

# L # 351

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- ☐ Duplicate of \_\_\_\_\_
- ☐ Out of Scope
- ☐ Other:

(replace original)

# **L # BDCP352**

- ✓ Unused
- ☐ Duplicate of \_\_\_\_\_
- ☐ Out of Scope
- ☐ Other: \_\_\_\_\_

(replace original)

BDCP353.

JOSHUA VINING & BEVERLY VINING  
1784 SEAL WAY  
DISCOVERY BAY, CA 94505

ORLAND CA 945

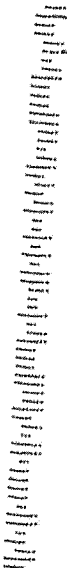
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BDCP COMMENTS

RYAN WULF, NMPS

650 CAPITOL MALL, SUITE 5-100  
SACRAMENTO, CA 95814

3581484718



February 17, 2014

To Whom it may concern regarding the Bay Delta Conservation Plan (BDCF)

My son, Joshua Vining and I are homeowners and <sup>landlords in</sup> ~~renters on~~ Discovery Bay, CA and this BDCP is the most outrageous thing I have ever heard of in the 15 years we have lived here. This project is a horrible idea for us. These tunnels are a disaster for our delta. This would destroy our delta to get water down south.

It is also totally outrageous that I am not able to see comments from others as should be done.

What follows are comments my son and myself regarding this totally absurd and preposterous proposal:

- These tunnels will totally ruin our water supply
- Environmental reports are not sufficient
- There are no monitoring waterway stations as was said would be done
- BDCP has no storage
- These tunnels are not a conservation measure
- There would be no way to keep salt water away from us
- Environmentally this would destroy our delta.
- Economically, there is no plan and the cost would be enormous
- There is no accountability
- In dry years, there is no measuring. The tunnels keep pumping.
- Diverting our water would drastically affect our ecosystem
- Flows have not been reviewed
- Not all endangered species have been accounted for
- Levees should be repaired, which is not done
- The cost is enormous at over 67 Billion dollars
- No accurate cost benefit analysis has been done
- It does not create water; it just moves water away from us.
- The muck is massive and that alone would destroy the environment



-Natural features would be destroyed

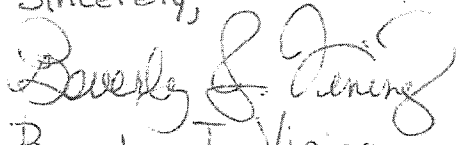
-It destroys our farmland to water farmland down south

-Our economy would totally be harmed to move our water to benefit the south


It is a total waste of time and energy to figure out how to destroy the Sacramento River and our Delta to Benefit another area!

The idiocy just enrages me and my son. Do not go any further on this project!

Sincerely,

  
Beverly J. Vining

Sincerely,

  
Joshua J. Vining

Address: 1784 Seal Way  
Discovery Bay, CA 94505

email  
address: vjay88@gmail.com

FEB 27 2014

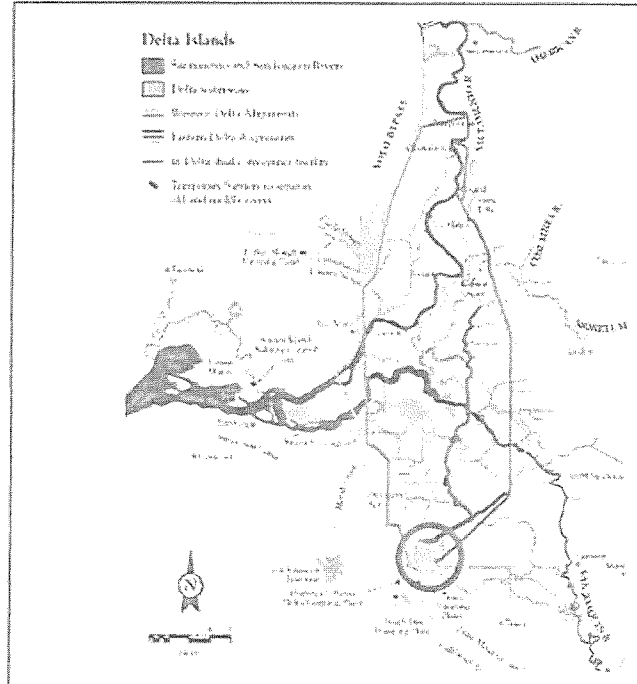
NATL MARINE FISHERIES SVS  
SACRAMENTO, CA

Mrs. Elizabeth Moseby  
1957 9<sup>th</sup> Avenue  
Sacramento, CA 95818  
(916) 447-1209

NOAA NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION  
-BAYDELTA CONSERVATION PLAN

Elizabeth M. Moseby ) Request for Denial of  
 ) BAYDELTA CONSERVATION PLAN

BAYDELTA CONSERVATION PLAN (BDCP)



Request for Denial of  
BAYDELTA CONSERVATION PLAN - 1

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BAYDELTA CONSERVATION PLAN - 2

I. INTRODUCTION

This is in regard to the taking and relocation of natural species and the annihilation of the Sacramento Delta by rerouting the Sacramento River waters and its sources through proposed take facilities, aqueducts, and/or tunnels.

My name is Elizabeth Moseby. I am just an ordinary person, living an average life. I attend church and worship, I try to take care of myself, I love and help my family, and I teach children in the community. I have nothing to gain by writing this except to stand up for a part of nature and to speak for what is an affront to Nature's God. I tried not to, but I am compelled, the more I read the details of what the BAYDELTA CONSERVATION PLAN lays out, to speak out against it.

The BAYDELTA CONSERVATION PLAN is a plan to remove waters from the Sacramento Delta to other locations within the State of California for use by other entities. It includes a plan to relocate species of fish and other creatures as a guise to justify the wheeling of the Sacramento Delta water to private corporate and government agencies.

The plan states its purpose is "*Development and operation of new water conveyance infrastructure and the establishment of operational criteria associated with both existing and new facilities*" (Public Draft 3.3.1.3 Line 4) and "*...creation of specific natural communities in areas that do not currently support those communities*" (Public Draft 3.3.1.3 Line 7)

This plan is a well-written and convoluted document being used as a justification for agencies to take the waters under the pretext of attempting to protect various species of wildlife. However, the risks are great and the

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1 planners admit, over and over again, that efforts to create habitats and  
2 relocate existing species may destroy them. For example:

3  
4 *"Efforts to conserve one species or a collection of species may have consequences for other species. The*  
5 *BDCP will strive to avoid and minimize such negative effects, and mitigate any such conflicts"* (Public Plan  
6 3.3.1.3 Lines 26 and 27)

7  
8 and

9  
10 *"Although the operation of the new diversions is expected to yield beneficial outcomes for covered*  
11 *fishes, it could also have indirect or unforeseen adverse effects on some of the covered fishes"* (Public Plan  
12 3.3.2.3 Lines 11 and 12)

13 In Chapter 3 alone of the Public Plan the phrase "negative effects" is  
14 listed eight times. In the whole document, one finds "negative effects"  
15 listed many more times.

16  
17 The parties who are seeking "take authorization" include the California  
18 Department of Water Resources, Bureau of Reclamation, and private parties  
19 associated with federal and state water contractors.

20 It is wrong. Do not be fooled by the "good intentions" of saving  
21 species that would not need saving if the water was not being seized for  
22 other areas in the first place. *"Central to the conservation strategy is the development*  
23 *and operation of three new north Delta intakes that will be located along the Sacramento*  
24 *River and will divert water to the south Delta through an isolated tunnel/pipeline. The*  
25 *combination of moving water through a new isolated tunnel/pipeline facility in conjunction*  
26 *with the existing south Delta facilities"* (Public Plan 3.2.3.1 Lines 4-7)  
27  
28

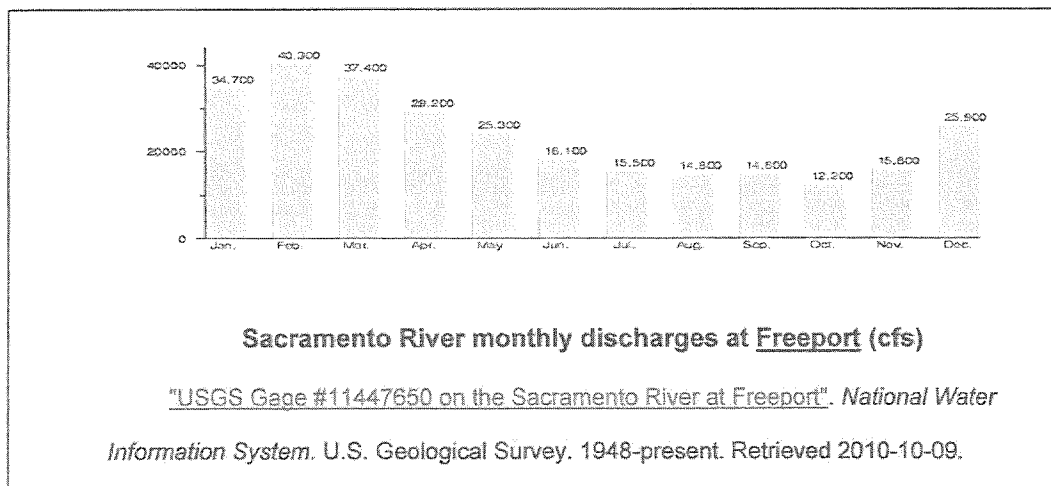
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Taking any more water from the fragile Sacramento River Delta (and its tributary feeders) is dangerous and will affect the land and the people for generations to come and into perpetuity. This is not a legacy that a citizen of the state of California, the United States, or planet Earth, that I want to be responsible for. Please deny all requests and project proposals pertaining to relocating species and constructing irrigation and water redistribution systems in this BAYDELTA CONSERVATION PLAN.

## II. Data and Calculations

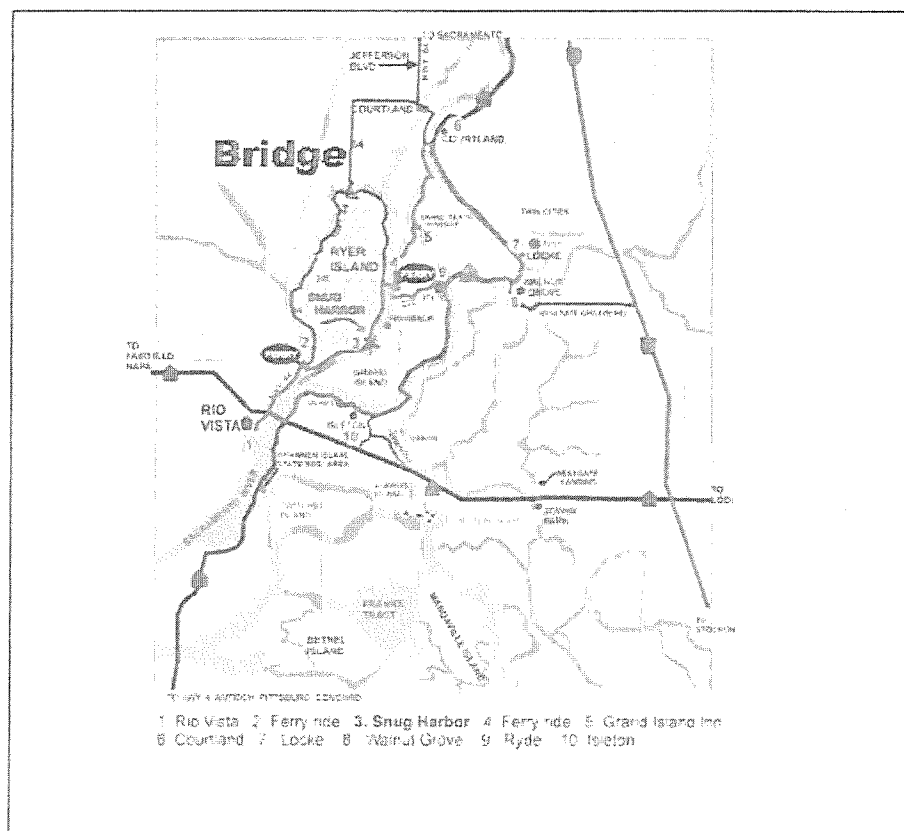
... Flow at Freeport. (This is "ground zero" for the BAYDELTA CONSERVATION PLAN) This site sits just downstream of Sacramento; it recorded an average flow of 23,490 cubic feet per second ( $665 \text{ m}^3/\text{s}$ ) from 1949 to 2009."

From: "USGS Gage #11447650 on the Sacramento River at Freeport, CA (Water-Data Report 2009)" (PDF). *Water Resources of the United States*. U.S. Geological Survey. Retrieved 2010-09-20.)



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"Take" alternatives vary, but the percentages of water sent through the tunnels would be anywhere from 26% of January levels, MORE than 100% in March, and up to 74% in October if the tunnels are built with BDCP Proposed Action from Table 9 (Alternative 4 Second row in table below). Alternative 4 is the preferred plan by BDCP. If one looks farther down Table 9 from the BAYDELTA CONSERVATION Plan, the amount is even greater with Alternative 4- and there would be a *deficit* in March through May. In Table 9, Section I, Alternative 4 requests 44,000cfs during Spring flow. Noting the data above by US Geological Survey, March only produced 37,400 cfs at the location where BDCP is requesting to build facilities to take the river water. It is obvious the Sacramento River will cease to exist and all natural infrastructures, towns, and communities such as Locke and Isleton, which they support, will die.



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BAYDELTA CONSERVATION PLAN - 6

TABLE 9 BAYDELTA CONSERVATION PLAN PUBLIC DRAFT 9-9

Take Alternative	Take Alternative Description	Equivalent or Similar EIR/EIS Alternative
BDCP Proposed Action	Dual conveyance with Intakes 2, 3, and 5, and up to 9,000 cfs diversion capacity	Alternative 4
A: W Canal 15,000 cfs	Dual conveyance with west canal alignment, Intakes W1 through W5, and up to 15,000 cfs diversion capacity	Alternative 1C
B: Tunnels 6,000 cfs	Dual conveyance with Intakes 1 and 2 and up to 6,000 cfs north Delta diversion capacity	Alternative 3
C: Tunnels 15,000 cfs	Dual conveyance with pipelines and tunnels alignment, five intakes, and up to 15,000 cfs diversion capacity	Alternative 1A
D: Tunnels 3,000 cfs	Dual conveyance with Intake 1 with up to 3,000 cfs north Delta diversion capacity; reduce tidal natural communities restoration to 40,000 acres	Alternative 5
E: Isolated 15,000 cfs	Isolated conveyance with pipeline and five intakes, with up to 15,000 cfs north Delta diversion capacity	Alternative 6A
F: Through Delta	Through Delta conveyance with Delta channel modifications and different intake locations	Alternative 9
G: Less Tidal Restoration	Reduce tidal natural communities restoration to 50,000 acres	Alternative 4, except amount of tidal restoration in CM4 is reduced.
H: More Restoration	Increase tidal natural communities restoration to 75,000 acres, seasonally inundated floodplain restoration to 20,000 acres, and channel margin enhancement to 40 linear miles	Alternative 7, except tidal natural communities restoration under CM4 is increased.
I: Modified Spring Outflow	Increase spring outflow to 44,500 cfs	Alternative 4, except March- May outflow increased to 44,500 cfs

Even so, the above is a modest estimate as this does not include the additional taking of water from the Shasta, Folsom, and Oroville reservoirs.



These simple calculations are based on the numbers given in:

Sacramento River monthly discharges at Freeport (cfs) table. (See above)

And

"Table 9" of the Bay Delta Conservation Plan Public Draft 9-9 November 2013 ICF 00343.12

In addition, there is already a current siphoning of water from this region. It exists as, and is already taken directly, by EBMUD (East Bay Municipal Utility District) through the Freeport Regional Water (FRWA) project in the Pocket area of South Sacramento.

- Freeport Regional Water Project in the Pocket area of South Sacramento County, there, "Pumps have the capacity to pump 185 million gallons of water per day" from: <http://www.freeportproject.org/nodes/explore/intake.php>

The water acquisition described does not even include calculations of taking water from other projects on numerous "feeder" tributaries and streams north and east of the Sacramento River before it even reaches the river.

### III. SUMMARY OF PROJECT:

BAYDELTA CONSERVATION PLAN proponents will take samples of wildlife to preserve the species and transplant to reserves that do not currently support these species. They do not guarantee survival.

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1 BAYDELTA CONSERVATION PLAN proponents, after transporting the species  
2 to foreign terrains and waters, will redirect the course of the Sacramento  
3 River and most, if not all, of the current water left will be sent through a  
4 series of aqueducts and tunnels to the central valley.

7 IV. Cross-comparative Discussion

8 I have included three articles on studies of the enormous delta systems  
9 of the Nile and Indus Rivers and the devastating effects overuse has created.  
10 After reading these, one must ask, if this much devastation is going on at  
11 such a monumental scale with the Nile and Indus, how much more destruction  
12 will be wrought upon the fragile balance of the Sacramento River Delta which  
13 is meager in comparison?

15 Studies in the following three articles Appendix 1, 2, and 3 about the  
16 Nile and Indus River Deltas articles involving overuse and abuses of delta  
17 areas in other global regions by human construction projects show:

- 19 • accelerated coastal erosion and straightening of the
- 20 shoreline,
- 21 • reduction in wetland size,
- 22 • increased landward incursion of saline groundwater,
- 23 • build-up of salt and pollutants to toxic levels in wetlands
- 24 and delta plain
- 25 • increased sand bars
- 26 • increased destructive seawater wave action
- 27 • crisis in human settlements,
- 28 • crisis in agriculture,

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- crisis in livestock
- crisis in flora and fauna life

Deprivation of:

- Right to Food
- Right to Water,
- Right to Work,
- Right to Shelter and above all
- Right to Life.

V. PLEA TO DENY BAYDELTA  
CONSERVATION PROJECT AND PLEA TO  
DENY ANY AND ALL COMPONENTS AND  
ALTERNATIVES

Instead of opening an artery for taking water through the BAYDELTA CONSERVATION PLAN, it is time to release the feeder waters back into the Sacramento River to restore it to ecological and economic good health. The BAYDELTA CONSERVATION PLAN is a bad idea.

1 As a citizen and resident of California, the United States, and Planet  
2 Earth, I urge you to deny any and all plans and projects associated with the  
3 BAYDELTA CONSERVATION PLAN.

4  
5 I pray you deny any and all aqueducts.

6 I pray you deny take of any species for relocation experiments.

7 I pray you deny construction of any and all take facilities.

8 I pray you deny any and all tunnels.

9 I pray you deny this BAYDELTA CONSERVATION PLAN in all its forms.

10  
11 If saving species and irrigating the state of California is the main  
12 purpose of this plan, I ask you to send the planners back to the drawing  
13 board to:

- 14  
15 • find ways to restore the waters of the Sacramento Delta and  
16 • find other ways to irrigate the state of California  
17 • save local and endangered indigenous species within their  
18 original habitats

Mrs. Elizabeth M. Moseby  
MRS. ELIZABETH M. MOSEBY

Appendix 1

## NILE DELTA IN ITS DESTRUCTION PHASE

*Daniel Jean Stanley, Andrew G. Warne*

## ABSTRACT

All deltas undergo alternating construction to destruction phases due to fundamental changes in the relative influence of sediment input from rivers and redistribution by marine coastal processes. During the past 7000 years world deltas, including the Nile, have been in an overall construction phase. However, the Nile delta has converted to a destruction phase during the past 150 years, triggered by water regulation which has disrupted the balance among sediment influx, erosive effects of coastal processes, and subsidence. This former depot center has been altered to the extent that it is no longer a functioning delta but, rather, a subsiding and eroding coastal plain.

Symptoms of the destruction phase of the Nile delta include:  
accelerated coastal erosion and straightening of the shoreline,  
reduction in wetland size,  
increased landward incursion of saline groundwater,  
build-up of salt and pollutants to toxic levels in wetlands and delta plain.

Without seasonal flushing by floods, the former delta plain surface is now incapable of recycling and/or removing agricultural, municipal and industrial wastes generated by Egypt's rapidly expanding population. Moreover, the remaining capacity of the system to regenerate itself will further diminish as water is diverted away from the delta for new irrigation

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1 and municipal projects in the Egyptian desert, and water allocations to Egypt  
2 are decreased by upstream countries.

3  
4 Reestablishing some level of natural hydrology is the only credible  
5 solution for attaining equilibrium among sediment accretion on the delta  
6 plain to:

7 offset subsidence,  
8 progradation along the coast to offset erosion, and  
9 sufficient water influx to flush and remove the high levels of salt and  
10 pollutants throughout the system.

