundwater and surface water for the "Big Springs Aquifer region are greatly influenced by snowmelt and subsequent groundwater recharge along the flanks of Mt. Shasta." (Dannon MND 2001 EIR, Section 5 Groundwater and Surface Water) We have never been in this type of "exceptional drought" and with the complete lack of snowpack; we expect recharge to be severely affected.

Although there have been many references cited from work done by companies for the Dannon and CocaCola corporations, none of the work done specifically evaluated the impacts of industrial water use, potential over drafting, drought or impacts to neighboring private wells, creeks, or associated springs with "direct" and "proven" hydrologic connection to the high production well in use (DEX6.) And there haven't been any

studies done of our volcanic aquifer here on the SW side of Mt. Shasta except a minor study of Big Springs by Cal Trout.

Reports that must be made available in **full form** (not an executive summary) along with all figures and appendices & carefully analyzed:

- 1) 1997-1998, Plant production well installation and testing, SECOR. (And complete Dye testing results)
- 2) Danone International, 1996 Hydrogeologic Review and Source Evaluation for the Property Located at 241 Ski Village Drive, Mt. Shasta, California, 96067. November.
- 3) 2001, Initial Study, CH2MHill for Dannon, the original operators of the plant
- 4) 2005, Review of aquifer test data, capture zone analysis, The Source Group
- 5) 2001 – 2010, Groundwater monitoring during Plant operations, Golder Associates for Dannon/Coke.
- 6) 2010, The Source Group Report
- 7) Lawson, Peter/CH2 HILL 2001. Memorandum: Analysis of Continuous Water Level Data from Dex-1 and Dex-3. July 2.

Analysis:

All reports referenced by SECOR and The Source Group, were not made available to the public. CH2MHILL and Geosyntec during their March 24th presentation for Crystal Geyser to Mt. Shasta City and the public Geosyntec used mathematical modeling to assure the safety of their water extraction proposal for the plant. Here's why modeling does not work for our volcanic aquifer according to Lee Davisson.

"Contrary to most groundwater basins that are formed by accumulation of sediments derived from stream deposits and exhibit inter-granular porosity, recent volcanic material in the Mt. Shasta area comprises successive layers of eruptive material that is non-porous. Groundwater can only reside in this material where it has formed interconnected fractures or buried lava tubes. A porous sedimentary basin lends itself readily to groundwater flow prediction using mathematical modeling based on continuum mechanics. However, this approach fails to achieve the same results for groundwater aquifers comprising fractured material because the occurrence and spatial scale of subsurface conduits transporting groundwater is largely unknown." (CD ROM "Davisson Ltr.")

No baseline studies of the area were done prior to pumping by Dannon or CocaCola. The plant has been offline now since the late Fall of 2010. It is time to do accurate baseline studies. According to Lee Davisson, "Baseline data usually encompasses a full year of measurements collected at regular frequency that captures the annual variation in parameters such as discharge, temperature, dissolved salts, etc. This baseline data will provide a reference to compare to if any changes are encountered after the bottling plant opens." (CD ROM "Davisson Ltr.") These should include, but are not limited to:

- 1) Local Wells (Crystal Geyser Property, Mt. Shasta City Wells and Neighboring wells in the "Mt. Shasta Big Springs Area Groundwater Elevation Study")
- 2) Springs on the SW side of Mt. Shasta
- 3) Creeks on the SW side of Mt. Shasta

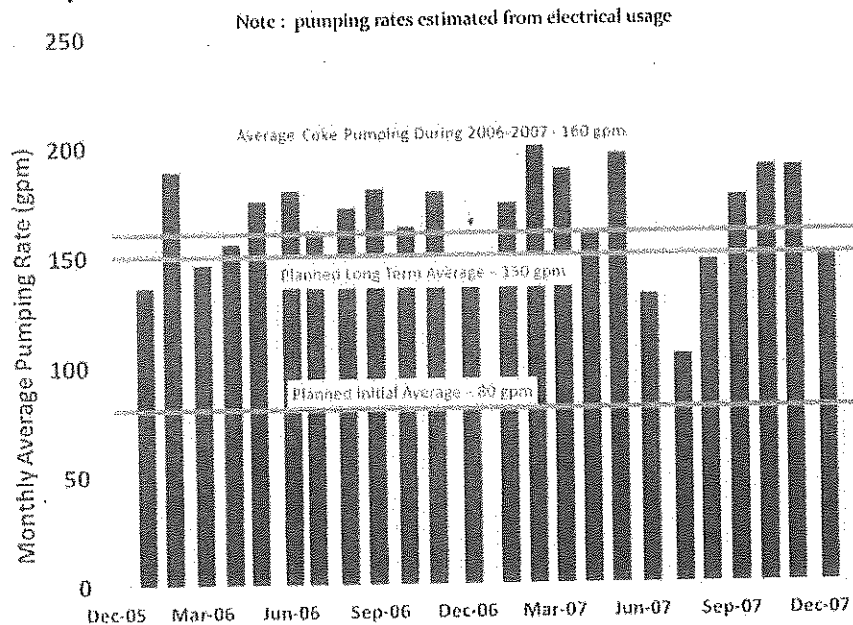
Question: What are the daily/monthly baseline groundwater levels for the Crystal Geyser Plant (all 15+ wells and boreholes,) Mt. Shasta City's wells and neighboring private wells on the Mt. Shasta Big Springs Area Groundwater Elevation Study? (Study available for inclusion in baseline testing. See Raven Stevens for an up-to-date report if such testing commences.)

Question: How long is a proper baseline to insure accurate data?

Question: Has the aquifer recovered from industrial groundwater extraction that began in 2001? What proof is there that there was no damage? This must include all well data from the Crystal Geyser Plant (all 15+ wells and boreholes,) Mt. Shasta City's wells and neighboring private wells in the Mt. Shasta Big Springs Area Groundwater Elevation Study.

The two MND's between Dannon/Coke and Siskiyou County dated 2001 and 2005 (Dannon MND 2001, Section 5/Surface Water are exactly the same in both documents) were not monitored for compliance. All information related to the trucking up of water from Mossbrae Springs for the entire operation of Dannon and Coke should be reviewed. Dannon trucked up 60-65% of their total water use from Mossbrae Springs in Dunsmuir as agreed to for the 2001 and 2005 Mitigated Negative Declarations. (CD ROM "Mossbrae Trucking Report Inspection 9/7/2001 from RWQCB files.) They pumped only 35-40% of their water from the Dex6 well. Even Dannon stated "...the sensitive nature of the groundwater extraction issue and stated public concerns about the groundwater levels dropping has warranted this conservative approach. (Dannon MND 2001, page 66 Section 5 "Surface Water" under Methods) That approach seems to have worked until around 2005, when Coke unilaterally decided to stop trucking up 60-65% of the water and neighbors began to experience well interference as groundwater levels dropped drastically. Coke's heaviest pumping was reported to be during 2005-2007 according to the Crystal Geyser presentation 3/24/14. See slide below.

Previous Pumping by Dannon/Coke Compared to Planned Pumping



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(Crystal Geysler Presentation Slide, 3/2014)

If the trucking up of 60% of the water usage had been happening, the well interference possibly would not have occurred. The reports of interference begin when the trucking up of water stops. (The smoking gun...) At the peak of "estimated pumping rates," 160gpm was the average. If the trucking up of water was occurring, those pumping rates would have been only 64gpm from the Dex6 well and 96gpm would have been trucked up. The neighboring aquifer would have handled that type of pumping because the groundwater levels were stable until 2005.

Question: What were the water usage amounts during Dannon days?

Question: What impacts did the stopping of "trucking up water" by Coke have on the aquifer? (See Dex 3A well reports) where the ground water levels dropped drastically.

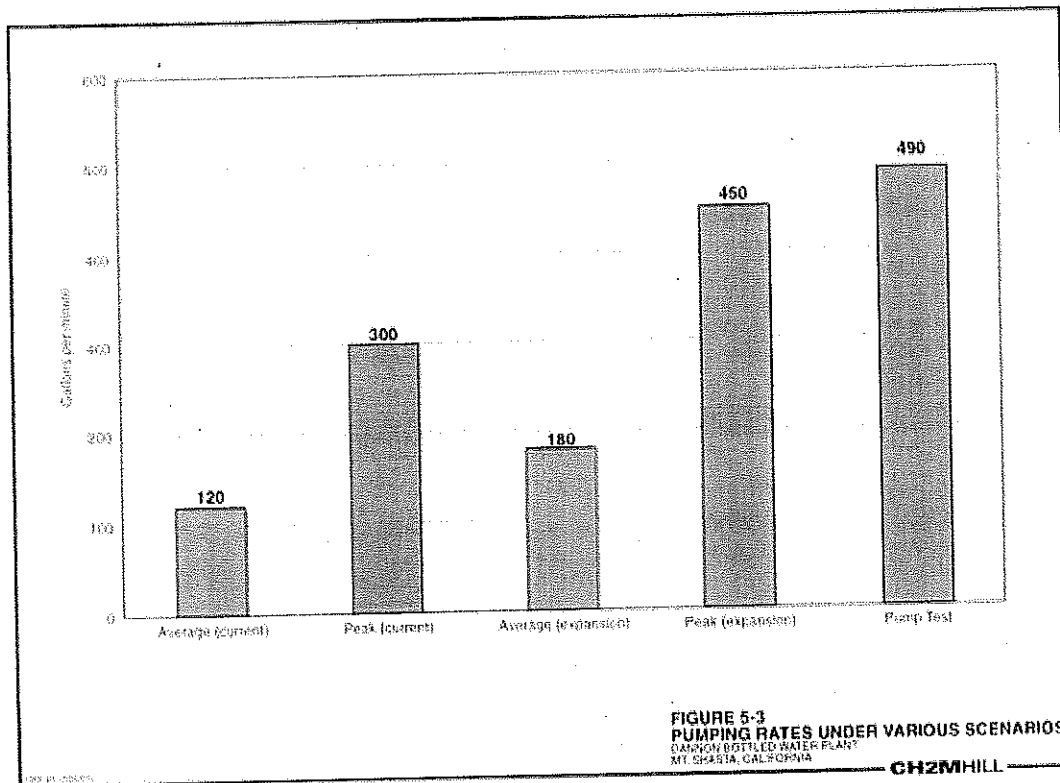
Question: Has Big Springs Aquifer recovered since Coke closed the plant? (See the Dex 3A groundwater levels now. Dex3A must be part of a long-term monitoring plan.)

Question: What will the impacts be of CGWC to the aquifer and groundwater levels?

Question: Will CGWC be forced to truck water in from somewhere else to comply with the Mitigated Neg. Declarations (found in the 2001 & 2005 documents) that are now to be the responsibility of CGWC?

Question: How will this EIR insure groundwater pumping rates will NEVER be estimated, but will be measured with water extraction/pumping monitoring devices?

The slide below indicates that the planned long term pumping rates would be 150gpm, but Dannon's own data from CH2MHILL in the 2001 Mitigated Negative Declaration shows that they were planning to average 180 not 150. And if you throw out the low pumping (from aquifer issues) in 2007, they were actually pumping more on average than the 150gpm shown by CGWC presentation.



(Image taken from the 2001 Dannon MND, Section 5 Groundwater and Surface Water)

In the 2001 Mitigated Negative Declaration by Dannon, it is reported that Big Springs flows were 8,750gpm (19.5 cfs) to 10,000 gpm (22.28cfs) reported by Berkstresser, 1968 and USGS, 1987. You will notice that the average cfs as reported by CalTrout is down significantly from those past reports. The flow is now averaging below 18.5cfs and was independently measured and found to be as low as 16.49 cfs in July of 2014. How low can the Big Springs stream flow go before the Mt. Shasta Fish Hatchery is affected? They are already diverting 100% of the flow to the hatchery and other smaller creeks are now found to be completely dry in the spring, summer and fall seasons. "The Hatchery typically diverts 20cfs." (Dannon MND 2001) They have pre-1914 water rights and have claim to 20cfs. With the extreme drought currently, this must be studied before knowing if further water extraction is safe for the aquifer and its users.

Question: What has caused and is causing the steady decrease in Big Springs over time? Is it drought? Is it industrial water extraction and at unmonitored rates?

Question: What are the historical and current baseline seasonal flows at Big Springs? How has it changed over the last 10-20 years?

Question: How does another industrial water user affect or interfere with groundwater recharge?

Question: How do industrial users interfere with neighboring private wells? There was well interference reported by homeowners this past year and during Coke operation.

Question: If the Hatchery takes 20cfs and the spring is producing less than 20cfs, how can CGWC safely take any water?

Section: Big Springs Connection to Dex6 well

THE RWQCB in Redding took over as the lead agency, commenting that it was highly unusual to do so after a plant was in operation. There were no real monitoring programs put into place except inadequate monitoring that was not directly related to real safeguards for the surrounding area or for damages done by industrial water extraction. Since no EIR was done, the company decided 'what' they would monitor. For instance, monitoring of Big Springs was put into place even though the company did not prove a direct, hydrological connection to Big Springs in their Spring Water application to the Food and Drug Branch in Sacramento. In conversations with the agency, I was told that the only connection made from Dex6 to Big Springs was that of "similar water quality." There was no hydrological connection actually proven. Only a connection enough to consider it of "spring water quality" and hence they got their application approved.

Question: What are the isotopic signatures for age, elevation and noble gas for all 5 heads of Big Springs and all 15+ wells and boreholes located on Crystal Geyser property? Do they prove hydrologic connection to one another? You must map the area this way to determine connection.

Big Springs has been minimally studied at by CalTrout and the >50 year age data used is questionable because it was not done by them and cannot be independently verified. (Mount Shasta Springs Study 2009, page 5 of pdf) If it's going to be cited it should be verifiable. It was one test of one head (of 5) at Big Springs, with no methodology and done many years ago by a UC Davis graduate student. CalTrout simply reported on the test. By their own admission, studies have been lacking for Big Springs, Mt. Shasta.

Question: How does seasonality affect each of those 5heads at Big Springs in terms of isotopic signatures for age, elevation and noble gas? (4 seasonal tests should be run to account for seasonality of water sources.)

Geosyntec reported (CD ROM, "CGHydrology030713geosyntec," page 7) "The age of the spring (Big Springs) water and groundwater water was estimated to be between 24 and 81 years old." They do not specifically tell you the age of the water in the Dex6 well. It's obvious in the way this is written that they want you to believe there is a connection from the Dex 6 well to Big Springs but yet they don't give the evidence that age testing

would prove! Why not? Because the results do not show a connection. They must prove it.

Question: What are the isotope results for age testing for each of the wells on the Crystal Geyser Property?

Question: What are the isotope results for age testing for all of the surrounding neighborhood wells in the Mt. Shasta Big Springs Area Groundwater Elevation Study?

Geosyntec states that there is a connection from the Dex 6 well to Big Springs but yet they don't give the evidence that dye testing would prove! Why not? The results do not show a connection. In the Geosyntec Report (CD ROM Geosyntec, page 26) they "report on a report" from The Source Group 2010 (who "reported" from tracer information possibly from the original SECOR 1998 report) "Tracer dye was injected into well Dex-1, approximately 750 feet from Big Springs and was detected in samples collected from Big Springs, indicating that the water that discharges from Big Springs is hydraulically connected to Dex-1." Why is no dye test from Dex6 to Big Springs reported? I assert it's because the dye tests prove that they are not connected by flow.

Question: What are the results for the dye test from each well on the Crystal Geyser Property to Big Springs?

They infer that there is a connection from the Dex 6 well to Big Springs yet they don't give the evidence that draw down testing would prove. Why not? Because the results do not show a connection, or the test was never done. They must prove it.

Question: What does a drawdown test from Dex6 to Big Springs show?

Also, reporting of monitoring of the groundwater levels near the Dex6 well happened at the Dex 3A well and they stopped that monitoring in 2009 when the groundwater levels dropped dramatically. With 15+ wells and more boreholes at their disposal, one wonders if they monitored those and if so what were the results? Why weren't they forced to monitor all available wells and surrounding neighborhood wells to safeguard the aquifer from overdraft?

Question: How are all wells on Crystal Geyser property (especially Dex1, Dex6 and Dex 3A), Big Springs and neighboring wells related to one another? What are the isotopic signatures for age, elevation and noble gas for neighboring wells?

The groundwater resources need to be evaluated properly. A mass balance study or water balance study must be done during the EIR. And then future monitoring and hydrogeologic evaluation of fluctuations in the domestic wells for the homes on private wells, surrounding a two mile radius of the Dex6 well, should be done. The limited data available (Blodgett, et al, 1988; Poeschel et al, 1986; Dept. of Water Resources, 2004) all suggest that the local wells are characterized by high seasonal fluctuations in water tables. This implies rapid recharge and discharge, probably within a single season, and very low storage coefficients in the aquifer(s). Such an interpretation is reasonable for the sloping porous volcanic units that may bear seasonally recharged potable water.

Question: What are the groundwater levels of all 15+ wells and boreholes located on Crystal Geysler property and the surrounding neighbors in the Mt. Shasta Big Springs Area Groundwater Elevation Study?

Question: How long should a proper baseline study be? We need at least a year or more of baseline data of all 15+ wells and boreholes located on Crystal Geysler property and the surrounding neighbors in the Mt. Shasta Big Springs Area Groundwater Elevation Study. (The study is in its 2nd year now.)

Question: Can we create an underground groundwater elevation map of the entire area including the homes in the Mt. Shasta Big Springs Area Groundwater Elevation Study?

Question: Can a Water Balance Study be undertaken considering all of the water users on the SW side of Mt. Shasta? (Mt. Shasta City wells, private homeowners with wells and any current industrial users)?

Question: Using findings from the Water Balance Study, is there enough volume left for Crystal Geysler to operate? What is that volume?

Question: Is there enough volume left for the Crystal Geysler in years of drought or extreme drought? What is that volume?

In mapping the SW side of Mt. Shasta we must consider the entire drainage areas and surrounding springs like Sission Meadow Springs, Cold Creek Springs, St. Germain Springs (on private property) and local creeks.

An environmental assessment should look at the storage dynamics of the Mt. Shasta Area on the SW side of the mountain to determine what impacts, if any, can be expected after onsite uses of the waters are shifted to offsite uses, outside of the Mt. Shasta Area watershed.

Question: What are the storage dynamics of the Big Springs Aquifer and how does it affect local well owners?

Question: How is well interference studied and monitored for the protection of local well owners?

Question: How does another industrial water user affect or interfere with groundwater recharge?

Question: How does industrial water extraction affect the local aquifer known commonly as the Big Springs aquifer?

Question: How does industrial water extraction affect surface water flows in all springs, streams, creeks and wetlands?

Question: How is Big Springs affected by industrial pumping at the CGWC plant?

Question: How is Big Springs affected by drought and industrial pumping concurrently, at the CGWC plant?

Crystal Geysers' groundwater extraction will directly tap the aquifer that supplies flow to surrounding springs, creeks, wells and the Sacramento River. It is probable that the water source the Dex6 well is tapped into is a source for constant recharge for aquifers downstream of the intake structure. The effect of industrial water extraction on downstream, cross gradient or adjacent users has not been accounted for in any of the references or available literature. These downstream users would be private wells, unnamed springs and creeks, Lake Siskiyou and the Sacramento River. There are currently two operating bottling plants along I-5 in Siskiyou County and two pending: CGCW and a new organization looking to purchase the Nestle property in McCloud. (Ref CDROM- "HiresMtShastaSpringsMap")

Question: What are the storage dynamics of the SW side of Mt. Shasta and the volcanic aquifer.

Question: Where is the current subsurface mapping of the Big Springs Aquifer that includes the neighboring properties, the Crystal Geysers Water Company, the USGS recharge area and Big Springs?

Question: How does a water balance survey inform us of proper water usage during above normal or below normal precipitation years?

Question: How does industrial water extraction affect the flow of the Sacramento River? And how would adding CGWC's unlimited pumping add to this effect?

Question: How did industrial water extraction during Dannon and Coke dry up local creeks and tributaries?

Question: How does the proposed High Production well called Dex6 relate isotopically (age, elevation & noble gas) to local wells, Mt. Shasta City wells, creeks, springs (both named and unnamed) and the Sacramento River?

In the Geosyntec Report (CD ROM "CGHydrology030713Geosyntec," page 7) they again are attempting to make the connection between Dex 6 and Big Springs. "The stable isotope results and comparison of the water quality results from wells and boreholes to the samples collected from Big Springs indicated that groundwater beneath the property is similar in chemistry and age to the water discharged at Big Springs." Geosyntec does not tell you specifically which wells were tested? Why does Dex6 not specifically get mentioned?

All water in this area is of similar chemistry and age. This is because of the nature of our volcanic aquifer. The CalTrout Springs Study (CD ROM, "Mount Shasta Springs Study 2009, page 5) states, "The precipitation that falls within the recharge area on Mt. Shasta, enters the aquifer system through direct percolation of rainwater, percolation of snow pack melt off or glacier melt water. Once the precipitation becomes part of the groundwater, it moves down slope through the volcanic rocks picking up mineral content along the way. This groundwater emerges as spring flow, base flow of rivers or pumped by private or municipal wells."

And here again the CalTrout Springs Study (CD ROM, "Mount Shasta Springs Study 2009, page 7) "Due to the close similarity in the total mineral makeup of the different rock types on Mt. Shasta, the spring water that exists on the lower flanks of the mountain is generally similar in composition as well, regardless of its location or which drainage."

So making a connection from Dex6 to Dex1 based on water quality is simplistic. All water in this general area is of similar quality. Just because there is a water quality

connection between Dex6 to Dex1 (water quality) and a minor dye test connection Dex1 to Big Springs, does there mean there is a proven/real connection from Dex6 to Big Springs.

CalTrout in their Spring Study (CD ROM, "Mount Shasta Springs Study 2009, page 7 CD ROM) states "The only distinction found in the water quality data, is the condition of increasing mineral content with increasing travel distance from the recharge area to the site of discharge as a spring. Spring water was grouped into four subsets based on the difference in elevation between the recharge area and elevation of the spring itself."

And again CalTrout (CD ROM, "Mount Shasta Springs Study 2009, page 9) "The other results worth mentioning is the springs within the Upper Sacramento watershed showed much lower mineral content, which is simply indicative of the short travel distance."

Question: What are the results of the comparison of Big Springs water quality (isotopic testing for recharge elevation and mineral content of all 5 heads) specifically compared to Dex 6?

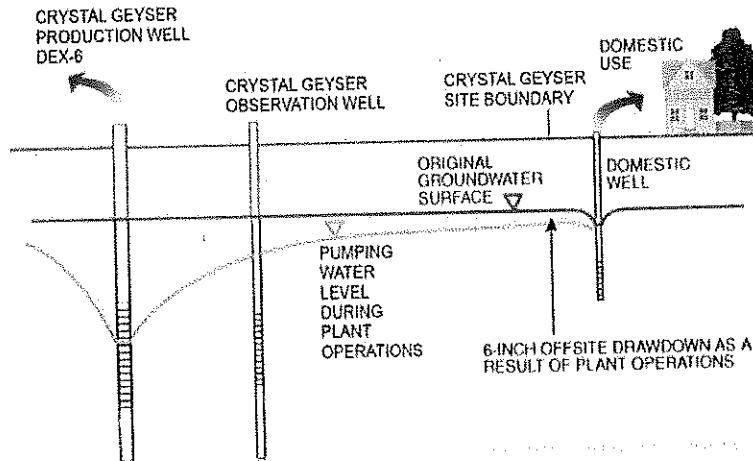
Question: How "short" is the travel distance estimated to be from the water in the Dex 6 well? (As estimated by isotopic testing for recharge elevation and mineral content.)

Question: Which wells and boreholes were sampled and compared to Big Springs? Map those out.

Section: Neighboring Wells and Aquifer Drawdown

The volcanic aquifer has not been studied here on the SW side of Mt. Shasta. CH2MHILL presented the slide below that shows a drawdown schematic based on information and calculations for ground water basin usage. Those are not applicable here in a volcanic aquifer and we have information from, real people affected when the plant was in operation. After operation ceased, peoples wells recovered, even during this extreme drought of 2013-2014.

Question 2: (continued)



Answer: Reduction in groundwater levels in the nearest neighboring domestic wells, within 1,400 feet, will be less than 0.5 foot.

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(Geosyntec slide for the Crystal Geyser presentation on 3/24/14)

In Geosyntec's critique of our study, they report (CD ROM, "Geosyntec Report Critique") in comment 9A Geosyntec implies that perhaps neighboring wells are causing a drawdown of the Dex3A well as well as pumping on Crystal Geyser Water property. But during these dates, it is estimated that Dannon/CokeCola was drawing down up to 400gpm. Other reports have it at 160gpm. At 160gpm rate, it would take 4 neighboring wells a full year to extract as much as Dannon/Coke would use in one day! So neighboring wells' effect on the aquifer would be minuscule compared to that of the initial pumping rates offered by Crystal Geyser.

Where in the comments about impact on the aquifer or neighboring wells, is "rate of pumping" commented on? Because we have no idea of the exact rate of pumping during specific periods, we cannot fully understand the effect of pumping on the aquifer.

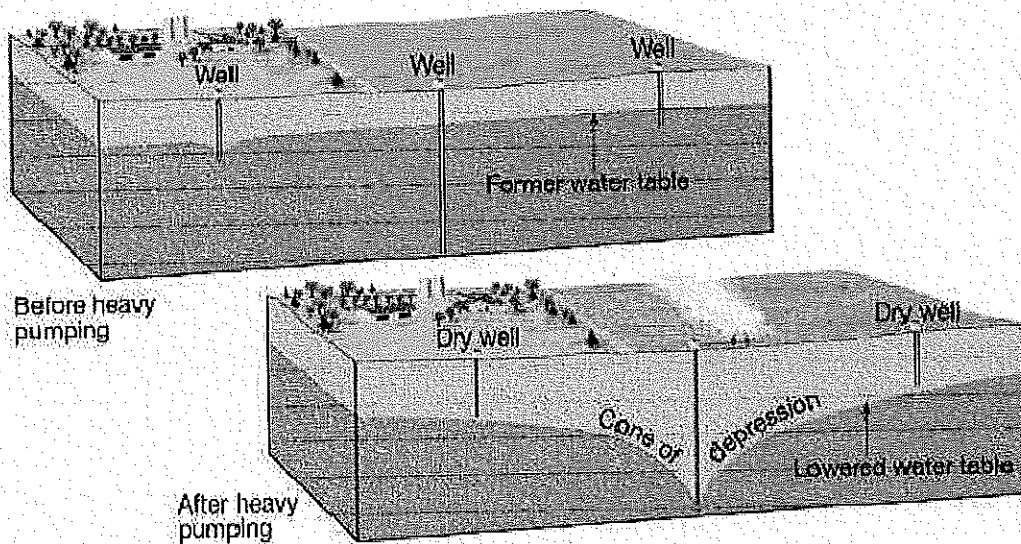
Question: What are the future projected pumping rates of the Crystal Geyser Water Company at 'full build out?' What will those rates be seasonally? How will high seasonal pumping, affect neighboring wells? Only with those "rates" can you answer or predict what the impact of industrial pumping will be on the aquifer.

In the 2001 and 2005 MND's (Dannon MND 2001, Section 5, Groundwater and Surface Water, page 5-11) it is stated "Whether under average rainfall or drought conditions, the operation of the water bottling facility at maximum capacity (three bottling lines) would still only result in a drawdown of less than 0.5 foot in surrounding groundwater wells, and no significant reduction in well productivity is anticipated." Based on the Mt. Shasta Big

Shasta Valley Resource Conservation District Slide
Springs Area Groundwater Elevation Study, this is not accurate. Groundwater levels have been steadily decreasing in the surrounding groundwater wells. This image below explains how it happens.

A Cone of Depression forms in the water table when water is drawn from a well. It may lead to interference between wells, and even with natural systems.

What happens underground...



(Shasta Valley Resource Conservation District Slide)

Question: What effect does industrial water extraction have on neighboring wells?

Question: What rate of pumping is shown to be safe? How is/was that shown?

Question: Have you studied the well interference issues from Dannon/Coke days?

Question: How much did the groundwater level declined over the years of industrial groundwater pumping during Dannon/Coke days? Was it studied? Why or why not? (We have well completion report records available for that data from the participants of the Mt. Shasta Big Springs Area Groundwater Elevation Study.)

Question: How has or how will industrial pumping in the Big Springs Aquifer lead to a rerouting of underground flow patterns? Is this the cause of well interference during industrial use?

Question: How is Crystal Geyser Waters expected to affect the groundwater levels of neighboring wells? How will well interference be monitored?

Question: Can we test in 'real time' (through the use of the Mt. Shasta Big Springs Area Groundwater Elevation Study wells) the draw down of wells and neighboring water sources? (As opposed to using theoretical calculations since we now have access to those wells.)

Question: Where is a Water Balance Model for the Big Springs Aquifer (local) and region scales (Upper Sacramento River)? It must include inputs/outputs, short and long-term, an estimate of aquifer volume, evapotranspiration and groundwater recharge and discharge components as well as anthropogenic use.

Question: What are the parameters that should be monitored; ones whose sensitivity to changes within the aquifer system might help provide an early indicator of changes that otherwise would be unknown?

Prior to industrial pumping resuming in the Big Springs Aquifer, we must understand the limits of sustainable yield of alluvial and non-alluvial systems since we KNOW they are interconnected. This would help Siskiyou County follow the new Groundwater Management Act of 2014.

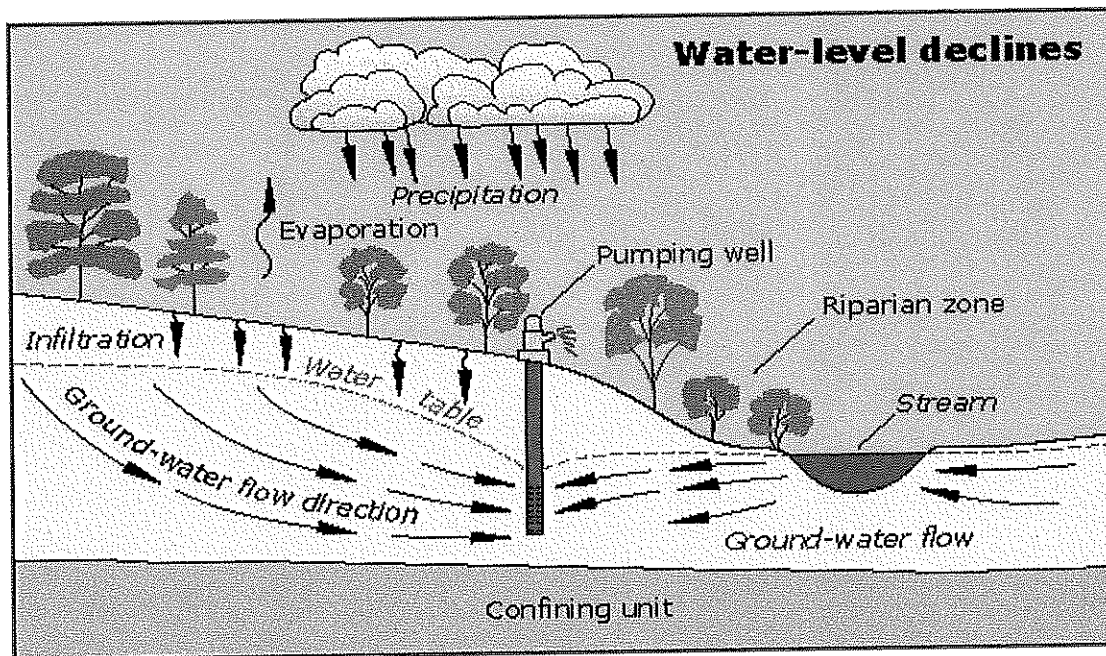
Question: Can we develop a real-time 'water budget' for the Big Springs Aquifer?

Question: Where is the subsurface mapping needed to fully understand our alluvial and non-alluvial systems?

As is known, in the past surface water and groundwater systems were treated as distinct and separate. Today, we know that both systems are closely interconnected and one system affects the other. In the picture below, this shows how normal water flows can be affected by industrial water extraction. These high power wells can actually change the flow of water under ground.

It is also known that pumping from an aquifer can and does reduce normal discharge to springs, streams and lakes. (Theis 1940.) We are the "Upland Watershed Area" (Talk given by the Shasta Valley Resource Conservation District) at the headwaters of the Sacramento River and as such, this area is its primary water source.

Groundwater Flow and Effects of Pumping



(Shasta Valley Resource Conservation District Slide)

Question: How has the groundwater flows shifted in the Big Springs Aquifer due to industrial pumping?

Question: Is this the cause of the well interference found in the neighboring wells from the Dannon/Coke, now CGWC plant?

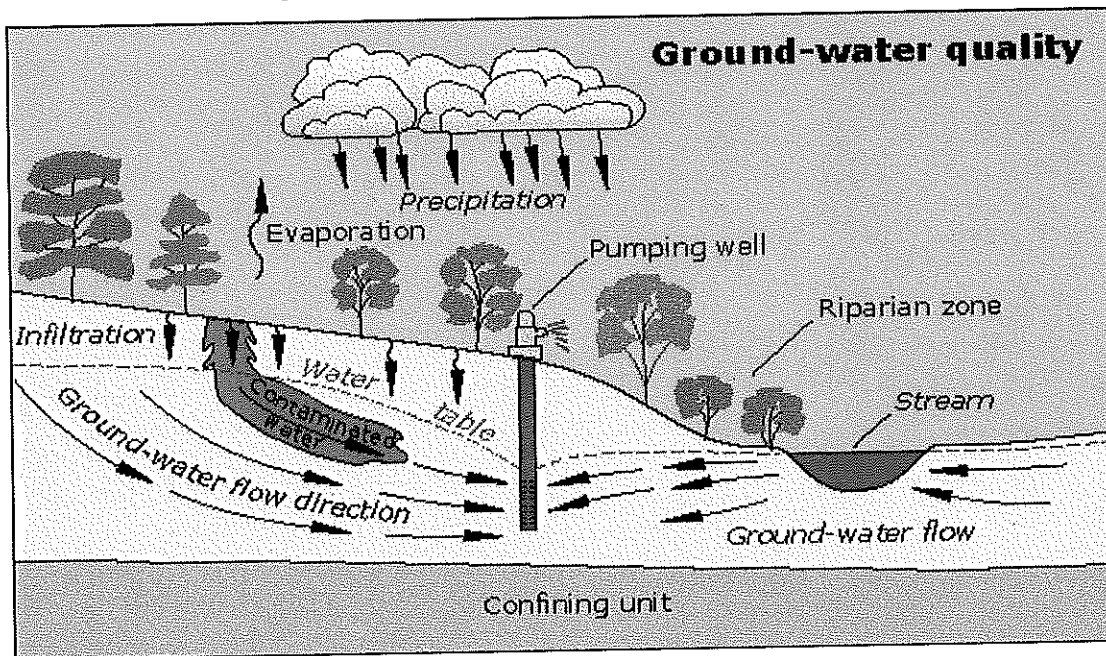
Question: How will domestic wells be protected from this type of flow change?

Question: How will industrial water extraction affect the water flow into or recharge of the Sacramento River?

As we know, water quality is also affected by this shift in ground water flow. With the reported Erickson Trucking fuel leak, and septic use at every home and business surrounding the plant, and lead and arsenic found in Big Springs' water, we should really test the surrounding areas for water quality.

Aquifer collapse has been known to occur if certain underground channels collapse when they no longer carry water due to combined effects of drought and overdraft. Collapse has been observed in locations in the Central Valley of California.

Groundwater Flow and Effects of Pumping



(Shasta Valley Resource Conservation District Slide)

Question: How does industrial water extraction affect water quality in our neighborhood?

Question: What baseline information is known?

Question: What tests will be done to understand this phenomenon and safeguard domestic wells?

Question: Has there ever been a study of the possibility of aquifer collapse in the Big Springs Aquifer?

Question: At what depletion level/pumping rate might aquifer collapse be triggered?

The ground water monitoring at the plant was not done according to CASGEM guidelines (California Statewide Groundwater Elevation Monitoring.) Water levels were tested without pumping being stopped. Recovery was never checked routinely or during low water years. Recharge was NEVER considered while operations were underway. Not even during drought. SO the monitoring information is severely lacking because of it.

Attached is a letter from Joe Abad and Karen Shaneyflet that they gave to me and to the City of Mt. Shasta. (See attached letter.) They are members of the Mt. Shasta Big Springs Area Groundwater Elevation Study and experienced well interference when the Coke plant was in operation. This was during the time Coke decided to quit trucking up water from Mossbrae Springs in Dunsmuir and began pumping full time from Dex 6.

Related CEQA Guidelines for Groundwater

CEQA (references: California Environmental Quality Act (CEQA) Guidelines (Title 14, California Code of Regulations, Chapter 3: Guidelines for Implementation of the California Environmental Quality Act, as amended January 4, 2013) guides you to consider:

“Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.” (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted?)

Question: How will CGWC be held accountable for monitoring water levels, real time aquifer recovery and recharge?

Question: Will they have to stop pumping or limit pumping during drought? What are the markers we will have to look at?

Question: What will be the maximum pumping rate of water withdrawal by CGWC at full build out?

Question: What is the process for a homeowner if well interference happens during any aspect of CGWC pumping?

Question: How will well interference be remedied?

Question: Since there is an “expectation of use” of property once purchased, including the use of water, how will neighbors be “made whole” if industrial water extraction affects water availability? (i.e.: ability to put and use a well on the property purchased?)

Question: How will neighbors be “made whole” for the value of property and with an expectation of improving upon their land?

CGWC has 3 high production wells. The EIR must consider the impacts of those 3 wells in case they are ever used concurrently.

Question: What are the cumulative impacts if 1-3 additional high production wells are used concurrently.

Question: What are the cumulative affects of other well development projects in the area of Mt. Shasta City and surrounding county land?

Question: How will neighbors/land owners be “made whole” when/if issues arise with industrial water extraction because groundwater levels are lowered in the aquifer?

In 2014 the City of Mt. Shasta recorded bacteria levels that instigated a warning to all city residents. This was due to record low water and precipitation levels brought on by “exceptional drought.” Water quality monitoring is now made necessary by allowing another industrial user to tap into the Big Springs Aquifer during this exceptional drought.

Question: Where is the water quality monitoring of the Big Springs Aquifer and the City of Mt. Shasta wells and neighboring wells?

Existing Leach Field onsite at Crystal Geyser Water Company's Plant

Nowhere in this NOP description is mention of the existing leach field. During 2014 at City Council meetings, I have mentioned issues with the leach field and Robert Blankenship has called for the rescinding of the Executive Order 5-01-233 and the removal of the leach field. (CD ROM "BlankenshipWDRsummary4/14/2014")

The leach field was build on Deetz 125 soil and should never have gone in the first place because the soil is "too permeable for leach fields" according the USGS survey. (CD ROM "Soil Survey Deetz 125) And as you can see by the original Dannon documents, the soil out there is Deetz 125. (CD ROM "Soil Testing for Leach Field")

The public was told that the water put into the leach field would be cleaner than the water extracted for bottling. Actually, Butyl Phthalate was found in both monitoring well 1 and monitoring well 2. Phthalates are small plastic particles. From the leach field it heads down gradient and can end up as domestic drinking water. Please note the documents from testing reports copies at the Regional Water Quality Control Board from the file on the Coke/Dannon plant operations. (CD ROM " butyl phthalate in well" and butyl phthalate in well 2")

Cleaning solvents called "Acetone" were also found in the monitoring wells and hence the aquifer. (CD ROM "MW1Labs Acetone")

Question: How is this information to be reviewed for public safety?

Question: What cleaning procedures need to be done before any "rinse water" containing butyl phthalate or acetone is dumped into the aquifer by CGWC?

Question: What are the potential impacts to local groundwater quality through discharge of known "bottle rinse water" and "floor wash water" wastes onsite?

Following the Sustainable Groundwater Management Act of 2014

This is from the Office of County Counsel; County of Siskiyou's own document titled "Overview of the Sustainable Groundwater Management Act of 2014." (Ref on CDROM "Sustainable Groundwater Management Act of 2014")

What is "sustainable"?

- **"Sustainable groundwater management"** is defined as being the management and use of groundwater in a manner that can be maintained during the planning and implementation horizon (50 years) without causing **undesirable results**.
- **"Sustainable yield"** is defined as the maximum quantity of water, calculated over a base period representative of long-term conditions in the basin and including any temporary surplus, that can be withdrawn annually from a groundwater supply without causing an **undesirable result**.
- **"Undesirable result"** is defined as one or more of the following:
 - Chronic lowering of groundwater levels (*this does not include overdraft during periods of drought as long as groundwater levels recover during other periods*)
 - Significant and unreasonable reduction of groundwater storage
 - Significant and unreasonable seawater intrusion

Overview of the Sustainable Groundwater Management Act of 2014 **Page 2**

- Significant and unreasonable degraded water quality, including the migration of contaminant plumes that impair water supplies
- Significant and unreasonable land subsidence that substantially interferes with surface land uses
- Depletions of interconnected surface water that have significant and unreasonable adverse impacts on beneficial uses of surface water

Question: How will the expanded EIR cover the county's own legal advice regarding the "Sustainable Groundwater Management Act of 2014?" How will the City of Mt. Shasta and North State Resources gather baseline and real-time data to insure these above-mentioned items are covered?

Question: How will long-term real time monitoring cover the county's own legal advice regarding the "Sustainable Groundwater Management Act of 2014?"

Question: What are the cumulative well development projects in the area of Mt. Shasta City and surrounding county land?

Climate Change Cumulative Effects

Page 9 of CalTrout's "Mt. Shasta Springs Summary Report 2009" (CDROM "Mt. Shasta Springs Study, 2009") says, "In light of the forecasted climate change, questions about source supply for these springs become highlighted when overall source vulnerability is considered. Substantial changes to the annual snow pack on Mt. Shasta due to global warming effects is logically expected to result in changes in the sourcing patterns for these springs, which ultimately could result in significant changes to total spring flows and the timing of spring flows."...

And further on page 9 of the same paper they state "...However, the model results using the regional climate model, specific to temperature predictions, forecasts "the loss of most of Mt. Shasta's glacier volume over the next 50 years with near total loss by the end of the century." This seems to be now happening due to complete snowpack loss and solar protection of the glaciers. Given that the water has been said to be greater than 50 years old (page 16 of same document) and that the likely assumption is that type of water MUST be coming from glacier melt..."

Question: How does loss of the glacier on Mt. Shasta and the extreme drought affect the groundwater levels in Big Springs Aquifer? Can CGWC safely operate, given these conditions? If so, how do you know that?

Question: What are the effects of drought/climate change currently on the Big Springs Aquifer and how does further industrial water extraction affect the groundwater levels in the aquifer?

Question: If "source vulnerability" is considered in the equation, can CGWC proceed with industrial water extraction in the Big Springs Aquifer?

Ground Disturbance/Vibrational Issues

What exactly does "proposed ground disturbance within the Crystal Geysler property" mean? There has been reported 'ground disturbance' via vibrations from plant operation and well pumping reported from neighbors. Is this included in that or are we only discussing the actual moving of soil by equipment? Does "reconnaissance" mean with the eyes only? How will vibrational issues be evaluated?

Home owners have publicly complained of vibrational issues (from the well pumping and from the plant operations) and ambient noise issues (from the well and from the plant operation.) They handed in letters at City Council meetings about these issues during Dannon/Coke operations. See attached letters from Kris Stone, Knight Starr and Marilyn Taylor.)

Question: Can you test for ground/vibrational disturbances in a 2 mile radius from the plant during pumping?

Question: How will ground-based vibrational issues be evaluated and remedied?

Question: How will you test for ambient noise from plant operation when the "plant" right now is only 4 walls and otherwise, empty?

Question: How will ambient noise issues be evaluated and remedied?

Air Quality/Pollution

There will be DRY ASCEPTIC technology used and this means that the air expelled at the plant will contain heavy metals and plasticizers. The air leaving the plant will need to be scrubbed before expelled.

Question: How will the air be scrubbed/tested for airborne plasticizers? What are the health effects of inhaled airborne plasticizers?

Also the plant will be making beverages with smells like "mint," "tea" and "fruit juices." How will this be mitigated? We want no smells from the factory.

Question: How will the smells be removed from the exhaust of the factory?

Question: How will CGWC follow the State of CA, 2005 Greenhouse Gas Laws with the trucking proposed?

Visual Resources

I want Visual Resources added to the list of items to be reviewed for the EIR process. This should include a reconnaissance-level site visit, with images of the CGWC plant from key observation points with the area's view-shed in order to document visual resources. This should include view-shed areas from Castle Lake Road, Spring Hill trail, the top of Everitt Memorial and the Eddy's as those areas are all part of our visual view shed. Also the backside of the plant...that is the view-shed of our future proposed Rails to Trails hiking area up to McCloud.

Biological Impacts

Along with industrial water extraction comes the lowering of the aquifer in the surrounding area. Plants and wildlife depend upon plants, water flows and insects that feed in this area. Mt. Shasta is home to many rare and delicate species. As the water table sinks, these plants and wetlands begin to disappear.

Question: What impacts does the lowering of the water table have on the local environment?

Question: What species of plants, animals and insects are at risk from the lowering of the groundwater level?

PROJECT ALTERNATIVES

How can the public comment on the EIR's scope of project alternatives when the alternative(s) have not yet even been disclosed in the NOP? The NOP states that the EIR will review the "no project alternative," but it doesn't describe any other alternative route or solution to the above problems. Instead, the NOP states those alternatives will come as a result of public comments on this scoping.

That's absurd. How can we propose a better alternative or two when (1) we don't know what environmental risks the proposed Project may pose, and (2) we haven't been given any other alternative/s to consider? You can't leave the public out in the dark and only

introduce those project alternatives for the first time after the end of the scoping comment deadline.

For example, how about a "Reduced scale" project alternative?

An alternative need not include every one of the Project objectives listed above. What if a smaller sewer line was installed that could not handle all of CGWC's wastewater? What if it was just slightly larger than the existing pipe, not five times larger? While the reduction in project cost would be minor since mostly that cost is for the drilling and trenching, not for purchasing and moving the larger size of the sewer pipe, the big advantage to the environment is that a small pipe would not cause growth-inducing impacts. Wetlands wouldn't be filled. Air quality wouldn't go downhill. Traffic wouldn't clog streets. That reduced-scale-but-slightly-larger pipeline would just (1) prevent infiltration leaks, (2) stop manhole leaks, and (3) accommodate current sewer users. That would fulfill most of the Project's purpose, and it offers immensely better environmental consequences. Moreover, the existing rate payer would not need to expand the sewer treatment plant from 800,000 gpd to 1,400,000 gpd and have their sewer bills go up so much.

Or how about a "Reduced scale, only for Crystal Geysers, project alternative"?

This way a smaller pipe could be installed sized to only accommodate existing sewer users and Crystal Geysers. No other future developers. Smaller pipe costs less to install. And much less in off-site mitigations for growth-inducing impacts, as well as lower EIR preparation costs. Since only CG is paying \$3M, why should other developers get a free ride later? At least this CG-only alternative solves nearly all of the Project purposes: (1) prevent infiltration leaks, (2) stop manhole leaks, (3) accommodate current sewer users, and (4) accommodate Crystal Geysers. Remember, an EIR's evaluation of project alternatives does not have to satisfy every objective initially proposed. This alternative might be the environmentally superior alternative: nearly all good and not much bad... other than CG's operational impacts. The City wouldn't like it because it would discourage other development, but that doesn't mean this alternative is not feasible and cannot be included in the EIR.

Question: Where is the alternative plan? Is there a "no build" option? Will there be alternatives suggested? On page 10 of the NOP I see 'Alternative 2' but what is alternative 1? Why aren't they suggested here? Look into the Reduced Scale Project Alternative above and Reduced Scale Only for Crystal Geysers Project above.

Question: What about a "smaller pipe" alternative.

Growth-inducing Impacts of Sewer Line Enlargement

A larger sewer main with newly unrestricted capacity can also provide sewage access to undeveloped land within and near the City of Mt. Shasta. Various foreseeable projects and other lands that have lain in wait for newly-created sewage capacity might be approvable once this enlarged sewer becomes available. By law, EIRs must evaluate the "growth-inducing" impacts that new sewer mains may cause, including their effects on the environment. Those Mt. Shasta area lands or their identified projects, include the following:

200 acres of undeveloped commercial and residential land within the Springhill Subdivision near Springhill Drive at the north of the City.

Over 100 acres of land now owned by Crystal Geysler that are either currently zoned for commercial use, residential development or agricultural activities (that could be rezoned) in the vicinity of Ski Village Drive.

35 acres of unclassified land owned by C.D.M.S., Inc. west of I-5 and north of Hatchery Lane for which preliminary commercial subdivision plans were once submitted to City officials and are now being marketed for commercial development.

Dozens of acres of undeveloped land between I-5 and the local hospital near Pine Street.

A 25-home townhouse project proposed for Chestnut Street.

Over 100 acres of land along South Mt. Shasta Boulevard known as the Roseburg lands that the City is now marketing for development ("The Landing").

35 acres of land adjacent to I-5 between Ream Avenue and Morgan Way to the south of the Tree House Motel that are zoned for commercial development.

Finally, Crystal Geysler's project has applied to the Economic Development Administration for up to 750,000 gallons per day of sewage effluent, posing potentially dramatic environmental impacts from a much-expanded bottling operation there.

CRYSTAL GEYSER: Besides CG's Plant, there is undeveloped residential property to the east, and many acres of possible re-zonable agricultural land to the north of Ski Village Drive. The project is foreseeable, including expanding the existing building and adding solar panels on acres of open land.

Question: What are the foreseeable effects of the growth-inducing expansion of the sewer line?

This would give them the ability to send 50,000 gpd to the city's WWTP and 108,000 gpd into the leach field on the property. If CGWC can dispose of effluent in both places, this would allow for expansion of the CGWC's plant and collective increases in air pollution, traffic, water extraction, and degradation of the aquifer as chemicals are put down into the leach field.

Question: What are the cumulative effects of CGWC having the ability to use the expanded sewer line and their leach field?

Question: What are the effects of the growth-inducing aspects of allowing CGWC to dispose of effluent in both places?

Question: What are the impacts of a plant that is that big? It would be 6-9 bottling lines, which would call for at least a doubling of the plant. What would the impacts be of a plant that size?

Question: What are the growth-inducing impacts of the Crystal Geysers Water Company's plant at full build out?

Question: What are the cumulative impacts of further well development in the Big Springs Aquifer Area? For this question consider residential and industrial wells and future wells for the City of Mt. Shasta.

Question: Will the Crystal Geysers Water Company's plant or future expansion affect property values? This is a growth inducing impact.

There are many domestic wells (in blue) using the same aquifer as CGWC. (CDROM "Parcels+near+Crystal+Geysers-1.jpg")

Question: What rights do other users (home owners 'expectation of use' and municipalities) of this aquifer have, if the water is depleted by industrial water extraction?

Impacts of Foreign Companies Owning Water Rights

Otsuka Pharmaceutical Company owns Crystal Geysers Water Company and Crystal Geysers, Roxanne. (CDROM "Osaka.com 2013_04").

Question: What are the impacts to consider when a foreign corporation owns the water rights in the main aquifers around Mt. Shasta?

Foreign Corporations owning water rights at the source of the Sacramento River must be addressed in light of international trade agreements and recent TPP regulations.

Question: Would any Developer Agreements be enforceable if the Japanese corporation chose to invoke regulations involving restriction of trade even in time of drought?

The actions of the City of Mt. Shasta and Pace/NSR's in circulating this NOP for comment shows me that Crystal Geysers Water Company, a foreign-owned corporation is refusing to follow environmental protection laws in the State of California.

Question: What recourse will the city and its citizens have if this EIR fails to cover known and anticipated effects on the environment and our aquifer? How will CGWC be held accountable after the fact?

Piecemealing of Projects is Against CEQA

The City of Mt. Shasta has real capacity issues and that do not allow for industrial users or for that matter, more residential users. As I sit here, the City is pumping effluent up the hill to the leach field because it cannot adequately treat the effluent during the fall, winter and spring seasons well enough to be put into the Sacramento River.

Question: How will the City and this project handle the issue of an increase in industrial effluent into the WWTP?

Allowing CG and more businesses to use the bigger pipe would be stymied if the WWTP can't handle the extra flow. Thus, the WWTP must be considered as a related and second activity that results from the pipe enlargement. There are two projects, but really just one with different aspects, and both needing a single EIR... even if that takes longer to prepare and longer to build both portions.

This would be piecemealed if "the second activity is a future expansion of the first activity that will change the scope of the first activity's impacts [citation]; or both activities are integral parts of the same project [citation]." (*Sierra Club v. West Side Irrigation Dist.* (2005) 128 Cal.App.4th 690, 698 (*Sierra Club*)).

