BDCP751.

From: Jim MacInnis <jim.endlesssummer@att.net>
Sent: Saturday, June 07, 2014 4:36 AM
To: BDCP.comments@noaa.gov
Subject: Enough Already!

Leave the Delta alone it is perfect the way it is!

BDCP752.

From: Larry Godwin <l.godwin@comcast.net>
Sent: Sunday, June 08, 2014 1:34 AM
To: BDCP.comments@noaa.gov
Subject: Sacramento River water diversion

To Whom It May Concern,

I have been enjoying the delta all my life and would hate to see it changed in any way. The diversion of the Sacramento River water around the delta would be a major catastrophe to the delta and it's many communities. It sounds like another peripheral canal plan, which was soundly defeated by the voters.

Please stop this madness and leave our beautiful and pristine delta alone.

Larry Godwin
Livermore, CA.

BDCP753.

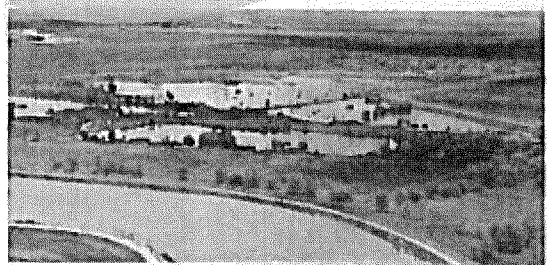
From: Linda Hawkins <linda@northstatebia.org>
Sent: Monday, June 09, 2014 8:45 AM
To: BDCP.comments@noaa.gov
Subject: Address correction
Attachments: Scanned from a Xerox Multifunction Device.pdf

Please see the attached scan. Please remove Dennis Rogers for your mailing list.
Please add:

John Costa
Director of Governmental and Public Affairs North State BIA
1536 Eureka Rd.
Roseville, CA 95661

Thank you,
Linda Hawkins

P.O. Box 1919
Sacramento, CA 95812



Draft IA Available;
Draft BDCP and Associated
Draft EIR/EIS Comment Period

Extended to July 29, 2014

For more information, assistance in locating the documents or if you have special needs, contact 866-924-9955

Para más información por favor llame al 1-866-924-9955

PRESORT
FIRST CLASS
PAID
SACRAMENTO, CA
PERMIT #1297

6*1*944**********SCH 3-DIGIT 956
Denns M. Rogers
1536 Eureka Rd
Roseville, CA 95661-3055

BMP253

BDCP754.

From: Michelle Stephens <michellelinstephens@gmail.com>
Sent: Monday, June 09, 2014 11:00 AM
To: BDCP.comments@noaa.gov
Cc: Don Saylor; Farmer ChowDownFarm
Subject: Yolo Ag & Food Alliance Response to the Bay Delta Conservation Plan
Attachments: BDCPResponse_YoloAFA.pdf

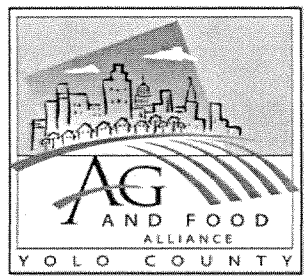
Hello Mr. Wulff,

Please see the attached response from the Yolo County Ag & Food Alliance. Do not hesitate to contact me if you have any questions.

Thank you,
Michelle

Michelle Stephens
Farmbudsman
Solano & Yolo Counties
530.863.9073
michellelinstephens@gmail.com

BDCP754



June 9, 2014

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

Re: Bay Delta Conservation Plan Comments

Dear Mr. Wulff,

This letter is in support of the official comments from the Yolo County Board of Supervisors in response to the Bay Delta Conservation Plan (BDCP). On behalf of the Yolo County Ag & Food Alliance (Yolo AFA), we fully support the response to the BDCP from our Board of Supervisors and feel that they have identified key issues that should be addressed within the plan.

The Yolo AFA is a community group that supports the food system in Yolo County. This includes the production, processing, and distribution of our agricultural resources. Yolo AFA membership consists of farmers, ranchers, agricultural organizations, local elected officials, food systems representatives, and governmental resource providers. Our diverse membership ensures a broad and representative voice of the county.

The impact of the BDCP on Yolo County's agriculture has the potential to be great and Yolo AFA agrees that the following points should be addressed before moving forward with this plan:

- **There has not been a comprehensive review of the Agricultural impacts.** Yolo AFA recognizes the need to preserve and protect our natural resources but agrees with Yolo County Supervisors that this preservation should be sustainably balanced between the existing uses in the area, including agriculture, preservation efforts, and established communities. We have a vibrant agricultural community and economy, which should be preserved and enhanced. The impacts on agriculture have not been fully investigated within this plan and should be studied.
- **Local input and governance is needed within this plan.** State solutions to local problems rarely recognize the full spectrum of needs and effects on the community. It is important for local governments and representatives to have a voice in these decisions to help protect the resources and value of each community affected. This inclusion needs to be substantive and recognized by the BDCP Leaders.

- **Economic losses as a direct result of the BDCP.** The loss of productive agricultural land will result in both direct and indirect economic losses. The plan does not adequately identify and mitigate these losses and Yolo AFA agrees with Yolo County that this impact needs to be identified and addressed before moving forward with the plan.
- **Conflicts with Existing Conservations Plans.** As noted by Yolo County, the BDCP interferes with the Yolo Natural Heritage Program, a countywide plan to protect habitat for 11 endangered, threatened, and rare terrestrial species. The BDCP disregards effective work being done at the local level. Additionally, many if not all of Yolo County farmers and ranchers engage in beneficial stewardship projects that are not identified in the BDCP. A more thorough survey of and cooperation with existing measures is needed.