11  
12 However, increased Nile water and sediment discharge could begin to  
13 restore a functioning delta system *only if there is a substantial reduction*  
14 *in human impacts."*

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## Appendix 2

### The Indus River-Pakistan/Punjab

([http://en.wikipedia.org/wiki/Indus\\_River\\_Delta](http://en.wikipedia.org/wiki/Indus_River_Delta))

"The estimated coastline of the Indus delta with the Arabian Sea (the maximum length in the direction of the coast) is approximated at 210 km, 220 km, and 240 km. Because the Indus river has switched its location at various points in history, it has an "active" delta region, and total delta region (all area that was once a part of the delta).<sup>[17]</sup> The total area is estimated at 29,524 km<sup>2</sup>,<sup>[17]</sup> 30,000 km<sup>2</sup>,<sup>[15]</sup> and 41,440 km<sup>2</sup>.<sup>[14]</sup> The active area is estimated at 4,762 km<sup>2</sup>,<sup>[17]</sup> and 6,000 km<sup>2</sup>.<sup>[4][15]</sup> The length of the total delta along the axis of Indus is estimated at 240 km (150 mi), whereas the current delta stretches from the Arabian Sea to just south of Thatta (~100 km).<sup>[15]</sup> There are currently 17 major creeks and numerous minor creeks.<sup>[4]</sup>

The delta receives almost all of its water from the Indus River, which has an annual flow of approximately 180 billion m<sup>3</sup>, and is accompanied by 400 million tons of silt. Since the 1940s, dams, barrages and irrigation works have been constructed on the river Indus. (In fact the World Bank has characterized the works as the "world's largest" and the Indus Basin Irrigation System as the "largest contiguous irrigation system developed over the past 140 years" anywhere in the world.) This has served to reduce the flow of water and by 1994, the annual flow of water into the delta was 43 billion m<sup>3</sup>, an annual amount of silt discharged was estimated to be 100 million tons. Since 1994, the water flow has decreased as Punjab has been allocated a higher share of the water.

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1 The climate of the delta is described as arid. It receives only 250-  
2 500 mm (10-20 in) of rain in a normal year. Average temperatures for the  
3 delta region range from 21-30°C (70-85°F) in July, and 10-21°C (50-70°F) in  
4 January. During the summer, the delta experiences intense monsoonal winds from  
5 the southwest, causing parts of the delta to be covered by sea-water. When  
6 this water retreats, it leaves behind salts in the delta's soil. During the  
7 winter the winds in the delta come from the northeast.

9 The summer monsoonal winds also contribute to high wave energy levels.  
10 In fact, the delta is subjected to the highest wave action of any river delta  
11 in the world. (The amount of wave energy the Indus delta receives in a single  
12 day is greater than that received by the Mississippi River Delta in a year.)  
13 Throughout history the delta has survived this wave action because of the  
14 large discharge of fresh water to counter the erosional impact of waves. This  
15 large amount of wave energy, coupled with lack of silt flowing in from the  
16 Indus river (as mentioned above), has resulted in the formation of sand  
17 beaches." Wikipedia

Appendix 3

"PAKISTAN: Destruction of the Indus Delta: A case of human rights  
FOR PUBLICATION

AHRC-ETC-023-2011

June 10, 2011

An article by Jameel Junejo published by the Asian Human Rights  
Commission

**PAKISTAN: Destruction of the Indus Delta: A case of human rights**

*Jamil Junejo*

Once the Indus Delta, a magnificent creation of the mighty Indus river, was the most prosperous, fertile and beautiful piece of land characterized by prosperity, agricultural productivity and soil fertility. The delta was such a vibrant and prosperous region where none experienced things like poverty. Livestock mushroomed, agricultural production boomed, fruits farms were plentiful, fresh water gushed and a variety of fish species existed. Thus, life and beauty in everything gleamed overwhelmingly. However, there came an unfortunate man-made turn of events that drastically decreased the flow of water into the delta and subsequently destroyed it. Owing to this stoppage of water into the streams of the Indus, farms were abandoned, crops dried up and salt poisoned the soil. As a result, the once richest area became the poorest, the once happiest became the gloomiest, the once privileged became destitute, and the artisans became artless.

Before the development of an irrigation system on the River Indus, the entire flow passed through Sindh's plains to the Arabian Sea, culminating into 17

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1 branches called creeks and forming the seventh largest delta of the world. An  
2 annual flow of over 180 Million Acre feet (MAF) carrying a silt load of about  
3 440 million tons passed through Indus to the Arabian Sea. This vast flood  
4 plain area followed the course of the River Indus, extending 5 to 160 km. on  
5 either side.

6  
7 Unfortunately, the stoppage of the water flow into the Indus changed the  
8 landscape of the delta entirely. It created severe human, social, economic,  
9 environmental and climatic crises which coupled together deprived the deltaic  
10 people of various human rights.

### 11 12 **Water Crisis-Deprivation of Right to Water:**

13  
14 The deltaic people depended entirely on the Indus for potable water. The  
15 Indus used to fill the channels, creeks and lakes with fresh water which used  
16 to last for a long time. Secondly, the continued flow of fresh water kept on  
17 recharging ground aquifers enabling residents to draw water from wells. After  
18 the decrease in the fresh-water flow to the delta, 14 out of 17 creeks dried  
19 up. Channels, lakes as well as creeks have become inundated with seawater.  
20 The ground-water aquifers have become saline, thus depriving the deltaic  
21 people of their right to water. It is reported that ground aquifers have  
22 become salty up to 80 km inland.

23  
24 One can easily imagine the plight of people without water. Life for deltaic  
25 people has subsequently become one of tough survival. A large number of  
26 people have been deprived of potable water. They are compelled to leave their  
27 homes often weeping with sad countenances. Of note, the Right to Water is a  
28 basic human right which needs to be serviced at any cost. The United Nations

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1 General Assembly declared water rights as a Human Right in 2010. In addition,  
2 The United Nations General Assembly, in December 2003, proclaimed 2005 to  
3 2015 as the International Decade for Action- 'Water for Life'.  
4

5 Taking all this into consideration, the deprivation of the deltaic people's  
6 right to water unquestionably stands as a clear violation of a basic human  
7 right. Therefore, all concerned Human Rights bodies including the UN should  
8 take urgent notice of this issue so that the deltaic people might be helped  
9 to enjoy their basic and inherent right to water.  
10

### 11 **Food Crises-Deprivation of Right to Food:**

12 The livelihood of the deltaic people revolved around the following three  
13 areas; fishing, agriculture and raising livestock. All these sources need  
14 fresh water to sustain them. In the past, the Reverine flow used to drag 440  
15 Million tons of silt coupled with rich nutrients annually, sustaining  
16 agricultural land, including mangrove thickets -the breeding grounds of fish  
17 which require fresh water and silt to survive. Currently, the silt load has  
18 decreased to 50 Million tons annually. Before the decrease in fresh water  
19 flow, the deltaic people lived a prosperous life owing to overwhelming  
20 agricultural, livestock and fish production. Thirty- five years ago, the  
21 people grew rice, peas, coconuts, and fruits such as mango and guava. The  
22 region exported silk, rice and wood to countries along the Persian Gulf and  
23 in South-East Asia. Reportedly, the deltaic region despite being 3% of  
24 Sindh's total land area had an agricultural production which accounted for  
25 25% of Pakistan's economy. But now, the people are living a life of acute  
26 poverty without adequate food. Seawater contamination owing to lack of fresh  
27 water flow has inundated approximately two million acres of land destroying  
28

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1 agricultural land and leaving the deltaic people destitute.

2  
3 Scarcity of fresh water has also put mangrove thickets at peril which are  
4 breeding grounds for various fish species especially shrimp. The mangroves  
5 are always in need of fresh water from the Indus coupled with silt for their  
6 survival. In contrast to need, an annual flow of over 180 million acre feet  
7 (MAF) carrying a silt load of about 440 million tons have been decreased to a  
8 negligible extent resulting in reduced areas of mangroves and extinction of  
9 various species of fish. So far, the mangrove area has been reduced to 86,000  
10 hectares from 600,000 hectares, recorded some years back.

11 Besides, reduction of fresh water coupled with reduction of mangroves has  
12 resulted in a drastic decline in the fish catch - a main source of the  
13 fisherman's livelihood. As a result, the deltaic people in general and the  
14 fisher-folk in particular are facing severe food crises. Such deprivation is  
15 a violation of the Right to Food, ensured in Article 25 of the Universal  
16 Declaration of Human Rights. In addition, Article 19 of the International  
17 Covenant on Economic, Social and Cultural Rights, ratified by Pakistan in  
18 2008, recognize freedom from hunger as a fundamental right. Therefore, the  
19 state of Pakistan is bound to take immediate and concrete measures regarding  
20 the discharge of 35 MAF of water down-stream to Kotri. It also becomes the  
21 responsibility of the UN special Rapporteur of the Right to Food to take  
22 notice of this issue.

### 23 **Internal Displacement:**

24 Internal displacement of deltaic people is another appalling offshoot of the  
25 scarcity of water. Ground aquifers have become salty. The residents have been  
26 forced into involuntary migration. So far 1.5 million people have been  
27 displaced from the areas of Kharochhan, Keti Bandar and Shah Bander to Karachi  
28

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1 and other places. Displacement emanating from manmade factors depriving  
2 deltaic people from their Right to Shelter is, therefore, an issue of great  
3 import for the UN to take notice.

#### 5 **Extinction of Bio-Diversity:**

6 A constant flow of fresh water and the mushrooming of mangroves in the past,  
7 provided for bio-diversity in the deltaic areas. But the drastic decrease in  
8 fresh water flow has badly harmed bio-diversity and marine resources. As a  
9 result, various fish species have become extinct. Notably, the production of  
10 Palla, which needs a mixture of fresh Indus water and sea water to breed and  
11 grow, has declined to a negligible level. The merciless extinction of fish  
12 species is entirely in contrast to the provisions of the UN Convention on  
13 Bio-Diversity signed and ratified by Pakistan in 1994. Therefore, it becomes  
14 a legal and moral obligation of the state of Pakistan to provide a safe  
15 environment for the existence of bio-diversity.

#### 18 19 **Conclusion:**

20 Decrease in fresh flow of water into the Indus Delta has generated multiple  
21 crises:

22 human settlements,  
23 agriculture,  
24 livestock and  
25 flora and fauna.

26 All these repercussions together have deprived the Deltaic people of  
27 various Human Rights, such as:

28 Right to Food,

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1 Right to Water,  
2 Right to Work,  
3 Right to Shelter and above all  
4 Right to Life.  
5

6 Therefore, it becomes the responsibility of the state of Pakistan which  
7 has ratified various human Rights frameworks, to ensure the flow of 35 MAF of  
8 water downstream to Kotri into the Indus in order to restore life and beauty  
9 to the Delta. Besides, the onus lies on civil society organizations, media  
10 houses, Human Rights Organizations and UN bodies to pressurize the state of  
11 Pakistan. It must accept the demand of an annual discharge of 35 MAF of water  
12 downstream to Kotri which is the hope in all human, social, economic and  
13 environmental crises of the Indus Delta and its people."  
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March 2, 2014

TO: BDCP.Comments @noaa.gov

Cc: [BDCP.Comments.copy@node1tagates.com](mailto:BDCP.Comments.copy@node1tagates.com)

I have been a resident of Discovery Bay for over 30 years. I lived in a waterfront home for 15 of those years. I have boated in the Sacramento Delta waterways for over 30 years. Watersports has been a family activity for my children and grandchildren and numerous friends and their families. We have frequented the various waterfront restaurants, resort facilities and Yacht Clubs between Sacramento and Discovery Bay, Pittsburg, Benicia, San Francisco Bay, Sausalito and Tiburon.

We vehemently oppose the proposed Delta Tunnels project that Governor Brown is proposing for many reasons, some of them mentioned below:

1. The negative impact to the water quality in Discovery Bay and it's 16 shallow water bays, as well as the negative impacts to the water quality in the Delta overall and it's open water sloughs and channels. We do not believe the Environmental Impact Report on the proposed Delta Tunnels project adequately addresses this issue.
2. The negative impacts due to disruption of boating traffic and how this traffic will be restricted by various 5 mile per hour zones, construction activities and their associates diversion structures and a boat lock on Old River. This will cause boaters to avoid these areas, thus increase longer trips to avoid those areas, using precious fuel and causing increased boat emissions.
3. No other alternatives to the proposed Delta Tunnels have been considered or studied.
4. The Environmental Impact Report for the Delta Tunnels project hasn't been made available to the general public in a way that the "average" individual can readily understand. Nor has it been made directly available to the City and County of San Francisco for comment; thus the impact that this proposed project would have on San Francisco Bay and it's commerce.
5. Numerous other impacts that deal with the draft EIR that are too technical for the average person to understand. The draft EIR needs to be shortened and translated into language that an average person can understand, let alone understand the impacts that this project would have on the Sacramento Delta and the entire San Francisco Bay Area.

Sincerely,



Mary Tofanelli  
2157 Firwood Court  
Discovery Bay, CA 94505  
Email: [mary.mary@sbcglobal.net](mailto:mary.mary@sbcglobal.net)



**From:** Mary Tofanelli <mary.mary@sbcglobal.net>  
**Sent:** Sunday, March 02, 2014 3:53 PM  
**To:** BDCP.Comments@noaa.gov  
**Cc:** BDCP.Comments.copy@nodeltagates.com  
**Subject:** Emailing: BDCP Comments  
**Attachments:** BDCP Comments.pdf

Your message is ready to be sent with the following file or link attachments:

BDCP Comments

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Draft Bay Delta Conservation Plan  
Associated Draft Environmental Impact Report/  
Environmental Impact StatementPublic review and comment period is  
December 13, 2013 through April 14, 2014

## COMMENT CARD

Name Greg Merwin Organization \_\_\_\_\_ Date Feb 12, '14  
Address 39104 Z Line Rd City Clarksburg State CA Zip 95612

- ① All Delta Conservation should begin with making the lower delta floodproof. Until the levees are improved to where they can be relied upon to hold back the floods, it is ridiculous to spend conservation or mitigation money on anything else!
- ② The tunnels will never be effective until there is enough storage downstream to handle the volumes of water that enter the delta during flood years.

**From:** Chris Carnes <chris@chriscarnesonline.com>  
**Sent:** Monday, March 03, 2014 6:20 PM  
**To:** bdcg.comments@noaa.gov  
**Subject:** Fwd: Tunnels in the Delta

I mailed my below comments.

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

**From:** **Gretchen Fleischmann** <gretchencf7@gmail.com>  
**Date:** Sun, Mar 2, 2014 at 1:18 PM  
**Subject:** Tunnels in the Delta

I have lived 9 years in the Delta and swim, fish and boat here. The project to build the tunnels will damage the use of the Delta and kills fish because it doesn't leave enough water in the Delta. Developing storage is the key. Without new storage we continue to draw water from the Delta at times when water critically low and at times when exports harm fish and other species. I am against the construction of twin tunnels. The tunnels are not a conservation measure, they are water supply infrastructure. Simple labeling your project a Habitat Conservation Plan doesn't make it one in reality and the tunnels have nothing to do with saving species. Governor Brown you will pay a political price for foisting a thinly disguised water grab on the people of northern California. This is nothing but a water grab dressed up as habitat plan. The simple fact is that there just isn't enough water to support exports and recover the Delta. Any meaningful habitat conservation plan must include a timetable for reducing exports. Curtailing exports should begin as alternative supplies, such as desalination, are implemented.

Sincerely,

Gretchen Fleischmann  
PO Box 683  
Bethel Island, Ca. 94511

---

**From:** Bonnie Clawson <bonnie\_clawson@sbcglobal.net>  
**Sent:** Monday, March 03, 2014 2:05 PM  
**To:** BDCP.comments@noaa.gov  
**Cc:** BDCP.comments.copy@nodeltagates.com  
**Subject:** Opposition to the BDCP Project

My husband and I oppose the BDCP project because:

- 1) The cost of billions of dollars is outrageous and over the years the cost will increase substantially - look at the Bay Bridge cost! Instead, the State should invest in new sources of water via new water storage and desalination; and require mandatory water conservation and re-use. We must also reverse the corrupt policies that have allowed a few wealthy and powerful corporate interests to privatize much of California's public water. We must also restore the so-called "urban preference" that was eliminated in the Monterey Plus Amendments, a 1990's sweetheart deal struck by the state, corporate San Joaquin Valley agribusiness and private water speculators. Without the urban preference, our residential and commercial districts that receive water from the State Water Project are subject to strong-arming by a handful of corporate farmers and private water speculators.
- 2) The impact on navigation and safety in the Delta has not been adequately addressed, nor has the impact of the costs to rate payers.
- 3) The endangered fish and wildlife that are at risk are not adequately covered.
- 4) The project will destroy recreational boating for Discovery Bay residents and outlying areas, and will seriously impact the marine-based economy that relies on boating.

Sincerely,

John and Bonnie Clawson

**From:** Tessa Hamstra <tessa.hamstra@gmail.com>  
**Sent:** Thursday, February 27, 2014 12:02 PM  
**To:** BDCP.comments@noaa.gov  
**Subject:** Comments for the BDCP

I am a student at Chico University studying to be an elementary school teacher. I grew up on the Delta and floated in my back yard as young as 6 months old, I LOVE the DELTA! It is who I am. Water brings people together and creates a family bond. You ask how? Ever been out in a small ski boat, you have to learn to work together and get along, not enough space to fight or argue. We have a very close family and extended family because of it. I want to help others, but I believe we have other options. Do not put these tunnels in and destroy my home.

These comments are for the BDCP. The twin sloughs are where my water adventures began and as I understand these will be closed down for construction of the TWIN TUNNELS! Ironically it is the twin for the twin. I hear rumors that there is going to be something they call, Big Gulp and Little Sip? What are you thinking, when you can big gulp; where will you store this water? When it is time for little sip (when you have a place to store water) what keeps that from being Big Gulp? I know I am young and you think you can steal the Delta and we will not know it, we will!

Governor Brown is trying to disguise this water grab on the people of northern California as a habitat plan. I can see this as the same plan that was presented back in 1982 as the peripheral canal. We did not want it then and do not want it now. I want this to be the same bonding place for my kids in the future as it has been for me.

Tessa Hamstra,  
February 27, 2014  
(925)550-3864  
[tessa.hamstra@gmail.com](mailto:tessa.hamstra@gmail.com)  
1275 willow lake rd, Discovery Bay, Ca 94505

---

**From:** Jim Jorgensen <jim.jorgensen@wavecable.com>  
**Sent:** Sunday, March 02, 2014 12:54 PM  
**To:** BDCP.comments@noaa.gov  
**Subject:** tunnel concern

Our ranch partnership located in Gustine, CA(Merced County) does not support the building of the twin tunnels as proposed.

I have attended a couple fo the hearings where the tunnel construction was debated. In conclusion & to make this short, there are too many unanswered questions about the the tunnel's effectiveness for delivery of water for use on our ranch, and how it may damage the wildlife habitat in the Delta. The cost of the twin tunnels seems very expensive and we expect the cost of the project to increase substantially.

Please do not construct the twin tunnels. Any questions, let us know.

Jim Jorgensen  
Jorgensen Ranch  
30416 West Jorgensen Road  
Gustine, CA 95322  
Tel: 209 854 6566  
E: [jim.jorgensen@wavecable.com](mailto:jim.jorgensen@wavecable.com)

**From:** SUSAN VINYARD <vinyardrslt@sbcglobal.net>  
**Sent:** Friday, February 28, 2014 7:48 PM  
**To:** BDCP.Comments@noaa.gov  
**Subject:** Water

Hello,  
My name is Roy Vinyard, I was born in California 56 years ago. My parents voted against the peripheral canal years ago. Therefore I need to honor their wisdom and voice my concerns about the same project you are proposing again. I have lived on the Delta for 28 years and witnessed many changes.

The tunnels will carry 2/3 of the flow of the Sacramento River. This is the main supply for fresh water in the Bay-Delta estuary. Salinity flowing in from the ocean will devastate fish and farms in the area who rely on the fresh water for crops. My son in law is a Brentwood farmer who uses the water from the Delta to irrigate the land that his family has been working since the 1950's. He is very concerned that the farms that his grandparents started will not survive.

This proposed project has an estimate of \$67 billion, which is on the same scale as the San Francisco Bay Bridge. The bridge went way over budget, is still not finished, leaks water, and the demolition of the old bridge is not going according to original plan. My parents are gone, they saved me from paying for the original canal, I would like to save my kids from having to pay for this project for the rest of their lives.

The project is being driven by Habitat conservation with little concern for water transfer to southern California. It is March and raining quite hard. So. Ca. reservoirs are full and they are experiencing flooding during these storms. This project is not concerned with their water storage shortages. Where will this water go?

Given the costs, the construction damage for a decade, the lack of legislative oversight from northern representatives, I would hope that you would consider scraping the project and spend the efforts on more useful plans for the whole state.