Approval of the expanded interceptor pipe practically compels completion of the WWTP Improvement Project, which will increase its capacity from 0.8 MGD to 1.4 MGD. Otherwise the existing WWTP could not adequately handle the increased sewage inflow made possible by the sewer interceptor pipe expansion.

The WWTP upgrade project is a "future expansion" of the sewer interceptor pipe expansion. The WWTP expansion is likely to occur after the sewer interceptor pipe expansion occurs and will need to accommodate increased flows not currently happening.

The WWTP upgrade improves the ability of the sewer interceptor pipe expansion to handle increased sewer flows. If the WWTP upgrade does not occur, the sewer interceptor pipe expansion would not serve its primary purpose.

The principle purpose of the WWTP improvements is to repair the WWTP so it can meet stricter discharge requirements to increase pollution prevention.

The principle purpose of the sewer interceptor pipe expansion is to accommodate increased capacity to handle sewage flows including from Crystal Geyser, eliminate storm water infiltration and to eliminate manhole "geysers". Another project objective is to protect water quality (by compliance with applicable regulations).

The original NSR scope of work document is called: "Funded Wastewater Interceptor and Wastewater Treatment Plant Improvements Scope of Work Dec 11, 2013" which begins:

"Project Understanding

The City of Mt. Shasta (City) received a grant funded through the Economic Development Administration (EDA) program for replacing a portion of its existing interceptor sewer and performing improvements at the wastewater treatment plant (WWTP) to accommodate effluent discharge from the future Crystal Geyer Bottling Facility (EDA-Funded Wastewater Interceptor and Wastewater Treatment Plant Improvements). The proposed project includes:

1. Replacing approximately 8,000 linear feet of existing sewer interceptor with new 18-inch through 30-inch interceptor sewer.

2. Providing aeration improvements to the City's existing static-tube diffused air aeration system to accommodate increased flows and biological loading from the proposed Crystal Geysers Bottling Facility, which is located on land under the jurisdiction of Siskiyou County. These improvements will be considered interim until the City completes its Wastewater Treatment and Effluent Disposal Feasibility Study which is due in June 2014."

The City or PACE has moved point 2 to the WWTP project, a clear case of piecemealing or segmentation.

Question: If they have eliminated point #2 how do they explain how the WWTP will handle the CG sludge, which they originally thought needed upgrading to be handled?

Question: What new info has the City of Mt. Shasta recently received that makes it ok to separate the projects like this?

Question: How can you separate the two projects when they are clearly one? CG-Sewer Line project and WWTP upgrades are ONE project and need a combined EIR (and thus a new NOP)

Question: What are the environmental effects of CG effluent/sludge in our (unimproved) plant?

If one considers "full build out" (which you must), even if Crystal Geysers might not be discharging any sludge for the first 5 to 7 years that it operates just one bottling line for its Sparkling Mineral Water flavors, all future activities of the Crystal Geysers plant must be considered NOW and impacts must be discussed and mitigated.

Question: What are the impacts of the effluent/sludge on the City's WWTP from all of the proposed products Crystal Geysers has said they would produce be?

Question: Considering the current drought, does it hurt the city's WWTP's dilution credits? How will they adapt when one considers drought and the addition of CGWC sludge? Is it doable?

Question: How does the new sewer line expansion make the city's WWTP capacity better? Why are the two additional ponds removed from this NOP?

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- California Environmental Quality Act (CEQA) Guidelines (Title 14. California Code of Regulations, Chapter 3: Guidelines for Implementation of the California Environmental Quality Act, As amended January 4, 2013)
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- U.S. Geological Survey (USGS). A Water-Resources Appraisal of Mt. Shasta Area in Northern California, 1985. USGS Water Resources Investigation Report 87-4239.

*Plus attached CD ROM of referenced information from Raven Stevens

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:30 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Crystal Geysers & Waste Water Issues

From: rhea harlow [mailto:rhealove@outlook.com]
Sent: Friday, November 13, 2015 3:47 PM
To: FitzGerald, Shannon
Cc: Good, Stan
Subject: Crystal Geysers & Waste Water Issues

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657

Stan Good
Project Engineer
Economic Development Administration

Re: Proposed Waste Water Treatment Plant in Mt Shasta CA

November 12, 2015

Dear Shannon & Stan,

I am a resident of Siskiyou County, my zip code is in Weed and I live in Hammond Ranch, and I work in Mt. Shasta. I have recently learned the following information regarding the proposed Crystal Geysers Plant and its impact on the community's waste water treatment.

1. There is no application by Crystal Geysers (CGWC) to connect to the WWTP, yet they are very involved in the process with the city regarding the new industrial permit application. Apparently, the City of Mt Shasta has their outside CEQA consultants Pioneer Law Group working on this. Even though, the City admits that CGWC has not been forthcoming with estimates of the amount and nature of the effluent anticipated to be produced at the plant. CG appears to be delaying its formal application to the WWTP upgrade, thereby avoiding having to pay for portions of that WWTP's CEQA costs.

2. Problems identified with using the Crystal Geyser leach field persist. We hear rumors that they are planning to use the leach field and will probably be given a pass by the Central Valley Regional Water Quality Control Board. Many people feel that the prior operators of the Dannon and later CocaCola plant contaminated the aquifer by relying on the leach field.
3. There appears to be contradictory information in documentation wherein both the Environmental Narrative and the IS/MND state that some growth is being planned for with the WWTP work, yet in another statement they declare that no review is necessary since the work will not be growth inducing.
4. I, my friends, and relatives living throughout the State of California are aware that there is substantial controversy surrounding the Crystal Geyser plant. Including dozens of letters to the editor in the Mt Shasta Herald. The statewide press has covered it extensively.

Our local jurisdictions seem unwilling to accept responsibilities associated with being a lead agency. There is in effect no applicant, no proponent, no identifiable clear project. And yet, there is now a completely re-tooled building, with new concrete poured, foundation altered, equipped and near ready to operate, except with no connection to the wastewater treatment plant, inadequate power to accomplish their goals of production of plastic bottles, teas, juices. ***This is not an example of best practices or compliance with either the letter or the intent of CEQA or NEPA law. We feel an EIS is necessary.***

The concept of unlimited groundwater pumping so close to the Headwaters of the Sacramento River elicits justifiable community concern. Last year an important case was won by ELF (Environmental Law Foundation). They issued this press release: "Court Rules Groundwater Protected as Public Trust". Farmers and landowners in Siskiyou County were pumping ground water near the Scott River. See link: <http://www.envirolaw.org/documents/ScottOrderPressReleaseJuly2014.pdf>.

People are waking up. Allowing toxic metals, chemicals and other hazardous waste such as phthalates from plastics to enter one of the main river arteries of Northern California is an idea whose time has passed. ***Mt Shasta should be the vanguard of enlightened environmental practices. This is why we must look at the larger picture in such a pristine mountain village. The EDA can help make this a reality.***

5. Has the EDA decided to waive the stipulations that are usually part and parcel of the grant awards? There is concern among the public that the EDA might come back and demand the return of the funds under certain conditions as has been done in Redding and in Ford City, PA. What assurances do we have that this will not occur in Mt. Shasta? Link: <http://triblive.com/news/armstrong/8917599-74/borough-debt-eda#axzz3qzE4h3y6>

6. In other communities with beverage companies producing sugary effluent, damage has been done to the WWTP infrastructure requiring huge investment by the municipality.

Many bottling operations in other communities have functioned by operating their own onsite wastewater treatment facilities because of the inability of the local community wastewater treatment plants to accept the problematic (quality and quantity) effluent.

8. We are justifiably concerned that the City's engineer PACE is recommending disposing of water used at the CG plant without knowing the chemical constituents of the water. Because there is no permit application by CG for connection to the WWTP the city engineers and public are in the dark about what potential contamination to both the leach field and ultimately the WWTP may be likely.

With regard to all the above mentioned possible problems, why is the City of Mt. Shasta still dragging its feet in requiring Crystal Geysers to comply with efforts to ensure safety and quality of life for its citizens?

Lastly, if you have information that is contradictory to the above mentioned, letting the public know that information would assist in establishing greater trust in our local officials.

Thank you for your consideration of all our community needs,

Rhea Harlow,
a concerned citizen

Sent from Windows Mail

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:30 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: EDA/Mt. Shasta WWTP comments
Attachments: WWTPresponse-GNA.pdf

-----Original Message-----

From: Raven [<mailto:flyraven@sbcglobal.net>]
Sent: Friday, November 13, 2015 9:56 AM
To: FitzGerald, Shannon
Subject: EDA/Mt. Shasta WWTP comments

Hi Shannon,

Well that must have been a drag having email down yesterday of all days! Bet you are glad today is Friday! :) Here are the comments from the Gateway Neighborhood Association. (I faxed yesterday but thought it might be easier for you to have them in electronic form.)

Sincerely, Raven Stevens

Gateway Neighborhood Association
Community Liaison/Raven Stevens
724 Butte Ave
Mt. Shasta, CA 96067

November 11, 2015

U.S. Department of Commerce
Economic Development Administration
Regional Director A. Leonard Smith
915 Second Avenue, Room 1890
Seattle, WA 98174

Submitted via email to:

Stan Good, Project Manager SGood@eda.gov
Shannon Fitzgerald sfitzgerald@eda.gov

The Gateway Neighborhood Association (GNA) is an organized group of 76 homeowners in Siskiyou County. I have been chosen by the group to be the community liaison and spokesperson for this issue. I am writing today to give feedback to be considered on the amended scope of work for the EDA grant awarded to the City of Mt. Shasta.

I am happy to hear that the City of Mt. Shasta is going to upgrade their Waste Water Treatment Plant and I believe it needs to be done to care for those downstream of us, the Sacramento River and the leachfield the city pumps effluent to the Mount Shasta Resort golf course. All city effluent or treated water going to those areas should have equal stages of cleanliness.

I am however, concerned with the implications of the various documents and thoroughly confused as to whom the primary beneficiary of the 'upgrade' will actually be. Crystal Geyser beverage bottling plant is going forward with NO environmental review and that this plant is a "primary beneficiary" of this grant, as listed in the application.

In the **WWTP Initial Study** it says "The principal factor driving the need for expansion is anticipated population growth within the WWTP service area. A secondary consideration is the possibility that Crystal Geyser may apply for additional capacity in order to expand its bottling operation."

The document further goes on to outline:

"Anticipated Crystal Geyser Treatment and Disposal Requirements.

Crystal Geyser owns a ±145,000 square-foot bottling facility just outside of the city limits of Mt. Shasta on Ski Village Drive. The facility is within the service area of the WWTP. Crystal Geyser is proposing to manufacture its Juice Squeeze, Sparkling Mineral Water,

Tejava Premium Iced Tea, and Metromint products from the facility. According to Crystal Geysler, the facility would contribute approximately 0.05 MGD of wastewater to the WWTP during the first five years of operation. At full build-out, Crystal Geysler has indicated it could contribute up to 0.15 MGD to the WWTP. Accordingly, if the City were to serve Crystal Geysler, the planned treatment and disposal capacity would need to be increased from 0.9 MGD to 1.05 MGD to serve the anticipated 2039 demand. A complete application from Crystal Geysler requesting authorization to discharge wastewater to the City's wastewater collection, treatment, and disposal system has not yet been received by the City of Mt. Shasta. Likewise, the specific constituents that may be included in the wastewater stream have not been identified. The City of Mt. Shasta anticipates that, if it were to allow Crystal Geysler to connect to the City's wastewater system, pre-treatment of the wastewater by Crystal Geysler would be required to remove any unique constituents (i.e., sugars with a high biological oxygen demand). Further, the City would require that Crystal Geysler pay for its full share of the costs of expanding the facility to handle an additional 0.15 MGD of wastewater. Preparation of a separate environmental document pursuant to CEQA is needed to address the proposed Crystal Geysler operation. In September 2015, Crystal Geysler announced plans to prepare an Environmental Impact Report (EIR) for proposed plant operations. With respect to Crystal Geysler, the scope of this Initial Study is limited to addressing the potential full-buildout volume of wastewater that could be generated by existing and foreseeable growth, i.e., 1.05 MGD. The City's approval of this Initial Study and adoption of a Mitigated Negative Declaration would not include or constitute approval for Crystal Geysler to connect to the City's wastewater system. Rather, the current CEQA coverage would allow the City to proceed with the State-mandated treatment and disposal improvements. The results of this Initial Study could also be included in a broader environmental document addressing the whole of the Crystal Geysler project. "

In the **EDA Preliminary Engineering Report** on page 11 section A1 it says:
"The successful completion of this project would allow for the opening of a state of the art bottling plant and the creation of 60 new jobs. It would also prepare the city for the needs of future development."

It goes on to state in A2 that they are "including 7,300 feet of main sewer interceptor line" and "building 2-3 new storage lagoons at the wastewater treatment facility to accommodate flows from the bottling plant and future development."

And page 12, section 5 under project beneficiaries it names Crystal Geysler as project beneficiary and also mentions 150 jobs (very different from the now projected 60 jobs.)

So to consider this project and not consider the larger implications of the stated industrial beneficiaries in these documents is, I believe, the definition of piece-mealing. (CEQA)

I brought up these same issues in a recent city council meeting and email contact with the Mayor. To my emails, am assured by the Mayor of Mt. Shasta, Geoff Harkness via email:

"Here are the responses I received from staff this morning..."

Is page 11-12 of the attachment part of the most recent EDA application? *No. Pages 11 and 12 are included as an attachment to this document referenced on page 2, Section 2. Those two pages are from Form ED-900 "which was provided for the original Interceptor Sewer Replacement Project". EDA told us to just reference that Form ED-900 rather than doing a new one.*

· If so, why was the interceptor line mentioned on page 11? *Again-that was part of the original Interceptor Line project app.*

· And, since CG is mentioned as a private industry beneficiary in the EDA grant, does that automatically indicate that any CEQA done on the WWTP must include CG? *No. EDA has approved the use and transfer of EDA funds to this State-Mandated project. I cannot emphasize enough that the State Mandated project is being built to meet state mandates-more stringent effluent limitations. It is not being built to accommodate CG. There are many project beneficiaries including existing and future residential, businesses, downstream users, etc. The current phase of the State-Mandated project (UV and Filtration), and even the future phases (aeromod, control facility, etc.) will be built entirely within the footprint of the existing plant. This will require minimal environmental mitigation. The State-Mandated Project must move forward no matter what happens with Crystal Geysers. There will be no consideration for serving Crystal Geysers in the design of the filtration and UV disinfection facilities, nor the remaining State-Mandated improvements. However, the design will be such that processes can be expanded (as is normal practice) should Crystal Geysers or any other industry come into the City. At this point, we have seen no industrial waste discharge permit application so we have no idea the quantity or quality of effluent from Crystal Geysers. The City's approach is to make improvements to the WWTP to comply with State-Mandated requirements. As part of any future industrial waste discharge applications, the City will impose pre-treatment requirements on the discharger so that any wastewater will not affect the processes planned for the State-Mandated project."*

I believe that the Mayor's response is genuine and I also know that if I do not comment now, I lose the chance to bring up these items/comments by the Nov. 12, 2015 deadline. Again, it is not my or the GNA's intention to have the City lose the grant but it is my obligation to voice concerns about the ultimate connection with Crystal Geysers and concerns over proper review of the project.

Thank you,
Raven Stevens

Community Liaison
Gateway Neighborhood Association

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:33 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: EDA_comments_on_Mt.Shasta_WWTP_project -- Attachment 2 of 2 (part 3 of 3 emails)
Attachments: W.A.T.E.R.'s NOP_Comments_MS SewerInterceptor-CG project 11-30-14.pdf

From: Mt. Shasta Tomorrow [<mailto:mtshastatomorrow@excite.com>]
Sent: Friday, November 13, 2015 4:15 PM
To: Good, Stan; FitzGerald, Shannon
Subject: EDA_comments_on_Mt.Shasta_WWTP_project -- Attachment 2 of 2 (part 3 of 3 emails)

Being resent today because EDA's email servers would not receive emails sent yesterday as attempted.

-----Original Message-----

From: "Mt. Shasta Tomorrow" [mtshastatomorrow@excite.com]
Date: 11/12/2015 08:54 PM
To: sfitzgerald@eda.gov, SGood@eda.gov
Subject: Fwd: EDA_comments_on_Mt.Shasta_WWTP_project -- Attachment 2 of 2

Please accept this attachment #2 to our comments that pertain to the Mt. Shasta WWTP EDA grant and EA. This attachment of correspondence by W.A.T.E.R. to the City of Mt. Shasta on Nov 30, 2014 contains relevant comments concerning the earlier phase of this overall project, the Interceptor Pipe and CGWC projects.

Thank you,
Dale La Forest
Director- Mt. Shasta Tomorrow

November 30, 2014

Ms. Tammy Laphorne
Deputy City Clerk, City of Mt. Shasta
Mr. Paul Eckert, City Manager
Phone: (530) 926-7510
305 N. Mt. Shasta Boulevard
City of Mt. Shasta, CA 96067

Email: TLaphorne@mtshastaca.gov
cc: Eckert@mtshastaca.gov

Dear Ms. Laphorne:

Please accept the attached comment letter on the Mount Shasta Sewer Line Improvements Project Notice of Preparation (NOP).

The project proposal represents one of the biggest development decisions for the City of Mt. Shasta. It will dramatically increase the amount of growth that these enlarged sewer infrastructure improvements can accommodate. Naturally it is important that each step of the California Environmental Quality Act (CEQA) process provides opportunities for significant public involvement.

In our attached comment letter which includes many questions, we attempt to explain why the NOP fails to provide certain basic information needed by the community and agencies to gain understanding of what development of larger sewer infrastructure and the expanded Crystal Geysers bottling plant operations of these sizes, scope, and scales could mean.

For example:

1. The NOP misleads members of the public who were told that the "full EIR" would include Crystal Geysers' operations. The NOP misleads the public by briefly describing that Crystal Geysers seeks approval to discharge into the City's sewer system, but the NOP omits any mention of Crystal Geysers' operations in its Project Objectives, Project Purpose, and Project Location or its mappings.
2. The NOP fails to inform the public that this Sewer Line Improvements Project is actually a part of another even more expensive project -- the Waste Water Treatment Plant ("WWTP") Improvements project -- for which the City proposes to nearly double the WWTP's sewage treatment capacity to facilitate future growth within the community.
3. The NOP provides inadequate detail about Crystal Geysers' proposed site, neighborhood and facility expansion areas. It does not even include Crystal Geysers' bottling plant location within or remotely near its mapping of this Project's "Study Area." (NOP, "Figure 1.")
4. The NOP entirely omits any mention that this Project will likely result in substantial growth-induced environmental impacts. Additionally, there should be cost benefit analysis covering impacts to the citizens, county and city.

5. The NOP lacks basic information, as CEQA requires, to give the public and agencies a chance to comprehend the full environmental impacts of the project. In fact, the NOP fails to describe in any detail whatsoever which environmental impacts this Project may likely cause.

6. The NOP itself, as circulated, is a vague and inaccurate document which fails to describe the project alternatives in order to comply with required guidelines. Presenting alternatives at the NOP scoping meeting has only added to the confusion and disorder of this project's representation; it does not cure those requirements.

7. The NOP effectively puts the cart before the horse by addressing the interceptor line and not the entire state mandated WWTP enhancements, thus piece-mealing or segmenting the sewer project.

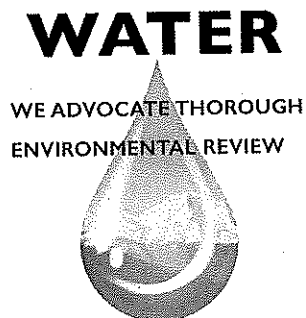
8. The NOP and the whole Draft EIR process should require that CG be identified as the proponent and primary beneficiary of the EDA grant and the sewer interceptor line enhancement. The interests of the City, County and Crystal Geyser are not identical and should be separated.

9. The NOP fails to address the fact that the CG building is an empty shell with no conduit or equipment related to bottling. It has been vacant for almost 5 years, Coca-Cola having closed in 2010 and vacated in 2011. Thus the baseline must be considered as an empty structure with no specific commercial or industrial use.

Given the NOP's focus on only the sewer and interceptor collection system, its misleading description of the current Crystal Geyser project, and its utter lack of specifics or alternatives, a realistic response is: exactly what project is being considered?

It appears that the City of Mount Shasta has been put in the untenable position of producing an NOP that includes the Crystal Geyser plant but addressing a proposal for which the Crystal Geyser applicant has not provided sufficient information. Because so much is at risk surrounding local wells, the effluent to the Sacramento River and the predictable effects on wildlife and all downstream users, an appropriate response would be to introduce an entirely new project application and, consequently, a new NOP that gives the public the critical information needed to make intelligent comments.

Sincerely,



Contact Information:

Mountshastawater@gmail.com

(530) 918-8805

Bruce Hillman

Roslyn McCoy

November 30, 2014

Ms. Tammy Laphorne
Deputy City Clerk, City of Mt. Shasta
305 N. Mt. Shasta Boulevard
TLaphorne@mtshastaca.gov
City of Mt. Shasta, CA 96067

Phone: (530) 926-7510
Email:

Re: Notice of Preparation of a Draft EIR for the
Mount Shasta Sewer Line Improvements Project

Dear Ms. Laphorne:

Responding for W.A.T.E.R., we appreciate the opportunity to provide comments on the Notice of Preparation ("NOP") of an Environmental Impact Report ("EIR") for the Mount Shasta Sewer Line Improvements Project ("Project").

I. Introduction

Our letter on the NOP identifies numerous problems and omissions in the NOP and requests that the City revise and recirculate the NOP. We feel the NOP lacks significant and salient information regarding the complex nature of the Project and its probable environmental impacts. That lack of information makes it seem unreasonable to expect knowledgeable guidance from members of the relevant agencies and community regarding the content and extent of the information to be included in the EIR.

We expected that the NOP, in addition to identifying the full nature of the Project, would have incorporated or have been responsive to the public's comments on this EIR. These comments have been frequently expressed at City Council and Board of Supervisor meetings as well as at the Crystal Geysers Forum and Scoping Meeting, over the last year. The NOP does not, however, provide much of the careful analysis we requested. The comments that many of us have raised previously in public meetings are legitimate issues pertaining to the environmental review process. The City and County's failure to address these issues is concerning, as the California Environmental Quality Act ("CEQA") requires a good faith, reasoned analysis in response to comments. CEQA Guidelines § 15088 (c). We request that the City and County give serious attention to these and other public comments as the administrative process for the Project review continues.

The NOP fails to inform the public that this "Sewer Line Improvements Project" is actually a part of another even more expensive project -- the "Waste Water Treatment Plant Improvements Project" -- for which the City proposes to nearly double its sewage treatment capacity to facilitate future growth within the community. The Waste Water Treatment Plant ("WWTP") must be brought up to current State standards to improve the quality of its discharge wastewater, remediating intermittent standards violations. (The

City has also elected to increase its sewage treatment capacity to accommodate future growth throughout the community and its need for increased sewage treatment quantity.) The City is handling both of these phases of its sewer infrastructure upgrades separately with two separate EIRs to be prepared by different consultants. Was it a coincidence that immediately after hearing questions at the Scoping Meeting, the announcement came of another EIR addressing the state mandated enhancements?

SEGMENTATION

“Segmentation” or “Piecemealing” occurs when the project description does not encompass the *entire* project. The danger of segmentation is that it chops projects into smaller bits, which standing alone, may not present the full range and intensity of adverse impacts resulting from the entire project. The Sewer interceptor line and upgrades to the WWTP were both included in the grant to EDA to fund this project. The original Scope of work from North State Resources was titled “EDA-Funded Wastewater Interceptor and Wastewater Treatment Plant Improvements Scope of Work” and included as point 2 (of 2):

2.) Providing aeration improvements to the City’s existing static-tube diffused air aeration system to accommodate increased flows and biological loading from the proposed Crystal Geyser Bottling Facility, which is located on land under the jurisdiction of Siskiyou County. These improvements will be considered interim until the City completes its Wastewater Treatment and Effluent Disposal Feasibility Study, which is due in June 2014.

However the NOP does not mention the upgrades that were planned and blandly states: *The City’s existing WWTF has enough surplus capacity to accommodate up to 100,000 GPD without any improvements. Therefore, no improvements to the WWTF are proposed as part of this project.*

This in spite of the fact that the EDA grant projected 750,000 gpd of effluent produced at the Crystal Geyser plant, recent revisions notwithstanding.

The City is now proposing another separate MND or EIR on the state mandated WWTP upgrades. As originally perceived, the sewer interceptor line and some of WWTP upgrades were unified and interdependent. The two segments cannot be considered individually; the building of a new sewer pipeline connection and state mandated improvements in the WWTP are using funds from the same EDA grant. The building of a new enlarged sewer connection line is clearly related to the state mandated and required improvements to the plant to which it connects. Thus the separation of the sewer interceptor line and the improvements to the WWTP is an impermissible segmentation of CEQA projects.

II. The NOP Lacks Necessary Information Regarding the Project(s) and its (their) Probable Environmental Impacts.

The stated purpose of an NOP is to: “solicit guidance from members of the public agencies as to the scope and content of the environmental information to be included in the EIR.” CEQA Guidelines § 15375; see also CEQA Guidelines § 15082. To effectively solicit such guidance, the NOP must provide adequate and reliable descriptions and

details regarding the probable environmental impacts. Although this CEQA Guideline pertains to a lead agency's response to comments on a draft environmental impact report ("EIR"), the City should make a every effort to address all environmental issues raised by the public. This NOP thus is not adequate in this regard. We ask again that the City revise and recirculate its NOP in order to remedy this serious deficit.

The NOP fails to address the fact that the CG building is an empty shell with no conduit or equipment related to bottling. It has been vacant for almost 5 years, Coca-Cola having closed in 2010 and vacated in 2011. Thus the baseline must be considered as an empty structure with no specific commercial or industrial use.

A. Project Description and Setting

A fundamental CEQA requirement is that an EIR contain an accurate and complete project description. See *County of Inyo v. City of Los Angeles*, 71 Cal. App.3d 185 (1977); see also CEQA Guidelines § 15124. Without a comprehensive project description meaningful public review cannot be expected and the public cannot be assured that the environmental impacts of the entire Project have been fully addressed in the EIR.

The NOP is defective as the proposed volume of potential sewer / wastewater discharge by CG represented in the NOP differs *a great deal* from those amounts of record in the EDA Grant Documents.

Either the grant documents or the NOP must be changed / revised in order to be consistent with the overall project plan and the intension of its dedicated funding mechanisms. The public is being told one thing in the project grant documents yet is experiencing another thing in the project's CEQA review process.

An NOP should provide adequate information describing the project in substantial detail to allow members of the public to prepare a meaningful response. CEQA Guidelines § 15082(a)(1)(A)&(B). Unfortunately, the City's NOP fails in this regard. Critical details about the Project remain undisclosed. Many aspects of the Project(s) that the NOP attempts to describe have so little detail that a reader is left with virtually no idea of what the Crystal Geysers and WWTP Project(s) would look like at full build-out. We also have no data or projections as to whether the various components will function at maximum capacity. Some of the most problematic areas of deficiency in the Project Description are set forth below.

- Public Services and Utilities. As discussed below, critical Project components relating to wastewater service, storm drainage remain undefined. At full build out of the CG plant, provision of electrical power to the site by Pacific Power would require a new sub-station and/or solar installation. The increase in capacity at the WWTP would also potentially cause an increase in the cost of pumping to the leach fields with implications for the rate payers.

- Proposed Design and Land Use: Proposed Design and Land Use: The NOP simply identifies one selected alternative for the sewer line expansion. These other alternatives were first revealed only at the November 12 Public Scoping meeting. No description of the additional 4 alternatives was presented in the NOP, denying the general public and interested agencies a chance to comment on or even be aware of the alternative plans and denying everyone a 30 day comment period. See document "*NOP-project-alternatives-not-included.pdf*" for photographs of the plans presented for the first time at the Scoping meeting. The removal of the WWTP settling ponds is a change from the original EDA grant budget and scope. The full plans for the CG plant at build out with potentially allowable building additions are not covered. We know from newspaper articles that CG purchased this large property because of possibility of expanding their operations.
- Total Traffic Use. The NOP should identify the maximum number of trips (trucks and employee trips) that will be accommodated by the proposed Projects (CGWA at full build out, the collection system and the WWTP modifications). The EIR must identify the total number of trips to the Project expected upon build-out. This data should be identified by season.
- Water Supply. All potential sources of water must be described with identification of the potential environmental impacts from each proposed source.
- General Plan Actions: There is no discussion of the obvious logic of annexation of the land owned by CG since it is surrounded by City (of the 266 acres owned, 60% is City, 40% County).

The NOP is additionally inadequate in that it fails to describe the full buildout of the Crystal Geysers operation, of uses and activities proposed, their timing, or their commitment to cease production in time of drought or WWTP capacity failure. Because these Project(s) appear to be at the earliest stages of planning, we question the value in releasing an NOP prior to the applicants (the City of Mount Shasta and Crystal Geysers) identifying specifically what is contemplated for the Project(s) sites in the short and long term.

B. Analysis of the Project's Probable Environmental Effects.

An EIR must provide adequate analysis and detail about environmental concerns that enable the City, County and agencies to make intelligent determinations in light of the environmental consequences of their decisions. CEQA Guidelines § 15151; *Kings County Farm Bureau v. City of Hanford*, 221 Cal.App.3d 692 (1990). The lead agency must attempt to assure that substantial effort to assure full disclosure of environmental impacts has been made. In order to accomplish this requirement, it is essential that the Project is adequately described and that existing setting information is complete. See *County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185, 199 (1977). Both the public and decision-makers need to fully understand the implications of the choices that are

presented related to the Project, mitigation measures, and alternatives. *Laurel Heights Improvement Ass'n v. Regents of University of California*, 6 Cal.4th 1112, 1123 (1988).

C. Reasonable Range of Alternatives.

Reasonable alternatives to the Sewer Enhancement Project should be analyzed. These alternatives should reasonably attain most of the project objectives, yet lessen the project's environmental impacts. (See Public Resources Code § 21100(b)(4); see also CEQA Guidelines § 15126.6(a). Unfortunately, the NOP does not identify any Project alternatives even though weeks after it was released several other project alternatives were shown at a Scoping meeting to some people who attended. The CEQA Guidelines state that the selection and discussion of alternatives should foster informed decision-making and informed public participation. (See CEQA Guidelines § 15126(d)(5).

The Mt. Shasta region is abundant in natural resources. As good stewards, we must be selective and cautious in soliciting commercial/ industrial partners. The City should consider several alternatives to the proposed Crystal Geysers Project. It seems clear that the Project would result in extensive environmental impacts.

1. Hydrology and Water Quality

The EIR must determine whether the proposed Project would result in violations of water quality standards, deplete groundwater supplies or interfere with groundwater recharge, result in new amounts and quality of polluted runoff, or alter the existing drainage patterns. As a result of the construction and operation of the proposed Project, significant impacts to water quality and quantity are likely. Impacts to water quality and groundwater supplies would occur both from construction activities and the Crystal Geysers operation that will be facilitated by this Project's construction. The EIR should provide a detailed analysis of the Project's hydrology and water quality impacts taking into particular consideration the well monitoring studies in progress by the Gateway Neighborhood Association, addressing mitigation for any impacts determined to be significant. Of particular concern is the potential use of the leach fields on the CG property, which historically when under Coca-Cola ownership produced noxious fumes, and pollutants into streams in adjacent neighborhoods south, west and east of the plant. In addition, an analysis of possible toxic contamination of the water sources near Spring Hill should be conducted to evaluate the impact of the large construction waste fire near the wellheads in 1990. See "*Spring-Hill-Fire_1990.jpg*".

2. Biological Resources

Significant biological communities and habitat types occur in the Project areas. The Initial Study fails to describe which biological resources may be impacted by these Projects. The NOP does not provide any indication as to the extent of impacts to these communities and habitats. The NOP must identify the proposed study areas (which will differ by species), the determining factors for claiming significance and potential mitigation measures.

A complete analysis of the Project-specific and cumulative effects on biological resources are necessary for development of alternatives and measures to eliminate or substantially reduce the Project's significant impacts. These studies must be prepared by an independent biologist with expertise in riparian habitats. The biological resources study must be based on surveys and detailed field studies that are completed at appropriate times of the year for each species potentially in the area. Because many of the alternatives presented at the Scoping Meeting cross wetlands, the EIR must also assess any existing or anticipated wetland delineations completed by the U.S. Army Corps of Engineers. The various sewer line alternatives presented at the Scoping Meeting show significant wetland intrusion, but most importantly, the likelihood of opening such wetlands to big box commercial development e.g. properties adjacent to I-5 that are 67% wetlands.

The project(s) should identify the processing solvents and chemicals that will be used and then drained into both the leach fields and interceptor line to the WWTP.

The NOP was sent to the U.S. Fish and Wildlife Service, the California Department of Fish and Wildlife, and the U.S. Army Corps of Engineers, and mitigation measures for impacts to biological resources must be supported by these agencies. However the incomplete description of the full build out of the operation of the Crystal Geysers plant and the state mandated WWTP improvements anticipated to be completed by 2020 allowing for many new areas to be developed, would logically misrepresent the significance of the Project, making the agencies' responses unlikely to address full environmental impacts.

3. Water Supply

The NOP does not identify the amount of water that would be allowed to service the proposed Project or whether adequate supplies exist within the Crystal Geysers Project area. A comprehensive hydrology assessment that takes into account long-term availability of water supplies must be included, especially in light of extreme drought in all of California. This analysis must identify the water supply for peak day under full build-out conditions and cumulative development while demonstrating that adequate flows will be maintained for Big Springs Creek and all other water bodies. The Project's EIR must provide a comprehensive analysis of the environmental impacts associated with this infrastructure project and bottling plant project.

There must be evaluation of recent drought impacts and diminishing snowpack plus industrial water extraction and well interference on neighborhood wells, as well as analysis of historical problems encountered during the Coca-Cola operation. This should trigger a full and new independent hydrology study.

The DEIR should conduct a complete analysis and water balance study to evaluate whether ground water withdrawal could potentially cause drying or reduction of surface flows in Big Springs or in ground water levels of neighboring private wells.

There is possibility of further depletion of ground water supplies or interference with groundwater recharge such that there would be a net deficit in aquifer volume or lowering of the groundwater table (e.g. The production rate of pre-existing nearby wells could drop to a level which would not support existing land uses or planned uses for which permits have already been granted.)

Foreign Corporations owning water rights at the source of the Sacramento River must be addressed in light of international trade agreements and possible future TPP regulations. Would any Developer Agreements be enforceable if the Japanese corporation chose to invoke regulations involving restriction of trade, even in time of drought?

CG's proposal to supply a "water interconnect" with the city water system has additional risks involved, including drawing down the Gateway Neighborhood Association's groundwater even more by pumping to supply water to the City as well as for bottling purposes. This also has growth inducing consequences. Currently undeveloped land can be developed to higher densities if developers have access to municipal water. For example CG has residential land just east of its building; the County allows 7 houses/acre with water and sewer piping, but only about 1 house/ 2 acres if well and septic are used.

4. Visual Resources

Aesthetics including scenic vistas, scenic resources, and the proximity of the proposed development to the existing community and consequent quality of life impacts must be analyzed. The lack of any meaningful analysis or enforcement of mitigations of the previous owners' environmental impact is no excuse to ignore these issues. The Mount Shasta area is one of the premiere hiking and outdoor recreation areas in the Western United States. It is a major destination for both serious mountain climbers and casual hikers. The proposed plant will be the largest and most visible structure in the entire Mount Shasta area negatively impacting the views from all of the numerous hills and mountain ranges surrounding Mount Shasta City.

Crystal Geysers has proposed expanding its bottling plant building and installing acres of photovoltaic solar panels to nearby lands. Both of these structural changes will have aesthetic impacts that the EIR must evaluate.

Clear graphics showing pre- and post-Project visual conditions must be shown. Given the Crystal Geysers Project's potential increase in size and coverage of land area, it will be particularly important to use appropriate techniques to disclose the Project's aesthetic impacts. To this end, the EIR's analysis should include the use of story poles as well as photographic simulations.

In order to adequately characterize the visual impacts of the CG plant, analyses must include areas from Castle Lake Road, Spring Hill trail, the top of Everitt Memorial and the Eddy's as those areas are all part of our visual view shed! Also the back side of the plant...that is the view shed of our future proposed Rails to Trails hiking area up to McCloud.

The previous owners of the building signed a "Mitigation Agreement" with the Regional Water Control Board agreeing to moderate the visual impact of the plant. Danone agreed in part that the:

- * Building and free-standing signage will be constructed of non-reflective materials and will not be internally illuminated.
- * Elevations and specifications will describe materials and color selection. The applicant will work with the City and County to determine a mutually acceptable theme.
- * Truck maneuvering areas and loading/staging areas, and all outdoor mechanical equipment, will be screened from view from adjacent properties and public rights-of-way using landscaping, screening, earthen berms, or such means to accomplish screening to the degree commercially feasible. A landscape plan for the proposed project site with line-of sight cross sections should be prepared and provided to the City for review.
- * The public/employee parking area will be screened from view from Ski Village Drive using landscaping, a landscaped berm, 10 foot high wall, or such means to accomplish screening to the degree that would be commercially feasible. The screen should be placed outside the building setback area to maximize its effectiveness

However none of the mitigations to which Danone agreed and which Coca-Cola was also bound to comply with were implemented or enforced. The building is painted bright white and no serious view blocking landscaping has ever been put in place. The previously agreed upon mitigations need to be addressed and strengthened. The EIR must address the substantial issue of visual blight and aesthetics of the plant and any additional changes that Crystal Geysers intends to make to its property. It must also address which jurisdiction will be responsible for addressing mitigations and enforcement of same.

Lighting Impacts of the Crystal Geysers plant

Mount Shasta with its surrounding area is a relatively pollution free area of the state with impressive nighttime views of the stars and sky. Light pollution caused by industrial development and indiscriminate outdoor lighting is a serious threat to this important and increasingly rare outdoor resource.

The Siskiyou County codes for lighting states:

- * Sec. 10-6.5602. - Light, glare, and heat.

Exposed sources of light, glare, or heat shall be shielded so as not to be directed outside their premises. (§ 1, Ord. 86-26, eff. August 21, 1986)

However many nearby residents have complained about the nighttime lighting of the

plant under its previous owner. During testimony to the Central Valley Regional Water Control Board on the application of Danone (a previous operator of the plant) for a discharge permit, more than a dozen Mount Shasta residents opposed the permit, asking the plant operators to curb the facility's noise and light levels. They said the company has been operating at noise and light levels that are too high. (Redding Searchlight: Sept. 8, 2001).

Solar Glare and Glint Visual Impacts May Be Significant

Crystal Geysers proposes to install acres of photovoltaic solar panels to provide for some of its increased energy needs. See "[2014-10-02 Email-CG-image-of-array.pdf](#)" for a Crystal Geysers solar array proposal from Alpine Construction and Solar sent to County planners. Glass-covered solar panels will, at certain times of the day or year, cause significant solar glare and reflective visual impacts to observers overlooking the Mt. Shasta valley from several scenic locations. We request that the EIR analyze and mitigate for such aesthetic impacts to viewers from locations along Castle Lake Road, Everitt Memorial Highway, and atop Spring Hill where these future solar panels will be plainly visible. In some locations on the public hiking trail on Spring Hill adjacent to the portion of Crystal Geysers' land where the panels may be sited, the extreme solar glare on sunny mornings from acres of glass-covered solar panels may last for over an hour. It is that east or northeastern view of the top of Mt. Shasta that hikers there value, but to have blinding sunlight reflected off of acres of solar panels would create a significant visual impact. The shorter periods of time that such solar glare could similarly impact scenic views along Castle Lake Road and Everitt Memorial Highway must be addressed.

5. Cultural Resources

The Mount Shasta bioregion is considered archaeologically sensitive in general and also in the Project(s) vicinity. The 7,000 plus feet of sewer line improvements cross wetlands with impacts on small streams and ultimately, Lake Siskiyou and the Sacramento River. Although we must consider the archaeological record and the impact on the Native American sacred sites, there is an internationally recognized culture surrounding Mount Shasta that must be respected.

6. Land Use and Planning

The NOP fails to discuss potential land use planning conflicts. An EIR evaluates not just a project's real-world environmental impacts. It also must analyze whether a project is consistent with local planning laws. CEQA considers an inconsistency between a project and the local laws to also be a significant environmental impact.

Crystal Geysers Plant zoning of M-H is incompatible with County General Plan. Every city and county must have a general plan, which is the local government's long-term framework or "constitution" for development. Development must not only meet the specific requirements of the zoning ordinance, but also the broader policies set forth in

the local general plan. The purpose of zoning is to implement the policies of the general plan.

The lot containing the Crystal Geyser plant is currently zoned Heavy Industrial (M-H). This is in conflict with the plant area being designated a "Woodland Productivity" area in the County's General Plan. A Woodland Productivity area does not allow Heavy Industrial Zoning. The Siskiyou County General Plan Land Use Policies on Woodland Productivity areas states this in Policy 32:

Policy 32. Single family residential, light commercial, light industrial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi public uses only may be permitted.

See "Land Use and Circulation Element" at
http://www.co.siskiyou.ca.us/sites/default/files/docs/GP_LandUse-CirculationElement.pdf

Policy #32 states certain land uses "only may be permitted"; "only" means it is a mandatory policy.

The EIR must consider the environmental impacts of the Crystal Geyser plant development overriding the County's own general plan.

In our case, our General Plan's Woodland Productivity Overlay regulation also calls for development to be limited, and not to include heavy industrial, because of the proximity of nearby homes and the potential for growing trees on such lands.

In Woodland Productivity areas only Light Industrial (M-L) use is permitted. The County definition of M-L zone states clearly:

- Sec. 10-6.4501. - M-L District.
The regulations set forth in this article shall apply in the Limited Industrial District. The M-L District is designed to provide an environment for the aggregation of compatible, non-nuisance type industrial uses where activities are conducted and confined within a building or structure. The M-L District is intended to establish areas where industrial activities, laboratories, and clean, quiet operations can function within the context of an industrial park concept. The M-L District is designed to protect such industrial areas from intrusions of incompatible and nonindustrial uses and provide for safety and health considerations by appropriate fire access, circulation, traffic flow, and other standards. Additionally, an aesthetically-pleasing environment shall be encouraged. **Manufacturing uses involving the primary production of commodities from raw materials shall be expressly prohibited in the M-L District.** (§ 1, Ord. 86-2, eff. February 27, 1986)

- The County's allowing a heavy industrial use contradicts that policy #32 that does not allow heavy industrial use. Manufacturing of plastics is not permitted under light industrial use zoning.

CONDITIONAL USE PERMIT TRIGGERS CEQA REVIEW

- CG's building is located within Siskiyou County's "M-H" Heavy Industrial Zoning District. CG will be bottling four different beverage products, at least three of which use plastic bottles that must be finally manufactured at this site. That manufacturing consists of heating and inflating with hot air pre-formed bottle blanks to their full size and then washing them to remove chemical and manufacturing residues. Crystal Geysers executive vice president of manufacturing even holds out the possibility that it will manufacture its plastic bottles from a liquid PET resin at the bottling plant. The County's M-H zoning, Section 10-6.4703(d), requires that CG apply for a Conditional Use Permit if it intends to manufacture plastic products at this site. Such disposal would include the juice and other beverage products that are washed from CG's bottling equipment. Dannon never obtained such a conditional use permit even though it manufactured plastic bottles and disposed of rinse water sewage on this site, but that neglectful oversight on the part of County officials in 2000 does not exempt CG from the necessary conditional use permit. Any project that requires a conditional use permit is considered to be discretionary and thus is subject to CEQA review.

The EIR should identify all relevant regional plans, including applicable plans within the neighboring properties and include a detailed assessment of the Project's inconsistencies with these plans.

An update of the General Plan would give the City and County an opportunity to comprehensively evaluate the amount, type, and location of new development that should occur in the Mount Shasta Sphere of Influence, consistent with community values, environmental constraints, and the availability of essential services and public facilities. It is apparent that there is a disproportionate quantity of industrial land in the sphere of influence of Mount Shasta when compared to the rest of Siskiyou County. As part of the Volcanic Scenic Byway, Mount Shasta development should receive the most thorough environmental review.

7. Population and Housing

The NOP fails to acknowledge that the Project, which increases the City's sewage treatment capacity and which will provide jobs at Crystal Geysers for up to 200 new employees, would likely increase the population of Mt. Shasta. It provides no information on population growth to allow for informed comments. The NOP does not provide any valid information about the environmental effects of increasing the plant operations to accommodate up to 200 new employees as stated in the EDA grant. (The public has been told there will be 30 or 40 jobs at start up with no specifics about full build out.) Historically at Coca Cola and Crystal Geysers Roxanne part-time employment without benefits has been the practice with entry level low paying jobs the rule. How does this affect the community and the city?

It is essential that the EIR identify the existing population of permanent Mt. Shasta residents, the number of existing daily visitors and the same figures upon implementation of the proposed Project. The EIR must also disclose the maximum amount of development that can be potentially connected to the City's expanded sewage infrastructure and compare that to the maximum allowable under the existing infrastructure.

The Project(s) could result in substantial growth in the Mount Shasta area, and the EIR must analyze the impacts of such induced growth. The growth inducing analysis in the EIR should include a study of the amount and location of growth that may occur as a result of the Project. Mitigation measures or alternatives to address significant direct and indirect impacts should be identified. Costs of each sewer enhancement alternative and potential rate increases for rate payers must be included in the EIR.

8. Transportation

A comprehensive analysis of the Project's traffic impacts should be provided. The EIR consultants must accurately identify trip generation data for each of the Project's uses, e.g., employee traffic, truck shipments to deliver beverages and solid wastes, and deliveries to the bottling plant of supplies. The highest numbers must be used in the transportation impact analysis. Using these trip generation figures, the EIR must then analyze traffic levels for each phase of development and at full buildout. Since Crystal Geyser ships different quantities of beverages during different seasons analyses must accurately reflect both summer and winter traffic flows. Roadway conditions in the winter will be constrained by snow and ice and associated snow removal equipment. The EIR must also conduct these analyses for cumulative conditions.

At full CG operation, there may be several hundred truck trips per day, not just the 50 that are underestimated by CG now for one bottling line.

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY, et al., v. COUNTY OF RIVERSIDE, et al. (2012)

The above project's EIR evaluated just a 5-mile limit or radius of travel from the project site for its consideration of traffic impacts. The court ruled "no." "*By failing to analyze the Project impacts on the surrounding freeways, County failed to proceed as is required by CEQA.*"

Most of CG's trucks will head south and return from that direction. There are congested conditions on freeways near Redding at times already. I-5 needs widening with extra lanes but there is no money for that upgrade. When road conditions are already overloaded, then even the small percentage that CG's trucks will add may be significant. Trucks are slower moving, hard to see around, and add disproportionate risks to freeway travel not considered merely by counting the number of vehicles on the road. For those CG trucks going north, there are mountain passes to cross which are hazardous during some winter conditions for large trucks.

The EIR should identify the amount of existing parking and the amount of additional parking that would be provided upon each phase and upon build-out of the Project including the potential use of the proposed conference center. Crystal Geysers has proposed increasing the size of its bottling plant building to add bottling capacity, and also adding a 126-seat auditorium within this building on a new mezzanine level to be constructed. Failure to consider feasible mitigation measures would violate CEQA's clear provision requiring the identification of feasible mitigation measures for a project's significant impacts. *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61, 79.

9. Air Quality

The EIR should contain a thorough analysis of Project-related and cumulative impacts to air quality. Particular attention must be paid to comprehensively identifying each source of emissions that would be generated by the Project, including motor vehicle traffic, maintenance equipment, stationary sources of emissions such as boilers, and area sources, including wood-burning fireplaces and back up generators. The EIR must also carefully identify and analyze construction-related increases in toxic air contaminants and criteria air pollutant emissions. The NOP states that construction-related air pollutant emissions would be temporary and intermittent, despite the fact that the Crystal Geysers Project proponents anticipate a 7-10 year expansion period. In any event, CEQA requires analysis of temporary impacts. Guidelines § 15126.2(a) (agency must analyze both short- and long-term impacts).

In the following case the EIR's discussion of project alternatives is deficient because it does not discuss an alternative, which could significantly reduce total vehicle miles traveled.

Cleveland National Forest Foundation et al. v. San Diego Association of Governments et al.

<http://www.courts.ca.gov/opinions/documents/D063288.PDF>

CG's EIR must evaluate alternatives to shipping beverages by truck. A feasible alternate of railroad transportation must be included to reduce GHGs, one of CG's most abundant and harmful gaseous pollutants.

Mount Shasta and Siskiyou County are home to many low-income residents who must increasingly resort to wood stoves for home heat as the price of heating fuel has risen significantly over the past 7 years. This has had major impact on our baseline air quality conditions. With increasing summer fires there have been consecutive months with greatly impaired visibility and health advisories for the many seniors who live in the community.

Additionally, the potential impact of production of plastic bottles using pre-formed tubes creates concerns about phthalates and toxins affecting air quality in the residential and commercial neighborhoods adjacent to the plant. Apparently there will be dry aseptic

technology used and this means that the air expelled at the plant will contain heavy metals and plasticizers. The air leaving the plant will need to be scrubbed before expelled. This must be taken into consideration. Also the plant will be making beverages with smells like MINT, TEA and FRUIT JUICES. How will this be mitigated? We want no smells from the factory. This also must be taken into consideration.

10. Climate Change and Greenhouse Gas Emissions (GHG)

Climate change impacts and specifically, how the Project would comply with AB 32, the Global Warming Solutions Act of 2006 and Executive Order S-3-05 must be addressed. The proposed Crystal Geyser Project could potentially conflict with the goals of AB 32 and other applicable plans, policies or regulations adopted for the purpose of reducing greenhouse gas ("GHG") emissions. The EIR must evaluate the baseline current wintertime (woodstove-impacted) and summertime (forest-fire impacted) air quality conditions. Concentrations of PM2.5 in the Mt. Shasta region and in many non-attainment regions that Crystal Geyser's heavy diesel -fueled trucks will pass through during deliveries have not met reduction targets set in 1997 by the Clean Air Act. The proposed Project must be designed with these goals in mind. Therefore, the City must demonstrate that the Project will be able to meet these targets, or attempt to develop an alternative that would.

We strongly urge the City to examine the likely effects of climate change on the Project. Mount Shasta suffered extreme snowpack diminishment last year and therefore water supplies were affected. The Project's impacts on water availability can not be addressed without taking into account the potential for reduced water supplies. GHG analysis cannot be completed without understanding of the full buildout of the Crystal Geyser plant

11. Noise

The EIR must evaluate all aspects of this Project's likely noise impacts. Those include noise impacts from pipeline construction activities, WWTP improvement activities and its subsequent operational noise, and from all of CG's on-site construction and operation activities, as well as its off-site trucking noise along their haul routes.

The EIR must obtain long-term 24-hour ambient noise level data for all Project-affected sensitive receivers, including in the neighborhood of the Crystal Geyser plant and along its heavy truck haul routes, near the homes along South Old Stage Road affected by pipeline construction noise, and along Jake's Place near the WWTP's improvement operations.

To evaluate wildlife impacts, the EIR should analyze how this Project may raise ambient noise levels in nearby wetland areas, south of Hatchery Lane, and at the WWTP near the Sacramento River.

The EIR should analyze this Project's consistency with the City's General Plan where the

City has failed to adopt a noise ordinance as required by its General Plan. Without the City having such noise standards in place by which to evaluate this Project's various noise impacts, and without having other thresholds of significance for study of noise impacts, the City must adopt adequately protective noise standards as used by other progressive agencies to evaluate this Project's noise impacts.

The EIR must analyze this Project's consistency with the County's outdated noise standards found only in its General Plan. Much of this Project's noise generation will occur on property under the County's jurisdiction. The County's Noise Element has been out of date now for about 18 years. That Noise Element does not disclose the existing noise contours along major County roads in the vicinity of this Project and Crystal Geyser's operations. The EIR's noise study must accordingly supplement that missing information with current data in order to analyze if this Project's increased noise levels, either temporary or ongoing, resulting at residences near such roads will be excessive or not.

Construction activities associated with the interceptor pipe's installation, a possible pump station, and the WWTP improvements have the potential to intermittently and temporarily generate noise levels significantly greater than existing ambient levels in the Project vicinity. Operations of the Crystal Geyser plant may also create excessive noise during construction and later that would be audible at nearby residences.

Specifically, construction activities are proposed near existing homes, some as close as about 50 feet to the sewer interceptor route and in the vicinity of South Old Stage Road and Ream Avenue. Even more residents live in a mobile home park near this sewer interceptor route. Other homes east of I-5 along Jessie Street to the west of Spring Street will be exposed to this sewer's construction noise since some are also less than 50 feet from the proposed "open-cut" sewer installation route. A half dozen more homes are located east of Jake's Place and within a few hundred feet of the City's WWTP that is proposed for major construction improvements. The EIR must evaluate this Project's noise impacts upon residents of all of those homes.

