

From: JAMES PLETCHER <jdpleth@gmail.com>
Sent: Sunday, January 26, 2014 10:24 AM
To: 'BDCP.Comments@noaa.gov'
Subject: public meetings

Dear Sirs,

I would like you to take note of the fact that the public meetings on BDCP are mostly located in areas that are agriculture heavy, or are in Southern Calif. Areas that would be friendly towards this project. In particular, I note that there is no public meeting in San Francisco or it's immediate environs. I do not count San Jose which is 11/2 hours south. There are many of us in the San Francisco area who would be dramatically affected by further diversions of water beyond the already large amounts that are being sent south to the big farmers in the valley. I would prefer that the native fish and wildlife benefit from our limited water resources rather than wealthy corporate farmers.

Sincerely, James Pletcher MD.

From: Rose Flame <mysecretfires@gmail.com>
Sent: Saturday, January 25, 2014 6:21 PM
To: 'Charles Alexander'
Cc: 'Damon Arthur'; 'Pat Lind'; 'Helene Sisk'; 'Christine Mitchell'; 'Shelly Godfroy'; 'Joan Manning'; 'Matt Doyle'; 'Wayne R. Agner'; 'trinityjournal@dcacable.net'; 'hswriter@frontiernet.net'; 'ecassano@shastalake.com'; 'Ed Smith & Virginia Phelps'; 'Marily Woodhouse'; 'Bruce Ross'; 'Kelly Frost, Sr'; 'Charlene Cheng'; 'Sally & Terry Rapoza'; 'BDCP.comments@noaa.gov'; 'Lauren Bisnett'; 'Pete Lucero'; 'Deborah Jordan'
Subject: Re: BDCP Travelling Road Show (RE: Brian Dahle & water)

Dear Charles,

Thank you for going to this event. I know how completely fraudulent these things can feel.

At the first Bureau of Reclamation meeting at the Holiday Inn last summer, Citizens For Clean Air forced the Bureau to hold a public comment period. When we arrived, Arnie Erickson noticed (from reading the agenda) that the Bureau planned to skip comment. Heidi went up to Brian Person and told him that everyone had read in the last Record Searchlight editorial that they were going to have an opportunity to speak. Mr. Person hemmed and hawed and finally, Heidi threatened him with the crowd if he wouldn't give everyone at least a small opportunity to talk. "You have to," she said, jerking her thumb behind her, "or else ..."

Brian Person heads up the Shasta Dam office. However, this was my friend Heidi Strand, and therefore, he caved in to our demands. What else could he do? Promote tyranny?

If CCA had known that this BDCP meeting was going to be an example of more of the same, we would have sent representatives to help the audience. The notion of a comment period "with the only avenue for oral comment being approx. 25' - 30' away from the nearest display" is completely unacceptable.

Eric Cassano, who runs our Anti-Knauf and 3M Quarry websites, explained that the government is using something called the "Delphi Method" to sell the audience on their pre-made decisions. The point is to make citizens feel small. The Delphi method is based on the assumption that group judgments are more valid than individual judgments.

Here is a link to more on the Delphi Method, if your are interested:

http://en.wikipedia.org/wiki/Delphi_method

Although I am sure that the Delphi Method has *some* valid applications, it has no place in meeting like the one you attended. Individual opinions and ideas need to be solicited with sincerity.

Thank you for attending this meeting. Next time they come to town, it will be on

Solidarnost (Солидарность, "Solidarity"),

Celeste Draisner
Citizens For Clean Air
539-223-0197,

On Sat, Jan 25, 2014 at 4:12 PM, Charles Alexander <sushibar007@hotmail.com> wrote:
 You didn't miss much.

Unlike the USBR's Shasta Dam hearing (at the Holiday Inn) a few months ago, there was no opportunity for hearing of audience-posed questions/comments. Instead, there was a series of displays (all favorable to BDCP, incidentally) -- with the only avenue for oral comment being approx. 25' - 30' away from the nearest display. And that was with a court-reporter seated at a table waiting for people to INDIVIDUALLY, & away from the hearing of all else, provide oral comment.

Frankly, it seemed better for me to concentrate on the organisation of the notes I have taken from my own study of the BDCP Plan Document & of the relevant EIR/EIS.

Damon Arthur was there. So was someone claiming to represent the "Trinity Journal".

Dahle, incidentally, I did not see there, though I was only there for a mere fraction of the time allotted (I left early).

Date: Fri, 24 Jan 2014 17:04:46 -0800
 Subject: Fwd: Fw: Brian Dahle & water
 From: mysecretfires@gmail.com
 To: sushibar007@hotmail.com
 CC: terryrapoza@hotmail.com

Some updates.

----- Forwarded message -----

From: ednva@frontiernet.net <ednva@frontiernet.net>
 Date: Fri, Jan 24, 2014 at 10:24 AM
 Subject: Fw: Brian Dahle & water
 To: Pat Lind <lind_57@yahoo.com>, Helene Sisk <cheedaa12@gmail.com>, Celeste Drasner <mysecretfires@gmail.com>
 Cc: Christine Mitchell <shastademocracy@gmail.com>, Shelly Godfroy <godfroyshelly@yahoo.com>, Joan Manning <jmanning@snowcrest.net>

Good Morning,

Due to a miserable cold I did not attend the water meeting in Redding yesterday. According to the Record Searchlight only 35 people had signed in by 5pm. I do hope more came after work.

Brian Dahle is our Republican assemblyman. I would love to have him be included. If we want people who can make a difference be aware of all of the complexities we need to make sure they get all the information. This would be our opportunity. Check out the email below.

Hope to see you all at the forum on guns tomorrow,

Virginia

----- Forwarded Message -----

BDCP102

From: Christine Mitchell <shastademocracy@gmail.com>

To: Virginia Phelps <ednva@frontiernet.net>

Sent: Wednesday, January 22, 2014 4:10 PM

Subject: Brian Dahle

Hi Virginia,

Frank Treadway said Brian Dahle has said he would like to talk to people about water issues. Dahle is a Republican but he is better than most, I guess.

Frank said to get in touch with this lady, judy.fiorino@asm.ca.gov.

Chris

Christine Mitchell

Shasta County Citizens for Democracy (SCCD)

Chair

530-242-0309

FED UP! FIRED UP!

From: Sabra Simpson <sbrsimpson@gmail.com>
Sent: Saturday, January 25, 2014 11:03 AM
To: 'bdcg.comments@noaa.gov'
Subject: Against Delta Tunnel

Dear Sirs:

The Delta Tunnel is not a water solution and will cause environmental and financial disasters to Californians in a long run. Furthermore, it is not necessary at all. The Tunnel design is politically pre-framed, one-sided, and short-sighted. I am against the Conversation Plan for these reasons: 1) unrealistic high cost 60 billion dollars and rising; 2) environmental ecosystem destruction; 3) water right violation for up-stream residents; 4) climate change may cause further water scarcities for northern CA where no water solution in place for future and may cause no water to put into the tunnels by the time when the twin-tunnels are in operation; 5) southern CA and central valley local water companies already have water projects for their profitable industries; 6) the so-called Conversation Plan does nothing for conversation but profit a few big water companies at the heavy cost of all Californians!

Politically pre-framed evidence: whoever participated in the Delta Conservation Plan has to sign an agreement that allows the Tunnel Design fracking.

One-sided: the Conversation Plan is designed to destroy the Delta and northern California in order to support southern industries, or North against South.

Short-sighted: environmental ecosystem protection should be our priority for years to come, not personal fame or big water companies' interests; agri-business is only about 7% of CA economy but consume more than half of our water; southern and central valley profitable industries already have much better solutions to their water scarcities, such as sea water filtering and water recycling that cost much less money; local water companies will be driven to bankrupts by the rocket high costs. Politically pre-framed evidence: whoever participated in the Delta Conservation Plan has to sign an agreement that allows the Tunnel Design.

One-sided: the Conversation Plan is designed to destroy the Delta and northern California in order to support southern industries, or North against South.

Short-sighted: environmental ecosystem protection should be our priority for years to come, not personal fame or big water companies' interests; agri-business is only about 7% of CA economy but consume more than half of our water; southern and central valley profitable industries already have much better solution to their water scarcities, such as sea water filtering and water recycling that cost much less money; local water companies will be driven to bankrupts by the rocket high costs.

I urge you to stop the Conversation Plan!!!



Mimi Duzenski
Clerk of the Board

BOARD OF SUPERVISORS

44 N. SAN JOAQUIN STREET, SUITE 627
STOCKTON, CALIFORNIA 95202
TELEPHONE: 209/468-3113
FAX: 209/468-3694

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NATL MARINE FISHERIES SVS
SACRAMENTO, CA

RECEIVED

JAN 23 2014

January 21, 2014

The Honorable Governor Jerry Brown
State Capitol, Suite 1173
Sacramento, CA 95814

The Honorable Sarah "Sally" Jewell, Secretary
United States Department of the Interior
1849 C Street, NW
Room 6156
Washington, DC 20240

The Honorable Penny S. Pritzker, Secretary
United States Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

John Laird, Secretary
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

The Honorable Regina A. "Gina" McCarthy,
Administrator
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Room 3000
Washington, DC 20460

Mr. Ryan Wulff
National Marine Fisheries Service
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Governor Brown, Secretaries Jewell, Pritzker and Laird, Administrator McCarthy and Mr. Wulff:

The recent release of the Bay Delta Conservation Plan (BDCP) and the associated Environmental Impact Report and Environmental Impact Statement (EIR/EIS) marks the first time the public can truly review the Plan. Prior to the release of the Public Review Draft EIR/EIS, residents of the greater Sacramento-San Joaquin Bay-Delta region and San Joaquin County have not been provided with a complete and detailed description of the Project, an accurate assessment and characterization of the potential impacts, and the specific elements of a comprehensive mitigation strategy to compensate for the impacts of this massive project. We would hope that this latest iteration of the BDCP will provide these necessary details, but an extensive and detailed analysis is required in order to make that determination.

The spirit of both the California Environmental Quality Act and the National Environmental Policy Act is grounded in fully disclosing the impacts of project actions so that we as a society can make decisions knowing full well the consequences to our communities, our livelihoods, and our environment of those actions. The BDCP and the Public Review Draft EIR/EIS amount to an unprecedented amount of paper, nearly 40,000 pages. Given the size and complexity of the document, the 120-day public comment period is woefully inadequate.

San Joaquin County is one of the communities most affected by the proposed actions of the BDCP, and we believe more time is needed to thoroughly review and comment on the BDCP documents. San Joaquin County respectfully requests that the public comment period for the BDCP EIR/EIS be extended by a minimum of 120 additional days beyond the current 120-day comment period. If you have any questions regarding this matter, please contact Tom Gau, Public Works Director at (209) 468-3100, or me at (209) 468-3113.

Thank you for your favorable consideration of this request.

Sincerely,



Robert V. Elliott, Chairman
San Joaquin County Board of Supervisors

c: San Joaquin County's State Legislative Delegation
San Joaquin County's Federal Legislative Delegation
The Honorable Michael L. "Mike" Connor, Commissioner
United States Bureau of Reclamation
Mr. Gary D. Frazer, Assistant Director
Endangered Species Program
United States Fish and Wildlife Service
Mr. Samuel D. Rauch, III, Assistant Administrator
National Marine Fisheries Service
United States Department of Commerce
Delta Stewardship Council
Delta Protection Commission
Delta Conservancy
Delta Counties Coalition
Delta Coalition
Paul Yoder, State Advocate, Shaw/Yoder/Antwih
Karen Lange, State Advocate, Shaw/Yoder/Antwih
Roger Gwinn, Federal Advocate, The Ferguson Group
Mark Limbaugh, Federal Advocate, The Ferguson Group

BOS01-03

B D C P Comments
Ryan Wulff NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

January 20, 2014

Subject: Bay Delta Conservation Plan

Public Comment Period December 13, 2013 to April 14, 2014

California statehood began in 1850, the beginning of man's efforts to change what Mother Nature had given this area. The Central Valley is drained by the Sacramento River flowing southerly and the San Joaquin River flowing northerly. The waters commingle forming the Delta, thence westerly to the Pacific Ocean at San Francisco.

Google, Dept. Of Water Resources provides some facts and numbers associated with the Delta;

*Area; 1,153 square miles (sm), 737,920 acres.

*Flow of water thru; 30 million +/- acre feet per year, all fresh water.

*Number of "islands"; 57.

*Levees; 1,100 miles.

*Agriculture; 841 sm, (538,240 acres), 73 % of the Delta.

*Undeveloped; 117 sm, (74,880 acres).

*Urban development; 100 sm, (64,000 acres). The 2000 census indicates 515,000 people live in the Delta.

*Rivers, streams, sloughs and waterways; 95 sm, (60,800 acres), 700 miles.

I feel confident that earthquakes occurred in prior times. I am not aware of any evidence of sea water intrusion into the Delta.

The "islands" were the accumulation of peat / detritus from tule, bulrush and other aquatic growth. The "islands" were not 'dry land.' Farmers found a favorable growing environment to feed the new gold mining operations. The first step in farming is to prepare for planting by clearing the land. Clearing the land exposed the "island's" surface to drying. Oxidation of the peat material reduced its volume and strong winds carried away the detritus in large dark clouds. The result was a gradual lowering of the "island's" surface. To protect the farming operations, soil was deposited adjacent to the water's edge, forming "levees." Today the surface of the "islands" have lowered as much as 25 feet below sea level.

Example: Upper Jones Tract, 18.75 sm (12,000 acres), land use – agriculture operations. It is reported that the surface is 3 meters (10 feet) below sea level. This "island" is protected by soil "levees." On June 3, 2004 the "levee" was

breached. Over the next several days 150,000 acre feet (190 million cubic meters) of fresh water covered the property. Note: 150,000 acre feet of water will serve 300,000 homes / families for one year. It took 3 weeks to repair the breach and another 5 months to de-water. It is my understanding that on June 2, 2004, the day before the breach, Upper Jones Tract could be purchased for \$1.2 million, i.e., \$100 per acre. I do not know the financial burden to the tax payers for the repair and de-watering. I expect the cost was several million dollars.

The goal of the Bay Delta Conservation Plan is ecosystem restoration, water supply reliability and storage and related projects. This includes construction of 30 miles long twin tunnels under the Delta. The initial cost estimate for the Delta Plan was \$12 billion (B). The latest cost estimate is \$25 B.

It is obvious that today's situation is man made. We should return the Delta to Mother Nature's care to sustain our human population.