Respectfully  
Roy L. Vinyard

**From:** John Anderson <captaingort.jra@gmail.com>  
**Sent:** Saturday, March 01, 2014 12:12 PM  
**To:** BDCP.Comments@noaa.gov  
**Subject:** Delta resident comment on proposed Delta peripheral diversion tunnel project

**My name is John Anderson and I live on Brannan Island on Georgiana Slough. I've spent 55 years on the Delta. I have some thoughts and suggestions that I would like to add to this discussion.**

**1) Any diversion tunnel or canal will damage the Delta's delicate ecosystem. Its common sense: less fresh water flowing through the Delta will mean less flushing of the many poisons that flow into it every day from farms and cities. That will greatly damage the ecology.**

**One only has to look at the Owens Valley for precedent.**

**2) With less fresh water flowing through the Delta, salt water would back up into the Delta and damage the farming irrigation and ruin the richest farmland in California, not to mention its fisheries and recreational industry.**

**3) The notion that the Delta would be restored to its "normal salt/fresh balance" is utter nonsense: How can removing most fresh water that has flowed**



**through the Delta for THOUSANDS of years be "normal"?**

**4) I am all for pumping as much water to SoCal as is possible, CONSISTENT WITH minimal impact on the Delta's ecology. However- all of the water that is sent south needs to flow THRU the Delta- not be shunted AROUND it! Its just common sense.**

**5) The current pumping scheme at Byron can be improved to remedy its impact on the Delta smelt by designing and installing vastly improved and effective intake screens at a tiny fraction of the cost of the proposed diversion tunnels.**

**6) The entire notion of "earthquake catastrophe" and salt water incursion is historically unsupported. Even if such an event were to occur, the threat would only last a week or so until water levels stabilized and any brackish water was flushed out. The pumping would be stopped for that short period and resumed after.**

**7) The levee system can be made very robust for a tiny fraction of the cost of the diversion tunnels.**

**8) If brief and rare occasions of salt water incursions are completely unacceptable, anti-backflow gates can readily be installed at key points in the Delta system that could be deployed in rare emergency situations**

**to positively prevent any saltwater backflow until the situation is stabilized. Such backflow gates are found all over the world.**

**8) Shasta Dam should be raised and its reservoir expanded. Furthermore, an aquaduct leading from Lake Shasta to Oregon's vast fresh water resources such as the Columbia River should be considered. With Lake Shasta kept full by such means, the Sacramento River could flow at full levels year round and -with improved and effective fish screens- the pumps at Byron could operate at full capacity much of the time. Excess water sent south would be stored in an expanded reservoir system and used to recharge depleted aquifers.**

**9) I support Congressman Garamendi's bill. More storage, more recycling, more creation of additional water sources...and mandatory conservation programs.**

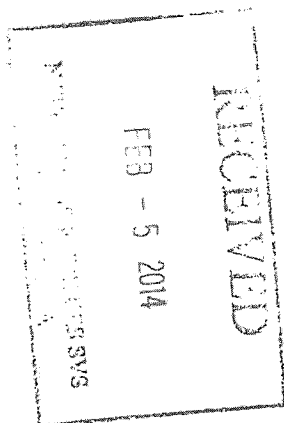
**Thank You**

**John Anderson**

**Brannan Island, CA**

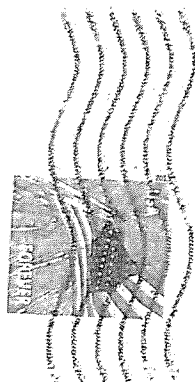
BDCP363.

Dave Wilzbach  
306 Kidder Ave.  
Grass Valley, CA 95945-5916



BDCP COMMENTS  
RYAN WULF, NMFS  
650 CAPITOL Mall, Suite 5-100  
SACRAMENTO, CA  
95814

SACRAMENTO, CA 95814  
04 FEB 2014 PM 8:11



95814471875



2/3/2014

BDCP 363

RYAN WULFE,

THANK YOU FOR THE SHERATON GRAND HOTEL MEETING ON 1/30/14.  
PLEASE ALLOW ME TO SHARE MY THOUGHTS ABOUT THE  
CALIFORNIA DROUGHT.

THANK YOU,  
DAVE WILZBACH

## Well Wishing Well

In the land of California, the year 2014, the waters, 'fresh' and 'salted' were separated.

Truly a miracle to behold for all Californians were better able to withstand the natural challenges of floods and droughts.

The construction was the "CAL-CANAL" with SHIPPING LOCKS in it.

Truly Moses himself would have found the separation of waters quite a blessing.

Wishing was a prayer-full way that much needed rain did gently fall.

This is being reported with great hopes for this year to be truly wonderful in every way.

Dave Wilzbach  
306 Kidder Ave  
Grass Valley CA  
530 274 9027  
2/2/2014



JOE HODGEY

# READERS' FORUM

—Thomas Jefferson

a many-nationed show.

seem to be all carrot and no stick. When do it

## Diking Delta would solve California's water needs

In an article (Times, Sept. 17) about Delta water, the statement that the "annual Delta outflow (of our fresh water) varied greatly but averaged 20.7 million acre-feet," should cause us all concern. In trying to find out what 20.7 million acre-feet of water really means, perhaps we could use some facts about Lake Tahoe as a reference.

Lake Tahoe is believed to hold 12.1 million acre-feet, which has been reported to be enough to cover the entire state of California with 14 inches of water. If these figures are correct as reported, then the 20.7 million acre-feet of fresh water per year we presently let flow out of our Delta, is enough to flood the entire state of California with 23.9 inches.

Could we somehow control this outflow of fresh water? The Bay Barrier Association in 1929 proposed a plan to build a barrier between Richmond and San Rafael. Perhaps if they had then built a "barrier" with ship locks and some open fish migration pipes in it (that would return San Pablo Bay back in the freshwater lake that it probably

7/23/93 P5 17A

was millions of years ago) we here in California would not be having our water problems now.

Would it be worthwhile to have peace among farmers, developers and environmental-human needs. Somehow we forget that humans are as much a part of the environment as any other living creature. Would it be worthwhile for people to know that we still can solve our problems by using common sense?

Dave Wilzbach  
Pinole

### Oppose voucher initiative

I urge all voters to oppose The Parental Choice in Education Initiative. I believe the voucher initiative promotes educational discrimination based on a family's economic status and would be yet another financially devastating blow to public schools.

Should the initiative pass, middle and low-income families would be unlikely to benefit, whereas the families who can currently afford a private school would receive government funding toward tuition. This would only widen the pre-existing gap of unequal opportunity for a sufficient education within our society.

The initiative would reduce public school funding up to \$2.6 billion, even if none of the public school students transferred to a private school. The public education system would immediately lose 10 percent

of the state's entire budget due to the vast amount of students currently enrolled in private schools. Many public school districts in California have hit dire straits, if not bankruptcy. Reducing funds will not help but instead be more likely to cause overcrowded classrooms, fewer supplies and not enough texts.

Richard J. Spahl (Readers' Forum, July 27) stated, "competition between sound alternative school systems would be good for all." However, the public schools would be at a severe disadvantage with these substandard conditions, hardly making it a fair competition. Dealing with the public education budget would ultimately hurt many low-income and middle-class students, a far cry from being "good for all."

Should this initiative pass, it will become a California constitutional amendment. To reform any part of this amendment would take an unlikely three-fourths vote. Before we hastily vote for a potentially irreversible change, let us consider other sensible alternatives.

I believe the voucher initiative is nothing more than an elitist initiative that would damage and deprive California's greatest resource — our children. All children deserve an equal opportunity for a sound education, so instead of diverting government monies we should demand undivided support for our public education system.

Marilyn J. Romero  
Pinole

### OPINIONS

*The Times' opinion is expressed only in its editorials. The opinions expressed in guest editorials, columns, letters and cartoons are those of the authors.*

### HOW TO WRITE TO

Readers' Forum  
West County Times  
P.O. Box 128  
Pinole, CA  
94564

Letters, and last number, subject editing, letters to

### Voucher plan radical

Proposition 174, the so-called School Voucher Initiative, seeks radical and dangerous changes in the way California's public and private schools are funded. It would seriously damage our neighborhood schools and the children who attend them by giving taxpayer-funded vouchers to private schools to help bankroll the education of privileged children.

The constitutional amendment, which will be on the Nov. 2 ballot, is a multi-billion dollar giveaway that shortchanges taxpayers and endangers our children. In the name of reform, it would undermine — not improve — our neighborhood schools.

Here's how:

Prop. 174 would siphon off billions of dollars directly from our public schools to help pay for the private voucher schools. About \$2.6 billion would be stripped from our neighborhood schools in 1995-96 alone.

Children whose families cannot afford costly voucher school tuitions or private transportation would be left to fend for themselves. Unlike public schools, voucher school can discriminate against any child based on gender, religion, income, mental or physical disability. In other words, Prop. 174 hurts the very children who need help the most. It uses our tax dollars to reinforce a two-tiered system — one for the

haves and one for the have nots. Under this initiative, private schools — not parents — do the choosing. Loopholes in the Voucher Initiative would allow any person group with 25 or more students set up their own taxpayer-funded schools. Those voucher "schools" wouldn't have to possess college degrees or teaching credentials. W public schools must open their books to taxpayers for review voucher schools can operate in secrecy.

No one argues that the school the West Contra Costa Unified School District don't need improvement. They do, but there are encouraging signs that our local district is beginning to recover from its recent troubles.

We should help the children our communities — not pull them out from under them. Prop. 174 creates more problems while offering no provisions for improving public schools, increasing parental involvement or reducing class size.

Local parents and concerned citizens have joined with the F NAACP, Assemblymen Bob Cebell and Tom Bates and many community organizations in opposition to Prop. 174.

Please join us on Nov. 2 by voting no on Prop. 174.

Betty Boyle, c  
West County Community  
to Educate Against Voucher  
Pinole

# Brush Up

Brush the teeth to stop the Fresh Water Leak.

Every second you read this approximately 30,000 cubic feet of unsalted fresh water is being used to push the Pacific Ocean out of the Delta. That would be a wall of water 30 feet high and 1,000 feet long every second. Think how high and long a wall of water would be for one minute.

No Governor has ever built a California Canal with Shipping Locks in it. The Army Corps of Engineers has the San Francisco Bay Model in a large building in Sausalito where a 'barrier model' is suspended between the Cities of Richmond and San Rafael. This model is used to simulate conditions with the Pacific Ocean tides and weather conditions.

At the present time 40% of all of the water California has is used to keep the Pacific Ocean out of the Delta. When 40% is perhaps 5% we will have a less drought-full state.

A 'CAL-CANAL' with Shipping Locks in it will allow us to have more available fresh water.

Yes, Governor Jerry Brown, we do need to "turn off the water while brushing teeth".

Dave Wilzbach  
306 Kidder Ave  
Grass Valley CA  
530 274 9027  
1/31/2014

# **L # BDCP364**

- ✓ Unused
- ☐ Duplicate of \_\_\_\_\_
- ☐ Out of Scope
- ☐ Other: \_\_\_\_\_

(replace original)

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**From:** Robert Ferreira <bobbycando1947@yahoo.com>  
**Sent:** Tuesday, March 04, 2014 2:55 PM  
**To:** BDCP.Comments@noaa.gov  
**Cc:** BDCP.Comments.copy@nodeltagates.com  
**Subject:** Re: Draft EIR, EIS

On Tuesday, March 4, 2014 2:54 PM, Robert Ferreira <[bobbycando1947@yahoo.com](mailto:bobbycando1947@yahoo.com)> wrote:

I would like to know why representatives from Disco Bay are not being all the information requested. I am referring to the EIR/EIS draft which does not include the evaluation of water quality that will effect Disco Bay. As a resident of Disco Bay, and a American Citizen, I believe it is our unalienable right to know what will effect our future.

Bobby Ferreira  
USMC  
VIET-VET



**From:** KCaroljean@aol.com  
**Sent:** Tuesday, March 04, 2014 3:14 PM  
**To:** BDCP.COMMENTS@NOAA.GOV  
**Cc:** BDCP.COMMENTS.COPY@NODELTAGATES.COM  
**Subject:** DISCOVERY BAY PRESS, FEBRUARY 28, 2014

An interview with Nancy Vogel, California Department of Water Resources Director of Public Relation.

Mounds of rotting muck. Ravaged water quality. The threat of a looming economic disaster. Such images have come for many, to symbolize the Bay Delta Conservation Plan-the multi billion dollar restoration program for Northern California waterways that has become a hallmark of Gov. Jerry Brown's administration.

Vogel's responses make it abundantly clear to me and thousands of people who live around the delta that NO ONE KNOWS how much money it will cost and what the damage will be along the way or what the final product will be.

Vogel says "the muck MIGHT be useful in levy and habitat purposes." Then goes on to say "we have to ASSUME that tunnel muck will not be reused and will have to be stored." We would like to know just how much does muck storing cost these days? "Reality COULD BE different. We BELIEVE there actually COULD BE uses for the muck. That's out HOPE."

We have held hundreds of public meetings, giving people access to experts, to get questions answered Vogel comments. I have to say the meetings that i have been to the people were uninformed on the project and wrote down questions to get answers to asked questions, telling us they would get back to us. No one has responded to this point. I appreciate that you may believe you are being transparent, but i think we all feel differently.

Video's of the meetings i have seen was the same situation. No answers to this day.

*Carol J Kennedy*  
[kcaroljean@aol.com](mailto:kcaroljean@aol.com)  
510-414-0195  
[www.caroljkennedy.com](http://www.caroljkennedy.com)  
prudential california realty

**From:** Friends of the River <info@friendsoftheriver.org> on behalf of Eric Schlavin  
<eschlavin@comcast.net>  
**Sent:** Tuesday, January 28, 2014 11:39 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:

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.

There are many ways we can meet the water demands of our state. I am strongly opposed to the BDCP and hope money funneled into strategies for improved water management and by encouraging water conservation by residents, farmers and businesses.

I'm curious, is anyone discussing how to temporarily lower reservoir capacity in order to dig out the sediment build up since they have been built? Is it possible to make our existing reservoirs deeper?

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. Eric Schlavin  
5270 Merritt Ln  
Placerville, CA 95667-8828

# **L # BDCP368**

- ✓ Unused
- ☐ Duplicate of \_\_\_\_\_
- ☐ Out of Scope
- ☐ Other: \_\_\_\_\_

(replace original)

**From:** Steve Orgain <steve@chefstouch.com>  
**Sent:** Wednesday, March 05, 2014 6:48 PM  
**To:** BDCP.Comments@noaa.gov  
**Subject:** Proposed Tunnel project  
**Attachments:** Letter to BDCP, Disco Bay #2.docx

*Steve Orgain and Devoreaka Smith*

BDCP369

March 5, 2014

To: [BDCP.Comments@noaa.gov](mailto:BDCP.Comments@noaa.gov)

My wife and I live on the water in Discovery Bay California. We bought this home because we love being on the water. We, our children and grandchildren, Swim, ski, and boat in our bay and the delta. We love our home. The proposed tunnels will undoubtedly adversely affect life as we know it.

Much of the purported environmental benefit, and assurance that the project will not cause harm, depends on an ongoing monitoring and adaptive management program. Representatives from Discovery bay have requested at public meetings and at other times that one or more monitoring stations be included to monitor water quality impacts on the 16 bays of Discovery Bay. Yet no Discovery Bay monitoring stations have been included. The bays of Discovery Bay, including mine "Beaver Bay", are heavily used for water sports( swimming, kayaking ,Paddle boarding, etc.. ) The failure to include adequate monitoring of Discovery Bay water quality is unreasonable. Conditions in the bays of Discovery Bay are not reflected by existing monitoring stations in open water locations. There is much less circulation in the bays of Discovery Bay and numerous other differences in the conditions. Adequate monitoring stations within the bays of Discovery bay are required to establish an adequate mitigation and monitoring program.

Sincerely,

Steve Orgain

*5771 Salmon Court, Discovery Bay California 94553*

**From:** Friends of the River <info@friendsoftheriver.org> on behalf of Nicole Goodfellow <nicolepetitions@gmail.com>  
**Sent:** Wednesday, February 19, 2014 9:00 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 19, 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 not the solution to the California water crisis!! These are man made problems decades in the making. You simply cannot solve one problem by making another one!!]

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 370

Sincerely,

Ms. Nicole Goodfellow  
1338 N Brighton St  
Burbank, CA 91506-1204



**From:** Friends of the River <info@friendsoftheriver.org> on behalf of Janet Warren-Steen <janetlouisewarren@yahoo.com>  
**Sent:** Monday, February 17, 2014 9:18 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 17, 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.

[ San Joaquin is below sea level. Siphon systems from sea efficient.  
Mississippi floods sometimes(and drought occasional.) ]

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 371

Sincerely,

Ms. Janet Warren-Steen  
544 Kays Rd  
Almo, KY 42020-9106  
(270) 226-8437

**From:** Friends of the River <info@friendsoftheriver.org> on behalf of Christine Ippolito  
<christineippolito@comcast.net>  
**Sent:** Monday, February 17, 2014 4:47 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 17, 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.

[We cannot continue to alter the natural environment without dangerous consequences. The southwest is an arid region and that is not going to change.]

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 372

Sincerely,

Ms. Christine Ippolito  
19897 Forest Ave  
Castro Valley, CA 94546-4514

**From:** Friends of the River <info@friendsoftheriver.org> on behalf of Edwina White <edwinaw8@yahoo.com>  
**Sent:** Thursday, February 27, 2014 10:25 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 27, 2014

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

Dear Mr. Wulff, NMFS,

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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.

[ We need the best science to manage our water. The effects of our current drought and future global warming must be included in any solution. ]

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

BDCP373

**From:** Friends of the River <info@friendsoftheriver.org> on behalf of RAYMOND BINNER <rabinner@gmail.com>  
**Sent:** Thursday, February 27, 2014 10:25 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 27, 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.

California doesn't need to build these massive twin tunnels and diversions to meet its water supply needs. 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.

The environmental, social, and monetary cost of these sustainable solutions is much less than what is proposed by the BDCP.

THANK YOU FOR YOUR TIME  
Raymond A. Binner

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. RAYMOND BINNER  
PO Box 813  
Cedar Ridge, CA 95924-0813  
(530) 575-8583



**From:** Friends of the River <info@friendsoftheriver.org> on behalf of David Adams  
<ctrarcht@nccn.net>  
**Sent:** Thursday, February 27, 2014 8:56 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 27, 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 Delta's environmental decline occurred as federal and state pumps in the south Delta diverted up to 60% of the estuary's fresh water inflow. What is the logic of trying to restore an ecosystem degraded by fresh water diversions by building new infrastructure capable of diverting even more fresh water? And despite millions of dollars of public funds proposed to "restore" Delta habitat, restoration will not be successful unless and until we restore fresh water flows into the Delta, particularly from the San Joaquin River system, to meet the needs of Delta fish and wildlife and the habitat that sustains them.

I fear that the BDCP's proposed twin tunnels will only continue if not actually increase the dewatering of the Delta the West Coast's largest fresh water estuary and contribute to the further decline of native Delta fish species towards extinction, increased water pollution in the Delta, and the loss of tens-of-thousands of acres of rich Delta farmland and wildlife habitat.

According to the BDCP EIR/EIS, the operation of the twin tunnels, coupled with the impacts of climate change, will drain Trinity Reservoir by up to 19%, Shasta Reservoir by up to 20%, Folsom Reservoir by up to 31%, and Oroville Reservoir by up to 32%. The result may be even lower flows (particularly in the fall) in the Trinity, Sacramento, American, and Feather Rivers than we are witnessing now during one of California's driest years on record. The Sacramento River's flow downstream of the project's three new water intakes (located just south of Sacramento) will be reduced all year long.

The 45 mile-long twin Delta tunnels and their fresh water intakes, forebays, tunnel debris disposal sites, and additional facilities will eat up at least 5,700 acres of Delta farmland and wildlife habitat.

Some of the facilities and debris disposal sites will be located on Brannan Island State Park and on conservation land purchased with public funds to provide habitat for the threatened sandhill crane. The diversion intakes, access roads, lights and other urban intrusions associated with these facilities, will be directly adjacent to the Stone Lakes National Wildlife Refuge and Delta Meadows State Park.

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,

Dr. David Adams  
14487 Burlington Pkwy  
Penn Valley, CA 95946-9503

**From:** Maxwell's Bookmark <orders@maxwellsbookmark.com>  
**Sent:** Saturday, March 08, 2014 8:35 AM  
**To:** BDCP.comments@noaa.gov  
**Subject:** BDCP

What a colossal waste of time, energy & taxpayer's money. This boondoggle has zero chance of ever being built. The worst part, besides the twin tunnels idea, is that if this much effort had gone into levee repairs, conservation, desalination, cloud seeding and water storage, we'd wouldn't be in such dire straights during the current drought. The twisted logic that concludes it's better to fallow fertile delta acreage to create man-made wildlife habitat, rather than fallowing acres of almond trees growing where nothing would grow without imported, subsidized water, is just plain crazy. Rather than telling people to flush less or shower with a friend, we should be helping them install gray-water systems for watering their yards, and helping farmers grow sustainable food crops with best practices, not just nuts for profitable export.

The fact that the Brown administration has tried to circumvent the ballot process because they know this project would go down in flames just like peripheral canal, it an affront to the taxpayers in this state. If the BDCP is such a great idea, let the voters decide. But I think we all know what our answer would be. No just no. Hell no.