The EIR should require that stationary and mobile noise sources used in constructing this Project be equipped with acoustical shielding or shrouding to reduce noise impacts.

The EIR must evaluate noise emitted from those staging areas that would be used to store construction equipment and materials related to interceptor main construction. Such noise levels would be intermittently audible to residences within 750 feet or more of the staging areas.

The EIR should consider mitigations that construction hours be limited to daytime hours to avoid sleep disturbance. All construction vehicles and equipment should be equipped with properly operating and maintained mufflers and acoustical shields or shrouds. Further, all equipment should be placed as far from sensitive receptors as feasible. Temporary barriers should be used to minimize noise levels at sensitive receptors to the extent feasible. Permanent noise walls should be constructed to shield homes near the

Crystal Geyser loading docks and haul routes from excessive noise and sleep-disturbing impacts.

Noise impacts could also harm nearby residents from the City's possible choice of the operation of a sewage lift pump station and its stand-by electrical power generator. The EIR must evaluate those noise impacts if a Project Alternative with that sanitary sewer lift station equipment as proposed along Hatchery Lane near West Jessie Street is selected.

The EIR should evaluate if Mt. Shasta General Plan's noise standards are currently being exceeded at residences along Jessie Street, Hatchery Lane and North Mt. Shasta Boulevard. If so, any increase in temporary noise during Project construction, or from long-term traffic from operation of the Crystal Geyser plant, will result in significant impacts. The EIR must study measures to avoid these impacts or the scale of the project must be reduced. A noise analysis is needed evaluating project operation, cumulative traffic and construction noise impacts at various points for each of the project alternatives.

To the extent that the City's enlarged sewer system will stimulate population and commercial business growth, this EIR must evaluate the noise impacts that such growth will also cause. Crystal Geyser has proposed enlarging its facility and employing up to 200 people. The EIR must analyze the population growth associated with that part of this Project as well.

The EIR must evaluate how to mitigate this Project's noise impacts that will occur on both City and County lands, and which agencies will be responsible for enforcing those mitigations.

12. Wildland Fire, Emergency Response and Evacuation

The Project site for Crystal Geyser's operations and those now-vacant properties upon which development may be spurred are located in a wildland area that may contain substantial forest fire risks and hazards. The Project would generate additional vehicle trips (both during construction and long-term Project operation). Although the increase in traffic would result in a potentially significant impact, the NOP does not identify any thresholds of significance or suggestions for analyzing this critical public safety impact.

Projected levels of service and response times for fire, police and emergency services must be addressed. Full descriptions of Crystal Geyser's Project and cumulative development demands including flammable and toxic substances employed, must be included in order to determine whether there will be a need for expansion of services and those impacts must also be evaluated.

13. Utilities and Services

Increased demand for all essential public services and utilities must be identified: (e.g., police, fire, schools, parks, the wastewater treatment system, solid waste, electrical and

propane service) This must be addressed under each phase and upon build-out, with comparisons of this increase in demand with available capacity.

Crystal Geysers' proposal to store propane on its bottling plant site is of concern. We must have information about the Project's increase in propane use or where and how this propane would be stored. In addition to the physical impacts resulting from the installation of propane tanks, the use of propane can result in a significant increase in criteria air pollutants and GHG emissions. A tremendous public health and safety risk accompanies propane storage tanks associated with tank explosions and wildland fires as the recent propane tank explosions in Weed demonstrate.

The EIR must identify the increase in demand for services, utilities and facilities and the environmental impacts from these services and utilities. We have seen Siskiyou County/ PUC/ CG emails confirming that the bottling plant needs 6 MW initially, with potential for needing 10 MW in the next 3 to 4 years. This is a huge increase over the power use of the CocaCola plant. CG is proposing to install at most 0.5 MW of solar, but it wants another 10.0 MW of power for brewing and air conditioning. The difference is much too great for existing power lines to supply. The solar is but "window dressing" for the purpose of LEED bragging rights. Even if CG expanded solar on all of its land, it would still need cloudy day electrical power.

Because of the potential use of the CG leach fields (108,000 gpd effluent permitted) plus the 150,000 gpd stated by CG recently, or the 750,000 gpd estimated in the EDA grant to be sent by CG to the WWTP, there would then be 858,000 gpd effluent, allowing for the plant to double in size because of ability to dispose of effluent in various places. Although 500,000 gallons of WWTP effluent is delivered to the Golf Course, as irrigation drops off, the unused water must be pumped to the leach field. Because the golf course is unable to utilize all of the water, the increased CG & all flow from growth induced development will cause more stress on the system, and pumping to the city's leach field is extremely expensive. As contaminations from the city's leach field were already being found in monitoring wells below the leach field, how will the additional effluent affect the whole system? What will the effects of large effluent containing sweet juices be on the decomposition processes at the WWTP? What will be the costs to the ratepayers? See this link for impacts of effluent containing sweet juice residue on a WWTP: <http://www.triplepundit.com/2012/03/northampton-coca-cola/>

Plastic beverage containers have caused the state recycling program to run large deficits. An evaluation of the impact on local and state solid waste landfills and recycling programs must be part of the Draft EIR. The carbon footprint of plastics was not fully appreciated at the time of the permitting of the Dannon/ CocaCola plant. This is new information and must be addressed. See: <http://www.latimes.com/local/lanow/la-me-ln-recycling-program-deficits-20141106-story.html>

14. Cumulative Impacts

When the phased effects of a project are considerable when viewed in connection with the effects of other past, current, and probable future projects, an EIR must discuss the

probable cumulative impacts. CEQA Guidelines §§ 15130(a), 15065(e). This analysis is important in the context of long-range planning documents because the growth allowed under such plans is often substantial and because they define the policies that will guide the development of future, individual projects.. The CEQA Guidelines note that one requirement of an EIR for planning documents is that they provide a more thorough analysis of cumulative impacts than is required for individual projects. See CEQA Guidelines § 15168.

Appropriate cumulative impacts analysis should consider the impacts of the Project combined with probable future projects. CEQA Guidelines § 15130(b)(1). Projects currently under environmental review clearly qualify as reasonably probable future projects to be considered in a cumulative impacts analysis. See *San Franciscans for Reasonable Growth v. City & County of San Francisco*, 151 Cal. App. 3d 61, 74 n.13 (1984). In addition, projects anticipated beyond the near future should be analyzed for their cumulative effect if they are reasonably foreseeable. See *Bozung v. Local Agency Formation Comm'n*, 13 Cal. 3d 263, 284 (1975).

Cumulative impacts discussion should specifically look at any other pending proposals for development within the Project(s) vicinity that would threaten impacts of the sort made possible by this sewer infrastructure Project. This should include effects on surface water downstream (all water feeding into the Sacramento River is already allotted downstream for agricultural, Sisson Fish Hatchery and domestic use). Studies of potential aquifer compaction from over drafting must be obtained.

The EIR must address cumulative impacts of industrial water extraction on private wells and on the City of Mt Shasta wells 1,2,3 and on build out of future development on large tracts of vacant land north of the plant to Abrams Lake Road.

The EIR analysis must show a significant potential adverse impact on the community and the Sacramento River downstream water users. The long-term and short-term socioeconomic impacts of maintaining existing water quality and quality of life must be considered. Examples of social and economic parameters that could be affected are employment, housing, community services, income, tax revenues and land value plus of course the eco-tourism, guided and private fishing and kayak sports enthusiasts. To accurately assess the impact of the proposed project, the projected baseline socioeconomic profile of the affected community without the project should be compared to the projected profile with the project...EPA's Water Quality Standards Handbook (Chapter 5) provides additional guidance in assessing financial and socioeconomic impacts.

15. Growth-Inducing Impacts

An EIR must discuss a whole new dimension to this Crystal Geysers/ Sewer line / WWTP expansion EIR issue. Crystal Geysers might be just the tip of the iceberg of unforeseen problems that the EIR should evaluate. CG might have been thought by local politicians to be seemingly acceptable because CocaCola's operations were tolerated in the past and

because lots of political pressure was exerted to make it happen in 2012. But this sewer enlargement is really a very big deal. It helps to potentially change the face of our community. It is not merely a minor though expensive fix to an existing system. It is a major enlargement. It spurs a relentless growth potential that could be uncorked should some heretofore unknown factor emerge making people desperate to move to Mt. Shasta. e.g. a lack of unfracked and unpolluted water elsewhere; global warming making summers unbearable elsewhere; and a desire to get away from extreme weather events like tornadoes, hurricanes, forest fires, tsunamis, earthquakes, etc.

The City must reveal all this potential development so we won't be shocked when we discover that we're about to have our monthly sewer bills doubled or tripled because the City can now provide increased sewer capacity for nearly a thousand acres of land for developers. See the following areas that will be affected by the sewer enhancement:

C.D.M.S.: Nearest the new sewer line is the 35-acre C.D.M.S. land proposed and currently being advertised for commercial development. (i.e. 5x as large as the Mt. Shasta shopping center. Large enough to include as many buildings as the entire city's downtown business district.) With the various advances made to convert this land for commercial and the current advertising, this site's development is nearly "foreseeable." See document "*CDMS-Will-Sewer-Aid-Freeway-Developers.pdf*".

PINE STREET: Across the freeway just west of the hospital is a large area of land for sale for development as housing or hospital-related development.

MOUNTAIN SPRINGS TOWNHOUSES: Developers are working on a 25-unit townhouse project on Chestnut Street; the City is encouraging and advertising this project as affordable housing. With a pending application, this project is "foreseeable."

CRYSTAL GEYSER: Besides CG's Plant, there is undeveloped residential property to the east, and many acres of potentially-rezonable Agricultural land to the north of Ski Village Drive. The project is foreseeable, including expanding the building and adding solar panels on acres of open land.

Additionally there is land that CG recently bought south of the City Park along Kingston Road. CG's interest in that land is uncertain, but it likely obtained some water rights from an open creek or ditch that crosses that land and is fed by excess water draining from the City Park to the north. The land is likely not currently developable because there is a conservation easement on it, but who knows what the future holds?

SPRINGHILL SUBDIVISION: Several hundred acres of undeveloped land exists to the east of Springhill Drive. Hotels have been proposed, housing is contemplated, development is certain at some time.

OTHER GROWTH-INDUCED LANDS:

South of downtown, the sewer improvement project may not facilitate growth there because it may be downhill from the newly enlarged interceptor line. But to the extent that the City is actually enlarging its wastewater treatment capacity, including the WWTP, then the "whole of the action" will definitely cause growth-inducement potential to the following lands. A city is not allowed to piece-meal a single project into separate EIRs for the WWTP and the Interceptor Line as a tactic to lessen its obligation to look at the entirety of its environmental impacts.

REAM: Numerous acres exist waiting for development south of the Shopping Center and north of Ream Avenue is zoned residential and commercial subdivision. Land to the north is available for development.

ORCHARD ANNEXATION: The City previously attempted to approve a rezoning to allow housing south of Ream and east of I-5. The City is discussing now annexing it and developing it for some other kind of land use.

ROSEBURG COMMERCE PARK, aka "The Landing": The City has about 130 acres along S. Mt. Shasta Blvd it is eager to develop for uses such as; RV park, Businesses, Industry, all of this land needing development after the Brownfield remediation.

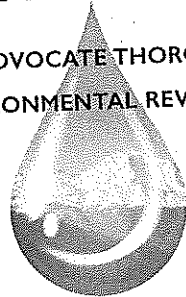
III. Conclusion

We are grateful for the opportunity to provide these comments and to ask many questions. W.A.T.E.R. looks forward to working with the City as environmental review for the Project proceeds. Please keep us informed of all contracts, notices, hearings, staff reports, briefings, meetings, and other events related to the proposed Project.

Respectfully,

WATER

WE ADVOCATE THOROUGH
ENVIRONMENTAL REVIEW



A Project of Mount Shasta Bioregional Ecology Center

Contact Information:

Mountshastawater@gmail.com

(530) 918-8805

Bruce Hillman

Roslyn McCoy

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:40 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: EDA_comments_on_Mt.Shasta_WWTP_project -- Attachment 1 of 2 (part 2 of three emails)
Attachments: CQG's Comments on Interceptor Project - EDA - WWTP 12-01-14.pdf

-----Original Message-----

From: Mt. Shasta Tomorrow [<mailto:mtshastatomorrow@excite.com>]

Sent: Friday, November 13, 2015 4:12 PM

To: Good, Stan; FitzGerald, Shannon

Subject: Fwd: EDA_comments_on_Mt.Shasta_WWTP_project -- Attachment 1 of 2 (part 2 of three emails)

Comments are being resent today because EDA's server would not receive emails yesterday when first attempted.

-----Original Message-----

From: "Mt. Shasta Tomorrow" [mtshastatomorrow@excite.com]

Date: 11/12/2015 08:50 PM

To: sfitzgerald@eda.gov, SGood@eda.gov

Subject: EDA_comments_on_Mt.Shasta_WWTP_project -- Attachment 1 of 2

Please accept this attachment #1 to our comments that pertain to the Mt. Shasta WWTP EDA grant and EA. This attachment contains relevant comments concerning the earlier phase of this overall project, the Interceptor Pipe and CGWC projects.

Thank you,
Dale La Forest
Director- Mt. Shasta Tomorrow

(attachment #2 will be sent separately)

Citizens for Quality Growth

A non-profit, public benefit organization
101 E. Alma Street, Suite 100-A
Mount Shasta, CA 96067

Tammy Laphorne Email: TLaphorne@mtshastaca.gov , cc: Eckert@mtshastaca.gov
Deputy City Clerk, City of Mt. Shasta
305 North Mount Shasta Boulevard
City of Mt. Shasta, CA 96067

**Public comments concerning Mount Shasta Sewer Line Improvements Project
(that includes the Waste Water Treatment Plant and Crystal Geysers)
Notice of Preparation for Draft Environmental Impact Report**

December 1, 2014

Dear Ms. Laphorne,

Our organization submits the following comments about the City's upcoming Environmental Impact Report as announced in its recent Notice of Preparation. We ask that the EIR reviews the "whole of the project" as required by CEQA. It is our understanding that the whole of this Project includes all three of these components: the Sewer Interceptor Pipe Expansion, the Waste Water Treatment Plant improvements, and the Crystal Geysers plant's operations.

AESTHETIC IMPACTS

The EIR for this Project must analyze foreseeable aesthetic impacts that may result from Crystal Geysers's proposed installation of acres of photovoltaic solar panels on its land near its proposed bottling plant. Those impacts include the more severe problems with occasional blinding glare or glint as sunlight reflects off of the panels' acres of glass surfaces at certain times of the day. It also includes the more frequently-viewable adverse aesthetic impact from a large rectangular solar array being located on what is now essentially barren or tree covered land.

Crystal Geysers Water Company ("CGWC") might do what its sister corporation, Crystal Geysers Roxanne, did in Inyo County in 2011 by applying to install 8.3 acres of photovoltaic solar panels at its bottling plant there.¹ For its application to construct a bottling plant in Orland a few years ago, CGWC claimed it would construct a LEED-certified facility that would help California meet the standards in AB 32 by using solar power. It is foreseeable that CGWC will do so here as well. CGWC has informed our Planning Department of the interest in expanding its industrial facilities on those currently zoning-restricted parcels. CGWC has also written that it needs more than 9.5 megawatts of additional electrical power beyond that which Coca-Cola used until 2010 there.²

The existing power lines supplying electricity to the building that Crystal Geysers proposes using for its bottling plant are not able to supply that additional approximately 10 MW of electric power. To supplement available electricity from Pacific Power and to gain LEED credits, Crystal Geysers may install an approximately 2-acre solar array or even more arrays in the future on land it owns nearby.

¹ See the 2011 Initial Study from Inyo County about 8.3-acre solar array for Crystal Geysers Roxanne which is available online at: <http://inyoplanning.org/documents/InitialStudy-Final-9-14-11.pdf>

² Email from Richard Weklych, Crystal Geysers: 'we need more than 9,500 KW additional electric power'

Crystal Geyser has already inquired of County officials about zoning changes that would be necessary to permit such a large-scale industrial array of solar panels. Its representative Alpine Solar submitted this simulation of a solar array north of the proposed bottling plant building:

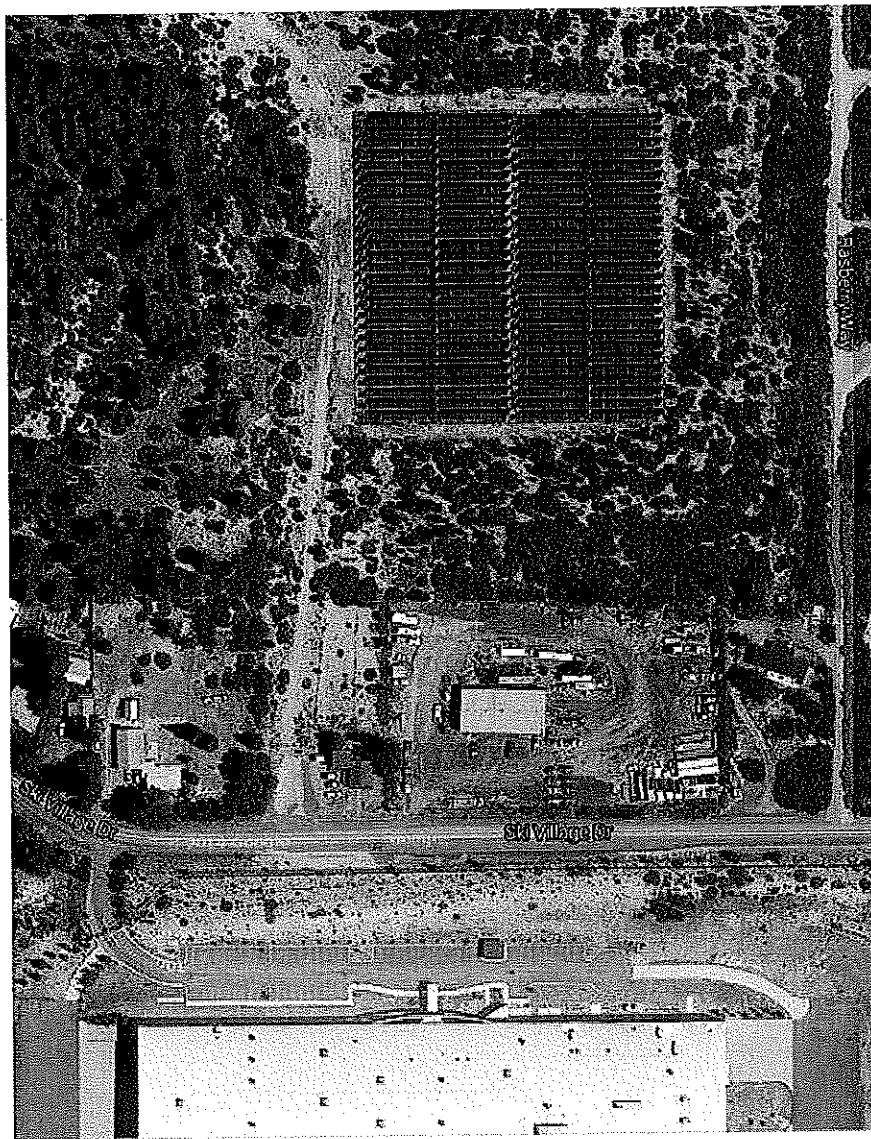
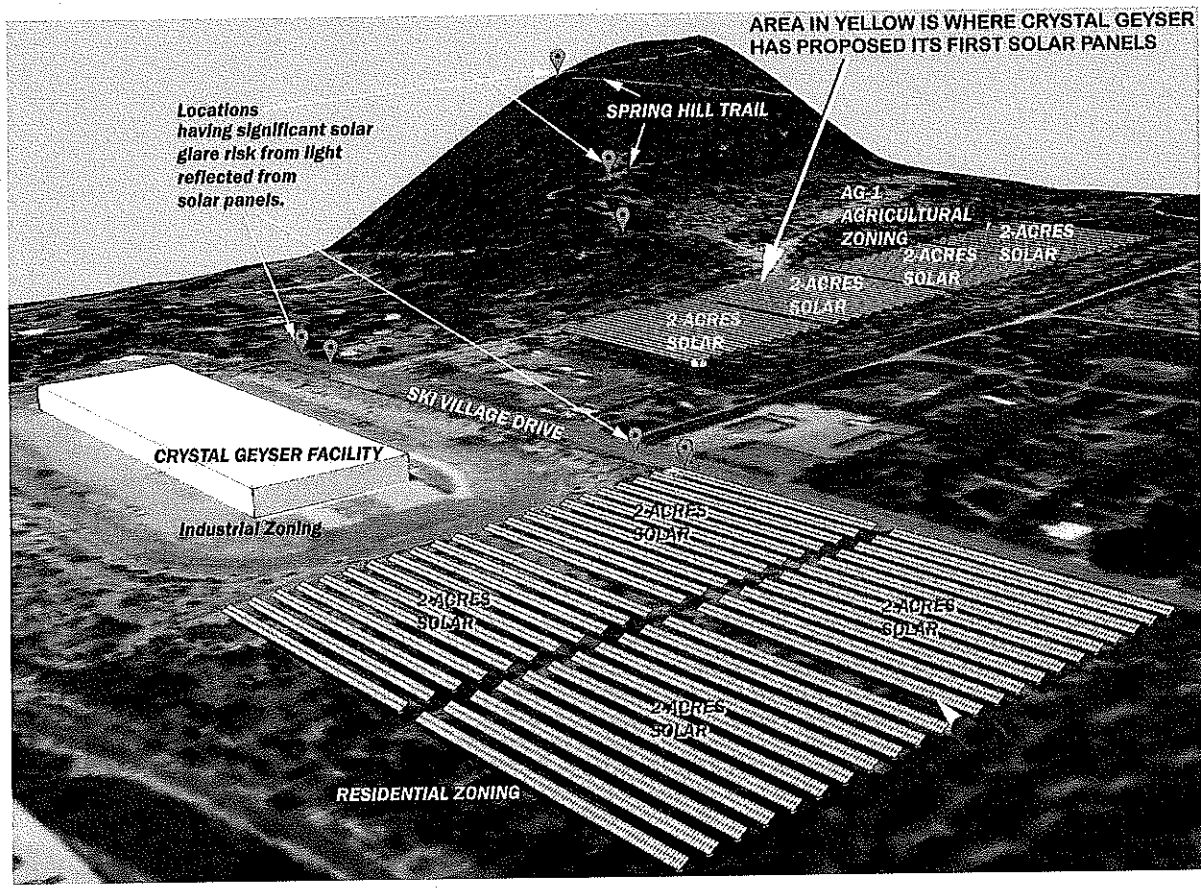
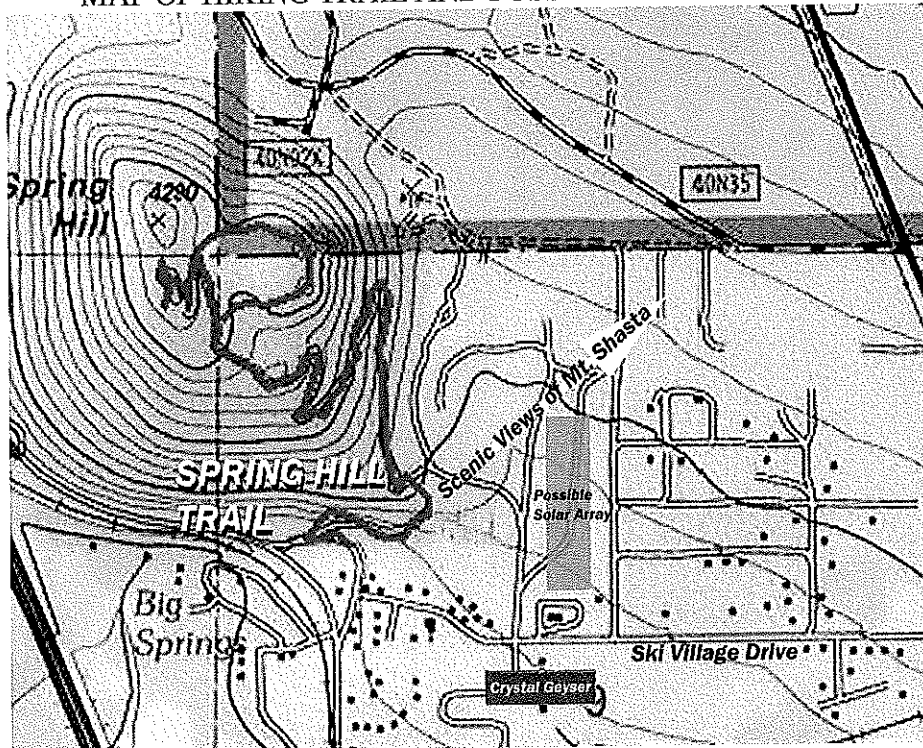


PHOTO SIMULATION OF PHOTOVOLTAIC SOLAR ARRAY

A large array of eight acres of PV solar panels could supply about 2 MW of additional electrical power based on an Oregon solar array that produces 1/2 MW on 2 acres. Crystal Geyser might yet apply to install 8 acres of photovoltaic solar panels on its existing land north of Ski Village Drive.

Locating thousands of glass-surfaced reflective solar panels at the base of a popular local public hiking trail (shown in the map below where Spring Hill Trail passes nearby) would sometimes create harmful solar glare problems as illustrated here. The nearly 3-mile long Spring Hill Trail is a publicly-accessible recreational trail identified on USGS maps and it now includes an expanded trail shown in red on this map on the next page:

MAP OF HIKING TRAIL AND POSSIBLE SOLAR ARRAY

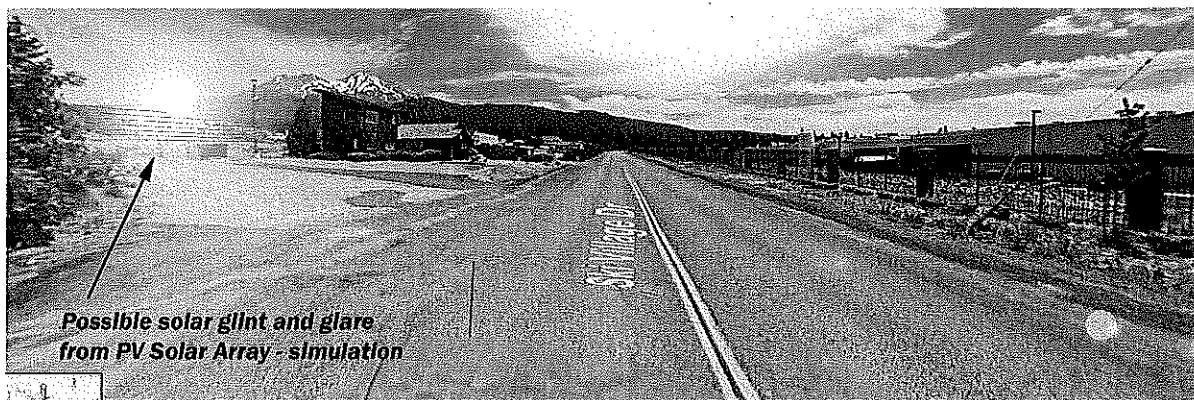


The EIR should analyze how severe these solar panels' visual impacts will be for hikers on this local public recreational Spring Hill Trail. There could be a significant risk of harmful reflected glare from the acres of glass-surfaced solar panels. It could expose hikers using this Spring Hill Trail to intrusive glare so bright it would have the "potential for temporary after-image" to their vision. A temporary after-image is defined as "a lingering image of the glare in the field of view." Both the immediate glare and its after-image that lingers can interfere with a hiker's vision and possibly contribute to a dangerous fall on this hill. Such intrusive glare along this recreational trail would certainly also harm the scenic and photographic values of views toward the peak of Mt. Shasta at some times of the day, particularly in the early mornings when the sun is in the eastern sky.

PROJECT'S AESTHETIC AND SAFETY IMPACT ALONG SKI VILLAGE DRIVE

The proposed location of the large array of solar panels discussed above could also cause serious glare hazards to motorists or bicyclists using Ski Village Drive in the vicinity of the Crystal Geyser facility. There could be a significant glare hazard along this road in the vicinity of Crystal Geyser's north driveway that leads to its employee parking lot. This impact could affect eastbound motorists near the main employee parking lot driveway in the morning at about 9:00 a.m. (Daylight Savings Time.) At that time, the sun itself might be high in the eastern sky at an angle high enough that a vehicle's visor could block the direct rays. But bright, solar glare at near ground level reflected from glass-surfaced solar panels would not be blocked by the use of automotive visors. Unlike direct sunlight above which is more or less constant and gives the driver time to lower a visor, the glare from a large solar array occurs suddenly without warning as drivers move into its reflected beam.

That could be more than just temporarily disabling glare due to exposure to bright reflected sunlight. It could also result in drivers' vision experiencing a temporary interference due to after-images. Such visual interference could obscure an east-facing motorist's awareness of nearby pedestrians, bicyclists, or other motorists approaching. This is a time of the morning when heavier traffic can be expected on this arterial road as people go to work or school.

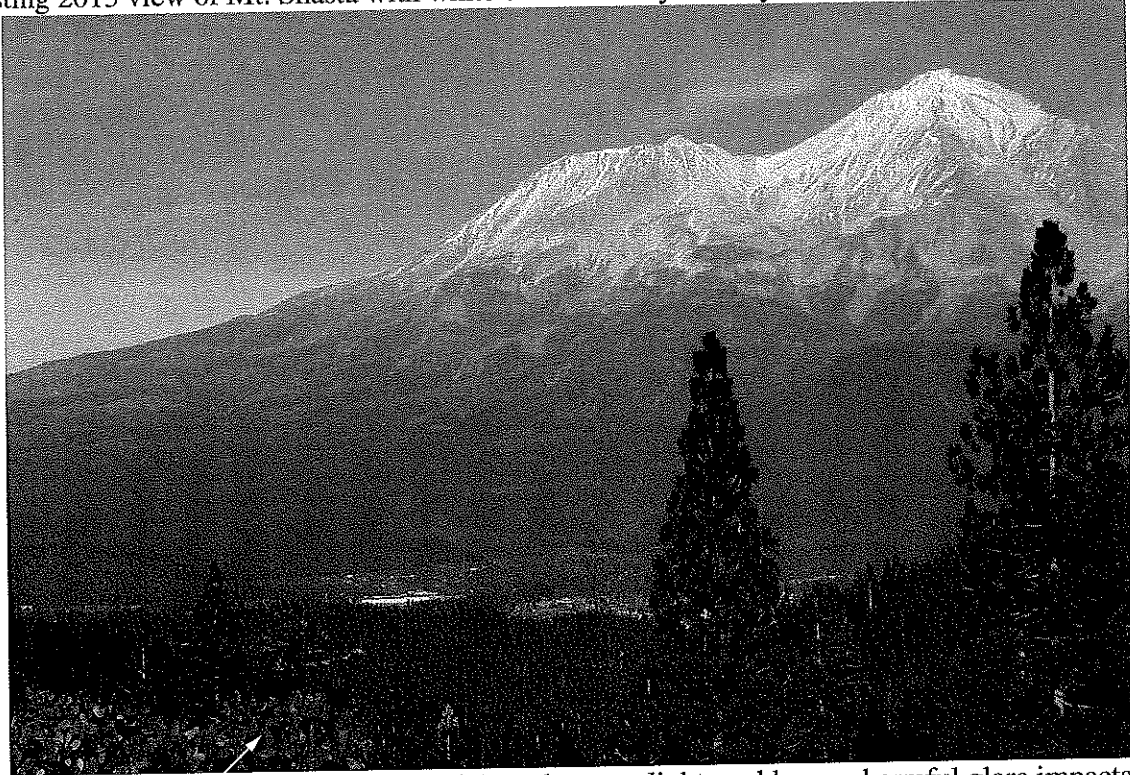


Here is a photo simulation showing Ski Village Drive near Crystal Geyser's employee parking lot's driveway. To the left, it shows the uphill section of Crystal Geyser's land where a PV solar array could be located as proposed. Significant glare with the potential for temporary after-image vision impacts could interfere with drivers' sight as they travel eastward on Ski Village Drive here in the summer mornings.

Significant glare could interfere with the vision of west-bound people along Ski Village Drive at about 6:00 p.m. That could be a more dangerous time for a motorist to experience briefly-disabling glare (even without temporary after-images) when higher traffic levels occur as people return home.

PROJECT'S AESTHETIC IMPACT ALONG CASTLE LAKE ROAD

Existing 2013 view of Mt. Shasta with white scar from Crystal Geyser's immense bottling plant:



Simulated view of scenic view at time of day where sunlight could cause harmful glare impacts if it was reflected off of the glass surfaces of numerous acres of CGWC's photovoltaic solar panels:



Upper sections of Castle Lake Road to the southwest of the City of Mt. Shasta are publicly-accessible roads having great views of scenic Mt. Shasta. People frequently stop to photograph the mountain from this road's observation turnouts. As observers look to the northeast toward Mt. Shasta, they already see the major visual scar to that scenic viewshed caused by Crystal Geysers large white bottling plant building. But if Crystal Geysers installs large solar arrays on its nearby land, that building's existing visual impact could increase greatly because of new solar glare. The amount of glare at the Castle Lake Road sites depends upon how those solar panel arrays are positioned. This glare hazard would be the most likely during the summer months in mid mornings when the sun is to the southeast.

The EIR must analyze this occasionally significant glare impact. A valuable public economic resource and the natural scenic beauty visible from this County road must both be protected against possible harm caused by large-scale, industrial solar array glare.

EIR MUST ANALYZE AESTHETIC IMPACT ALONG EVERITT MEMORIAL HIGHWAY

Upper sections of Everitt Memorial Highway to the east of the City of Mt. Shasta are publicly-accessible roads having great views to the west of scenic Mt. Eddy and the foreground valley. People frequently stop to photograph the valley below from these road side locations.

People at some observation points along this Everitt Memorial Highway could encounter significant glare problems from solar arrays in the afternoon that could harm this scenic view. As observers look to the west toward Mt. Eddy, they already can see the major visual scar to that scenic view caused by Crystal Geysers large white bottling plant building. But if Crystal Geysers installs large solar arrays, its building's existing visual impact could increase greatly because of new added solar glare from nearby solar arrays.

We calculate that visible glare seen from Everitt Memorial Road will be severe for some solar panel tilt angles at about 6 p.m. in March and October. Those are times this road is open to motorists and is heavily-traveled as the only route up the slopes of Mt. Shasta. This road is an important recreational feature that the City of Mt. Shasta relies upon for some of its economy.

Solar electric facilities are needed and can be designed safely if located appropriately. While these Everitt Memorial Highway viewing locations would not often be exposed to significant glare, that could occur at times during two months of the year when people could view it. This potential glare impact to Everitt Memorial Highway scenic views is not negligible. The EIR must evaluate such potential environmental impacts caused by some foreseeable components of this Project.

EIR MUST EVALUATE PROJECT'S GENERAL PLAN ENERGY ELEMENT CONSISTENCY

The EIR for this Project must evaluate the consistency of Crystal Geysers proposed solar arrays with the provisions of the applicable local general plans. On page 186 of the Siskiyou County General Plan Energy Element, it's Table 22 identifies and defines limits for "Proposed Energy Facility Zoning" for different categories of renewable energy plants, including solar. The Energy Element states that "*... the development of renewable resources has environmental and land-use effects which must be considered, and potential incompatibilities or adverse impacts which must be either avoided or adequately mitigated.*" (p. 82.)

In the Energy Element, harmful visual glare from solar collectors is identified as a possible land-use conflict with neighborhood residents. (p. 94.)

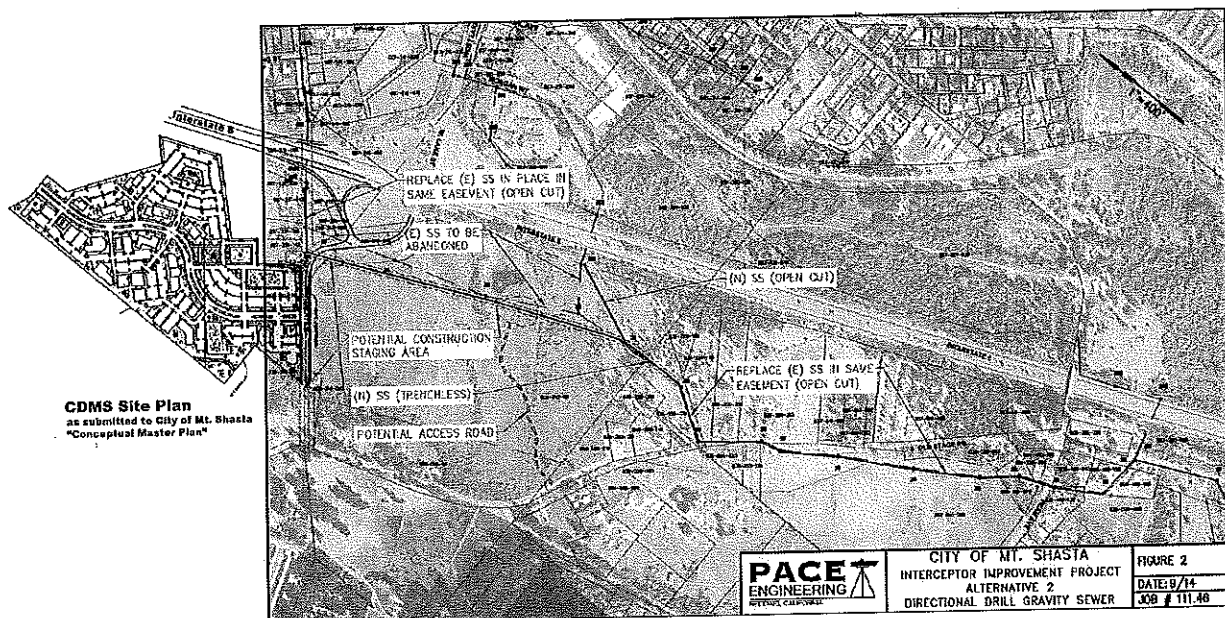
The County declared in its Energy Element that renewable resource development "carries the greatest potential for environmental impacts given the effects that some renewable technologies can have on surrounding natural resources." (p. 161.)

Please do not misunderstand our purpose in discussing these examples. The members of our organization Citizens for Quality Growth in general strongly support using solar power. Solar power probably has less negative environmental impacts than most other power generation systems.

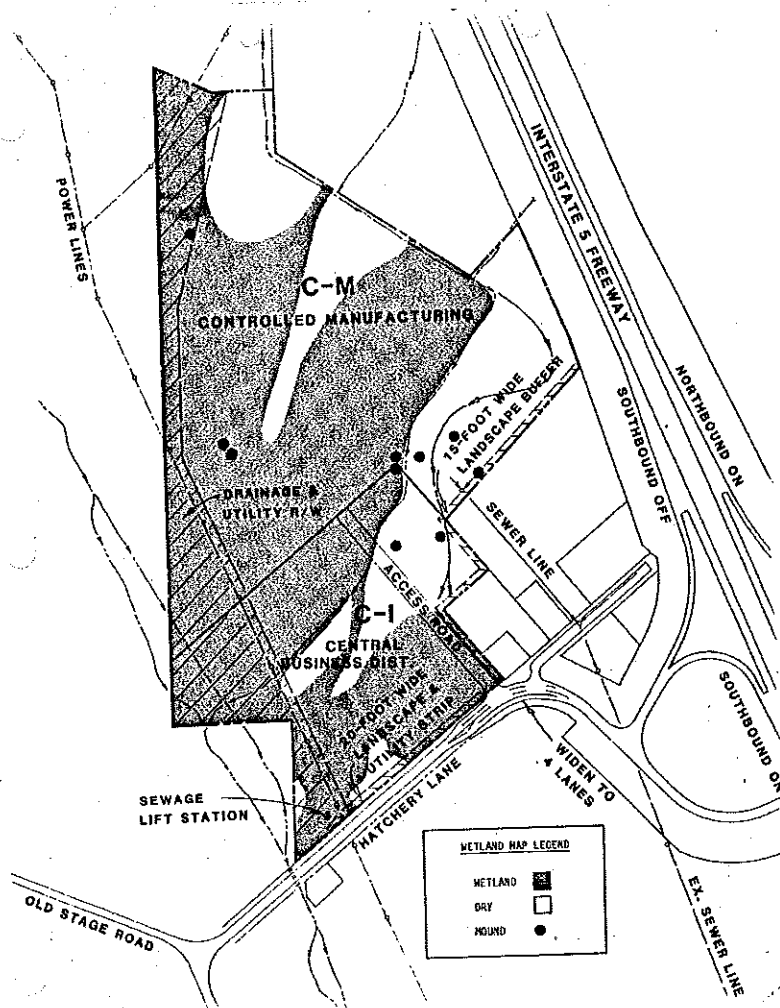
Even such low-impact systems do have some impacts, for example, glare. These issues do point out how some mitigations may be necessary, even for solar power. For example, solar array mitigations can include properly positioning the tilt of the collectors, or constructing barriers that would block objectionable glare, or using diffusing surfaces. To determine what these mitigations are, we must follow CEQA rules, we must conduct prior studies, and we must enforce the mitigations. That is why even for innocuous-seeming solar installations, a proper environmental review is necessary.

THE EIR MUST EVALUATE A THIS PROJECT'S GROWTH-INDUCING IMPACTS

This Project's EIR must evaluate the growth-inducing impact of providing newly-adequate sewer infrastructure (with both the sewer interceptor expansion and the WWTP improvements), where the sewer line is being moved from its current location right up to near the edge of a 35-acre parcel of undeveloped land (owned by "C.D.M.S.") currently being marketed for commercial development:



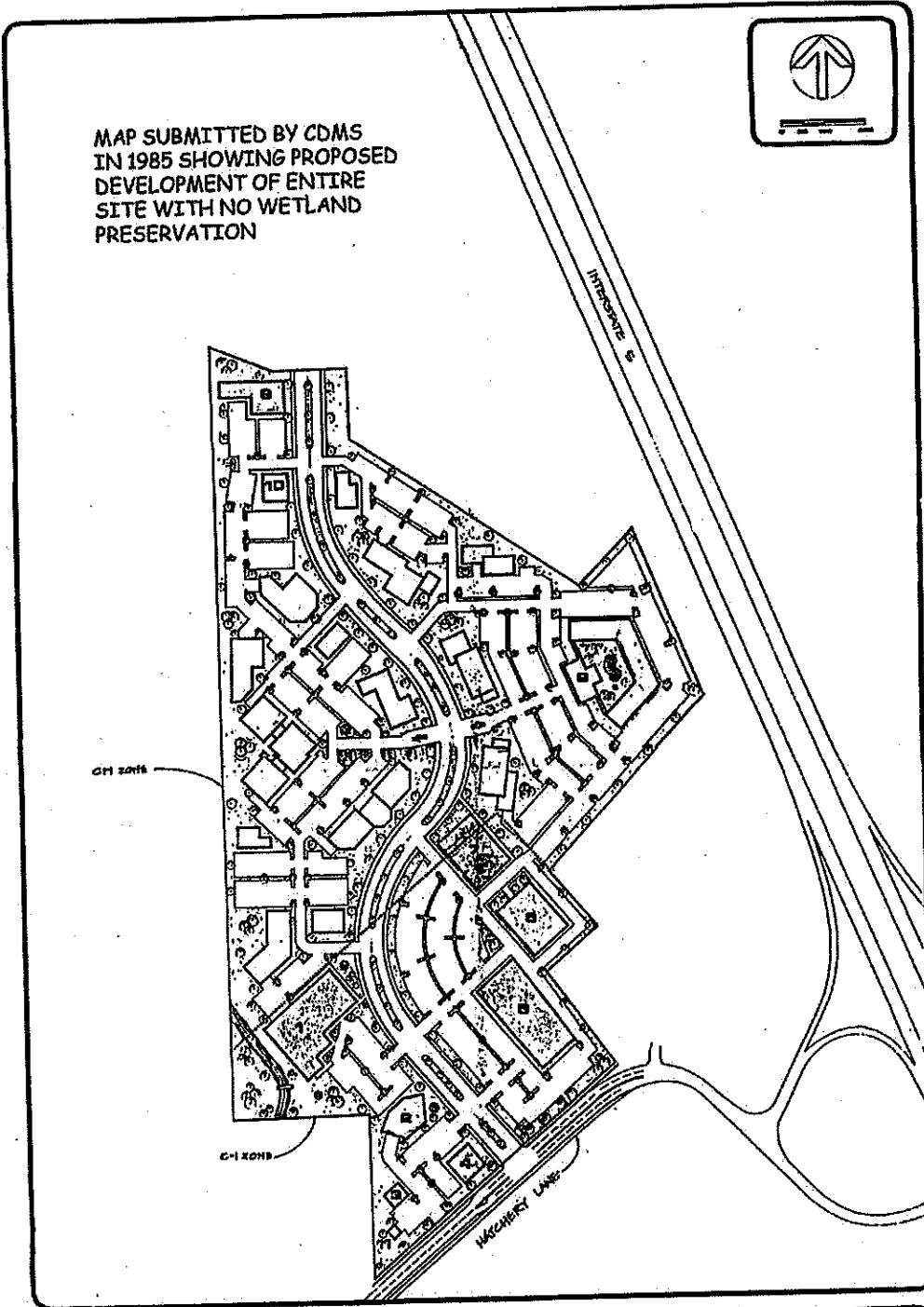
The City is currently proposing to relocate the existing sewer line and to move its path westward so that it nearly attaches to this large acreage of C.D.M.S. land. This map below from about 1985 shows the existing "sewer line" and the location of that CDMS land:



This 35-acres of land is poised for development but has been hindered because the City's sewer infrastructure is unable to accommodate the sewage flows that could result from its development. This development was first proposed by the City's former mayor in the mid 1980s and was stopped then due to our successful court decision. (*Citizens for Quality Growth v. City of Mt. Shasta* (1988) 198 CA3d 433.) http://resources.ca.gov/ceqa/cases/1988/shasta_020888.html The Army Corps of Engineers also denied it a permit to fill the large percentage of wetlands that covers that land.

But since then, the City has moved forward somewhat to facilitate its development. Five years later in 1993, the City changed its General Plan designation for 29 acres of this land for commercial uses. In 2004 the owners of this C.D.M.S. land applied for rezoning of their land to allow commercial development but because of a split vote, were denied. Yet they are currently marketing their land for commercial development. The details of its history are summarized in a March 25, 2004 letter from Mt. Shasta Tomorrow to the City that is attached to this comment letter. (See below.)

MAP SUBMITTED BY CDMS
 IN 1985 SHOWING PROPOSED
 DEVELOPMENT OF ENTIRE
 SITE WITH NO WETLAND
 PRESERVATION



CONCEPTUAL MASTER PLAN
 FOR A
CONTRIBUTION AND MANUFACTURING ZONE
 CDMA, INC.
 CITY OF MT SHASTA
 CALIFORNIA

- LEGEND**
- 1. EXISTING CANALS
 - 2. PROPOSED ADD TO PUBLIC CANALS
 - 3. CONCRETE PAVEMENT
 - 4. ASPHALT
 - 5. SAND
 - 6. SOFT GRASS
 - 7. HARD GRASS
 - 8. TYPICAL TREE
 - 9. SOUTH SHASTA COUNTY CORPUS
 - 10. COLLEGE OF THE SERRANOS
 - 11. STATE CENTER
 - 12. LRT EXISTING

CHURCH DUNN & ASSOC., INC.
 ARCHITECTS PLANNERS ENGINEERS
 1401 21st St., Colton, CA 95310
 (916) 771-1111 (916) 771-1111
 JOB # 84-014 OCT 21, 1985

-C-
 1

Removing the road block to CDMS's development by upgrading the nearby sewer main and WWTP will help the developers or future owners to develop this enticing freeway interchange property.

Many local citizens and the California Attorney General's office joined with our group, Citizens for Quality Growth, and opposed that CDMS project successfully in 1988 to prevent its development from harming the City's downtown business district and from filling wetlands. The appellate court agreed with us that the City's approval of the EIR for that CDMS project was defective. The court ruled that its EIR had failed to evaluate the economic harm to the Central Business District from development of CDMS. It also ordered the City to evaluate a project alternative that would have required wetland mitigation which the City had failed to adopt. The Court ruled:

As noted, a project may not be approved as proposed if feasible alternatives or mitigation measures would substantially lessen the project's significant environmental effect. (§ 21002.) Pursuant to this policy, section 21081 provides that "no public agency shall approve or carry out a project for which an environmental impact report has been completed which identifies one or more significant effects thereof unless such public agency makes one, or more, of the following findings: (a) Changes or alterations have been required in, or incorporated into, such project which mitigate or avoid the significant environmental effects thereof as identified in the completed environmental impact report... (c) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report." These findings must be made for each identified significant effect. (Guidelines, § 15091.)
Citizens for Quality Growth v. City of Mt. Shasta (1988) 198 CA3d 433, 440.

The City of Mt. Shasta has however over the years not learned the lesson from that court decision. It instead still often defers to the Army Corps of Engineers when wetland issues arise rather than evaluating wetland mitigations and project alternatives itself.

City asserts it is under no obligation to consider this mitigation measure because the Army Corps of Engineers will protect the wetlands to the fullest possible extent by refusing to issue a permit for any needlessly harmful development project. City cannot so avoid responsibility for its decision to amend the general plan and rezone the C.D.M.S. site. Each public agency is required to comply with CEQA and meet its responsibilities, including evaluating mitigation measures and project alternatives. (See Guidelines, § 15020.) Upon remand, by the superior court, therefore, City must give this proposal due consideration.
Citizens for Quality Growth v. City of Mt. Shasta (1988) 198 CA3d 433, 441-442.

Also, the court held:

Petitioners assert City erred in failing to address alternatives to the proposed project before issuing its statement of overriding considerations. We agree.
The EIR opined that no mitigating measures were available to prevent the loss of wetlands caused by the proposed project. Again, City failed to make a finding concerning this impact as required by section 21081. It did, however, adopt a statement of overriding considerations asserting its justifications for proceeding with the project. While this statement, set forth in full in the margin, discussed the advantages of the C.D.M.S. site, it made no mention of any of the six alternatives to the project outlined in the E.I.R., i.e., (1) no project, (2) development of the non-wetland area only, (3) residential use, (4) alternate project design, (5) periodic land use inventory review and promotion of infill, and (6) option design. Alternatives 1 and 2 were labelled "environmentally superior alternatives."
Citizens for Quality Growth v. City of Mt. Shasta (1988) 198 CA3d 433, 443-444.

The court ordered the City to evaluate that harm before reapproving changes in the General Plan and the zoning to allow commercial use on this CDMS land.

Finally, petitioners assert City erred in failing to consider the potential physical effect of the rezoning on the central business area. The EIR pointed out the proposed project may pose a significant economic problem for existing businesses, but offered little analysis of the issue, noting the economic effects of the project were beyond the scope of CEQA.

.....

The potential economic problems caused by the proposed project could conceivably result in business closures and physical deterioration of the downtown area. Therefore, on remand, City should consider these problems to the extent that potential is demonstrated to be an indirect environmental effect of the proposed project.

The Notice of Preparation admits that sewer enlargement project is to accommodate population and job growth.³ Yet the Notice of Preparation fails to disclose that the EIR will include the issue of "growth inducement" as one of the project's environmental impacts. CEQA requires EIRs to consider growth inducement. The new sewer line won't be the same size as the old one; it will be much larger in diameter.

Crystal Geysers proposed in its application to the EDA to add up to 200 jobs. The City currently does not have available housing for all those new workers and their families, especially with the loss of so many homes in the Weed Boles fire.

To the extent that this sewer expansion project will facilitate the potential development of this C.D.M.S. land, the EIR must evaluate that growth-inducing impact, as well as others. The City's current Notice of Preparation should be revised to discuss the risks to local wetlands and to the downtown business district that this Project poses, and to disclose the potential growth risks associated with removing roadblocks to raw land development.

The most prominent CEQA guidebook used in California states that when a particular agency has the power to mitigate such effects, and such effects are reasonably foreseeable, clearly identifiable, and *significant*, the agency would be required by CEQA to mitigate such effects to the extent feasible.

THE EIR MUST EVALUATE A REASONABLE RANGE OF PROJECT ALTERNATIVES

The California Environmental Quality Act ("CEQA") calls for public review, critical evaluation, and comment on the **scope** of the environmental review proposed to be conducted in response to a Notice of Preparation, including the significant environmental issues, **alternatives**, and mitigation measures that should be analyzed in the proposed draft EIR. (14 CCR 15082(b)(1).) (See, CEQA Guidelines, at Title 14 Cal. Code of Regulations, §§ 15000, et seq.) (*emphasis added.*) This means that disclosure of project alternatives must be made in the NOP.

