

DEIRS Ltr#	Cmt#	Comment	Response
1532	5	Environmental impacts to the Trinity River and its fishery, including impacts attributable to climate change are shown in the analyses; both water supply and water temperature impacts are anticipated. The analysis falls short of fundamental requirements under NEPA, as best available information is ignored or misinterpreted in regards to the law of the Trinity River, and as relates to the biology of Trinity River trust resources. In sum, the analyses provide a basis unsuitable for interpreting impacts to tribal fishery assets held in trust by the United States.	<p>The Federal and State Lead Agencies have done their best to make the EIR/EIS for the proposed project as fair, objective, and complete as possible. The Lead Agencies are following the appropriate legal process and are complying with CEQA and NEPA in preparing the EIR/EIS for the proposed project. These agencies readily acknowledge, however, that the document addresses a number of topics for which some scientific uncertainty exists. Such uncertainty can give rise to differing opinions as to what conclusions may be reached.</p> <p>The Lead Agencies strived to use the best available science throughout the effects analysis. The use of specific scientific data and findings was often vetted with fisheries managers to ensure it was the best available. A variety of data were obtained for the proposed project process: quantitative data from peer-reviewed published literature on topics specific to the Plan Area; peer-reviewed published literature outside the Plan Area but on topics relevant to the proposed project; unpublished quantitative data from within the Plan Area and from outside of the Plan Area; qualitative data or personal communication with topical experts; and expert opinion if no other sources were available.</p> <p>A full description of the methodology of the Net Effects analysis, including justification for the qualitative approach, can be found in Chapter 5 of the 2013 Public Draft BDCP, Section 5.2.7.10, Approach for Determining Net Effects on Covered Fish Species, and Section 5.5, Effects on Covered Fish. As indicated in Section 5.2.7.10, "The [BDCP net effects] conclusions represent qualitative judgments of the effects of the BDCP that are grounded in the detailed quantitative and qualitative analyses in the appendices... BDCP net effects conclusions are necessarily qualitative and synthesize results from the more detailed (and often quantitative) analyses found in the appendices to this chapter. While qualitative, the net effects conclusions are derived from a transparent and structured approach. This approach is based on conceptual models that describe the logic and assumptions embedded within the effects analysis."</p> <p>For additional information on proposed project modeling please see Master Response 30.</p>
1532	6	Requirements of the 2000 Record of Decision and 2000 Biological Opinion for Coho salmon are not accounted for in CALSIM, as is also the case for the 1959 water contract between Humboldt County and the Federal Government for annual releases of 50,000 acre feet. In addition, water releases foreseeably required to mitigate fish kills in the lower Klamath flows are ignored. Modeling of flows in several alternatives shows decreases in Lewiston releases from ROD [Record of Decision]-required rates. Minimum carryover storage behind Trinity Dam drops below required levels and minimum flows required by the Record of Decision in Trinity are modeled - erroneously - as equivalent in priority to instream flow targets for other CVP waters. A result of modeling errors is to overestimate volumes of water available for diversion to the Central Valley. In years where both the annual contract water (50TAF) and the lower Klamath supplemental flow volumes (36TAF+) would be required, this overestimate exerts a powerful bias on modeling output, misleading users of the document. Both reliability and volume of water supplies are overstated.	<p>As described in the response to 1532-1, the Draft EIR/EIS recognizes the requirements of the Trinity River Main-stem Fisheries Restoration Record of Decision, as described in Section 5.1.2.1 of Chapter 5, Water Supply; and includes the requirements within the CALSIM II model assumptions, as described in Table B-8 of Appendix 5A, Section B, CALSIM II and DSM2 Modeling Simulations and Assumptions. The CALSIM II model analyses were conducted to evaluate changed conditions under the alternatives as compared to the Existing Conditions and the No Action Alternative for the long-term. Therefore, the model did not include assumptions to respond to emergency situations, such as the recent releases into the Trinity River to improve conditions for fisheries in the lower Trinity and Klamath rivers. In 2015, Reclamation published a Notice of Intent to initiate NEPA analysis of the 50,000 acre-foot flow release; however, that analysis has not been fully defined to a level for consideration in the BDCP EIR/EIS.</p> <p>The CALSIM II results that indicate periods when minimum Trinity River flows and/or Trinity Lake storage cannot be met may differ from real-time operations under stressed water supply conditions. Such model results occur due to the inability of the model to make real-time policy decisions under extreme circumstances or in the future when snowpack may be reduced due to climate change. The CALSIM II model makes month-by-month decisions based on values for that month only. These reductions would be lessened in real-time by making decisions in prior months as well as the current month to manage the actual available water supplies within legal and contractual obligations.</p> <p>For more information on modeling, please see Master Response 30. Regarding mitigation measures, please see Master Response 22. Operational Criteria is discussed in Master Response 28.</p>
1532	7	Impacts described as primarily the result of climate change and future water demand, and therefore not attributable to effects of the alternatives, are nonetheless of great	The 2013 Draft EIR/EIS presents the changes in conditions under the alternatives as compared to conditions under the Existing Conditions and the No Action Alternative. The effects of climate change and future water