Wm Maxwell  
Maxwell's Bookmark  
1129 West Walnut Street  
Stockton, CA 95203  
209-466-0194

<http://www.maxwellsbookmark.com>

**From:** Joel Kawahara <joelkaw@earthlink.net>  
**Sent:** Sunday, March 09, 2014 11:37 AM  
**To:** BDCP.comments@noaa.gov  
**Subject:** request for dvd

Hello, I request a copy of the BDCP EIR/EIS dvd. My address is:

Joel Kawahara

3652 Lindsay Hill Rd.

Quilcene, WA 98376

Thank you very much.

Joel

**From:** mardiswords <mardiswords@hotmail.com>  
**Sent:** Sunday, March 09, 2014 1:40 PM  
**To:** BDCP.Comments@noaa.gov  
**Subject:** No to BDCP

I live in the Delta and care about it's future.

The BDCP will grab water upstream and further contribute to the salinity problems in the Delta.

Water contractors, not the general public or the environment, will benefit by more exports of water away from the Delta. The tunnels are not a conservation measure.

Reduce exports, increase storage, improve conservation measures.

Mardi Swords  
Bethel Island

Sent from Samsung tablet

**From:** andrei <andreysapper@yahoo.com>  
**Sent:** Monday, March 10, 2014 1:13 PM  
**To:** BDCP.comments@noaa.gov  
**Subject:** BDCP question

Dear sir/madam:

I am reviewing BDCP public draft and I have a couple of questions. They are:

How many municipalities south of the Delta rely at least in part on Delta water? (including both state and federal water)  
How many municipalities south of the Delta are there in total, whether or not they use Delta M&I water?

Your response would be much appreciated.

Thank you.

**From:** Re-al Lewis <Re-al.Lewis@eastcountyedc.org>  
**Sent:** Tuesday, March 11, 2014 8:49 AM  
**To:** BDCP.comments@noaa.gov  
**Subject:** Change of Address

Hello,

Please update your records to show Jo Marie Diamond and the East County EDC at the following address:

1908 Friendship Drive, Suite A  
El Cajon, CA 92020

Thank you!

**Re-al Lewis**

Outreach Specialist / Administrative Assistant  
East County Economic Development Council  
1908 Friendship Drive, Suite A | El Cajon, CA 92020  
Office: (619) 258-3670 | Fax: (619) 258-3674  
[re-al.lewis@eastcountyedc.org](mailto:re-al.lewis@eastcountyedc.org)  
[www.eastcountyedc.org](http://www.eastcountyedc.org)



**From:** pagejan@juno.com  
**Sent:** Monday, March 10, 2014 4:24 PM  
**To:** BDCP.comments@noaa.gov  
**Subject:** delta tunnels

March 10, 2014

Dear Mr. Ryan Wulff,

I have fished, skied, and lived on the Delta for thirty four years and I have seen many changes most of them negative. The twin tunnels is the worst yet. They very well could spell the end of this beautiful California resource. I have many questions about the need for these unbelievable destructive tunnels and I will list some of them and I would appreciate answers.

1. Are you going to do a water analysis to determine the water quality in Discovery Bay?
2. Why have there been no public meetings on these tunnels and their effects on the environment in the lower delta?
3. What are the disruptions to boating especially in Discovery Bay and the Bay Area in general?
4. Why are other alternatives not being explored that will have less effect on the fish and wildlife population?
5. How do you plan to take vast amounts of water from the delta with few places for storage? It seems to me that in hot summer months more water will be needed so the flow will not slow down but continue even when there is no excess water.
6. Why are you not looking into storage? It seems to me with the coast of the tunnels you could build storage facilities for use in both wet and dry years.
7. We need a website where questions can be asked and answers given. The law requires public participation.

In this drought year, I hope the state will listen to the voice of the people not the large water districts and the huge agriculture businesses. Please save the delta for us and future generations.

Thank you.  
Sincerely,

Hubert Page



**From:** Lorena Guerrero <lgg73@humboldt.edu>  
**Sent:** Monday, March 10, 2014 2:54 PM  
**To:** BDCP.comments@noaa.gov  
**Subject:** DVD Copy of the BDCP and Draft EIR/EIS for Humboldt State University Library

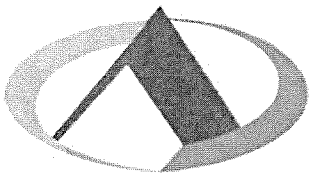
Good Afternoon,

I would like to request a copy of the DVD containing the documents for the Bay Delta Conservation Plan for the Humboldt state University Library. As a school with a heavy focus on Environmental planning and science, it would be of immense academic value for current and future students. Furthermore, many students have a vested interest in the proceedings of this project and would like access to more information.

Thank you.

Lorena Guerrero  
Community Advocate- Trinity East  
[LGG73@humboldt.edu](mailto:LGG73@humboldt.edu)

"If those committed to the quest fail, they will be forgiven. When lost, they will find another way. The moral imperative of humanism is the endeavor alone, whether successful or not, provided the effort is honorable and failure memorable."--E. O. Wilson



**BDCP383.**

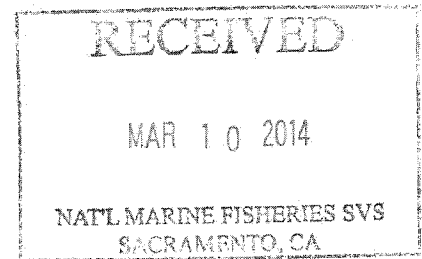
**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY**  
**PLANNING DEPARTMENT**

Chris Bazar  
Agency Director

March 6, 2014

Albert Lopez  
Planning Director

BDCP Comments  
Ryan Wulff, NMFS  
650 Capitol Mall, Suite 5-100  
Sacramento, CA 95814



224  
West Winton Ave  
Room 111

Subject: Bay Delta Conservation Plan, Comments on Draft EIR / EIS

Hayward  
California  
94544

Dear Mr. Wulff:

phone  
510.670.5400

fax  
510.785.8793

Thank you for notifying Alameda County about the Bay Delta Conservation Plan (BDCP or Plan) and the concurrent EIR / EIS process.

[www.acgov.org/cda](http://www.acgov.org/cda)

The Plan sets out a comprehensive conservation strategy for the Sacramento–San Joaquin Rivers Delta (Delta) designed to restore and protect ecosystem health, water supply, and water quality within a stable regulatory framework. The BDCP is intended to result in a permit decision concerning long-term regulatory authorizations under state and federal endangered species laws for the operations of the State Water Project (SWP) and the Central Valley Project (CVP). The Plan will further provide the basis for durable regulatory assurances. Specifically, the BDCP serves as a natural community conservation plan (NCCP) under the state's Natural Community Conservation Planning Act (NCCPA), and a habitat conservation plan (HCP) under Section 10 of the federal Endangered Species Act (ESA). The BDCP is a joint HCP/NCCP, which will support the issuance of permits from the California Department of Fish and Wildlife (CDFW) under Section 2835 of the NCCPA, and permits from the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) pursuant to Section 10 of the ESA.

The Plan will also provide the basis for a biological assessment (BA) that supports new ESA Section 7 consultations between the U.S. Department of the Interior, Bureau of Reclamation (Reclamation), USFWS, and NMFS. The parties that receive take authorizations pursuant to the BDCP and the associated BAs are referred to as the *Authorized Entities*. The Authorized Entities include the California Department of Water Resources (DWR), Reclamation, and may include a number of federal and state water contractors.

The Plan Area covers the Sacramento–San Joaquin Delta, as defined by California Water Code Section 12220 (statutory Delta), as well as certain areas in which conservation measures will be implemented such as Suisun Marsh and the Yolo Bypass. This includes more than 4,000 acres of lands within Alameda County. Based on maps of the project area and based on the descriptions in the documents staff deduces that the Plan includes possible disturbances to significant sections of the northeast corner of Alameda County, which is primarily characterized by agricultural land uses, open space, some minimal instances of residential land and commercially developed lands (nonconforming with the Alameda County General Plan and Zoning Ordinance) and the Clifton Court Forebay, which extends into Contra Costa County.

The Project includes, and the EIS / EIR analyzes, a large number of alternatives, all of which would affect some lands within the jurisdiction of Alameda County. In some cases these areas affected would be less than 20 acres for construction staging, transmission line construction and /or canal construction, and apparently some of these lands could be reclaimed for their original uses afterward, mostly that of farmland. Most of the alternatives, however, would involve permanent use of more than 215 acres of lands within Alameda County, a majority of which would most likely be high-quality farmlands, for spoils placement during and following construction of the Clifton Court Forebay expansion, and to a lesser extent for transmission line construction. The alternatives can be generally divided into two distinct categories:

1. Alternatives using 20 acres or less of Alameda County lands:
  - Alternatives 1C, 2C, 4, 6C, and 9
2. Alternatives using 216 acres or more of Alameda County lands:
  - Alternatives 1A, 1B, 2A, 2B, 3, 5, 6A, 6B, 7 and 8

County staff's impression is that the construction spoils would remain in the Alameda County jurisdictional area for all of the latter group of alternatives, and that this could preclude use of the land in the future for farming. Our comments below are written based on this impression.

The NMFS proposes to cover a wide variety of environmental topics in the EIS/EIR, which is heartily endorsed by Planning Staff. The documentation we received also contains a discussion of many Alameda County policies and programs that could be affected by the BDCP Projects, which Planning staff appreciates. The following discussion presents Planning Staff's recommendations on topical coverage in the EIS/EIR.

**These lands proposed for BDCP projects** within Alameda County are currently under the jurisdiction of the County; Planning Staff believes that Alameda County is an affected agency by this project pursuant to CEQA. The project lands are subject to the policies of the County's General Plan, in this case the East County Area Plan (ECAP), many policies of which are included in the EIS / EIR document (ECAP, which may be seen at the following web link:

<http://www.co.alameda.ca.us/cda/planning/generalplans/documents/EastCountyAreaPlancombined.pdf> )

The ECAP land use designates the region being considered for expansion as 'Large Parcel Agriculture' (LPA) with corresponding permitted land uses and policies that reflect appropriate management of these lands for open space and agriculture. Under the ECAP, the LPA designation is described as follows:

"...this designation permits agricultural uses, agricultural processing facilities (for example wineries, olive presses), limited agricultural support service uses (for example animal feed facilities, silos, stables, and feed stores), secondary residential units, visitor-serving commercial facilities (by way of illustration, tasting rooms, fruit stands, bed and breakfast inns), recreational uses, public and quasi-public uses, solid waste landfills and related waste management facilities, quarries, windfarms and related facilities, utility corridors, and similar uses compatible with agriculture."

*We consider the construction and operation of water and biological management features by a public agency to be a "public use" and so the basic land use proposed for this project is generally consistent*

*with the County General Plan. However, the EIS/EIR document should make a substantive effort to describe this consistency, and why these new and additional features of the BDCP are necessary and more important than any uses that may be displaced, such as existing high-quality farmland or biological habitat.*

*Generally, from its own perspective, Alameda County encourages the Lead Agency to select the alternative that disturbs the fewest acres within the County while still meeting project objectives - if possible, from the alternative group in which 20 acres or fewer would be disturbed. From the larger regional perspective, Alameda County encourages the project to select the alternative that preserves as much high-quality farmland and biological habitat as possible.*

*The documentation should include a description of possible after-project uses of the lands designated for receipt of spoils; the potential for use of these lands as either farmland or biological habitat should be examined.*

The ECAP sets forth a number of Goals and supporting policies and programs to foster appropriate land use and management of the open spaces of the East County. Among others, the following Goals may be found in the ECAP on various pages, followed by policies and programs for implementation:

#### **Biological Resources:**

Goal: To preserve a variety of plant communities and wildlife habitat.

The area being considered for staging and/or spoils in Alameda County, while being largely cultivated in agriculture for many decades, does have some biological and wildlife habitat value, including for special status species such as San Joaquin kit foxes, burrowing owls, golden eagles and a number of other mammals, birds, reptiles, amphibians and plants. Our County General Plan contains a number of policies designed to minimize the harm to wildlife and maximize preservation of its habitat.

Within the last few years, Alameda County has participated with California Fish and Wildlife Department, the United States Fish and Wildlife Service, and several local incorporated communities in the development of the Eastern Alameda County Conservation Strategy (EACCS), a general blueprint for wildlife and native plant preservation in the face of potential encroaching human activity in Eastern Alameda County. The EACCS identifies a major handful of species that are considered special status species for the region, identifies areas of critical habitat in Alameda County for those species, and presumes that any human activity or development that encroaches upon those habitat areas would need to mitigate its impacts as defined by either the EACCS or a corresponding CEQA document. The EACCS identifies when and where mitigation for loss of habitat should be considered, and sets minimum standards for mitigation including the location and extent of appropriate mitigation lands.

It is important to understand that, contrary to the information provided in the Biological Resources section, not all of the participating agencies have formally accepted the EACCS, including the County, and we consider it to be only advisory at this point in time. However, the USFWS and the CDFW have both begun to consider the plan as the guidebook of choice for habitat conservation in Eastern Alameda County, and County Planning Staff have begun to use the EACCS as the first cut at determining how a prospective developer should have his or her impacts analyzed. The EACCS may be found here:

<http://www.eastalco-conservation.org/documents.html>

*We recommend that the EIS/EIR make an effort to describe impacts to, and mitigation measures for, all biological impacts that may occur as a result of the Project regardless of which alternative is chosen, and to use the EACCS as a major source of information and guidance. The BDCP EIS / EIR appears to use this method already. We encourage the project to adopt the alternative that disturbs the fewest acres of biological habitat while still meeting project objectives.*

#### **Land Use:**

The ECAP sets forth a number of Goals and supporting policies and programs to foster appropriate land use and management of the open spaces of the East County. The Plan documentation includes citations to many of these policies already. Among others, the following Goals may be found in the ECAP on various pages, followed by policies and programs for implementation:

#### **General Open Space**

Goal: To protect regionally significant open space and agricultural land from development.

#### **Agriculture**

Goal: To maximize long-term productivity of East County's agricultural resources.

The County notes that for these two categories, the project as proposed, with numerous possible alternatives as suggested in the text and on the maps, would probably affect lands that are currently in agricultural production, some lands that are considered 'Prime Agricultural Lands' under State and Local designations, and some lands that may be constrained by Williamson Act Agricultural Land Conservation Contracts for preservation of agriculture on the contracted parcels. In some cases the acreage of these lands could be minimal and used just for construction staging or canal construction, and in other cases could be used for permanent spoils deposits and number well over than 200 acres.

*These parcels in Alameda County should be specifically identified and, if an environmental impact such as loss of agricultural productivity, loss of prime agricultural land or necessity to terminate a Williamson Act Contract is identified in the EIS/EIR, methods to mitigate these impacts should be identified and required. County Planning staff suggests that, wherever possible, lands of the highest current agricultural quality (Prime Farmlands or Unique Farmlands) should be avoided and worked around, and reclamation of the affected parcels to productive land should be accomplished. Where this is not feasible, mitigation should be accomplished by establishment of agricultural conservation easements on other comparable lands, preferably within the County.*

*Quality Agricultural Lands constrained by Williamson Act Contracts should be avoided wherever possible, and if disturbance and construction must be performed on any of these parcels, the appropriate findings for compatibility under the Act should be drafted and provided to the County Board of Supervisors for these parcels, OR the proper process for cancellation of the Contracts should be implemented.*

These, and other physical impacts considered, County Planning Department Staff believes that the proposed Project, with or without mitigation, has the potential to be inconsistent with a number of policies and programs under the stated ECAP Goals, along with the basic requirements of the EACCS, and that the proposed Project must be reviewed for consistency with these Goals and pertinent underlying policies. County Staff believes it is the responsibility of the Lead Agency to address these issues and to ensure that maximum consistency with general planning documents, as well minimization of environmental impacts, is achieved by this proposal. It appears to Staff that the documentation for the

Plan already follows this line of reasoning, and we encourage the Lead Agency to continue to follow this thorough and generally acceptable course of action in determining impacts and mitigation measures for the BDCP.

These comments may not be exhaustive, and we respectfully reserve the right to provide additional comments prior to the June 2014 comment deadline. If you have any questions or comments, please contact me by e-mail at [bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org) or at (510) 670-6527 during business hours. Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Bruce Jensen', with a stylized flourish at the end.

Bruce Jensen  
Senior Planner,  
Alameda County Planning Department

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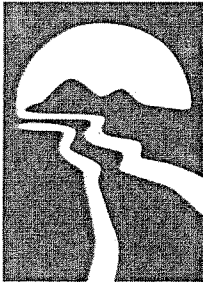
**From:** Bob Wright <BWright@friendsoftheriver.org>  
**Sent:** Thursday, March 06, 2014 4:35 PM  
**To:** BDCP.Comments@noaa.gov  
**Subject:** BDCP comment letter & attachment  
**Attachments:** 3 6 14 BDCP cmt ltr.pdf; 2 26 14 Cal advirosry ltr salmon.pdf

Dear NOAA BDCP comments:

Attached please find our three page BDCP comment letter of today, March 6, 2014 and the attachment to the letter, the February 26, 2014 letter from the California Advisory Committee on Salmon and Steelhead Trout. Please call if you have any questions. Please confirm receipt of these items.

Best,

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 20<sup>TH</sup> STREET, SUITE 100, SACRAMENTO, CA 95811

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

WWW.FRIENDSOFTHERIVER.ORG

March 6, 2014

[BDCP.Comments@noaa.gov](mailto:BDCP.Comments@noaa.gov) (via email)

**Re: COMMENT LETTER/Preliminary Comments on Fundamental BDCP Violations of the ESA**

Dear Federal and California Agencies, Officers, and Staff Members Carrying out the BDCP:

### **INTRODUCTION**

This is our second early Comment Letter on the public draft Bay Delta Conservation Plan (BDCP) and public draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) issued in December 2013. This letter follows up our letter of January 14, 2014 and focuses on the adverse modification of critical habitats for five threatened and endangered fish species that would be caused by the proposed BDCP Water Tunnels. Extinction is forever. The fish face an extinction crisis. The BDCP Water Tunnels would adversely modify designated critical habits and thus promote species extinction and preclude species recovery. The BDCP 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.

*We attach and incorporate by reference a copy of the recent seven page letter (including attachments) from the California Advisory Committee on Salmon and Steelhead Trout to the Director of the California Department of Fish and Wildlife dated February 26, 2014.* The Advisory Committee concludes among other things that: "The BDCP does not meet the requirements of Fish and Game Code 2820 for an NCCP and cannot legally be approved because it will contribute to the further decline of Sacramento River Winter Run and Spring Run Chinook salmon." (Letter p. 1). The Advisory Committee also concludes that: "In summary, the Bay-Delta Conservation Plan does not meet the requirements of the California Endangered Species Act or the Natural Communities Conservation Plan Act to recover Sacramento River winter-run and spring-run Chinook salmon." (Letter p. 4).

For the same reasons, the BDCP Water Tunnels plan likewise does not meet the requirements of the ESA and cannot legally be approved because it will contribute to the further decline of Sacramento River Winter Run and Spring Run Chinook salmon.



## ESA AND NEPA VIOLATIONS PRECLUDING INFORMED PUBLIC REVIEW

As we have said before, the Water Tunnels would divert enormous quantities of water from the Sacramento River near Clarksburg, California. As a result of this massive diversion, enormous quantities of water that presently flow through the Sacramento River and sloughs to and through the Sacramento-San Joaquin Delta would not reach the Delta, and flows would be reduced in the Sacramento River and sloughs. Also, there would be adverse cumulative effects ranging from rising sea levels and reduced snowpack and runoff due to climate change to changes in upstream reservoir operations and current preservation of flows for fishery purposes all the way upstream to the Shasta, Trinity, Oroville, and Folsom reservoirs. The Water Tunnels are identified as Alternative 4, the California Department of Water Resources (DWR)' Preferred Alternative. (BDCP Draft EIR/EIS, 3-3).

The Sacramento River Winter Run Chinook Salmon is listed as an endangered species under the ESA. The Central Valley Spring Run Chinook Salmon, Central Valley Steelhead, Southern Distinct Population Segment of North American Green Sturgeon, and Delta Smelt, are listed as threatened species under the ESA. The reaches of the Sacramento River, sloughs, and the Delta that would lose significant quantities of freshwater and freshwater flows through operation of the proposed BDCP Water Tunnels are designated critical habitats for each of these five listed endangered and threatened fish species. Yet in complete disregard of these undisputed facts, no Biological Assessment has been prepared and issued by the federal Bureau of Reclamation with respect to the BDCP Water Tunnels project. Also, no final or even draft Biological Opinion has been prepared by the National Marine Fisheries Service (NMFS) or U.S. Fish and Wildlife Service (USFWS) with respect to the impacts of the operation of the BDCP Water Tunnels on the five listed species of fish or their critical habitats.