³ **PROJECT OBJECTIVES:** "To provide sufficient sewer system capacity to meet both current demands and planned growth in the service area and provide facilities which are compatible with those facilities needed to provide ultimate sewer system capacity, to be identified in the City's future sewer master plan update;"

The EIR must evaluate a reasonable range of project alternatives. The NOP however fails to disclose that any project alternatives have been considered for inclusion. The NOP is defective and fails to comply with CEQA because it does not provide sufficient information for the public to review, and for them to suggest other project alternatives. If PACE and North State Resources intends to study any of the project alternatives it first revealed at the Scoping Meeting on November 12th, nearly half-way through the public's limited 30-day NOP review period, it will have to recirculate the NOP and identify those alternatives in the NOP. Otherwise most agencies will have no idea that alternatives are being studied. Members of the public will have less than the minimum 30-day period that a NOP triggers to consider additional project alternatives.

“The scoping process is the screening process by which a local agency makes its initial determination as to which alternatives are feasible and merit in-depth consideration, and which do not.” (*Goleta II*, supra, 52 Cal.3d at p. 569; see Guidelines § 15083.) It involves “consult[ation] directly with any person or organization [the lead agency] believes will be concerned with the environmental effects of the project” in hopes of “solv[ing] many potential problems that would arise in more serious forms later in the review process.” (Guidelines, § 15083.) “The determination of whether to include an alternative during the scoping process is whether the alternative is potentially feasible (*Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477, 489 (Mira Mar)), and the EIR “is required to make an in-depth discussion of those alternatives identified as at least potentially feasible.” (*Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1505, fn. 5).” (*South County Citizens for Smart Growth v. County of Nevada* (3d Dist. 2013) 221 Cal.App.4th 316, 327 (South County).) “A lead agency must give reasons for rejecting an alternative as ‘infeasible’ during the scoping process (Guidelines, § 15126.6, subd. (c)), the scoping process takes place prior to completion of the draft EIR. (*Gilroy Citizens for Responsible Planning v. City of Gilroy* , supra, 140 Cal.App.4th at p. 917, fn. 5; Guidelines, § 15083.)” (*South County*, p. 328.)

The Project identified in the NOP is to “improve” a sewer pipeline. In reality, it also includes the Waste Water Treatment Plant improvements and Crystal Geysers operations as made evident in numerous City documents released in the last year or more. But even the limited portion related to the sewer interceptor pipe expansion can be summarized as having the stated purpose to:

- expand its capacity for current and future growth in the community... where that future growth has not even yet been identified, but will someday be first proposed in a “future sewer master plan update.” (i.e. the City doesn't even yet know how big to make this sewer!)
- to prevent stormwater from leaking into the existing sewer pipe,
- to eliminate manhole leaking, and
- to accommodate Crystal Geysers wastewater.

The City claims EDA granted it \$3M for the above four purposes; but the NOP never states the \$3M Grant was specifically intended also to include two new wastewater treatment ponds. The problem with the NOP's excessive detail about the sewer interceptor pipe and nothing about the environmental impact details is apparently that this NOP was written by PACE engineers, and not

by a knowledgeable CEQA consultant. This will not satisfy CEQA requirements to inform the public about proposed project alternatives.

PACE Engineering has now had over a year in which to come up with some feasible project alternatives. Why weren't these alternatives disclosed in the NOP? How can the public comment on the EIR's scope of project alternatives when the alternative(s) have not yet even been disclosed in the NOP? The NOP states that the EIR will review the "no project alternative," but it doesn't describe any other alternative route or solution to the above problems. Instead, the NOP states those alternatives will come as a result of public comments on this scoping.

How can members of the public propose a better alternative or two when (1) we don't know what environmental risks the proposed Project may pose, and (2) we haven't been given even any other project alternative to consider? That's putting the cart before the horse. The City cannot legally leave the public out in the dark and only introduce those project alternatives for the first time after the end of the scoping comment deadline or even half-way through the NOP's 30-day period.

THE EIR SHOULD ANALYZE A REDUCED-SCALE PROJECT ALTERNATIVE

We request that the Project's EIR evaluate a *Reduced Scale Project Alternative*. A project alternative need not include or fully satisfy every one of the Project objectives listed above. The EIR should consider a smaller sewer line that could not include all of Crystal Geysers potential wastewater for all of its future expansion phases.⁴ What if the new, reduced-scale alternative interceptor pipe was just slightly larger than the existing pipe, not five times larger? While the reduction in project cost would be minor since mostly that cost is for the drilling and trenching, not for purchasing and moving the larger size of the sewer pipe, the big advantage to the environment is that a small pipe would not cause major growth-inducing impacts. Wetlands wouldn't be filled; air quality wouldn't go downhill. Increased traffic wouldn't clog streets. That reduced-scale-but-slightly-larger pipeline would just (1) prevent infiltration leaks, (2) manhole leaks, and (3) accommodate current sewer users. That would fulfill most of the Project's purpose, and maybe even Crystal Geysers phase one needs for limited sewer flows. It accordingly would offer immensely better environmental consequences. Moreover, the existing rate payers would not need to pay to expand the sewer treatment plant from 800,000 gpd to 1,400,000 gpd and have their sewer bills go up so much. The EIR must evaluate this Reduced Scale Project Alternative because it would also be feasible, even if not able to fulfill all of the project purposes to the same extent.

THE CITY'S ATTEMPT TO PIECEMEAL THIS PROJECT VIOLATES CEQA

The City's enlargement of its sewer interceptor pipe project phase is an activity which will lead to changes in the scope of the City's currently separate WWTP upgrades. The larger sewer pipe will allow a greater sewage flow volume from subsequent growth-induced development to reach the WWTP for processing. These two phases would be piecemealed if "the second activity is a future

⁴ Crystal Geysers and the City of Mt. Shasta have sought EDA funding for enlarging the sewer interceptor pipe and improving the Waste Water Treatment Plant to handle up to 750,000 gallons per day of discharged Crystal Geysers effluent and rinsewater. Unless that grant application and commitment to someday discharge such a large volume is officially revoked, then potentially that volume must still be considered in the EIR. If Crystal Geysers instead intends to cut back its discharge by using an aseptic cleaning process, it must agree to a condition of project approval and an environmental mitigation that prohibits the discharge of more than a given volume into the City's sewer system, as well as agree to monitoring of such flows to insure they are not exceeded in the future.

expansion of the first activity that will change the scope of the first activity's impacts [citation]; or both activities are integral parts of the same project [citation]." (*Sierra Club v. West Side Irrigation Dist.* (2005) 128 Cal.App.4th 690, 698 (*Sierra Club*)).

Approval of the expanded interceptor pipe practically compels completion of the 'WWTP Improvement Project'. That WWTP "improvement" will increase its capacity from 0.8 MGD to 1.4 MGD. Otherwise the existing WWTP could not adequately handle the increased sewage inflow made possible by the sewer interceptor pipe expansion.

The WWTP upgrade project is a "future expansion" of the sewer interceptor pipe expansion. The WWTP will occur after the sewer interceptor pipe expansion occurs and will need to accommodate increased flows not currently able to be accommodated. The WWTP upgrade will aid the sewer larger interceptor pipe to handle increased sewer flows. If the WWTP upgrade does not occur, the sewer interceptor pipe expansion would not serve its primary purpose. For that matter, merely enlarging the interceptor pipe to allow greater flows will just add to the WWTP's problem meeting the new CVRWQCB's effluent limits for various constituents with the existing loading. The WWTP improvement phase is inexorably linked to the sewer interceptor pipe expansion phase. They have similar purposes:

The principle purpose of the sewer interceptor pipe expansion is for pipe repair to accommodate increased capacity to handle sewage flows including from Crystal Geyser, eliminate storm water infiltration and to eliminate manhole "geysers". Another project objective is to protect water quality (by compliance with applicable regulations).

The principal purpose of the WWTP improvements is to upgrade the WWTP to meet stricter discharge requirements so as to reduce pollution. (See 6-17-14 PC report Agenda item #8). Another purpose is to expand the WWTP's capacity from 0.8 MGD to 1.4 MGD.

Both sewer interceptor pipe expansion and Waste Water Treatment Plant improvements serve a common purpose and are but one single project. The City's attempt to separately review each portion of this whole Project violates CEQA. The NOP must be revised accordingly.

EIR MUST EVALUATE CRYSTAL GEYSER'S EXPANSION PLANS

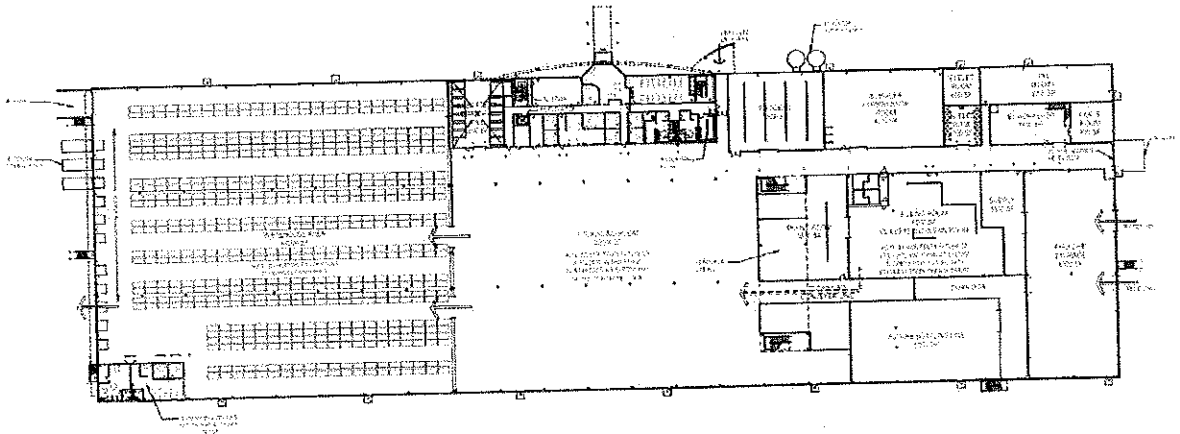
Crystal Geyser has expressed intent to enlarge its building and to increase its bottling operations to a level greater than previously done by Coca-Cola. Dannon and Coca-Cola only operated two bottling lines; Crystal Geyser has proposed installing three or more bottling lines in an expanded building.

On March 24, 2014, at a City Council meeting, CG revealed plans showing it was proposing adding a 126-seat amphitheater to be installed within the building on a second floor to be constructed. (See plans on following pages.)

Other plans Crystal Geyser has submitted to the County Planning Department show they are considering expanding their massive building by about 36% in ground floor area, according to these estimated calculations on the next page:

Crystal Geysers Mt. Shasta Plant

Planning to get LEED certification



© 2012 Crystal Geysers Water Co.

EXPANSION AREA ESTIMATIONS:

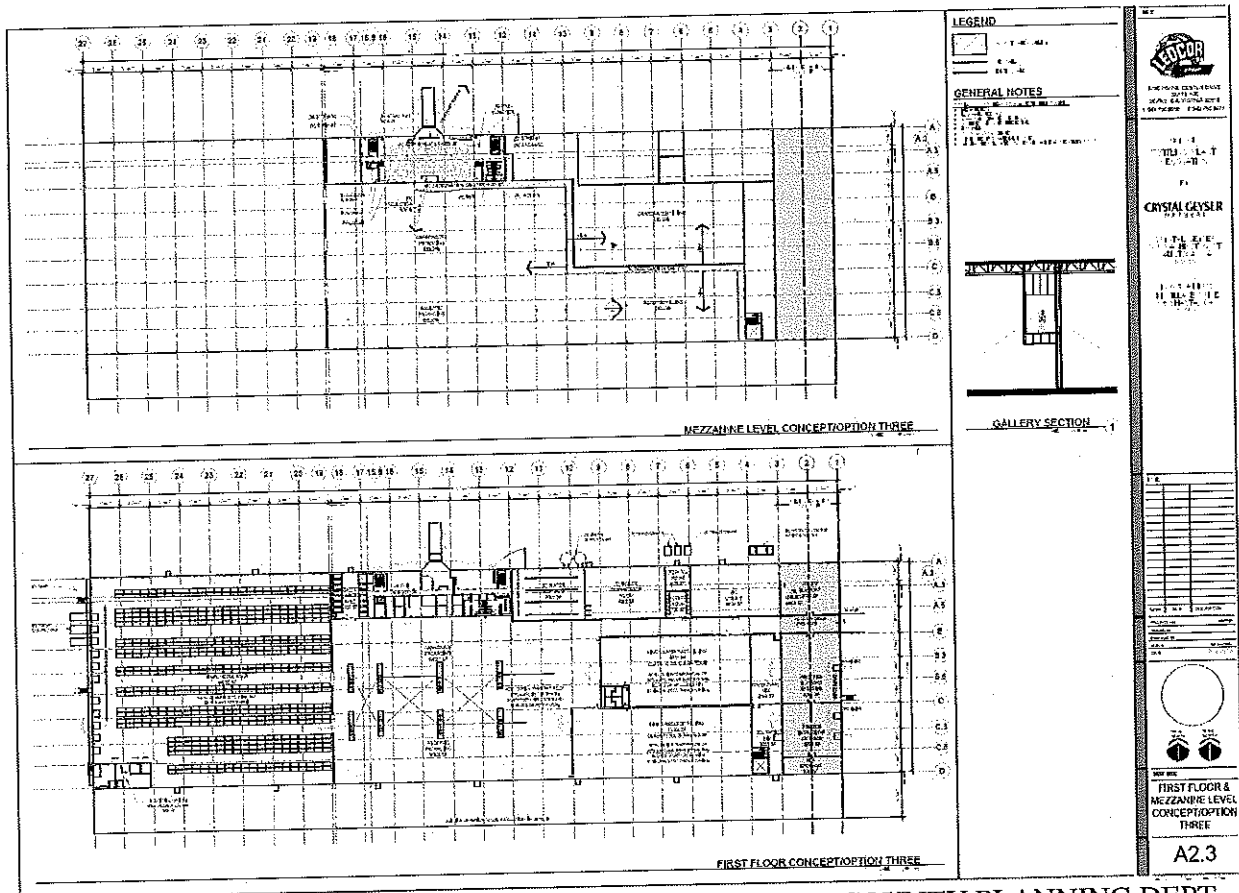
These plans by Crystal Geysers show the existing building is 694'- 4" long x 212'-2" wide plus a small amount for the entry area: **147,314 s.f.** of existing first floor area before the expansion is added.

They propose adding (212'- 2" x 60') + (44'- 0" x 754'- 4") = 12,730 s.f. + 33,191 s.f. = **45,921 s.f.** more floor area.

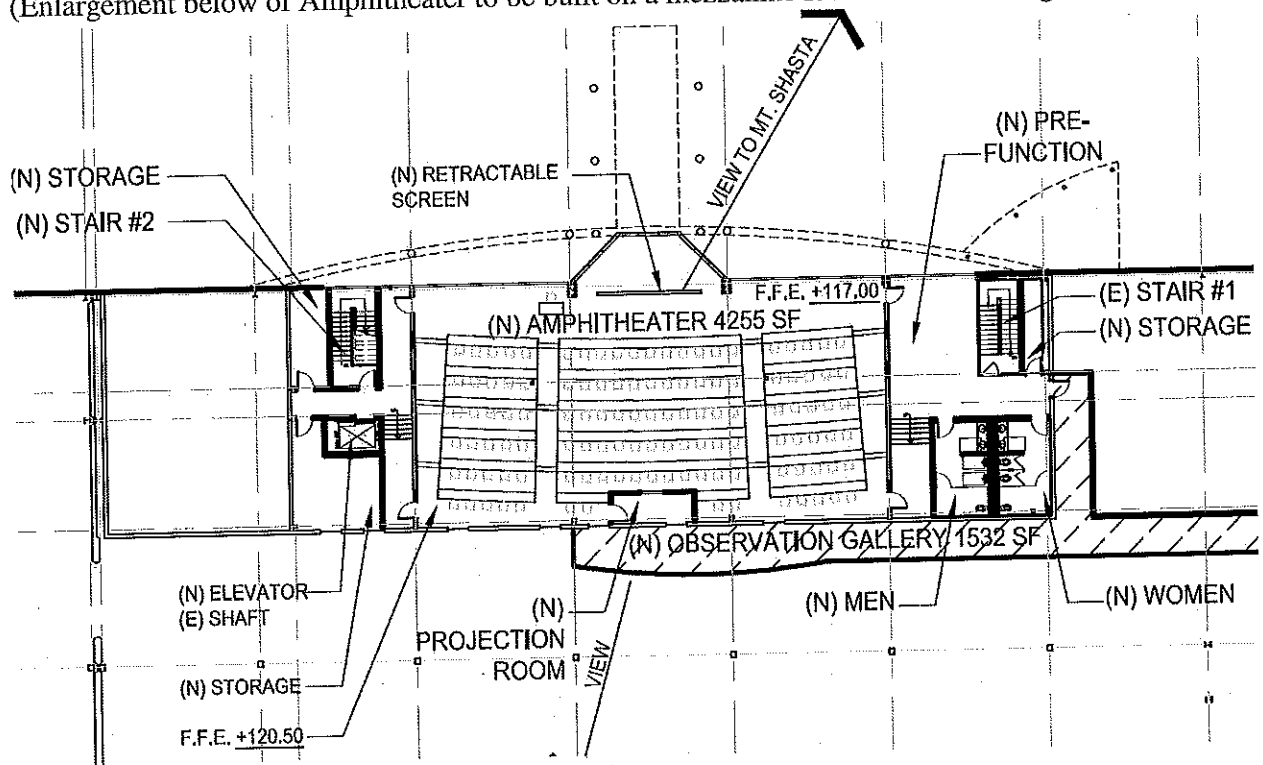
The amphitheater on a new mezzanine may also be new floor area if it adds (44'- 2" x 140'- 0") + 1,532 s.f. of observation gallery = 6,183 + 1,532 = **7,715 s.f.**

+ _____
Thus, Crystal Geysers is potentially proposing adding another (45,921 s.f. + 7,715 s.f.) = 53,636 s.f. to the existing 147,314 s.f. = **200,950 s.f.** total expanded floor area.

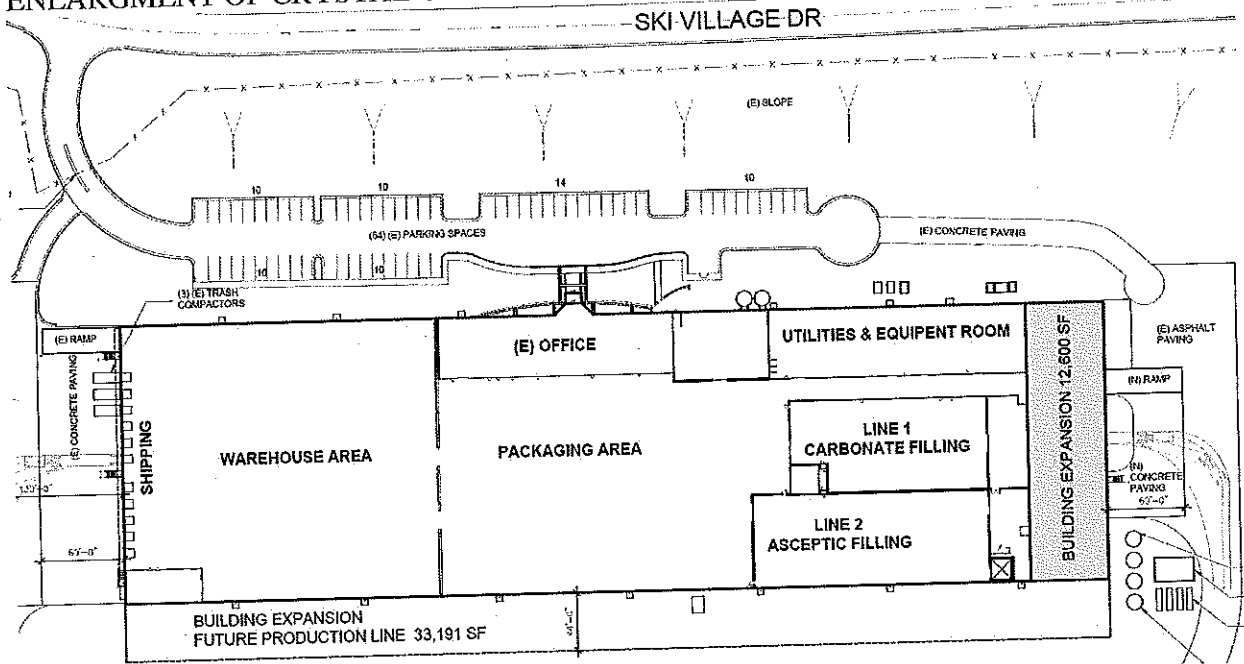
That's 36% more floor area than now exists. Though this calculation does not take into account any possible existing second floor areas that may remain inside. The public has not been given adequate details of these proposed expansions. Thus we are forced to speculate based upon the small amount of information that has come to light. Nonetheless, since architectural plans have been submitted to local agencies and have been shown to the public, it is reasonable and foreseeable that such major facility expansion is intended. The EIR must evaluate the consequences and environmental impacts resulting from such facility expansion since those are not contained in the 2001 Mitigated Negative Declaration that Dannon prepared for its project.



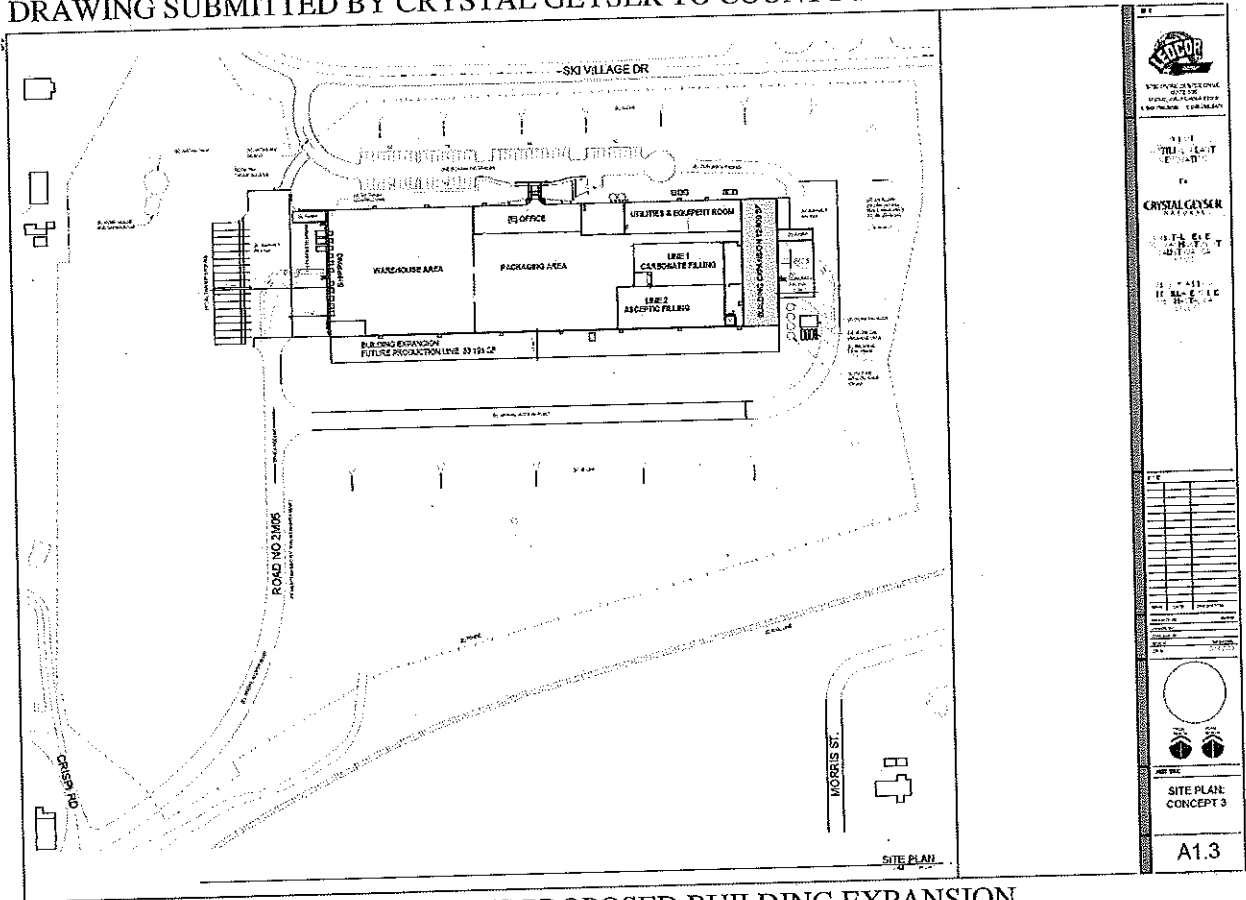
EXPANSION PLAN SUBMITTED BY CRYSTAL GEYSER TO COUNTY PLANNING DEPT.
 (Enlargement below of Amphitheater to be built on a mezzanine level within existing building):



ENLARGMENT OF CRYSTAL GEYSER'S BUILDING EXPANSION PLANS:



DRAWING SUBMITTED BY CRYSTAL GEYSER TO COUNTY PLANNING DEPARTMENT



SITE PLAN OF CRYSTAL GEYSER'S PROPOSED BUILDING EXPANSION

THE EIR MUST EVALUATE PROJECT IMPACTS UPON BIG SPRINGS CREEK

The EIR must evaluate either the Project's growth-inducing consequences of the sewer improvement project, or the more specific consequence of Crystal Geysers well water pumping, as it applies to Big Springs Creek and the Mt. Shasta Fish Hatchery. There is not enough creek water currently available in Big Springs Creek at times to comply with State law. Any reduction of large quantities of water as proposed by Crystal Geysers must be analyzed for an incrementally significant impact.

Crystal Geysers has contended that withdrawing 1% or even 3% of the water from the Big Springs Creek headwaters is *de minimus* and of no harm. However that argument is at odds with State law under the current drought conditions. CEQA considers any project that worsens an existing significantly-impacted environmental resource to be itself creating a significant impact. CEQA is intended to prevent already serious environmental conditions from incrementally degrading even further as one after another development project nibbles away at limited water resources.

The Project includes both (1) sewer system improvements and (2) Crystal Geysers increased groundwater pumping operations. Increasing sewage transport and treatment capability will mean that more sewage can be handled safely in the community. Increased sewage treatment will allow for growth inducement with its inevitably greater water demands. In particular, the largest foreseeable development using water would be the Crystal Geysers plant. Crystal Geysers will therefore be able to pump greater volumes of *surface* water from the Dex-6 well on its land if it can also dispose of greater volumes than were previously allowed by Coca-Cola's permit to discharge to its onsite leach field.

Rather than characterize the Dex-6 well water as ground water, the EIR should acknowledge that Dex-6 water is essentially being pumped from a subterranean stream that is connected to and affects surface flows. That disclosed hydrological connection from the Dex-6 well to Big Springs Creek is what allowed Danone and Coca-Cola to label that water they bottled as "spring water." Surface waters and "subterranean streams flowing in known and definite channels" are subject to the statutory water rights system. This subsurface "surface water" flows in a defined channel that emerges as Big Springs Creek a short distance (1/2 mile) from Crystal Geysers Dex-6 well. The well, drilled by Dannon in 1998, was recognized by the State Water Board to be hydrologically connected to this spring. Pumping projected volumes of water from Dex-6 will reduce the amount of water flowing into the headwaters at Big Springs Creek.

Previous approved mitigations with Dannon (which are even now binding on Crystal Geysers as a successor-in-interest) require that bottling plant pumping be monitored so that excess pumping won't harm this fish hatchery's needed supply of water from Big Springs Creek.

And that water deficiency is already a significant problem because current water users are, at times, diverting all the available water in a portion of Big Springs Creek. One year ago, for example, while no bottling plant well water extractions were occurring, Big Springs Creek ran completely dry for a month or so. The California Department of Fish and Wildlife ("DFW") in December 2013 was diverting 100% of the water from Big Springs Creek into its ditch that supplies water to its hatchery west of Old Stage Road. No water whatsoever was left in the original length of Big Springs Creek. Without water, that creek was inaccessible to fish. That excess diversion in combination with inadequate creek volume appears to be a violation of the DFW's California Water Code Section 5937. That section requires that the DFW's Mt. Shasta Fish Hatchery leave enough water in the Big

Springs Creek to keep fish there in good condition. It appears the hatchery had been taking all the flow at some times for many years, suggesting there is nothing to spare.

§ 5937. The owner of any dam shall allow sufficient water at all times to pass through a fishway, or in the absence of a fishway, allow sufficient water to pass over, around or through the dam, to keep in good condition any fish that may be planted or exist below the dam. During the minimum flow of water in any river or stream, permission may be granted by the department to the owner of any dam to allow sufficient water to pass through a culvert, waste gate, or over or around the dam, to keep in good condition any fish that may be planted or exist below the dam, when, in the judgment of the department, it is impracticable or detrimental to the owner to pass the water through the fishway.

That evidence may mean there is no flow downstream of the DFW's point of diversion at some times of the year. That means that if the DFW's operations were to be in compliance, they would have even less water available for hatchery operations than they do now, before Crystal Geyser cuts into the hatchery's water supply even more.

The City is currently in discussions with other landowners to the north of Big Springs Creek and north of Crystal Geyser's land in the Springhill Subdivision area about development of their lands. This sewer Project proposes to fix a sewer bottleneck that limits the development of either Crystal Geyser's land or the Springhill Subdivision parcels. But any major subsurface water withdrawals in this northern portion of the City by Crystal Geyser or others may diminish the subsurface water flows into Big Springs Creek.

Another impact needs to be considered in the EIR. Crystal Geyser proposes shifting its proposed rinsewater discharge to a sewer, unlike what was done before. Coca-Cola discharged to its onsite leachfield which then returned the rinse water to the groundwater table or subterranean stream. That leachfield use therefore reduced net water withdrawal. Now Crystal Geyser proposes the use of the City's sewer line which might remove the rinse water and product water from the local watershed altogether. It instead would transport it to a different watershed to the south. That would be a major change in local subsurface water flows.

The EIR must evaluate this moving water from one watershed to another, especially when limited flows are available for the Mt. Shasta Fish Hatchery. During the widespread drought that has plagued California now for several years, this problem may only get worse.

THE EIR MUST EVALUATE CRYSTAL GEYSER'S IMPACTS ON CLIMATE CHANGE

The EIR must evaluate and attempt to mitigate Crystal Geyser's most serious environmental impact: its significant contribution to greenhouse gas emissions and their harmful effect upon worldwide climate change problems. Crystal Geyser would not be merely bottling local water with beverage additives. Integral with its operations is its beverage shipments to far flung destinations using petroleum-fueled trucks. Climate change risks are so severe now and in the foreseeable future that some scientists reasonably fear that these problems could ultimately lead to extinction of human life on this planet, not to mention the extinction of countless other species of life.

In today's December 1, 2014 edition of Truthout, a report and an interview with Dahr Jamail reveals this problem is so severe that we find it necessary to quote portions of this interview in this

comment letter. With this information, we request the EIR preparers to include climate change impact evaluation in this local Project's EIR:

(<http://www.truth-out.org/news/item/27714-are-humans-going-extinct>)

"Some scientists, Guy McPherson included, fear that climate disruption is so serious, with so many self-reinforcing feedback loops already in play, that humans are in the process of causing our own extinction."

"August, September and October were each the hottest months ever recorded, respectively. Including this year, which is on track to become the hottest year ever recorded, 13 of the hottest years on record have all occurred in the last 16 years."

" average global temperatures could rise by 6 degrees Celsius by 2050, leading to devastating climate change."

"This is dramatically worse than even the most dire predictions from the Intergovernmental Panel on Climate Change (IPCC), which predicts at least a 5-degree Celsius increase by 2100 as its worst-case scenario, if business continues as usual with no major mitigation efforts."

"Yet things continue growing worse faster than even the IPCC can keep up with."

"Scientific American has said of the IPCC: "Across two decades and thousands of pages of reports, the world's most authoritative voice on climate science has consistently understated the rate and intensity of climate change and the danger those impacts represent."

"And there is nothing to indicate, in the political or corporate world, that there will be anything like a major shift in policy aimed at dramatically mitigating runaway anthropogenic climate disruption (ACD)."

"Guy McPherson is a professor emeritus of natural resources, and ecology and evolutionary biology, with the University of Arizona, who has been studying ACD for nearly 30 years."

" for six years McPherson has been traveling around the world giving lectures about a topic that, even for the initiated, is both shocking and controversial: the possibility of near-term human extinction due to runaway ACD."

"Today's current scientific and observable evidence strongly suggests we are in the midst of the same process - only this time it is anthropogenic, and happening exponentially faster than the Permian mass extinction did."

The EIR must evaluate how this Mt. Shasta bottling operation could contribute to such harmful climate change and possible extinction-level effects. The EIR must investigate Crystal Geyser's operations and shipments which will transport its massive quantities of beverages hundreds and thousands of miles. Bottling plant operations require large amounts of electricity to brew beverages and cool this massive building. Much of that electricity is generated from burning fossil fuels. Shipments by trucks and ocean going ships of billions of Crystal Geyser's bottles over the lifespan of this bottling plant also would burn immense amounts of diesel fuel. The EIR must also evaluate how much petroleum will be used in producing the plastic bottles that will largely go unrecycled

and instead will be dumped somewhere, and how that use of plastics contributes to climate change impacts. CEQA does not allow an EIR to conclude that just because this Project's contribution to a world-wide environmental impact is minimal on a percentage basis, that it can consider that contribution to be insignificant. It is precisely because climate change is so incredibly serious that this EIR must analyze Crystal Geysers impact on it and attempt to devise various mitigations to offset such harm.

The Notice of Preparation is misleading where it states:

"For this project, the City identifies the baseline as the physical environmental conditions in the vicinity of the project as they exist at the time the NOP is issued (CEQA Guidelines, Section 15125). For purposes of the Draft EIR, the physical conditions in the vicinity of the proposed project include the bottling facility and its existing physical structures."

Crystal Geysers portion of this "Project" is not just its bottling operation in its physical buildings. If plant operation was all that Crystal Geysers did, its building would fill up with pallets of bottled water within just days of beginning production. Shipment is also integral to its business. The NOP must be revised and be recirculated to state that the EIR will include evaluation of the baseline for environmental conditions to include the conditions along the main routes anywhere that Crystal Geysers ships its beverages. If the problem of Crystal Geysers greenhouse gas emissions is not fully considered and disclosed, then any solution of appropriate mitigations will not even be perceived.

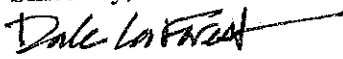
The NOP does not provide "sufficient information" as it describes this Project shipping by 25 trucks per day for one bottling line. All phases of the project must be included in a NOP and an EIR. The public has already been informed that Crystal Geysers intends to build at least three bottling lines. When bottling Juice Squeeze, a product that is only bottled in glass bottles, then additional truck trips will be generated when importing empty glass bottles from afar. It is foreseeable that this Project at full build out will generate hundreds of heavy truck trips per day.

The EIR must also include analysis of a **PROJECT ALTERNATIVE FOR RAILROAD SHIPMENT**. That is one way to feasibly reduce much of the transportation-related greenhouse gas emissions caused by truck shipments. There is an existing rail line adjacent to the Crystal Geysers building. Rail shipments were to have been used by Dannon's bottling operations as evaluated in Dannon's Mitigated Negative Declaration. Railroad shipment uses just a small percentage of the energy compared to truck shipment of heavy products.

CONCLUSION

As described, the Notice of Preparation fails to comply with CEQA. We ask the City to revise and recirculate the NOP so that the public and agencies can adequately comment on the scope of this Project's EIR. Please notify Citizens for Quality Growth when any future opportunity for review of this Project is made available.

Sincerely,



Dale La Forest

Director - Citizens for Quality Growth

Attachment: March 25, 2004 letter from Mt. Shasta Tomorrow to the Mt. Shasta Planning Commission about the proposed rezoning for the C.D.M.S. Project.

MT. SHASTA TOMORROW
An Organization of Concerned Citizens
101 E. Alma Street, 100-A
Mt. Shasta, CA 96067
(530) 926-5016

Mt. Shasta Planning Commission
City of Mt. Shasta
305 N. Mt. Shasta Blvd.
Mt. Shasta, California 96067

Comments on Proposed C-2 Rezoning for C.D.M.S. Project
INITIAL ENVIRONMENTAL STUDY IS INADEQUATE
CDMS Project is Inconsistent with General Plan

March 25, 2004

Honorable Commissioners:

One of the first tasks the City must undertake before considering the rezoning request by CDMS, Inc. for its 29-acre parcel is to decide whether or not the proposed Commercial C-2 rezoning will be consistent with the City's General Plan? If this Project (i.e. rezoning) is not consistent with the General Plan, then there is no need to even prepare further environmental review because the entire rezoning is prohibited by State law. ^{1/}

Every zoning action, such as the adoption of new zoning ordinance text or the amendment of a zoning ordinance map, must be consistent with the general plan. A zoning ordinance that is inconsistent with the general plan at the time it is enacted is "invalid when passed." (*Leshar Communications v. City of Walnut Creek* (1990) 52 Cal.3d 531; *Sierra Club v. Board of Supervisors* (1981) 126 Cal.App.3d 698).

If the City overlooks such an inconsistency in the first place, it gets a second chance during the CEQA process with an Initial Study which specifically raises this question again. The Initial Study must evaluate if this Project conflicts with local plans. In CDMS's case though, the currently proposed Initial Study and Mitigated Negative Declaration (MND) violate CEQA. This comment letter is offered to fill in history that may not be apparent to those who were not here when CDMS first approached the City with its project twenty years ago in 1984. Because there are facts which are not known or have not yet been considered, the Initial Study erroneously determines on page 19, Item IX(b) that this CDMS Project has "no impact" relating to a conflict with the General

^{1/} Gov. Code § 65860. Zoning consistency with general plan

(a) County or city zoning ordinances shall be consistent with the general plan of the county or city by January 1, 1974. A zoning ordinance shall be consistent with a city or county general plan only if both of the following conditions are met:

- (1) The city or county has officially adopted such a plan.
- (2) The various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses, and programs specified in the plan.

^{//}

(c) In the event that a zoning ordinance becomes inconsistent with a general plan by reason of amendment to the plan, or to any element of the plan, the zoning ordinance shall be amended within a reasonable time so that it is consistent with the general plan as amended.

Plan. The Initial Study then mistakenly claims that the rezoning is consistent with the General Plan. The proper application of the planning and legal term "consistent" would require the City to find otherwise — in spite of the seeming consistency between C-2 zoning and a C-C General Plan designation.

The City needs to evaluate more than just if the proposed C-2 zoning is consistent with the General Plan's land use map on page 37, Figure 4. This C-2 rezoning must also be consistent with all the policies and Implementation measures in the General Plan. It is not. And the City must determine if the General Plan itself is current and internally consistent; if it is not, then no project can be consistent with a defective and outdated general plan. This letter will demonstrate such inconsistencies below.

(Note: the General Plan has an open space and conservation element; for purposes of this comment letter, open space is considered separately from conservation even though they are combined as one element or chapter of the General Plan).

C.D.M.S. IS INCONSISTENT WITH OPEN SPACE ELEMENT

The City needs to plan to add new open space areas to serve its future population growth. That planning should be shown in the General Plan Open Space Element. Some of that open space will be for recreation, and some will be for preservation of natural resources. CDMS's lands could serve such population growth as open space if those weren't lost unnecessarily to development. As is evident by rising real estate prices and low availability of available residential lots, a major population pressure is now occurring. Thus, the City's General Plan needs to be updated to plan for the acquisition of new parklands to maintain or achieve the City's desired ratio of parkland to City residents. As the City grows, we will need new parks and new open space areas. Put simply, it would be unfair for existing residents to be required to pay for new parks so that new residents can move in and use them. Rather, all new major development should include new parks so that private funding, and not the general fund, pays for such parkland creation. The General Plan must guide these developers as well as City officials and volunteers as to where such parks will be needed. Also, as the population grows, open space such as on CDMS's land will be needed even more to accommodate the increased storm water run-off within its wetlands that accumulates during heavy rains as the result of new impervious surfaces, streets and buildings elsewhere uphill from this site.

The General Plan estimates an 84% increase in population during the planning period. Simple mathematics reveals the City cannot maintain five acres of *neighborhood parks* per one thousand City population without *acquiring* neighborhood parks. In fact, it currently does not meet this goal, and it appears as if this problem will only grow worse. The General Plan's failure to include a program for *preservation* of open space is inconsistent with the acquisition of neighborhood parks pursuant to the Quimby Act.

The Court Ruled General Plan Open Space Element is Internally Inconsistent.

In this regard, the Appellate Court in 1996 ordered the City to correct its 1993 General Plan where the General Plan's Open Space Element failed to comply with State law.

That Court ruled that the General Plan was internally inconsistent and ordered it be corrected. There is no evidence that this mandated correction has been made; the General Plan still remains uncorrected eight years after that Court's decision. Absent such correction, the General Plan is still inconsistent with State law. There should be no question about this, since there is Court concurrence of this fact.

The City has failed to adequately plan for and predict where such parks should be located. Instead, it relies upon private persons and community service groups to provide such parks. Reliance on people over whom the City has no power or control to provide adequate parkland areas for an increasing population is inconsistent with the implementation of the goal.

General Plan has no map showing City's Open Space Lands

Further, the goal to provide such recreation and parkland areas is inconsistent with the General Plan's "Open Space Lands" map or diagram on page 98. That map is not only undecipherable, but it does not even show existing parklands, much less proposed future parklands.^{2/} It provides no general or specific overlays, projections, possibilities, or reservations for potential future parks. It offers no guidance on whether such parkland will be obtained by purchase, donation, easement or otherwise. Not even Figure 6 of the General Plan, page 32, shows open space lands adequately. That map combines public land with parks, indicating essentially that any park could be converted to a City storage yard or similar non-open space use. For example, the City Hall, the Opportunity Center, the schools and the cemetery are shown in that "public land and parks" designation and they aren't open space lands.

This lack of planning for parks on public or private lands (even in those areas where the City plans for high-density multi-family residential developments and no neighborhood parks currently exist) shows how defective the General Plan is. Such parks need to be planned by the City. Historically there is little profit motive for private developers — out of the generosity of their hearts — to donate such lands unless the City has strong policies to require it.

The City currently overestimates the amount of parkland it has by counting school grounds as park lands. In fact, during school hours, such lands are not available to the general public. Thus, during winter season for example, when daylight hours are limited and coincide with school hours, the only time such parks are available for the general public might be on weekends. This points to the need for additional public parks located in reasonable proximity to residential neighborhoods.

The General Plan Open Space Element is not legally sufficient because it does not have an open space plan designed to preserve and conserve open space in accordance with the mandates of Government Code section 65561, etc. It is also outdated because the City has failed to adopt an Open Space Zoning Ordinance pursuant to the mandate of the Open Space Lands statutes. (Gov.C. § 65910 et seq.)

^{2/} Figure 19 "Open Space Lands" map in the General Plan, page 98, does not show existing open space lands within the City of Mt. Shasta; Shastice Park and the City Park are not shown, for example, nor are any other parklands or other open space lands within the City's limits.

An Open Space Element is a mandatory part of every general plan. The Open Space Element must include an open-space action plan. Every local open-space plan must contain an action program "consisting of **specific programs** which the legislative body intends to pursue in implementing its open-space plan. ("Like the housing element, the open-space element must include a **detailed** action program for implementation of its plan.") It was the intent of the legislature to assure that cities and counties recognize that open space land is a limited and valuable resource which must be conserved wherever possible and to assure that every city and county will prepare and carry out open space plans, which will accomplish the objectives of a comprehensive open space program.

City has failed to Adopt an Open Space Zoning Ordinance. The City has failed to bring its General Plan and Zoning Ordinance into consistency within a reasonable period of time.

One requirement of the action program is the adoption of an **open-space zoning ordinance** consistent with the open space element. The zoning ordinance must designate, among other things, large-lot zones, and may use special overlays, but without taking or damaging private property rights. (Gov. C. §§ 65910, 65912.) The open-space element also must contain goals and policies for preserving and managing open space, and an inventory of all publicly and privately owned open space property within the area covered by the plan. (Gov.C. §§ 65560, 65563-65564; see *Save El Toro Assn. v. Days* (1977) 74 Cal.App.3d 64, 70-73 [141 Cal.Rptr. 282].)

The California Office of Planning and Research considers that a city should be able to correct even large amounts of inconsistencies between its general plan and its zoning ordinance within a period of two years. In 1993, the City of Mt. Shasta committed to correcting such inconsistencies within five years. (See General Plan's definition of short-term planning period) But now, 11 years later, these inconsistencies are still not corrected.

Even worse, some inconsistencies have remained uncorrected now for over three decades. For example, Government Code section 65910 requires adoption of an open-space zoning ordinance by December 31, 1973. The City has not prepared and adopted an **open-space zoning ordinance** at any time in the past thirty (30) years! Without an Open Space Zoning Ordinance, the City fails to have an adequate open space plan. No building permit may be issued, and no subdivision map may be approved unless the proposed construction is consistent with the local open-space plan. (Gov.C. § 65567.)

The lack of an Open-space Zoning Ordinance is critically relevant for the current CDMS project because this land has always been used as open space lands in the past. Agriculture is its current form of open space use now. It is mostly wetlands as well — a natural resource to be protected by policies and measures in the General Plan as well as by State law. Yet without the City even having an Open-space Zoning Ordinance, the City does not have an alternative zoning category into which it can classify CDMS's land if it feels that C-2 General Commercial zoning is inappropriate and greater protection is needed. Thus, if the City were to move ahead with a defective General

Plan and inadequate Zoning Ordinance, it might be boxed into a corner by this failure and other planning irregularities. State law does not permit this.

MST also contends that the park and recreation provisions of the City's Open Space Element are inadequate, as a matter of law, because the City's so-called open space action plan is not only inconsistent, but the "Implementation measures" also fail to set forth the specific actions that establish Policy OC-8.1 and Policy OC-8.2 will be carried out on a day-to-day basis.

The court in *Save El Toro Assn. v. Days, supra*, explained "without an inventory of available open space resources there cannot be a plan as contemplated by the Open Space Lands Act - only isolated uncoordinated projects - the type of development the act was specifically intended to prevent." (79 Cal.App.3d at p. 73.) The City of Mt. Shasta finds itself in the same situation.

MST contends that the open space action plan which the City adopted in its 1992 General Plan is inadequate as a matter of law because it fails to include an inventory of privately-owned open space property within the area covered by the plan. Without an inventory of not only existing but also available open space land, the City cannot have an adequate open space plan because it cannot **plan** for the future. (See *Save El Toro Assn. v. Days* (1977) 74 Cal.App.3d 64, 72-73.) Future land use decisions can be made in harmony with a general plan only when the plan is sufficiently definite to actually provide direction and guidance. Goal OC-8 (Provide park and recreational facilities) does not meet that basic requirement because it is not possible to provide (new) parks in developing neighborhoods when the general plan fails to identify any potential areas or properties where such parks may be situated as the City develops and the population expands. Without some planning, there is nothing to assure that presently undeveloped land will be available in the future for required open space use.

By failing to identify potential areas of growth and potential future needs, on the basis of present lack of funds to acquire or maintain additional parks, the City fails to do that which is required by state law, i.e., **plan** for the preservation and conservation of open space lands. If the City fails to identify undeveloped lands in the neighborhood for potential parkland use until the City has obtained sufficient funds to purchase parkland, then all suitable parcels may be developed by the time the City "goes shopping."

Without a potential open space inventory and sufficiently specific plans, the Open Space Element is just meaningless words on paper. A general plan which lacks an inventory of public and private open space lands and is so vague in its implementation measures as to provide no assurance that the Policies will be upheld or the Goals achieved, fails to substantially comply with the reasonable objectives of the state law.

How can the City evaluate whether the loss of CDMS lands in their current open space usage is significant and adverse to the environment if its General Plan Open Space Element is defective and can't serve as a yardstick against which to measure this Project's rezoning?

C.D.M.S. IS INCONSISTENT WITH CONSERVATION ELEMENT

Because this CDMS site is mostly wetlands, this site's possible rezoning for commercial use must be evaluated and found consistent with the General Plan Conservation Element. But this Conservation Element is too inadequate to support the proposed C-2 rezoning application.

The CDMS site contains over 20 acres of important wetland resources that should be better protected and planned for in the General Plan as wetland habitat. Such wetlands have a vital function in the entire hydrology system of our local creeks, rivers and lakes. Wetlands help regulate water temperature and water volume in such creeks by absorbing excess spring runoff during the wet season, and discharging stored waters to these creeks during the summer dry season. They thus reduce bank erosion of such creeks. They also filter out harmful urban pollutants, and provide needed wildlife habitat.

Accordingly, if the General Plan was adequate and it considered as important the goal of wetland conservation and protection, then it would have included more policies for protecting wetlands throughout our planning area. Political pressure distorted the General Plan update process in 1992 and caused the City to literally throw away many pages of proposed wetland mitigations that its first planning consultant proposed in his January, 1992 Draft EIR. What policies are left are ineffective.

CONSERVATION ELEMENT IS INADEQUATE BECAUSE MOST WETLAND MEASURES HAD BEEN STRIPPED FROM IT IN 1992.

Specifically, the General Plan Conservation Element is inadequate because it fails to provide sufficient policies and Implementation measures to protect wetlands. The City in 1992 actually considered various measures in its January, 1992 Draft EIR for the General Plan. But all those measures were deleted before the EIR and General Plan got adopted. In the face of a City Council that was hostile to wetland preservation, the City's planning consultant (from 1988 until 1992) Charlie Simpson who suggested these measures was fired, and a more politically acceptable yet less capable replacement, Eric Toll, was hired in his place. Mr. Toll was willing to do what the Council asked, even over his own publicly stated objections to deletion of some 8 pages of wetland discussion and mitigation. Now the City is left with a Conservation Element that will not withstand scrutiny under General Plan and environmental laws.

What policies were omitted requires a lengthy discussion here because wetland preservation is so important in this community. Mt. Shasta is one of only two cities in California that are built largely upon wetlands. With the State's directives to preserve wetlands, the City's former planner offered up a long list of mitigations (See attachment "A") to accomplish that goal of mitigating such potential wetlands loss.

1. The Jan. '92 Draft EIR recommended as Policy RC-14.1 that a "Special Area Management Plan" be adopted to implement various wetland policies and mapping; it never was, and the policy itself disappeared from the current General Plan.

2. The '92 Draft EIR also recommended maintenance or enhancement of habitat along streams; that policy RC-8.1 also disappeared. It proposed a Policy RC-8.2 to prohibit development on riparian areas and wetlands and require 50' minimum setbacks from streams. These policies were never added to the Conservation Element.
3. It proposed Policy RC-8.3 to avoid new water diversions which could affect streams; that too has been dropped from the Conservation Element.
4. It proposed the City consult with the DFG and Regional Water Quality Control Board before taking action on projects with wetlands so these agencies' recommendations could be added to the City's approvals; however the Conservation Element as adopted now merely requires the project application be submitted to these agencies. It doesn't require the City to do anything as a result of those agencies' input, assuming they even respond.
5. The '92 DEIR proposed Policy RC 15.1 to discourage projects located in or significantly affecting wetlands; that policy was omitted altogether from the Conservation Element.
6. The '92 DEIR also recommended Policy RC-15.2 to require an EIR for any project that filled or disturbed wetlands; this policy too was omitted from the Conservation Element, and as a result, the City is now attempting to use a much more abbreviated and less thorough environmental review process with a Mitigated Negative Declaration.
7. The '92 DEIR Policy RC-15.3 required a project applicant to obtain a federal wetland fill permit before the City could consider a wetland project application to be complete; this policy too disappeared. Now the City has turned that measure on its head by allowing applicants to seek such federal permits after the City has expended time and limited resources reviewing and approving a project. If such a federal permit is not later allowed, then the City's efforts are for naught. This is exactly what happened to CDMS in 1985-88; the Army Corps of Engineers denied CDMS's wetland permit after the City had approved the project and with CDMS had wasted hundreds of thousands of dollars ineffectively defending that approval in court.
8. The '92 DEIR most importantly with Policy RC-15.5 required wetland impacting projects to incorporate mitigation which at a minimum ensures "no net loss" of wetlands; the Conservation Element certainly does not have that needed policy, and this CDMS Initial Study also doesn't require "no net loss."
9. Policy OS-8.1 required the City to designate those wetland areas which should be preserved as open space and those which could be somewhat developed; no such policy is now in the Conservation Element. Then again, the City does not have, nor seems ever to want to have, an open space Zoning Ordinance so as to preserve desirable wetlands.
10. The '92 DEIR's Policy OS-8.2 required the identification of high value wetlands (such as those on the CDMS lands). The Conservation Element has no similar policy to guide the public and the Planning Commission on which wetlands are more valuable to protect.