Consider: Delta "islands" of agriculture, 841 sm, and undeveloped, 117 sm, i.e., total 958 sm, 83 % of the Delta.

Suggestion: Public ownership of these 958 sm of Delta "islands." It would be beneficial to breach the "levees" at multiple locations, not all at the same time. This action would remove the twin tunnels from consideration, and negate the threat of earth quake damage to "levees" along with salt water intrusion into the Delta. This would also expand ecosystem restoration by 958 sm. The tax payers would be on the win-win side this time.

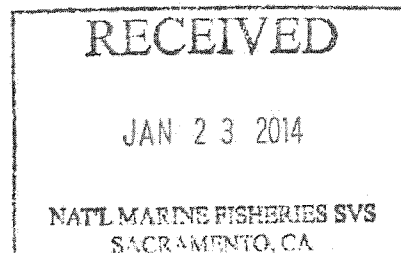
Consider: The existing fish screens at the pumping facilities near Tracy. These fish screens are amazingly effective, not 100 % efficient as Fish and Wildlife (F & W) would like. The demonstrated efficiency should exude gratitude and praise from F & W for the extremely small capture, (eye witness).

Consider: One of the invasive species introduced into Delta waters was the bass, a sporting fish. Bass should be "Fished Out." This would allow the endangered Delta Smelt room to survive.

Don Hauser
1917 N Dwight Av.
Camarillo, CA
93010-3852
805-482-5282

Don Hauser

cc: Gov. J. Brown
Sen. J. Brownley (26)
Rep. J. Gorell (44)



1-14-14

Dear Mr. Wuff,

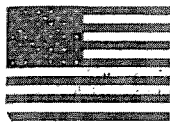
Would you please represent the people of Northern California and stop all of the political movements that is going to rob us of our beautiful Delta water & fishing. All of us enjoy it for boating & water skiing.

Southern California has it all, but they want more! We already gave up water with the Delta-Mendota Canal, but they want more!

Please Mr. Wuff, take a stand for the people. Stop the dirty politics! I'm 75 yrs old & want my children, grandchildren & greats to enjoy "our" Delta.

Sincerely, Shirley Schmeiser
709 3398603

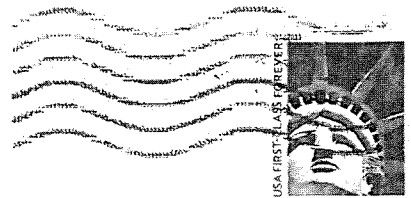
BDCP 106



Shirley Schmierer
646 N. Loma Dr.
Lodi, CA 95242-2236

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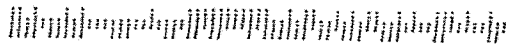


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JAN 21 2014

NAT'L MARINE FISHERIES SVS
SACRAMENTO, CA

BDCP
Attn: Ryan Wuff, Nat'l Fishery Serv.
650 Capitol Mall, Ste. 5-100
Sacramento CA 95814



December 17, 2013

Bay Delta Conservation Plan
P.O. Box 1919
Sacramento, CA, 95812

To Whom It May Concern:

We have recently received your correspondence addressed to The Honorable Nancy Pyle, though we wish to inform you that she is no longer the councilmember representing the City of San Jose's 10th District, since her final term expired in 2012. Councilmember Johnny Khamis was sworn into office January 1, 2013, and is currently representing the 10th District on the City Council. Please update your records accordingly.

Thank you, in advance, for your assistance.

Sincerely,



Enrique Navarro-Donnellan
Intern – District 10

From: JockScot@comcast.net
Sent: Friday, January 24, 2014 1:48 PM
To: 'BDCP.comments@noaa.gov'
Subject: BDCP EIR/EIS Question

Hello,.... Is there any info/reference contained in the BDCP EIR/EIS on the potential impact of proposed upstream diversion of water on the documented decline of pelagic organisms in the Bay/Delta??? If so, where can I read it??

Thanks for your help,

Darian Calhoun

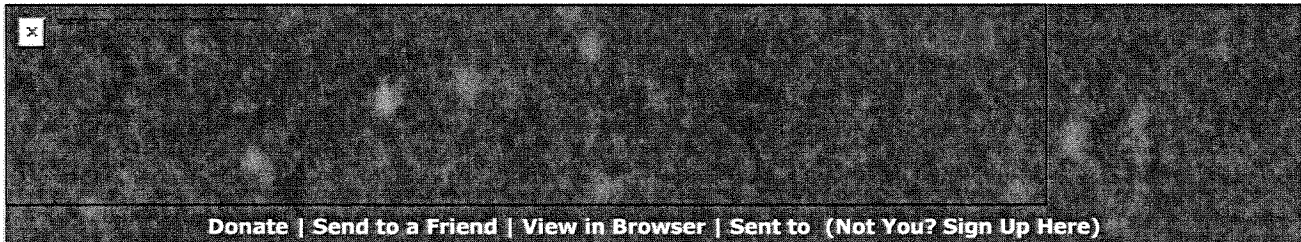
From: Jennifer Allen <ms_jenny@pacbell.net>
Sent: Tuesday, January 21, 2014 5:30 PM
To: 'BDCP.comments@noaa.gov'
Subject: Would you please comment/address this article from the Sierra Club

Hello,

I'm on the fence about the tunnels but some of my family knows my concerns about the water distribution issues in California. I subscribe to your update and I read your responses regularly.

Would you please comment/address this article from the Sierra Club –

Jenny Allen



Dear Sierra Club California Members and Friends,

We are living in interesting times.

Within the last two weeks, the governor introduced the strongest environmental [budget](#) proposal since he was elected in 2010.

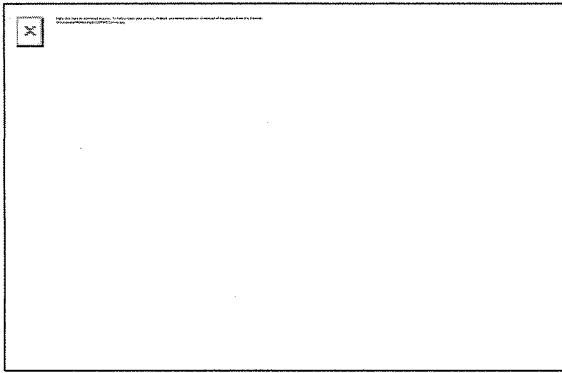
Among the highlights are about \$8 million for groundwater data collection, assessment and management; \$20 million for water efficiency, including reducing energy use for water pumping; \$30 million for watershed and wetland restoration; and more than \$472 million in regional water management.

For years, and most recently in a [white paper](#), Sierra Club California and our members and activists have been calling for greater focus on these areas of water policy. These are among the areas that can, if given the right attention, resolve the state's water supply problems and make it unnecessary to move growing amounts of water out of the sensitive San Francisco Bay Delta.

Following on the budget proposal by about a week, the governor signed a [drought emergency declaration](#). For the third year in a row, California's rainfall and snowfall were well below normal in 2013. Now, in this first month of 2014, the drought is getting downright frightening.

Snowpack is less than 20 percent of normal in the Sierra. Mount Shasta, usually topped with a strong icing of snow this time of year, looks nearly naked. Sacramento-area rivers that are usually roiling in January look more like wide streams, and streams and creeks have dried up.

Both the governor's budget proposal and the emergency declaration contain elements that will help Californians finally get a reasonable handle on how to manage water in this increasingly dry state. This could be a turning point in California's 164-year-old battle with itself about how to manage a precious resource.



So, as an environmental advocate for an organization that has long pressed for better water policies, I should be encouraged. And I am.

But I'm also aware that not everyone is ready to ditch bad water policy.

The ink was barely dry on the emergency declaration before some editorialists, columnists and Republican legislators, mostly from the San Joaquin Valley, started pushing for more above-ground storage. Some above-ground storage doesn't require a new dam. Some storage, for instance, involves increasing the use of above-ground percolation systems to replenish groundwater. But most of those who jumped onto the emergency declaration to call for more storage want more dams.

We are living in an era when the earth's climate is changing because of human-caused pollution, particularly pollution from engines and factories and power plants fueled by oil, natural gas and coal. What used to be the norm for rainfall and snowfall is not likely to be the norm in the future.

That's why the old ways of doing things won't work. Putting up a dam to collect water, when there simply isn't rain or snow, won't work. Building giant tunnels, at a total cost of more than \$50 billion, to carry water that may not be there isn't a smart investment.

We need to focus money and effort on using more carefully that water we do have. The solutions include conservation, recycling, improving efficiency, patching leaks, pricing water right, and abandoning bad ideas—such as fracking—that waste and pollute water.

This year the governor's water budget appropriately emphasizes regional solutions and regional resilience. It's almost hard to believe this is coming from the same administration that has spent the last two years touting the giant Bay-Delta tunnels. Perhaps the drought has provided a reality check.

These are, indeed, interesting times.

Sincerely,



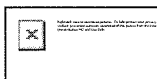
Kathryn Phillips
Director

Sierra Club California is the Sacramento-based legislative and regulatory advocacy arm of the 13 California chapters of the Sierra Club.



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BDLP 109



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Sierra Club California

909 12th Street, Suite 202 Sacramento, CA 95814 | P: (916) 557-1100

From: billeisen@billeisenforscheelboard.org
Sent: Friday, January 24, 2014 2:42 AM
To: 'BDCP.comments@noaa.gov'
Subject: Request dvd copy of DEIR

Please send me a dvd copy of the draft environmental impact report for the Bay Dela Conservation Plan. Please send it to:

William Eisen
P.O. Box 1882
Manhattan Beach, CA 90267

Thank you.

Bill Eisen

From: Barry Williams <BWilliams@BKF.com>
Sent: Thursday, January 23, 2014 1:02 PM
To: 'BDCP.comments@noaa.gov'
Subject: DVD Request

I would like to request a DVD containing the draft BDCP report and draft EIR/EIS

Please send to

Barry Williams
3248 Eccleston Ave.
Walnut Creek, CA 94597

Thank you

Confidentiality Notice: This email (including any attachment) is intended only for the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you are not authorized to intercept, read, print, retain, copy, forward, or disseminate this communication. If you have received this communication in error, please reply to the sender or call 650-482-6300, and then please delete this message from your inbox as well as any copies. Thank you. BKF Engineers

From: thereelmccabe@comcast.net
Sent: Thursday, January 23, 2014 7:22 AM
To: 'BDCP.comments@noaa.gov'
Subject: two tunnels project.

Delta Bay Conservation Plan, has nothing to do with conservation, it is a water grab by the Metropolitan water dist.. If you look at what happened in the Owens Valley you can see what will happen to the Sacramento Valley.

The Sacramento river will never quench the thirst of the Metropolitan water dist. The metropolitan water dist. has already devastated our community here in the delta with no concerns for our environment. It is against the LAW to devastate one community to benefit there community. What is worst is the fact they expect us here in northern Ca. to help pay for our own demise.

We want to Desalinate the Metropolitan water dist. We also will gladly help pay for Desalination in L.A. they are building golf-coourses in the desert and they are building in an area that can not support itself.

There are off shore oil platforms that are slated to be torn down, these off shore oil platforms can be easily converted to Desalination plants. These desalination plants will deliver water even in drought years. This is a win win for the delta and L.A. The only loser here is the Metropolitan water dist. because they will have to pay for there own water system. They would rather rape our delta and get us to pay for it.

Desalination is the future and raping the C.A. delta is costly and environmentally stupid. The cost for the two tunnels project will cost more than 100 billion dollars. and leave an environment mess, Muck piles here in northern C.A. Why can't we transport the Muck piles down to Southern C.A. where they belong.

The Metropolitan water has no regard for our fishing industry, Samoan, Striped Bass, and all of the boating industry here in our beloved delta. There plan calls for Dams that control water ways just for there benefit.

Here at the clifden-for bay at the water pumps they kill 250,00 fish every week. They could have diverted the water around the intakes for the pumps but, this will cost them money. Salmon Striped bass fingerling all think there migrating down stream but wind up in the pumps completely destroying our fish population. This is the metropolitan water dist mindset They simply don't care.

Why should we trust the metropolitan water dist.? Just ask people that lives in the Owens Valley. Tim McCabe

From: thereelmccabe@comcast.net
Sent: Thursday, January 23, 2014 6:40 AM
To: 'BDCP.comments@noaa.gov'
Subject: desalinate L.A.

Please stop raping the delta and desalinate the metropolitan water dist. Stop the two tunnels project. Tim Mccabe

From: Enos, Cassandra@DWR <Cassandra.Enos@water.ca.gov>
Sent: Wednesday, January 22, 2014 8:18 AM
To: 'BDCP.comments@noaa.gov'
Subject: FW: BDCP Review Time Extension Requests
Attachments: AR-M550U_20140115_181400.pdf

-----Original Message-----

From: Nemeth, Karla@CNRA
Sent: Wednesday, January 15, 2014 5:04 PM
To: Enos, Cassandra@DWR
Subject: BDCP Review Time Extension Requests

Hi Cassandra -

In the attached scan are three letters received by Secy Laird requesting a time extension for BDCP review. Could you forward them to whomever is logging comments, etc?

Thanks
Karla

-----Original Message-----

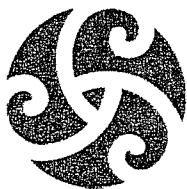
From: agency.webex@resources.ca.gov [<mailto:agency.webex@resources.ca.gov>]
Sent: Wednesday, January 15, 2014 6:14 PM
To: Nemeth, Karla@CNRA
Subject: Scanned image from Clyde

DEVICE NAME: Clyde
DEVICE MODEL: SHARP AR-M550U
LOCATION: Room 1311

FILE FORMAT: PDF MMR(G4)
RESOLUTION: 300dpi x 300dpi

Attached file is scanned image in PDF format.
This file can be read by Adobe Acrobat Reader.
The reader can be downloaded from the following URL:

<http://www.adobe.com/>



california water impact network

BDCP114
Kadla

Board of Directors

January 10, 2014 (via email)

Carolee Krieger
*co-founder
president
executive director*

Samuel D. Rauch
Administrator for Fisheries
NOAA Fisheries Service
Samuel.Rauch@NOAA.gov

Michael L. Connor
Deputy Secretary
US Bureau of Reclamation
mlconnor@usbr.gov

Michael Jackson
*co-founder
secretary*

Gary Frazer
Assistant Director - Endangered Species
US Fish and Wildlife Service
Gary.Frazer@FWS.gov

Gina McCarthy
Administrator
US Environmental Protection Agency
McCarthy.Gina@EPA.gov

Jim Edmondson
treasurer

Yvon Chouinard
co-founder

William W. Stelle, Jr.
Acting Regional Administrator
NOAA Fisheries Service
Will.Stelle@noaa.gov

John Laird
Secretary
California Natural Resources Agency
secretary@resources.ca.gov

Malinda Chouinard

Dan Bacher

Nick Di Croce

Subject: BDCP Public Comment Review Time Extension Request

Josh Green

Bill Jennings

Huey Johnson

You may recall that in a November 21 letter, prior to the December 13 release of draft Bay Delta Conservation Plan and its EIR/EIS, the Environmental Water Caucus requested that the public review and comment period be extended beyond the planned 120 days, based on the anticipated 25,000 page estimate of the BDCP documents.