Yolo AFA recognizes the need to balance our economic and environmental resources while benefiting the communities of California. We support the comments of the Yolo County Board of Supervisors and request a more comprehensive study of the impacts of this plan and a careful review of more nuanced tools and solutions for California's water concerns.

Sincerely,

Kristy Lyn Levings
Yolo AFA Chair

cc: Assemblyman Roger Dickinson
Supervisor Don Saylor
Senator President Pro Tem Darrell Steinberg
Senator Lois Wolk
Assemblywoman Mariko Yamada

BDCP755.

From: Lana Haddad <LHaddad@wmwd.com>
Sent: Friday, June 06, 2014 11:27 AM
To: BDCP.comments@noaa.gov
Cc: John Rossi; Craig Miller; Lana Haddad
Subject: Western Municipal Water District Comment Letter on BDCP
Attachments: 14-0603 Western BDCP Comment Letter.pdf

Importance: High

Dear Mr. Wulff and/or Staff:

Please accept the attached comment letter on the BDCP from Western Municipal Water District.

Located in Western Riverside County with a service territory of 527 square miles, our District provides water supply, wastewater disposal and water resource management to the public in a safe, reliable, environmentally sensitive and financially responsible manner. As a member agency of the Metropolitan Water District of Southern California, the District serves eight member retail agencies and approximately 23,000 retail customers with locally sourced water and imported water from the State Water Project and the Colorado River, ultimately serving nearly 900,000 people.

We thank you for the opportunity to comment on this historic draft plan,

Lana Haddad

L A N A J H A D D A D | Western Municipal Water District
Government Affairs
14205 Meridian Parkway | Riverside | CA | 92506
office 951.571.7208 cell 818.281.6322

BDCP 755

WESTERN MUNICIPAL WATER DISTRICT

Securing Your Water Supply

June 5, 2014

Bay Delta Conservation Plan Comments
Ryan Wulff, National Marine Fisheries Service
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff:

On behalf of Western Municipal Water District, I would like to provide the following comments on the draft Bay Delta Conservation Plan (BDCP) and its environmental impact statement/report as released on December 13, 2013.

A member of the Metropolitan Water District of Southern California, Western Municipal Water District (Western) provides water supply, wastewater disposal and water resource management to the public in a safe, reliable, environmentally sensitive and financially responsible manner. The District serves eight member retail agencies and approximately 23,000 Western retail customers with groundwater and imported water from the State Water Project and the Colorado River, over a 527-square mile service area in western Riverside County - ultimately serving nearly 900,000 people.

The State Water Project (SWP) is a vital component of Southern California's water system, providing roughly 30 percent of the region's water needs. As the region continues to expand its efficiency and local supply efforts, SWP water will remain an essential source to replenish groundwater basins and reservoirs and enhance water quality in the region.

In recent years, both state and federal project deliveries have been repeatedly interrupted and reduced due to operational conflicts with threatened and endangered Delta species. Additionally, both projects risk complete failure given the vulnerability of the Delta levee system to catastrophic earthquake and flood events -- threatening water supplies for Southern California, the Bay Area, the Central Coast and the Central Valley for up to three years. These risks are unacceptable, and conditions are expected to worsen with climate change unless steps are taken now to mitigate these concerns. The proposed BDCP, being developed under provisions of the state and federal endangered species protection laws, is the most promising plan developed to date to solve these challenges and resolve decades of conflicts between agricultural, urban and

environmental water users with a comprehensive solution that achieves California's Co-Equal goals of a reliable water supply and a restored Delta ecosystem for the benefit of all water users.

The release of the public draft BDCP represents an important milestone in this eight-year stakeholder process. In exhaustive detail, the draft BDCP illustrates the complexity of the problems and the need for a comprehensive approach to resolve conflicts in the Delta through a multi-species habitat conservation plan that protects the state's water resources and infrastructure.

We are supportive of the BDCP's proposed twin-tunnel conveyance system that isolates and protects drinking water supplies and helps restore natural flow patterns in the Delta for the benefit of native species, as well as the complementary habitat restoration, water quality and predator control measures outlined in the BDCP. We also support the plan's recognition that changing conditions in the Delta will require ongoing scientific review and real-time monitoring so the plan can effectively adapt over time to emerging science and the evolving ecosystem. The draft plan also provides an important framework for a range of operational outcomes and level of certainty necessary for a final plan to merit investment by participating public water agencies and by the state and federal governments.

Key decisions remain relating to specifics on cost allocations, operations, outflow range, financing and other issues; however, the current draft details a workable solution to the challenges facing California's water resources and the Delta.

The Metropolitan Water District of Southern California, of which Western is a member, has established six benchmarks for a comprehensive Delta solution, providing the following basis to analyze the draft BDCP.

- *Provide Water Supply Reliability. Conveyance options need to provide water supply reliability consistent with DWR's most recent State Water Project Reliability Report (2005).* Comment: BDCP has the potential to regain State Water Project supplies and meet this benchmark. BDCP potential water supplies are within the range of recent 20-year averages. For the participating public water agencies, reliable and adequate supplies are necessary to make this project financeable.