The failure to prepare Biological Assessments and Biological opinions prior to issuing the BDCP draft Plan and EIR/EIS for what in the absence of those documents deliberately causes uninformed public review is astonishing. The Ninth Circuit Court of Appeals has repeatedly held that: "Any possible effect, whether beneficial, benign, adverse or of an undetermined character, triggers the formal consultation requirement." *Western Watersheds Project v. Kraayenbrink*, 620 F.3d 1187, 1210 (9<sup>th</sup> Cir. 2010). *Accord, Karuk Tribe of California v. U.S. Forest Service*, 681 F.3d 1006, 1027 (9<sup>th</sup> Cir. 2012)(en banc), *cert. denied*, 133 S.Ct. 1579 (2013); *Cal. ex rel. Lockyer v. U.S. Dep't of Agric.*, 575 F.3d 999, 1018 (9<sup>th</sup> Cir. 2009). We doubt that even the ardent advocates for the Water Tunnels who prepared the 40,000 pages of BDCP advocacy documents would contend that taking large quantities of water away from the River, sloughs, and Delta does not have "any possible effect, whether beneficial, benign, adverse or of an undetermined character."

The ESA Regulations (50 C.F.R. § 402.14(a)) require that "Each Federal agency shall review its actions *at the earliest possible time* to determine whether any action may affect listed species or critical habitat. If such a determination is made, formal consultation is required. . . ." *Karuk Tribe of California v. U.S. Forest Service*, 681 F.3d 1006, 1020. The Biological Assessments and Biological Opinions are the written documents that federal agencies must prepare during the ESA consultation process. The NEPA Regulations require that "To the fullest extent possible, agencies shall prepare draft environmental impact statements concurrently with

and integrated with environmental impact analyses and related surveys and studies required by the. . . Endangered Species Act. . .” 40 C.F.R. § 1502.25(a).

The Biological Opinion is to determine “whether the action, taken together with cumulative effects, is likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat.” 50 C.F.R. § 402.14(g)(4).

Consequently, against this threat of extinction, conducting the draft EIR/EIS public review and comment stage without Biological Opinions or even Biological Assessments and draft Biological Opinions, leaves the public in the dark and violates both the ESA and NEPA. Conducting the NEPA environmental draft process prior to and in a vacuum from the ESA consultation process violates the ESA command to carry out the ESA process “at the earliest possible time” and violates the NEPA command to conduct the NEPA and ESA processes “concurrently” and in an “integrated” manner.

### CONCLUSION

In the absence of answers to basic questions including ESA questions about jeopardy of listed fish species and adverse modifications of designated critical habitats, the draft BDCP EIR/EIS is not sufficient for informed review by the public and the decision-makers. It will be necessary at minimum under the ESA, NEPA and CEQA for the federal and state agencies to prepare, issue, and circulate for public review a *new draft* EIR/EIS concurrently with and integrated with Biological Assessments and Biological Opinions. 40 C.F.R. §§ 1502.9(a); 1502.25(a) (NEPA); 14 Code Cal. Regs. §§ 15065(a)(1); 15088.5(a)(CEQA). Then, and only then, would the public and the decision-makers have the opportunity to engage in meaningful analysis of a preferred project alternative and informed comparison with other alternatives.

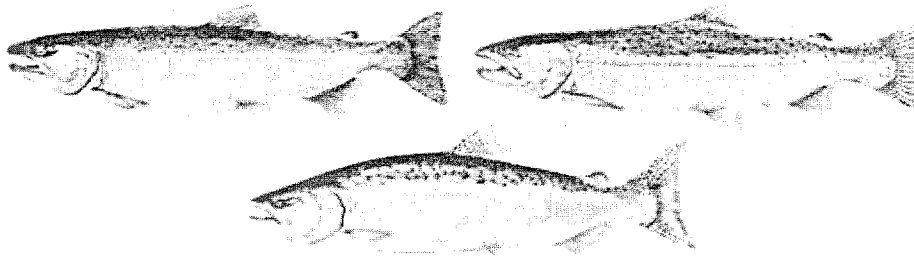
Please call Robert Wright, Senior Counsel, Friends of the River, (916) 442-3155x 207 with any questions you may have.

(incl. 1 attachment)

Sincerely,

/s/ E. Robert Wright

Senior Counsel  
Friends of the River



## California Advisory Committee On Salmon and Steelhead Trout

February 26, 2014

Charlton H. Bonham, Director  
California Department of Fish and Wildlife  
1416 Ninth St., 12<sup>th</sup> Floor  
Sacramento, CA 95814

Subject: Recommendation to deny incidental take permit and Natural Communities Conservation Plan for Bay Delta Conservation Plan

Dear Director Bonham;

The California Advisory Committee on Salmon and Steelhead in our capacity to advise you, the director of the California Department of Fish and Wildlife, in preparing and maintaining "a comprehensive program for the protection and increase of salmon, steelhead trout, and anadromous fisheries" in California,<sup>1</sup> recommends that the you deny issuance of an incidental take permit for the Bay Delta Conservation Plan's Alternative 4 (BDCP) as a Natural Communities Conservation Plan (NCCP). The BDCP does not meet the requirements of Fish and Game Code 2820 for an NCCP and cannot legally be approved because it will contribute to the further decline of Sacramento River Winter Run and Spring Run Chinook salmon.

All races and runs of Central Valley salmon and steelhead populations have experienced over 90% declines since the State Water Project came on line in the 1960's. In particular, naturally produced Chinook populations have experienced severe declines resulting in the listing of Sacramento Winter Run as endangered and the Spring Run as threatened under the federal and state Endangered Species Acts. Adult returns of these two species are far below the fish doubling goals of the Anadromous Fish Restoration Program. Attachments 1 and 2 are figures from the Anadromous Fish Restoration Program showing the severe declines these two runs of Chinook salmon have experienced in the Sacramento River basin.<sup>2</sup>

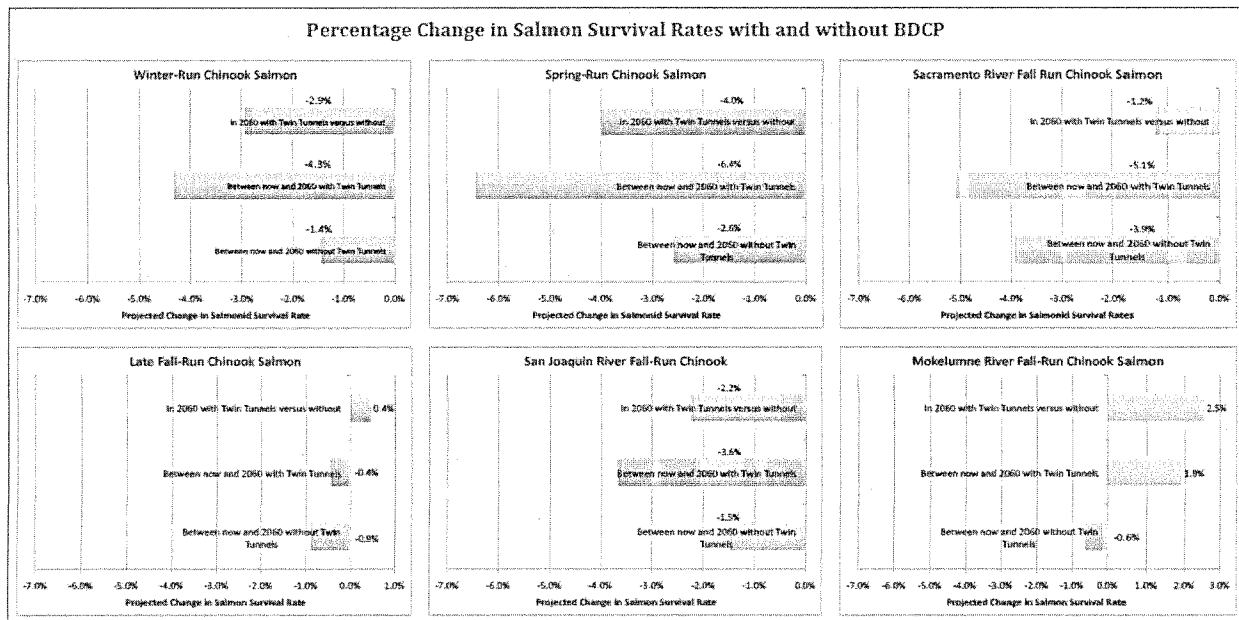
<sup>1</sup> California Fish and Game Code § 6920 (2008)

§ 6920. Preparation and maintenance of program; Consultation with public agencies

(a) The department shall, with the advice of the Advisory Committee on Salmon and Steelhead Trout and the Commercial Salmon Trollers Advisory Committee, prepare and maintain a detailed and comprehensive program for the protection and increase of salmon, steelhead trout, and anadromous fisheries.

<sup>2</sup> [http://www.fws.gov/stockton/afrp/Documents/Doubling\\_goal\\_graphs\\_020113.pdf](http://www.fws.gov/stockton/afrp/Documents/Doubling_goal_graphs_020113.pdf)

Furthermore, according to data from Chapter 5, Effects Analysis of the November 2013 Draft BDCP, operation of the Twin Tunnels project will reduce winter run and spring Chinook salmon smolt survival by 2.9% and 4%, respectively. See Salmon Survival Rates Figure below taken from BDCP Chapter 5. Supporting data and source tables are shown in Attachment 3.<sup>3</sup>



BDCP promotes the unproven scientific hypothesis that habitat restoration can substitute for flow. However, the State Water Resources Control Board has already indicated that Delta inflows and outflows are presently insufficient to help listed species recover their former abundance.<sup>4</sup> BDCP would reduce Delta outflow, which contributes to the decreases to salmon smolt survival rates modeled by BDCP.

The concept of improving riparian and subtidal habitat to create an aquatic food supply for the Delta to make up for too much water diverted is an unproven theory that has been criticized extensively by federal agencies in their "red flag" comments on the BDCP.<sup>5</sup> Climate change will

<sup>3</sup> Figure A taken from Draft Bay-Delta Conservation Plan, Chapter 5, Effects Analysis, Sections 5.5.3 through 5.5.6, Tables 5.5.3-10, 5.5.4-5, 5.5.5-8, 5.5.5-10, 5.5.5-18 and 5.5.5-20 See

[http://baydeltaconservationplan.com/Libraries/Dynamic\\_Document\\_Library/Public\\_Draft\\_BDCP\\_Chapter\\_5\\_-\\_Effects\\_Analysis.sflb.ashx](http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/Public_Draft_BDCP_Chapter_5_-_Effects_Analysis.sflb.ashx)

<sup>4</sup> "Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem

Prepared Pursuant to the Sacramento-San Joaquin Delta Reform Act of 2009." SWRCB, August 3, 2010. Page 4, second bullet. See

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/deltaflow/docs/final\\_rpt080310.pdf](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/deltaflow/docs/final_rpt080310.pdf)

<sup>5</sup> See

[http://baydeltaconservationplan.com/Libraries/Dynamic\\_Document\\_Library/Federal\\_Agency\\_Comments\\_on\\_Con\\_sultant\\_Administrative\\_Draft\\_EIR-EIS\\_7-18-13.sflb.ashx](http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/Federal_Agency_Comments_on_Con_sultant_Administrative_Draft_EIR-EIS_7-18-13.sflb.ashx) and

[http://baydeltaconservationplan.com/Libraries/Dynamic\\_Document\\_Library\\_-\\_Archived/Effects\\_Analysis\\_-\\_Fish\\_Agency\\_Red\\_Flag\\_Comments\\_and\\_Responses\\_4-25-12.sflb.ashx](http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library_-_Archived/Effects_Analysis_-_Fish_Agency_Red_Flag_Comments_and_Responses_4-25-12.sflb.ashx) and

[http://baydeltaconservationplan.com/Libraries/Dynamic\\_Document\\_Library/NMFS\\_Progress\\_Assessment\\_Regar\\_ding\\_the\\_BDCP\\_Administrative\\_Draft\\_4-11-13.sflb.ashx](http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/NMFS_Progress_Assessment_Regar_ding_the_BDCP_Administrative_Draft_4-11-13.sflb.ashx) and

[http://baydeltaconservationplan.com/Libraries/Dynamic\\_Document\\_Library/NMFS\\_Evaluation\\_of\\_Flow\\_Effects\\_o\\_n\\_Survival\\_-\\_BDCP\\_Admin\\_Draft\\_-\\_4-11-13.sflb.ashx](http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/NMFS_Evaluation_of_Flow_Effects_o_n_Survival_-_BDCP_Admin_Draft_-_4-11-13.sflb.ashx) and

contribute to sea level rise directly in the Delta; this will help push X2 eastward into the Delta. BDCP analysis also shows that Sacramento River inflow will decrease directly from operation of the Twin Tunnels, and to some degree from lower upstream runoff (controlled by climate change and reservoir operation). The combined effect of continued high diversions from the Delta through BDCP (for the sake of "increased reliability") and the effects of climate change and X2 movement eastward will have a deleterious effect on Sacramento Winter Run and Spring Run Chinook salmon.

All of the conservation measures in BDCP with the exception of CM1 (Twin Tunnels) are programmatic in nature. Funding is far from assured, as identified in a recent Legislative Analyst's report. The LAO report identified that ecosystem restoration funding has not been secured and cost overruns are likely for land acquisition for habitat restoration. According to the report,<sup>6</sup>

*"If bond funds are not available in the near future and no additional funding sources are identified, some ecosystem restoration may not be funded, including the restoration actions needed before the tunnels begin operation. The BDCP states that the SWP and CVP will not pay additional costs or forgo water in the event of a funding shortfall."*

The funding plan at Table 8-37 of Chapter 8 in BDCP confirms the LAO's conclusion. The state and federal water contractors propose that they will only pay for 68.4 percent of BDCP's costs. Nearly 95 percent of their financing commitment is solely to the Twin Tunnels project in Conservation Measure 1, and the rest of BDCP's costs would be borne by taxpayers at large.

Because Sacramento River Winter Run and Spring Run Chinook salmon are already significantly depleted and BDCP will further reduce smolt survival, the Department of Fish and Wildlife cannot make a finding that the BDCP NCCP will lead to recovery of the species.

None of the alternatives considered in the BDCP Draft Environmental Impact Statement and Report would lead to the recovery of Sacramento River Winter Run and Spring Run Chinook salmon. None of the alternatives analyzed reduces the amount of water diverted upstream of or within the Delta. None of the alternatives analyzed considers meeting or moving toward meeting the State Water Resources' Control Board's Delta Outflow Criteria of 2010 that was specifically required by the legislature in 2009 "to inform planning decisions for the Delta Plan and the BDCP."<sup>7</sup>

Therefore, findings approving a NCCP for the Bay-Delta Conservation Plan cannot be made pursuant to Section 2820 of the Fish and Game Code for the following reasons:

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[http://baydeltaconservationplan.com/Libraries/Dynamic\\_Document\\_Library/U\\_S\\_Fish\\_and\\_Wildlife\\_Service\\_Staff\\_BDCP\\_Progress\\_Assessment\\_4-11-13.sflb.ashx](http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/U_S_Fish_and_Wildlife_Service_Staff_BDCP_Progress_Assessment_4-11-13.sflb.ashx)

<sup>6</sup> "Financing the Bay-Delta Conservation Plan", Legislative Analyst's Office, 2/12/14. p 8. See <http://www.lao.ca.gov/handouts/resources/2014/Financing-the-BDCP-02-12-14.pdf>

<sup>7</sup> Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem by the State Water Resources Control Board, August 3, 2010. See [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/deltaflow/docs/final\\_rpt080310.pdf](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/deltaflow/docs/final_rpt080310.pdf)

1. BDCP does not contribute to recovery and would jeopardize the continued existence of Sacramento River winter-run and spring-run Chinook salmon because smolt survival through the Delta is reduced by the project. (Fish & Game Code Section 2081(c))
2. The concept of habitat restoration measures to offset impacts from increased water withdrawals from the Delta (increased "reliability") is not supported by science, including but not limited to the 2010 SWRCB Delta Outflow Criteria. (Fish & Game Code Section 2081(b)(2))
3. The applicants do not assure funding and water supplies for habitat restoration measures. Habitat restoration measures will not be "shovel-ready" when the Twin Tunnels begin construction. (Fish & Game Code Section 2081(b)(4) and 2820(a)(10))
4. BDCP does not include analysis of an alternative or alternatives that would meet the recovery goals for Sacramento River Winter Run and Spring Run Chinook salmon. Such an analysis should at least take into consideration the State Water Resources Control Board's 2010 Delta Outflow decision. (Fish & Game Code Section and 2820(e))

In summary, the Bay-Delta Conservation Plan does not meet the requirements of the California Endangered Species Act or the Natural Communities Conservation Plan Act to recover Sacramento River winter-run and spring-run Chinook salmon. The BDCP NCCP is to be submitted to support issuance of an incidental take permit by the Department of Fish and Wildlife. For all of the above reasons, we urge you to reject approval of the BDCP as an NCCP.

We thank you for your consideration of these points and look forward to hearing back from you on this important matter.

Sincerely,



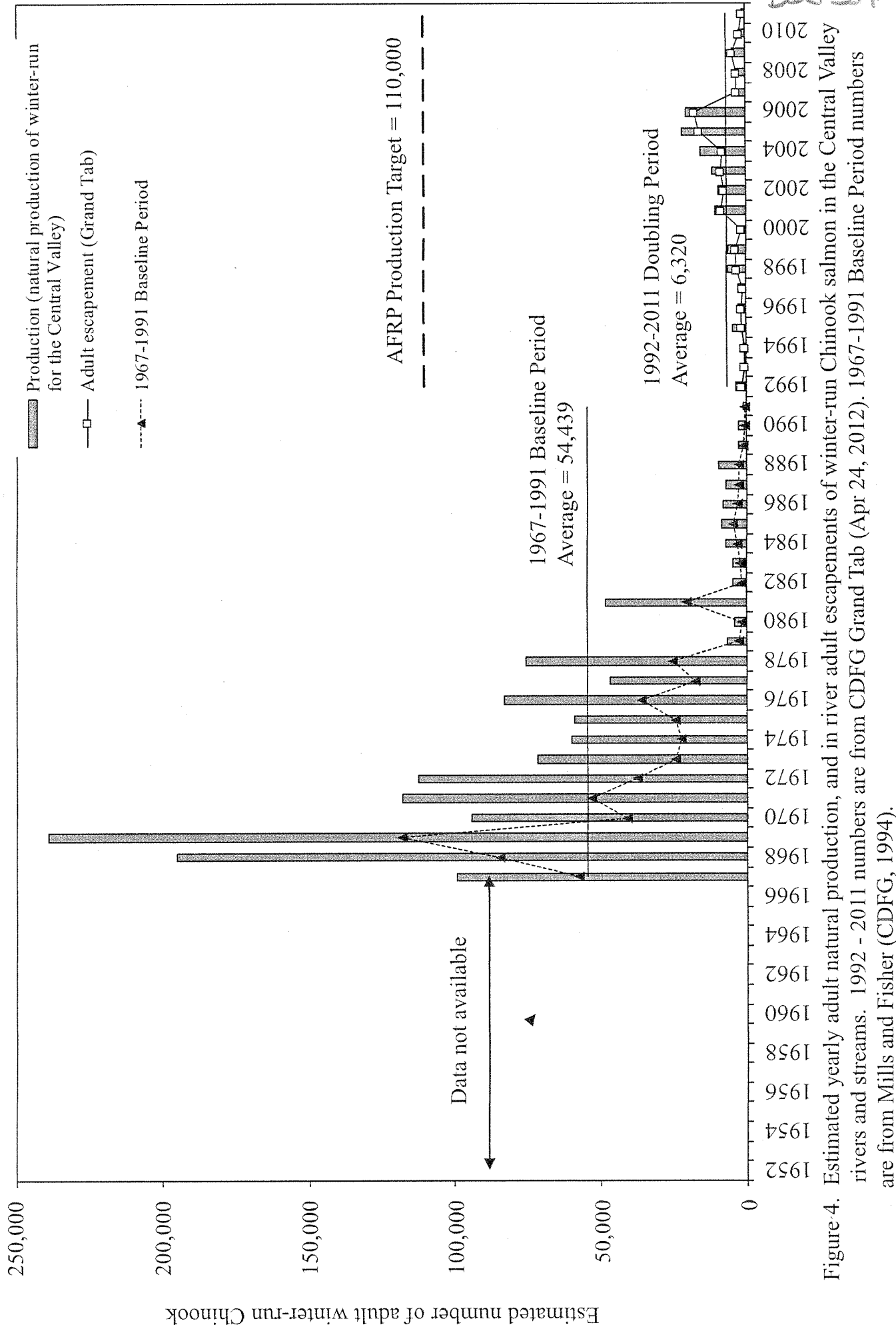
Vivian Helliwell, Chairman  
P.O. Box 307  
Eureka, CA 95502  
[vhelliwell@mcn.org](mailto:vhelliwell@mcn.org)

cc: Honorable Wesley Chesbro, Chairman Joint Committee on Fisheries and Aquaculture  
Kevin Shaffer, CDFW Program Manager, Anadromous Fisheries Branch

Attachments:

- 1- Anadromous Fish Restoration Program Figure 4: Estimated yearly adult natural production, and in river adult escapements of Winter Run Chinook salmon
- 2- Anadromous Fish Restoration Program Figure 5: Estimated yearly adult natural production, and in river adult escapements of Spring Run Chinook salmon in the Central Valley rivers and streams.
- 3- Central Valley Salmon Smolt Survival With and Without BDCP