Tom Stokely
*water policy
coordinator*

Barbara Viamis

**In memoriam
Dorothy Green**
*co-founding
secretary*

The California Water Impact Network has now scanned the 40,214 *actual* pages of released documents. Based on the originally allotted 120-day review time period, the public is being asked to review 473 pages per day during the 85 working days that are available during the comment period. As was pointed out in the previous EWC request, NEPA regulation 40 CFR 1502.7 states that the text of an EIS for "proposals of unusual scope or complexity shall normally be less than 300 pages." This regulation is flouted to the utmost by the BDCP release, and is compounded by the fact that the Bay Delta Conservation Plan documents on which the EIS is based run to about 10,000 pages. If BDCP cannot comply with the letter of national environmental regulations, it would be reasonable to increase the time available for public review. It is impossible for organizations like the California Water Impact Network who are interested in responding to BDCP documents to provide useful, thorough, and thoughtful comments given the time presently allotted.

Web Site:

www.c-win.org

Staff

Tim Strohane
*senior research
associate*

Therefore, C-WIN respectfully requests that your agencies extend the public review period an additional 120 days, until August 15, based on the size of the actual documents released on December 13, 2013. Thank you for considering this request.

Glen Martin
media consultant

Yours truly,

Advisors
Maude Barlow
Gray Brechin
Hilal Elver

President and Executive Director
California Water Impact Network

From: Rieker, Jeffrey <jrieker@usbr.gov>
Sent: Wednesday, January 22, 2014 6:08 AM
To: 'ryan.wulff@noaa.gov'; 'bdcp.comments@noaa.gov'
Cc: 'Patricia Idlof'; 'Shane Hunt'
Subject: Fwd: Please extend the public comment period for BDCP

Forwarding additional comments that were received by the Commissioner of Reclamation.

Jeffrey Rieker
Acting Mid-Pacific Regional Liaison for Shane Hunt
Mid-Pacific Region, Bureau of Reclamation
Office: 202-513-0669; Mobile: 916-214-7555
jrieker@usbr.gov

----- Forwarded message -----

From: Michael Connor <mlconnor@usbr.gov>
Date: Wed, Jan 22, 2014 at 6:50 AM
Subject: Fwd: Please extend the public comment period for BDCP
To: Jeffrey Rieker <jrieker@usbr.gov>

FYI - I've been forwarding all of these requests to Shane

Sent from my iPad

Begin forwarded message:

From: Flavia Franco <flavital0s@yahoo.com>
Date: January 22, 2014 at 12:09:56 AM MST
To: "mlconnor@usbr.gov" <mlconnor@usbr.gov>
Cc: Carole Dorshkind <cdorshkind@comcast.net>, Ashleigh Evans <Asevens2002@aol.com>, Karen Maki <karenmaki@comcast.net>
Subject: Please extend the public comment period for BDCP
Reply-To: Flavia Franco <flavital0s@yahoo.com>

Dear Mr. Michael L. Connor
Deputy Secretary
U.S. Bureau of Reclamation

On behalf of our organization - San Mateo County Democracy For America - I'm asking that you do what you can to extend the public comment period to August 15, 2014 for the BDCP (Bay Delta Conservation Plan).

This plan - which was released in December 2013 - has over 40,000 pages and it is unrealistic to expect meaningful public debate on such a complicated document in 120 days. The 120 day guideline assumed the size of an unusually large document to be 300 pages. This situation is of a very different magnitude of size.

The size of of the document that needs to be reviewed is larger than the Encyclopedia Britannica.

Please act in the public interest in moving to extend the public comment period.

BDCP 115

Thank you for your assistance.

Flavia Franco and Karen Maki

Environmental Task Force Co-Chairs
San Mateo County Democracy for America

From: Sandra Lunceford <shasta2hi@sbcglobal.net>
Sent: Wednesday, January 29, 2014 8:37 AM
To: 'BDCP.comments@noaa.gov'
Subject: BDCP CD

Dear Folks,

Please send a CD of the BDCP and EIS/EIR to me at

Sandra Lunceford
121 Kennar Way
Folsom, CA 95630

Thanks,
Sandra

From: Eric Van Scoy <ericvanscoy@gmail.com>
Sent: Tuesday, January 28, 2014 7:26 PM
To: 'bdcp.comments@noaa.gov'
Subject: Delta Tunnels

This has got to stop. I am extremely concerned about how this is going to impact our fishery. You will effectively eliminate miles upon miles of waterways that have been used for hundreds of years.

Since water started getting pumped from the delta, the ecosystem has been in a steady decline. Do you really think these tunnels are going to help that?

And killing off of predatory fish? Are you joking!? Anglers practice catch and release for a reason. If the prey fish population declines, so do the bass. It comes and goes in waves. The delta is a fragile Eco system and we need all the help to keep it the way it is.

If these tunnels were to open up, you will affect everything.

Birds

Fish

Any mammals that live in our around the water.

People that live in the delta or farm the delta that rely on that water.

Why do Northern Californians have no say in this? You will turn this freshwater fishery into a salt water marsh. Making everything around it unusable.

From: Rose Flame <mysecretfires@gmail.com>
Sent: Tuesday, January 28, 2014 6:39 PM
To: 'Lucero, Pedro'
Cc: 'Charles Alexander'; 'Cc: Damon Arthur'; 'Pat Lind'; 'Helene Sisk'; 'Christine Mitchell'; 'Shelly Godfroy'; 'Joan Manning'; 'Matt Doyle'; 'Wayne R. Agner'; 'trinityjournal@dcacable.net'; 'hswriter@frontiernet.net'; 'ecassano@shastalake.com'; 'Ed Smith & Virginia Phelps'; 'Marily Woodhouse'; 'Bruce Ross'; 'Kelly Frost, Sr'; 'Charlene Cheng'; 'Sally & Terry Rapoza'; 'BDCP.comments@noaa.gov'; 'Lauren Bisnett'; 'Deborah Jordan'; 'fantompenguin@fantompenguin.com'; 'John Laird'; 'Johnson, Ivry'; 'Kelly Johnson'; 'Gary Cadd'; 'Jeff'; 'Les Baugh'; 'Antlers Resort & Marina'; 'antlersrvpark@campingshastalake.com'; 'Tom Stokely'
Subject: Re: Correction

Dear Pete Lucero,

Thank you for your correction.

I spoke with Heidi Strand about the June 16, 2013 Public Meeting held by the Bureau of Reclamation on the raising of Shasta Dam. She said she approached a man and woman at the front table. She explained to them that people expected to give public comment and not just look at displays in "workshops." They referred her to the man in charge of the meeting, Brian Person. Heidi spoke with the man to the right of Katrina Chow, the one in the black shirt.

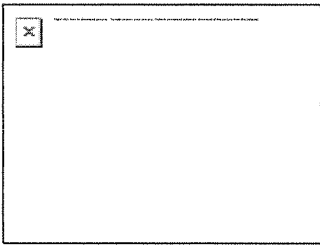


Photo from September 10, 2013 BOR meeting courtesy of Fantom Penguin
<http://www.fantompenguin.com/2013/09/public-nearly-unanimous-about-dam.html>

People do not always remember things the same way. Perhaps Mr. Person wanted to include public comment prior to Citizens For Clean Air's request. Maybe Heidi wasn't as pushy as I give her credit.

The point, which I should have clarified, is that everyone got a chance to speak up.

Citizens For Clean Air is not after the Bureau.

EPA Region 9 stabbed us in the back when they set a public hearing (it took nearly a year to get) two weeks before Christmas.

<http://woodbioenergymagazine.com/blog/tag/celeste-draisner/>

Your office hasn't heard from us every hour of every day because we are relatively happy with the Bureau.

Efforts made by the Bureau to comply with Environment Justice Guidelines have not gone unnoticed. Caring about disenfranchised communities casts your agency in a more wholesome light than you realize.

Also, if you have Katrina Chow's email address please send it.

Regards,
Celeste Draisner
Media Affairs Specialist
Citizens For Clean Air
530-223-0197

P.S. Here is a copy of Heidi Strand's recollection of the June 16, 2013 Public Meeting. I hope it helps.

from: hswriter@frontiernet.net hswriter@frontiernet.net
reply-to: "hswriter@frontiernet.net" <hswriter@frontiernet.net>
to: Celeste <mysecretfires@gmail.com>
date: Tue, Jan 28, 2014 at 10:47 AM
subject: my recollections of the dam raising meeting...
mailed-by: frontiernet.net

Hi Celeste,

Arnie told me that the Bureau was not going to have public comment at that meeting. I had come prepared to make a comment and was surprised. Arnie said it stated in the Record Searchlight that the public would be able to speak.

I immediately went to the table set up by the entry door. I spoke with the man and women seated at the table. I asked if there would be public comments at this meeting. They told me there was no public comment planned for this meeting.

I told them that the Record Searchlight said there would be public comment. I jabbed my thumb backward and said something like "All these people are expecting a public comment period. The paper said they would be able to comment."

The woman from the table went to talk to a tall man with the bureau. He came to the table with the woman. I explained again how the paper said people would be able to speak, that this was a meeting for the public and the bureau needs to accommodate them.

Soon after that conversation, a Bureau representative announced over the microphone that there would now be a comment period. I don't remember his exact words.

I also remember the Bureau refused to answer Winnemem Wintu tribal leader Caleen Sisk's question.

Cheers,

Heidi

On Tue, Jan 28, 2014 at 5:16 AM, Lucero, Pedro <plucero@usbr.gov> wrote:

Celeste, In the narrative below, you indicate that "Heidi went up to Brian Person and told him that everyone had read in the last Record Searchlight editorial that they were going to have an opportunity to speak. Mr. Person hemmed and hawed and finally, Heidi threatened him with the crowd if he wouldn't give everyone at least a small opportunity to talk. "You have to," she said, jerking her thumb behind her, "or else ..."

I checked with Brian and others, and that just did not happen, at least not with Brian. Heidi may have spoken with someone, but the characterization presented is just wrong.

Cheers

Pete Lucero

Deputy Chief of Public Affairs (Acting)

Reclamation | Commissioner's Office

1849 C St NW | MS-7069-MIB (92-40000) | Washington DC, 20240-0001

Voice [202-513-0684](tel:202-513-0684) | Cell [707-363-4243](tel:707-363-4243)

On the Web - www.usbr.gov

MPNet - intra.usbr.gov

----- Forwarded message -----

From: **Rose Flame** <mysecretfires@gmail.com>

Date: Saturday, January 25, 2014

Subject: Re: BDCP Travelling Road Show (RE: Brian Dahle & water)

To: Charles Alexander <sushibar007@hotmail.com>

Cc: Damon Arthur <darthur@redding.com>, Pat Lind <lind_57@yahoo.com>, Helene Sisk <cheedaa12@gmail.com>, Christine Mitchell <shastademocracy@gmail.com>, Shelly Godfroy <godfroyshelly@yahoo.com>, Joan Manning <jmanning@snowcrest.net>, Matt Doyle <mduoye@lakeshastacaverns.com>, "Wayne R. Agner" <editor@trinityjournal.com>, trinityjournal@dcacable.net, "hswriter@frontiernet.net" <hswriter@frontiernet.net>, "ecassano@shastalake.com" <ecassano@shastalake.com>, Ed Smith & Virginia Phelps <ednva@frontiernet.net>, Marily Woodhouse <trees@thebattlecreekalliance.org>, Bruce Ross <bross@redding.com>, "Kelly Frost, Sr" <Kelly@reddingradio.com>, Charlene Cheng <ccheng@actionnewsnow.com>, Sally & Terry Rapoza <terryrapoza@hotmail.com>, BDCP.comments@noaa.gov, Lauren Bisnett <lauren.bisnett@water.ca.gov>, Pete Lucero <plucero@usbr.gov>, Deborah Jordan <jordan.deborah@epa.gov>

Dear Charles,

Thank you for going to this event. I know how completely fraudulent these things can feel.

At the first Bureau of Reclamation meeting at the Holiday Inn last summer, Citizens For Clean Air forced the Bureau to hold a public comment period. When we arrived, Arnie Erickson noticed (from reading the agenda) that the Bureau planned to skip comment. Heidi went up to Brian Person and told him that everyone had read in the last Record Searchlight editorial that they were going to have an opportunity to speak. Mr. Person hemmed and hawed and finally, Heidi threatened him with the crowd if he wouldn't give everyone at least a small opportunity to talk. "You have to," she said, jerking her thumb behind her, "or else ..."

Brian Person heads up the Shasta Dam office. However, this was my friend Heidi Strand, and therefore, he caved in to our demands. What else could he do? Promote tyranny?

If CCA had known that this BDCP meeting was going to be an example of more of the same, we would have sent representatives to help the audience. The notion of a comment period "with the only avenue for oral comment being approx. 25' - 30' away from the nearest display" is completely unacceptable.

Eric Cassano, who runs our Anti-Knauf and 3M Quarry websites, explained that the government is using something called the "Delphi Method" to sell the audience on their pre-made decisions. The point is to make citizens feel small. The Delphi method is based on the assumption that group judgments are more valid than individual judgments.

Here is a link to more on the Delphi Method, if you are interested:

http://en.wikipedia.org/wiki/Delphi_method

Although I am sure that the Delphi Method has *some* valid applications, it has no place in meeting like the one you attended. Individual opinions and ideas need to be solicited with sincerity.

Thank you for attending this meeting. Next time they come to town, it will be on

Solidarnost (Солидарность, "Solidarity"),

Celeste Draiser
Citizens For Clean Air
539-223-0197,

On Sat, Jan 25, 2014 at 4:12 PM, Charles Alexander <sushibar007@hotmail.com> wrote:

You didn't miss much.