- *Improve Export Quality. Conveyance options should reduce bromide and dissolved organic carbon concentrations. Existing in-Delta intakes cause direct conflict between the need to reduce organic carbon to meet stricter urban drinking water standards, and the need to increase carbon to promote a healthy food web for fish.* Comment: Existing in-Delta supplies are in the range of 300 milligrams per liter salinity. Upstream supplies on the Sacramento River are in the range of 100 milligrams per liter salinity. The construction of intakes in the northern Delta, and BDCP's dual conveyance water operations strategy, would improve and protect export water quality.

- *Allow Flexible Pumping Operations in a Dynamic Fishery Environment. Water supply conveyance options should allow the greatest flexibility in meeting water demands by taking water where and when it is least harmful to migrating salmon and in-Delta fish species. All options should reduce the inherent conflict between fisheries and water conveyance.* Comment: The new screened intakes proposed by BDCP in the northern Delta would eliminate reverse flow

conditions when water is diverted in the north and lead to a far more natural flow pattern in the estuary.

- *Enhance Delta Ecosystem. Conveyance options should provide the ability to restore fishery habitat throughout the entire Delta and minimize disruption to tidal food web processes, and provide for fluctuating salinity levels.* Comment: The modernization of the Delta conveyance system as proposed by BDCP is essential in order for the proposed habitat restoration to have its intended effect.

- *Reduce Seismic Risks. Conveyance options should provide significant reductions in risks to export water supplies from seismic-induced levee failure and flooding.* Comment: The twin tunnels to transport northern Delta supplies would protect this critical supply from future disasters. The twin-tunnel subsurface design provides important operational redundancy and reduces risks associated with surface movement -- such as levee failure and liquefaction-- during earthquakes, allowing for the isolation of repairs if needed to specific tunnel segments, rather than compromising the entire Delta water supply with saline ocean water, should there be a multiple island failure. Seismic preparedness is crucial for this vulnerable segment of the statewide water delivery system.

- *Reduce Climate Change Risks. Conveyance options should reduce long-term risks from salinity intrusion associated with rising sea levels. Intake locations should be able to withstand an estimated 1- to 3-foot sea-level rise in the next 100 years.* Comment: The proposed intakes in the northern Delta are upstream of predicted long-term salinity intrusion due to climate change. The future water system must be sized sufficiently to capture water when available in the face of climate change.

In addition to the Metropolitan 2007 Delta Benchmarks, the draft BDCP raises other issues that merit public comment, including:

- *Governance Comment:* The final BDCP governance structure must provide for public water agencies to be full participants in the implementation process in a manner that maintains the existing authorities of the state and federal wildlife agencies. Metropolitan must be among the project permittees in order to assure its active participation in BDCP.

- *Assurances Comment:* As a Habitat Conservation Plan under Section 10 of the federal Endangered Species Act and a Natural Community Conservation Plan pursuant to Fish and Game Code Section 2800 et seq BDCP offers a path of regulatory stability for both the public water agencies and the wildlife agencies. It is important to better define and describe this regulatory stability so that the final BDCP offers a clearer choice between this approach and today's ineffective species-by-species approach to regulation and ESA enforcement.

- *Co-Equal Goals Comment:* The Delta Reform Act of 2009 passed by the California Legislature established the co-equal goals of a reliable water supply for California and ecosystem restoration for the Delta. The BDCP must be implemented in a manner consistent with the co-equal goals.

- *In-Delta Impacts Comment:* We are encouraged by recent changes in the proposed intake/tunnel project that will reduce by 50 percent the overall footprint of the project. While the hydrological

simulation model in the BDCP analysis suggests that Delta salinity objectives may be exceeded in some instances, the DEIR/S explains that this is due to modeling anomalies. In any event, the Project would be operated to meet all Delta Salinity Standards thus it is not expected to have a significant impact to local agriculture.
Habitat restoration, meanwhile, is expected to lead to a net increase of 50,000 local Delta-area jobs. Continued efforts to reduce in-Delta impacts and increase in-Delta benefits of BDCP will improve the final project.

Metropolitan and its member agencies, retail agencies and ratepayers have been investing in the State Water Project for more than four decades, and have additionally invested in regional storage and conveyance to allow Southern California to capture water when it is plentiful and reduce demands on imported supplies during dry and critically dry years. These investments are effectively stranded, if water deliveries from the project continue to degrade.

The state project provides essential water supply and water quality benefits to Southern California and helps the region achieve other water resource development objectives. When blended with the Southland's more saline water resources, its high quality improves regional water quality. State project water also facilitates water recycling and groundwater replenishment. Recycling might otherwise be prohibited since Colorado River water is significantly higher in salinity level and recycling concentrates salts to levels that can exceed protective groundwater basin standards. Similarly, recharge of imported water to groundwater basins would have similar challenges in meeting basin plan standards without sufficient State Project supplies.

The proposed BDCP is the most comprehensive effort ever undertaken to address the chronic water challenges facing the state and federal water projects in a manner that is protective of the Delta environment. We urge the state to move forward with the draft plan and focus on resolving those remaining issues needed to provide assurances that the plan will achieve California's co-equal goals of water supply reliability and ecosystem restoration in a cost-effective manner.

Thank you for the opportunity to comment on this historic draft plan.

Sincerely,

John V. Rossi
General Manager

From: Friends of the River <info@friendsoftheriver.org> on behalf of Chris Gilbert <info@friendsoftheriver.org>
Sent: Monday, June 09, 2014 6:21 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

Jun 9, 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.

S. Calif. needs to do a lot more before they deserve additional water, esp. when it will hurt our environment. Large very green lawns in S.
Calif. demonstrate to me that they have a long way to go before they can demonstrate that they are serious about conserving water.

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

BOCP-756

Thank you for considering my comments.