11. That DEIR also offered Policies OS 8.3 and 8.4 to acquire open space easements or to dedicate actual fee title to such wetlands to preserve them. Again, the Conservation Element includes no measures to acquire or protect such wetlands.

These were important mitigations which the City proposed in 1992 to protect wetlands. They were not suggested as an "excess of caution" that could be readily dropped as unneeded. Rather, they were needed mitigations that had to be added to the General Plan and its EIR so as to comply with CEQA once the correct significance of wetland impacts had been analyzed. Instead, these policies were simply dropped without a valid or reasonable explanation. As such, the Conservation Element does not now effectively protect wetlands nor thus comply with State Planning and Zoning laws. The CDMS project cannot be consistent with this wholly inadequate and defective General Plan Conservation Element, and thus cannot legally be approved for rezoning.

PROJECT IS NOT CONSISTENT WITH WETLAND MEASURE OC-3.2(c)

The CDMS project is not consistent with even the minimal and ineffective General Plan Implementation measure OC-3.2(c) because the current wetland delineation does not contain a wetland professional's recommendations for feasible mitigations, Implementation measure OC-3.2(c) requires it. If it did, the Initial Study would recommend those in addition to the clearly ineffective mitigations it does propose. Thus without such professionally recommended mitigations being incorporated into the Initial Study, this CDMS project application is inconsistent with the General Plan in this most obvious way.

The City's largest undisturbed wetland area exists on this CDMS site. The 1985 CDMS EIR predicted that rezoning it for Commercial uses would cause the unmitigatable loss of approximately 20 acres of wetlands. The two development maps that CDMS submitted in 1985 and 1987 showed the entire 35-acre site being developed, with no areas left open for wetland preservation. It is likely based upon CDMS's past history that full-site development might again be proposed if more protective mitigations are not now adopted. (See Exhibits "C", "Conceptual Master Plan" for CDMS site, and "Tentative Map" for CDMS's 1987 Subdivision application).

In spite of this earlier environmental study, CDMS's land was inconsistently designated in the 1993 General Plan for Commercial Center development — a land use that is totally at odds with a General Plan goal of wetland conservation. That is an internal inconsistency which renders the General Plan defective now. Moreover, as shown below, the City in 1993 adopted that Commercial land use designation covertly without open public notification and even minimal environmental review.

This is not the first time we have raised this issue. Mt. Shasta Tomorrow informed the City in the past that the General Plan as adopted in 1993:

- (a) was not adopted with the required environmental review, especially following two land use redesignations which changed larger parcels west of the Interstate-5 freeway (previously known as the CDMS property) to all commercial;

- (b) is internally inconsistent relative to open space policies, and protection of the downtown business district;
- (c) fails to have a legally adequate open space action plan; and
- (d) fails to provide adequate protection for wetlands.

It is not sufficient for our General Plan's policies to merely "work to satisfy state and national wetland policy, or to merely "allow property owners of lands with wetlands to design projects to avoid or mitigate wetland impacts." Those policies are nothing more than the equivalent of saying developers should follow wetland laws. That certainly does not show any effort toward planning for wetland protection of the type that is intended for a General Plan. A General Plan should go beyond merely repeating land use laws found elsewhere. Those feeble policies are certainly insufficient for environmental mitigations now for this CDMS project.

If the General Plan was adequate, then it should instead provide guidance as to which wetland areas of the City are important for preservation or enhancement and which areas are suitable for development as long as other off-site mitigation is provided elsewhere. For example, small wetlands within the downtown core and found on "infill lots" that are highly valued for commercial expansion might be suitable for conversion with appropriate mitigation. Larger, contiguous wetlands at the outskirts of town or adjacent to creeks which needed to protect the water quality in those creeks are probably more suitable for conservation.

For CDMS, one test the City must now conduct is whether or not to require additional environmental review regarding such wetland issues if it finds that the 1992 EIR for the General Plan update did not adequately consider this current project's impacts. It did not. Thus, these next comments will illustrate how the current General Plan was defective when adopted, and how this deficiency makes approval of CDMS's rezoning now unlawful.

HISTORY OF CURRENT GENERAL PLAN DESIGNATION OF C.D.M.S. PROPERTY WEST OF INTERSTATE 5.

The City never adopted proper findings about wetlands loss with its last 1993 General Plan update. The City's findings of fact about wetland loss were not supported by substantial evidence in the record. As planning commissioners, you probably remember that state law requires that findings must be made for each significant environmental effect, accompanied by a supporting statement of facts. The basis of any conclusion must be explained in the findings. A "good faith, reasoned analysis" is required; "conclusory statements unsupported by factual information will not suffice." But this is not what happened back then.

In the January 27, 1993 revised Findings that the City Council adopted with the General Plan, the City "finds that there are no other feasible mitigation measures or alternatives that it could adopt at this time that would reduce the cumulative and long-term impacts of the Mt. Shasta General Plan." In fact, the City never examined any

alternatives for wetland loss or feasible mitigation measures. As to the wetlands west of Interstate-5 on this CDMS Project property, this 1993 error occurred in part because the wetlands were originally not proposed for commercial development when environmental review was conducted. Then, through a slight-of-hand at the last moment, but without going back and changing the environmental review, the City simply and dramatically enlarged the proposed Commercial designation. To cover its error, the City issued false and meaningless "findings" as if such wetland loss was originally reviewed when it was not. An agency is legally prohibited from attempting to "fill in" analytical gaps which exist in the Final EIR, insulated from public comment. But the City did it regardless of the law.

Equally important, the revised 1993 Finding of Fact the City Council adopted was not supported by substantial evidence in the record. The December 16, 1992 Final EIR for the 1992-3 General Plan update does not discuss the existence of any significant adverse impacts to wetlands! In fact, wetlands were not even discussed in Chapter 6 of the EIR ("Environmental impacts, determination of significance, description of mitigation programs for impacts, and identification of issues for which mitigation measures are not feasible"). Instead, the finding merely stated:

"The City will also proceed to consider development on lands that have been identified as having a potential to be a wetland. The approach in the General Plan will avoid direct filling or disturbance of wetlands, but it may result in additional pressure placed on the ecosystem of a wetland with development occurring at the edge of the sensitive areas."

Based upon the Final EIR's determination that there will be no loss of wetlands, that revised Finding was without substantial support, and the City's adoption of the Finding was improper. The City's revised January 1993 mitigation monitoring program also had no wetland provisions.

The City made the above-referenced finding belatedly and after it had already approved the EIR, and

- without discussing a mitigation program for the perceived impacts to wetlands,
- without a discussion of any of the mitigation measures or alternatives which were listed in the January 1992 revised draft EIR but not in the Final EIR, and
- without identifying which mitigation measures are not feasible.

For that reason alone, the City failed to proceed in a manner prescribed by law. As stated in a context similar to CEQA, there must be a disclosure of the "analytic route the . . . agency traveled from evidence to action." (See the 1988 decision about this same CDMS land in *Citizens for Quality Growth v. City of Mount Shasta*, 198 Cal.App.3d at p. 441 [construing § 21081 findings pursuant to an EIR].)

An EIR's discussion of alternatives must contain analysis sufficient to allow informed decision making. The City did not satisfy this duty, because the City failed to analyze feasible project alternatives. To facilitate CEQA's informational role, the EIR

must contain facts and analysis, not just the agency's bare conclusions or opinions." An EIR must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project. The City failed to comply with this requirement. The Final EIR did not provide this analysis as to wetlands.

CEQA places the burden on the approving agency to affirmatively show that it has considered and identified means of lessening or avoiding the project's significant effects, and to explain its decision allowing those adverse changes to occur. The City failed to comply with burden, improperly deferring instead wetland protection to the Corps of Engineers and the Department of Fish and Game.

The California Appellate Court stated, in *Citizens for Quality Growth*, 198 Cal.App.3d at 443, footnote 8:

"City cannot so avoid responsibility for its decision to amend the general plan and rezone the C.D.M.S. site. Each public agency is required to comply with CEQA and meet its responsibilities, including evaluating mitigation measures and project alternatives. (See Guidelines, § 15020.) Upon remand, by the superior court, therefore, City must give this proposal due consideration."

That court decision from 1988 is still valid today. It clearly points out that the City cannot now again in 2004 merely rely upon other agencies such as the Corps of Engineers or the Department of Fish and Game for wetland regulation. The City has yet to properly consider the wetland impacts of its proposed change to land use designation for the lands west of I-5.

It should be noted that in 1985 the Department of Fish and Game inspected the CDMS site and, as a result, recommended to the City's planning consultant preparing the 1985 EIR for CDMS that "the CDMS project site is unacceptable for development because it is a wetland, has peat type soil, and may support some unique plants." (See Exhibit "D", Letter from Department of Fish and Game dated 4/4/1985).

Yet the current CDMS Initial Study totally ignores this Court decision. On pages 11-12, the Initial Study merely defers any protective mitigations to the Department of Fish and Game, the Army Corps of Engineers and maybe the Central Valley Regional Water Quality Control Board. The additional step of having the applicant prepare a wetland delineation is not a mitigation, for nothing in such a report commits protection to wetlands, and only indicates where wetlands are on the site. There is not a single wetland mitigation that the City is proposing that it will evaluate now in this Initial Study or enforce in years to come. Clearly, that violates the Court order, and it violates CEQA. Those proposed mitigations are thus inadequate and must be revisited in a new EIR now.

The changes to the 1992 General Plan project and the CDMS site which occurred after close of public comment then were improper and illegal, and they affect the current 2004 CDMS rezoning application. This issue of wetlands and having a consistent General Plan is now back on the table. Changing the Land Use designation of the

CDMS property constituted a substantial change which then required recirculation of the Draft EIR or a supplemental or subsequent EIR. Similarly a new EIR must include such review because it was not provided then. A full understanding is important if the Planning Commission is to be able now to correct the problem with the current General Plan's inconsistencies and the City's failure to conduct proper environmental review of such wetland impacts.

The Initial Study fails to state that CDMS actually owns 35 contiguous acres at this location, even if it is only proposing to rezone 29 acres now to C-2 zoning. Those were the same 35 acres that were 1988 Court decision affected.

The Planning Commission now is required to consider whether the City can rely upon the 1992 General Plan EIR or not? Does it already evaluate the impacts of CDMS's proposed commercial designation? In doing so, the Commissioners must ask if the City's 1992 redesignating the proposed approximately 24 acres of CDMS property from Rural Residential to Commercial Center after the 1992 FEIR was prepared was so significant as to require the City to recirculate the draft EIR, or to prepare either a supplement to the EIR or a subsequent EIR to reflect those changes. MST asserts the changes did trigger the need to revise the EIR, and circulate the revisions for public review and comment, prior to adoption of the General Plan. The history from 11 years ago should make this clear. For those of you who aren't familiar with what happened then, here is a brief summary:

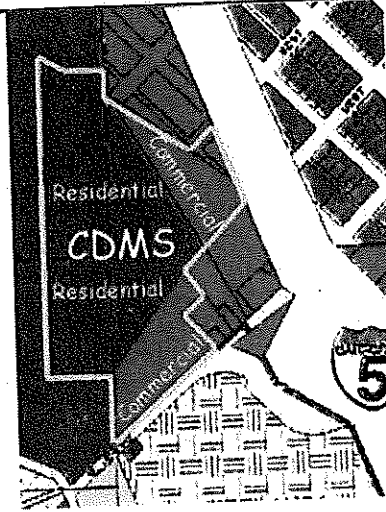
The City *changed* the General Plan as to the CDMS property after the public comment period was closed. The City *changed the maps* with each version of the General Plan/EIR to reflect changes in the proposed land use designation of the CDMS property. This process began after former City of Mt. Shasta planner Greg Koert and MST objected to the 35-acre Commercial Center designation of the CDMS property in the July 1992 draft General plan/EIR.^{3/} In response to those comments the City *reduced the proposed commercial acreage* of the CDMS property to 12 acres in the October 1992 draft general plan/EIR, and designated the remaining 23 acre area as Rural Residential. Rural Residential only allowed one house per 10 acres, so the impact of such very low density land use would be minor. This appeared to be an appropriate correction, but it wasn't to last for long.

On October 28, 1992, when the City Council held a public workshop on the draft General Plan and invited comments from the public, CDMS was shown and proposed to be designated as 12 acres Commercial Center, and the remainder as Rural Residential. When the opportunity to submit public comment on the draft General Plan closed on November 20, 1992, the draft General Plan still designated 12 acres of the CDMS property as Commercial Center, and the remainder as Rural Residential.
(See next page for color copies of changed General Plan maps showing CDMS lands).

^{3/} The City in August 1992 received a comment letter from planning consultant Greg Koert which concluded that "[t]he large CDMS area, if developed for commercial uses would have detrimental effects on the historic downtown area, these include the likely vacancy and deterioration of existing buildings...." He also indicated that designating CDMS all Commercial Center would create a significant impact on the extensive wetlands existing on that property.

October 28, 1992

Note:
CDMS 35-acre site shown outlined in gold for this comment letter; gold outline was not part of the original General Plan maps.



Here is what the EIR for the General Plan analyzed and what the public commented on. The green area is Rural Residential ... allowing only one house per 10 acres, and thus not having many impacts.

General Plan and Final Environmental Impact R

December 16, 1992

Page 30



This is how the General Plan map changed after the close of public comment, adding more acres of Commercial-Center (blue) land instead of the Rural Residential land (green) that was earlier shown.

January 27, 1993

Page 37 of 185 pages

Land Use element



Finally, on the last day when the General Plan was finally adopted, the public was shown for the first time that all of CDMS lands were now proposed as "C-C" Commercial Center land. The EIR did not evaluate such impacts.

Page 13

After all opportunity to comment on the draft General Plan was closed, the City changed the draft General Plan. In the December 16, 1992 version of the draft general plan/EIR, however, the City increased the commercial acreage of the CDMS property to 23 acres, and decreased the Rural Residential area to 12 acres. To excuse this gross violation of planning law, the City's outside planning consultant at that time defensively announced that he had merely made a mapping error which he later fixed, even though it totally changed what the public had been led to believe would be designated.^{4/} Then, either after the City adopted the general plan or immediately before the City adopted the general plan and at the end of the December 16, 1992 meeting, the City again increased the commercial designation of the CDMS back to 35 acres Commercial Center, and reduced the Rural Residential acreage to non-existent. This Commercial designation is so huge that it is about 3 times as large as the City's failed attempt in the 11-acre commercial designation action for this same property back in 1985 which the appellate court overturned in 1988. While the General Plan proposes few changes to the existing land use and development patterns, the changes proposed for the CDMS property were substantial and *environmentally significant*.

(See Exhibit "B" showing 3 full size pages from various General Plan map versions).

The City made the redesignations without studying or discussing what environmental effects commercial development of the entire CDMS parcel would have on: 1) the historic business district; and 2) the wetlands located on the CDMS property. In the case of *Citizens for Quality Growth* a few years earlier, the City amended the General Plan and redesignated a part of the CDMS property for commercial development, but failed to consider the effect such change would have on the downtown business district and failed to protect wetlands. The court ordered the City to consider the potential detrimental effects that may be caused by commercial development of the CDMS property, noting the possibility of business closures and physical deterioration of the downtown business district as indirect environmental effects of the proposed project.

When the City increased the Commercial Center designation of the CDMS property, the City caused new substantial environmental impacts or substantial increases in the severity of environmental impacts to wetland and the downtown business district which were not contemplated in the December 16, 1992 FEIR. Since the latter change first appeared in the January 27, 1993 General Plan, it occurred after the Final EIR was certified. Alternatively, if this change occurred before certification of the EIR, the City was required to recirculate a revised draft EIR. Despite the City's changes, the FEIR was virtually silent on wetlands, and did not address impacts on the downtown business district at all.

^{4/} To better illustrate the flaws with the current Mt. Shasta General Plan, consider the plight of the consultant who prepared it, Mr. Eric Toll. This was his first General Plan project. He was hired afterwards to prepare a general plan for the City of Fort Bragg, but abandoned that project without finishing it after being paid nearly all of his contract, leaving that city without a completed plan, fleeing California to take a job elsewhere rather than honor his agreement with that city.

Indeed, while the December 16, 1992 Plan Final EIR would suggest that no loss of, or damage to, wetlands can be expected anywhere in the Mt. Shasta planning area during the next 20 years, the 1985 EIR which was discussed in *Citizens for Quality Growth* noted that the environmental effects on wetlands would be *significant - and not capable of mitigation* (and involved a much smaller portion of CDMS was to be designated commercial. Even in the absence of opinions by professionals such as Greg Koert, significant impacts to wetlands can be presumed if all commercial development is planned where the tract is approximately 70% wetlands. The CDMS changes are also considered significant.

MST agrees with Koert's 1992 comments stating that:

"The large CDMS area, if developed for commercial uses would have detrimental effects on the historic downtown area, these include the likely vacancy and deterioration of existing buildings, an effect that has occurred in many other cities and town[s] when large scale commercial development is allowed away from the historic downtown area."

"The Goals cited above in the Open Space and Conservation Element are inconsistent with land uses shown on the land use map page 31. The areas west of I-5, popularly known as CDMS and a large mostly vacant area just south of the City Park, popularly known as the Willow Glen project are currently mostly pasture land with historic and present usage for livestock production and have already been classified by qualified professionals from the Corps of Engineers, Fish and Game and Karen Thesis to be wetlands. The fact that the draft General Plan designates land use of this areas Commercial Center...is inconsistent with the goal of preserving wetlands."

This should provide a fair argument that there will be significantly more impacts with the current C-2 zoning for CDMS site than the 1992 EIR contemplated and analyzed or mitigated when most of CDMS was originally low density "Rural Residential". The vitality of the City's downtown might be compromised, and as a result, its buildings may deteriorate from lack of maintenance, if CDMS is rezoned commercial. Such downtown impacts are common in numerous nearby communities, including Yreka, Redding and Medford as a result of outlying shopping center development. (See Exhibit "E", Article from The Boston Globe about a similar downtown's plight).

CONCLUSION:

We have shown that this commercial C-2 rezoning application by CDMS for its 29-acre site is not consistent with a valid General Plan. The General Plan itself has an inadequate Open-space and Conservation Element because it is internally inconsistent and fails to comply with State law as a Court ruled in *Mt. Shasta Tomorrow v. City of Mt. Shasta* (1996).

This rezoning is not consistent with all the policies of the City's existing General Plan either. The Initial Study is inadequate in that it fails to disclose this information. Insufficient analysis and mitigations are provided to address the various open space and wetland impacts that such rezoning may cause, either directly or indirectly as future

1052
projects are later proposed. This Initial Study for the CDMS project fails to comply with the mandate of the Court's ruling in *Citizens for Quality Growth v. City of Mt. Shasta* (1988) 198 Cal.App. 3d 418 relating to evaluation of alternative sites capable of avoiding wetland laws. The Initial Study also fails to evaluate the adverse impacts on the downtown that rezoning so much new commercial land for CDMS on the other side of the freeway might cause as the 1988 Court also ordered.

Thank you for reviewing this lengthy comment letter. We will submit comments about other significant impacts this rezoning may cause in a following letter, including those related to aesthetic impacts, traffic impacts, and water quality impacts.

Sincerely,

DALE LAFOREST

Dale LaForest
Director - MST

attachments:

Exhibit "A": Excerpts with wetland mitigations that were never ultimately adopted from January, 1992 Draft EIR for General Plan

Exhibit "B": Maps from different versions of General Plan showing how City significantly altered CDMS land use after close of public review period.

Exhibit "C": "Conceptual Master Plan" for CDMS site; and "Tentative Map" for 1987 application by CDMS for Subdivision of its 35-acre site.

Exhibit "D": 4/4/85 Letter from DFG finding CDMS unacceptable for development.

Exhibit "E": Article from The Boston Globe: "Vitality of Downtown . . ."

IF SIGNIFICANT AFTER
MITIGATION, INFORMATION
REQUIRED BY CEQA
GUIDELINES 15126(b)

SIGNIFICANCE
AFTER
MITIGATION

MITIGATION MEASURES

SIGNIFICANT EFFECT

These losses are the result of past land use decisionmaking rather than adoption of the proposed plan.

Potentially significant. Losses of wetlands from already subdivided areas cannot be avoided.

Policy RC-14.1 Develop and adopt a Special Area Management Plan (SAMP), in cooperation with the Army Corps of Engineers, which will include mapping of wetlands, identification of wetland values, identification of high value wetland areas to be preserved, identification of areas which would be permitted to be filled, and mitigation for areas which could be filled, within two years of delineation studies sanctioned by the Army Corps of Engineers. Amend General Plan as necessary to incorporate SAMP wetland policies.

Policy RC-14.3 Protect wetland resources by implementing Open Space Policies 8.1-8.4.

Policy RC-15.1 Discourage projects located in, or significantly affecting, wetland areas identified in the wetland inventory (see PEDB appendix). The general location of these wetlands is shown on Figure 8.1. In particular, discourage projects which would involve encroachment on potential mitigation/water source sites identified in the wetland inventory or other encroachments into larger, and significantly undisturbed, wetland areas.

Policy RC-15.2 Consider filling or disturbance of wetlands in areas designated on Figure 8.1 as potentially significant environmental effects under CEQA. This would require EIR.

4.13 WETLANDS
Development within the Urban Service Boundary could involve extensive wetland disturbance, potentially extending to several tens of acres.

MITIGATION MEASURES

SIGNIFICANT EFFECT

Policy RC-15.3 Require submittal of an approved federal wetland fill permit, or proof of exemption from the permit process, before finding that an application for development involving filling or disturbance of wetlands is complete.

Policy RC-15.4 For projects located in wetland conservation areas, require submittal of site-specific wetland boundary delineation, mapping and inventory of wetland values, wetland impact assessment and mitigation recommendations prepared by a qualified environmental professional in consultation with state and federal agencies with interest in or jurisdiction over wetlands.

Policy RC-15.5 Require projects that involve filling or disturbance of wetlands to incorporate on or off-site mitigation which, at minimum, ensures "no net loss" of wetlands with significant values as identified in the EIR.

Policy OS-8.1 During preparation of the Special Area Management Plan (SAMP) called for in Policy RC-14.1, identify and designate on Figure 7-1 those wetland areas which should be preserved as open space vs. those areas in which some development may be allowable.

MITIGATION MEASURES

SIGNIFICANT EFFECT

Policy OS-8.2 During the SAMP preparation and adoption process, identify high value wetland areas using existing wetland inventories and data collected during development project review.

Policy OS-8.3 Acquire open space easements, fee title or provide for preservation by other appropriate means high value wetland areas designated pursuant to Policy OS-8.1.

Policy OS-8.4 Require dedication of open space easements, or preservation by other similar means, of high value wetlands identified in the SAMP, or during the development project review process, which should not be impacted because of their value and/or because they are needed for mitigation banks, water source areas or other mitigation areas.

4.16 VISUAL RESOURCES

General Development Impacts
Three specific areas - Springhill, the Lake Street Urban Reserve and the Roseburg Urban Reserve - involve substantial commercial development and potential for effects on visual resource.

Policy LU-12.3 Discourage subdivision of commercial lands which would promote strip commercial development; encourage development of commercial "villages."

Not significant

Not applicable

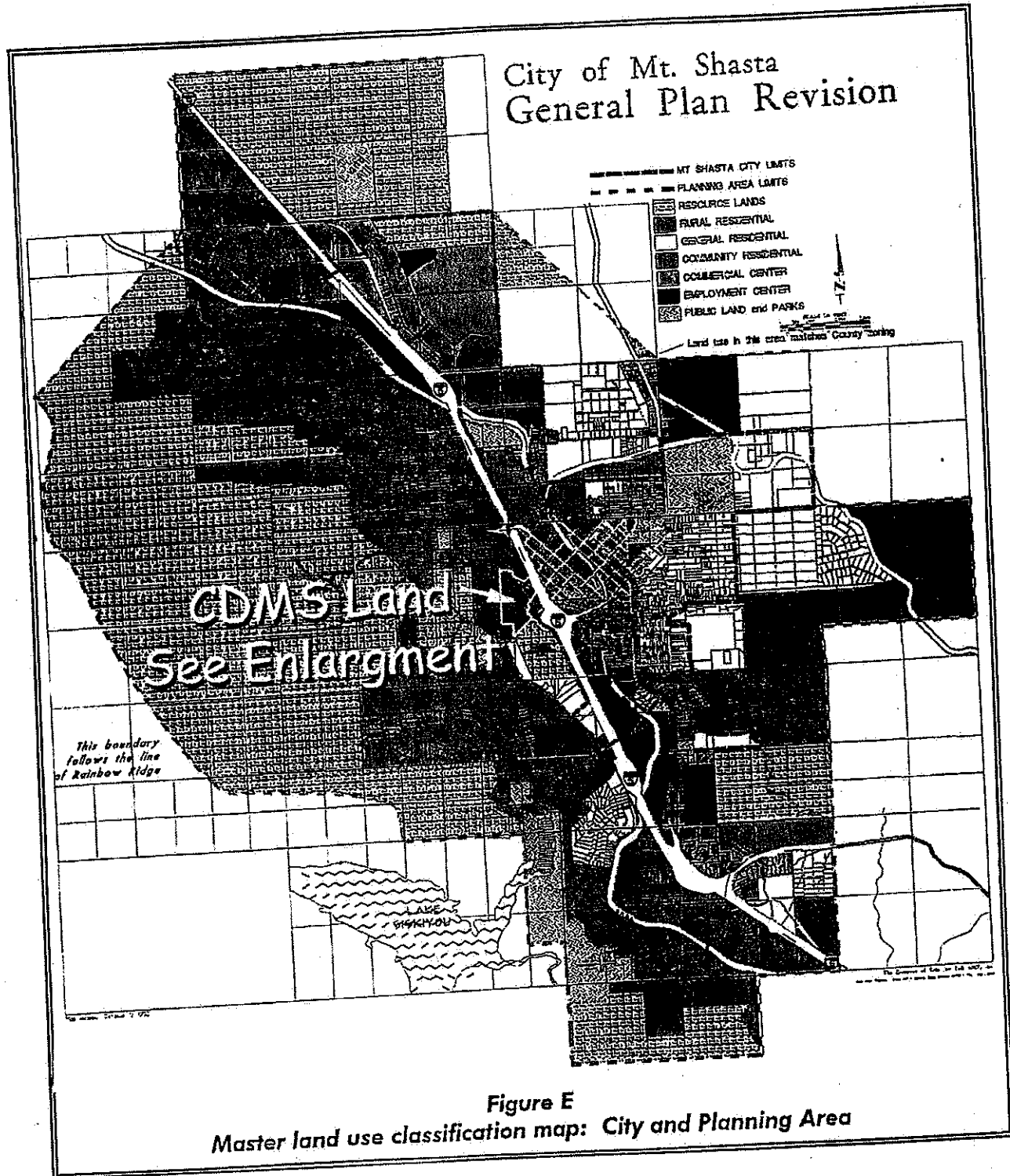
[2004 NOTE - This version is what the public was provided for its comments. This map shows CDMS as mostly Rural Residential (green) allowing 1 house per 10 acres, and with only about 6 acres of (blue) Commercial-Center land uses.]

City of Mt. Shasta Administrative Final General Plan

Page 30 of 155 pages

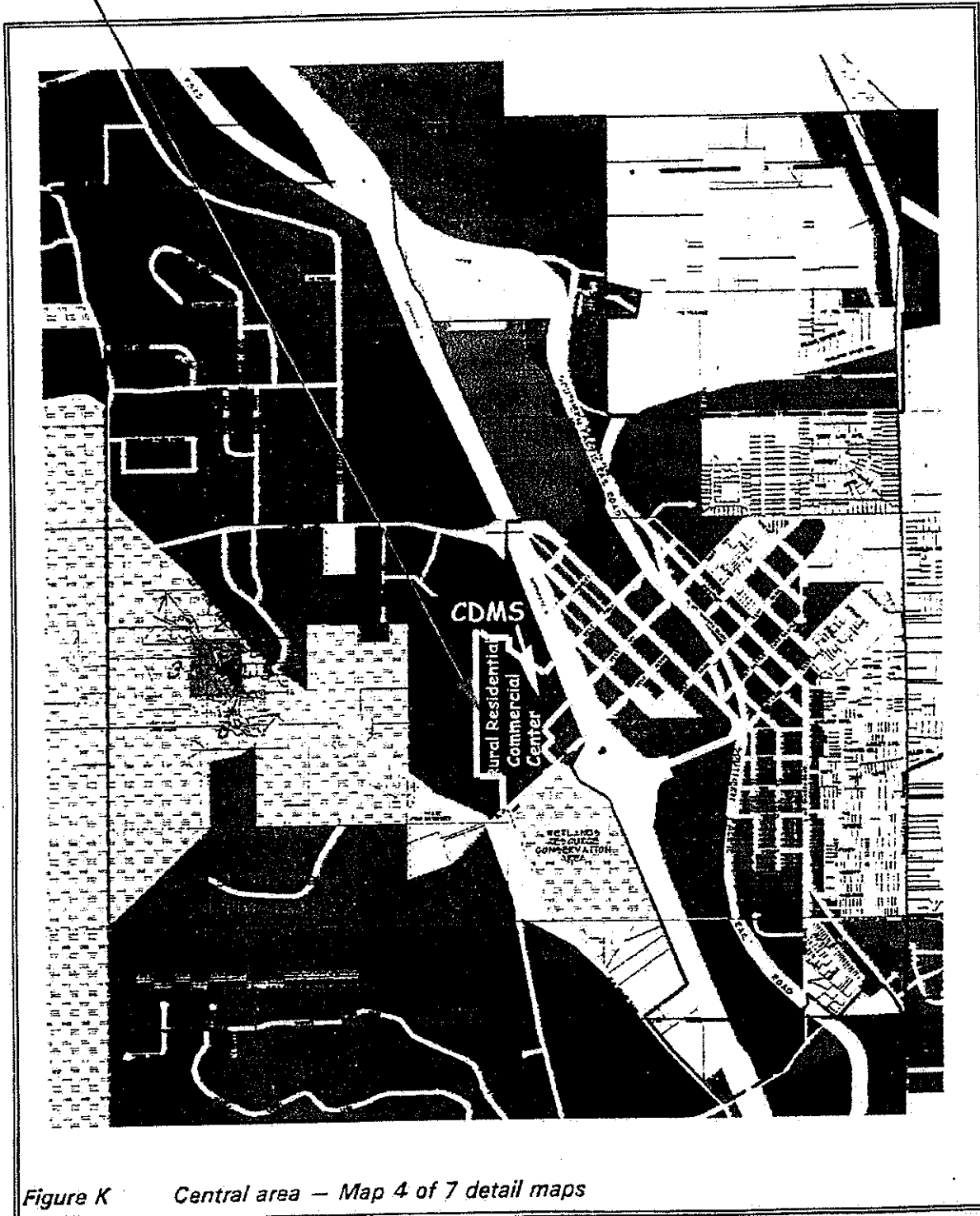
October 28, 1992

Land Use element



(THIS MAP WAS SUBMITTED IN COLOR; SEE CITY'S FILE FOR ORIGINAL IF NOW BLACK.)

(2004 Note: After the close of public comment, the City first released this version showing CDMS lands containing about 11 acres (blue) of Commercial - Center land uses. The General Plan EIR never examined the new impacts of this change.)



[2004 Note: This final map showing that all of CDMS lands are Commercial-Center was first introduced over a month after the General Plan EIR was approved. The public was never allowed to comment on this much commercial use, nor did the EIR evaluate the impacts to the downtown of this surprise change].

**City of Mt. Shasta
General Plan**

January 27, 1993

Page 37 of 185 pages
Land Use element

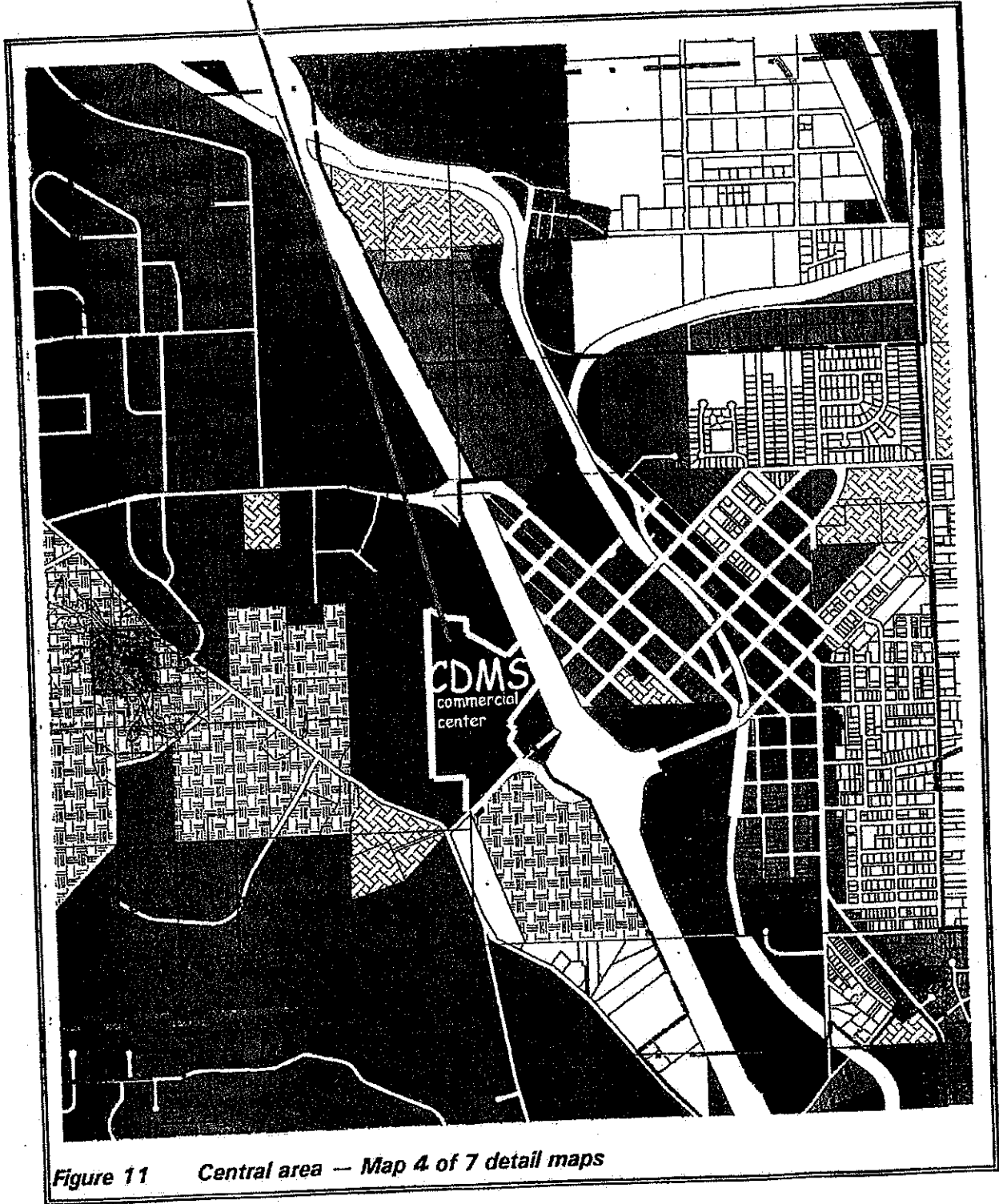
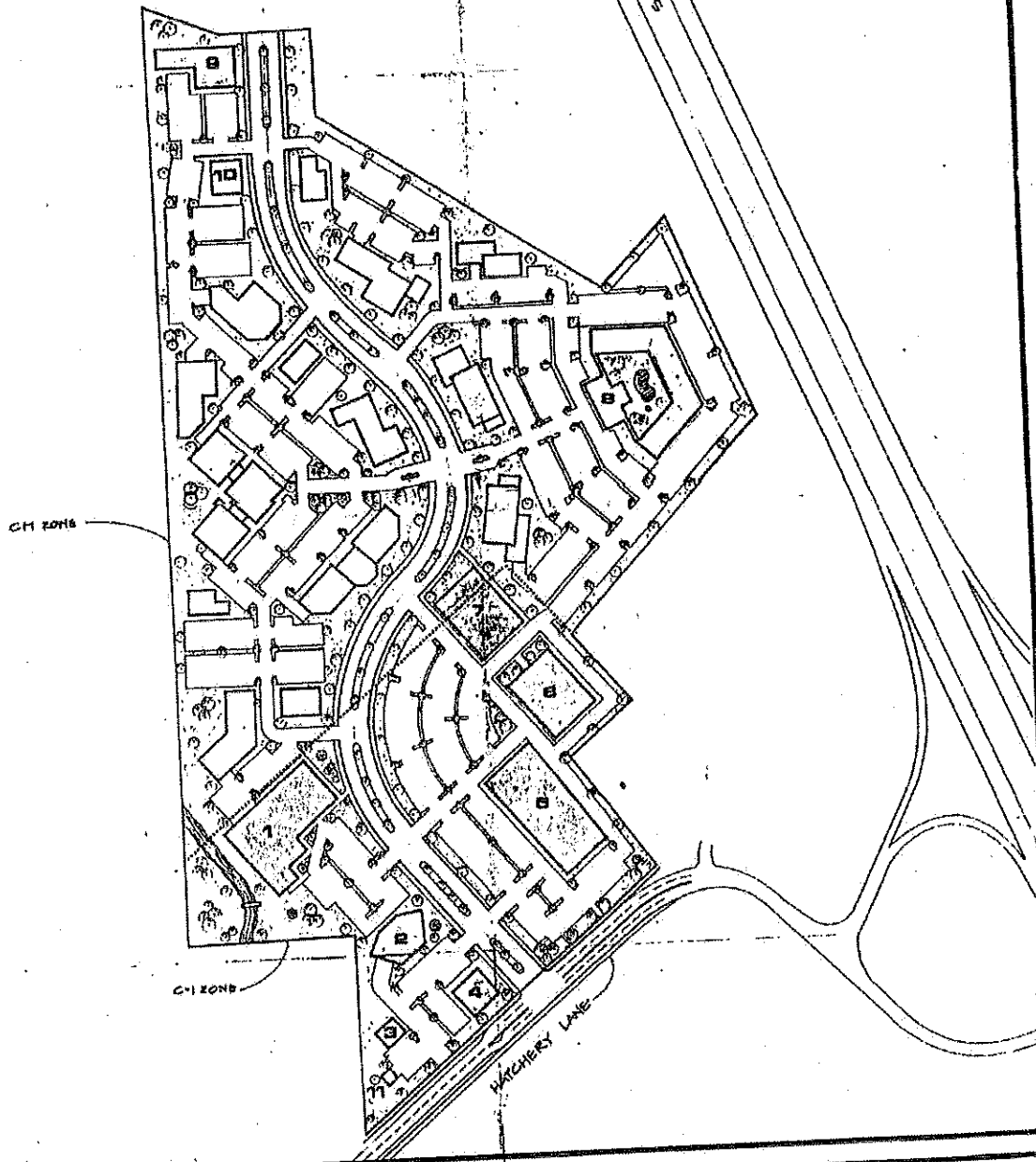
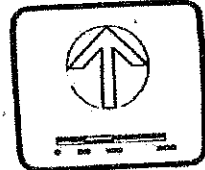


Figure 11 Central area — Map 4 of 7 detail maps

(THIS MAP IS COLORED.)

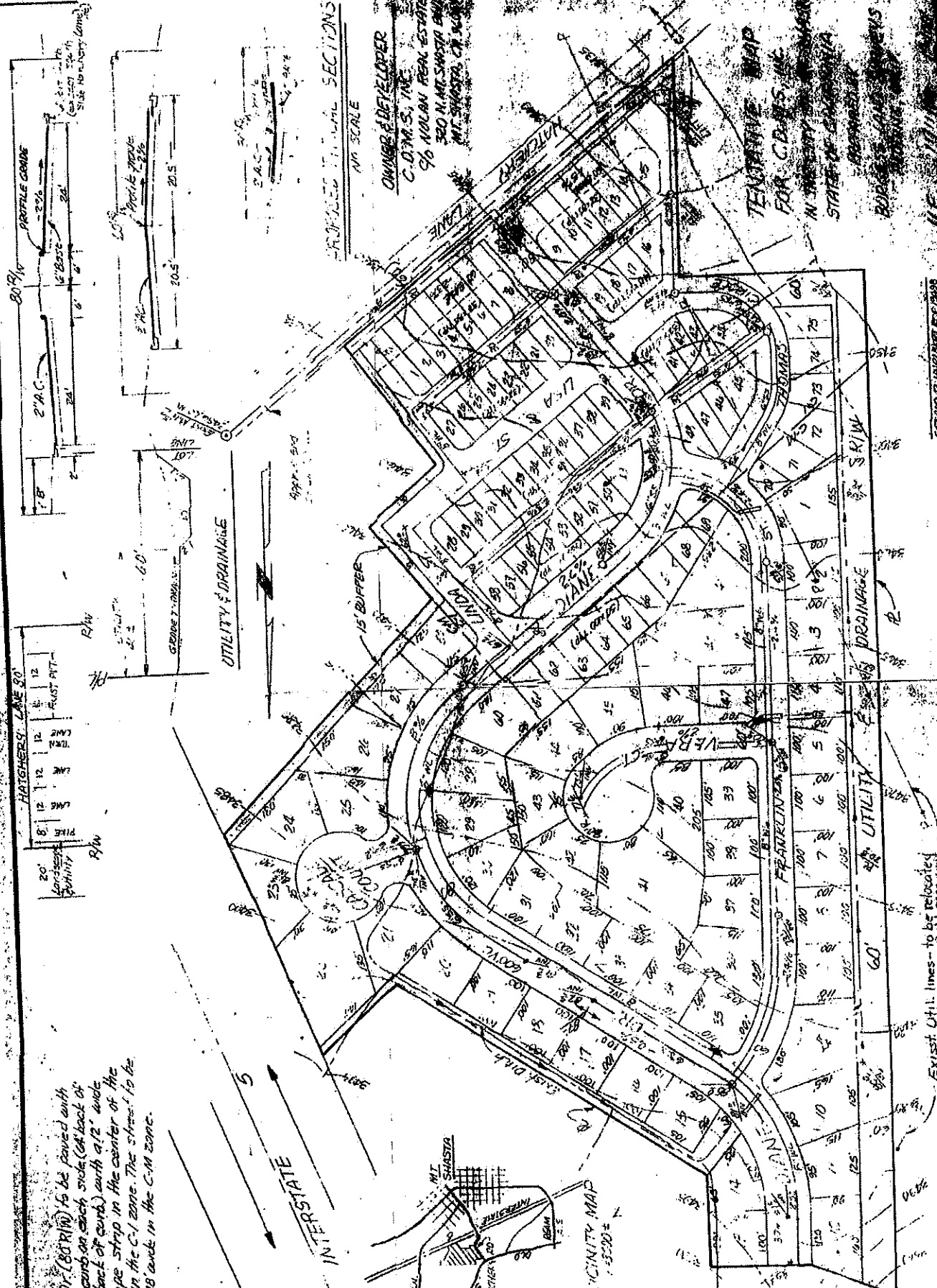
MAP SUBMITTED BY CDMS
 IN 1985 SHOWING PROPOSED
 DEVELOPMENT OF ENTIRE
 SITE WITH NO WETLAND
 PRESERVATION



CONCEPTUAL MASTER PLAN
 FOR A
COMMERCIAL AND MANUFACTURING PARK
 CDMS, INC.
 CITY OF MICHIGAN
 CALIFORNIA

- LEGEND:**
- 1. CONVENTION CENTER
 - 2. PERFORMING ARTS AND MUSIC THEATRE
 - 3. CONFERENCE HALL
 - 4. RESTAURANT
 - 5. MARKET
 - 6. THEATRE
 - 7. PARKING LOT
 - 8. PAVED WALK
 - 9. SOUTH ORANGE COUNTY COMPLEX
 - 10. COLLEGE OF THE SERRANOS
 - 11. MEDIA CENTER
 - 12. LOT OPTION

SHARON DUNN & ASSOC, INC.
 ENGINEERING PLANNING SURVEYING
 REDDING & RED BLUFF, CALIFORNIA
 (916) 221-1122 (916) 247-1974
 JOB # 84-012 OCT 21, 1985



Diapers D₁ (80' R/W) to be paved with vertical curb on each side (set back of curb to back of curb) with a 12" wide landscape strip in the center of the street in the C-1 zone. The street is to paved 48' wide in the C-1 zone.

PROPOSED TYPICAL SECTIONS
AS SCALE

OWNER & DEVELOPER
C. D. W. S., INC.
96 NOLAN REAL ESTATE
320 N. MT. SHASTA BLVD.
MT. SHASTA, CA 96041

TENTATIVE MAP
FOR GRAPES
N. 1/4
STATE OF CALIFORNIA
PROPOSED
ROBERT J. [unclear]

GENERAL PLANNING PERMITS

APPLICATION: TENTATIVE SUBDIVISION MAP 1987

EXIST. UTIL. LINES - TO BE RELOCATED INTO DRAINAGE TRENCH

VICINITY MAP
1:3000

NOTE (2004): THIS IS DFG's 1985 recommendation that CDMS is not acceptable for development

STATE OF CALIFORNIA—THE RESOURCES AGENCY

GEORGE DEUKMEJIAN, Governor

DEPARTMENT OF FISH AND GAME

1 LOCUST STREET
DING, CA 96001
Tel 225 2300



RECEIVED

APR 10 1985

April 4, 1985

PLANNING ASSOCIATES

Mr. Don Burk
Planning Associates
62 Azalea
Hilltop Professional Building
Redding, CA 96002

Dear Mr. Burk:

We conducted an on-site inspection of the CDMS property near Mt. Shasta on March 22, 1985.

In our judgement most of this property should be classified as a wetland (Fen). The soils are dark and appear to be of a peat nature. The vegetation has a high predominance of juncus and sedges. There is abundant water on site from drainages, Cold Creek and numerous springs. The most unique formations are the four elevated mounds which support carex plants, are springy to stand on, and have water at the surface. These formations, we are told, are common to fens.

In the Senate Concurrent Report 28, the Department is to develop programs dealing with wetlands. They are to optimize wetlands, enhance wetlands, protect existing wetlands from conversions, acquire wetlands and meet the objective of increasing the number of acres of wetlands by 50 per cent by the year 2000.

We recommend that a qualified botanist be hired to conduct a sensitive plant search of this property. Fens usually support quite different plants than other open meadow areas. A plant presumed to be extinct was from the Mt. Shasta area that grew in wet areas and bogs. A survey should be conducted to look for *Orioglossum vulgatum*, adirs tongue fern.

Based upon our field inspection and discussions with other people we believe the CDMS project site is unacceptable for development because it is a wetland, has peat type soil, and may support some unique plants.

If you have any questions regarding our comments, please contact Tom Stone of our Regional office at (916) 225-2368.

Very truly yours,

A. E. Naylor
Regional Manager
Region I

cc: Bob Sellman

Example of how a downtown suffers when not protected by the community:

"Vitality of Downtown Lexington, Mass., at Crossroad"

The Boston Globe 14-Mar-04 by Douglas Belkin

The executive director of the chamber of commerce was walking through downtown Lexington last week when she stopped at a crosswalk and scowled at the streetscape in front of her. There were a half-dozen vacant storefronts, very little foot traffic and eight bank branches in a two-block stretch of Massachusetts Avenue. The ninth is coming soon.

"It doesn't look good," Mary Jo Bohart allowed. This, from a woman who is paid to put the best face on the business community, was a rather startling admission. But downtown Lexington, anchored by its famed Battle Green, where the War of Independence started, and home to some of the wealthiest consumers in the state, looks undeniably wilted these days. Two giant, red-lettered, going-out-of-business signs greet shoppers at either end of the street. Several of the vacancies have dragged on for months. And the creeping sterility of the businesses -- highlighted by bankers' row -- has been increasingly a cause for concern.

"I would say we're definitely at a low water mark," said Jeff Lyon, a fourth-generation commercial realtor in town. "This is the worst I've seen it in 20 years."

If any community should be able to buoy above a depressed downtown, it should be Lexington. With its picture-perfect parameters, 300-year-old traditions, and affluent residents, the town seems poised to rebuff competition from malls, big-box stores, and the Internet. But in a trend that has chipped away at the viability of business districts for a generation, even this tony downtown has begun to show the effects of neglect.

Said Michael Beyard, a senior resident fellow at the Urban Land Institute in Washington, D.C.: "It's suffering from the same lack of stewardship that hundreds of downtowns have before it."

As Beyard sees it, downtowns, just like shopping centers, need a central authority to ensure a sense of place. If market forces are allowed to run rampant, then "you get a monoculture," Beyard said. "The only businesses that can afford to move in are banks and stockbrokers. Eventually you reach a tipping point, the downtown stops becoming a destination for shoppers, and there's no foot traffic. It becomes empty."

Lexington, arguably, is on the cusp of that tipping point. Dick Michelson, who owns Michelson's Shoes, which has been around since 1919, noted that there is no longer any place downtown to buy a decent breakfast, a pair of men's underwear, a set of bedsheets, or even a hammer and nails. And with the closing of the Corner Store next week, the gamblers in town can ruefully add lottery tickets to that list.

"We've had a couple of big losses," Michelson said, referring to two of the largest retailers who recently closed their doors. Then, alluding to the homogeneity of the strip: "It's getting worse all the time."

Just as shopping malls have business managers to ensure a diverse retail mix to attract a broad base of customers in this hypercompetitive marketplace, so municipalities need them, too, Beyard said.

"Cities need to see their downtowns as a public resource," Beyard said. "These aren't just places where people shop; they're places where people congregate to see each other and socialize. They're vital to health of a community."

Lexington's planning director, Glenn Garber, couldn't agree more. But the town's two-person planning staff, overwhelmed by other projects, hasn't had the resources to focus on the downtown.

"We need a business improvement district, an organization with some teeth that can advocate and spend money," Garber said.

Jerome Smith, vice president of the Lexington Center Committee, a citizen advisory board on downtown issues, said the lack of an economic development officer is troubling, as is the recent business tax hike.

Without that stewardship, thriving downtowns -- once a stalwart of virtually every community in the country -- have been reduced nearly to museum pieces, Beyard said. Lexington has long been insulated from competitive pressures by its geography, the wealth of its residents, and the approximately 200,000 tourists who visit the Battle Green every summer, but the latest recession has been particularly insidious. The confluence of a half-dozen factors have combined to undermine merchants, several said in interviews last week.

Tourism fell sharply after Sept. 11, 2001, and has yet to fully recover. The high-tech boom that prompted landlords to increase rents in the late '90s tailed off, but left retailers holding high-end multiyear leases that some couldn't get out from under. And turnover in some of the largest retail spaces in the downtown has robbed the business district of much-needed foot traffic.

With the Internet and the fact that the number of square feet of retail space per American has increased by about a third since 1990, the competition against downtown is stiffer than ever.

Philip Herr, a consultant who worked on developing a plan for Lexington's business district, foresaw that competition 30 years ago when the Burlington Mall was under construction. Lexington's recipe for success, he predicted then and still believes today, was and is to nurture small, niche businesses that offer great service and don't need the floor space national chains demand. The diversity should be the downtown's strength, he said.

But as that diversity has shriveled, so has foot traffic. Affluent towns can become victims of their own wealth, said Beyard. Banks are naturally drawn to Lexington, where, according to the 2000 Census, the median household income is \$97,000 and more than 15 percent of households earn more than \$200,000 a year. But while that wealth can support bankers' row, bankers' row does little to support other businesses, said the chamber of commerce's Bohart.

The overabundance of banks is not endemic just to Lexington. Since 2000, more 118 new bank branches have opened up across the state, according to the Federal Deposit Insurance Corp.

"In uneasy times they're secure clients to rent to," Bohart said. Bohart and other downtown advocates like Lexington Center Committee's Smith have worked to keep existing businesses viable, though they admit that with little political leverage, their progress has been slow.

Just last week -- after more than a year of lobbying -- the town allowed restaurants that seat fewer than 99 people to apply for liquor licenses, a provision that has been in place in surroundings towns for years. Some creative plans to improve the always tight parking situation are being discussed, and Lyon, the commercial realtor, said a rent correction is underway. But for some stores, it's too little too late. The Corner Store, the only place in the downtown to buy a lottery ticket, is closing after 15 years. Business has shrunk to half of what it was eight years ago, owner Jack Cullinane said. "We had a good run," he said from behind his counter. "But it's over."