Unlike the USBR's Shasta Dam hearing (at the Holiday Inn) a few months ago, there was no opportunity for hearing of audience-posed questions/comments. Instead, there was a series of displays (all favorable to BDCP, incidentally) -- with the only avenue for oral comment being approx. 25' - 30' away from the nearest display. And that was with a court-reporter seated at a table waiting for people to INDIVIDUALLY, & away from the hearing of all else, provide oral comment.

Frankly, it seemed better for me to concentrate on the organisation of the notes I have taken from my own study of the BDCP Plan Document & of the relevant EIR/EIS.

Damon Arthur was there. So was someone claiming to represent the "Trinity Journal".

Dahle, incidentally, I did not see there, though I was only there for a mere fraction of the time allotted (I left early).

Date: Fri, 24 Jan 2014 17:04:46 -0800
Subject: Fwd: Fw: Brian Dahle & water
From: mysecretfires@gmail.com
To: sushibar007@hotmail.com
CC: terrypoza@hotmail.com

Some updates.

----- Forwarded message -----

From: ednva@frontiernet.net <ednva@frontiernet.net>

Date: Fri, Jan 24, 2014 at 10:24 AM

Subject: Fw: Brian Dahle & water

To: Pat Lind <lind_57@yahoo.com>, Helene Sisk <cheedaa12@gmail.com>, Celeste Drasner <mysecretfires@gmail.com>

Cc: Christine Mitchell <shastademocracy@gmail.com>, Shelly Godfroy <godfroyshelly@yahoo.com>, Joan Manning <jmanning@snowcrest.net>

Good Morning,

Due to a miserable cold I did not attend the water meeting in Redding yesterday. According to the Record Searchlight only 35 people had signed in by 5pm. I do hope more came after work.

Brian Dahle is our Republican assemblyman. I would love to have him be included. If we want people who can make a difference be aware of all of the complexities we need to make sure they get all the information. This would be our opportunity. Check out the email below.

Hope to see you all at the forum on guns tomorrow,

Virginia

----- Forwarded Message -----

From: Christine Mitchell <shastademocracy@gmail.com>

To: Virginia Phelps <ednva@frontiernet.net>

Sent: Wednesday, January 22, 2014 4:10 PM

Subject: Brian Dahle

Hi Virginia,

Frank Treadway said Brian Dahle has said he would like to talk to people about water issues. Dahle is a Republican but he is better than most, I guess.

Frank said to get in touch with this lady, judy.fiorino@asm.ca.gov.

Chris

Christine Mitchell

Shasta County Citizens for Democracy (SCCD)

Chair

530-242-0309

FED UP! FIRED UP!

--

Pete Lucero

Public Affairs Officer

Sent from Gmail Mobile

From: Tim and Sheryl Loomis <surfcoop@sbcglobal.net>
Sent: Tuesday, January 28, 2014 3:25 PM
To: 'BDCP.comments@noaa.gov'
Subject: Delta water proposals

To Whom it May Concern,

No to Gov. Brown's tunnel system proposal. We need the delta left as is just maintained in a more responsible manner.

Kind regards,
Tim & Sheryl Loomis
Santa Cruz, CA.

From: Virgin, Edwin@ARB <evirgin@arb.ca.gov>
Sent: Tuesday, January 28, 2014 1:46 PM
To: 'BDCP.Comments@noaa.gov'
Cc: 'Nunes, Ron@ARB'
Subject: CalEPA Complaint 12660
Attachments: 12660 complaint.pdf

BDCP Comments

Attached for your review are comments pertaining to the BDCP Draft EIR/EIS contained in CalEPA Complaint 12660. After our review it appears that sending you the complainant's comments was the most appropriate action. Should you have any questions please e-mail me back.

Ed Virgin
California Air Resources Board



Cal/EPA Environmental Complaint Form - Tracking and Maintenance: Print Complaint

Hello, **Ed Virgin**. You are now logged in to the Cal/EPA Environmental Complaint Form - Tracking and Maintenance System as a **Central Contact** with **ARB**.

Time left until session times out (if no activity): **60** minutes

Logout

Complaint Record Number: 12660 Complaint Source: Public Submit Date: 1/27/2014, 11:57 AM

Displayed below is a printer-friendly record of Complaint Record Number 12660. Use your browser's print button to print a copy.

Complainant Information:

Referring URL: <http://www.calepa.ca.gov/contactus/>

Hide/Show Complainant

Emergency: No Name: Burt Wilson
Spill: No Address: 4311 Attawa Ave.
Confidential: No #204
Follow-up: Yes City, St. ZIP: Sacramento, CA 95822
Phone Number: (916)402-5031
E-Mail: bwilson5404@sbcglobal.net

Complaint Information:

| <u>Complaint Address or Location Description</u> | <u>Alleged Responsible Party</u> |
|---|--|
| <u>Address:</u> NRA/Bay Delta Conservation Plan 1416 9th St. #1311 | Responsible Person: John Laird/Karla Nemeth |
| <u>City, St. ZIP:</u> SACRAMENTO, CA 95814 | Company Name: Bay Delta Conservation Plan |
| <u>County:</u> SACRAMENTO | <u>Address:</u> NRA/Bay Delta Conservation Plan |
| <u>Location Description:</u> Dept. of Water Resources Building | 1416 9th St. #1311 |
| | <u>City, St. ZIP:</u> SACRAMENTO CA 95814 |
| | <u>Phone Number:</u> Not provided |

Complaint Marked Related To: Air

Date of Occurrence: 01/27/14 Time: 12:45 AM Ongoing: Unknown

Complaint Description:

"Zeroing out" pollution in the Delta by buying carbon credits is a fraud!

My complaint deals with Chapter 22 -- Air Quality and Greenhouse Gases -- of the latest Bay Delta Conservation Plan's EIR/EIS.

Under paragraph 22.3.1.1—Construction of the Water Conveyance Facility—it reads, "Construction of the water conveyance facility (CM1) would generate emissions of criteria pollutants (ROG, NOX, CO, PM10, PM2.5), and CHG's

(CO₂, CH₄, N₂O and SF₆) that would result in short-term effects on ambient air quality in the air quality study area. Emissions would originate from mobile and stationary construction equipment, exhaust, employee vehicle exhaust, dust from land clearing and earthmoving, electrical transmission, and concrete batching from onsite plants.” The paragraph ends with hilarity by allowing that “these emissions would be temporary, i.e. “limited to the construction period” -- which is 10 years or more!

Paragraph 22.2 – Regulatory Setting – states that “The study area is subject to air quality regulations developed and implemented at the federal, state, and local levels,” i.e the federal and state Environmental Protection Agencies.

Paragraph 22.1.2 – Background Information on Criteria Air Pollutants – states that “the federal and state governments have established national ambient air quality standards and California ambient air quality standards, respectively, for six criteria pollutants.” They are “ozone, Carbon monoxide, lead, nitrogen dioxide, sulfur dioxide and particulate matter (PM) which consists of PM 10 microns in diameter or less and PM 2.5 microns in 32 diameter or less.”

Paragraph 22.1.1.1 – Sacramento Valley Air Basin – states that “The highest frequency of air stagnation occurs in the autumn and early winter when large high-pressure cells collect over the Sacramento Valley. The lack of surface wind during these periods and the reduced vertical flow caused by less surface heating reduce the influx of outside air and allow air pollutants to become concentrated in a stable volume of air. The surface concentrations of pollutants are highest when these conditions are combined with temperature inversions (warm air over cool air) which trap pollutants near the ground.”

Paragraph 22.2 – Regulatory Setting – sub-paragraph General Conformity Regulation – states that “If the conformity evaluation indicates that emissions are in excess of any of the General Conformity de minimis thresholds, the applicant must perform a conformity determination. A conformity determination is made by satisfying any of the following requirements:”

1. Showing that the emission increases caused by the federal action are included in the SIP.
2. Demonstrating that the state agrees to include the emission increases in the SIP
3. Offsetting the action's emissions in the same or nearby area.

Burt Wilson complaint, page 2

4. Mitigating to reduce the emission increase.

Paragraph 22.2.1.2 – Environmental Protection Agency Endangerment and Cause and Contribute findings – states “... the current and projected concentrations of the six key well-mixed GHG's—CO₂, CH₄, N₂O, PFC's, SF₆ and HFC's in the atmosphere threaten the public health and welfare of current and future generations.

Sub-paragraph – State CEQA Guidelines – states “...measures in an existing plan or mitigation program for the reduction of emissions that are required as part of the lead agency's decision [are] “...implementation of project features, project design, or other measures which are incorporated into the project to substantially reduce energy consumption of AGHG emissions, offsite measure, including offsets that are not otherwise required, to mitigate a project's emissions and measures that sequester carbon or carbon-equivalent emissions.

TESTIMONY OF STEVE CENTERWALL, ICF INTERNATIONAL

At Delta Stewardship Council Meeting, Dec. 19, 2013

Speaking for the Bay Delta Conservation Plan, Mr. Centerwell related that the effect of construction on air quality can increase criteria pollutants such as carbon monoxide, reactive organic gases and dust and that project on-site measures will be implemented such as electrifying equipment, making sure equipment runs well and other standard measures that are taken to reduce air quality emissions. (He did not elaborate or say what equipment would be electrified or how that would come about.)

Mr. Centerwall: “In addition, there was off-site mitigation to basically off-set any additional emissions that we couldn't reduce to net zero, and that's really the bottom line for air quality. We're going to reduce it to net zero.” (He did not elaborate)

MY COMPLAINT

It is evident all through the BDCP's Air Quality Chapter of their EIR/EIS that to “zero out” over pollution in the Delta workplace will depend upon “off-sets.” This is a benign word until it is explained and the EIR/EIS carefully avoids any explanation. There are good reasons why.

Off-setting over-pollution of the workplace is based upon buying carbon credits under the “Cap & Trade” law from an AQMD district that has significantly lower pollution. In the case of Delta operations, that means the SFAQMD—which is exactly what they have in mind.

However, buying carbon credits only zeros-out over-pollution on paper! The fact of over-pollution remains. This does not leave the Delta zeroed out at all. Workmen who have jobs in construction with the BDCP will still have to work in an over-polluted atmosphere at the construction site, subjecting themselves to all the horrific contaminants found there, To use this tactic in order to “zero-out” pollution during construction of the BDCP's tunnels in the Delta is a FRAUD! It is clear from the BDCP's own documents that the only way they can zero-out harmful pollution at the workplace is through off-setting by purchasing carbon credits. Without this ability, the BDCP cannot even begin to fulfill its mission in

the Delta. Therefore, the EIR-EIS of the Bay Delta Conservation Plan should be denied and the whole plan scrapped. We are looking to the CA/EPA to make good on its promise of protection of workers and Delta residents from harmful pollutants as it is evident the BDCP can only think about fraudulent ways to make it appear that protection is there while it really isn't.

Burt Wilson
 Editor & Publisher
 Public Water News Service
 4311 Attawa Ave. ##204
 Sacramento, CA 95822
 (916) 402-5031

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From: Kit Kubitz <mesondk@yahoo.com>
Sent: Wednesday, January 29, 2014 1:59 PM
To: 'BDCP.comments@noaa.gov'
Subject: Preliminary comments on BDCP and draft EIR EIS
Attachments: BDCP Prelim comments.doc

Attached are preliminary comments on the BDCP and associated draft EIR/EIS. These comments include areas not addressed in the EIR such as seismic construction risks, uncertainties of CVP and Southern California Demand, and the lack of specificity of the design given unknown site contingencies, which could have cost, delay, and environmental impacts. I do not believe it would be prudent to proceed with this multi-billion dollar project until these risks and uncertainties are addressed.

I expect to provide further comments before April 14 on the need for consideration of alternatives which are lower in cost, and have lesser environmental impacts and/or project risks and contingencies to achieve similar objectives.

Kermit R. Kubitz
415-412-4393
mesondk@yahoo.com
703 Market St. Suite 1201
San Francisco, CA 94103

468 Lansdale Ave
San Francisco, CA 94127
January 28, 2014

TO: BDCP Comments
National Marine Fisheries Service
650 Capital Mall, Suite 5-100
Sacramento, CA 95814
Attn: Ryan Wulff

California DWR
3500 Industrial Blvd, Room 117
West Sacramento, CA 95691

Re: Comments on Draft Bay Delta Conservation Plan (BDCP)
and associated Draft Environmental Impact Report
and Environmental Impact Statement

Dear Sir:

These are preliminary comments about the approach and contents of the BDCP and EIR/EIS, with further comments to be submitted by April 14, 2014. Please include these comments in the records for decision as to the project licensing under CEQA and NEPA, consideration of the environmentally preferred alternative, impacts and required mitigation.

Preliminarily, I note that much of the errata released Dec 20 is devoted to the geology of the planning area. And Appendix 3E discusses potential Seismic and Climate Change Risks to SWP/CVP Water Supplies.. However, the EIR EIS do not appear to adequately address two corollary issues

First, the construction and cost risks of the tunnel project over a 15 year period during which the USGS has indicated a relatively high probability of large magnitude earthquakes in Northern California.

Second, the likelihood and cost of changes in CVP project and Southern California use or demand for water due to a large earthquake in Southern California. Failure to consider either of these eventualities is a glaring deficiency in planning for a project with a construction period of 15, or possibly 20 years.

Section 3E or some other portion of the EIR/EIS should be supplemented

to consider

- A. What happens if an earthquake occurs in Northern California during 15 year construction of the tunnels? What would be the cost impacts on construction? What would be the consequences of any tunnel failure during partial construction? What would be the costs of delay?
- B. What would be the impacts on the CVP and Southern California water demand or use of a large magnitude earthquake in Southern/Central California, as for example, a recurrence of the Fort Tejon earthquake of 1857 or its reverse, a South to North rupture of the San Andreas fault from the vicinity of the Salton Sea to Parkfield?

As a general comment, the California Seismic Safety Commission, www.seismic.ca.gov

in its discussion of Fire Following Earthquake (FFE) responses
Water Supply in Regards to Fire Following Earthquakes

Charles Scawthorn SPA Risk LLC

www.seismic.ca.gov/pub/CSSC_2011-02_WaterSupply_PEER.pdf

has recommended development of a high pressure sea-water system for fighting seismically-induced fires in the Los Angeles area.