Sincerely,

Mr. Chris Gilbert
1797 Madera St
Berkeley, CA 94707-2513

From: Eric Artman <eartman@aol.com>
Sent: Monday, June 09, 2014 1:14 PM
To: BDCP.comments@noaa.gov
Subject: Dangerous diversion theft of water

I write to strongly oppose the plan to divert more water from the California Delta through a "tunnel" scheme. These pipelines would suck huge amounts of needed fresh water out of the Delta and significantly impact, in a negative way, the biodiversity of the present Delta.

If the water interests are so worried about possible incursion of salt water, they should do the right thing and reinforce the existing levees which protect the Delta, not just build around and discard the Delta.

In actuality, it's clear that this isn't about "protecting" the current fresh water diversion from the Delta, it's about stealing more water from the environment because it seems cheaper for Southern California to do that than to conserve or desalinate enough to meet their projected needs.

Eric Artman
P.O. Box 471
Tiburon, CA 94920

MIWOK United Auburn Indian Community
MAIDU of the Auburn Rancheria

Gene Whitehouse, Chairman | John L. Williams, Vice Chairman | Danny Rey, Secretary | Brenda Adams, Treasurer | Calvin Moman, Council Member

May 19, 2014

BDCP Comments
Ryan Wulff, National Fisheries Service
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Subject: Draft Bay Delta Conservation Plan (BDCP) and associated Environmental Impact Report/Environmental Impact Statement (EIR/EIS)

Dear Mr. Wulff,

Thank you for requesting information regarding the above referenced project. The United Auburn Indian Community (UAIC) of the Auburn Rancheria is comprised of Miwok and Southern Maidu (Nisenan) people whose tribal lands are within Placer County and whose service area includes El Dorado, Nevada, Placer, Sacramento, Sutter, and Yuba counties. The UAIC is concerned about development within its aboriginal territory that has potential to impact the lifeways, cultural sites, and landscapes that may be of sacred or ceremonial significance. We appreciate the opportunity to comment on this and other projects in your jurisdiction.

In order to ascertain whether the project could affect cultural resources that may be of importance to the UAIC, we would like to receive copies of any confidential archaeological and cultural resources reports that are completed for the project. Once we receive these reports, our staff will be prepared to comment on the DEIR/DEIS. We also request copies of future environmental documents for the proposed project so that we have the opportunity to comment on potential impacts and proposed avoidance and mitigation measures related to cultural resources. The UAIC would also like the opportunity to have our tribal monitors accompany you during any cultural resources field work. The information gathered will provide us with a better understanding of the project and cultural resources on site and is invaluable for consultation purposes.

Based on the information contained in the DEIR/DEIS and from information gathered internally, the UAIC understands that prehistoric cultural resources and burials are located within the study area, and that archaeological collections have been identified as part of the record search process. The UAIC's Preservation Committee has identified cultural resources in and around your project area, and would like to request a site visit to confirm their locations. The Tribe is concerned about the possibility of discovering previously unidentified cultural resources or subsurface remains when ground disturbing activities occur. An inadvertent and unanticipated discovery could significantly affect cultural resources, or disturb human remains. As a result, we would like you and your staff to meet with our staff to discuss the locations we are concerned about.

We concur, however, with the decision that an EIR/EIS is the appropriate level of analysis for the proposed project. As a proposed mitigation measure, we suggest that the following language

be added to the document to ensure proper consideration of potential effects to cultural resources during project implementation:

1. In the event that prehistoric archaeological resources are discovered during ground disturbing activities, all work in the vicinity of the find must be halted and BDCP shall consult a professional archaeologist to assess the significance of the find. The UAIC will be notified and given the opportunity to have paid tribal monitors present during further ground disturbing activities. If the find is determined to be legally significant by the archaeologist, or culturally important to the Tribal community, project representatives shall meet with the archaeologist and the Tribe to determine the appropriate course of action.
2. If human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance must occur until the county coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the coroner determines that the remains are of Native American origin, the coroner will notify the Native American Heritage Commission, which will notify a Most Likely Descendant (MLD). The MLD will be responsible for recommending the appropriate disposition of the remains and any grave goods at that time.

Thank you again for taking these matters into consideration, and for involving the UAIC early in the planning process. We look forward to reviewing the documents requested above. Please contact Marcos Guerrero, Cultural Resources Manager, at (530) 883-2364 or by email at mguerrero@auburnrancheria.com if you have any questions.

Sincerely,

Gene Whitehouse,
Chairman

CC: Marcos Guerrero, CRM
Jason Camp, THPO
John Laird, NRA
Milford Wayne Donaldson, ACHP
Carol Roland-Nawi, SHPO

From: Ryan Wulff <ryan.wulff@noaa.gov>
Sent: Saturday, June 07, 2014 3:12 AM
To: bdcp.comments@noaa.gov
Subject: Fwd: BDCP COMMENTS | Week Ending 06.06.2014 - Part 2
Attachments: ATT00001.htm; ATT00002.htm; ATT00003.htm; ATT00004.htm; ATT00005.htm; ATT00006.htm; ATT00007.htm

Begin forwarded message:

From: Anita Deguzman - NOAA Affiliate <anita.deguzman@noaa.gov>
Date: June 6, 2014 at 11:09:53 PM GMT+1
To: Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>
Subject: BDCP COMMENTS | Week Ending 06.06.2014 - Part 2

These are the rest of the 13 comments:

~~~~~~~~~~~~~~~~~~~~~~~~~

Anita deGuzman
Administrative Assistant
NOAA Fisheries * West Coast Region
U.S. Department of Commerce

650 Capitol Mall, Suite 5-100
Sacramento, CA 95814
916-930-3600 - main
916-930-3629 - fax

Anita.deGuzman@noaa.gov
~~~~~~~~~~~~~~~~~~~~~~~~~

BDCP759.