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:40 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: EDA_comments_on_Mt.Shasta_WWTP_project -- (part 1 of 3 emails)
Attachments: MST's Comments on EDA Funded WWTP-Crystal Geysers Project 11-12-15.pdf

From: Mt. Shasta Tomorrow [<mailto:mtshastatomorrow@excite.com>]
Sent: Friday, November 13, 2015 4:09 PM
To: FitzGerald, Shannon; Good, Stan
Subject: EDA_comments_on_Mt.Shasta_WWTP_project -- (part 1 of 3 emails)

Comments are being resent today because EDA's server would not accept emails yesterday when first attempted.

-----Original Message-----

From: "Mt. Shasta Tomorrow" [mtshastatomorrow@excite.com]
Date: 11/12/2015 05:00 PM
To: sfitzgerald@eda.gov, SGood@eda.gov
Subject: EDA_comments_on_Mt.Shasta_WWTP_project

Please accept these comments that pertain to the Mt. Shasta WWTP EDA grant and EA.
Thank you,
Dale La Forest
Director- Mt. Shasta Tomorrow

(attachments will be sent separately)

Mt. Shasta Tomorrow
101 E. Alma Street, Suite 100-A
Mt. Shasta, CA 96067
mtshastatomorrow@excite.com

U.S. Department of Commerce
Economic Development Administration
Regional Director A. Leonard Smith
915 Second Avenue, Room 1890
Seattle, WA 98174

U.S. Department of Commerce
Economic Development Administration
Regional Environmental Officer
915 Second Avenue, Room 1890
Seattle, WA 98174

November 12, 2015

Submitted via email to Stan Good, Project Manager SGood@eda.gov and Shannon Fitzgerald sfitzgerald@eda.gov

**Public Comments on EDA \$3,000,000 Grant for City of Mt. Shasta's
Upgrades to its Waste Water Treatment Plant to Additionally
Serve Primary Beneficiary Crystal Geysers Water Company**

Dear Regional Director Smith, Mr. Good and Ms. Fitzgerald,

Mt. Shasta Tomorrow requests that the U.S. Economic Development Administration (EDA) prepare a comprehensive Environmental Impact Statement (EIS) assessing the direct, indirect and cumulative impacts of proposed industrial development to be connected to the City of Mt. Shasta's Waste Water Treatment Plant ("WWTP"). As a federal agency with authority over the EDA's \$3,000,000 Grant for an amended scope of work for upgrades to the Mt. Shasta Waste Water Treatment Plant, EDA has the responsibility to prepare an EIS pursuant to the National Environmental Policy Act (NEPA) before deciding to fund this Project. This letter addresses the EDA's request for public comments about a proposed *Environmental Assessment* of this Project's potential impacts.

Mt. Shasta Tomorrow is a nonprofit public interest group dedicated to protecting our community and its environment around the City of Mt. Shasta, California. Mt. Shasta Tomorrow was founded in 1993 and formally incorporated as a 501(c)(3) nonprofit grassroots citizens' organization. Mt. Shasta Tomorrow conducts scientific, educational, and advocacy programs aimed at protecting the water quality, habitat, planning decisions and quality of life in our Mt. Shasta vicinity. We also support our community's residential builders who are concerned that remaining sewer capacity for new homes may vanish if used up first by huge corporations.

We will discuss in greater detail our organization's concerns below as they relate to the specific WWTP Project the EDA is involved with, and its larger connection to urban growth and industrial development here. But first, let us state that we are deeply concerned by the highly

controversial proposal by Crystal Geysers Water Company ("CGWC") to establish in our community a water and beverage bottling plant which would, among other things, discharge large volumes of industrial rinsewater into the City of Mt. Shasta's Waste Water Treatment Plant and thence into the Sacramento River. This industrial Project involves manufacturing and shipping billions of plastic bottles and unlimited amounts of water and other beverages around the world at a time when our area is beset with a serious multi-year drought where ordinary citizens are being forced to ration our water use. Such shipments by diesel-fueled heavy trucks will pollute our community's air, create serious noise impacts to some residents, and contribute adversely to climate change impacts on a world-wide scale by emitting large quantities of greenhouse gases from fossil fuel use, plastic manufacturing and transportation emissions.

To make matters worse, CGWC is proceeding to construct its beverage bottling facility before it has completed any environmental studies the public has seen. It is as if this foreign-owned corporation is treating our community as a third-world nation, thinking itself to be immune to the normal California environmental and planning laws.

This specific WWTP expansion Project is much more than the City contends as minor upgrades with filtration and UV disinfection facilities to be constructed at the WWTP in place of existing sand filters. It also includes subsequent, major upgrades to the WWTP to be able to accommodate substantial urban growth. The City wants to expand its WWTP from 800,000 GPD up to 1,400,000 GPD. Specifically the WWTP improvements will also treat wastewater discharges from the proposed Crystal Geysers Water Company's beverage bottling plant. As such, the EDA's Project description is misleading by failing to discuss the whole of the Project and CGWC's foreseeable involvement with this Project.

The EDA cannot evaluate just this tiny piece of a much larger Project. The NEPA and the California Environmental Quality Act ("CEQA") prohibit piecemeal environmental review of larger projects as a tactic to avoid full environmental review of a larger project with an EIR. The EDA's *Environmental Assessment* or EIS accordingly also must evaluate the full nature of this larger Project.

This WWTP Project will be growth-inducing because it will help "increase the treatment and discharge capacity of the facility."¹

Congressman Wally Herger's Dec. 21, 2012 letter to the EDA that encourages this \$3,000,000 Grant states that "the key barrier to [Crystal Geysers Water Company's] project is the wastewater capacity of the City of Mt. Shasta." Senator Diane Feinstein's March 18, 2012 letter to the EDA in support of the EDA's \$3 million Grant similarly points to that key barrier and the need to upgrade the WWTP. She states that the CGWC company may have to consider foregoing its expansion if funding for these improvements cannot be secured.

¹ From EDA's Environmental Narrative, p. 14: "Improvements to the WWTP and Sacramento River discharge are needed to: (1) meet new Central Valley RWQCB treatment and discharge requirements and (2) *increase the treatment and discharge capacity of the facility.*"

A series of decisions needed for CGWC's ultimate approval that would incrementally turn the City of Mt. Shasta, Interstate 5 and the Sacramento River into a bottled water shipping corridor deserve the most searching and transparent environmental review possible: an EIS. While the City of Mt. Shasta's current proposal regarding its WWTP and Crystal Geysers, standing alone, will require an EIR, the EDA must also account for the cumulative effects of other projects in the Mt. Shasta area that will become possible when the WWTP's capacity is expanded. As no other federal agency has issued a NEPA document for any of this project and its indirect impacts on wetlands where sewage infrastructure pipelines must be expanded, the important work of analyzing the cumulative effects of all of these proposals and activities should now fall to EDA.

I. This WWTP'S Project Will Lead to Industrial Development of Crystal Geysers' Bottle Manufacturing and Water and Beverage Bottling Plant

The proposed WWTP upgrades are not merely replacements for existing sewage treatment systems to only meet current state water quality requirements. They are part of a larger Project being pushed forward by CGWC. The Crystal Geysers Water Company is largely owned by Otsuka Pharmaceutical, a multi-billion-dollar Japanese corporation. Mt. Shasta Tomorrow opposes spending federal dollars to vet this foreign-owned corporation's dirty and water-wasting beverage bottling Project.

II. EDA must prepare an EIS to inform EDA's decision about whether to fund this WWTP Project.

- a. **An EIS should be prepared before the City of Mt. Shasta or federal agencies make important decisions about development of the WWTP and the Crystal Geysers Project.**

Now is the time to prepare an EIS analyzing and describing Crystal Geysers' industrial development here at the City of Mt. Shasta. EDA, like all federal agencies, must "integrate the NEPA process with other planning **at the earliest possible time.**" *League of Wilderness Defenders-Blue Mts. Biodiversity Project v. U.S. Forest Serv.*, 689 F.3d 1060, 1070 (9th Cir. 2012) (emphasis added) (citing 40 C.F.R. § 1501.2). NEPA's goal of infusing environmental consciousness into federal decision-making "depends entirely on involving environmental considerations in the initial decisionmaking process." *Metcalf v. Daley*, 214 F.3d 1135, 1142 (9th Cir. 2000) (citing 40 C.F.R. §§ 1501.2, 1502.5). This preliminary assessment of WWTP capacity and treatment methods and connected industrial businesses is the ideal juncture at which to prepare a comprehensive EIS—before either the City or CGWC become attached to any particular plan. As the first federal agency to approve a part of the Project, EDA's EIS will help ensure that environmental and community concerns are "interwoven into the fabric of agency planning" processes. *Andrus v. Sierra Club*, 442 U.S. 347, 351 (1979).

- b. **NEPA's alternatives analysis is well-suited to exploring potential routes for the City's enlargement of its Interceptor line to the WWTP and alternatives to reduce CGWC's environmental impacts.**

The EDA should develop an in-depth alternatives analysis to frame and discuss different industrial development scenarios that could occur in and around the City of Mt. Shasta in connection with the WWTP's upgrades. The alternatives analysis is "the heart of the environmental impact statement," 40 C.F.R. § 1502.14, and each EIS must include "a detailed statement [on] alternatives to the proposed action." 42 U.S.C. § 4332(2)(C)(iii). The alternatives analysis describes the environmental impacts of different courses of action in comparative form, presenting decision makers and the public with clear and well-defined choices. *League of Wilderness Defenders-Blue Mts. Biodiversity Project v. United States Forest Serv.*, 689 F.3d 1060, 1068–69 (9th Cir. 2012) (citing 40 C.F.R. § 1502.14). Here, analyzing the environmental impact of several WWTP expansion, interceptor line development scenarios, and CGWC impacts will give EDA and the public a clear picture of how additional industrial and urban development would impact the Sacramento River and the City of Mt. Shasta. *See id.*

Analyzing a reasonable range of alternatives in the EIS is not only required, it would directly complement the City of Mt. Shasta's goal of providing for community development and growth, and planning for the viability and impacts of different development scenarios. *See Pacific Coast Fed'n of Fishermen's Ass'ns v. Blank*, 693 F.3d 1084, 1099 (9th Cir. 2012) (citing 42 U.S.C. § 4332(2)(C)). The City's alternative analysis in its Environmental Narrative has only looked at treatment alternatives at the WWTP, wholly ignoring the other pieces of this larger Project. The EIS's alternatives analysis and the City's WWTP Project should have essentially the same goal: understanding the potential for supplying utility infrastructure for different types of development in the community along with the environmental and social impacts of such development. EDA should use the alternatives analysis as an opportunity to examine the impacts of likely development scenarios.

Finally, even if EDA authorizes funding for the City's WWTP Project using an EA/FONSI — which EDA should not do — EDA must still analyze alternatives to the City's proposed Project. "NEPA requires that alternatives be given full and meaningful consideration, whether the agency prepares an EA or an EIS." *Center for Biological Diversity v. National Highway Traffic Safety Admin.*, 538 F.3d 1172, 1218 (9th Cir. 2008) (internal quotations omitted). Accordingly, EAs must analyze "all reasonable alternatives" or provide "an appropriate explanation . . . as to why an alternative was eliminated . . ." *Native Ecosystems Council*, 428 F.3d at 1246. Regardless of whether EDA prepares an EA or an EIS, EDA must assess alternatives to the City's proposed Project — including a "no action" alternative.

- c. **EDA's EIS must describe and address the direct and indirect environmental impacts that could result from the City's WWTP expansion and the Crystal Geyser Water Company bottling plant's development.**

EDA's analysis should begin by addressing the direct impacts of expanding the WWTP's capacity for prospective industrial development here around the City of Mt. Shasta. 40 C.F.R. § 1508.25(c)(1). Direct impacts are those "which are caused by the action and occur at the same time and place." 40 C.F.R. § 1508.8(a). The direct effects of expanding the WWTP Project could include, at least:

- noise impacts to five nearby residences as close as about 300 feet from the WWTP, and
- air quality impacts in the immediate vicinity near existing homes.

(See our comments below that identify errors in the applicant's Environmental Narrative and the draft Initial Study that result in serious underestimations of noise and air quality impacts.)

Additionally, EDA must look beyond the immediate impacts of construction at the WWTP; the EIS must also analyze the indirect effects of prospective industrial development. 40 C.F.R. § 1508.25(c)(2). Indirect effects, for NEPA purposes, are those effects "which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable." 40 C.F.R. § 1508.8(b). Indirect effects include the ways in which human use of an area changes because of an action, and the consequential effects of those changed uses on air, water, and ecosystems. *Id.* Industrial development of the Crystal Geysers Water Company bottling plant would foreseeably induce, among other things:

- excessive ground water extraction by CGWC from the underlying surface water or ground water aquifer feeding Big Springs Creek as such pumping might deplete domestic water supplies for neighboring well water users and might harm aquatic life in Big Springs Creek,
- air pollution and greenhouse gas emissions from diesel emissions from tens of thousands of heavy truck shipments each year of bottled water or beverage products to distant distribution centers, air pollution from cooling tower drift within the vicinity of CGWC's plant, and plastic odors harming air quality in the neighborhood from CGWC's in-plant manufacturing plastic bottles,
- wetland impacts from routing and construction of the larger interceptor pipe needed to transport CGWC's additional rinsewater discharges to the WWTP,
- water pollution from inadequately treated rinsewater effluent potentially carrying phthalates and other untreated chemicals to the Sacramento River,
- noise impacts caused by WWTP construction activities, interceptor line construction, CGWC bottling plant operations and truck shipments within the community of Mt. Shasta,
- transportation impacts caused by the addition of dozens if not hundreds of extra heavy truck shipments per day resulting from CGWC's bottling under full operation,
- aesthetic impacts of CGWC's operations at its huge bottling plant structure both within its neighborhood and as seen from publicly-accessible, scenic overlooks,

- landfill waste throughout California and elsewhere from unrecycled plastic bottles,
- hazardous material storage of large quantities of explosive propane fuel adjacent to residential land uses and to be used for CGWC's boilers and primary electrical generator, and
- land use and zoning impacts of operating a heavy industrial facility on land restricted by Siskiyou County General Plan policies that prohibit heavy industrial uses.

The EDA's EIS must therefore look beyond the direct effects of construction work at the WWTP and address the indirect impacts on the vicinity of the City of Mt. Shasta's air, water, communities, and ecosystems.

d. EDA must prepare an EIS because connected industrial development adjacent to the City of Mt. Shasta that will be facilitated by the WWTP upgrades "may significantly impact" the environment.

The direct, indirect, and cumulative effects of industrial development near the City of Mt. Shasta "may significantly impact" the environment. Therefore, EDA must prepare an EIS to analyze and disclose these impacts. An agency must prepare an EIS when substantial questions exist about whether a proposed project "may" significantly degrade the environment. *Native Ecosystems Council v. U.S. Forest Service*, 428 F.3d 1233, 1239 (9th Cir. 2005); see also 42 U.S.C. § 4332(2)(C). The Ninth Circuit has explained that EISs are frequently necessary because the 'may significantly impact' threshold "is a low standard." *Klamath Siskiyou Wildlands Ctr. v. Boody*, 468 F.3d 549, 562 (9th Cir. 2006); *California Wilderness Coalition v. U.S.*, 631 F.3d 1072, 1097 (9th Cir. 2011). An EIS is the proper tool to assess the environmental risks posed by massive scale industrialized bottling and beverage shipping (as proposed by CGWC that wants to consolidate and close three other bottling plants and relocate their workers here) because such projects may significantly impact the City of Mt. Shasta's community and other distant locations where shipments will occur and where plastic wastes will be buried or discarded.

NEPA's regulations contain ten 'intensity' factors that agencies like EDA must consider when evaluating whether a project may have a significant impact, requiring an EIS. 40 C.F.R. § 1508.27(b); *Ocean Advocates v. U.S. Army Corps of Eng'rs*, 361 F.3d 1108, 1124 (9th Cir. 2004). As discussed below, most of these 'intensity' factors apply to the industrial project proposed by CGWC. The Ninth Circuit has noted that the presence of even one of these factors can be enough to compel the preparation of an EIS. *Ocean Advocates v. U.S. Army Corps of Engineers*, 402 F.3d 846, 865 (9th Cir. 2005).

i. The potential industrial development will be highly controversial and may involve unique or unknown risks.

Industrial development in direct proximity to residential areas within and outside the City of Mt. Shasta — especially if it involves unlimited groundwater pumping during a

continuing major drought, heavy trucking for shipping or export and noisy industrial operations and loud air conditioner and cooling tower fan noise —will be controversial and may entail poorly-understood risks. NEPA's fourth and fifth 'intensity' factors counsel in favor of preparing an EIS where, as here, the impacts of the proposed project are highly controversial or uncertain, or the project involves unique risks. 40 C.F.R. § 1508.27(b)(4), (5).

Industrial development within a few hundred feet of residential neighborhoods is likely to be quite controversial, and could pose environmental risks to people living nearby. Indeed, the large number of comments that City of Mt. Shasta has received from community members and other concerned citizens reflects the high level of community concern surrounding this Project. The City's failure to halt this CGWC Project's construction before any environmental review could be conducted — along with the history of controversial prior decisions regarding former bottling operations on this same property — increases public uncertainty and concern.

The reporting about CGWC's Projects in many prominent newspapers and CGWC's failure to conduct any environmental review of its bottling plant Project have already demonstrated or caused substantial public controversy, especially during this continuing and likely long-lasting west coast drought.²

To the extent the WWTP proposal and connected CGWC bottling plant paves the way for massive water extraction and air pollution impacts locally, it would pose serious health and environmental risks and pull the EDA into the center of the most controversial environmental issues facing the City of Mt. Shasta. Add to these concerns the exacerbation of global warming and ocean acidification due to greenhouse gas emissions from long distance trucking of water beverages, and it is clear that the risks and controversy associated with shipping bottled water beverages justifies the thorough review provided by the EIS process. 40 C.F.R. § 1508.27(b)(4), (5)

ii. *Industrial development of Crystal Geyser's bottling plant may adversely affect the City of Mt. Shasta's unique ecological, cultural, and historic resources.*

The EDA should prepare an EIS because the direct and indirect impacts of industrial development could degrade the environment of the City of Mt. Shasta and its unique ecological and cultural resources. CEQ's third and eighth 'intensity' factors counsel in favor of preparing an EIS when the proposed Project would negatively impact unique ecological, cultural, or historic resources. 40 C.F.R. § 1508.27(b)(3), (8). Specifically, intensity factor three contemplates an EIS when a project is proposed in an area close "to

² EVIDENCE OF PUBLIC CONTROVERSY:

<http://www.mtshastanews.com/article/20140430/News/140439963>

Members of the WATER group (We Advocate Thorough Environmental Review) say they are skeptical about the claim that Crystal Geyser will provide 60 jobs. They also question whether new positions will be filled by employees from other Crystal Geyser facilities which may close once Mount Shasta is up and running.

historic or cultural resources, park lands, prime farmlands, wetlands, . . . or ecologically critical areas.” 40 C.F.R. § 1508.27(b)(3). Similarly, intensity factor eight considers the degree to which the proposed project “may cause loss or destruction of significant scientific, cultural, or historical resources.” 40 C.F.R. § 1508.27(b)(8). Increased industrialization—especially in the form of a massive water bottling plant — near the headwaters of the Sacramento River's unique ecological, social, and cultural resources deserves analysis in an EIS.

In terms of direct cultural and social impacts at the local level, the Mt. Shasta community is a vibrant tourist and recreational destination center for visitors from around the world. Scenic beauty is one of the aspects that draws visitors here and supports this major economic resource for our community. Facilitating CGWC's industrial development and expansion of operational levels beyond what has ever occurred at its Ski Village Drive location could have seriously adverse impacts to our local visitor-based economy.

The bottling plant's structure has already degraded the rural character and culture that many Mt. Shasta residents appreciate, especially since it was constructed without environmental review and aesthetic mitigations to cloak its appearance by the planting of trees has never occurred as promised in 2001.

The Sacramento River also supports sport fishing for trout as a feature of our visitor economy. Potentially untreatable industrial discharges containing phthalates from plastic bottle manufacturing can harm this River's fishery and has the potential to cause the loss, destruction, or disruption of these significant recreational attributes. The WWTP has no technical capability to remove chemicals like phthalates from treated sewage effluent. Phthalates have been documented to be endocrine disruptors that can harm aquatic life and humans who eat fish contaminated with such chemicals. EDA should therefore use an EIS to analyze the impacts of CGWC's potential rinsewater pollution from industrial activities on trout fishing in the Sacramento River. 40 C.F.R. §§ 1508.27(b)(3) & (8).

The Sacramento River is an “ecologically critical area,” 40 C.F.R. § 1508.27(b)(3), that is essential to the survival juvenile trout, waterfowl, and many other species. The Sacramento River is lined with wetlands, riparian areas, and park lands which could all be impacted by chemical spills even if less disastrous as occurred in 1991 with a Southern Pacific Railroad spill of chemicals. Before subjecting the unique and irreplaceable Sacramento River to these extreme threats, the EDA should analyze the potential impacts in an EIS. 40 C.F.R. §§ 1508.27(b)(3) & (8).

iii. Industrial development may impact public health and safety.

The EDA should prepare an EIS because CGWC's industrial development near the City of Mt. Shasta could seriously affect public health and safety. CEQ's second ‘intensity’ factor is “[t]he degree to which the proposed action affects public health or safety.” 40 C.F.R. § 1508.27(b)(2). An EIS is the required and responsible way to address the following health and safety concerns about industrial development.

First, the impacts of a water bottling and beverage brewing project should be considered in the EIS because this Project is a primary beneficiary of the EDA Grant and is a reasonably-foreseeable development and would have serious health and safety implications. Local City of Mt. Shasta citizens have provided extensive comments on the health and safety impacts of the WWTP's and CGWC's Project to the City of Mt. Shasta, and Mt. Shasta Tomorrow incorporates those comments by reference here.³

Second, the potential for industrial air, drinking water, and soil pollution in close proximity to homes and residential areas poses safety risks that should be thoroughly evaluated in an EIS. Importantly, CGWC and the nearby residences both draw drinking water from wells located near CGWC's bottling plant. Heavy industrial development adjacent residential areas can lead to severe health impacts, and such concerns should be thoroughly addressed in an EIS.

iv. Industrial development by Crystal Geysers Water Company may violate federal, state, or local environmental laws.

The EDA should thoroughly analyze the proposed alternatives, and exercise close oversight of any on-site work, to ensure adherence to federal, state, and local environmental laws. CEQ's tenth 'intensity' factor favors the preparation of an EIS when there is a potential for the "violation of federal, state, or local law or requirements imposed for the protection of the environment." 40 C.F.R. § 1508.27(b)(10). In 1990, lumber mill chemicals and other debris removed from the former P&M Cedar mill site on the CGWC's industrial property near City of Mt. Shasta were disposed of illegally on this site. Local residents were concerned that the material might contain industrial pollution from the mill, and also that the dirt and wood waste from the mill property might contaminate groundwater near where it was dumped. The strong potential for Crystal Geysers Water Company's bottling plant land containing this mill debris burial site within just about seven hundred feet from its main well to contain hazardous or industrial waste, and the necessity for strict adherence to hazardous waste handling and disposal laws, favors the preparation of an EIS.

The EDA should be aware that a local Mt. Shasta citizens group, We Advocate Thorough Environmental Review ("W.A.T.E.R."), has recently filed a lawsuit against Siskiyou County and CGWC for violating County planning and zoning laws regarding the County's issuances of building permits for the CGWC bottling plant. This action is still pending in the Siskiyou County Superior Court. W.A.T.E.R.'s complaint seeks a preliminary injunction against CGWC, arguing that the County was obligated under its existing General Plan and zoning laws to approve a discretionary permit for CGWC's manufacturing plastic bottles, and another discretionary permit for its installation and operation of machinery for brewing teas, and another for its extraction of groundwater for bottling in beverages, prior to issuing any building permits. This action suggests there is a strong potential for the violation of local and state laws in connection with CGWC's

³ See Citizens for Quality Growth's Dec. 1, 2014 comment letter about Waste Water Treatment Plant expansion, available online here: <http://tinyurl.com/nr6zoad> (also attached to this comment letter)
See also W.A.T.E.R.'s Nov. 30, 2014 comment letter, available online here: <http://tinyurl.com/qduo4k4>

application for its bottling plant. The EDA should prepare an EIS to evaluate such potential violations of applicable laws.

v. ***The impact of this Project and related projects is cumulatively significant.***

The City's proposed Project, if funded by EDA, would not occur in a vacuum. It would precipitate further development and federal actions within an ecosystem—the wetlands west of Interstate 5 at Hatchery Lane within the City of Mt. Shasta—that is the target of escalating commercial real estate development. As the City's application materials clearly state, "beneficiaries of the proposed project include existing residential, commercial, industrial, church, school, government, and other users, as well as future users, located within the approximate 11,714-acre service area of the WWTP."⁴

Because it is reasonable to anticipate a cumulatively significant impact on the environment from this Project and related development projects, both proposed and existing, EDA must prepare an EIS. 40 C.F.R. § 1508.27(b)(7).

Even if EDA only considered the cumulative impacts that will occur at the WWTP property near City of Mt. Shasta, the environmental effects would be significant. "Significance cannot be avoided by . . . breaking [an action] down into small component parts." 40 C.F.R. § 1508.27(b)(7). This federal EDA grant for a WWTP upgrades is merely the first link in a chain of federal and state actions and land development that could transform the WWTP in question, and with it the City of Mt. Shasta and a significant amount of the lands outside the City of Mt. Shasta. Because that ultimate development will almost certainly have a cumulatively significant environmental effect, the City cannot circumvent the need for an EIS by breaking its proposal "down into small component parts." 40 C.F.R. § 1508.27(b)(7). Piecemealing environmental review of the industrial development in City of Mt. Shasta into multiple, disjointed EAs (under NEPA) or Mitigated Negative Declarations (under CEQA) will not give the public or the EDA a clear picture of the full range of environmental impacts. Because it is "it is reasonable to anticipate a cumulatively significant impact on the environment" from development of these related lands, 40 C.F.R. § 1508.27(b)(7) requires the EDA to prepare an EIS.

e. ***The EDA's EIS must address all cumulative actions currently proposed by the City.***

In addition to being cumulatively significant, the various proposals for development of Crystal Geysers's bottling plant require one comprehensive EIS / EIR. Under NEPA's regulations, when several proposed actions may have cumulatively significant impacts, those actions are termed "cumulative actions" and must all be addressed in the same EIS. 40 C.F.R. § 1508.25(a)(2); *Oregon Natural Resources Council v. Marsh*, 832 F.2d 1489, 1497 (9th Cir. 1987) ("CEQ guidelines require that 'cumulative actions' be considered together in a single EIS . . ."). (*Council on Environmental Quality, "CEQ"*).

⁴ See EDA's Environmental Narrative, p. 1.

CGWC is proposing to connect its sewer to the City's WWTP to discharge its industrial rinsewater. CGWC is simultaneously requesting approvals from the Siskiyou County Air Pollution Control District for an onsite diesel or propane-fueled primary electrical power generator and various steam boilers. CGWC is additionally requesting from Pacific Power Company a dramatic increase in electrical supply capacity that will necessitate the development of the "Lassen Substation" project installing larger power lines and transformers.

Of the three projects described above, none have received a federal permit or state permit or had any NEPA document prepared analyzing their impacts. Accordingly, those two other projects and the City's current WWTP Project, are all 'proposed actions' within the meaning of 40 C.F.R. § 1508.25(a)(2). As explained in section (d)(v) above, these proposals may have cumulatively significant environmental impacts, and they are therefore "cumulative actions" that must be analyzed together in a single, comprehensive EIS. 40 C.F.R. § 1508.25(a)(2); see also *Wetlands Action Network v. United States Army Corps of Eng'rs*, 222 F.3d 1105, 1118 (9th Cir. 2000) overruled on other grounds in *Wilderness Soc'y v. United States Forest Serv.*, 630 F.3d 1173, 1180-81 (9th Cir. 2011).

III. City Is Improperly Segmenting Or Piecemealing Environmental Review.

a. NEPA prohibits Piecemealed Environmental Review.

The public has repeatedly asked the City and Siskiyou County for a full EIR prepared pursuant to California law to review this Crystal Geyser Water Company Project but an EIR still has not been begun. Instead, the Project is being chopped into smaller bites as a way to evade what federal and state environmental laws require. News reports throughout California in major newspapers and TV reports reflect the public's anger and astonishment that the CGWC is being allowed by negligent agencies to proceed with its massive construction project without any environmental review so far.

The City of Mt. Shasta is unduly risking public funds by endorsing this WWTP Project without proper environmental review. Our organization, Mt. Shasta Tomorrow, is truly concerned that the EDA might someday require the City to refund the full amount of the \$3,000,000 Grant if the irregularities with this Project become more obvious in violation of federal law. Piecemealed environmental review is just part of the problem, but it is a serious concern.

The City is attempting to justify segmenting its environmental review into smaller pieces to save time, save costs and salvage its previously rejected 2013 EDA \$3,000,000 Grant application to, in part, assist CGWC obtain what can only be described as 'corporate welfare.' Only if the City provides a viable sewage connection can CGWC proceed with its full-scale bottling plant operation. The immediate WWTP upgrades this EDA Grant would help fund are part of this larger Project even though the upgrades also will assist the City meet other State-required water quality requirements.

NEPA regulations articulate specific criteria for determining when proposed federal actions are related to one another to be, in effect, a "single course of action" that requires evaluation in the

same environmental document. Such connected actions that are dependent parts of a larger proposal or depend upon the larger proposal for their justification must be reviewed together. Cumulative actions require their significant cumulative impacts to be evaluated in the same EIS. Therefore the EDA should examine and review in an EIS the cumulative impacts of both the WWTP upgrades and expansion along with Crystal Geysers reasonably-foreseeable large discharge into the WWTP so necessary for its bottling plant's operation.

Federal regulations and court precedent prohibit the practice of dividing a single action for separate NEPA review (referred to as "segmentation" or "piecemealing") if each action does not have independent utility. Such segmentation is prohibited because agencies could avoid preparing EAs and EISs and fully disclosing impacts by fragmenting a single Project into multiple actions, each with less-than-significant environmental effects.

The immediate Project the EDA is considering funding would increase the WWTP's capacity from the current 0.7 MGD up to 0.9 MGD. At the very least, the EA or EIS must evaluate this growth inducement and the environmental impacts such growth may cause. CGWC itself might request to initially discharge a somewhat limited amount of rinsewater (i.e. 0.05 MGD) in its first few years here such that its discharge contribution does not push the City's total waterwater flows into the WWTP above 0.9 MGD.⁵ Assurances in the Initial Study that a separate EIR may be required for CGWC's ultimate expansion and sewage increase requests are hollow if CGWC will be allowed to even initially rely upon the current WWTP's fixes and capacity expansion for CGWC's initial operations and discharges.

Crystal Geysers proposed full-scale sewage and rinsewater discharges into the WWTP are also reasonably foreseeable consequence of improvements at the WWTP as well. CGWC may not have yet filed a formal application for a sewer connection, but it applied along with the City of Mt. Shasta in 2013 for EDA's \$3,000,000 grant so that it could connect, it continues to assert its right and desire to connect to the sewer system, and it has not formally indicated any other means available to handle its juice, tea and rinsewater effluents. CGWC's plans are reasonably foreseeable because CGWC has estimated it will discharge 50,000 gallons per day (GPD) at first and up to 150,000 GPD later into the City's sewer system, if not even more as it seeks to expand the plant. The City and CGWC even initially applied to the EDA for this \$3,000,000 Grant proposing to discharge 750,000 GPD into the City's sewers. CGWC has never provided any documentation since stating that it would never request permission to dump that much effluent at a future time. The City's all too-transparent attempt to segregate the current WWTP upgrades from its later larger WWTP expansion and from Crystal Geysers planned sewer connection does not legitimately segregate CGWC's involvement in the Project and need for a full EIR now. That

⁵ From IS/MND, p. 12: "With implementation of the proposed improvements, the capacity of the WWTP would increase to accommodate an ADWF of 0.9 MGD. This increase in capacity accounts for existing needs plus an allocation for anticipated future growth at a rate of one percent over the next 20 years. Further expansion of the treatment and disposal system to accommodate addition of 0.15 MGD from Crystal Geysers would be possible in the future if approved by the City of Mt. Shasta."

Also: "A new industrial user, Crystal Geysers, plans to occupy the existing Coca Cola facility. According to Crystal Geysers, additional flows during the first 5 years of its operation would be approximately 0.05 MGD. **It is anticipated that the existing lagoon system can handle this additional flow while the proposed improvements are constructed.**" (*Proposed MND and Initial Study*, Sept, 2015, p. 53) (bold emphasis added.)

information is included in Enplan's draft Initial Study/MND that the EDA now identifies in its group of "NEPA/NHPA decisional documents."⁶

b. City Acknowledges Crystal Geysers is a Component of Project:

The Crystal Geysers bottling plant is a **Project component** according to the City's current re-application for the EDA's \$3M grant funding. The City's EDA-PER Preliminary Engineering Report created on September 17, 2015 for these EDA-funded WWTP improvements includes an attached form. That attachment is included in order to comply with Section A.2 of Form ED-900. The EDA's rules for such Preliminary Engineering Reports require:

"... a statement verifying the project components described in the engineering report are consistent with the EDA investment project description that is provided in Section A-2 of Form ED-900. Engineering reports that describe project components that are inconsistent with the EDA investment project description in Section A.2 of Form ED-900 will not be considered valid."⁷ (emphasis added.)

That form referenced in Section A.2 clearly identifies the CGWC bottling plant as a component for the EDA's investment. In Section A-5, Crystal Geysers is specifically identified as a Project Beneficiary that will benefit from this WWTP Project and will allegedly be creating 150 jobs here. If Crystal Geysers was no longer a beneficiary, then there would be no need for the Preliminary Engineering Report to have included this 2-page attachment. Without CGWC's participation as a beneficiary, the PER report would not be valid. Accordingly, the EDA's should prepare an EIS to evaluate the environmental impacts of Crystal Geysers's Project as well in order to avoid segmenting and piecemealing of this EA or EIS.

⁶ From IS/MND:

"Accordingly, if the City were to serve Crystal Geysers, the planned treatment and disposal capacity would need to be increased from 0.9 MGD to 1.05 MGD to serve the anticipated 2039 demand. . . . Preparation of a separate environmental document pursuant to CEQA is needed to address the proposed Crystal Geysers operation. In September 2015, Crystal Geysers announced plans to prepare an Environmental Impact Report (EIR) for proposed plant operations.

"With respect to Crystal Geysers, the scope of this Initial Study is limited to addressing the potential full-buildout volume of wastewater that could be generated by existing and foreseeable growth, i.e., 1.05 MGD. The City's approval of this Initial Study and adoption of a Mitigated Negative Declaration would not include or constitute approval for Crystal Geysers to connect to the City's wastewater system. Rather, the current CEQA coverage would allow the City to proceed with the State-mandated treatment and disposal improvements. The results of this Initial Study could also be included in a broader environmental document addressing the whole of the Crystal Geysers project. It is the City's intent, following CEQA approvals, to improve the WWTP to meet the new discharge requirements and provide a capacity of 0.9 MGD. Further improvements to increase the capacity to 1.05 MGD would be made only following separate CEQA approval for connection of Crystal Geysers to the City's wastewater system and receipt of financial assurance from Crystal Geysers that they would cover the cost of the expansion." (*Proposed MND and Initial Study*, Sept, 2015, p. 10)

"The principal factor driving the need for expansion is anticipated population growth within the WWTP service area. A secondary consideration is the possibility that Crystal Geysers may apply for additional capacity in order to expand its bottling operation." (*Proposed MND and Initial Study*, Sept, 2015, p. 9)

⁷ See: www.eda.gov/about/files/Preliminary_Engineering_Report_Requirements.doc

c. **California Law Also Prohibits Piecemealed Environmental Review**

"Courts have considered separate activities as one CEQA Project and required them to be reviewed together where, for example, the second activity is a reasonably foreseeable consequence of the first activity [citation]; the second activity is a future expansion of the first activity that will change the scope of the first activity's impacts [citation]; or both activities are integral parts of the same project [citation]." (*Sierra Club v. West Side Irrigation Dist.* (2005) 128 Cal.App.4th 690, 698 (*Sierra Club*).

CGWC's bottling plant Project is a development where one stage of a project is the first domino to fall in a causally related series of events to follow. (See *Bozung v. Local Agency Formation Com.* (1975) 13 Cal. 3d 263, 279 [agency's annexation of land was first step towards development of that land].) If the WWTP is not upgraded, then CGWC cannot connect its sewage discharges to the WWTP because the State Water Board will re-enact the moratorium to protect the Sacramento River's water quality.

Requiring separate activities to be reviewed together occurs when a second activity is a "future expansion" of the first that will "change the scope of the first activity's impacts". (*Sierra Club, supra*, 128 Cal.App.4th at p. 698.) For example, see: *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376 (*Laurel Heights*) CGWC's foreseeable sewer connection will change and enlarge the scope of the WWTP's expansion.

This is explained further in *Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal.App.4th 1209 [This decision is available online at: https://scholar.google.com/scholar_case?case=16905996831533156592]

Accordingly, "CEQA forbids 'piecemeal' review of the significant environmental impacts of a project." (*Berkeley Jets, supra*, 91 Cal.App.4th at p. 1358.) Agencies cannot allow "environmental considerations [to] become submerged by chopping a large project into many little ones — each with a minimal potential impact on the environment — which cumulatively may have disastrous consequences." (*Bozung, supra*, 13 Cal.3d at pp. 283-284 [EIR required when city annexed land for anticipated development].)

The California Supreme Court set forth a piecemealing test in *Laurel Heights*. "We hold that an EIR must include an analysis of the environmental effects of future expansion or other action if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects." (*Laurel Heights, supra*, 47 Cal.3d at p. 396.) "Under this standard, the facts of each case will determine whether and to what extent an EIR must analyze future expansion or other action." (*Ibid.*)

....
First, there may be improper piecemealing when the purpose of the reviewed project is to be the first step toward future development. (See, e.g., *Laurel Heights, supra*, 47 Cal.3d at p. 398 [university planned to occupy entire building eventually]; *Bozung, supra*, 13 Cal.3d at pp. 269-270 [city annexed land so it could rezone it for development]; *City of Carmel-by-the-Sea v. Board of Supervisors* (1986) 183 Cal.App.3d

229, 244 [county rezoned land as "a necessary first step to approval of a specific development project"]; City of Antioch v. City Council (1986) 187 Cal.App.3d 1325, 1337 (*Antioch*) [negative declaration wrongly issued; **"the sole reason" city approved road and sewer construction was "to provide a catalyst for further development"**]; see also *Antioch*, at p. 1336 ["[c]onstruction of the roadway and utilities cannot be considered in isolation from the development it presages".])

(*Bold emphasis added.*)

And there may be improper piecemealing when the reviewed project legally compels or practically presumes completion of another action. (Nelson v. County of Kern (2010) 190 Cal.App.4th 252, 272 [EIR for reclamation plan should have included mining operations that necessitated it]; Tuolumne County, supra, 155 Cal.App.4th at p. 1231 [home improvement center "cannot be completed and opened legally without the completion of [a] road realignment"]; San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus (1994) 27 Cal.App.4th 713, 732 [EIR for residential development should have included sewer expansion that was a "crucial element[]" of development];

The EDA must evaluate the whole of this Project in an EIS, including the WWTP improvements and expansion, the Interceptor line enlargement, and Crystal Geysers's bottling plant Project because CGWC is a beneficiary and a driver for some of these expanded sewage facilities.

IV. EDA Should Accurately Indicate the Purpose of this Project in an EIS:

The EDA's Environmental Assessment or EIS must also articulate the *purpose* of the Project accurately. The full purpose must be defined so that the public can consider reasonable alternatives and so that the EA or EIS does not rig the outcome. The EDA is not allowed to execute an end run around NEPA's core requirement by limiting the inquiry without justification.

1. In one place, the City's documents state: "*The purpose of the proposed action is to assist the City of Mt. Shasta in upgrading its Wastewater Treatment Plant (WWTP) in an effort to comply with requirements for wastewater discharge set by the Central Valley Regional Water Quality Control Board (Central Valley RWQCB).*"
2. However, another purpose stated in the City's Environmental Narrative is to provide for expanded sewage treatment capacity: "*These subsequent improvements of the WWTP would be sized to accommodate anticipated growth over a 20-year period.*" Not stated there is the related need to increase the size and capacity of the Interceptor sewer pipe so that increased wastewater flows can be transported to the WWTP.
3. Most obvious to the public is the additional purpose of this larger Project is to provide sewage treatment capacity to allow the primary beneficiary, Crystal Geysers Water Company, to operate its business as proposed. CGWC seeks to have immediate access to City sewers for its initial operations, something that even the first phase of WWTP improvements will apparently accommodate.

The EDA must carefully identify this proposed Project so its review encompasses all of the component activities needed to meet the objectives of the proposal. Identification of an action is more than just characterizing it; it also involves delineating it. Agencies such as the EDA cannot purposefully limit the breadth of their proposed actions in order to qualify for a FONSI knowing that additional interrelated activities will be necessary in order to accomplish their objectives of their proposal.

The EDA must prepare an EIS that evaluates the full purpose of this larger Project now being investigated.

V. The City's Environmental Narrative Is Inadequate:

The EDA is obligated to provide an Environmental Narrative for public review in order to apprise the public of issues that will be studied in its EA or EIS. The City's consultants have created that 82-page document⁸, but it is not adequate because it is misleading and minimizes some of the Project's environmental impacts.

NEPA requires an Environmental Narrative to assess the expected environmental impacts associated with a project funded by the EDA. As you must know, the EDA cannot make an award until it has received sufficient information to make a determination regarding this Project's environmental impact. Yet the Environmental Narrative the City of Mt. Shasta provides does not contain sufficient information.

a. The Description of Potential Air Pollution Impacts is Inadequate

The Environmental Narrative is misleading to only disclose that "Siskiyou County is in compliance with the Federal Clean Air Act for all criteria pollutants." That understates the true problems with local air quality. Siskiyou County, and the Mt. Shasta City area in particular, are NOT in attainment with California standards for fine particulate pollution such as PM₁₀ and PM_{2.5}. In summer months we often have smoke-filled air conditions due to forest fires. In winter months wood stove smoke often pollutes our local airshed.

The Environmental Narrative also fails to mention that this Project will result in the release of fugitive air emissions during some site grading construction activities. Considering that summer air conditions are at times already not in compliance with California air standards, the EDA's failure to disclose additional fugitive emissions during construction is misleading to the public. Such emissions would occur with the operation of the various units of equipment including construction equipment such as "a compactor, excavator, dozer, backhoe, loader, dump truck, and grader" that are mentioned in the Environmental Narrative.

⁸ It is titled the **Environmental Narrative: City Of Mt. Shasta Wastewater Treatment Plant; EDA-Funded Filtration And Disinfection Improvements Project; Siskiyou County, California; September 2015.**

b. The Description of Potential Noise Impacts is Inadequate

The Environmental Narrative, on p. 15, fails to identify that construction activities at the WWTP are likely to expose neighboring residents to excessive short-term noise levels during construction activities. It instead states: "No impacts with respect to noise would be expected."

However, that unsupported conclusion of no noise impacts is refuted in the City's draft Initial Study/Mitigated Negative Declaration ("IS/MND") on pages 51-52. The IS/MND states:

"Project implementation has the potential to increase noise levels in the short term during project construction and in the long term due to project operation."

With the nearest home only about 300 feet or less away from the Project site, the use of loud, heavy construction equipment will definitely have some noise impacts at these residences. The IS/MND attempts to downplay these noise impacts by referring only to the City's noise standards. However, those nearest homes are not within City limits where those standards apply. The IS/MND mentions nothing about Siskiyou County noise standards which should also be consulted because they apply to County residences and in some ways are more restrictive than City standards.

Moreover, the City of Mt. Shasta's interpretation of noise impacts cannot be relied upon for noise impact evaluation. It has a history of not following its own noise regulations. The City has refused to comply with its own General Plan now since 20 years ago. In the mid 1990s, the City's then-adopted General Plan promised the public that the City would adopt a Noise Ordinance to better deal with noise impacts of projects similar to this WWTP Project. The City during all this time has never adopted such a noise ordinance.

Aerial Photo Showing Proximity of
Neighboring Homes to WWTP Project

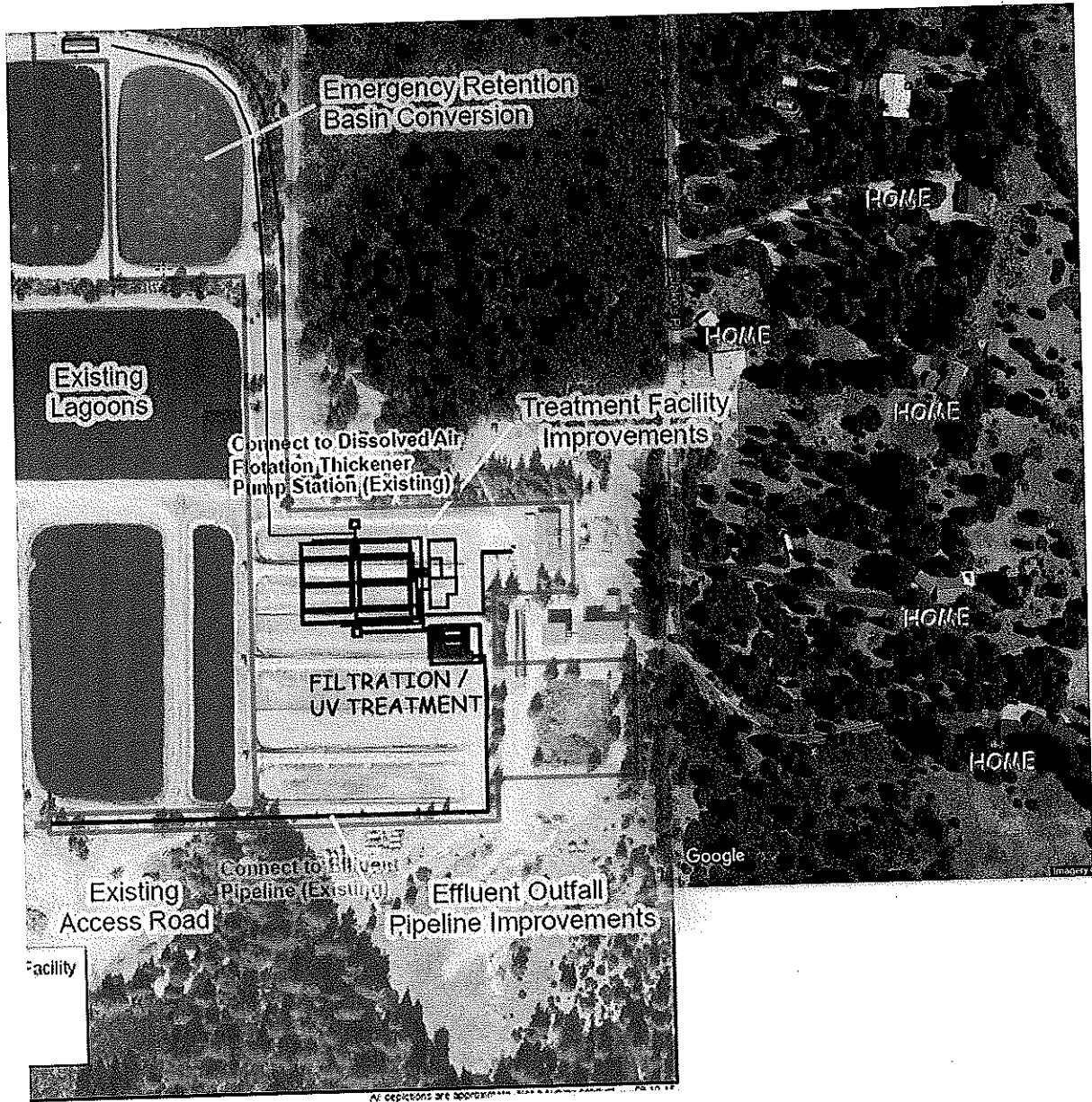


Figure 2
Project Location

(Red outline in color original of this comment letter shows WWTP Project)

The draft Initial Study determines that the WWTP Project's noise impacts which may create a "substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project" will be less-than-significant. However, that Initial Study provides no valid supporting evidence or meaningful analysis for that conclusion. The Initial

Study essentially underestimates the noise construction activities may produce and exaggerates how much such loud construction noise will be reduced at that nearest home that is within about 300 feet. Neither the Environmental Narrative nor the Initial Study provides any baseline noise level measurements near those homes. Measurements of existing baseline noise conditions are needed in order to compare with predicted noise increases that may occur during construction. Without knowing how quiet those nearby homes currently are, the Initial Study cannot logically conclude the short-term noise increases will be "less-than-significant."

The Initial Study estimates that noise levels during WWTP construction would be about 60-65 dBA at a 300 foot distance, where the nearest home is located. But the Initial Study provides no calculations to support that estimation. Noise levels of greater than 55 dBA might be considered significant, so even this prediction does not support a determination of "less-than-significant" noise impact.⁹

The City's noise standards are lower yet, with 50 dBA L_{eq} being considered a daytime limit in outdoor activity areas for residences affected by non-transportation noise.¹⁰ Homes near the WWTP are defined as having outdoor activity areas even closer to the WWTP than the Initial Study indicates: General Plan Noise Element Table 7-5 states: "*For large parcels or residences with no clearly defined outdoor activity area, the standard shall be applicable within a 100 foot radius of the residence.*" At 200 feet rather than at 300 feet from the WWTP, predicted noise levels may be about 2 dB louder estimated in the Initial Study even using its erroneous assumptions.

Short-term noise level increases of more than 5 dB greater than ambient conditions are typically also considered to be significant in many California jurisdictions. During early morning hours before 8 a.m. ambient noise levels in this vicinity are likely lower than 40 dBA L_{eq} . If this WWTP Project creates short-term noise levels of up to 65 dBA at some nearby homes, or 25 dB greater than ambient conditions, its noise impacts would be quite severe. Other homes in that aerial photo that are 600 to 700 feet from the Initial Study's identified WWTP construction areas may also be exposed to excessive noise unless noise mitigations are imposed.

To show that WWTP construction activity predicted noise levels may be greater than estimated in the Initial Study, that nearest home shown in the aerial photo near Jake's Place street above does not have sufficient intervening vegetation or "unpacked earth" between it and construction work to have noise levels attenuated by 7.5 dBA per doubling of distance. More commonly in such circumstances an attenuation rate of 6.0 dBA per doubling of distance is used. At close distances from large heavy equipment, that attenuation rate is even lower for the first 50 to 100 feet, meaning that noise estimation at distances of 300 feet should be higher yet than the City assumes. More than a single piece of heavy equipment may operate at the same time, increasing the total noise any one home is exposed to with two or more noise sources. The Initial Study

⁹ The City of Mt. Shasta General Plan's Noise Element states: "The U.S. Environmental Protection Agency (EPA) also offers guidelines for community noise exposure in the publication "Information on the Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety". These guidelines consider occupational noise exposure as well as noise exposure in the home. The "Levels Document" recognizes an exterior noise level of 55 dB L_{dn} as a goal to protect the public from hearing loss, activity interference, sleep disturbance and annoyance."

¹⁰ The City's maximum acceptable standards are at most 45 dBA L_{eq} at nighttime (i.e. before 7 a.m.).

underestimates the maximum noise during Project construction as 80 to 85 dBA at a distance of 50 feet. Yet its Table 3 (Examples of Construction Equipment Noise Emission Levels) shows trucks typically emitting 88 dBA at 50 feet. Trucks will be used onsite during construction and even closer to other homes along off-site access streets.

The City proposes no noise mitigations to limit the hours of WWTP construction even though it hints that compliance might limit work to between a 7 a.m. – 5 p.m. schedule. The Initial Study even acknowledges that some WWTP construction may occur before 7 a.m. People working outdoors often prefer early hours before 7 a.m. during summer heat. Accordingly, no noise limitation or mitigation has been proposed.

Even if this Project's construction noise was exempt from regulation at this location or within the City of Mt. Shasta, that interpretation would not exempt the EDA from having to evaluate this Project's short-term increases in ambient noise levels. CEQA and NEPA are laws entirely separate from local City laws. The City's General Plan states that construction noise can be exempted to exceed the City standards during special circumstances.¹¹ But there is no such exemption in the County's noise standards for construction activities where these homes are located. Construction noise is routinely mitigated in most California jurisdictions; the City of Mt. Shasta is not exempt under NEPA or CEQA from such standard environmental mitigations and protections intended for neighboring residents.

The Initial Study admits that some construction noise might even occur at nighttime. Yet the Initial Study fails to evaluate the potential for serious sleep-disturbance impacts to neighboring residents. Per the court decision in *Berkeley Keep Jets Over the Bay Comm. v. Bd. of Port Comm'rs* (2001) 91 Cal.App.4th 1344, such sleep-disturbance impacts must be evaluated for projects that may cause such harmful health-related impacts to residents.