STATE OF CALIFORNIA EXPENDITURE FOR A HIGH PRESSURE SEAWATER FIRE FIGHTING SYSTEM FOR LOS ANGELES SHOULD HAVE A HIGHER PRIORITY AND BE BUILT BEFORE ANY SPENDING FOR DELTA TUNNELS.

If you are going to discuss centuries long issues like climate change and sea level rise, you should more than cursorily address issues such as seismic construction risk and statewide water demand under a major earthquake scenario.

I NOTE THAT CHAPTER 9 ALSO DISCUSSES SEISMIC HAZARDS, BUT THESE APPEAR MOSTLY TO BE HOW TO DESIGN THE PROJECT SO THAT IT WOULD SURVIVE AND BE OPERABLE AFTER A SEISMIC EVENT, NOT THE ISSUES I RAISE ABOVE ABOUT EFFECTS OF AN EARTHQUAKE DURING CONSTRUCTION OR ON SOUTHERN CALIFORNIA DEMAND.

HOWEVER, CHAPTER 9 DOES RAISE AN ADDITIONAL ISSUE: IN VIEW OF THE SOILS AND SEISMIC RISKS INDICATE THAT, THE APPROACH OF THE EIR IS THIS-ASSUME ENGINEERING, YET UNSPECIFIED, IS ABLE TO MANAGE SITE CONDITIONS:

P. 9-43

"The emphasis in the impact analysis has been to identify where the existing data suggest that geologic or seismic conditions pose a potentially serious threat to structural integrity. The analysis determines whether these conditions and associated risk can be reduced to less than significant by conformance with existing codes standards, and the application of accepted, proven construction engineering practices. a range of specific design and construction approaches are normally available to address a specific circumstance. For example, the potential for liquefaction to affect structural integrity could be controlled by a range of engineering approaches, such as by removal and replacement of the liquefiable soil with engineered fill and construction of the structure on pilings founded on non-liquefiable material. SPECIFIC CONTROL MEASURES HAVE NOT BEEN DEVELOPED FOR ALL SITE CONDITIONS AT THIS POINT IN THE BDCP PLANNING PROCESS."

(CAPITALIZATION ADDED FOR EMPHASIS, SEC. 9.3.1

P. 9-43, Lines 13-14.

Thus, the EIR is based on assumptions about environmental impacts from a conceptual approach that assumes the availability of different engineering and site management approaches but has not defined the specific measures to be used. Thus we do not know whether further soil removal from below any tunnel locations, or pile driving, or depths of soil removal of pile length to bed rock have been determined yet.

This assumption, that site conditions can be managed by alternative available engineering approaches affects among others the feasibility, environmental impacts, and cost and cost uncertainty and contingency of this project and any preferred alternative. More information should be collected and provided on the issues of soil condition and site control and whether removal of soil or piles will be required for any conditions encountered.

As an example of the effect of site conditions and contingencies we need only look at the San Francisco PUC Water System Improvement Project (WSIP) where the cost has escalated from about \$3.5 billion to \$4.5 billion, a \$1 billion or 30% increase, all contingencies have been used up, and a 3 year delay has had to be added because of previously unknown site conditions associated with retrofit of the Crystal Springs dam and

reservoir. See. [SFwater.org/index.aspx?page=690](http://sfwater.org/index.aspx?page=690)
for changes adopted by the SF PUC April 23, 2013
and reported June 28 2013.

<http://sfwater.org/modules/showdocument.aspx?document=3953>

Among the comments resulting from these delays to a project
similar in concept, but much smaller than the BDCP,
were those of the California Department of Public Health,
p. 9

"Completion of the WISP is significantly delayed relative to
the 2002 and 2005 program schedules. These delays adversely
affect public health and safety, since customers in the Regional
Water System continue to be exposed to the risk of a major
disruption in service should there be a catastrophic event before
the WSIP improvements are completed" June 28, 2013, p. 9

June 28, 2013 report, p. 13

"The program budget increase is due to unexpected geologic
conditions discovered at the site of the Calaveras Dam Replacement
project."

June 28, 2013 report, p. 19

"In mid-June 2012, the construction contractor encountered unexpected
geologic conditions during excavation of the slope on the left
side of the valley (when looking downstream from the existing
dam) that could potentially contribute to instability of the slope
above the left abutment and spillway area of the new dam
as designed.....[new design] will result in the need to dispose of
approximately 3 million cubic yards of additional soil and rock
materials, and to double handle some of the materials needed for
construction of the new dam. ..The changes described above
will result in significant schedule and cost impacts to the project.

Thus, the assumption in Chapter 9 that large bore tunnels
under the Delta can be engineered, built, and managed
during construction using normal available engineering
approaches is open to serious question without further
delineation of site conditions and engineering design.

As indicated, these are preliminary comments, and I expect to
provide further comments by April 14, but these issues
failure to consider construction risks, lack of discussion of
`Southern California demand under all contingencies,

other priorities for state expenditures, and lack of fully described engineering for site conditions which may have 25-30% cost escalation and materials removal consequences, suggest that the current EIS/EIR may not have addressed all significant environmental issues and no decision to proceed should be made until these are addressed.

Very truly yours,

Kermit R. Kubitz

From: Sandra P McCaslin <spmccaslin@comcast.net>
Sent: Thursday, January 30, 2014 11:55 AM
To: 'BDCP.comments@noaa.gov'
Subject: Opinion

No!!!
Thank you,
Sandra p McCaslin

Sent from my iPad

From: Lana And Carl <sunfish_2@sbcglobal.net>
Sent: Thursday, January 30, 2014 9:14 AM
To: 'BDCP.comments@noaa.gov'
Subject: The twin tunnels

From: Carl Terry
sunfish_2@sbcglobal.net

As a resident of the Sacramento San Juquin delta I find the "Twin Tunnels". To be the most expensive "Band-Aid". Approach to solve California's water problem in history, it only transfers water from one area to another without adding one drop of water to the system. It actually destroys an entire environment, economy and life style in the Delta to pour water into the desert so that corporate farmers can grow crops in an unsustainable environment. I understand that the Central Valley water project was started during the depths of the Great Depression, paid into by farmers in the Central Valley. however not without taxpayers money which paid the bulk of the cost. The water rights for those farmers have passed through generations have spun into agriculture corporations which have the right to sell water to muni water districts and developers at a huge profit. I understand that California has a very successful agriculture business. Growing up in this state I understand what farmers do for us, they put food on our tables. We need to develop better ways of irrigation, develop de-Salinization which is very expensive, developing solar energy and hydrogen generation to power these systems. This will actually add water to the system. In the long run it will provide water to the more arid areas of our state. Global warming has become more than a theory. As one of the most developed country's in the world we need to join the 21st century, not using the "Band-Aid" approach but working on long term solutions to our shared water problem.

Sent from my iPad

From: Jim Wallace <jimwallace@sbcglobal.net>
Sent: Wednesday, January 29, 2014 1:56 PM
To: 'bdcp.comments@noaa.gov'
Subject: Request for Documents

Per DWR, I have been directed to you for copies of the following. Can you please provide them or direct me to their location.

Thank you, Jim Wallace
(916) 775 2380

The two technical memorandums are cited as references in the BDCP Draft EIR/EIS, Chapter 34, p. 34-13, beginning on line #7.

California Department of Water Resources. 2010a. Technical Memorandum: Definition of Existing Groundwater Regime for Conveyance Canal Dewatering and Groundwater Evaluation. Delta Habitat Conservation and Conveyance Program. Document Number: 9AA-31-05-145-002.

California Department of Water Resources. 2010b. Technical Memorandum: Analysis of Dewatering Requirements for Potential Excavations. Delta Habitat Conservation and Conveyance Program. Document Number: 9AA-31-05-145-001.

Hello Mr. Wallace,

I apologize for the delay in sending the information regarding the following documents:

California Department of Water Resources. 2010a. Technical Memorandum: Definition of Existing Groundwater Regime for Conveyance Canal Dewatering and Groundwater Evaluation. Delta Habitat Conservation and Conveyance Program. Document Number: 9AA-31-05-145-002.

California Department of Water Resources. 2010b. Technical Memorandum: Analysis of Dewatering Requirements for Potential Excavations. Delta Habitat Conservation and Conveyance Program. Document Number: 9AA-31-05-145-001.

For your request, DWR will need you to submit information to bdcp.comments@noaa.gov

If I can be of further assistance, please let me know. Thank you,

Maggie
Maggie Macias
Public Affairs Office
Department of Water Resources
mmacias@water.ca.gov
(916) 653-8743

From: Harrell, Bill@DWR <Bill.Harrell@water.ca.gov>
Sent: Friday, January 31, 2014 5:40 PM
To: 'BDCP.Comments@noaa.gov'
Cc: 'Jim Wallace'; 'Heiland, Brian@DWR'
Subject: RE: BDCP data request

Hello Jim,

All requests for information are being directed to our BDCP comment email address BDCP.Comments@noaa.gov. Via this email, I have forwarded your request to that email where a team of folks are handling requests and comments.

Thanks,
Bill Harrell

BILL HARRELL
CALIFORNIA DEPARTMENT OF WATER RESOURCES
1416 NINTH STREET, SACRAMENTO, CA 95814

From: Jim Wallace [<mailto:jimwallace@sbcglobal.net>]
Sent: Thursday, January 30, 2014 7:34 AM
To: Harrell, Bill@DWR
Subject: BDCP data request

Bill, we spoke briefly in Walnut Grove about my inability to get two references from DWR. You suggested that you might be able to help. I'd appreciate anything you can do to locate these technical memorandums.

Regards, Jim Wallace

Reference location: Draft BDCP EIR/EIS, Chapter 34, p. 34-13; beginning at line 7.

California Department of Water Resources. 2010. Technical Memorandum: Definition of Existing Groundwater Regime for Conveyance Canal Dewatering and Groundwater Evaluation. Delta Habitat Conservation and Conveyance Program. Document Number: 9AA-31-05-145-002.

California Department of Water Resources. 2010. Technical Memorandum: Analysis of Dewatering Requirements for Potential Excavations. Delta Habitat Conservation and Conveyance Program. Document Number: 9AA-31-05-145-001.

From: Beth Rose Middleton <brmiddleton@ucdavis.edu>
Sent: Tuesday, January 28, 2014 9:59 AM
To: 'BDCP.comments@noaa.gov'
Subject: UC Davis Native American Studies class

Hello,

I am planning to bring my Native American Studies 162 (California Indian Environmental Policy II) class to the BDCP public open house meeting in Sacramento on Thursday. Our class period is 2pm-4pm, so we can arrive by 2:30, but we will have to leave by 3:45. Is it possible that someone from the BDCP could speak briefly to my class about the BDCP environmental review process, opportunities for tribal participation in the BDCP process, and tribal interests in the BDCP? My students would really benefit from a personalized, brief orientation and the opportunity to ask questions as a group. I am trying to give them a sense of how public environmental review processes actually work, and this decision on the BDCP represents a key moment in state water policy. Please let me know. I am renting a van to bring the class over. It is a small class of 6 upper division students, a combination of Native American Studies, Environmental Science & Policy, and Anthropology majors.

Thank you,

Beth Rose Middleton
530 908 7673

Assistant Professor and Graduate Adviser, Dept. of Native American Studies
Director, Environmental Justice Project
University of California, Davis

From: Russ Smith <rangiwai2@gmail.com>
Sent: Tuesday, January 28, 2014 8:55 AM
To: 'bdcp.comments@noaa.gov'
Subject: Regarding the plan to build tunnels for water

Full disclosure I'm a fisherman. I think this plan is terribly misguided and a poorly disguised attempt by So cal farmer to grab more water to grow their water intensive crops. There is ZERO science that says "predatory non native fish" are the cause of the decline in smelt and salmon populations so why do most of the proposals include plans to intentionally reduce the populations of those fish? It's a classic red herring, everyone knows water diversion is the problem but if we blame fish, then we can kill them, then the fishermen won't care and will stop fighting, and then the farmers get all the water they want.

it's criminal THEY are the ones killing all the salmon and smelt not the fishermen.

Spend the money to fix the screens at the pumping station so they do a better job of not killing fish and make the farmers grow crops that are less water intensive.

Russ Smith
Sunnyvale, CA

From: Bob Wright <BWright@friendsoftheriver.org>
Sent: Tuesday, January 28, 2014 8:01 AM
To: 'BDCP.Comments@noaa.gov'
Subject: Comment letter on BDCP
Attachments: 1 28 14 final BDCP ltr.pdf

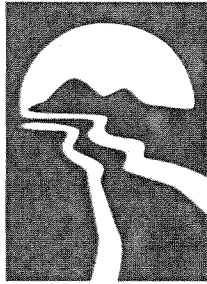
Dear NOAA and Ryan Wulff, NMFS

Attached please find our formal comment and demand letter of today, January 28, 2014 re the BDCP Plan and EIR/EIS that were issued in December for public review.

We would appreciate a reply confirming that our comment letter has been received.

Sincerely,

Bob Wright
Senior Counsel
Friends of the River
Sacramento, CA
(916) 442-3155 x207



To protect and restore California Rivers by influencing public policy and inspiring citizen action.

FRIENDS OF THE RIVER

1418 20TH STREET, SUITE 100, SACRAMENTO, CA 95811

PHONE: 916/442-3155 • FAX: 916/442-3396

WWW.FRIENDSOFTHERIVER.ORG

January 28, 2014

VIA EMAIL

Sally Jewell, Secretary of the Interior

Penny Pritzker, Secretary of Commerce

Michael Connor, Commissioner, Bureau of Reclamation (Via Fax)

John Laird, Secretary, California Natural Resources Agency (Via Fax)

Mark Cowin, Director, California Department of Water Resources (Via Fax)

BDCP.Comments@noaa.gov

Re: Demand to Cease and Desist Unlawful Viewpoint Discrimination and Denial of Public Access on BDCP Website, and Comment Letter re Same

Dear Federal and California Officers and Agencies Carrying out the BDCP:

This Demand and Comment Letter is submitted to you by the following public interest organizations in an effort to protect the San Francisco Bay-Delta and California rivers: Friends of the River; Restore the Delta; and the Environmental Water Caucus, a coalition of more than 30 public interest organizations. This letter pertains to the California Resources Agency, California Department of Water Resources (DWR) and the Bureau of Reclamation's recent decision to stop posting public comment letters and other vital information on their jointly hosted Bay Delta Conservation Plan (BDCP) website (baydeltaconservationplan.com) just after issuance of the public drafts of the BDCP Plan and Environmental Impact Report/Environmental Impact Statement (EIR/EIS) on about December 13, 2013.