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

Dear Committee on the Bay Delta Conservation Plan

My name is Ken Chevreaux. I am a student of Del Oro high school writing to you to comment on the Sacramento Delta Project. I feel that the costs of building, maintaining, and restoring habitats outways the positive impacts that the project would have for California. As a student that is going to be majoring in Marine Science and going to be most likely volunteering and working around the California Coast I hope you can understand that I don't want to be helping to clean up any mess that the tunnel may cause. There are plenty of other more cost effective and safer alternatives to building an underground tunnel to help reduce the effects of the drought on California. I hope that my letter can be of some help in the decision process of the Bay Delta Plan, as it is just a small portion of the many comments sent in by environmental interest groups and environmentally aware citizens.

The cost of the project has been estimated to be about $25 billion dollars, although the document fails to include the total cost of the project in a long term situation. California is looking at a price tag of around $67 billion dollars in the long term because of interest payments and other costs. California already has some of the most spending of any of the 50 states in the United States, and we don't want to add onto the already increasing debt of our state through this incredibly expensive delta tunnel project. There are many alternatives to this plan that if implemented could be more cost effective and better at conserving water in the long run. One idea is that California could redistribute and reduce the subsidies it pays to farms throughout the state. With California already subsidizing water use for farms we are causing water prices to drop and this consequently encourages an overindulgence in water-usage in our farmlands. If we reduce or get rid of these subsidies on water farms will have alot more incentive to

invest in irrigation methods that use less water. If then we use the redistributed funds to invest in water conservation methods on farms like drip irrigation and other more efficient irrigation systems we can begin to change howour farmlands use water. Implementing a plan that has these ideas could help cut water usage by farms which is one of the main users of California's water. What California needs is not these short term solutions to the drought, but what we need is more investing into water conservation methods that will help to reduce and stabilize our water usage making it no longer necessary to waste money building tunnels that will end just depleting our water supply even more and only solve issues in the short term for our farms and people.

Sincerly,
Ken Chevreaux

Del Oro High School
3301 Taylor Rd.
Loomis, CA, 95650

BDCP 759

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

Ryan Wulff is the Acting Delta Policy and Restoration Branch Chief of the US National Oceanic and Atmospheric Administration (NOAA). He himself will not be the one helping to push for my views on the delta but is rather the one accepting comments on the delta for the agencies, like the NOAA partaking in the process of deciding the fate of the delta water tunnel. The official website of the bay delta conservation plan says that "all comments received on the Draft EIR/EIS will be considered in the Final Draft EIR/EIS decision-making process and published with the Final EIR/EIS". This opportunity gives me the chance to present my opinions and ideas everyone who is partaking in the decision-making process for the Sacramento delta water tunnel.

From: Ryan Wulff <ryan.wulff@noaa.gov>
Sent: Saturday, June 07, 2014 3:12 AM
To: bdcp.comments@noaa.gov
Subject: Fwd: BDCP COMMENTS | Week Ending 06.06.2014 - Part 2
Attachments: ATT00001.htm; ATT00002.htm; ATT00003.htm; ATT00004.htm; ATT00005.htm; ATT00006.htm; ATT00007.htm

Begin forwarded message:

From: Anita Deguzman - NOAA Affiliate <anita.deguzman@noaa.gov>
Date: June 6, 2014 at 11:09:53 PM GMT+1
To: Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>
Subject: BDCP COMMENTS | Week Ending 06.06.2014 - Part 2

These are the rest of the 13 comments:

~~~~~~~~~~~~~~~~~~~~~~~~~

Anita deGuzman
Administrative Assistant
NOAA Fisheries * West Coast Region
U.S. Department of Commerce

650 Capitol Mall, Suite 5-100
Sacramento, CA 95814
916-930-3600 - main
916-930-3629 - fax

Anita.deGuzman@noaa.gov
~~~~~~~~~~~~~~~~~~~~~~~~~

L # BDCP 760

- ☐ Unused
- ✓ Duplicate of _701_
- ☐ Out of Scope
- ☐ Other: _____

(replace original)

NORTH ORANGE COUNTY
legislative alliance

May 30, 2014

Mr. Ryan Wulff, Senior Policy Advisor
National Marine Fisheries Service, Southwest Regional Office
650 Capitol Mall, Suite 5-100
Sacramento, California 95814

RE: SUPPORT OF THE BAY DELTA CONSERVATION PLAN ENIRONMENTAL IMPACT REPORT AND ENVIRONMENTAL IMPACT STATEMENT (EIR/EIS) – SUPPORT OF ALTERNATIVE #4

Dear Mr. Wulff,

On behalf of the North Orange Legislative Alliance (NOCLA) , I am writing to express our organization's continued support for the Bay Delta Conservation Plan (BDCP) and specifically Alternative #4 as outlined in the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS). NOCLA represents Chambers of Commerce in the cities of Brea, Fullerton, La Habra, Placentia and Yorba Linda and their respective members.

Following the passage of California's comprehensive water package in 2009, our organization has closely watched the BDCP process. We are encouraged by the release of the public draft of the plan and environmental documents. The outcome of this multi-year effort reflects collaboration of public water agencies, state and federal fish and wildlife agencies, business and agricultural stakeholders, local governments, and the public.

