

DEPARTMENT OF THE INTERIOR**Bureau of Land Management**

[(ES-960-9800-12) ES-48649, Group 88, Arkansas]

Notice of Filing of Plat of Survey; Arkansas, Suspended

On Thursday, March 13, 1997, there was published in the **Federal Register**, Volume 62, Number 49, on pages 11916 and 11917, a notice entitled, "Notice of Filing of Plat of Survey; Arkansas." Said notice referenced the filing of the plat of the dependent resurvey of the north, south and east boundaries, and the subdivisional lines of Township 2 South, Range 24 West, Fifth Principal Meridian, Arkansas, accepted March 5, 1997.

This plat officially filed on April 21, 1997, is hereby suspended pending the consideration of a protest against the survey.

Dated: April 28, 1997.

Corwyn J. Rodine,

Acting Chief Cadastral Surveyor.

[FR Doc. 97-11952 Filed 5-7-97; 8:45 am]

BILLING CODE 4310-GJ-P

DEPARTMENT OF THE INTERIOR**Bureau of Reclamation****Proposed East Bay Municipal Utility District's Supplemental Water Supply Project, Lower American River, California**

AGENCY: Bureau of Reclamation, Department of the Interior.

ACTION: Notice of intent to prepare an Environmental Impact Statement/Environmental Impact Report.

SUMMARY: Pursuant to the National Environmental Policy Act of 1969 (as amended) and the California Environmental Quality Act (CEQA), the Bureau of Reclamation (Reclamation) and the East Bay Municipal Utility District (EBMUD) propose to prepare a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) on EBMUD's Supplemental Water Supply Project (Project). The Project is intended to enable EBMUD to receive delivery of Central Valley Project (CVP) Water under its water service contract with Reclamation to improve EBMUD's water supply and reliability.

DATES: Written comments on the scope of alternatives and impacts to be considered should be sent to Reclamation by June 16, 1997. It is estimated that the draft EIS/EIR will be

available for public review in the summer of 1997.

ADDRESSES: Written comments on the project scope should be sent to Kurt Ladensack, EBMUD, MS 305, P.O. Box 24055, Oakland California, 94623-1055.

FOR FURTHER INFORMATION CONTACT: Kurt Ladensack, EBMUD, MS 305, P.O. Box 24055, Oakland California, 94623-1055; telephone (510) 287-1154; or Cecil Lesley, Reclamation, 7794 Folsom Dam Road, Folsom California, 95630; telephone (916) 989-7221; TDD (916) 989-7285.

SUPPLEMENTARY INFORMATION: In 1970, EBMUD entered into a water service contract with Reclamation to obtain up to 150,000 acre-feet of water annually from the CVP as a supplementary water supply for its customers. CVP water would be diverted by EBMUD from the Folsom South Canal (FSC). The FSC is a conveyance facility owned by the United States and operated by Reclamation in southeastern Sacramento County. The canal originates at Nimbus Diversion Works (Nimbus) on the American River at Lake Natoma and extends south approximately 26 miles. A turnout near Grant Line Road in Sacramento County, approximately 12 miles south of Nimbus, is the point of water delivery specified in the EBMUD-Reclamation water service contract. Currently, no facilities are in place to allow EBMUD to take water under this contract.

A lawsuit (*EDF v. EBMUD*, Alameda County Case No. 425,955) filed in 1972 by the Environmental Defense Fund (EDF), and intervened by Sacramento County, Save the American River Association, the California Department of Fish and Game, and the California State Lands Commission, sought to prevent EBMUD from taking delivery of American River water through the FSC as provided in the EBMUD-Reclamation water service contract. The plaintiffs' contention was that delivery of water to EBMUD from the FSC under EBMUD's federal contract would reduce downstream flows to the extent that fisheries and other instream resources of the lower American River would be harmed.

On January 2, 1990, the Alameda County Superior Court issued a decision that affirmed EBMUD's right to take delivery under its contract with Reclamation subject to minimum flows being met in accordance with the terms of a Physical Solution. The minimum instream flow levels required under the Physical Solution for the protection of fisheries and other instream resources are:

- 2,000 cubic feet per second (cfs) from October 15 through the end of February;
- 3,000 cfs from March 1 through June; and
- 1,750 cfs from July 1 through October 15.

In its decision, the court also required that use of the Reclamation contract water is to be limited to meeting water supply needs of EBMUD customers within its service area.

Reclamation and EBMUD are considering alternatives for diversion and conveyance of American River water by EBMUD. These alternatives include:

1. The no-action alternative.
2. A joint project between EBMUD, the City of Sacramento, and the Sacramento County Water Agency, which would involve the construction of a new intake-pumping facility and fish screens on the American River near its confluence with the Sacramento River, a pipeline from this diversion to the City's E.A. Fairbairn Water Treatment Plant, a pipeline henceforth to the FSC, and a connection from the FSC to EBMUD's Mokelumne Aqueducts. This alternative would require a change in the point of delivery of water to EBMUD and an amendment to the existing Reclamation contract.
3. A pipeline connection from the FSC at the current contract turnout location near Grant Line Road to the EBMUD Mokelumne Aqueducts. This alternative could be implemented without amending the existing Reclamation contract.

4. A pipeline connection from the terminus of the FSC to the EBMUD Mokelumne Aqueducts near Clements, California. This alternative would require a change in the point of delivery of water for EBMUD and an amendment to the existing Reclamation contract.

5. A pipeline connection from the terminus of the FSC to the EBMUD Mokelumne Aqueducts near Stockton, California. This alternative would require a change in the point of delivery of water for EBMUD and an amendment to the existing Reclamation contract.

Scoping is an early and open process designed to determine the significant issues and alternatives to be addressed in the EIS/EIR. The following significant issues have been identified by Reclamation to date: lower American River fishery effects; water quality; agricultural and municipal water supply quality; lower American River recreation opportunities; construction-related effects on the lower American River, urban areas, and natural habitats; and, wetland, upland, and aquatic habitats.