When our country was formed, people peaceably assembled in order to hear each other's views on matters of public importance. Informed public debate is the hallmark of our democracy. The modern equivalent of the venerable town hall/public park assembly is the public comment process via the Internet on proposed major government actions. Americans have fought wars to retain these freedoms. The BDCP proponent agencies, however, seem intent upon wresting these hard-earned freedoms from the public. These freedoms have been suppressed by these agencies' decision to stop posting critical comment letters on the established project website. If we lived in

Communist China, we might expect thoughtful or critical public comment to be suppressed. We do not expect this in the United States of America.

The Water Tunnels BDCP is another effort by the same Governor and others to develop the old peripheral canal project that was defeated by a referendum vote by a margin of about 2 to 1 in June 1982. The Water Tunnels are identified as Alternative 4, DWR's Preferred Alternative. (BDCP Draft EIR/EIS, 3-3). The Water Tunnels are one of, if not the most, controversial proposed public works projects in California history.

Recent Website Change Regarding Posting of Comments

The initial Friends of the River comment letter was submitted to the National Marine Fisheries Service (NMFS) as instructed by the BDCP website on January 14, 2014. Receipt was confirmed by reply email from NMFS that same date also advising that "Additional information can be found at www.baydeltaconservationplan.com ." What can be found on the BDCP website are the 40,000 pages of the consultant prepared Plan and EIR/EIS documents which the federal Bureau of Reclamation, NMFS and United States Fish and Wildlife Service (USFWS), have previously called "advocacy" and/or "biased" documents for the BDCP Water Tunnels project. (Federal Agency Release, Bureau of Reclamation Comments p.1; NMFS Comments p.2); USFWS Comments p.1, July 18, 2013).

What cannot be found on the BDCP website is the January 14, 2014 Friends of the River initial comment letter explaining among other things that the Water Tunnels project "is not a permissible project under the Endangered Species Act (ESA) because it would adversely modify designated critical habitat for at least five Endangered and Threatened fish species." (p.1). What also cannot be found on the BDCP website is the December 19, 2013 Environmental Water Caucus (EWC) (a coalition of more than 30 public interest organizations) letter requesting that the public review and comment period be extended from April 14, 2014 to August 15, 2014. The EWC letter explains that "there are 40,214 actual pages of the released documents" and that "these documents represent 20% more pages than the 32 volumes of the last printed edition of the Encyclopedia Britannica."

To explain the change in policy regarding posting of correspondence on the BDCP website, the following language now appears under "Correspondence": *"In order to maintain the integrity of the formal public review period, incoming correspondence will not be available via the website beginning December 13, 2013 to the close of the public comment period April 14, 2014."* (See <http://baydeltaconservationplan.com/library/Correspondence.aspx> , emphasis added.)

The obvious purpose of refusing to post comment letters is to hide critical comments from the public. It limits the information available to the public to the pro-BDCP Water Tunnels documents posted in December 2013. This restriction is an unconstitutional and unlawful exercise of viewpoint discrimination by the State agencies, the Resources Agency and DWR, aided and abetted by the participating federal agencies, NMFS which is receiving the comments but not posting them on a website, and USFWS and Reclamation. The First Amendment prohibits viewpoint discrimination. This restriction is also an unlawful denial of public access to the comments prohibited by the California Constitution. Furthermore, the decision to withhold

posting of comments is a direct violation of the environmental full disclosure purposes of both the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA).

The Closing of the Forum to Critical Comment Is Contrary to the Promise of Encouraging Public Participation

The State claims that “The BDCP encourages public participation.” (BDCP website under “Correspondence”.) Secretary Laird of the California Resources Agency and numerous other state officials have claimed that the BDCP process is open and transparent. Those claims of encouraging public participation and openness are false. By refusing to post critical comment letters, the speech of the commenters is being silenced. The public does not see the other side of the Water Tunnels story.

Meanwhile, the proponent agencies continue to tout the Water Tunnels on the website. (Spanish language posting, January 3, 2014 entitled *Breve Informativo*; English language Overview Presentation posting, January 20, 2014). The project proponents have been free to misrepresent, advocate, speculate and omit unpalatable facts from the web site while silencing responsive correction.

Instead of encouraging public participation, the agencies are doing everything in their power to discriminate against and exclude views opposing the Water Tunnels from the public website forum they have created. This is part of a pattern of suppression of free speech that was displayed in the summer of 2013 when Caltrans employees trespassed on private property in the Delta to remove signs carrying the message “Save the Delta! Stop the Tunnels!” That thuggery by the State only stopped after it was brought to widespread public attention by media coverage and rallies protesting the sign removals; no legal basis for the sign removals was ever provided by Caltrans.

Claiming that taking more water away from the fish will be good for the fish, that taking more freshwater away from the Delta would be good for the Delta and that a water grab for the benefit of the exporters is really a conservation plan is false propaganda intended to deceive and confuse the public. This pattern and practice of viewpoint discrimination by the BDCP proponent agencies is the strongest self-indictment that could be made of the folly, environmental destruction and economic waste threatened by the Water Tunnels project. The government would not be trying to suppress the speech of project opponents if it actually believed its own claims about the asserted benefits of the project.

The Viewpoint Discrimination on the BDCP Website Violates the First Amendment

The First Amendment of the United States Constitution provides in pertinent part that there shall be no law “abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.” Similarly, the California Constitution commands that “A law may not restrain or abridge liberty of speech or press” and the people have the right to “assemble freely to consult for the common good.” Cal. Const., Art. 1, § 2(a); § 3(a). “In a public forum, by definition, all parties have a constitutional right of access and the state must demonstrate compelling reasons for restricting access to a single class of speaker, a single viewpoint, or a single subject. When speaker and

subject are similarly situated, the state may not pick and choose.” *Perry Educ. Assn. v. Perry Local Education Assn*, 460 U.S. 37, 55 (1983). “Any access barrier must be reasonable and viewpoint neutral [citations].” *Christian Legal Soc. Chapter of the University of California, Hastings College of the Law v. Martinez*, 130 S.Ct. 2971, 2984 (2010). “When the government targets not subject matter, but particular views taken by speakers on a subject, the violation of the First Amendment is all the more blatant. [Citation.] Viewpoint discrimination is thus an egregious form of content discrimination. The government must abstain from regulating speech when the specific motivating ideology or the opinion or perspective of the speaker is the rationality for the restriction.” *Rosenberger v Rector and Visitors of University of Virginia*, 515 U.S. 819, 829 (1995).

Under the current regime, only those viewpoints that the government chooses will be posted on the BDCP website. For example, the website continues to include blogs purporting to debunk alleged “Myths” about the BDCP, and other materials written to promote BDCP and discount public concerns. (See, e.g., http://baydeltaconservationplan.com/news/blog/14-01-10/Correcting_Stubborn_Myths_Part_II.aspx.) This blog suggests that a comment on the blog may be provided by clicking on a link. (“Click here to contact us with your questions or comments about the BDCP Blog.”) Yet that link is the same link to the email address for submitting formal public comments on the Plan and EIR/EIS (BDCP.comments@noaa.gov). As explained clearly on the BDCP website, such comments will not be posted. The exclusion of critical comments from the BDCP website at the same time as the government agency proponents continue to post materials that promote their viewpoint that BDCP is a worthwhile project violates the First Amendment prohibition of viewpoint discrimination in forums created by the government.

The Denial of the Right of Access to Critical Comments Violates the California Constitution

The California Constitution provides in pertinent part that “The people have the right of access to information concerning the conduct of the people’s business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny.” Cal. Const. Art. 1, § 3(b)(1). Moreover, any authority “shall be broadly construed if it furthers the people’s right of access, and narrowly construed if it limits the right of access.” Cal. Const. Art. 1, § 3(b)(2).

“Given the strong public policy of the people’s right to information concerning the people’s business (Gov.Code, § 6250), and the constitutional mandate to construe statutes limiting the right of access narrowly (Cal. Const., art. 1, § 3, subd. (b)(2), all public records are subject to disclosure unless the Legislature has *expressly* provided to the contrary.” *Sierra Club v. Superior Court*, 57 Cal.4th 157, 166 (2013) (internal quotation marks deleted).

The complexity of the BDCP and the volume of documents being circulated for public review to explain that complexity make review challenging even for professionals. For an average member of the public, the job is almost impossible. The public’s ability to be informed regarding this project is facilitated by having access to comments being made by others during the review process, including non-profit environmental groups and other public agencies. The

refusal to publish comment letters on the website as they come in denies the public the right of access to the comments in violation of the California Constitution.

The Exclusion of Environmental Information Contrary to the Opinions of the Project Proponents Violates NEPA and CEQA

NEPA and CEQA are both “environmental full disclosure laws.” *Silva v. Lynn*, 482 F.2d 1282, 1284 (1st Cir. 1973)(NEPA); *Communities for a Better Environment v. City of Richmond*, 184 Cal.App.4th 70, 88 (2010)(CEQA). Both laws require that an agency “use its best efforts to find out all that it reasonably can” about the subject project and its environmental impacts. *Barnes v. U.S. Dept. of Transp.* 655 F.3d 1124, 1136 (9th Cir. 2011)(NEPA); *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*, 40 Cal. 412, 428 (2007)(CEQA).

Interfering with review by members of the public of comments made by other members of the public is environmental concealment, not disclosure, and is calculated to prevent the public from finding out all that it reasonably can about the subject project and its impacts.

CEQA provides that “notwithstanding any other provision of law” the record of proceedings “shall include, but is not limited to,” written documents submitted by any person relevant to findings and all written correspondence submitted to the respondent public agency with respect to compliance with CEQA or the project. Public Resources Code § 21167.6(e)(3), (7).

The NEPA Regulations require that federal agencies make comments received under NEPA available to the public pursuant to the provisions of the Freedom of Information Act and that they shall be provided without charge to the extent practicable. 40 C.F.R. § 1506.6(f). The CEQA Regulations provide that:

Public participation is an essential part of the CEQA process. Each public agency should include provisions in its CEQA procedures for wide public involvement, formal and informal consistent with its existing activities and procedures, in order to receive and evaluate public reactions to environmental issues related to the agency’s activities. *Such procedures should include, whenever possible, making environmental information available in electronic format on the Internet, on a web site maintained or utilized by the public agency.* 14 Code Cal. Regs § 15201(emphasis added).

Instead, the BDCP proponent agencies have selectively published environmental information favorable to the project on their website while concealing what they consider to be unfavorable information that they would rather not share with the public. Making the comments available only *after* the comment period has closed makes a mockery of the promise of a fair, transparent and open process. Members of the public will have no opportunity to learn information provided by those with concerns about the BDCP in time to help them develop their own timely comments, including suggested alternatives to the project. The exclusion of comments from the website violates the environmental full disclosure purposes of both NEPA and CEQA, and the CEQA regulation requiring the posting of environmental information on the agency’s website.

CONCLUSION

The exclusion of public comments from the BDCP website makes the claim that the BDCP encourages public participation a lie, and violates the First Amendment, California Constitution, NEPA and CEQA. This blatant viewpoint discrimination will not be tolerated. We demand that your agencies immediately commence posting all comment letters received on the BDCP website as soon as they are received, and confirm in writing that you are now doing so.

Sincerely,

/s/ E. Robert Wright

E. Robert Wright

Senior Counsel, Friends of the River

Cc:

Gina McCarthy, Administrator, U.S. EPA

Chuck Bonham, Director, California Department of Fish and Wildlife

Congressman John Garamendi, Third District, California

Congresswoman Doris Matsui, Sixth District, California

All Members, Legislature of the State of California

From: Friends of the River <info@friendsoftheriver.org> on behalf of Emily Wishman
<emily_ets@yahoo.com>
Sent: Friday, January 31, 2014 9:17 PM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 31, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta. I oppose the project because:

It is too costly (up to \$54 billion with interest and other hidden costs) and the general public should not have to cover any of this outrageous, including habitat restoration costs. These should be paid by those who receive the water (since the Delta diversions degraded the habitat in the first place).

Operation of the diversions and tunnels threaten to dewater major upstream reservoirs in northern California and reduce downstream river flows, to the detriment of fish, wildlife, recreation, and other public trust values.

Diversion and tunnel facilities would adversely impact too much Delta farmland and habitat, harm Brannan Island State Park, infringe on the Stone Lakes National Wildlife Refuge, and degrade other essential conservation lands.

You cannot restore Delta habitat without first determining how much fresh water the Delta needs to survive and thrive. Restoration of fresh water flows from the San Joaquin River in the south Delta are particularly important.

The tunnels will need more upstream storage facilities to feed fresh water into them. These include raising Shasta Dam, building the Sites Reservoir, and possibly reviving the Auburn Dam on the American River and the Dos Rios Dam on the Eel. The environmental, cultural, and financial impacts of these controversial projects are a significant foreseeable but ignored impact of the BDCP.

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

J. M. 707

Sincerely,

Ms. Emily Wishman
6360 14th St
Sacramento, CA 95831-1808

From: Lucero, Pedro <plucero@usbr.gov>
Sent: Tuesday, January 28, 2014 5:16 AM
To: 'Rose Flame'
Cc: 'Charles Alexander'; 'Cc: Damon Arthur'; 'Pat Lind'; 'Helene Sisk'; 'Christine Mitchell'; 'Shelly Godfroy'; 'Joan Manning'; 'Matt Doyle'; 'Wayne R. Agner'; 'trinityjournal@dcacable.net'; 'hswriter@frontiernet.net'; 'ecassano@shastalake.com'; 'Ed Smith & Virginia Phelps'; 'Marily Woodhouse'; 'Bruce Ross'; 'Kelly Frost, Sr'; 'Charlene Cheng'; 'Sally & Terry Rapoza'; 'BDCP.comments@noaa.gov'; 'Lauren Bisnett'; 'Pete Lucero'; 'Deborah Jordan'
Subject: Correction

Celeste, In the narrative below, you indicate that "Heidi went up to Brian Person and told him that everyone had read in the last Record Searchlight editorial that they were going to have an opportunity to speak. Mr. Person hemmed and hawed and finally, Heidi threatened him with the crowd if he wouldn't give everyone at least a small opportunity to talk. "You have to," she said, jerking her thumb behind her, "or else ..."

I checked with Brian and others, and that just did not happen, at least not with Brian. Heidi may have spoken with someone, but the characterization presented is just wrong.