The above referenced EIR/EIS identify several options for addressing the current challenges with California's water supply delivery system and the Delta ecosystem. We believe that Alternative #4, which provides for three new intakes on the Sacramento River in the northern Delta and a tunnel system to convey that water to the existing aqueduct system, coupled with a comprehensive habitat conservation plan for the Delta, is the best alternative to meet California's co-equal goals of water supply reliability and Delta ecosystem restoration.

Southern California continues to take efforts to increase our water supply while reducing waste and encouraging conservation. However this will not meet the needs of future generations. Additional steps must be taken to stabilize water supplies for California and to protect the Delta.

The BDCP is vital to economic development throughout the state and the well-being of the population of California now and into the future. It is estimated that the project will create 1.1 million jobs throughout the state and create more than 177,000 jobs through construction projects and environmental restoration. In addition, the proposed twin tunnel system will protect public water supplies if a seismic event were to trigger levee breaks and cause saltwater to intrude from San Francisco Bay. The new intakes in the northern Delta will reduce conflicts between water systems and migrating fish species such as salmon.

BDCP761

Southern California is rebuilding its aging infrastructure to ensure its water supplies are reliable. We need the same kind of investment in the State Water Project to safeguard our imported supplies. A project of such magnitude will require some difficult decisions and compromises between stakeholders with disparate priorities. However, California cannot sit idly by and wait for disaster.

Again, our Chamber of Commerce and members support the BDCP, and specifically Alternative #4.

Respectfully,

Theresa Harvey
Legislative Analyst
North Orange County Legislative Alliance

Cc: U.S. Congressman Ed Royce
Senator Bob Huff
Assembly Member Sharon Quirk Silva
Assembly Member, Curt Hagman
Jennifer Fitzgerald, Director Metropolitan Water District

BDCP 761

From: Ryan Wulff <ryan.wulff@noaa.gov>
Sent: Saturday, June 07, 2014 3:12 AM
To: bdcp.comments@noaa.gov
Subject: Fwd: BDCP COMMENTS | Week Ending 06.06.2014 - Part 2
Attachments: ATT00001.htm; ATT00002.htm; ATT00003.htm; ATT00004.htm; ATT00005.htm; ATT00006.htm; ATT00007.htm

Begin forwarded message:

From: Anita Deguzman - NOAA Affiliate <anita.deguzman@noaa.gov>
Date: June 6, 2014 at 11:09:53 PM GMT+1
To: Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>
Subject: BDCP COMMENTS | Week Ending 06.06.2014 - Part 2

These are the rest of the 13 comments:

~~~~~~~~~~~~~~~~~~~~~~~~~~

Anita deGuzman
Administrative Assistant
NOAA Fisheries * West Coast Region
U.S. Department of Commerce

650 Capitol Mall, Suite 5-100
Sacramento, CA 95814
916-930-3600 - main
916-930-3629 - fax

Anita.deGuzman@noaa.gov
~~~~~~~~~~~~~~~~~~~~~~~~~~

BDCP762.

June 2, 2014

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

Dear Sir,

We would like to express our strenuous opposition to Gov. Brown's plan to build two giant water diversion tunnels in the Sacramento-San Joaquin Delta.

As required by 2009 legislation, the Delta Independent Science Board (10 technical experts) reviewed the proposed Bay Delta Conservation Plan and has found it flawed in a number of significant areas. For just two very major examples, in its analysis of the Plan's impact on wildlife, and its effects on San Francisco Bay. Further, the Plan optimistically assumes that the massive habitat restoration planned for will be immediately successful, something there is just no way of knowing.

We see that water agencies from San Jose to San Diego will benefit from the project. No surprise, there. And what will northern California get? We see that all of the Science Board's concern have to do with issues that impact northern California, not southern California.

This Plan is a really bad idea. Please do not permit it to proceed.

Sincerely,

Jim Ames / Joy Ames

Jim and Joy Ames
P.O. Box 487
Oregon House, CA 95962

BDCP762

From: Ryan Wulff <ryan.wulff@noaa.gov>
Sent: Saturday, June 07, 2014 3:12 AM
To: bdcp.comments@noaa.gov
Subject: Fwd: BDCP COMMENTS | Week Ending 06.06.2014 - Part 2
Attachments: ATT00001.htm; ATT00002.htm; ATT00003.htm; ATT00004.htm; ATT00005.htm; ATT00006.htm; ATT00007.htm

Begin forwarded message:

From: Anita Deguzman - NOAA Affiliate <anita.deguzman@noaa.gov>
Date: June 6, 2014 at 11:09:53 PM GMT+1
To: Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>
Subject: BDCP COMMENTS | Week Ending 06.06.2014 - Part 2

These are the rest of the 13 comments:

~~~~~~~~~~~~~~~~~~~~~~~~~~

Anita deGuzman
Administrative Assistant
NOAA Fisheries * West Coast Region
U.S. Department of Commerce

650 Capitol Mall, Suite 5-100
Sacramento, CA 95814
916-930-3600 - main
916-930-3629 - fax

Anita.deGuzman@noaa.gov
~~~~~~~~~~~~~~~~~~~~~~~~~~

BDCP763.

From: Marcos Guerrero <mguerrero@auburnrancheria.com>
Sent: Monday, June 09, 2014 11:47 AM
To: BDCP.comments@noaa.gov
Cc: Jason Camp
Subject: Draft BDCP and BDCP Draft EIR/EIS

Hello,
I have asked numerous times to have access to any cultural resources reports so that we can comment on the adequacy of the Draft BDCP and BDCP Draft EIR/EIS and this request has been denied. Without this information we are limited in our ability to comment by the June 13 deadline.