## ATTACHMENT 1



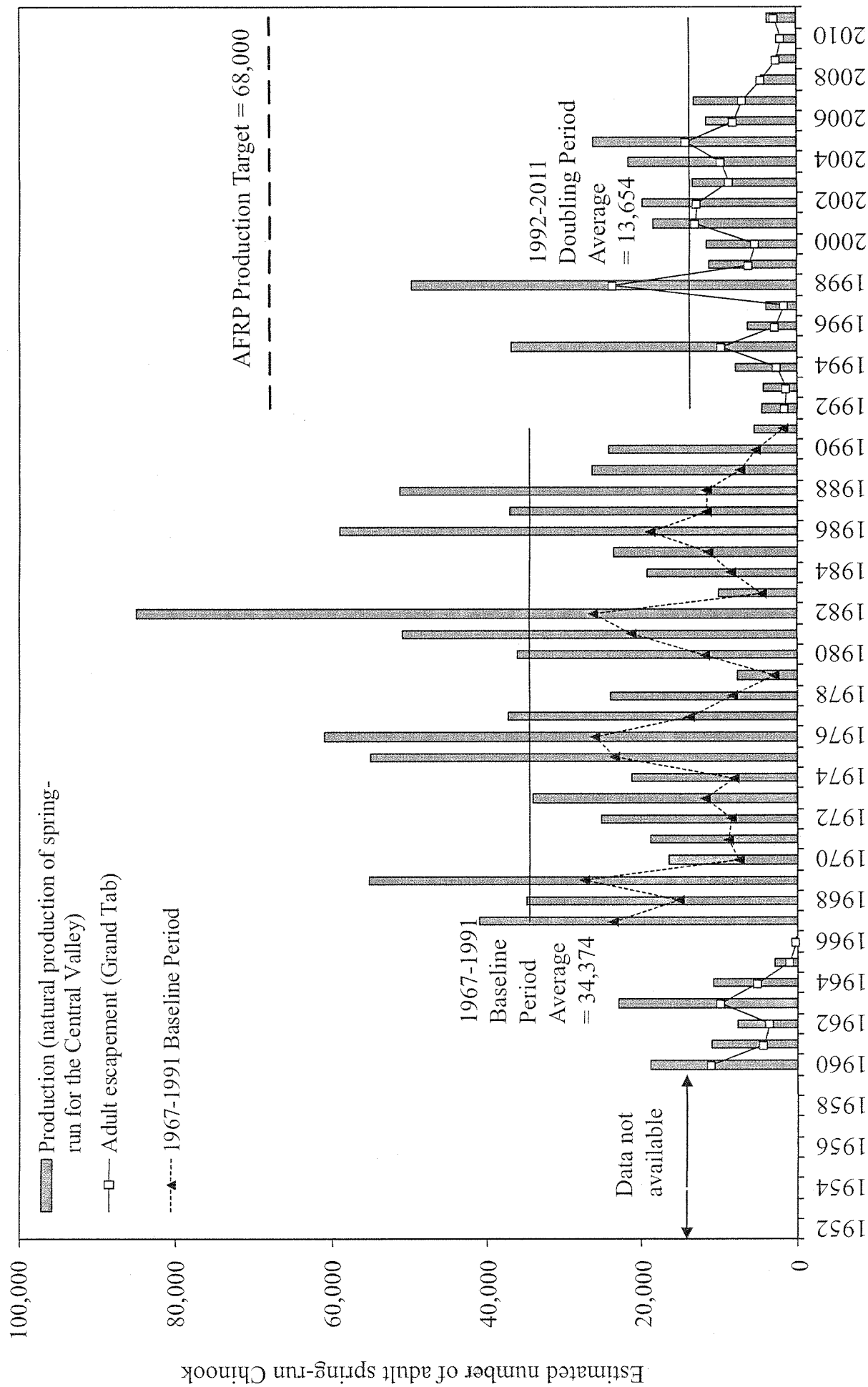


Figure 5. Estimated yearly adult natural production, and in-river adult escapements of spring-run Chinook salmon in the Central Valley rivers and streams. 1960 - 1966 and 1992 - 2011 numbers are from CDFG Grand Tab (Apr 24, 2012). 1967-1991 Baseline Period number are from Mills and Fisher (CDFG, 1994).

BDCP354



# ATTACHMENT 3

Percentage Change in Salmon Survival Rates with and without BDCP

Salmon Run/Statistic	BDCP Chapter 5 Source Table	Baseline Conditions Now (EBC1)	Baseline Conditions in 2060 Without BDCP (EBC2-LLT)	Twin Tunnels Operation in 2060 (ESO-LLT)	Between Now and Without Twin Tunnels by 2060	Between Now and With Twin Tunnels by 2060	In 2060 With Twin Tunnels versus Without
Winter-Run	5.5.3-10						
Average		34.7%	34.2%	33.2%	-1.4%	-4.3%	-2.9%
Median		32.4%	31.8%	28.7%	-1.9%	-11.4%	-9.7%
Spring-Run	5.5.4-5						
Average		31.1%	30.3%	29.1%	-2.6%	-6.4%	-4.0%
Median		27.0%	26.4%	25.1%	-2.2%	-7.0%	-4.9%
Sac River Fall Run	5.5.5-8						
Average		25.7%	24.7%	24.4%	-3.9%	-5.1%	-1.2%
Median		22.8%	21.6%	22.4%	-5.3%	-1.8%	3.7%
Late Fall-Run	5.5.5-10						
Average		23.1%	22.9%	23.0%	-0.9%	-0.4%	0.4%
Median		20.1%	20.6%	21.3%	2.5%	6.0%	3.4%
San Joaquin River Fall-Run	5.5.5-18						
Average		13.7%	13.5%	13.2%	-1.5%	-3.6%	-2.2%
Median		10.7%	10.3%	12.1%	-3.7%	13.1%	17.5%
Mokelumne River Fall-Run	5.5.5-20						
Average		16.0%	15.9%	16.3%	-0.6%	1.9%	2.5%
Median		15.2%	14.0%	14.1%	-7.9%	-7.2%	0.7%

Source: Chapter 5, Effects Analysis, Sections 5.5.3 through 5.5.6, Bay Delta Conservation Plan, 2013.

BDCP 384

Form Master  
#2

COMMENTS ON BDCP DRAFT EIR/EIS

General directions for making comments: Send your comment(s) by email to [BDCP.Comments@noaa.gov](mailto:BDCP.Comments@noaa.gov). You may type your comment in the body of the email or you may provide the comment as an attachment to the email. If you send the comment as an attachment, save it as a pdf file and attach the pdf file.

You may make several comments in one email or you can send several emails, each with one or two comments.

Comments are more effective if they are personalized. A good way to personalize your comment is to start off by saying a little bit about yourself. For example, “I have a waterfront home in Discovery Bay and have been boating in the Delta for over 20 years.” Say as much or as little as you like about your connection to the Delta. Then begin your comment.

Everybody should make this comment:

1) It is outrageous that you have decided not to post all comments online as they come in so everyone can see what others are commenting. This can only be aimed at thwarting informed public participation because no legitimate purpose is served by keeping everyone in the dark about what others are saying. Posting comments in an online docket during an EIS process is standard federal government procedure. Why has this highly controversial project been selected for special treatment? I demand that all comments be posted online in an easily accessible format and that the comment period be extended for the length of time that comments were not posted online.

Everyone should make one or more of the following comments:

2) This is a comment on the Draft EIR/EIS. Representatives from Discovery Bay have requested at BDCP public meetings and through other channels that specific analysis of the project’s water quality impacts on Discovery Bay be included in the Draft EIR/EIS. They have not been included. Discovery Bay is different than the rest of the Delta. It consists of 16 shallow water bays, ranging in size from less than an acre to several acres. There is little circulation in the bays. The impacts on water quality in nearby open water sloughs and channels do not translate to water quality impacts in the bays, where reduction in high quality fresh water will translate to much greater degradation of water quality. The EIR/EIS fails to adequately address water quality impacts in Discovery Bay. I respectfully request that site specific analysis be conducted to determine water quality impacts on the bays of Discovery Bay.

3) This is a comment on the Draft EIR/EIS. Operation of the tunnels will cause adverse water quality impacts on Discovery Bay. Representatives from Discovery Bay have requested at BDCP public meetings and in meetings with BDCP representatives that specific mitigation measures be included in the EIR/EIS to offset those negative water

quality impacts on Discovery Bay. The requested mitigation measures include weed control (*egeria densa*), dredging, and improvements to Discovery Bay's circulation system. These mitigations measures will all improve circulation in Discovery Bay and help to offset the reduction in high quality freshwater flows that will result from BDCP operations. I respectfully request that these, and all other feasible mitigation measures, be included in order to mitigate the water quality impacts on Discovery Bay to a level of insignificance.

4) This is a comment on the Draft EIR/EIS. Much of the purported environmental benefit, and assurance that the project will not cause harm, depends on an ongoing monitoring and adaptive management program. Representatives from Discovery Bay have requested at public meetings and at other times that one or more monitoring stations be included to monitor water quality impacts on the 16 bays of Discovery Bay. Yet no Discovery Bay monitoring stations have been included. The bays of Discovery Bay are heavily used for water contact sports (swimming, sailboarding, paddle boarding, etc). The failure to include adequate monitoring of Discovery Bay water quality is unreasonable. Conditions in the bays of Discovery Bay are not reflected by existing monitoring stations in open water locations. There is much less circulation in the bays of Discovery Bay and numerous other differences in conditions. Adequate monitoring stations in Discovery Bay are required to establish an adequate mitigation and monitoring program.

5) This is a comment on the Draft EIR/EIS. The EIR depends heavily on ongoing monitoring and adaptive management. In order to have a meaningful monitoring program you need to know what the baseline conditions were before the project begins operation. There is no meaningful data included to establish what baseline conditions are in the 16 bays of Discovery Bay. The bays have a different environment and are very different in conditions from the locations of existing monitoring stations relatively nearby from which you have taken your baseline data. In order to have a meaningful monitoring and mitigation program, it is necessary to establish monitoring of Discovery Bay before project operation begins in order to establish accurate baseline conditions. The bays of Discovery Bay are probably the most heavily used area of the Delta for human contact sports. Bacteria levels may already be high at some times due to the presence of invasive weeds. Project operations may take undesirable bacteria levels to unsafe levels. This is a question of human health, particularly the health of children. Establishing adequate baseline data and a robust site specific monitoring program for Discovery Bay are essential ingredients of the monitoring, mitigation, and adaptive management plan that have been entirely overlooked!

6) This is a comment on the Draft EIR/EIS. Air quality impacts due to disruption of boating traffic have not been adequately identified and analyzed in the EIR/EIS. Boat traffic will be restricted due to construction activities and long-term operation of diversion structures and other structures. Numerous 5 mph zones will be put in place and a boat lock will be installed at the head of Old River. Boaters will change their boating patterns to avoid these areas. This will cause increased boat travel, which will increase boat emissions. Larger diesel powered boats in particular will avoid these areas and travel

father to other areas of the Delta. The impact on boat traffic patterns and attendant increase in emissions has not been identified or analyzed.

7) This is a comment on the Draft EIR/EIS. The EIR/EIS fails to analyze a reasonable range of alternatives. Where a reasonably feasible alternative exists that would lessen the adverse environmental impacts of the project the law requires that it be included, analyzed, and considered. By definition an HCP is mitigation. It mitigates the take of species due to effects of the project. Here the project is the operation of the CVP/SWP. The project kills fish because it doesn't leave enough water in the Delta for their needs. The tunnels are supposedly mitigation for the take because they will harvest and move water in a less harmful way at less harmful times than the way water is currently harvested and moved. The BDCP has advertised its "little sip, big gulp" concept as one of the ways that the tunnels will mitigate adverse impacts. When water levels are low or water is critically needed for fish populations, the tunnels will take only small amounts of water. When water is abundant or not needed for fish populations the tunnels will take larger amounts of water. Or so goes the reasoning. But the reasoning is flawed because the BDCP does not include provisions for additional storage (new reservoirs, increased ground water banking, etc). Without someplace to store water that might be harvested at times of abundance the "big gulp" concept is just an illusion. This is particularly true because during large winter storm events reservoirs are typically full and water cannot be harvested because there is no where to put it. The project as currently proposed is a "run of the river" project, not a "little sip, big gulp" project. The ability to move much more water only means that more water can be drawn away from the Delta but not at times that would be less harmful. In fact, since reservoirs are empty or low at times of critical shortage, it means more water can be taken out of the Delta only at times when it is most harmful to take it.

The EIR/EIS states that "developing new water storage" is beyond the scope of the BDCP. Draft EIR/EIS at 3A-81. I disagree. If the "little sip, big gulp" approach is within the scope of the BDCP, why would constructing the infrastructure that would actually make it possible not be within the scope of the BDCP? Is it within the scope of the BDCP to advertise "big gulp, little sip" when it is illusory (and the proponents of the project know full well it is illusory) but not within the scope of the BDCP to actually do what it takes to make the concept a reality?

The project proponents do not have the authority to simply decide that storage is something they don't have to deal with. If including storage is reasonably feasible and lessens one or more significant impacts, you are *required by law to consider it*.

The Draft EIR/EIS should be revised and re-circulated to include a reasonable range of alternatives that include various storage concepts.

8) This is a comment on the Draft EIR/EIS. The EIR/EIS is fatally flawed because it does not include any alternatives that include additional storage. Storage is the key to mitigating the impacts of operation of the CVP/SWP on the Delta and its species. Reasonably feasible storage projects that would lessen the adverse impacts of operation

of the CVP/SWP and lessen the adverse impacts of the tunnels themselves are well known. For example, the NODOS project (also known as Sites reservoir) has been extensively studied. NODOS would draw water from the Sacramento River during winter periods of high water and store it in a new reservoir. The water would be released back into the Sacramento River during periods of shortage. NODOS is well upstream of the proposed tunnel intakes. Therefore, water from NODOS storage could be released into the river, travel downstream to the intakes, and be diverted for export. This would allow diversions with *no net decrease in river flow* at times of critical need. That would clearly decrease adverse impacts of exports. Why doesn't the BDCP include this concept as part of an alternative? The only reason given is that "developing new water storage" is beyond the scope of the BDCP. Draft EIR/EIS at 3A-81. BDCP project sponsors don't have a magic wand that they can wave and make a reasonably feasible alternative "beyond the scope of the BDCP" just because they would rather not deal with it. If it is 1) reasonably feasible; and 2) would lessen adverse impacts, you are *required* to consider it.

9) This is a comment on the Draft EIR/EIS. The Draft EIR/EIS fails to analyze any alternative with a storage component. We all know that the problem in California is that we get too much rain, all at once, in the wrong place, at the wrong time, and erratically. Everyone agrees that climate change will make all of this worse. The *only* solution is to be able to harvest and store the water that comes in great bursts at times when our existing reservoirs are already full. WE NEED NEW STORAGE. Without new storage we continue to draw water from the Delta at times when water is critically low and at times when exports harm fish and other species. If we had water in storage at these times we wouldn't need to draw water (or at least as much water) from the Delta at these times. What about this is so hard to understand? But you must not understand it because none of the alternatives include new storage that would allow water to be harvested at times of abundance, stored, and used at times of shortage. Not only is an alternative, or several alternatives, that include storage reasonably feasible, it is downright unreasonable not to consider them. Please take a deep breath, go back to the drawing board, and use the many talented people at your disposal to come up with real alternatives that solve real problems by BUILDING MORE STORAGE.

10) This is a comment on the Draft EIR/EIS. In order for the BDCP to actually be a less harmful way to export water (which is the rationale for calling the tunnels a "conservation measure") you have to consider alternatives that include new storage. If you don't have storage, you can't take water at times when it is not harmful to take it, because currently at those times our reservoirs are already full. One alternative for additional storage is groundwater banking. Additional groundwater recharge is widely accepted as one of the most feasible and cost-effective means of obtaining new storage. The National Heritage Institute and others have published extensive studies showing this to be true. The California Water Plan also acknowledges that groundwater banking is an important component of solving California's water problems. Why not spend less on massive tunnels, build one smaller tunnel, and use the savings to connect the CVP/SWP to new groundwater recharge facilities throughout the state? California's network of canals connected to the CVP/SWP reaches almost every corner of the state already. The smaller tunnel could operate at capacity at times of abundance (when the currently

proposed massive twin tunnels will be shut down for lack of storage) thus diverting as much or more water with much less harm. This is a reasonable and feasible alternative that has not been included. It should be.

11) This is a comment on the Draft EIR/EIS. I haven't found where you analyze how much more water could be harvested using the existing point of diversion at Clifton Court Forebay *if* there were new storage to accept water at times of high river flow. The Draft EIR/EIS should include an alternative that shows the maximum amount of water that could be diverted at the existing point of diversion if adequate storage were available and that proposes new storage to accommodate those increased diversions. I expect that there is existing data that shows historical times of high flow and historical data of when the smelt are (and are not) present at the Clifton Court intakes. Why can't you plot these two variables and determine projected times of abundance when smelt would not interfere with pumping? Then you could calculate how much water could be exported at these times and calculate how much new storage would be required to hold it. Then you could design storage facilities. After all this is done, you might find the tunnels aren't needed or a much smaller single tunnel would do the job. This all should be considered as an alternative to the currently proposed project.

12) This is a comment on the Draft EIR/EIS. Enough water flows over the flood diversion structures at the Sacramento Weir and Fremont Weir during peak winter storm events in a few days to supply all the water needs of southern California for *several years*! We have plenty of water. We just don't have any way of capturing or storing it. The BDCP should analyze a bold alternative that captures and stores water currently diverted by these weirs. The environmental benefits would be enormous because none of this water flows through the Delta. You could meet export needs *and* drastically reduce the amount of water taken from the Delta. Expensive? Yes. But worth it? Yes. Just think of the environmental benefit of restoring almost 100% of Delta flows to environmental needs.

13) This is a comment on the EIR/EIS. This document is too long! Yes, this is a big project but an EIR/EIS is supposed to be a "concise statement." At some point the legal requirement that an EIR be "concise" has to have some meaning. It appears that this thing has *intentionally* been made so long that the public will be unable to grapple with it. You are *discouraging* meaningful informed public participation by issuing a document that is so long that no one who has a life outside the BDCP can ever get through it. The "public" has to get up in the morning and go to work, take the kids to school, and take care of a household. There is no way that an ordinary citizen can also deal with this monstrous document. The law requires public participation. Not special interest group participation or paid consultant participation, or lawyer participation. Virtually any piece of writing can be made better by editing it and making it shorter. In order to make this process meaningful, you need to cut the EIR/EIS down to one quarter its present size. Yes, editing is hard work! But you will actually find that you have a more coherent and more legally defensible document by doing so. I request that this document be withdrawn, edited, shortened, made accessible to the real public, and re-issued.

## COMMENTS ON THE BDCP PROJECT

General directions for making comments: Send your comment(s) by email to [BDCP.Comments@noaa.gov](mailto:BDCP.Comments@noaa.gov). You may type your comment in the body of the email or you may provide the comment as an attachment to the email. If you send the comment as an attachment, save it as a pdf file and attach the pdf file.

You may make several comments in one email or you can send several emails, each with one or two comments.

Comments are more effective if they are personalized. A good way to personalize your comment is to start off by saying a little bit about yourself. For example, “I have a waterfront home in Discovery Bay and have been boating in the Delta for over 20 years.” Say as much or as little as you like about your connection to the Delta. Then begin your comment.

Everybody should make this comment:

- 1) It is outrageous that you have decided not to post all comments online as they come in so everyone can see what others are commenting. This can only be aimed at thwarting informed public participation because no legitimate purpose is served by keeping everyone in the dark about what others are saying. Posting comments in an online docket during an EIS process is standard federal government procedure. Why has this highly controversial project been selected for special treatment? I demand that all comments be posted online in an easily accessible format and that the comment period be extended for the length of time that comments were not posted online.

Everyone should make one or more of the following comments:

- 2) This is a comment on the BDCP project. I oppose the construction of the twin tunnels. The entire premise of the project is dishonest. The tunnels are not a “conservation measure.” They are a piece of water supply infrastructure designed to export more water to southern California-not to save fish or help the Delta. If you want to help species in the Delta recover, the only way to do it is to *reduce exports* from the Delta through conservation, desalination, developing local supplies, and banning wasteful agricultural practices such as growing cotton and rice in the desert. Any honest Habitat Conservation Plan must recognize that there simply is not enough water to allow the Delta species (Salmon, Smelt, Shad) to survive and meet the demands of the water contractors who are behind this project. You have to reduce exports. Period.