Cheers

Pete Lucero

Deputy Chief of Public Affairs (Acting)

Reclamation | Commissioner's Office

1849 C St NW | MS-7069-MIB (92-40000) | Washington DC, 20240-0001

Voice 202-513-0684 | Cell 707.363.4243

On the Web - www.usbr.gov

MPNet - intra.usbr.gov

----- Forwarded message -----

From: **Rose Flame** <mysecretfires@gmail.com>

Date: Saturday, January 25, 2014

Subject: Re: BDCP Travelling Road Show (RE: Brian Dahle & water)

To: Charles Alexander <sushibar007@hotmail.com>

Cc: Damon Arthur <darthur@redding.com>, Pat Lind <lind_57@yahoo.com>, Helene Sisk <cheedaa12@gmail.com>, Christine Mitchell <shastademocracy@gmail.com>, Shelly Godfroy <godfroyshelly@yahoo.com>, Joan Manning <jmanning@snowcrest.net>, Matt Doyle <mdoyle@lakeshastacaverns.com>, "Wayne R. Agner" <editor@trinityjournal.com>, trinityjournal@dcacable.net, "hswriter@frontiernet.net" <hswriter@frontiernet.net>, "ecassano@shastalake.com" <ecassano@shastalake.com>, Ed Smith & Virginia Phelps <ednva@frontiernet.net>, Marily Woodhouse <trees@thebattlecreekalliance.org>, Bruce Ross <brross@redding.com>, "Kelly Frost, Sr" <Kelly@reddingradio.com>, Charlene Cheng <ccheng@actionnewsnow.com>, Sally & Terry Rapoza <terryrapoza@hotmail.com>, BDCP.comments@noaa.gov, Lauren Bisnett <lauren.bisnett@water.ca.gov>, Pete Lucero <plucero@usbr.gov>, Deborah Jordan <jordan.deborah@epa.gov>

Dear Charles,

BDCP 129

Thank you for going to this event. I know how completely fraudulent these things can feel.

At the first Bureau of Reclamation meeting at the Holiday Inn last summer, Citizens For Clean Air forced the Bureau to hold a public comment period. When we arrived, Arnie Erickson noticed (from reading the agenda) that the Bureau planned to skip comment. Heidi went up to Brian Person and told him that everyone had read in the last Record Searchlight editorial that they were going to have an opportunity to speak. Mr. Person hemmed and hawed and finally, Heidi threatened him with the crowd if he wouldn't give everyone at least a small opportunity to talk. "You have to," she said, jerking her thumb behind her, "or else ..."

Brian Person heads up the Shasta Dam office. However, this was my friend Heidi Strand, and therefore, he caved in to our demands. What else could he do? Promote tyranny?

If CCA had known that this BDCP meeting was going to be an example of more of the same, we would have sent representatives to help the audience. The notion of a comment period "with the only avenue for oral comment being approx. 25' - 30' away from the nearest display" is completely unacceptable.

Eric Cassano, who runs our Anti-Knauf and 3M Quarry websites, explained that the government is using something called the "Delphi Method" to sell the audience on their pre-made decisions. The point is to make citizens feel small. The Delphi method is based on the assumption that group judgments are more valid than individual judgments.

Here is a link to more on the Delphi Method, if you are interested:

http://en.wikipedia.org/wiki/Delphi_method

Although I am sure that the Delphi Method has *some* valid applications, it has no place in meeting like the one you attended. Individual opinions and ideas need to be solicited with sincerity.

Thank you for attending this meeting. Next time they come to town, it will be on

Solidarnost (Солидарность, "Solidarity"),

Celeste Draisner
Citizens For Clean Air
539-223-0197,

On Sat, Jan 25, 2014 at 4:12 PM, Charles Alexander <sushibar007@hotmail.com> wrote:

You didn't miss much.

Unlike the USBR's Shasta Dam hearing (at the Holiday Inn) a few months ago, there was no opportunity for hearing of audience-posed questions/comments. Instead, there was a series of displays (all favorable to BDCP, incidentally) -- with the only avenue for oral comment being approx. 25' - 30' away from the nearest display. And that was with a court-reporter seated at a table waiting for people to INDIVIDUALLY, & away from the hearing of all else, provide oral comment.

Frankly, it seemed better for me to concentrate on the organisation of the notes I have taken from my own study of the BDCP Plan Document & of the relevant EIR/EIS.

Damon Arthur was there. So was someone claiming to represent the "Trinity Journal".

Dahle, incidentally, I did not see there, though I was only there for a mere fraction of the time allotted (I left early).

Date: Fri, 24 Jan 2014 17:04:46 -0800
Subject: Fwd: Fw: Brian Dahle & water
From: mysecretfires@gmail.com
To: sushibar007@hotmail.com
CC: terrypoza@hotmail.com

Some updates.

BDCP129

----- Forwarded message -----

From: **ednva@frontiernet.net** <ednva@frontiernet.net>

Date: Fri, Jan 24, 2014 at 10:24 AM

Subject: Fw: Brian Dahle & water

To: Pat Lind <lind_57@yahoo.com>, Helene Sisk <cheedaa12@gmail.com>, Celeste Drasner <mysecretfires@gmail.com>

Cc: Christine Mitchell <shastademocracy@gmail.com>, Shelly Godfroy <godfroyshelly@yahoo.com>, Joan Manning <jmanning@snowcrest.net>

Good Morning,

Due to a miserable cold I did not attend the water meeting in Redding yesterday. According to the Record Searchlight only 35 people had signed in by 5pm. I do hope more came after work.

Brian Dahle is our Republican assemblyman. I would love to have him be included. If we want people who can make a difference be aware of all of the complexities we need to make sure they get all the information. This would be our opportunity. Check out the email below.

Hope to see you all at the forum on guns tomorrow,

Virginia

----- Forwarded Message -----

From: Christine Mitchell <shastademocracy@gmail.com>

To: Virginia Phelps <ednva@frontiernet.net>

Sent: Wednesday, January 22, 2014 4:10 PM

Subject: Brian Dahle

Hi Virginia,

Frank Treadway said Brian Dahle has said he would like to talk to people about water issues. Dahle is a Republican but he is better than most, I guess.

Frank said to get in touch with this lady, judy.fiorino@asm.ca.gov.

Chris

Christine Mitchell

Shasta County Citizens for Democracy (SCCD)

Chair

530-242-0309

FED UP! FIRED UP!

--
Pete Lucero
Public Affairs Officer

Sent from Gmail Mobile

From: Friends of the River <info@friendsoftheriver.org> on behalf of Linda Degelman <degelman90@hotmail.com>
Sent: Tuesday, January 28, 2014 11:40 PM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 29, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta. I oppose the project because:

It is too costly (up to \$54 billion with interest and other hidden costs) and the general public should not have to cover any of this outrageous, including habitat restoration costs. These should be paid by those who receive the water (since the Delta diversions degraded the habitat in the first place).

Operation of the diversions and tunnels threaten to dewater major upstream reservoirs in northern California and reduce downstream river flows, to the detriment of fish, wildlife, recreation, and other public trust values.

Diversion and tunnel facilities would adversely impact too much Delta farmland and habitat, harm Brannan Island State Park, infringe on the Stone Lakes National Wildlife Refuge, and degrade other essential conservation lands.

You cannot restore Delta habitat without first determining how much fresh water the Delta needs to survive and thrive. Restoration of fresh water flows from the San Joaquin River in the south Delta are particularly important.

The tunnels will need more upstream storage facilities to feed fresh water into them. These include raising Shasta Dam, building the Sites Reservoir, and possibly reviving the Auburn Dam on the American River and the Dos Rios Dam on the Eel. The environmental, cultural, and financial impacts of these controversial projects are a significant foreseeable but ignored impact of the BDCP.

.Think of the legacy we will leave our children and grandchildren. What will we leave them if we build these tunnels and destroy this beautiful State?

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

BDCP130

Sincerely,

Mrs. Linda Degelman
PO Box 127
Camino, CA 95709-0127

From: Friends of the River <info@friendsoftheriver.org> on behalf of Edwina White <edwinaw8@yahoo.com>
Sent: Wednesday, January 29, 2014 7:10 AM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 29, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

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It is very clear that we must begin to live within our resources, so that future generations will have the means to solve the problems they are being handed by our over-use of water and energy.

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments..

BOCP 131

Sincerely,

Ms. Edwina White
1410 Q St Apt G
Sacramento, CA 95811-6625

From: Friends of the River <info@friendsoftheriver.org> on behalf of Ruth Segal <sahar9@yahoo.com>
Sent: Wednesday, January 29, 2014 9:10 AM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 29, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

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Diversion and tunnel facilities would adversely impact too much Delta farmland and habitat, harm Brannan Island State Park, infringe on the Stone Lakes National Wildlife Refuge, and degrade other essential conservation lands.

You cannot restore Delta habitat without first determining how much fresh water the Delta needs to survive and thrive. Restoration of fresh water flows from the San Joaquin River in the south Delta are particularly important.

The tunnels will need more upstream storage facilities to feed fresh water into them. These include raising Shasta Dam, building the Sites Reservoir, and possibly reviving the Auburn Dam on the American River and the Dos Rios Dam on the Eel. The environmental, cultural, and financial impacts of these controversial projects are a significant foreseeable but ignored impact of the BDCP.

Lets get our priorities straight and protect the environment and future life on this planet.

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

BDCP 132

Sincerely,

Ms. Ruth Segal
651 37th Ave
Santa Cruz, CA 95062-5122
(831) 476-7641

From: Friends of the River <info@friendsoftheriver.org> on behalf of Zoe Keithley <mzoekeithley@aol.com>
Sent: Wednesday, January 29, 2014 10:41 AM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 29, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

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You cannot restore Delta habitat without first determining how much fresh water the Delta needs to survive and thrive. Restoration of fresh water flows from the San Joaquin River in the south Delta are particularly important.

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[Hey! When it's damaged it's damaged; and when it's gone it's gone.
Nature was here first. She knows what she's doing. To work contrary to her has never brought mankind anything but trouble in the end.]

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

BDCP 133

Thank you for considering my comments.

Sincerely,

Ms. Zoe Keithley
328 51st St Apt 3
Sacramento, CA 95819-2930

From: Friends of the River <info@friendsoftheriver.org> on behalf of Stephen Anderson <sander6@lausd.net>
Sent: Wednesday, January 29, 2014 9:42 PM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 29, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

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There are just too many factors endangering the livelihood of people and the fishery of the Sacramento Delta to continue this travesty!

Stephen J. Anderson

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted

groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

Sincerely,

Mr. Stephen Anderson
2225 Chelsea Rd
Palos Verdes Estates, CA 90274-2603
(320) 729-3887

From: Friends of the River <info@friendsoftheriver.org> on behalf of Michael Hogan <mhogan@ierstahoe.com>
Sent: Tuesday, January 28, 2014 9:39 AM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 28, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta. I oppose the project because:

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You cannot restore Delta habitat without first determining how much fresh water the Delta needs to survive and thrive. Restoration of fresh water flows from the San Joaquin River in the south Delta are particularly important.

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[Selling our water as a conservation plan is ludicrous. The Sacramento Delta is already showing significant ecological problems from lack of water. I expected more of Gov. Brown.]

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

800P 135

Sincerely,

Mr. Michael Hogan
PO Box 580
Tahoma, CA 96142-0580

From: Friends of the River <info@friendsoftheriver.org> on behalf of Diana Ross <dianalross@yahoo.com>
Sent: Thursday, January 30, 2014 4:14 PM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 30, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

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[Our water is a valuable resource that must be shared with all aspects of California. Dams will have to be removed at some point. It is time to look not only to the present, but also the future needs.]

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

BOCP 136

Thank you for considering my comments.

Sincerely,

Ms. Diana Ross
1191 S Mary Ave
Sunnyvale, CA 94087-2104

From: Friends of the River <info@friendsoftheriver.org> on behalf of Marily Woodhouse <marily-lobo@hotmail.com>
Sent: Wednesday, January 29, 2014 9:40 AM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 29, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

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[Building these tunnels would just be a continuation of the destruction and stupid decisions that have caused the problems in the past.]

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

BDCP 137

Thank you for considering my comments.

Sincerely,

Ms. Marily Woodhouse
Rock Creek
Manton, CA 960598606

From: Friends of the River <info@friendsoftheriver.org> on behalf of Scott Scheu <scotty@malode.com>
Sent: Tuesday, January 28, 2014 10:08 AM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 28, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

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In my opinion, this issue is of such great importance, that it would definitely in future elections swing my vote away from supporters of the tunnels, and any other projects selling water down south to unsustainable farming areas in the southern Central Valley.

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

BDCP 138

Thank you for considering my comments.

Sincerely,

Mr. Scott Scheu
PO Box 502
Lotus, CA 95651-0502

From: Friends of the River <info@friendsoftheriver.org> on behalf of Joyce Burk <joyceburk@earthlink.net>
Sent: Tuesday, January 28, 2014 3:39 PM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 28, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

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[I understand how valuable water is for our great state of California.
BUT we don't need to sacrifice what makes our state great -- our natural resources -- and the Delta is one of them.]

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

BDCP 139

Sincerely,

Mrs. Joyce Burk
PO Box 106
Barstow, CA 92312-0106

From: Friends of the River <info@friendsoftheriver.org> on behalf of Karen Zimmerman <bobzkarenz@att.net>
Sent: Tuesday, January 28, 2014 11:08 AM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 28, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta. I oppose the project because:

It is too costly (up to \$54 billion with interest and other hidden costs) and the general public should not have to cover any of this outrageous, including habitat restoration costs. These should be paid by those who receive the water (since the Delta diversions degraded the habitat in the first place).

Operation of the diversions and tunnels threaten to dewater major upstream reservoirs in northern California and reduce downstream river flows, to the detriment of fish, wildlife, recreation, and other public trust values.

Diversion and tunnel facilities would adversely impact too much Delta farmland and habitat, harm Brannan Island State Park, infringe on the Stone Lakes National Wildlife Refuge, and degrade other essential conservation lands.

You cannot restore Delta habitat without first determining how much fresh water the Delta needs to survive and thrive. Restoration of fresh water flows from the San Joaquin River in the south Delta are particularly important.

The tunnels will need more upstream storage facilities to feed fresh water into them. These include raising Shasta Dam, building the Sites Reservoir, and possibly reviving the Auburn Dam on the American River and the Dos Rios Dam on the Eel. The environmental, cultural, and financial impacts of these controversial projects are a significant foreseeable but ignored impact of the BDCP.