Marcos Guerrero, RPA
Cultural Resources Manager
United Auburn Indian Community of the Auburn Rancheria
10720 Indian Hill Road
Auburn, CA 95603
Office: (530) 883-2364
Cell: (916) 300-8792
Fax: (530) 885-5476

BDCP764.

From: chunter421@aol.com
Sent: Friday, March 07, 2014 10:23 AM
To: BDCP.Comments@noaa.gov
Subject: BDCP PROJECT

As a Californian and resident of Discovery Bay I am outraged at the manner in which the BDCP Tunnels Project is being rammed down the throats of Californians by withholding crucial information from the public, officially ignoring the input from those of us who object to the project, and failing to address the mitigation of disastrous consequences of the proposed tunnels project on the delta itself.

- Why are none of the comments you have received posted on-line?
- How in the world can this be called a 'conservation measure' when in fact it does nothing to conserve any water in Northern California but is designed only to deliver more water to farms utilizing wasteful agricultural practices in what is essentially desert and to Los Angeles?
- The EIR/EIS report is far too long and convoluted for the average person to understand. Why has no attempt been made to condense it into understandable bites to enable those of us who do not have the time to try and understand 40,000 pages?
- It makes no sense that this supposed conservation measure fails to address creating new storage facilities which would be far less expensive to construct and maintain than these two tunnels.

Charles Hunter

BDCP765.

From: Dorothy Clark <declark2@comcast.net>
Sent: Friday, April 04, 2014 3:08 PM
To: BDCP.Comments@noaa.gov
Subject: THE TUNNELS .....

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 DBCP 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.

I was born, raised and live in Antioch, CA. I am 65 years young. TODAY.... thankfully, it rained AGAIN. Lots of good, hard rain.
I ran out to my side yard and changed "buckets" to **capture** more ..... gold!!..... (RAIN). I have collected plastic bottles of water from my home (as the faucet brings the warm water finally to me, the cold water has been "running" down the drains....
to nowhere.

We are in a drought. California is a dry state. We hear from news, Governor Brown, etc. we NEED TO DO THIS AND DO THAT...
yet, there are so many SMART ideas out there for collection of water. Again, it all costs $$. Yet, to do nothing until... "the sky is
falling, the sky is falling" takes place sets us ALL up for chaos, and so much more additional (wasted) cost.

PLEASE DO SOMETHING "SMART" NOW. STOP THE TUNNELS. PROTECT OUR DELTA. PROTECT OUR STATE.

Thank you,
Dorothy Clark
Antioch, CA 94531

BDCP766.

From: Bradley, Edward W. <bradley25@llnl.gov>
Sent: Tuesday, June 10, 2014 2:41 PM
To: BDCP.comments@noaa.gov
Subject: Comments on the BDCP Draft EIR/EIS

I have the following comments on the BDCP Draft EIR/EIS:

1. I did not notice a zero action alternative where no water is diverted around the delta.
2. The zero action alternative should evaluate using the project costs ($25 Billion) to build desalination plants in Southern California. The operational costs of the desalination plants should be weighed against the increased pumping costs of moving all the water from the delta to Southern California.
3. The zero action alternative should also evaluate the increased water flows through the delta due to the decrease in pumping the water to Southern California and the ability of the delta to naturally restore itself therefore incurring zero cost for restoration as proposed in the current BDCP Draft EIR/EIS.

Edward W. Bradley
BS Physics, MS Biophysics
Certified Health Physicist
111 Audubon Circle
Sacramento CA 95831
Cell# 916 203-9486
mredbradley@gmail.com

From: Cynthia Spencer <cynthia.spencer16@yahoo.com>
Sent: Monday, March 10, 2014 8:48 AM
To: BDCP - Tunnels
Cc: BDCP Tunnel copy
Subject: This is a comment on the Draft EIR/EIS

I moved to Discovery Bay 3 years ago and love it here. My family and I have been recreational users of the delta for over 40 years.

I strongly oppose the construction of the twin tunnels. Why the state calls this a conservation plan insults the intelligence of the people of California. It s completely dishonest. The tunnels are not a conservation measure. They would be just another way to export more water to central and southern California. Yes I'm old enough to remember the peripheral canal vote, which lost. So this time, it is intended there will be no vote. Diverting the Sacramento River water from ever entering the delta would be an ecological disaster.There is not enough water to have the delta survive and also meet the demands of the water contractors who are behind this project, Kern County water bank being one.

Thank you

Cynthia Spencer
cynthia.spencer16@yahoo.com

From: Friends of the River <info@friendsoftheriver.org> on behalf of Becca Lawton <becca@beccalawton.com>
Sent: Tuesday, April 22, 2014 9:28 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

Apr 22, 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.

Wild rivers and nature are needed to sustain the mental health of our society as well as to provide habitat for wildlife on our critical food chain. Please do the right thing with respect to these places in the public trust. Your actions will be important for generations to come--will we have climate-resilient places of refuge? Or will we have concrete?

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.

BDCP768

Thank you for considering my comments.

Sincerely,

Ms. Becca Lawton
17102 Park Ave
Sonoma, CA 95476-8503

L # BDCP 769

- ✓ Unused (Form 2)
- ☐ Duplicate of ____
- ☐ Out of Scope
- ☐ Other: _____

(replace original)

BDCP770.