The EDA must evaluate the significance of the Project's noise impacts with the corresponding context of significance, in this case, those homes where estimated noise levels from Project construction could be audible.

The EDA should disregard the City's inadequate Initial Study's determinations and prepare an EIS to more accurately review the noise impacts this WWTP Project may generate.

c. Environmental Narrative Underestimates Project Controversy

It is untrue that "no public notice is necessary and no public controversy is anticipated" as the Environmental Narrative claims on page 16. The fact that the EDA published a Public Notice contradicts that conclusion. The fact that this larger Project, that of the WWTP upgrade and CGWC's involvement in attempting to establish a bottling plant here, has been the most controversial Project in the last 20 years or more in the City of Mt. Shasta and has been reported on in dozens of major news sources for two years proves this is a controversial Project.

¹¹ Mt. Shasta General Plan Noise Element Implementation Measure NZ-1.8(c): Noise associated with construction activity between the hours of 7 a.m. and 5 p.m. shall be exempt from the standards cited in Table 7-5. Construction activity outside of this period may exceed the cited standards if an exemption is granted by the City to cover special circumstances.

d. Environmental Narrative Misrepresents Direct, Indirect and Cumulative Effects

The Environmental Narrative inaccurately states that this Project will not result in Direct, Indirect and Cumulative Effects on the environment. Contrary to such inconsistent statements the City has made, this Project will be growth-inducing. The Project is even required to be growth-inducing per funding requirements established by Federal Laws for new job creation. The expansion of WWTP capacity will induce the growth of additional urban development.

The Environmental Narrative in one paragraph states the Project will not be growth-inducing, and then in the very next paragraph states: "*These subsequent improvements of the WWTP would be sized to accommodate anticipated growth over a 20-year period, with growth anticipated at a rate of one percent per year.*" It also next states: "... *growth-induced cumulative impacts are expected ...*" The Environmental Narrative then attempts to negate those growth inducing problems which call out for proper environmental review.

It matters not that the City's General Plan anticipates some growth, for the EDA must evaluate this Project's impacts as they also occur outside the City of Mt. Shasta in the surrounding Siskiyou County area. Moreover, the City's General Plan adopted nearly 20 years ago never considered the massive environmental impacts that the Crystal Geysers Project would have when located immediately outside the City limits. The EDA should prepare an EIS to evaluate this Project's Direct, Indirect and Cumulative Effects.

e. The Environmental Narrative Fails to Identify Crystal Geysers Water Company as a Beneficiary.

The Environmental Narrative fails to comply with Federal law because it does not identify Crystal Geysers Water Company as a beneficiary of this grant funding Project and fails to disclose its location. Per EDA Directive § 17.02, the EDA must ensure that "proper environmental review of program activities takes place, that there is proper balance between goals of economic development and environmental enhancements and that adverse environmental impacts are mitigated or avoided to the extent possible."¹²

The Environmental Narrative is required to identify "areas to be affected by any **beneficiaries** of the project." Since CGWC is a "beneficiary", its area and actual location on Ski Village Drive adjacent to the City of Mt. Shasta must be identified in the EDA's Public Notice and in the City's Environmental Narrative because those were purportedly prepared to meet the EDA's objectives. Yet nowhere in that Environmental Narrative document is Crystal Geysers even mentioned, nor is its bottling plant's site identified on any map.

Federal rules also require that "Information submitted must be sufficient to evaluate all reasonable alternatives to the proposed project." Some Project alternatives have been previously

¹² <https://ceq.hss.doe.gov/publications/nepa-handbooks.html>
Also: See the ENVIRONMENTAL REQUIREMENTS For EDA Grant Applications; September 29, 2014:
<http://www.nado.org/wp-content/uploads/2014/10/Bush.pdf>

identified with the various routes proposed by City engineering consultants for the Interceptor pipe repair phase of this Project. The presence and necessity for the Interceptor pipe is however totally omitted from the Environmental Narrative. By having omitted much of the related information about this larger project, the Environmental Narrative and the draft MND prepared by MND fail to have evaluated all reasonable alternatives.

The EDA should prepare an EIS to correct these significant deficiencies.

f. **The Environmental Narrative Fails to Identify that Crystal Geyser Water Company's Relocation to Mt. Shasta May Create Urban Blight in Communities Where it Will be Closing it's Other Bottling Facilities.**

The creation of urban blight or decay is an environmental impact. This Project risks creating such economic harm and consequent urban decay in Calistoga and elsewhere where CGWC's bottling plants will be shuttered after it more fully transfers its operations to Mt. Shasta.

The EDA should evaluate the risk of such physical deterioration resulting from economic blight in its EIS for this Project. The public has evidence that such economic and resultant physical blight is a reasonably-foreseeable possibility. CGWC informed the press that it intended to close its other bottling plants once it moved to Mt. Shasta. As the San Francisco Chronicle¹³ reported on February 19, 2014:

Company's plans

The facility, which is under county jurisdiction but would have to use city services, must do approximately \$10 million in waste disposal system upgrades before it can open in 2015. Crystal Geyser has obtained a \$3 million federal grant for the work, which it is matching, MacLean said.

He said the initial plan is to have a single bottling line, which would use an average of 115,000 gallons of water a day to make mineral water, juice, flavored tea and mint drinks. A second line would be opened in five to seven years, bumping up water use to an average of 217,000 gallons, with a maximum of 365,000 gallons a day. Coca-Cola used 250,000 to 300,000 gallons a day, he said.

MacLean said the company will eventually phase out its Calistoga and Bakersfield plants and move its entire operation to Siskiyou County."

EDA Grant funds are not supposed to be allowed for creating jobs in one community when that entails the job relocation and loss from an existing community elsewhere. As the EDA has already informed the City of Mt. Shasta, the planned closure of Crystal Geyser's other facilities violates Special Award Condition No. 20. NONRELOCATION, which cites 13 C.F.R Section 300.3, "that the EDA funded project will not be used to induce the relocation or the movement of existing jobs from one Region to another Region by a primary beneficiary of the award."

Since Crystal Geyser requires access to the WWTP for its rinsewater disposal, this EDA grant may be subsidizing physical blight in other communities. In the City of Mt. Shasta's December, 2012 EDA Grant application, the City acknowledged it sought this \$3,000,000 EDA grant to facilitate the construction of Crystal Geyser's bottling plant:

¹³ The San Francisco Chronicle's February 19, 2014 newspaper article about CGWC is available online here: <http://www.sfgate.com/science/article/Crystal-Geyser-small-town-locked-in-bitter-water-5246469.php#page-1>

- b. Briefly describe the economic development needs of the region and how the proposed investment addresses the goals and objectives of the CEDS for the region or the alternate strategic planning document as noted above. (See 13 C.F.R. part 303.)

Siskiyou County is an economically depressed area that is still transitioning from a timber based economy to one relying more heavily on tourism with a smaller resource-based industry. The immediate investment in Mt. Shasta's infrastructure will facilitate the reopening of a former spring water bottling facility to become a value-added beverage bottling facility. This facility will create 60 immediate new jobs with the potential for 150 in the future. These new manufacturing jobs will have a large impact on the population of Mt. Shasta and Siskiyou County. Mt. Shasta City's wastewater system improvement is specifically mentioned in the Superior California Economic Development District CEDS, Section 5, item 3-13. Also, items 3-12, 1-4, and 1-5 apply to this project.

Such risks should have been discussed in the Environmental Narrative, and must be evaluated in an EIS. The Environmental Narrative is required to provide detailed, comprehensive information for the project site and for areas affected by any primary beneficiaries of the WWTP Project, such as Crystal Geysers. However, all the Environmental Narrative states in this regard is that: *"Beneficiaries of the proposed Project would be located on land designated for use as industrial, commercial, residential, agricultural, recreational, and public facilities."* That statement is far too general and is not sufficient to comply with federal rules. That statement would apply to any utility project in any community so it is essentially meaningless.

The EDA should disclose in an EIS the extent of this WWTP/CGWG Project's impacts on these closely connected other California communities. Calistoga, for example, is a small town where the loss of a business as large as CGWC could result in a substantial reduction in property tax income and commercial revenue in its downtown businesses.

Mt. Shasta Tomorrow is particularly concerned that our community could also be economically harmed if the EDA's \$3,000,000 Grant for this Project is someday withdrawn or is required to be repaid by our citizens as the result of the City's inadequate public disclosure and noncompliance with Special Award Condition No. 20 about nonrelocation.

CONCLUSION:

Thank you for considering these comments in regards to the City of Mt. Shasta's Waste Water Treatment Plant Project to be possibly partially funded through the EDA's \$3,000,000 Grant. We urge the EDA to conduct an EIS on this larger Project as discussed above. While repairs to the WWTP to protect water quality would be valuable in our community, this first WWTP phase of the larger Project risks uncorking a bottle and releasing an evil genie posing significant harm of local and worldwide pollution and plastic wastes inherent in Crystal Geysers's heretofore unstudied environmental problems and business activities.

Sincerely,



Dale La Forest
Director - Mt. Shasta Tomorrow

Attachments:

CQG's 12-1-14 comments on WWTP expansion
W.A.T.E.R.'s 11-30-14 comments on WWTP

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:40 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Public comment letter City of Mount Shasta EDA Grant WWTP
Attachments: 151113 EDA comment MS City WWTP rev..pdf

From: Brian Stewart [<mailto:brian@castlecrags.com>]
Sent: Friday, November 13, 2015 3:18 PM
To: FitzGerald, Shannon; Good, Stan
Cc: bpstewartco@gmail.com
Subject: Public comment letter City of Mount Shasta EDA Grant WWTP

Please consider the attached my comment letter for a project and cause it to be made a part of the public record.

Brian Stewart

B.P. STEWART & CO., CONTRACTING
General Engineering & Building ~ Project Design
State License No. 611307 A & B

Sent via email to: Stan Good, Shannon Fitzgerald, Project Managers SGood@eda.gov
sfitzgerald@eda.gov

U.S. Department of Commerce
Economic Development Administration
Seattle, WA 98174

RE: A public comment regarding EDA Grant of \$3M to the City of Mount Shasta, CA

Dear Sir or Madam,

I am sure that by this time you two are becoming well aware of the environmental concerns from the greater Shasta community regarding the activity of the primary beneficiary to this WWTP improvement project namely, that foreign owned bottling company know by the trade name of Crystal Geysers.

My comments, for the record, are concerns shared by many associated within the residential construction & development industry here in the Mount Shasta market area. Presenting a different perspective, please consider that for over one hundred years, since this City's incorporation, that the vast majority of the City's wet-utility customer base has been dedicated to serve residential units. That by virtue of this fact, the historic sewer design needs and the established; customer revenue stream to its Sewer Department has, by these established and expected operative needs, been directed primarily for residential considerations.

We now stand at a threshold whereat there could be a shift in sewer operational impacts: to where the heaviest user of the WWTP could very well be associated with the bottling industry and not the conventional residential development industry.

My concern is of future sewer capacity for new residential uses. I also have grave concerns regarding impacts due to unknown or yet to be defined material generated by this potential industrial user, Crystal Geysers. There is foreseeable, industrial waste entering into a WWTP without fully knowing its make-up and how that might react to what has been a predictable and typical treatment plant operational process. There are also those concerns that operational costs of the plant may become unfairly borne by its historic residential customer base if, the bottling industry's proposed activities merely remain vague or undefined.

Without doing a full study of the impacts contributed to the WWTP by this beneficiary user, we will be building treatment plant improvements based somewhat on unknowns. You can't have *cost controls* regardless of if they are for construction or operation purposes without *design controls*. Right now, those design controls lack sufficient elements as the true and correct basis of impacts by Crystal Geysers remain mysterious. A full and effective EIR, one which includes their bottling activities, would help establish those needed design controls in order to establish ongoing cost as well as future capacity needs for residential users, as has been expected and deserved for generations of families invested here.

P.O. Box 291 ~ McCloud, CA 96057 ~ tele. (530) 964-2885 cell (530) 859-0379
e-mail: brian@castlecrags.com

I sincerely ask that the EDA consider the broader economic activities within this region including the future of the residential construction industry and its capacity needs. That the EDA demand an EIR be produced; borne by the beneficiary user, so as to effectively assure the public as well as other industry, that safe and rational designs will be based on scientific modeling and that those designs can help establish rational growth management and capacity projections for a safer community for all.

Very Truly Yours,



Brian P. Stewart
BP Stewart & Co., Contracting

"No matter what your lot in life is...build something on it"

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:40 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: EDA grant to the City of Mt Shasta

From: Molly Brown [REDACTED]
Sent: Friday, November 13, 2015 2:13 PM
To: FitzGerald, Shannon; Good, Stan
Subject: EDA grant to the City of Mt Shasta

Shannon FitzGerald

Regional Environmental Officer

Economic Development Administration

915 Second Avenue, Room 1890

Seattle, WA 98174

Phone: 206-220-7703

Fax: 206-220-7657

sfitzgerald@eda.gov

Stan Good

Project Engineer

Economic Development Administration

SGood@eda.gov

RE: Public Comments on EDA \$3,000,000 Grant for City of Mt. Shasta's Upgrades to its Waste Water Treatment Plant to Additionally Serve Primary Beneficiary Crystal Geyser Water Company

Dear Ms. Fitzgerald and Mr. Good,

As a citizen of the City of Mt Shasta, I urge the U.S. Economic Development Administration (EDA) to prepare a comprehensive Environmental Impact Statement (EIS) assessing the direct, indirect and cumulative impacts of proposed industrial development to be connected to the City of Mt. Shasta's Waste Water Treatment Plant (WWTP).

I am very glad and grateful that the EDA allowed the \$3 million grant to be transferred from the Interceptor Line (to serve Crystal Geyser Waters Company - CGWC) to the much-needed upgrade of our WWTP and hope that the public's concern about some of the procedures used will not endanger the grant.

However, it is clear to me that more time is needed for planning and for evaluating all the impacts of this upgrade, which will include capacities needed for CGWC's future operations. In his recent Encyclical on Caring for Our Common Home, Pope Francis specifically stated:

Environmental impact assessment should not come after the drawing up of a business proposition or the proposal of a particular policy, plan or program. It should be part of the process from the beginning, and be carried out in a way which is interdisciplinary, transparent and free of all economic or political pressure.

Because this has not been the case with the CGWC project in the last two years, it is high time to pause and do a full EIS and EIR to truly study and make public all the potential impacts of this project, especially including its probable harms to the residents of Mt Shasta and environs. Unfortunately, there are strong indications that the City, County of Siskiyou, and CGWC are trying to get through the permitting processes in a piecemeal fashion, to avoid a full and independent EIR and potential costs of mitigations.

In order to fulfill this necessary evaluation, CGWC—as primary beneficiaries—will have to pay for the study and/or the City will have to seek further funding for it. Either way, more time will be needed. Has the City asked for an extension?

The Environmental Narrative prepared for the City by ENPLAN is completely inadequate, because it fails to address several aspects of the WWTP, especially related to the CGWC use of the system. In fact, it fails to even identify CGWC as a beneficiary of the WWTP upgrade. The Narrative descriptions of the potential air pollution, noise impacts, and truck traffic are inadequate. Moreover, it glosses over the considerable controversy the CGWC project has raised in the community and beyond. This Environmental Narrative and any proposed Mitigated Negative Declaration should be rejected as an inadequate substitution for a full EIR.

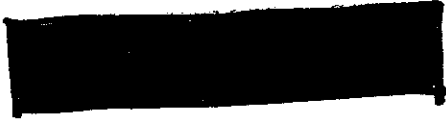
Please slow this process down, grant an extension to the City, and demand that a full EIR be done that includes the industrial impacts of CGWC's proposed plant, before any more construction takes place.

Thank you for your consideration of the community, economy, and environment of our small town.

Sincerely,

Molly Brown

Molly Young Brown, M.A., M.Div



MollyYoungBrown.com
PsychosynthesisPress.com

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:40 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Mt. Shasta EDA Grant Comment

From: Frank Toriello [REDACTED]
Sent: Friday, November 13, 2015 12:44 PM
To: FitzGerald, Shannon
Cc: Good, Stan
Subject: Mt. Shasta EDA Grant Comment

November 13, 2015

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174

In response to a request for feedback on the amended scope of work for the EDA grant being considered for the City of Mt. Shasta, CA:

The listed beneficiaries for the Mt. Shasta Waste Water Treatment Plant (WWTP) fail to include an undeveloped property north of Hatchery Lane in Mt. Shasta. There is a sign posted specifically mentioning sewer hookup but having been undeveloped for decades, as well as being a wetland, this property probably has no current connection. Project descriptions fail to describe this property as a beneficiary of the future expansion of the WWTP.

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Contact: WILLIAM LARSEN

(530) 926-2646

This sign describes the property as "Highway Commercial" which may produce a greater discharge for the WWTP than other types of development.

Additionally, the projection of a growth rate of one percent for the next twenty years is contrary to existing trends documented in the California County-Level Economic Forecast¹ and by the US Census Bureau² '3. The opening of the Crystal Geyser bottling plant may have the short term effect of increasing the local population since Crystal Geyser has stated that it will offer jobs to their current employees in their Calistoga, Bakersfield and Valencia facilities. However, this would be a one time event and not a continuing effect for twenty years. Thus the projection of population growth given by Mt. Shasta's Environmental Narrative is decidedly optimistic.

I hope the EDA will request that Mt. Shasta amend its application to correctly reflect the beneficiaries of this grant and also offer the data underlying the population assumptions.

Thank you,

Frank Toriello


1. [http://www.dot.ca.gov/hq/tpp/offices/eab/socio_economic_files/2012/2012 Socio-Eco County Forecasts Full Report.pdf](http://www.dot.ca.gov/hq/tpp/offices/eab/socio_economic_files/2012/2012_Socio-Eco_County_Forecasts_Full_Report.pdf)

2. <http://www.census.gov/prod/cen2010/cph-2-6.pdf>

3. <http://www.census.gov/popest/data/cities/totals/2014/SUB-EST2014.html>

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov



Dear Ms. Fitzgerald,
While I understand that the City of Mt Shasta must comply with the state water board's permit regulations by 2017, I would encourage the EDA to comply with NEPA regulations in support of an EIS for the wastewater treatment plant renovation. The wastewater collection and management problems here in Mt Shasta's sphere of influence must be addressed as a whole.

We the public ratepayers want to be sure that this first grant opportunity is part of a sound investment for the tax payers and for the community. If we are to support the recommendations of PACE Engineering firm, the City's contracted engineers, we must be sure that their work has been vetted by an independent firm and that there was a competitive bidding process. I believe their compensation for this will be over \$500,000 for just this first step to resolve problems of excess amounts of copper and zinc. The additional work required to handle the ammonia pollution may cost an additional \$15 million from what I recall.

As a taxpayer and ratepayer residing in the City I feel we should be part of the process from the beginning. Prop 218 requires that the public be consulted before rate increases which will be an obvious result of the planned upgrades. Who is watching out for the public interest? It seems that there should be adequate time for a public meeting to discuss the long-term implications of both the EDA grant and its relationship to the future planned expansion of the wastewater treatment plant. The additional conundrum introduced by the Crystal Geysers plant's effluent added to the mix is a major driver in the whole collector system/ treatment plant proposed project.

Please encourage the City to treat this as one large project and take the necessary steps to demand more information from Crystal Geysers about their intentions and probable generated effluent. Without this larger perspective, the EDA grant-funded addition may be a bandaid that fails to accomplish the goals of keeping the Sacramento River pure and clean.

Sincerely,
Aron Geyer

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:41 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Crystal Geyser plant in Mt. Shasta

From: Good, Stan
Sent: Monday, November 16, 2015 10:57 AM
To: FitzGerald, Shannon
Subject: FW: Crystal Geyser plant in Mt. Shasta

I noticed this one didn't have your email cited. Have you read it already?

Stan Good, P.E.
Civil Engineer
Seattle Regional Office
Ph: 206-220-7701
Email: sgood@eda.gov

Join EDA's mailing list today to get the latest agency news and grant opportunity information!

From: Da Kealey [REDACTED]
Sent: Friday, November 13, 2015 4:43 PM
To: Good, Stan
Subject: Crystal Geyser plant in Mt. Shasta

I am concerned about the lack of environmental and civic protections and safeguards with which the new water bottling plant is being pushed through the "good old boy" network in the local government. Citizen concerns are given obligatory hearing, but these concerns are ignored. Various experts have also weighed in with alarms, but these have also been ignored. It is well-known in this community that the opening of the plant was a "done deal" without any environmental review. Mount Shasta City Council and the Siskiyou Board of Supervisors are pretty much in lock-step for pro-business and anti-environmentalism. California is one of two states with no groundwater extraction regulations, pretty much giving big water bottling corporations carte blanche priority over domestic water rights.

A geological concern that has not been discussed in the open meetings is the hypothesis that groundwater acts as a coolant for volcanoes. We already have several water bottling plants here sucking out the aquifer. I don't think that adding yet another one, with plans to suck out up to a million gallons a day, will produce a public benefit worth a volcanic eruption.

An environmental impact review should not be conducted by the Siskiyou County Air Quality Control board, which is incompetent and a patsy for big business.

--
Daniel Kealey, Ph.D.
School of Management,
University of Phoenix-Online
Adjunct Professor,

College of the Siskiyous
Weed, CA

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:43 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Mt. Shasta City WWTP Grant - Public Comment

From: Angelina Cook [REDACTED]
Sent: Friday, November 13, 2015 5:12 PM
To: FitzGerald, Shannon; Good, Stan
Subject: Mt. Shasta City WWTP Grant - Public Comment

Greetings,

I wanted to submit the following comments on behalf of my organization, but did not get approval in time. So I am submitting these as a concerned citizen. Would you still accept a revised version of these comments on behalf of the organization on Monday?

Thank you.
Angelina Cook
###

November 12, 2015

US Department of Commerce
Economic Development Administration
Regional Director A. Leonard Smith
915 Second Avenue, Room 1890
Seattle, WA 98174

U.S. Department of Commerce
Economic Development Administration
Regional Environmental Officer
915 Second Avenue, Room 1890
Seattle, WA 98174

Dear Regional Director Smith, Mr. Good and Ms. Fitzgerald,

First, I would like to thank you for your support in Mt. Shasta City's sewerage treatment facilities much-needed repairs. The limited capacity and environmental sensitivities surrounding the existing plant have thwarted economic activity in the region for many years. I am grateful that federal agencies such as yours are in a position to facilitate meaningful expansion in our community, which has been dealing with decades of economic contraction.

I have been working to represent public interests in natural resource decision-making processes in the region for more than 10 years. Due to a remarkable lack of leadership addressing urgent issues associated with our changing physical and economic landscapes, I teamed up last year with the Mount Shasta Bioregional Ecology Center to draft a collaborative climate adaptation plan in 2014. The living document, entitled "*Renew Siskiyou - Roadmap to Resilience*" addresses the impacts of rising temperatures in our bioregion and sets forth recommended adaptation priorities. Because rising temperatures entail increased forest morbidity and less precipitation falling as snow, water conservation and forest restoration are paramount in safeguarding the region and downstream watershed stakeholders against catastrophic fire and persistent drought.

As you can agree, industrial water extraction and export in little toxic bottles using untold amounts of fossil fuels for global distribution is clearly not compatible with drought relief or climate adaptation and mitigation. Though it is unsurprising that Crystal Geysers does not want to undergo an Environmental Impact Review (EIR) or Environmental Impact Statement (EIS), it is appalling that local and state government representatives are conspiring with another private sector attempt to forego environmental review at the community's expense.

Dianne Feinstein's and Wally Herger's letters to the EDA in 2012 not only undermine our regions ability to uphold their own states climate and groundwater sustainability legislation (Global Warming Solutions Act - AB 32 and the Groundwater Sustainability Management Act) but they perpetuate a dysfunctional democracy and a economic power structure that is designed to favor multinational corporate development while marginalizing active and caring citizens who simply want to know what is going on in their communities, much less have a say in how it gets done.


No wonder smaller agencies, such as Mt. Shasta City and Siskiyou County, with limited capacity and resources, shirk from their duty to protect public interests and go with the default, albeit defunct, mechanisms of the status quo.

Because the EDA is mandated to review project proposals in a comprehensive manner, and prohibited from advancing fragmented components of projects to avoid environmental review, I trust that your assistance of the treatment plant upgrade will be predicated upon adherence to federal and state environmental quality laws, thereby ensuring the durability of the grant itself and well as economic development associated with the treatment plant improvements.

Unfortunately, many of the project components remain obscure, due to non-transparency and short timelines between announcements requesting public comment and relevant document availability. From what I was able to gather, I request that you pursue the following course of action in response to Mt. Shasta City's EDA 2015 grant application; Prepare an Environmental Impact Statement (EIS) to assess the direct, indirect and cumulative impacts of the proposed industrial development to be connected to Mt. Shasta City's Waste Water Treatment Plant, and request that the City revise their grant application to include the Crystal Geyser Water Company's project components in their treatment plant upgrades.

I fully support every point raised in Mt. Shasta Tomorrow's very thorough comment letter to the EDA in regard to this matter. Thankfully, this region is well endowed with natural assets and has many opportunities for community revitalization and sustainable economic development, which you will hopefully get a chance to see in the "alternatives analysis" of the EIS. I urge you to ensure the efficacy of this project by requiring the highest level of environmental review possible.

Thank You.

Angelina Cook
Resilient Watershed & Community Advocate
(530) 926-5655 office


Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:45 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Our EDA Grant and Crystal Geysers/Letter of Concern

From: Christina Gerber [REDACTED]
Sent: Thursday, November 12, 2015 7:12 AM
To: Good, Stan; FitzGerald, Shannon
Subject: RE: Our EDA Grant and Crystal Geysers/Letter of Concern

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

Stan Good
Project Engineer
Economic Development Administration
SGood@eda.gov

November 12, 2015

Dear Shannon & Stan,

The EDA grant is greatly appreciated, however what is problematic is the rush to construct a new facility or additions to the existing facility, prior to understanding the true needs of the community and the ratepayers' willingness to soon become indebted for the improvements, especially if related to Crystal Geysers (CGWC). The EDA grant is the first step in the inevitable next piece (i.e. acquisition of loans to cover an estimated \$16 million upgrade.)

There are many procedural disconnects evident in this process aside from ENPLAN's Mitigated Negative Declaration for the WWTP and the EDA grant.
Some of them are as follows:

1. There is no application by Crystal Geysers (CGWC) to connect to the WWTP, yet they are very involved in the process with the city regarding the new industrial permit application. Apparently there is so much pressure on the City of Mt Shasta that the City has their outside CEQA consultants Pioneer Law Group working on this. This is a good thing, yet citizens are subsidizing this process. The City admits that CGWC has not been forthcoming with estimates of the amount and nature of the effluent anticipated to be produced at the plant. Thus it appears that whatever improvements are undertaken with grant money from the EDA may prove to be inadequate to accommodate the future needs of the industrial consumer. On page 2 of the Preliminary Engineering Report (PER) 3, it states "The project beneficiaries are unchanged from the original Form ED-900". This means that CGWC is still clearly a primary beneficiary.

CG appears to be delaying its formal application so it can evade being connected to the WWTP upgrade, avoid having to pay for portions of that WWTP's CEQA costs, and to avoid more specific disclosure now and later pay mitigation costs for its discharges. I believe there may be a good deal of contention between the City and Crystal Geysers on many points even if the City Council does not admit this publicly.

2. The WWTP improvements will be growth inducing. It is my understanding that that is one of the goals of most EDA grants. The City says it will not induce growth, but clearly if the WWTP is now over capacity in wet weather conditions, there can be no growth and a moratorium would eventually be mandated by the state water board. There appears to be contradictory information in the documentation in that both the Environmental Narrative and the IS/MND state that some growth is being planned for with the WWTP work, yet in another statement they declare that no review is necessary since the work will not be growth inducing.

3. The concept of unlimited groundwater pumping so close to the Headwaters of the Sacramento River elicits justifiable community concern. Last year an important case was won by ELF (Environmental Law Foundation). They issued this press release: "Court Rules Groundwater Protected as Public Trust". Farmers and landowners in Siskiyou County were pumping ground water near the Scott River. See link: <http://www.envirolaw.org/documents/ScottOrderPressReleaseJuly2014.pdf>.

Allowing toxic metals, chemicals and other hazardous waste such as phthalates from plastics to enter one of the main river arteries of Northern California is an idea whose time has passed. Mt Shasta should be the vanguard of enlightened environmental practices. This is why we must look at the larger picture in such a pristine mountain village. The EDA can help make this a reality. Page 8 of the Environmental Narrative states: "With the decline in timber production, tourism is now the core industry and economic generator in the Mt. Shasta area."

The wastewater treatment plant and the interceptor line to the plant cannot be separated and treated as unrelated to the wants of the Crystal Geyser Water Co (a wholly owned subsidiary of parent corporation Otsuka Holdings). The ENPLAN study should encompass the entire wastewater treatment infrastructure, collection system and Crystal Geyser plant. Otherwise it is piecemealing. This is an opportunity for the EDA to make a very significant contribution to the health and well being and sustainable economic growth of the community by addressing these questions. Your encouragement will be greatly appreciated by the public who will then understand that indeed environmental protection is one of your primary goals while also encouraging economic growth.

4. Has the EDA decided to waive the stipulations that are usually part and parcel of the grant awards? If Crystal Geyser decides to leave, will the grant money be in jeopardy? If no new local jobs are created by the project at the WWTP after construction, will the grant requirements still be deemed fulfilled? We know that one of the conditions of EDA funding is that the beneficiary may not use the funds to relocate their business thus creating blight in other communities. There is concern among the public that the EDA might come back and demand the return of the funds under certain conditions as has been done in Redding and in Ford City, PA. What assurances do we have that this will not occur in Mt. Shasta? Link: <http://triblive.com/news/armstrong/8917599-74/borough-debt-eda#axzz3qzE4h3y6>

5. This is quoted from the EDA Project Description prepared by PACE & ENPLAN:
"The City's EDA grant agreement was executed on September 25, 2013. According to EDA guidelines, an implementation project must be under construction within three (3) years of the date of agreement execution, which will be September 2016. There is not enough time between now and then to complete environmental, secure financing, complete a Proposition 218 rate increase, and design the State-Mandated Project improvements to begin construction. Therefore, to avoid losing the grant, it is necessary to phase the State-Mandated WWTP Improvements by implementing a project using EDA funds only."

Is this accurate? Is it not possible to start the clock again NOW once the City's plans are approved, to allow more time for the City to assess the true needs of the community and the distinction between those needs and the wants of the industrial corporation CGWC? Were extensions requested by the City and denied? Is there a true need to rush the project before there is adequate information about the ultimate impacts of full build out of CG? To not address CG is to miss the elephant in the room.

6. In other communities with beverage companies producing sugary effluent, damage has been done to the WWTP infrastructure requiring huge investment by the municipality. See Northampton, MA. Link: http://www.masslive.com/news/index.ssf/2012/03/coke_agrees_to_surcharges_while.html. Also in Apple Valley, Victorville 8/15/15: "The report takes issue with the way Victorville used money from its water department and airport authority accounts to construct an industrial wastewater treatment plant for Dr Pepper Snapple Group." See link: <http://www.vvdailynews.com/article/20150430/NEWS/150439969>
Many bottling operations in other communities have functioned by operating their own onsite wastewater treatment facilities because of the inability of the local community wastewater treatment plants to accept the problematic (quality and quantity) effluent.

7. Please see this link: <http://www.inyoplanning.org/documents/CabinBar-CommentsforPChearingAugust62014.pdf> which discusses the very high levels of barium, arsenic, molybdenum, cadmium, beryllium at the Olancha Crystal Geyser Roxanne plant owned by the same parent company Otsuka Holdings. There is no discussion of the probable origin of the contaminants.


We are justifiably concerned that the City's engineer PACE is recommending disposing of water used at the CG plant without knowing the chemical constituents of the water. Because there is no permit application by CG for connection to the WWTP the city

engineers and public are in the dark about what potential contamination to both the leach field and ultimately the WWTP may be likely. This is an opportunity for the EDA to require that CG release this information as part of the EA. To do otherwise is metaphorically equivalent to building a structure with no concept of how many occupants and what commercial, residential or industrial activities they plan to engage in when they move in. We want to ascertain that the new UV and filtration facility funded through the EDA grant will be able to handle the worst case scenario of potential effluent constituents. That is why we feel that the entire WWTP system should be addressed in the EIS and EIR process.

There is a document that was circulated by the City of Mt Shasta in 2013, the Pollution Prevention Plan, that addressed the need to look at point sources of contaminants, specifically zinc and copper. This document could be part of the EA attachments as well. I don't believe it was circulated to all residents and businesses located within the sphere of influence of the City. This could be an EDA recommendation. If we are building new infrastructure to manage these metal contaminants in the waste stream, it seems prudent to recommend circulation of the document more broadly as a preventative component of the grant. I believe the community would welcome knowing how they can assist in better management of their personal contribution to effluent headed for the Sacramento River.

Sincerely,

Christina Gerber


A concerned Californian

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:47 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Public input for Mt Shasta wastewater treatment plant
Attachments: Comment to EDA.doc; MusselsClamsBoxCnyn.doc

From: Bard Francis [REDACTED]
Sent: Tuesday, November 10, 2015 4:54 PM
To: FitzGerald, Shannon
Cc: raven
Subject: Public input for Mt Shasta wastewater treatment plant

Greetings to US Department of Commerce Regional Environmental Officer, Fitzgerald:
Attached are two documents concerning the wastewater treatment facilities. Previous documents are considerably incomplete because they deal only with the ground disturbance of building construction. The most important matter is not an acre of land in an influence of other sewage treatment facilities. The industrial poisons need to be monitored before and after the project is done, if indeed it is done at all, considering the poisons put in and documented by the factory before that killed Cold Creek in 2010. This is an even bigger upbuild and intense manufacturing outfit than the Dannon Company. We expect much more effluent.

The most important matter is the poisonous elements (Al, Sr, Ba, As, Pb, etc. proven), compounds thereof, and petrochemical effluents (DEPH, etc.) that will be dumped into the Sacramento river and its associated aquifers under the city, which are used as public and private wells as the Big Springs Aquifer. These hydrocarbons are much more dangerous than the sewage treated with UV, and incredibly persistent and likely to cause permanent damage to municipal backup and private water supplies.

I object to these poisons being dumped into the state-famous trout stream and killing it, not to mention having to drink them when the local city springs fall behind the local demand and the city wells are used.

There are over 37 documents under my name which are FOIA accessible as proof/supplementaries of what I am saying. They are in possession of the Mt Shasta City Council as input to the proposed factory and its wastewater disposal proposals. Many others exist from other private and legal sources. You should get a good look at the big picture of this project and its effects.

Documents submitted 11/10/15 by
Francis Mangels, [REDACTED]



This email has been checked for viruses by Avast antivirus software.
www.avast.com

Comment to EDA:

11/8/15

From Francis Mangels concerning the TES wildlife and plants near the sewage treatment facility and groundwater/fisheries effects.

For the record, an official USFS document exists concerning the old Roseburg millsite on the south end of Mt Shasta. I wrote the document as a GS-11 Wildlife Biologist. This is a brief summary. It is included here by reference.

The old nearby radio tower is used consistently by Osprey and occasionally by Bald Eagles. The main factor seems to be whichever species gets the site first in nesting season. This is the only tall structure in the area, as trees were logged years ago. The nesting site is thus in great demand. The other two tree sites were destroyed by vandals in 2000-2008, and made a political statement. I investigated the sites. This site is steel, and on private property where they likely could not get a clear shot at it out of public hearing. I filed the report to USFS, Mt Shasta, Mike Hupp, District Ranger.

Sensitive plant pallid birds beak, *Cordylanthus tenuis pallida* could also be present.


The physical site is generally inconsequential to most terrestrial plants and wildlife due to its relatively small size and close association with an existing facility. Not so in aquatics.

The document has a significant error. Many species of TES mollusks live immediately below the effluent pipeline to the river. USFWS documents reveal about 25 undescribed species which should qualify for endangered status in the river below the pipeline effluent site. I have read this document several times and it is on file at the USFS. These 30 species should be protected. **The data was given at the city council in 2014 so the data is on file and has been ignored by the document writers.**

The aquifer in this area is significantly polluted by the old Roseburg mill site, notably due to motor wastes and electrical power station petro-wastes. This is documented.

While UV exposure can be very effective to kill biological pathogens, they do nothing to eliminate poisonous elements and some organic compounds. Merely killing pathogens is not good enough. The wastes proposed to be treated will yet contain some very serious poisons to trout and wildlife not to be inflicted on the upper Sacramento ecology, or the economic benefits of local trout fishing and water recreation, or the people of Dunsmuir. The effects may also reach to Shasta Lake and Redding.

I find the document incomplete and in error and needs correction. Has previous input been ignored? Does it exist in the city record as requested and filed at the meetings? A video record exists.

Francis Mangels, 

Pace Engineering and Mt Shasta City Council:

Nov. 15, 2014, ammended

This is my document #37 concerning Otsuka Crystal Geyser and the proposed pollution and water removal via the interceptor pipeline. All are included by reference here.

This documents the history of Gastropods and Pelecypoda below the proposed outlet in Box Canyon. TES species are present. As some of these species grow slowly and live over 50 years, they are likely present but will be difficult to locate except by an expert.

I request to be present when the "expert" conducts the searches. My experience of Nov. 12, 2014 indicates the employees of Pace Engineering are ignorant of local invertebrates and inadequate for some of the higher life forms of TES species. Hire an outside expert who is familiar with gastropods and their habitat, notably the following:

PELECYPODA

Anodonta californiensis, California floater has been recorded above and below Box Canyon dam, USDA data.

Gonidea angulata, western ridged mussel, Dick Irrizarry and I found this one in the upper McCloud River, Squaw Valley creek, and it was also found in the Upper Sacramento.

Margaritifera falcata, western pearl shell, is in McCloud River, and again, Irrizarry and possibly Joe Zustak (both USFS) knew the locations of this one in the upper Sacramento.

Pisidium ultramontanum, fingernail clam, or something very like it, has been documented above and below Lake Siskiyou and Trinity River. I have seen them, and collected some for the USFS, but nobody responded to me with a verification of species other than that they were fingernail clams. Possibly some more were located in 2014.

See biologist files in USFS STNF Mt. Shasta and Redding.

GASTROPODA

Fluminicola seminalis, nugget pebblesnail, is documented in Sacramento River above Dunsmuir. I have seen them. See biologist files USFS in Mt. Shasta for the above. The document includes MS City Park Springs, where pollution has killed 99% of *O. nigrina*. *Fluminicola? spp.* About 20-25 very rare and undescribed mollusk species are noted in the same documents. These should be endangered species but have been low priority due to no threats until now with Crystal Geyser effluent proposed. These should be protected as unique species. Some are in springs and have recolonized the river since the RR Spill. *Corbicula fulminea*, Asian clam, is present in the Upper Sacramento, but is of no concern except as an invasive species. I have seen this one commonly above the dam.

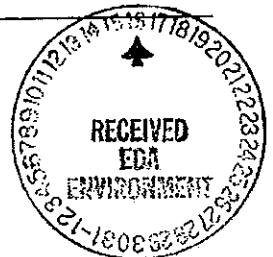
About five TES terrestrial mollusks are in the pipeline route, but I have not searched for them. These should be searched and not have typical dismissal.

Francis Mangels, [REDACTED]

Retired USDA scientist 35 years, USFS RW&F biologist, BS Forestry, MS Zoology
CC: Mt Shasta City Council, Richard Lis USFWS [REDACTED] November 15, 2014.
Andrew Jensen of CA DFG notified by phone [REDACTED] on 11/2/15 and earlier. No
response. USFS no response, said, "You are not worth a reply," from ranger Napper.

Bard Francis

From: "Bard Francis" [redacted]
To: <sfitzgerald@eda.gov>
Cc: "raven" [redacted]
Sent: Tuesday, November 10, 2015 4:54 PM
Attach: Comment to EDA.doc; MusselsClamsBoxCryn.doc
Subject: Public input for Mt Shasta wastewater treatment plant



Greetings to US Department of Commerce Regional Environmental Officer, Fitzgerald:

Attached are two documents concerning the wastewater treatment facilities. Previous documents are considerably incomplete because they deal only with the ground disturbance of building construction. The most important matter is not an acre of land in an influence of other sewage treatment facilities. The industrial poisons need to be monitored before and after the project is done, if indeed it is done at all, considering the poisons put in and documented by the factory before that killed Cold Creek in 2010. This is an even bigger upbuild and intense manufacturing outfit than the Dannon Company. We expect much more effluent.

The most important matter is the poisonous elements (Al, Sr, Ba, As, Pb, etc. proven), compounds thereof, and petrochemical effluents (DEPH, etc.) that will be dumped into the Sacramento river and its associated aquifers under the city, which are used as public and private wells as the Big Springs Aquifer. These hydrocarbons are much more dangerous than the sewage treated with UV, and incredibly persistent and likely to cause permanent damage to municipal backup and private water supplies.

I object to these poisons being dumped into the state-famous trout stream and killing it, not to mention having to drink them when the local city springs fall behind the local demand and the city wells are used.

There are over 37 documents under my name which are FOIA accessible as proof/supplementaries of what I am saying. They are in possession of the Mt Shasta City Council as input to the proposed factory and its wastewater disposal proposals. Many others exist from other private and legal sources. You should get a good look at the big picture of this project and its effects.

Documents submitted 11/10/15 by Francis Mangels, [redacted]

FW Mangels 11/10/15

11/10/2015

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:51 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: EIS for the wastewater treatment plant renovation

From: Beverly Jean Harlan [REDACTED]
Sent: Thursday, November 12, 2015 8:26 AM
To: FitzGerald, Shannon
Cc: Beverly Harlan
Subject: EIS for the wastewater treatment plant renovation

November 12, 2015

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

Dear Ms. Fitzgerald,

While I understand that the City of Mt Shasta must comply with the state water board's permit regulations by 2017, I would encourage the EDA to comply with NEPA regulations in support of an EIS for the wastewater treatment plant renovation. The wastewater collection and management problems here in Mt Shasta's sphere of influence must be addressed as a whole.

We, the public ratepayers, want to be sure that this first grant opportunity is part of a sound investment for the tax payers and for the community. If we are to support the recommendations of PACE Engineering firm, the City's contracted engineers, we must be sure that their work has been vetted by an independent firm and that there was a competitive bidding process. I believe their compensation for this will be over \$500,000 for just this first step to resolve problems of excess amounts of copper and zinc. The additional work required to handle the ammonia pollution may cost an additional \$15 million from what I recall.

As a taxpayer and ratepayer residing in the City, I feel that we should be part of the process from the beginning. Prop 218 requires that the public be consulted before rate increases which will be an obvious result of the planned upgrades. Who is watching out for the public interest? It seems that there

should be adequate time for a public meeting to discuss the long-term implications of both the EDA grant and its relationship to the future planned expansion of the wastewater treatment plant. The additional conundrum introduced by the Crystal Geysers plant's effluent added to the mix is a major driver in the whole collector system / treatment plant proposed project.

Please encourage the City to treat this as one large project and take the necessary steps to demand more information from Crystal Geysers about their intentions and probable generated effluent. Without this larger perspective, the EDA grant-funded addition may be a bandaid that fails to accomplish the goals of keeping the Sacramento River pure and clean.

Sincerely,

Beverly Jean Harlan



Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:51 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Crystal Geysers

From: Carol Jenkins [REDACTED]
Sent: Thursday, November 12, 2015 8:42 AM
To: FitzGerald, Shannon
Cc: Good, Stan
Subject: Crystal Geysers

Dear Shannon and Stan,

As a resident of Mt. Shasta I am still very concerned about how waste from the Crystal Geysers chemical facility will be handled. I am concerned that the community has no way of knowing the chemical constituents of the water used at the CG plant. Because there is no permit application by CG for connection to the WWTP, the city engineers and public are in the dark about what potential contamination to both the leach field and ultimately the WWTP may be likely. The community needs the EDA to require the release of this information by Crystal Geysers as part of the EA. ***Please help the community get the information we need to care for our beautiful area. The disposal of contaminated waste water could effect our environment!***
Thank you for your consideration.

Sincerely,
Carol Jenkins

Carol Jenkins
caroljenkinsphd.com
caroljenkinsart.com

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:53 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Public Comments on EDA \$3,000,000 Grant for City of Mt. Shasta

From: [REDACTED]
Sent: Thursday, November 12, 2015 9:38 PM
To: Good, Stan; FitzGerald, Shannon
Subject: Public Comments on EDA \$3,000,000 Grant for City of Mt. Shasta

November 12, 2015

U.S. Department of Commerce
Economic Development Administration
Regional Director A. Leonard Smith
915 Second Avenue, Room 1890
Seattle, WA 98174

U.S. Department of Commerce
Economic Development Administration
Regional Environmental Officer
915 Second Avenue, Room 1890
Seattle, WA 98174

Dear Regional Director Smith, Mr. Good and Ms. Fitzgerald,

Having lived in close proximity to the Crystal Geyser beverage property for forty years, my neighbors and I have witnessed a lot of changes, abuse and some restoration to the Crystal Geyser/Spring Hill property over the years. Given the size of this project, we are appealing to all agencies involved in the opening of the Mt Shasta Crystal Geyser plant that a thorough Environmental Impact Report be required of this entire project. Also, any further grant monies by the EDA to help this project along should only be awarded after an environmental review of the entire project has been completed. Thank you.

Sincerely,

Randy Bofinger
[REDACTED]

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:56 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: EDA comments
Attachments: Dear Regional Director Smith.docx

From: shannon hacker [REDACTED]
Sent: Friday, November 13, 2015 3:43 PM
To: FitzGerald, Shannon
Subject: EDA comments

Dear Regional Director Smith, Mr. Good and Ms. Fitzgerald, November 13, 2015

The operation of the new proposed Crystal Geysler bottling plant in Mount Shasta, California, is essentially an act of terrorism. The many implications of its full-scale operation may be the causative agents of the largest environmental disaster this area has known to date. Additionally, such a business is a first step to a complete economic and situational occupation of this entire area by a foreign-held multinational corporation.

This would not be the first time such an occupation has occurred in the state of California. Santa Barbara, California, and the surrounding area 100 miles north and 20 miles south are, at the date of this writing, controlled almost entirely by the Mitsubishi Motor Corporation. Every major employer in the Santa Barbara area is indebted to this foreign creditor and the local bank was sold to this corporation in 2010 when Santa Barbara Bank and Trust became Union Bank Japan. Through Union Bank, the Mitsubishi Motor Corporation holds more than ten billion U.S. dollars in residential and commercial real estate paper in the Santa Barbara area, including all the large-scale apartment buildings, which provide work force rental housing.

As you can easily see, the purchase of Tri-Counties and Scott Valley Banks is certainly well within the reach of Otsuka Pharmaceutical, as is the future development of the Mount Shasta area by their dictates. Clearly, the interests of Mount Shasta residents or even our nation at large are not the first concern of multinational conglomerates such as Otsuka Pharmaceutical. Are we not all well aware that the profit motive is the first concern of all such corporate entities, be they foreign or national? Furthermore, said profits belong to Otsuka Pharmaceutical and Otsuka Holdings, while resultant costs fall in large part on Mount Shasta residents.

Perhaps the issue is not a lack of awareness, but the conflict of interest embodied by our new Mayor of Mount Shasta, Jeffrey Collings, a former 10 year Coca Cola executive who also founded the Mission Communications Company which is involved with monitoring wastewater and water for municipalities all around the U.S. and Canada. While at this point in time he is listed as advisory only for this company, I am not alone in the opinion that he should recuse himself on any votes related to Crystal Geysler and the WWTP monitoring systems.

These are the over-arching reasons why an EIR and an EIS must be done carefully and in full integrity. Our city and county government cannot afford to side step the review process for seeming short-term gain, convenience, or any other larger economic benefit. The potential costs to the Mount Shasta environment, social community and economics of the state of California are too great to let the few regulatory protections we have be piecemealed or otherwise inadequately performed.

Sincerely,

Shannon Noorzad
A concerned citizen

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:56 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Crystal Geysers Mt Shasta

From: Laraine Lewis [REDACTED]
Sent: Tuesday, November 10, 2015 9:33 AM
To: FitzGerald, Shannon
Subject: Crystal Geysers Mt Shasta

Dear Ms. Fitzgerald: I am a [REDACTED] resident of Mt. Shasta for 25 yrs, and I am concerned about this CG plant and the latest news regarding the proposed upgrade to the Lassen substation So Old Stage Rd which is clearly required for CG's plant operation as one of the three lines will go directly to their plant. Why hasn't CG applied for a wastewater treatment permit which is required. Who will pay for this and how will it benefit the people? I understand the City of Mt Shasta is searching for an interceptor line to accommodate the plant's needs. Who will pay for this and again, how will it benefit the public.

All of these pieces are being put in place, and still CG avoids its responsibility to this communitywhere is the EIR?

Sincerely, Laraine Lewis

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:57 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: EDA grant - Mt. Shasta / Crystal Geysers
Attachments: EDA letter Fitzgerald from Karen Rogers.docx

From: Karen Rogers [REDACTED]
Sent: Friday, November 13, 2015 5:00 PM
To: FitzGerald, Shannon
Subject: EDA grant - Mt. Shasta / Crystal Geysers

Sent from Finest Planet WebMail.

Shannon Fitzgerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

November 12, 2015

RE: EDA grant to City of Mt Shasta Wastewater Treatment Plant UV and Filtration Facility

Dear Ms. Fitzgerald,

I am writing to request that you authorize a full EIS in compliance with NEPA regulations and also that you recommend a full EIR that is CEQA compliant as well. You are undoubtedly aware of the serious controversy surrounding the Otsuka Holdings (parent company of Crystal Geysers Water Company ~CGWC) project in Mt. Shasta. Without an upgraded and greatly expanded wastewater treatment facility and collection system this project cannot go forward.

Yet the foreign corporation, possibly with encouragement from the City and County, have proceeded to tear down foundations, add boilers and air conditioning systems, generators and propane tanks, all without environmental review. The City and County maintain that all permits to date have been ministerial and do not merit discretionary CEQA review. This is the opportunity for the federally funded EDA to step up and assist in remedying a seriously flawed regional review process. But wait there's more.

We also see that the CPUC has posted a public notice in the 11/11/15 Herald related to a new Lassen Substation clearly required for CGWC'S desire for more than 4 times the power used by the prior plant owner CocaCola. The public posting is in violation of CEQA guidelines on many grounds. CGWC is never mentioned, the street is misnamed, even the name Lassen might lead people to believe that the project doesn't involve Mt Shasta, but Lassen or Shasta County. There is clearly a problem that seems to grow daily with all agencies refusing to reveal the corporate welfare associated with the whole Crystal Geysers project. This is relevant because

the public will be left to pay the increases in sewer and power rates and taxes to subsidize a resource extractive corporation, CGWC/ Otsuka.

Others have submitted detailed analyses of the problems associated with this WWTP grant. I prefer to address the broader issue of proper environmental review and CEQA compliant protocol. My background is extensive. I was a consultant Siskiyou County for ten years working in solid waste management and recycling. My degree is from UC Berkeley in Conservation of Natural Resources. I have acted as consultant and have supervised grants over 30 years. I have resided in Siskiyou County and follow closely all projects related to our water and wastewater in addition to other general environmental issues.

It is clear to me that the attempt of CGWC, the City of Mt Shasta, Siskiyou County and now PacifiCorp and the CPUC, to avoid CEQA is not good planning practice and can be identified as piecemealing. The intention of CEQA and NEPA is to protect the environment and the public from unconstrained growth that impacts quality of life and endangers the health and welfare of the community. What is needed is for all agencies to cooperate in a full environmental review of what is clearly a growth-inducing WWTP expansion to accommodate a foreign corporation. WATER (We Advocate Thorough Environmental Review) has filed a lawsuit in Siskiyou County.

Please check these links to see the extensive press coverage regarding piecemealing and failure of all agencies to address the community concerns:

<http://www.sfgate.com/science/article/Crystal-Geyser-sued-over-bottling-plant-that-6465184.php>

<http://www.nbcbayarea.com/news/california/Group-Sues-Over-Crystal-Geyser-Bottled-Water-Plant-California-Drought-322986141.html>

<http://capitalandmain.com/latest-news/issues/environment/mount-shasta-lawsuit-message-to-a-bottler-0826/>

<http://www.desertsun.com/story/news/environment/2015/08/26/suit-targets-companys-plans-calif-bottling-plant/32448909/>

<http://www.latimes.com/local/lanow/la-me-ln-mount-shasta-water-bottling-20150825-story.html>

W.A.T.E.R. Files Lawsuit Against Crystal Geysers and Siskiyou County

Crystal Geysir improperly segments environmental review for its electric powerline enlargement EDA Grant to Benefit Crystal Geysir
<http://www.mtshastanews.com/article/20150930/NEWS/150939946/-1/Top%20Stories> Wednesday 9-23-15 - The latest developments on Crystal Geysir's EIR
Crystal Geysir's plastic pollution

Surely this should be sufficient indication that the EDA grant, which will facilitate CGWC's operation, must be considered in light of the extreme controversy surrounding water extraction in emergent drought in California. There is virtually no snowpack (5% of normal and this is now described as a 1200 year drought by those scientists who read tree rings.