This is a very ill-conceived project. We need more dams, not tunnels.
Why do we continue to supply the L.A. area at the expense of the Delta farmers and Northern Californians.

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

Sincerely,

Mrs. Karen Zimmerman
1815 Springvale Ln
Lincoln, CA 95648-8724
(916) 253-7612

From: Friends of the River <info@friendsoftheriver.org> on behalf of Anthony Gardner <tgera70@gmail.com>
Sent: Sunday, February 02, 2014 9:21 AM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Feb 2, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta. I oppose the project because:

It is too costly (up to \$54 billion with interest and other hidden costs) and the general public should not have to cover any of this outrageous, including habitat restoration costs. These should be paid by those who receive the water (since the Delta diversions degraded the habitat in the first place).

Operation of the diversions and tunnels threaten to dewater major upstream reservoirs in northern California and reduce downstream river flows, to the detriment of fish, wildlife, recreation, and other public trust values.

Diversion and tunnel facilities would adversely impact too much Delta farmland and habitat, harm Brannan Island State Park, infringe on the Stone Lakes National Wildlife Refuge, and degrade other essential conservation lands.

You cannot restore Delta habitat without first determining how much fresh water the Delta needs to survive and thrive. Restoration of fresh water flows from the San Joaquin River in the south Delta are particularly important.

The tunnels will need more upstream storage facilities to feed fresh water into them. These include raising Shasta Dam, building the Sites Reservoir, and possibly reviving the Auburn Dam on the American River and the Dos Rios Dam on the Eel. The environmental, cultural, and financial impacts of these controversial projects are a significant foreseeable but ignored impact of the BDCP.

Not that it makes any difference to you mr brown but I think these places should be left for our next generations like they were there for us. Killing these places off would create much more problems than you think you would be solving, unless the problem is people like you and Feinstein think your wallets are not fat enough!

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

Sincerely,

Mr. Anthony Gardner
3620 Gallagher Cir
Antioch, CA 94509-5936
(925) 759-4982

From: Friends of the River <info@friendsoftheriver.org> on behalf of Daniel Brower
<pacuarecholo@yahoo.com>
Sent: Saturday, February 01, 2014 10:50 PM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Feb 2, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

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Diversion and tunnel facilities would adversely impact too much Delta farmland and habitat, harm Brannan Island State Park, infringe on the Stone Lakes National Wildlife Refuge, and degrade other essential conservation lands.

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The tunnels will need more upstream storage facilities to feed fresh water into them. These include raising Shasta Dam, building the Sites Reservoir, and possibly reviving the Auburn Dam on the American River and the Dos Rios Dam on the Eel. The environmental, cultural, and financial impacts of these controversial projects are a significant foreseeable but ignored impact of the BDCP.

.This project is pure folly. It is too expensive and should not be an expense borne by the tax-payers. It will further degrade the delta ecosystem and will transfer yet more of Northern California water to the south, damaging and harming the rivers and wildlife that depend on them.

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

Sincerely,

Mr. Daniel Brower
10449 Oak Valley Rd
Angels Camp, CA 95222-9735
(209) 785-6964

From: Friends of the River <info@friendsoftheriver.org> on behalf of Margrit Petrofsky
<joeandmargrit@earthlink.net>
Sent: Tuesday, January 28, 2014 4:09 PM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 28, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta. I oppose the project because:

It is too costly (up to \$54 billion with interest and other hidden costs) and the general public should not have to cover any of this outrageous, including habitat restoration costs. These should be paid by those who receive the water (since the Delta diversions degraded the habitat in the first place).

Operation of the diversions and tunnels threaten to dewater major upstream reservoirs in northern California and reduce downstream river flows, to the detriment of fish, wildlife, recreation, and other public trust values.

Diversion and tunnel facilities would adversely impact too much Delta farmland and habitat, harm Brannan Island State Park, infringe on the Stone Lakes National Wildlife Refuge, and degrade other essential conservation lands.

You cannot restore Delta habitat without first determining how much fresh water the Delta needs to survive and thrive. Restoration of fresh water flows from the San Joaquin River in the south Delta are particularly important.

The tunnels will need more upstream storage facilities to feed fresh water into them. These include raising Shasta Dam, building the Sites Reservoir, and possibly reviving the Auburn Dam on the American River and the Dos Rios Dam on the Eel. The environmental, cultural, and financial impacts of these controversial projects are a significant foreseeable but ignored impact of the BDCP.

Conservation is, I believe, one of the key solutions to the water issues in California; one that has not been fully explored. A truly sustainable water plan for the state would focus on increased water conservation and efficiency, treating and recycling waste water, cleaning up polluted groundwater, capturing and treating storm water, and reducing irrigation of drainage-impaired lands in the southern Central Valley. Until conservation has been fully supported by the state, there is no way I am going to consider supporting the chancy, expensive, and potentially ruinous tunnel project.

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted

groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

Sincerely,

Ms. Margrit Petrofsky
PO Box 1070
Nevada City, CA 95959-1070

From: Friends of the River <info@friendsoftheriver.org> on behalf of KayLynn Newhart <newhart5583@comcast.net>
Sent: Tuesday, January 28, 2014 4:10 PM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 28, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta. I oppose the project because:

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The tunnels will need more upstream storage facilities to feed fresh water into them. These include raising Shasta Dam, building the Sites Reservoir, and possibly reviving the Auburn Dam on the American River and the Dos Rios Dam on the Eel. The environmental, cultural, and financial impacts of these controversial projects are a significant foreseeable but ignored impact of the BDCP.

.This project should be called the "Underground Peripheral Canal". It will be death to the Delta. Consider that Delta waters will have more saltwater intrusion as climate change inevitably is forecast to cause seawater rise and intrusion. Northern California needs to keep all of the freshwater it can. If nature had meant for this water to be in Southern California it would be there naturally. It is meant to be where it is to sustain flyway and ecosystem habitat. NO ON THE TUNNELS!!

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted

groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

Sincerely,

Ms. KayLynn Newhart
9130 Nolan St Apt 132
Elk Grove, CA 95758-7528

From: Friends of the River <info@friendsoftheriver.org> on behalf of Dan McDaniel
<damp1c@aol.com>
Sent: Tuesday, January 28, 2014 4:10 PM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 28, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta. I oppose the project because:

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You cannot restore Delta habitat without first determining how much fresh water the Delta needs to survive and thrive. Restoration of fresh water flows from the San Joaquin River in the south Delta are particularly important.

The tunnels will need more upstream storage facilities to feed fresh water into them. These include raising Shasta Dam, building the Sites Reservoir, and possibly reviving the Auburn Dam on the American River and the Dos Rios Dam on the Eel. The environmental, cultural, and financial impacts of these controversial projects are a significant foreseeable but ignored impact of the BDCP.

My family has lived in this Central Valley since the mid-1800's, and I since 1952. I watched it's decline begin when my grandfather took me to see Oroville Dam being built. I'd like to leave a place for my grandchildren that is a little better than another Owens Valley, but the Owens Valley is what the BDCP has in mind for the Delta. I am not aware of a single estuary in the world that has been recovered by diverting water for export around the estuary, nor am I aware of an effort to recover any estuary or similar environment that so purposefully excluded the participation of the local community. Let's face it, plain and simple the BDCP is just a 50 year get-out-of-jail free card on the ESA for the export water contractors. If you truly represent me and the community I live in, you will stand up against the BDCP and reject it out of hand. The ball is in your court. I will wait to see what kind of integrity you have.

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality

by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

Sincerely,

Mr. Dan McDaniel
1287 Greeley Way
Stockton, CA 95207-2509
(209) 951-7900

From: Friends of the River <info@friendsoftheriver.org> on behalf of Sherman Lewis
<sherman@csu Hayward.us>
Sent: Tuesday, January 28, 2014 4:40 PM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 28, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

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Operation of the diversions and tunnels threaten to dewater major upstream reservoirs in northern California and reduce downstream river flows, to the detriment of fish, wildlife, recreation, and other public trust values.

Diversion and tunnel facilities would adversely impact too much Delta farmland and habitat, harm Brannan Island State Park, infringe on the Stone Lakes National Wildlife Refuge, and degrade other essential conservation lands.

You cannot restore Delta habitat without first determining how much fresh water the Delta needs to survive and thrive. Restoration of fresh water flows from the San Joaquin River in the south Delta are particularly important.

The tunnels will need more upstream storage facilities to feed fresh water into them. These include raising Shasta Dam, building the Sites Reservoir, and possibly reviving the Auburn Dam on the American River and the Dos Rios Dam on the Eel. The environmental, cultural, and financial impacts of these controversial projects are a significant foreseeable but ignored impact of the BDCP.

Would it not cost less and do more than the big tunnels to simply buy all the land in the Westlands Water District?

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

BDCP146

Sincerely,

Mr. Sherman Lewis
2787 Hillcrest Ave
Hayward, CA 94542-1616
(510) 538-3692

From: Friends of the River <info@friendsoftheriver.org> on behalf of Carol McDaniel
<cmcdaniel1@dc.rr.com>
Sent: Tuesday, January 28, 2014 4:40 PM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 28, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta. I oppose the project because:

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Operation of the diversions and tunnels threaten to dewater major upstream reservoirs in northern California and reduce downstream river flows, to the detriment of fish, wildlife, recreation, and other public trust values.

Diversion and tunnel facilities would adversely impact too much Delta farmland and habitat, harm Brannan Island State Park, infringe on the Stone Lakes National Wildlife Refuge, and degrade other essential conservation lands.

You cannot restore Delta habitat without first determining how much fresh water the Delta needs to survive and thrive. Restoration of fresh water flows from the San Joaquin River in the south Delta are particularly important.

The tunnels will need more upstream storage facilities to feed fresh water into them. These include raising Shasta Dam, building the Sites Reservoir, and possibly reviving the Auburn Dam on the American River and the Dos Rios Dam on the Eel. The environmental, cultural, and financial impacts of these controversial projects are a significant foreseeable but ignored impact of the BDCP.

.Please note: I live in the south. Though water is important, I've seen how we destroyed the Owens Valley and the messed up the Salton Sea.
Don't do more damage to the Delta too!

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

BDCP147

Thank you for considering my comments.

Sincerely,

Ms. Carol McDaniel
44730 San Antonio Cir
Palm Desert, CA 92260-3509

From: Friends of the River <info@friendsoftheriver.org> on behalf of Charles Rockwell
<mrockwell@endangered.org>
Sent: Tuesday, January 28, 2014 4:40 PM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 28, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta. I oppose the project because:

It is too costly (up to \$54 billion with interest and other hidden costs) and the general public should not have to cover any of this outrageous, including habitat restoration costs. These should be paid by those who receive the water (since the Delta diversions degraded the habitat in the first place).

Operation of the diversions and tunnels threaten to dewater major upstream reservoirs in northern California and reduce downstream river flows, to the detriment of fish, wildlife, recreation, and other public trust values.

Diversion and tunnel facilities would adversely impact too much Delta farmland and habitat, harm Brannan Island State Park, infringe on the Stone Lakes National Wildlife Refuge, and degrade other essential conservation lands.

You cannot restore Delta habitat without first determining how much fresh water the Delta needs to survive and thrive. Restoration of fresh water flows from the San Joaquin River in the south Delta are particularly important.

The tunnels will need more upstream storage facilities to feed fresh water into them. These include raising Shasta Dam, building the Sites Reservoir, and possibly reviving the Auburn Dam on the American River and the Dos Rios Dam on the Eel. The environmental, cultural, and financial impacts of these controversial projects are a significant foreseeable but ignored impact of the BDCP.

.This project is too focused on water for human uses, and not focused enough on water for fish and wildlife, as well as the Delta as place.

More Delta outflow is needed to restore the aquifer and the species that live and migrate through it. Additionally, the damage that will be done in put in the system is not worth it. There are less costly, more balanced ways to achieve the co-equal goals. California does not need this costly project.

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted

BDCP148

groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

Sincerely,

Dr. Charles Rockwell
19737 Wildwood West Dr
Penn Valley, CA 95946-9547

From: Friends of the River <info@friendsoftheriver.org> on behalf of Terry Schulz
<woodowls@msn.com>
Sent: Tuesday, January 28, 2014 5:09 PM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 28, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

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Besides the prohibitive costs including unforeseen this project would be an ecological disaster and result in the loss of some of the most valuable trout stream sections in the world.

A good example is the McCloud River and its wild Rainbow Trout. This species of trout has been transplanted to rivers in several other countries and is one of the most prized in the world. Raising the water level in Shasta Lake would remove valuable river habitat.

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted

groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

Sincerely,

Mr. Terry Schulz
640 Hughs Way
Mckinleyville, CA 95519-8192
(707) 633-6108

From: Friends of the River <info@friendsoftheriver.org> on behalf of maureen roche <enhanceress1@frontier.com>
Sent: Tuesday, January 28, 2014 5:40 PM
To: 'BDCP.Comments@noaa.gov'
Subject: I oppose all alternatives in the BDCP that propose construction of new diversions and tunnels under the Delta

Jan 28, 2014

Mr. Ryan Wulff, NMFS
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff, NMFS,

Thank you for receiving public comments in response to the Draft BDCP Plan and Draft EIR/EIS.

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The tunnels will need more upstream storage facilities to feed fresh water into them. These include raising Shasta Dam, building the Sites Reservoir, and possibly reviving the Auburn Dam on the American River and the Dos Rios Dam on the Eel. The environmental, cultural, and financial impacts of these controversial projects are a significant foreseeable but ignored impact of the BDCP.

.ER H2O declaration doesn't mean CEQA is suspended when needed the most , nor as cover to sneak through twin tunnels and wasteful, toxic fracking.

I believe that the BDCP should include, and I would support, an alternative that significantly reduces Delta exports and focuses instead on restoring habitat and threatened and endangered species in the Delta, improves Delta water quality by providing sufficient fresh water inflow from both the Sacramento and San Joaquin Rivers, and that includes a pragmatic plan to sustainably meeting California's water needs. This can be done by increasing agricultural and urban water use efficiency, capturing and treating storm water, recycling urban waste water, cleaning up polluted groundwater, and reducing irrigation of desert lands in the southern Central Valley with severe drainage problems. We don't need to build more dams or tunnels.

Thank you for considering my comments.

BDCP/50

Sincerely,

Ms. maureen roche
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