- 3) This is a comment on the BDCP project. I am against the construction of the twin tunnels. The BDCP as proposed does not comply with the Delta Reform Act. The Delta Reform Act requires that actions of the state with regard to the Delta shall “reduce reliance on the Delta.” The BDCP is a recipe for vastly *increased* reliance on the Delta. With impending reductions in the amount of water that southern California can take from the Colorado River, there will be increased pressure to take more water from the Delta.
- 4) This is a comment on the BDCP project. This project should be abandoned. It is a waste of taxpayer money and does not comply with the Endangered Species Act. The tunnels are not a conservation measure, they are water supply infrastructure. Simple labeling your project a Habitat Conservation Plan doesn’t make it one in reality and the tunnels have nothing to do with saving species.
- 5) This is a comment on the BDCP project. You have given the water contractors who benefit most from increased exports too much control over the project. The water contractors have publicly stated that they do not believe that exporting water from the Delta causes harm to the Delta. How can they be expected to manage export levels in a way that restores Delta health when they believe that exporting more water never harms the Delta? Do you honestly believe that they will act against their financial interest when it becomes obvious that export levels must be reduced to protect the Delta? Please go back to the drawing board and come up with a better plan.
- 6) This is a comment on the BDCP project. Here’s the problem: you are too clever by half. Labeling the tunnels as a “conservation measure” and putting in place an “adaptive management” plan that gives the water contractors the ability to direct management of the tunnels is a thinly disguised water grab and nothing else.
- 7) Governor Brown will pay a political price for foisting a thinly disguised water grab on the people of northern California. This is nothing but a water grab dressed up as a habitat plan. Tell the governor to get real and drop this hair brained scheme. We need real solutions: conservation, desalination, development of regional self-sufficiency. The Delta can’t support the extravagant water habits of the rest of the state. A real habitat conservation plan for the Delta must include a schedule for significantly reducing exports over the medium and long term. This doesn’t do it.
- 8) The BDCP makes much of a long stakeholder process and considering many different options before deciding on the present twin tunnel plan. But this plan is in substance the same as the disgraced 1982 peripheral canal. The idea is to grab water from far upstream so you will no longer have to be concerned about salinity levels in the lower Delta and can move the intakes away from the smelt habitat. All of that simply is designed to allow you to pump more water with fewer restrictions and no need to be concerned about the health of the Delta. You can call it a habitat conservation plan all you want but that doesn’t make it so. This is



a water grab plain and simple. In fact, it is an insult to the intelligence of the voting public that you think we will believe that a giant canal is a “conservation measure.” Governor Brown will hear about this at the polls if he ever decides to run for office again.

- 9) The simple fact is that there just isn’t enough water to support exports and recover the Delta. Any meaningful habitat conservation plan must include a timetable for reducing exports. You can’t recover the Delta and continue to export water at current levels, let alone the increased levels that the tunnels will allow. Curtailing exports should begin as alternative supplies, such as desalination, are implemented. The Delta Reform Act requires that reliance on the Delta be reduced. The Endangered Species Act requires that habitat conservation plans actual mitigate the take of species. To comply with law, the BDCP must include a meaningful reduction in export levels.

Save the California Delta Alliance  
COMMENTS ON THE BDCP PROJECT

I oppose the BDCP Project because:

- The proposed twin 40' diameter tunnels have little to do with habitat restoration, and should be separated from the Habitat Conservation Plan (HCP). The EIR for the tunnels should not be a HCP, and, therefore, should include all economic impacts including the impact of reduced property values and tax revenues in the 5 counties, and the impact on the local economy, both during and following construction.
- The Cost / Benefits Analysis (Table 9-32) identifies a net benefit of \$4.5 to \$5.3 billion, given an incremental cost of \$13.5 billion. There are several flaws in this analysis, including not taking into account the cost of bond interest, the cost of mitigation, which is necessary to experimentally offset the additional water take, the economic loss due to poor water quality in the south delta, and the economic loss of taking productive delta farmland out of production. The analysis uses "apples and oranges" e.g. using 60 years for the benefit, and 50 for the operating costs. The project is only 10% designed: a 37% contingency is inadequate – look at the Bay Bridge cost.
- (This comment can be used for both the BDCP Project and the EIR) - The BDCP (Chapter 1B.1) and EIR (Table 3.1) fail to include alternatives that actually produce more water for California: Desalination, storage, and re-use. After correcting the BDCP costs noted above, the cost / acre foot exceeds \$1,000, (\$1,900 for urban rate payers) which equals the estimated cost of desalination. Given that pumps would no longer be necessary to transport delta water over the Grapevine, the energy differential is even lower.
- The Authorized Entity Group, which has jurisdiction over real-time operation of the tunnels, includes the Water Contractors. The BDCP, Chapter 7.1.5.1, has deferred the actual decision-making roles to a later date, possibly to avoid comments. Water Contractors should be non-voting members with regard to the amount of water allowed in the tunnels, and pumped out of Clifton Court Forebay, to avoid "the fox guarding the hen house".
- 10% of fertile delta cultivated farmland is proposed to be taken (Chapter 3.3.6.13.2) via eminent domain for experimental mitigation efforts, so more desert can be irrigated. This makes no sense given the additional water requirement / acre and delivery expense to irrigate the southern San Joaquin Valley.
- The BDCP assumes (as part of its Benefit Analysis, Appendix 9A Sec. 9A.5) massive levee failures over the 50 year life of the Plan (2% probability / year), yet we have never had a levee failure due to earthquake in recorded history, and UCLA researchers could not cause a levee to fail with a simulated 7.0 earthquake. Levee failures have occurred due to high water runoff, a time when pumping would not be affected. Additionally, the BDCP benefit is not reduced by earthquake risk to the tunnels, which would suffer the same liquefaction. The State would be better served by strengthening the San Luis dam and the Aqueduct over the Grape Vine, both of which actually straddle earthquake faults.
- No new water sources are identified as part of the BDCP, which makes it a waste of taxpayer / rate payer money. Instead, the State should require mandatory water conservation and re-use, and invest in new sources of water via new water storage and desalination.
- Planting of future permanent crops on desert soil should be denied as part of the BDCP, and when permanent crops are plowed under, only seasonal crops should be allowed.
- The impact of the costs to rate payers is not in the BDCP. Once they find out, support for the BDCP will dwindle.
- The impact on navigation and safety in the Delta has not been adequately addressed.
- Proposed recreation mitigation does not benefit the south Delta (EIR Chapter 15).
- Construction of the BDCP may damage the aquifers, subjecting them to foaming agents and other hazardous chemicals.
- The BDCP allows the X2 salinity line to move inland, jeopardizing water quality and the ability of communities such as Antioch to use the water for drinking or farming. Fisheries will be impacted.

- The giant muck ponds are forever in the Delta, and are too close to communities like Discovery Bay.
- Citizens have attended public out-reach meetings such as the one at the Brentwood City Library, where the consultants were unable to answer any of our questions or comments. Promises that they would respond have been ignored, and the only changes made to the BDCP have made recreation near Discovery Bay worse. This is not a transparent process.
- The 57 species being covered under the BDCP excludes many species that are at exactly the same level of risk and that live in the Delta. The BDCP Plan Appendix 1-A was not updated to cover the lesser sand hill crane even though the new alignment goes through a sensitive sand hill crane reserve. The BDCP Plan also does not cover the endangered great blue heron, egrets, geese and other waterfowl that live here and could be adversely affected by water quality degradation.
- Recreation e.g., waterskiing, wakeboarding, and tubing would be effectively eliminated (EIR Ch. 15 Page 268) on the two primary recreational sloughs near Discovery Bay used for those activities: Short-term due to barges and docks; Long-term because the EIR does not include plans to repair damage done to sloughs from docks and barges (e.g., replanting the center berm(s) and levees along primary recreational channels).
- Destroying recreational boating for Discovery Bay residents will seriously impact the marine-based economy that relies on boating.
- The BDCP has chosen the wrong alignment and in fact doesn't study the logical alignment. The goal of the Delta Plan was to preserve the scenic beauty of the Delta. A 10 to 15 year construction project through the heart of the Delta is in direct conflict with the Delta Plan. Instead, the construction should be planned in a route with less impact, such as next to Hwy 5 then across from Stockton near where the East Alignment is shown. That would avoid heavy trucks on the levees, avoid trucks on farm and small roads not adequate for heavy traffic (like Hwy 160 and Hwy 4) and construct year round. That would move the pollution to an area where there is already pollution due to high traffic volumes. Minimize the effect on Delta waterfowl and fish. Reduce the impact to Delta farms and communities. Avoid having to dewater small communities and farmers' wells for long periods of time. The muck could be used to build additional lanes for Hwy 5 in the congested area between Stockton and Sacramento.
- The BDCP marketing collateral and press releases announced that the tunnel muck is not harmful after all. Instead, it is now being called "Reusable Tunnel Material" or "RTM". The glossy brochure stated all of the possible benefits and where it could be used (fill in islands to make shallower/better wetlands, improve levees). However, the BDCP Plan Chapter 4 sections about tunnel muck are exactly the same EXCEPT the word "muck" was replaced by "RTM". Yet the write-up still talks about how the RTM needs to be stored in lined ponds so as not to pollute the groundwater and the maps still show large muck ponds.

#### COMMENTS ON THE DRAFT EIR

- The EIR grossly understates the impact ten years of construction will have on recreation and the Delta's economy.
- The EIR does not adequately capture the economic impact to marinas due to construction. For example, Chapter 15 page 259 states that use of the Bullfrog Landing Marina's boating facilities would not be effected but then goes on to say it is in the construction area and boaters "would be disturbed by noise and visual disruptions and 5 mile/hour zones which could last up to 8 years, resulting in a long-term adverse effect". This shows how the writers of the BDCP know absolutely nothing about boating, fishing, etc. That marina will be affected. Boaters will move their boats to quieter marinas away from the construction zone. The marina will go broke.
- The EIR does not even identify a primary anchorage in the South Delta – Mildred Island – nor label it on any map (e.g., Chapter 15 Mapbook Figure M15-4: Sheet 5 of 8, page 31). There are barge sites planned affecting getting there from the north or the south and noise disruption through the summer will make it unusable. Not having access to an anchorage in the South Delta will affect our communities' economy

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**From:** Petersen, Scott <Scott.Petersen@mail.house.gov>  
**Sent:** Thursday, March 13, 2014 8:56 AM  
**To:** bdcg.comments@noaa.gov  
**Subject:** Document request -- BDCP

Good morning, I'd like to request a DVD copy of the BDCP documents to be sent to the following address:

70 I Street, SE  
Apt 232  
Washington, DC 20003

Thank you.

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**J. Scott Petersen, P.E.** | Congressman Jim Costa (CA-16) | Deputy Chief of Staff | 📞 (202)225-3341 | ✉️ [scott.petersen@mail.house.gov](mailto:scott.petersen@mail.house.gov)

Please visit [www.costa.house.gov](http://www.costa.house.gov) to sign up for Congressman Costa's newsletters.

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**From:** Tony Brizzi <abrizzi@comcast.net>  
**Sent:** Wednesday, March 12, 2014 6:05 PM  
**To:** bdcg.comments@noaa.gov  
**Subject:** Delta Tunnels Project

I respectfully oppose the construction of the Delta Tunnels Project for several reasons, but primarily because it is NOT a conservation proposal. The tunnels are water supply infrastructure for the purpose of transporting water from the North to the Southern part of the state. I have been told by the DWR representatives that there are rules in place governing the amount of water that can be taken from the Delta flows and that these rules protect the habitat. We have all see how rules are changed as soon as it is convenient or profitable to do so. I have no doubt that if the tunnels are constructed, it will be a short step to changing the "rules" in favor of larger releases to the south. The rules currently in place have done little in the way of recovery for the Delta. At best they have maintained the status quo and in my observation the water quality has declined in the last several years. If we want to help the species in the Delta recover, the only way to do it is to reduce the water exports from the Delta. This can be accomplished through conservation, desalination, developing local supplies and using the same common sense agricultural practices that are used in other arid parts of the world. We spend a lot of money teaching these practices to third world farmers and it is ridiculous to not use the same methods in our own desert areas. The technology is proven and continues to improve, let's put the economic interests of a few behind what we know is best for our natural resources.

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Sincerely,

Anthony F. Brizzi, III  
East Contra Costa County

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**From:** Jerry Creech <heritagefx@sbcglobal.net>  
**Sent:** Wednesday, March 12, 2014 10:36 AM  
**To:** BDCP.Comments@noaa.gov  
**Subject:** Tunnels

I am a homeowner in Discovery Bay.

We understand that our comments are not being posted. This is not informing everyone that could be participating in commenting on this project. This is such a controversial project and should be made aware to everyone living in the Delta. I appose this project and know that this about big money and farmers planting crops that take so much water for almonds and pistachios that they should have thought about it before they planted them. This is not a tunnel conservation measure. This is no different than the 1982 peripheral canal plan that failed passing and here you are back again with twin tunnels. Shame on you!!!!!!This will be a pump more water with fewer restrictions!!! There is little circulation in Discovery Bay where reduction in high quality fresh water will translate to greater degradation of water quality. Discovery Bay consists of 16 shallow water bays. The impact alone for us living in Discovery Bay translates to water quality impacts in our open water. We will be left with a Delta and no money to fix the Delta and Discovery Bay. Governor Brown is completely motivated by powerful money sources and and this is his epitaph, he should be terribly concerned about our precious water. This is not about conservation measures but a smoke screen and money, and a lot of it. This is only a small amout of worry from me as I know there is so much more that will occur if this project proceeds.

WHAT IS WRONG WITH DESALINATION?

You need to create new sources of water as San Diego is doing. This Delta creates most of the United States agricultural crops. Leave us alone.

Patti Creech  
925 331-7667

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**From:** Jerry Creech <heritagefx@sbcglobal.net>  
**Sent:** Wednesday, March 12, 2014 9:51 AM  
**To:** BDCP.Comments@noaa.gov  
**Subject:** Tunnels

We have lived in Discovery Bay for 25 years and been coming to the Delta since 1978. My main concern is if this project moves forward and this Delta turns into 12 hundred miles of sludge. Where will the money come from to put the Delta back to where it is now, and how many years will that take. It seems to me to place tunnels underground to simply furnish water to desert land in the south for the benefit of wealthy farmers at the detriment of northern established farms may result in huge losses while simply moving the economics gains to the southern growers.

Over 50% of my net worth is invested in my home in Discovery Bay. This will be ruinous to my family. San Francisco Bay ecology is based on receiving fresh water from the Delta. What ramifications will occur when fresh water is greatly reduced to the bay?

925-240-6210 Jerry Creech

**From:** Hokuokahalelani Pihana <pihana@hawaii.edu>  
**Sent:** Wednesday, March 12, 2014 8:27 AM  
**To:** BDCP.Comments@noaa.gov; Lora Reeve  
**Subject:** Public comment letter  
**Attachments:** Comment letter BDCP.docx

Aloha Mai Kākou,

I'm writing this letter of comment in regards to Chapter 7, ground water supply. I'm interested in knowing more about the potential impacts to surrounding ecosystem function during and after completion of this project. Mahalo nui for your time and consideration.

Mālama Pono,  
Hōkūokahalelani

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Aloha Mai Kākou,

I'm writing this letter in regards the current draft environmental impact statement for the Bay Delta Conservation Plan (BDCP). I have read through the BDCP project description, purpose, and specifically chapter 7 of the draft EIS relating to the potential impacts and affects to ground water supply during this project. After familiarizing myself with the literature about the entire project plan and the content of chapter 7 I'm interested in learning more about how the construction options suggested in this plan will not only impact ground water supply but how it will impact surrounding fresh water and marine ecosystem function during development and after completion of the project.

Throughout chapter 7 there is continued reference to the quality of ground water; how it will be impacted throughout the project, the suggested alternatives that may or may not require mitigation for potentially adverse affects caused by this project, the cumulative impacts of several projects occurring at once throughout the Delta River, and the potential impacts the BDCP project will have on the local economy and livelihoods of those dependent on this large water supply. The detailed description of all of the pipeline installation options enabled me to better understand how these structures will be installed and how they will impact ground water flow and quality during and after construction.

The summarized background of the project clearly recognizes the current state of California's water supply and quality and the need to address these issues immediately. The project acknowledges that the Delta River not only supplies potable water for several Californians but it's also an expansive and ecologically productive brackish water habitat that provides for many invertebrate and vertebrate freshwater and marine species during different stages of their life cycle.

Upon review of chapter 7, ground water supply, I noticed there was little reference to or description of how this portion of the project will impact the ecological function and overall health of the brackish water ecosystems impacted by this work. Because brackish water habitats are known to be highly productive environments that provide several juvenile fresh water and marine species with nutrient rich protected habitats, I would like to know how the protection and management of these habitats would be ensured during the execution of this plan and after the work has been completed.

It appears that the overall goal of this plan is to create more efficient water distribution throughout the Delta River and to ensure the longevity and health of the aquatic species and ecosystems connected to this river. With intent of this project centered around community and ecosystem health, I'm interested in learning more about how the installation of the new pipeline, given the listed options and alternatives, will impact ecosystem function during the installation of the pipeline. The fluctuation of groundwater levels, potential for seepage during construction, saltwater intrusions, and the potential increase of toxins in surrounding soils all are capable of altering the brackish water ecosystems so for me I would like to know how these habitats will be monitored during construction and after and how will the BDCP committee address public concerns relating to these issues.

Mahalo Nui,  
Hōkūokahalelani

**From:** griffsr@frontiernet.net  
**Sent:** Tuesday, March 11, 2014 2:30 PM  
**To:** BDCP.comments@noaa.gov  
**Subject:** June 13 meeting

To whom it may concern, As a resident immediately across the river from pumping station umber 2 I am a little concerned about the levee on the west side of the river. In that it is primarily constructed of sand built up over many years and on primarily a sand and clay base what will the impact of the pile driving be. Knowing how this project is being driven by outside forces with no concern for those of us living on Merritt Island or Clarksburg we must fall under the same "don't count" as do those who live in HOOD.

It may take only 10 years to build this mess but as in the Owens Valley the Delta will never recover.  
S

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**From:** Friends of the River <info@friendsoftheriver.org> on behalf of Sharon Reeve  
<sharon.reevelamesa@gmail.com>  
**Sent:** Sunday, March 16, 2014 3:44 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

Mar 16, 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.

.Stupid idea that will endanger many animals in CA

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.

BDCP392

Sincerely,

Ms. Sharon Reeve  
4560 Garfield St  
La Mesa, CA 91941-5402

**From:** Joseph\_Rizzi <Joseph\_Rizzi@sbcglobal.net>  
**Sent:** Sunday, March 16, 2014 10:56 PM  
**To:** BDCP.comments@noaa.gov  
**Subject:** Save the Delta with Natural Desalination creating new Rivers of fresh water for California  
**Attachments:** End Droughts FOREVER with Natural Desalinationr.pdf

“Save the Delta” support “**Natural Desalination**! New **RIVERS** from sea to inland valley would add water for flushing the delta and eliminate the need for the twin tunnels as well as the pumping out of delta water. Adding new rivers is simple and proven. Please email me back, to show your support for “Natural Desalination” to “save the Delta”. Thanks.

Newly discovered “**Natural Desalination**” process uses only nature’s power to desalinate new **RIVERS** of fresh water from the ocean.

Traditional Desalination has many draw backs in that it uses lots of expensive energy to force water through Reverse Osmosis (RO) tubes, the costal land for desalination and power plants is costly and obtrusive in many ways, and the brine concentrate upsets the coastal waters balance. “**Natural Desalination**” eliminates all these problems and more.

**Natural Desalination** uses **ZERO** man made energy to desalinate new **RIVERS** of water with little to no environmental issues.

- Ocean water needs 800 to 1,000 psi to desalinate using Reverse Osmosis (RO).
- Off shore at 700 yards under the water you get 947 psi for the outside of a RO tubes.
- A small flexible pipe from the surface down to the RO system would bring 0 psi pressure down to the inner part of RO tubes and help water flow down hill.
- The difference between the RO outside pressure and inside pressure gives a constant 947 psi, naturally at **ZERO** cost.
- Constant free trickle of salt FREE water into the inner part of the RO tubes.
- Check valves would be strategically places to automatically close the flow of water if there was a break in the system.
- Water from the tubes would flow down hill to a collection chamber using gravity conveyance.
- Gravity would continue to carry the water down hill to the pipe or tunnel and back to the shore.
- Once at shore the water would be lifted for use or put in aqueduct or other transportation systems.

**Natural Desalination** advantages are:

- Supply all of California with drought resistant water supply for crops and people. As much water as needed or desired.
- No brine because only water is taken from the ocean, located far off shore an near the ocean floor helps too.
- Extended life of RO tubes, which would be cleaned by the ocean currents and not need pre filters.
- RO trains (Collection of Tubes) would cost a fraction because only the tubes are needed not the containers that the tubes go into.
- Located off shore offers large areas (miles) for RO system for expansion with no impact to coastal residents.
- Little to no impact to ocean, plants or sea creatures; and no shipping hazard, due to location and design.
- Side benefit of increased water would be more farming, increased economic, more oxygen, cleaner air, etc..
- No Droughts, Healthy Delta, great water quality, reduce sea level rising and many other water problems can be decreased or eliminated.