In appreciation for your efforts to protect our water, our rivers and streams as well as to contribute to growth at a safe and reasonable pace in a small mountain town.

Sincerely,

Karen Rogers



Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:58 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Crystal Geysers Running Amuck in Mt Shasta CA

From: David Moss [REDACTED]
Sent: Friday, November 13, 2015 1:19 PM
To: FitzGerald, Shannon; Vicki Gold
Subject: Crystal Geysers Running Amuck in Mt Shasta CA

Dear Shannon,

Imagine this for a moment.

It is one of the severest droughts in memory in Northern California. Things are so bad that Governor Jerry Brown has declared state of emergency and has worked for months to regulate and control the use of the states water. People who use the water: municipalities, farmers, fishers and recreational users, all have to reduce and take into account these new regulations to conserve water.

During this time a Japanese Company that owns one of the largest water bottling companies in the nation decides it is time to open a plant on the flanks of Mt Shasta California and decides to suck up the millions of gallons of water from this mountain without an Environmental Impact report. This plant is less than 1/2 mile from the headwaters of the great Sacramento River, and all the state agencies who are supposed to protect the public from uncontrolled misuse of the water in the state suddenly, when it comes to the unchallenged plans of Crystal Geysers, look the other way?

What is going on people?

Where are our public watchdogs when we need them??

David Moss,
[REDACTED]

"I am not called to do great things, only little things with great love." M. Theresa

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:58 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: EDA response to Mt Shasta Grant

From: Tomoko Matsushita [<mailto:t@tphotography.com>]
Sent: Friday, November 13, 2015 12:15 PM
To: FitzGerald, Shannon
Subject: EDA response to Mt Shasta Grant

Shannon FitzGerald

Regional Environmental Officer

Economic Development Administration

915 Second Avenue, Room 1890

Seattle, WA 98174

Phone: 2062207703

Fax: 2062207657

E-mail: sfitzgerald@eda.gov

Dear Ms. Fitzgerald,

As a Japanese citizen who has resided in California for many years, I am disturbed by the attempt of Otsuka Pharmaceutical Co (Crystal Geysers Water Co) to come to Mount Shasta to mine the water. The Japanese themselves are suffering from the same type of invasion by the Chinese corporations that go to Japan to extract and export water which is in abundant supply in Japan. With global warming, greenhouse gasses and plastic pollution virtually everywhere in landfills and oceans, the carbon

footprint of shipping water from Weed and Mt Shasta to Japan is enormous. I am sad to see this in a lovely small town like Mt Shasta.

Many Japanese tourists come here for respite from crowded urban lifestyles. They love the quiet peaceful atmosphere of this small village and they are always shocked to hear that a huge Japanese corporation is trying to take the water without environmental studies. They have great respect for the Indigenous people here, the Winnemem Wintu Tribe, and are supportive of their efforts to stop this plant from taking water so close to the headwaters of the Sacramento River and their sacred birthplace.

This town attracts people from all over the world because of its quiet charm and beautiful rivers and streams, a hikers paradise. The expansion of the wastewater treatment plant to accommodate Crystal Geysers is not in harmony with the nature of this place. Some towns should remain small and quiet. Tourism is the most important industry here. I am a photographer and love taking my friends on journeys up the mountain and on the river. The idea of many noisy diesel trucks carrying plastic water bottles and juice and teas, possibly damaging the headwaters of the Sacramento River and beyond, plus affecting the tranquility of the region, breaks my heart. This is not a good business.

Please take more time and do a complete study before expanding the wastewater treatment plant. It may not be necessary or desired by the community. They would have to pay for it in rate increases to cover loans, and in loss of quality of life. See these links to grasp the controversial nature of the Crystal Geysers plant.

www.dailykos.com/story/2015/09/29/1425910/WinnememWintuChief-LeadsRallyandMarchAgainstMtShastaCrystalGeysersPlant

<http://www.indybay.org/newsitems/2015/10/01/18778315.php>

Thank you for considering the best future for our community.

Tomoko Matsushita

Mt Shasta

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 6:59 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Crystal Geysers Mount Shasta
Attachments: CG.doc

From: Ackerman, Sherry [REDACTED]
Sent: Friday, November 13, 2015 11:49 AM
To: FitzGerald, Shannon; Good, Stan
Subject: Crystal Geysers Mount Shasta

I have attached a letter of concern regarding the proposed opening of Crystal Geysers Water company (CGWC) in Mount Shasta, California for your sincere consideration. Thank you so much.



Dr. Sherry L. Ackerman
Philosophy and Psychology
530-938-8888

Dear Ms. FitzGerald and Mr. Good,

I am an academic (*Emeritus*, Norwich University, Northfield, Vermont) who relocated to South Siskiyou County, California, about twenty years ago. I chose this area consciously, because it offered a pristine natural environment that was unsullied by the corporate advance of most of the rest of the Country. California professed to have a high environmental standard and that appealed to me. I expected to find an environmental commitment comparable to that of Vermont, without winter temperatures of thirty below zero.

My experience has been daunting. I have watched California standards incrementally move away from environmental commitment toward economic development. Whereas I understand that eco-pragmatism involves resource management for the highest number of people, I cannot acquiesce to major industrial projects moving forward without Environmental Impact Reviews (EIR/EIS).

The impetus for a complete and unbiased EIR/EIS is strong in the Mount Shasta community. Our City Council and County Board of Supervisors, in their zeal for economic development, have attempted to downplay the scope of the request for environmental intervention. This is very short-sighted, as the potential impact that Crystal Geysers poses to the community is grave. People of means, who have the ability to leave the area, will do so. Thus, the area will experience a "brain drain" and become another post-environmental industrialized zone. Real estate values will plummet as the better homes will be sold early in the game as the conscious, professional population moves on. We are already seeing the forewarnings of this in the area. Most of the better neighborhoods have many, many residences for sale. The local Community College enrollment is at an historic low. The downtown is no longer robust.

While the area continues attempting to attract eco-tourism, via the Rails to Trails project and related undertakings, it will be working against the unpleasantness of noise, air, water and truck pollution as a large-scale industrial project unfolds without any review or proposed mitigation. The bigger picture is to tender South Siskiyou County a sacrifice zone for an extraction concern that has no vested interest in the future of the local community.

I have read through the list of problems with the project and am staggered at the enormity of oversights that have occurred. I feel that it is in the best interest of the community and its residents...as well as the environment at-large....to ask that this project be thoroughly reviewed.

Thank you for your consideration of this matter.

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 7:01 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Mt. Shasta

From: [REDACTED]
Sent: Friday, November 13, 2015 11:36 AM
To: FitzGerald, Shannon
Subject: Mt. Shasta

Thank you for this opportunity to speak up for the City of Mt. Shasta and the on going issues with Crystal Geysers.

The people who have written to you are far more educated and clear in their ability to let you know the scope of the problems with water, the treatment facility and Mt. Shasta. As a citizen wanting to protect the unique environment of Mt. Shasta, I totally agree with Vicki Gold and the engineers who have written. I just wanted to let you know that there are many who would speak up if they had the background that allowed them to speak to you in a more scholarly manner.

Thank you for your consideration for this special town and location in Northern California.

Sincerely, Shanta Gabriel

May all beings live in Peace, Harmony and Wellbeing: And so it is.

Blessings, Shanta

www.ShantaGabriel.com

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 7:02 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Mount Shasta

From: [REDACTED]
Sent: Friday, November 13, 2015 4:54 PM
To: FitzGerald, Shannon
Subject: Mount Shasta

This women is speaking for me and all of us who feel the importance and opportunity of Ecotourism. Even though the City Council does not reflect this forward thinking, It is time to plan a new direction for Mt. Shasta. It is not like everywhere else, nor even like other parts of Siskiyou County.

Thank you for paying attention to the voice of the people who have a clear vision for a beautiful future for Mt. Shasta. Sincerely, Shanta Gabriel

May all beings live in Peace, Harmony and Wellbeing. And so it is.

Blessings, Shanta
www.ShantaGabriel.com

Shannon Fitzgerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

Dear Ms. Fitzgerald,

Timing is everything regarding this issue of your grant of 3 million dollars for the waste water treatment plant upgrade in Mount Shasta, California. Proper environmental review clearly must include the full build-

out of Crystal Geyser. Their presence as primary beneficiary was clearly the reason EDA granted this money to the City of Mount Shasta.

But as important as the words above is this consideration:

When grants are given for anything, the entire picture of the area must be taken into consideration. We live in an interdisciplinary world.

I have lived in Mount Shasta for over 40 years. I love it here. I raised my family here. They love it here.

Here is why most people come to this mountain to visit or to live:

They come here for spiritual retreat and refuge.
They come here for workshops, retreats and conferences.
They come here for outdoor sports.
They come here for the lakes, rivers, waterfalls and forests.
They come here for the peace of nature.
They come here to feel their soul.
They come here for silence and solace.
They come here for few cars and trucks...and fast pace.
They come here for pristine air.
They come here for the sacred water.

This is a unique area and a sacred gem of natural landscape. It is pristine.

Locally and in the world at large, we need to be looking at what kind of world do we want. We need to be choosing between Purity or Pollution. We are fortunate indeed to have pockets of purity like Mount Shasta to be models.

This year Mount Shasta was chosen as one of the top ten national tourist destinations by ever popular, Lonely Planet Guide. The people are coming up here for nature and purity. They are not coming up here hoping to find developing big multi-national corporations that are polluting, making noise, using plastic, taking the water and shipping it overseas. That is a travesty. It is a crime against nature.

*This precious mountain village could use that 3 million dollars to create a sustainable model of a beautiful world-class cultural center on the large piece land available on the south end of Mount Shasta. It is the perfect location and the perfect timing. Mount Shasta is already a beacon to the world of the direction to be going. We can grow in that way. Radiate to the world.

It is a must to turn the 'denigrated earth environment' around and do what we all know inwardly needs to be done. It is not time to choose polluting industries to support. It is not time to be choosing industries in California to suck the earth dry and leave us barren.

The Purity or Pollution choice as a direction is the same as the 'quality or quantity' of life choice.

It is time to choose quality, purity and beauty! Now is the time.

I have already written up plans for much of what I see: Mount Shasta Global Cultural EcoCenter at The Landing of Mount Shasta. There is a group of citizens that is putting together the plans for this creation. We see an Art Performance Center, a large conference center, an outdoor amphitheater. We see a building with classes educating about green and sustainable living in resonance with the Universal Law of Balance in all of nature. Also envisioned is an Edible Forest Garden as a model for the surrounding grounds with beautiful walkways and places to sit and take in the beauty and pristine energy of the ever important environment. We see this as a model to be shared globally.

After all, we all learned from the space astronauts that all we have in planet earth is 'an environment.' That said, it is crystal clear that we need nothing more than 'earth care.' That needs to be the priority of persons and organizations and businesses everywhere.

The Mount Shasta Global Cultural EcoCenter would draw ever more conscious tourists from around the world to see 'a sustainable model' that they may take back home to promulgate there. A new culture of beauty and purity emerges.

I will add that this land that I am mentioning is currently highly polluted with chemicals from the logging industry that was once there. I have done vast research of Fungi Remediation and I went to a large conference with the world renown researcher in this field. Paul Stamets is preparing the way for a world of wonder and quality in his understanding of the mushroom remediation of soil. We may use that new 'biological' assistance to purify this land. That, in turn, will become part of 'the teaching' out of the center's educational facility.

This center would draw increased conscious tourists year round to use motels, bed and breakfasts, vacation rental businesses, coffee and tea houses, restaurants, gas stations.

Huge numbers of workshops, retreats, conferences are already happening here with people coming from all over the world. There are nature tour businesses. There are outdoor sports businesses. We even have a growing group called Mount Shasta EcoVillage. And there is another birthing EcoVillage in the county. There are a growing number of art galleries, as well. There have been endless alternative health and healing businesses and centers here for decades. The people are creating their own right livelihoods.

Mount Shasta currently has 6 crystal shops that have been operating for years in this tiny village. That speaks directly to what is happening here at the mountain. People love nature. People need nature.

Anybody who is paying attention would see that Mount Shasta has been on the map for four decades for national and international conscious tourism. People want to find their center. Nature can help with that! It is clear to me that the purpose of this mountain is as a pristine refuge.

I did not intend to write more than a short paragraph. I have written this because I feel that Now is the Time for us all to gather and find ways to let go of the old paradigm of taking from the earth and find ways to promulgate the new culture of being one...with this one biological being that we already are.

Let us be in resonance with this beauty.

Let us be guardians.
Let us be care takers.
Let us be vigilant.
Let us be visionary.
Let us be Vision Keepers.

Now is the Time.

Thank you for your consideration of Mount Shasta as a conscious global tourist destination.

In Beauty,
Mary

Mary Saint-Marie, mystic artist, writer, poet, spiritual educator
www.marysaintmarie.com <<http://www.marysaintmarie.com/>>
www.EarthCareGlobalTV.com <<http://www.earthcareglobaltv.com/>>

***animation meditation:** *Holy Sight for the Earth and for the Sky,*
that the Realm of the Real may be seen and opened to and acted upon...
<http://www.youtube.com/watch?v=3FFqsgcUUgE>

* **2 minute video clip on Earth Care** , by Mary Saint-Marie, Invitation to
a profound unification of earth care through the people's network
<https://www.youtube.com/watch?v=oPgzzyJiuo>

----- End of Forwarded Message

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 7:03 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Criteria for WWTP upgrades for The City of Mount Shasta/RE: Crystal Geysers Drink Manufacturing Plant Dear Regulators: We are a small mountain Community with a population of 3500 people. We must take responsibility for our community as part of our VOLUNTEER

From: Gaylin Linx [REDACTED]
Sent: Friday, November 13, 2015 5:00 PM
To: FitzGerald, Shannon; Good, Stan
Subject: Criteria for WWTP upgrades for The City of Mount Shasta/RE: Crystal Geysers Drink Manufacturing Plant Dear Regulators: We are a small mountain Community with a population of 3500 people. We must take responsibility for our community as part of our VOLUNTEER...

Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov
Stan Good
Project Engineer
Economic Development Administration
SGood@eda.gov

Criteria for WWTP upgrades for The City of Mount Shasta/RE: Crystal Geysers Drink Manufacturing Plant

Dear Regulators:

We are a small mountain Community with a population of 3500 people.

We must take responsibility for our community as part of our

VOLUNTEER efforts. We each must have jobs that sustain our families.

Then we must become experts to plead our case for what makes sense in the

environment we know so well.

When I first moved here in 1988, I was one of three

Mount Shasta citizens
who read a city notice
on out bulletin board outside city hall.

I traveled to Redding to visit with Jim Rohrbach, at the Northern California Water Control Board.

Our water treatment plant at that time was sending effluent through a pipeline, under Interstate I5,
over to a leachfield which was
designed with several monitoring wells; above and below the leach field.

Our stretch of the Upper Sacramento River, into which our
waste water effluent is sent was at a drought level of flow.

We petitioned Jim Rohrbach, (Since retired) to have effluent sent a month earlier than usual and to have the WWTP
output sent to the leach fields for a month
after the usual times.

Jim ordered "fish kill" tests. Results showed fish in danger in The Upper Sac.

Our Water Quality Control Board then issued orders to have the effluent sent to the
leach fields sooner in the spring and
later in the summer.

Now we are faced
with understanding our Next Iteration of a new and improved
water treatment plant.

We also have to understand multi-national corporate
politics.

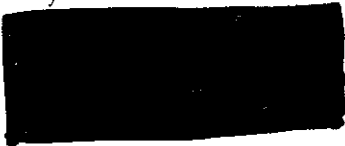
I ask that you appreciate the necessity
of complete EIS and EIR's being completed

according to CEQA and NEPA, I ask that you help we
citizen water stewards do due diligence by ordering complete

EIR and EIS studies before any water treatment next level

planning for our water treatment plant is designed.
We need to know that our appreciation of our landscape and
waterscape has relevance for the health of our ecosystem.
Please let us know that our public agencies appreciate citizen activism and do the science that need to be done.

Thank you,
Gayin Linx



that all the work we have been doing
for years will
be augmented by today's scientific understanding of water treatment and healthy rivers'
necessities
will be addressed by "The Big Guys, who have NOT' the intimate knowledge we Mount Shasta citizwns have been
building.

\\ Gayin Linx

"Planetary Life~Cycle Planning
For Water,
Because
We All Live Down~~Stream"

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 7:04 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Deadline tomorrow Nov 12th at 5pm for letters to the EDA re: Mt Shasta grant

From: Linda Michelle Hardy [REDACTED]
Sent: Friday, November 13, 2015 11:17 AM
To: Good, Stan; FitzGerald, Shannon
Subject: Re: Deadline tomorrow Nov 12th at 5pm for letters to the EDA re: Mt Shasta grant

Here is my letter
To Whom it may Concern
Regarding Nestlé bottle water company at Shasta

On Nov 12, 2015 11:51 AM, "Linda Michelle Hardy" <michelleoomy@gmail.com> wrote:

DEAR EPA report engineers

I am a retired Grade 2 Wastewater Treatment Plant Operator California ...
from Sacramento Regional Wastewater treatment plant 1999.

I have been closely following this matter concerning the groundwater extraction permits for Crystal Geysers Corp at the Headwaters of the Sacramento River.

Regardless of the ridiculous proposal at its face value ...even more shameful is the idea that to propagate this proposal this ... sham.... use of a limited resource to JUSTIFY building a Wastewater treatment plant ...that isn't needed for any current or foreseeable demand .in the community it's proposed for.... it's especially for crystal geysers extraction operations...

I understand this facility will be using a lot of sugar resulting in a very large organic load...how are they talking about mitigation for this giant organic load ?

Leach Field s located within hundred of YARDS from the headwaters ?

This whole issue is a horrible waste of community resources for the profit of an individual corporation

To sign ones

name to a report for this purpose is for a, Water person....

You guys ...a travesty

There are no valid reasons to justify building this facility ..only shortsighted greed.

The community of Mt Shasta ..the people the ...land ...the plants and creatures who inhabit this unique environment depend on Your voices of science and reason to protect them from Attack

The proposed Crystal Bottle juice plant is Mt Shastas' Waterloo ...

Don't allow it to happen..

Do your due diligence ...

Use current science and knowledge of your region to come to the only logical conclusion

This project has no place in Siskiyou County...

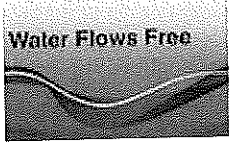
Protect the Watershed it's your job.

PAX

Linda Michelle Hardy

St. Pauls Episcopal Church est 1849
Sacramento California

On Nov 12, 2015 10:30 AM, "Vicki Gold" [REDACTED] wrote:



Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: [206-220-7703](tel:206-220-7703)
Fax: [206-220-7657](tel:206-220-7657)
sfitzgerald@eda.gov
Stan Good
Project Engineer
Economic Development Administration
SGood@eda.gov

November 11, 2015

Dear Shannon & Stan,

There are many procedural disconnects evident in this process aside from ENPLAN's Mitigated Negative Declaration for the WWTP and the EDA grant. I'll address those first.

The EDA grant is greatly appreciated, however what is problematic is the rush to construct a new facility or additions to the existing facility, prior to understanding the true needs of the community and the ratepayers' willingness to soon become indebted for the improvements, especially if related to Crystal Geysers (CGWC). The EDA grant is the first step in the inevitable next piece (i.e. acquisition of loans to cover an estimated \$16 million upgrade.)

1. There is no application by Crystal Geysers (CGWC) to connect to the WWTP, yet they are very involved in the process with the city regarding the new industrial permit application. Apparently there is so much pressure on the City of Mt Shasta that the City has their outside CEQA consultants Pioneer Law Group working on this. This is a good thing, yet citizens are subsidizing this process. The City admits that CGWC has not been forthcoming with estimates of the amount and nature of the effluent anticipated to be produced at the plant. Thus it appears that whatever improvements are undertaken with grant money from the EDA may prove to be inadequate to accommodate the future needs of the industrial consumer. On page 2 of the Preliminary Engineering Report (PER) 3. it states "The project beneficiaries are unchanged from the original Form ED-900". This means that CGWC is still clearly a primary beneficiary.

CG appears to be delaying its formal application so it can evade being connected to the WWTP upgrade, avoid having to pay for portions of that WWTP's CEQA costs, and to avoid more specific disclosure now and later pay mitigation costs for its discharges. I believe there may be a good deal of contention between the City and Crystal Geysers on many points even if the City Council does not admit this publicly.

2. While there is still mention of Crystal Geysers as the Primary Beneficiary of the grant in attachments, there is no mention of them in the Environmental Narrative although they are mentioned in the draft Initial Study/ MND. The problems identified with using the Crystal Geysers leach field persist. We hear rumors that they are planning to use the leach field and will probably be given a pass by the Central Valley Regional Water Quality Control Board. (Also see #8. below) Many people feel that the prior operators of the Dannon and later CocaCola plant contaminated the aquifer by relying on the leach field.

3. The WWTP improvements will be growth inducing. It is my understanding that that is one of the goals of most EDA grants. The City says it will not induce growth, but clearly if the WWTP is now over capacity in wet weather conditions, there can be no growth and a moratorium would eventually be mandated by the state water board. There appears to be contradictory information in the documentation in that both the Environmental Narrative and the IS/MND state that some growth is being

planned for with the WWTP work, yet in another statement they declare that no review is necessary since the work will not be growth inducing.

4. Everyone knows that there is substantial controversy surrounding the Crystal Geysers plant. There have been dozens of letters to the editor in the Mt Shasta Herald. The statewide press has covered it extensively. The local jurisdictions seem unwilling to accept responsibilities associated with being a lead agency. There is in effect no applicant, no proponent, no identifiable clear project. There now a completely re-tooled building, with new concrete poured, foundation altered, equipped and near ready to operate, except with no connection to the wastewater treatment plant, inadequate power to accomplish their goals of production of plastic bottles, teas, juices. ***This is not an example of best practices or compliance with either the letter or the intent of CEQA or NEPA law. We feel an EIS is necessary.***

The concept of unlimited groundwater pumping so close to the Headwaters of the Sacramento River elicits justifiable community concern. Last year an important case was won by ELF (Environmental Law Foundation). They issued this press release: "Court Rules Groundwater Protected as Public Trust". Farmers and landowners in Siskiyou County were pumping ground water near the Scott River. See link: <http://www.envirolaw.org/documents/ScottOrderPressReleaseJuly2014.pdf>.

People are waking up. Allowing toxic metals, chemicals and other hazardous waste such as phthalates from plastics to enter one of the main river arteries of Northern California is an idea whose time has passed. ***Mt Shasta should be the vanguard of enlightened environmental practices. This is why we must look at the larger picture in such a pristine mountain village. The EDA can help make this a reality.*** Page 8 of the Environmental Narrative states: "With the decline in timber production, tourism is now the core industry and economic generator in the Mt. Shasta area."

The wastewater treatment plant and the interceptor line to the plant cannot be separated and treated as unrelated to the wants of the Crystal Geysers Water Co (a wholly owned subsidiary of parent corporation Otsuka Holdings). The ENPLAN study should encompass the entire wastewater treatment infrastructure, collection system and Crystal Geysers plant. Otherwise it is piecemealing. This is an opportunity for the EDA to make a very significant contribution to the health and well being and sustainable economic growth of the community by addressing these questions. Your encouragement will be greatly appreciated by the public who will then understand that indeed environmental protection is one of your primary goals while also encouraging economic growth.

5. Has the EDA decided to waive the stipulations that are usually part and parcel of the grant awards? If Crystal Geysers decides to leave, will the grant money be in jeopardy? If no new local jobs are created by the project at the WWTP after construction, will the grant requirements still be deemed fulfilled? We know that one of the conditions of EDA funding is that the beneficiary may not use the funds to relocate their business thus creating blight in other communities. There is concern among the public that the EDA might come back and demand the return of the funds under certain conditions as has been done in Redding and in Ford City, PA. What assurances do we have that this will not occur in Mt. Shasta? Link: <http://triblive.com/news/armstrong/8917599-74/borough-debt-eda#axzz3qzE4h3y6>

6. This is quoted from the EDA Project Description prepared by PACE & ENPLAN:
"The City's EDA grant agreement was executed on September 25, 2013. According to EDA guidelines, an implementation project must be under construction within three (3) years of the date of agreement execution, which will be September 2016. ***There is not enough time between now and then to complete environmental, secure financing, complete a Proposition 218 rate increase, and design the State-Mandated Project improvements to begin construction. Therefore, to avoid losing the grant, it is necessary to phase the State-Mandated WWTP Improvements by implementing a project using EDA funds only.***"

Is this accurate? ***Is it not possible to start the clock again NOW once the City's plans are approved***, to allow more time for the City to assess the true needs of the community and the distinction between those needs and the wants of the industrial corporation CGWC? ***Were extensions requested by the City and denied? Is there a true need to rush the project before there is adequate information about the ultimate impacts of full build out of CG?*** To not address CG is to miss the elephant in the room.

7. In other communities with beverage companies producing sugary effluent, damage has been done to the WWTP infrastructure requiring huge investment by the municipality. See Northampton, MA. Link: http://www.masslive.com/news/index.ssf/2012/03/coke_agrees_to_surcharges_while.html. Also in Apple Valley, Victorville 8/15/15: "The report takes issue with the way Victorville used money from its water department and airport authority accounts to construct an industrial wastewater treatment plant for Dr Pepper Snapple Group." See link: <http://www.vvdailynews.com/article/20150430/NEWS/150439969>

Many bottling operations in other communities have functioned by operating their own onsite wastewater treatment facilities because of the inability of the local community wastewater treatment plants to accept the problematic (quality and quantity) effluent.

8. Please see this link: <http://www.inyoplanning.org/documents/CabinBar-CommentsforPChearingAugust62014.pdf> which discusses the very high levels of barium, arsenic, molybdenum, cadmium, beryllium at the Olancha Crystal Geysers Roxanne plant owned by the same parent company Otsuka Holdings. There is no discussion of the probable origin of the contaminants.

We are justifiably concerned that the City's engineer PACE is recommending disposing of water used at the CG plant without knowing the chemical constituents of the water. Because there is no permit application by CG for connection to the WWTP the city engineers and public are in the dark about what potential contamination to both the leach field and ultimately the WWTP may be likely. ***This is an opportunity for the EDA to require that CG release this information as part of the EA.*** To do otherwise is metaphorically equivalent to building a structure with no concept of how many occupants and what commercial, residential or industrial activities they plan to engage in when they move in. We want to ascertain that the new UV and filtration facility funded through the EDA grant will be able to handle the worst case scenario of potential effluent constituents. That is why we feel that the entire WWTP system should be addressed in the EIS and EIR process.

There is a document that was circulated by the City of Mt Shasta in 2013, the Pollution Prevention Plan, that addressed the need to look at point sources of contaminants, specifically zinc and copper. This document could be part of the EA attachments as well. I don't believe it was circulated to all residents and businesses located within the sphere of influence of the City. This could be an EDA recommendation. If we are building new infrastructure to manage these metal contaminants in the waste stream, it seems prudent to recommend circulation of the document more broadly as a preventative component of the grant. I believe the community would welcome knowing how they can assist in better management of their personal contribution to effluent headed for the Sacramento River.

Again, please understand that the community is indeed grateful that you have allowed the grant money to be applied to needed improvements at the WWTP for compliance with NPDES regulations. We want to take advantage of the opportunity to fine tune the review process and to capture as much data as possible in order to be certain that the new engineering technology will last for many years and serve the needs of the community.

Thank you for reviewing these comments,

Respectfully submitted,

Vicki Gold

Water Flows Free

Mt Shasta

NB: See these two following documents which are extracted from records of emails recently received from the City of Mt Shasta. They illustrate the complexities resulting from the CGWC project.

Paul Eckert

To: Tim's Gmail; Geoff Harkness

Cc: Paul Reuter (preuter@paceengineering.us)

Subject: Phone Conference

Date: Friday, October 02, 2015 8:14:07 AM

Greetings Mayor and Tim;

Three related areas of concern for today's conference call with CG:

1) Leach Field use for the system flush and bottled water operation – Rod and I talked with several folks at the RWQCB this week regarding the CG leach fields. George Lowe is the staff specialist. George indicated he requested CG provide him the constituent matter for the flush and the sparkling water. He was very clear that the RWQCB did not reject the CG leach field use request and only asked for the flow characteristics. He said CG has gone quiet and he hasn't heard a word during the three to four week period since their conversation. PACE believes the City has no choice but to request the same effluent characteristic information. PACE believes CG should use the Industrial Users Application Form as a basis for sharing of the effluent information prior to the City accepting their effluent.

2) It's also important to note the City has informed CG they appear to have an illegal connection. At some point we need to hear from them about how the connection was made. Either they connected it or it was connected prior to the CG property purchase. If it was connected prior to purchase it seems it would have been identified as a disclosure or verified during CG's due diligence.

3) Jeff Collings has talked with CG at length about the need for a packaged treatment plant that operates from truck trailers. Jeff is convinced it's the best way to solve any concerns regarding the leach field use for bottled water.

Thank you for your assistance. Let us know if we should address other topics with CG.

Paul Eckert, City Manager
305 N. Mt Shasta Blvd
Mount Shasta, CA 96067
Phone (530) 926-7510

www.mtshastaca.gov

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From: Paul Reuter <preuter@paceengineering.us>
Sent: Thursday, September 24, 2015 11:13 AM
To: Paul Eckert
Subject: RE: CG Flush Water

We told them we didn't feel comfortable with them flushing water in light of the

- The political ramifications surrounding it.
- The fact that the industrial waste discharge permit won't be considered u
- The fact that they have an illegal connection.

We suggested they use trucks and disperse on the ground, irrigate landscaping or

Paul J. Reuter, P.E.
Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us
Ph: 530-244-0202

On Nov 12, 2015, at 10:27 AM, Linda Michelle Hardy [REDACTED] wrote:

Yes
I tried to open the attachment but I couldn't

Where do I send the comments ?

I'll have it finished By am tommorrow
Linda

On Nov 12, 2015 9:52 AM, "Vicki Gold" [REDACTED] wrote:
Will you send me a copy of the letter please too?

Vicki
On Nov 12, 2015, at 7:43 AM, Vicki Gold [REDACTED] wrote:

Thank you so much Linda!!!! Let anyone whom you think might write even a very short letter know that they do count the letters and I am sure Shannon wants to do a good job and represent the concerns of the community (from conversations with her).

Vicki
On Nov 12, 2015, at 6:46 AM, Linda Michelle Hardy [REDACTED] wrote:

Ok Vicki
I'll get mine in.
Linda

On Nov 11, 2015 11:52 PM, "Vicki Gold" [REDACTED] wrote:

From: Vicki Gold [REDACTED]
Subject: Deadline tomorrow Nov 12th at 5pm for letters to the EDA re: Mt Shasta grant
Date: November 11, 2015 11:47:10 PM PST
To: Vicki Gold [REDACTED]

Hello Friends of Mount Shasta,

There is still time to send email letters addressing concerns that a full EIR should be undertaken for the Wastewater Treatment Plant Upgrade. We feel that Crystal Geysers effluent (quality and quantity) must be considered in the scoping and plans for the \$16 million facility as well as for the \$3million grant for the Ultra-Violet (UV) disinfection and filtration facilities. The growth inducing aspects of the work at the wastewater treatment plant must be addressed as well. Please see my attached letter.

Always in Gratitude,
Vicki
Water Flows Free

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 7:05 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Message to Ms. Shannon Fitzgerald / Mount Shasta

From: Mary Saint-Marie [REDACTED]
Sent: Friday, November 13, 2015 9:53 AM
To: FitzGerald, Shannon
Subject: Message to Ms. Shannon Fitzgerald / Mount Shasta

Shannon Fitzgerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

Dear Ms. Fitzgerald,

Timing is everything regarding this issue of your grant of 3 million dollars for the waste water treatment plant upgrade in Mount Shasta, California. Proper environmental review clearly must include the full build-out of Crystal Geysers. Their presence as primary beneficiary was clearly the reason EDA granted this money to the City of Mount Shasta.

But as important as the words above is this consideration:

When grants are given for anything, the entire picture of the area must be taken into consideration. We live in an interdisciplinary world.

I have lived in Mount Shasta for over 40 years. I love it here. I raised my family here. They love it here.

Here is why most people come to this mountain to visit or to live:

- They come here for spiritual retreat and refuge.
- They come here for workshops, retreats and conferences.
- They come here for outdoor sports.
- They come here for the lakes, rivers, waterfalls and forests.
- They come here for the peace of nature.
- They come here to feel their soul.
- They come here for silence and solace.
- They come here for few cars and trucks...and fast pace.
- They come here for pristine air.
- They come here for the sacred water.

This is a unique area and a sacred gem of natural landscape. It is pristine.

Locally and in the world at large, we need to be looking at what kind of world do we want. We need to be

choosing between Purity or Pollution. We are fortunate indeed to have pockets of purity like Mount Shasta to be models.

This year Mount Shasta was chosen as one of the top ten national tourist destinations by ever popular, Lonely Planet Guide. The people are coming up here for nature and purity. They are not coming up here hoping to find developing big multi-national corporations that are polluting, making noise, using plastic, taking the water and shipping it overseas. That is a travesty. It is a crime against nature.

*This precious mountain village could use that 3 million dollars to create a sustainable model of a beautiful world-class cultural center on the large piece land available on the south end of Mount Shasta. It is the perfect location and the perfect timing. Mount Shasta is already a beacon to the world of the direction to be going. We can grow in that way. Radiate to the world.

It is a must to turn the 'denigrated earth environment' around and do what we all know inwardly needs to be done. It is not time to choose polluting industries to support. It is not time to be choosing industries in California to suck the earth dry and leave us barren.

The Purity or Pollution choice as a direction is the same as the 'quality or quantity' of life choice. It is time to choose quality, purity and beauty! Now is the time.

I have already written up plans for much of what I see: Mount Shasta Global Cultural EcoCenter at The Landing of Mount Shasta. There is a group of citizens that is putting together the plans for this creation. We see an Art Performance Center, a large conference center, an outdoor amphitheater. We see a building with classes educating about green and sustainable living in resonance with the Universal Law of Balance in all of nature. Also envisioned is an Edible Forest Garden as a model for the surrounding grounds with beautiful walkways and places to sit and take in the beauty and pristine energy of the ever important environment. We see this as a model to be shared globally.

After all, we all learned from the space astronauts that all we have in planet earth is 'an environment.' That said, it is crystal clear that we need nothing more than 'earth care.' That needs to be the priority of persons and organizations and businesses everywhere.

The Mount Shasta Global Cultural EcoCenter would draw ever more conscious tourists from around the world to see 'a sustainable model' that they may take back home to promulgate there. A new culture of beauty and purity emerges.

I will add that this land that I am mentioning is currently highly polluted with chemicals from the logging industry that was once there. I have done vast research of Fungi Remediation and I went to a large conference with the world renown researcher in this field. Paul Stamets is preparing the way for a world of wonder and quality in his understanding of the mushroom remediation of soil. We may use that new 'biological' assistance to purify this land. That, in turn, will become part of 'the teaching' out of the center's educational facility.

This center would draw increased conscious tourists year round to use motels, bed and breakfasts, vacation rental businesses, coffee and tea houses, restaurants, gas stations.

Huge numbers of workshops, retreats, conferences are already happening here with people coming from all over the world. There are nature tour businesses. There are outdoor sports businesses. We even have a growing group called Mount Shasta EcoVillage. And there is another birthing EcoVillage in the county. There are a growing number of art galleries, as well. There have been endless alternative health and healing businesses and centers here for decades. The people are creating their own right livelihoods.

Mount Shasta currently has 6 crystal shops that have been operating for years in this tiny village. That speaks directly to what is happening here at the mountain. People love nature. People need nature.

Anybody who is paying attention would see that Mount Shasta has been on the map for four decades for national and international conscious tourism. People want to find their center. Nature can help with that! It is clear to me that the purpose of this mountain is as a pristine refuge.

I did not intend to write more than a short paragraph. I have written this because I feel that Now is the Time for us all to gather and find ways to let go of the old paradigm of taking from the earth and find ways to promulgate the new culture of being one...with this one biological being that we already are.

Let us be in resonance with this beauty.
Let us be guardians.
Let us be care takers.
Let us be vigilant.
Let us be visionary.
Let us be Vision Keepers.

Now is the Time.

Thank you for your consideration of Mount Shasta as a conscious global tourist destination.

In Beauty,
Mary

Mary Saint-Marie, mystic artist, writer, poet, spiritual educator
www.marysaintmarie.com
www.EarthCareGlobalTV.com

**animation meditation: Holy Sight for the Earth and for the Sky,
that the Realm of the Real may be seen and opened to and acted upon...*

<http://www.youtube.com/watch?v=3FFqsgcUUgE>

** 2 minute video clip on Earth Care , by Mary Saint-Marie, Invitation to
a profound unification of earth care through the people's network*

<https://www.youtube.com/watch?v=oPgkzzyJiuo>

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 7:05 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Message to Ms. Shannon Fitzgerald / Mount Shasta

Follow Up Flag: Follow Up
Due By: Friday, November 27, 2015 10:52 AM
Flag Status: Flagged

From: Angelique Pera [REDACTED]
Sent: Friday, November 13, 2015 11:31 AM
To: FitzGerald, Shannon
Subject: Re: Message to Ms. Shannon Fitzgerald / Mount Shasta

Ms Fitzgerald,

Since I can't begin to say this as eloquently as Mary St. Marie. I am sending her letter as my letter to you. This is sent with the deep wish that you read this from your heart with Mt. Shasta's best interests in mind. Please!

Thank you,

Angelique Pera,

Psychotherapist
[REDACTED]

On Nov 13, 2015, at 9:56 AM, Mary Saint-Marie <marysaintmarie@finestplanet.com> wrote:

Shannon Fitzgerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

Dear Ms. Fitzgerald,

Timing is everything regarding this issue of your grant of 3 million dollars for the waste water treatment plant upgrade in Mount Shasta, California. Proper environmental review clearly must include the full build-out of Crystal Geysers. Their presence as primary beneficiary was clearly the reason EDA granted this money to the City of Mount Shasta.

But as important as the words above is this consideration:

When grants are given for anything, the entire picture of the area must be taken into consideration. We live in an interdisciplinary world.

I have lived in Mount Shasta for over 40 years. I love it here. I raised my family here. They love it here.

Here is why most people come to this mountain to visit or to live:

They come here for spiritual retreat and refuge.
They come here for workshops, retreats and conferences.
They come here for outdoor sports.
They come here for the lakes, rivers, waterfalls and forests.
They come here for the peace of nature.
They come here to feel their soul.
They come here for silence and solace.
They come here for few cars and trucks...and fast pace.
They come here for pristine air.
They come here for the sacred water.

This is a unique area and a sacred gem of natural landscape. It is pristine.

Locally and in the world at large, we need to be looking at what kind of world do we want. We need to be choosing between Purity or Pollution. We are fortunate indeed to have pockets of purity like Mount Shasta to be models.

This year Mount Shasta was chosen as one of the top ten national tourist destinations by ever popular, Lonely Planet Guide. The people are coming up here for nature and purity. They are not coming up here hoping to find developing big multi-national corporations that are polluting, making noise, using plastic, taking the water and shipping it overseas. That is a travesty. It is a crime against nature.

*This precious mountain village could use that 3 million dollars to create a sustainable model of a beautiful world-class cultural center on the large piece land available on the south end of Mount Shasta. It is the perfect location and the perfect timing. Mount Shasta is already a beacon to the world of the direction to be going. We can grow in that way. Radiate to the world.

It is a must to turn the 'denigrated earth environment' around and do what we all know inwardly needs to be done. It is not time to choose polluting industries to support. It is not time to be choosing industries in California to suck the earth dry and leave us barren.

The Purity or Pollution choice as a direction is the same as the 'quality or quantity' of life choice. It is time to choose quality, purity and beauty! Now is the time.

I have already written up plans for much of what I see: Mount Shasta Global Cultural EcoCenter at The Landing of Mount Shasta. There is a group of citizens that is putting together the plans for this creation. We see an Art Performance Center, a large conference center, an outdoor amphitheater. We see a building with classes educating about green and sustainable living in resonance with the Universal Law of Balance in all of nature. Also envisioned is an Edible Forest Garden as a model for the surrounding grounds with beautiful walkways and places to sit and take in the beauty and pristine energy of the ever important environment. We see this as a model to be shared globally.

After all, we all learned from the space astronauts that all we have in planet earth is 'an environment.' That said, it is crystal clear that we need nothing more than 'earth care.' That needs to be the priority of persons and organizations and businesses everywhere.

The Mount Shasta Global Cultural EcoCenter would draw ever more conscious tourists from around the world to see 'a sustainable model' that they may take back home to promulgate there. A new culture of beauty and purity emerges.

I will add that this land that I am mentioning is currently highly polluted with chemicals from the logging industry that was once there. I have done vast research of Fungi Remediation and I went to a large conference with the world renown researcher in this field. Paul Stamets is preparing the way for a world of wonder and quality in his understanding of the mushroom remediation of soil. We may use that new 'biological' assistance to purify this land. That, in turn, will become part of 'the teaching' out of the center's educational facility.

This center would draw increased conscious tourists year round to use motels, bed and breakfasts, vacation rental businesses, coffee and tea houses, restaurants, gas stations.

Huge numbers of workshops, retreats, conferences are already happening here with people coming from all over the world. There are nature tour businesses. There are outdoor sports businesses. We even have a growing group called Mount Shasta EcoVillage. And there is another birthing EcoVillage in the county. There are a growing number of art galleries, as well. There have been endless alternative health and healing businesses and centers here for decades. The people are creating their own right livelihoods.

Mount Shasta currently has 6 crystal shops that have been operating for years in this tiny village. That speaks directly to what is happening here at the mountain. People love nature. People need nature.

Anybody who is paying attention would see that Mount Shasta has been on the map for four decades for national and international conscious tourism. People want to find their center. Nature can help with that! It is clear to me that the purpose of this mountain is as a pristine refuge.

I did not intend to write more than a short paragraph. I have written this because I feel that Now is the Time for us all to gather and find ways to let go of the old paradigm of taking from the earth and find ways to promulgate the new culture of being one...with this one biological being that we already are.

Let us be in resonance with this beauty.
Let us be guardians.
Let us be care takers.
Let us be vigilant.
Let us be visionary.
Let us be Vision Keepers.

Now is the Time.

Thank you for your consideration of Mount Shasta as a conscious global tourist destination.

In Beauty,
Mary

Mary Saint-Marie, mystic artist, writer, poet, spiritual educator
www.marysaintmarie.com
www.EarthCareGlobalTV.com

***animation meditation:** *Holy Sight for the Earth and for the Sky,*
that the Realm of the Real may be seen and opened to and acted upon...

<http://www.youtube.com/watch?v=3FFqsgcUUgE>

* 2 minute video clip on Earth Care , by Mary Saint-Marie, Invitation to a profound unification of earth care through the people's network
<https://www.youtube.com/watch?v=oPgzzyJiu>

Kong, Stephen

From: FitzGerald, Shannon
Sent: Wednesday, November 25, 2015 7:09 PM
To: Kong, Stephen
Cc: Smith, A. Leonard; Good, Stan
Subject: FW: Please help save Mt Shasta
Attachments: Mt Shasta Zahn Scott.pdf

The attachment is a hardcopy of another letter from Zahn Scott.

From: Zahn LaScot [REDACTED]
Sent: Friday, November 13, 2015 1:16 PM
To: FitzGerald, Shannon
Subject: Please help save Mt Shasta

Shannon Fitzgerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

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Let us be visionary.
Let us be Vision Keepers.


Now is the Time.

Thank you for your consideration of Mount Shasta as a conscious global tourist destination.

Lots of Love & Appreciation,

Zahn 🐼

"We can get knowledge from college, 'knowing' from Source, but wisdom comes from expansive, conscious living..."
Zahn

Facilitator of Divine Energy Sessions
Author of "R.O.L.L. With It!"
Uplifting, Spiritual Messenger
Website: ZahnsMelange.com


Zahn LaScot



November 12, 2015
Shannon FitzGerald
Regional Environmental Officer
Economic Development Administration
915 Second Avenue, Room 1890
Seattle, WA 98174
Phone: 206-220-7703
Fax: 206-220-7657
sfitzgerald@eda.gov

November 12, 2013

Dear Ms. Fitzgerald,

Are you aware that there were over 200 letters written in response to the original Interceptor Line project Notice of Preparation for an EIR? Are you aware that the community is very supportive of the efforts of WATER (We Advocate Thorough Environmental Review) to demand an EIR? Many cars and businesses post these EIR stickers, apparently to the dismay of Councilman Jeffrey Collings, soon to be Mayor of the City of Mt Shasta. It is reported that he actually visited businesses asking them to remove the signs supportive of a comprehensive environmental review (EIR) for the Crystal Geysers (CGWC) bottling operation. His history as a CocaCola executive may influence his undying support for this extractive industry.

If you haven't received copies of the 200 letters sent related to the Interceptor Line, I suggest strongly that you review those letters as part of the review for the new direction of the EDA grant. There were many letters that covered the wastewater treatment plant and collector system that would still be relevant to this new project. The City has these easily available electronically and I hope that you will consider requesting them. They provide much food for thought.

I am a long time resident, a senior and on a fixed income. I understand that work must be done at the treatment plant to comply with state mandated permit requirements, but I also know the difference between needs and wants. Why should I have to subsidize the cost of a huge \$16 million plant in rates doubled or tripled when the large international Japanese corporation is getting corporate welfare? First they wanted the EDA grant to pay for the Interceptor Line, then they wanted California to subsidize them to the tune of \$235,000 for supposed job creation and investment in Mt Shasta. The City and County have had to pay staff for thousands of hours of work trying to accommodate their wants and we know who pays for this. I believe the city work just on the Interceptor Line was over \$260,000 of city taxpayers' money with NO contribution from CGWC. Your agency is all about business and economic development. ***This is simply bad business practice. No other small town would have become so indebted without demanding compensation from the corporation. It just isn't logical or practical.*** The EDA may have been innocent in this at the beginning, but hopefully by now you see that this is a conundrum, a very complex and unfortunate situation for the community. We don't feel properly represented by the City, County, State or Federal agencies and representatives. We care deeply about our beautiful home village here at the base of one of the most beautiful mountains on earth. Please help us protect the mountains, the Sacramento River and our quality of life.

Sincerely,

Zahn

Dear Ms. Fitzgerald,

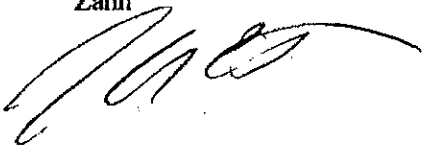
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Sincerely,

Zahn

A handwritten signature in black ink, appearing to be 'Zahn', written in a cursive style with a long, sweeping underline.

From: Vicki Gold [REDACTED]
Sent: Saturday, November 21, 2015 9:08 AM
To: FitzGerald, Shannon
Subject: Mt Shasta EDA grant response

Water Flows Free



Hello Shannon,

I am hoping you will include these comments with the public responses which closed last week. There is new relevant information. PacifiCorp just agreed with our complaint that their public notices were misleading and contained errors that were substantive. While they are reposting their notices in the Mt Shasta Herald on 11/25 and 12/2, I am not convinced that the clock will start over after reading the "public guidelines" online (which win the award for the most user unfriendly document I've ever encountered). The timing of the upgrade at the "Lassen" Substation is clearly driven by the Crystal Geysers operation. As you recall Dianne Feinstein specifically mentioned in her letter of support for the EDA grant that CGWC would provide a substation on their property. This is quite obviously a strategy to avoid CEQA which we have been anticipating having read through all the emails among Siskiyou County, PacifiCorp, GoBiz office and the SCEDC from 2012 and 2013.

I understand that the EDA cannot and should not be the lead agency for an EIR. Yet perhaps a single EIR and EIS, jointly prepared by the EDA and both the County and the City, could provide the necessary review of the various pieces of Crystal Geysers to date secret project puzzle? The City, County and Central Valley Regional Water Quality Control Board claim they have no hooks with which to cause Crystal Geysers to pay for an EIR which would reveal their full operational goals. The City paid lip service to the concept of the EDA grant for the Interceptor Line being the vehicle for the EIR. Yet as we followed all the city council meetings and statements, it was clear that they were not eager to make clear demands of CGWC. Or at least they didn't share them with the public. Perhaps they would actually be relieved if the EDA encouraged proper review. The County has not determined if the permits for the generators are discretionary and thus would trigger the APCD to take the lead. None of us feel the APCD is equipped to handle the overall project. I'm sure you read the article in the Mt. Shasta Herald 9/23/15 in which Judy Yee, at a press conference, states that CGWC will pay for the EIR. Many of us think it was a PR move because of the major water event planned for 9/26/15 at City

Park with so many speakers and the Winnemem Wintu Chief as keynote speaker, addressing our water and the Sacramento River.

A joint EIS/EIR's was recently mentioned in a new court decision issued last week that also involved federal funding. This case revolved around a hotel suing L.A. because of a subway project's environmental impacts:

<http://www.courts.ca.gov/opinions/nonpub/B260855M.PDF>

Today's IV v. Los Angeles County Metropolitan Transp. Authority

Because of partial federal funding for the project, the Federal Transit Administration was required to conduct environmental review pursuant to the National Environmental Policy Act. (42 U.S.C. § 4321 et seq.) Apart from a dispute concerning public record disclosure, plaintiff's challenges arise under the California Environmental Quality Act. (Pub. Resources Code1, § 21000 et seq.) **Under these circumstances, an environmental impact report/environmental impact study must be jointly prepared by federal and local authorities.** (Environmental Protection Information Center v. California Dept. of Forestry and Fire Protection (2008) 44 Cal.4th 459, 472; Cal. Code of Regs., tit. 14, § 15220 et seq. (Guidelines2).) For clarity's sake, the final environmental impact report/environmental impact study will be referred to as the environmental impact report.

(Excerpt from EPIC v. CDFG case):

Because the state SYP and federal HCP contained overlapping and interrelated analyses and provisions, a decision was made to prepare for both of these documents a single joint environmental impact report (EIR) under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) and an environmental impact statement (EIS) under the National Environmental Policy Act (42 U.S.C. § 4321 et seq.).

Bottom line: maybe we could urge the EDA's attorneys to press for the EDA to become the Lead Agency since our local agencies are unwilling?

In my many years of experience in watching local jurisdictions deal with large corporate projects, I have never seen a small town allow itself to become financially so vulnerable to the whims of a corporation with deep pockets. Of the \$262,000 already spent on the Interceptor Line NOP of which \$62,000 was billed to CGWC, not a dime has been paid and the public is left holding this bag. The PacifiCorp project would again leave the ratepayers subsidizing the CGWC's wants for more power. ***If there is anything the EDA can do to extend the time for the grant to be implemented and to encourage the jurisdictions to work together to cause CGWC to comply with statements in its press release in September, they would come out looking like an agency truly responsible and responsive to the public.*** I am aware that the EDA's mission is about economics, community vitality and jobs, yet in extreme drought in a state where everyone knows the challenges we are all facing in California, perhaps this is an opportune moment for the EDA to act as guardian of the public funds and public welfare.

In the excellent film "Thirsty for Justice" linked here: www.ejcw.org even Jerry Brown tells the people suffering in the Central Valley to "go and make me do the right thing". It is about our water; it is about the purity of the Sacramento River; it is about justice. The residents of the City of Mt Shasta have conserved water (45% decreased use per Mayor Harkness at a recent Water Talk). Why should an international Japanese pharmaceutical conglomerate be allowed to take up to 1 million gallons/ day, unregulated and dump up to 750,000 gallons per day into an already challenged collector system and WWTP? I believe the total output daily of Cold Spring that serves the city is 2 million gpd. While it isn't the same spring tapped by the plant, the hard rock lava geology has not been adequately studied. Many independent PhD geologists have concurred that little

is known of the hydrogeology of the area. This CGWC project could give a whole new meaning to the phrase being "left high and dry" here in Mt Shasta.

Thank you for considering these thoughts about transparency, public funding, corporate welfare and the possibility of a solution for a very special community. You don't hear from the hundreds of people on a spiritual path who are praying in their various ways, who never write letters or engage at this level of public government deliberation. I assure you they are there and they are sending light from this beacon of Mount Shasta.

In Gratitude, always,

Vicki Gold

Water Flows Free