Just think of it, new rivers like Sacramento or Colorado rivers of water for the San Joaquin and for southern California. Peripheral cannel or tunnels to divert the Sacramento river would not be needed. There would be more

fresh water to give better health to delta. More water for crops which feed people, increase our economy, improve our air and help fish with more run off.

All proven concepts, but it takes our water folks and our elected officials to see and understand there are better alternatives to what they are looking at now.

This process was sent to be patented and let it go, so that no one would profit from it. J. Rizzi's gift to California and the world.

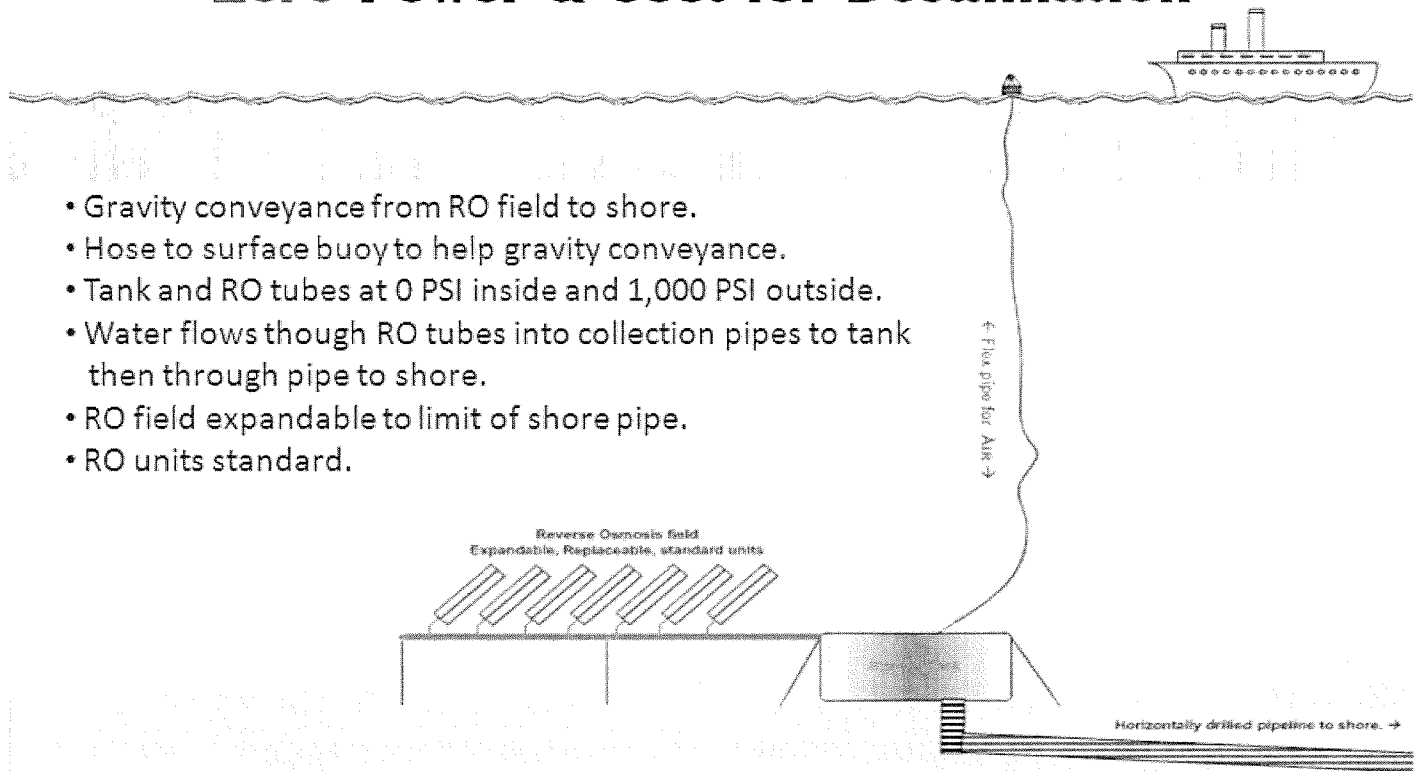
John F. Kennedy believed desalination would change the world. In April of 1961, the president told the Washington press corps that "if we could ever competitively, at a cheap rate, get freshwater from saltwater, that ... would really dwarf any other scientific accomplishments."

More details available upon request.

Joseph Rizzi -- Cell: 707-208-4508 -- Email: [Joseph\\_Rizzi@sbcglobal.net](mailto:Joseph_Rizzi@sbcglobal.net)

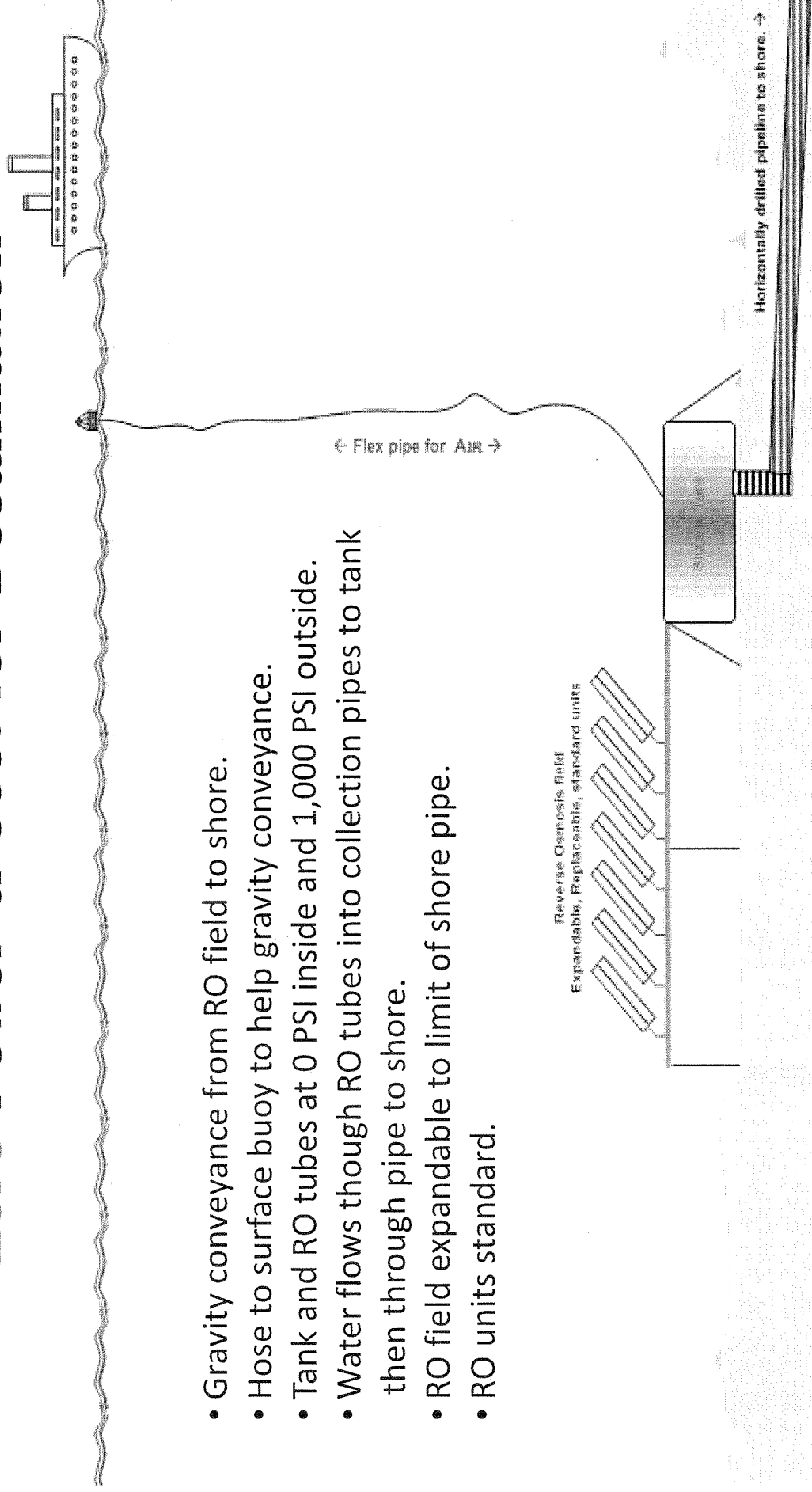
# Natural Desalination

## Zero Power & Cost for Desalination



# Natural Desalination

## Zero Power & Cost for Desalination



- Gravity conveyance from RO field to shore.
- Hose to surface buoy to help gravity conveyance.
- Tank and RO tubes at 0 PSI inside and 1,000 PSI outside.
- Water flows through RO tubes into collection pipes to tank then through pipe to shore.
- RO field expandable to limit of shore pipe.
- RO units standard.

**From:** Friends of the River <info@friendsoftheriver.org> on behalf of John Williams  
<johnsmailhere@gmail.com>  
**Sent:** Monday, March 17, 2014 9:50 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

Mar 17, 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.

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

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

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 to me and the people of this Northern region of California.

There is not enough proof that we can restore the Sacramento-San Joaquin Bay-Delta ecosystem and secure California water supplies at the same time. In fact, we must restore fresh water flows into the Delta, particularly from the San Joaquin River system, to meet the needs of Delta fish and wildlife and the habitat that sustains them. Most importantly, it is not worth possibly destroying habitats and ecosystems of the fish, animals and the people who live here in the process.



Thus far, the courts have only heard the voices of a few informed advocates, U.S. Fish and Wildlife, and the 150 land owners among the tens of thousands of acres, 240 parcels, and five counties you will victimize. These voices may not include all of the Delta farmers, fisherman, and people of the communities who love the rivers preserved and protected from encroachment by greedy capitalist. Most importantly, I ask that you consider those who will have no voice including but not limited to the salmon, smelt, and any mammal that call the rivers home whom will not be compensated after the beautiful rivers are destroyed forever.

Likewise, it is completely unethical to expect tax payers (myself and the other victims) to flip the bill for southern California residents and I am sure that most of the other residence here would agree. It is unfair for future generations never to see the beautiful rivers that their parents once enjoyed, pay for its destruction, and suffer from any damage that it will do to the environment and the creatures that inhabit it. It is too costly (up to \$54 billion with interest and other hidden costs) and the general public should not have to cover habitat restoration costs. Consequently, these cost should be paid by those who receive the water as the Delta diversions degraded the habitat in the first place.

We live here and moved here because of the endangered beauty that Northern CA. has to offer. I plead as a U.S. citizen and member of the most beautiful region of our country that you do not support the death of its existence directly or indirectly turning it into a waste land service to rich and political giants of cooperate America.

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. Your decision will impact our environment and ultimately the wellbeing of future generations.

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.

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.

Sincerely,  
John Williams  
4963 Moorcroft Cir.  
Stockton CA. 95206

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. John Williams  
4963 Moorcroft Cir

Stockton, CA 95206-6154  
(209) 594-9456

BOCP 394

**From:** rapears@comcast.net  
**Sent:** Monday, March 17, 2014 3:37 PM  
**To:** BDCP.comments@noaa.gov  
**Subject:** Fwd: Comments on BDCP Draft EIR/EIS

Initial copy wrong address

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**From:** [rapears@comcast.net](mailto:rapears@comcast.net)  
**To:** "BDCP Comments" <[BDCP.Comments@noaa.gov](mailto:BDCP.Comments@noaa.gov)>  
**Cc:** "BDCP Comments copy" <[BDCP.Comments.copy@nodeltagates.com](mailto:BDCP.Comments.copy@nodeltagates.com)>  
**Sent:** Monday, March 17, 2014 12:37:33 PM  
**Subject:** Comments on BDCP Draft EIR/EIS

I'm a retired project engineer for Sandia National Laboratories. My wife and I have lived in Discovery Bay for thirty years raising two boys who are now living in San Diego. We have been boating in the Delta for even a longer period of time. Its a beautiful place to live and exploring the Delta by boat offers many enjoyable recreational activities.

I have reviewed all of the many of the recent comments to the proposed Delta Tunnel Project provided by the Save the California Alliance and heartily agree with their stand. Also I have looked over some of the lengthy draft of the Environmental Impact Report and find it incomplete and some what misleading. Certainly does not comply with the "Delta Reform Act".

Since my boys are now living in San Diego following their graduation from UCSD and SDSU eight years ago. My wife and I have traveled to San Diego frequently on highway 5 witnessing the ever increasing growth of the agriculture transformation of the former desert all provided by the Delta Water. Between that and the requirements of water required by the Los Angeles Basin cities there doesn't seem to any end to their demands. Similar demands are pretty much drying up the Colorado River.

Its seems that the enormous costs the Tunnel Project would be better suited to invest in desalinization projects or even more reservoirs as a holding basin for water. Certainly there should be more study done to provide a more satisfactory means to prove the south with more water.

I have not included all the pdf files I have regarding this issue since I'm sure you have them. But I sincerely hope you will rethink this whole Tunnel Project.

**PAMELA NELSON**  
218 South Lincoln Way  
P. O. Box 773  
Galt, Ca. 95632  
(209) 745-3071

RECEIVED

FEB 26 2014

February 18, 2014

BDCP Comments  
Ryan Wulff NMFS  
650 Capitol Mall, Suite 5-100  
Sacramento, CA 95814

WY MARINE FISHERIES SVS  
SACRAMENTO, CA

Dear Mr. Wulff:

It is my understanding that any comments about the Bay-Delta Conservation Plan by mail are to be addressed to you. So, my comments are as follows:

Protection of the Delta water, species and environment mentioned so often in the Plan are not the primary purpose of this so-called conservation plan.

By careful reading and searching the voluminous verbiage of the EIR, it is apparent that the true purpose of this plan is to supply more water to the Central Valley and mainly to Southern California users, hereinafter referred to as Southern users.

Please see OVERVIEW, The Delta, Page 1, second sentence and the second paragraph, first sentence i.e. "The Delta is the critical link in the state's water delivery system." Also The Delta, Page 1, second paragraph, second to last sentence, "There is an urgent need to ...improve the conveyance system to meet demands and address risks to water supply reliability." Everywhere the word "conveyance" is mentioned, delivery of water to southern users is meant.

Further proof that the first consideration of the plan is to deliver water from the Delta to southern users is that CM1, is in "The Environment Review Process" on page 4 the "water conveyance component" involving construction of new water conveyances facilities is mentioned and detailed first.

The most telling statement is on Page 7 of "Alternatives", third paragraph, first sentence as follows: "In order to meet the project's purpose and need, all action alternatives include some type of new water conveyance facilities."

It is my opinion that the overwhelming need for water in Southern California, especially with their problems obtaining water from other sources such as the Colorado River, eclipses any environmental concerns for the Delta.

One place where this would be demonstrated is in times of drought in Northern California. For example, during the drought in 1977-78, the water flowing by Grand Island (near Walnut Grove) tasted salty. I know because I taste tested it several times. That means that there was salt

water intrusion that far up into the Delta. If more water would have been ear-marked for southern users, the intrusion would have been even farther upriver. We are currently suffering another drought which is adversely affecting the Delta. Places in the EIR make passing references to salinity problems (See Water Quality starting at page 23), but not enough attention is paid to the effects of drought on the salinity problem and it appears that the water delivery south would take precedence over such environmental issues. When people need water to drink, their needs are put first, even in this so-called conservation plan.

Another issue is the huge cost to build the new "conveyance" systems whose main reason for existence will be to deliver water to southern users. We, in this state, simply cannot afford it.

In conclusion, no matter how carefully documents are worded, the Bay Delta-Conservation Plan is not about conservation. It is about delivery of water to southern users, when that water is desperately needed to maintain water quality for Northern users including all resident species. The innate dishonesty in the presentation of this whole project is evident and should not be supported or implemented.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Nelson". The signature is written in dark ink and is positioned below the word "Sincerely,".

Pamela Nelson

Nelson  
P.O. Box 773  
Salt, Ca 95632

BDCP Comments  
Ryan Wulff NMFS  
650 Capitol Mall, Suite 5-100  
Sacramento, CA 95814

55814471875



BDCP 396

Draft Bay Delta Conservation Plan and  
Associated Draft Environmental Impact Report/  
Environmental Impact Statement

Public review and comment period is  
December 13, 2013 through April 14, 2014

FEB 26 2014

NATL MARINE FISHERIES SVS  
SACRAMENTO, CA

COMMENT CARD

Name STEPHEN ASKEY Organization \_\_\_\_\_ Date 1-22-14

Address 2306 CALHOUN WAY City STOCKTON State CA Zip 95207

How CAN A PLAN OR PROCESS START IF YOU DON'T HAVE ANSWERS? NONE OF THE REPRESENTATIVES COULD SAY WHERE WATER WOULD BE STORED EXCEPT FOR SAN LOUIS.

I GOT CONFLICTING ANSWERS ON HOW FISH SCREENS WOULD BE OR NOT BE USED AT EACH END OF THE TUNNEL/PIPERLING? CONFLICTING ANSWERS IS BAD INFORMATION.

WHO + HOW WILL WHAT OPERATION SCENARIO WILL OR MAY BE BUILT. WHO WILL MAKE THAT DECISION? I COULD NOT GET AN ANSWER LAST PM.

WHEN I QUESTIONED FINAL COST THE ANSWER I GOT WAS 24.7 BILLION TO 75 BILLION. THERE MUST BE MORE COST EFFECTIVE WAYS?

MANY OF US FEEL THIS PROJECT IS ONE OF TWO GOVERNOR BROWN PLAN TO BE HIS LEGACY. AS A BIOLOGY TEACHER OF 33 YEARS @ LINCOLN HIGH STOCKTON, I SEE LITTLE FACTUAL SCIENCE TO SUPPORT BDCEP EFFORTS. IF QUESTIONS CAN'T BE ANSWERED AT YOUR SYMPOSIUM, HOW CAN YOU EVEN THINK OF THE EXPENDITURE OF 25-75 BILLION DOLLARS.

I AM 100 AGAINST THIS PROJECT

Stephen Askey  
STEPHEN ASKEY  
2306 CALHOUN WAY  
STOCKTON, CA 95207.

**From:** John Negrete <johnnegrete@hotmail.com>  
**Sent:** Tuesday, March 18, 2014 11:43 AM  
**To:** ;.  
**Subject:** Request for hard copies of Draft EIR/EIS

From: **John Negrete** (johnnegrete@hotmail.com)  
Sent: Tue 3/18/14 11:38 AM  
To: . (bdcpr.comments@noaa.gov)  
To Whom It May Concern,

The Friends of Vasco Caves would like to request hard copies of the Draft EIR/EIS for a better review by our organization. We have had a history with CALFED, and the Contra Costa Water District in obtaining such materials and hope that your organization can do so to. Please Mail to:

Friends of Vasco Caves  
2415 T Street, #7  
Sacramento, CA 95816

Thank you for your time.



**From:** Matt Bettencourt <mattbettencourt@hotmail.com>  
**Sent:** Tuesday, March 18, 2014 4:12 PM  
**To:** BDCP.comments@noaa.gov  
**Subject:** no delta tunnels

hi... please post all public emails regarding the BDCP that the state is looking at undertaking. like the majority of all govt projects the operation will be inefficient, over budget and create a continued tax burden for the next generation of californians. additionally, the proposal doesn't even take into account the most basic issue that we have; storage. it's not that CA doesn't have enough water... it's that we don't have the means of keeping it in times of plenty and then pulling from that in times of need. water, like all things on the planet, is a finite resource. a proposal that does not address the issue of storing water does nothing to solve the long term problem. the current plan is the exact same operation that the BDCP is; with the difference only being where the water is taken from and how much is taken. it is still the same issue of a hose constantly running and whatever rate is being pushed through the pipes. doesn't it make more sense to have a bucket with a turn vavle underneath the constantly running hose so that when the flow slows to a trickle we can still have water that is stored? a proposal that does not include a system similar to the kern water bank is very poorly thought out. if we are going go have a massive tax expenditure let's at least get it right for the long term.

Matt

**From:** aecjackson@att.net  
**Sent:** Friday, February 21, 2014 12:58 PM  
**To:** bdcg comments - NOAA Service Account  
**Subject:** Re: Comment on the Draft BDCP and Draft EIR/EIS Re: draft copy

BDCP,  
Are there Pdf copies of these drafts available to download?  
Estelle Jackson  
[aecjackson@att.net](mailto:aecjackson@att.net)

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**From:** bdcg comments - NOAA Service Account <[bdcg.comments@noaa.gov](mailto:bdcg.comments@noaa.gov)>  
**To:** [aecjackson@att.net](mailto:aecjackson@att.net)  
**Sent:** Friday, February 21, 2014 3:12 PM  
**Subject:** Comment on the Draft BDCP and Draft EIR/EIS Re: draft copy

Thank you for submitting a formal comment on the Draft BDCP and Draft EIR/EIS. All comments received on the Draft EIR/EIS will be considered in the Final EIR/EIS and decision-making process. For more information, assistance in locating the documents or if you have special needs, contact 866-924-9955. Additional information can be found at [www.baydeltaconservationplan.com](http://www.baydeltaconservationplan.com)