From: Kathy Bunton <kbunton@sbcglobal.net>
Sent: Saturday, March 01, 2014 11:05 PM
To: bdcp.comments@noaa.gov
Cc: BDCP.Comments.COPY@nodeltagates.com
Subject: BDCP DRAFT EIR/EIS

To whom it may concern,
I'm writing to express my opposition and concerns in regards to the BDCP draft EIR/EIS. I reside in Antioch, a town which depends on fresh water from the Delta. Not only is the Delta a source of drinking water for our family but I own and operate a small business leading tours via kayak throughout the Delta region with a large portion of my business taking place in Discovery Bay.

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. It's 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 thrwarting 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.

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.

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.

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.

4) 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!

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.

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.

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.

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.

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.

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.

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 DBCP 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.

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.

Thank you for taking the preceding comments into consideration.

Sincerely,
Kathy Bunton

"Love is patient, love is kind. It does not envy, it does not boast, it is not proud. It is not rude, it is not self-seeking, it is not easily angered, it keeps no record of wrongs. Love does not delight in evil but rejoices with the truth. It always protects, always trusts, always hopes, always perseveres."

1 Corinthians 13:4-7

From: James Carlson <Carlsonjames53@yahoo.com>
Sent: Tuesday, June 10, 2014 2:35 PM
To: bdcp comments - NOAA Service Account
Subject: Re: Comment on the Draft BDCP and Draft EIR/EIS Re: Comments of James Carlson

If you have any questions or comments please contact me carlsonjames53@yahoo.com

Sent from my iPhone

On Jun 10, 2014, at 2:14 PM, "bdcp comments - NOAA Service Account" <bdcp.comments@noaa.gov> wrote:

> 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

BDCP 771

Comments

Of

James F. Carlson

Department of Environmental Studies

California State University, Sacramento, California

On the Draft BDCP and on the Draft Environmental Impact Report/Environmental Impact Statement

Submitted to

BDCP Comments

Ryan Wulff, National Marine Fisheries Service

650 Capitol Mall, Suite 5-100

Sacramento, CA 95814

Table of Contents

The Effectiveness of the Bay Delta Conservation Plan in Restoring Endangered Populations of Delta Smelt, *Hypomesus transpacificus*.

My name is James F. Carlson, and I am an Environmental Studies senior at California State University, Sacramento. I was born and raised in the San Francisco Bay Area's west and east bay. During most of my teenage years and into my mid-twenties, I lived in the east bay on the Sacramento-San Joaquin Delta in the cities of Antioch and Oakley. I lived in Sacramento for a small period of time when I was a child, and again now as I finish school. I consider the Sacramento-San Joaquin Delta my home because it has played a major role in my life and has provided me with many first time experiences and opportunities. It is the first place I ever took my son J.P. fishing, on a jet ski, and to the beach where we built our first sand castle together. I am a regular traveler on CA Highway 160 and have friends and family in Isleton and Rio Vista. What happens to the delta ecosystem affects me and many of my loved ones.

The Sacramento-San Joaquin Delta is in the midst of an ecological crisis. Anthropogenic alterations over the past 150 years have claimed 85% of the delta's riparian, and 95% tidal wetland habitat, mostly for agricultural land use (Hart, 2004).The once naturally meandering and free flowing system is now simplified. Over 1300 miles of levees contain flows and keep the river from changing its path (Hart, 2004). Upstream dams control the flow of water throughout the valley and into the delta. Traces of mercury left over from gold mining can still be found in the delta's waters, along with many other pollutants, including pesticides and herbicides used in agriculture carried by runoff into the rivers. This altered and simplified ecosystem along with pollution and altered flow regimes has left many species endangered and threatened. Perhaps the most notable example is the delta smelt.

Delta smelt have been the focus of many studies over the years (Sommer *et al.*, 2007, Grimaldo *et al.*, 2009, Maunder & Deriso., 2011, Manly *et al.*, 2012). Since 1999, smelt, along with other pelagic fishes has suffered from a drastic drop in numbers as part of the Pelagic Organism Decline (POD) (Sommer *et al.*, 2007). Currently, delta smelt are federally listed as threatened, and state listed as an endangered species (U.S. Fish and Wildlife Services, 2013). There have been extensive investigations into the cause(s) of POD, and delta smelt specifically, by leading experts in the field. Some experts attribute the problem to changes in nutrient concentrations, and top down effects such as entrainment and predation (Grimaldo *et al.*, 2009). Others have investigated the population impacts on delta smelt and found that temperature (indicates the length of spawning period) and density dependent factors (predator and prey dynamics) had the largest impacts (Maunder & Deriso, 2011). Other studies have focused on the effects the State Water Project (SWP) and the Central Valley Project (CVP) have on delta smelt and found the pumping plants have direct and indirect effects on delta smelt stock recruitment, habitat availability and quality, food availability and quality, and entrainment (Sommer *et al.*, 2007). State and federal pumping plants also have adverse effects on smelt survival due to high numbers of juvenile entrainment in the summer (Manly *et al.*, 2012). Furthermore, pumping plants and associated water diversions alter the natural flow regime, which has proven to have effects on food web productivity, contaminants, and water quality (Grimaldo *et al.*, 2009). Although there may be some debate over the leading cause of the delta smelt's drastic decline, most would agree the contributions are numerous, interconnected, and complex.

There are countless environmental, political, and social factors contributing directly and indirectly to the problems in the delta. Unfortunately, it is difficult to balance goals of economic efficiency, social equity, and environmental quality. In California, this balancing act is

challenging because of the difficulties associated with providing reliable water to all users while maintaining environmental quality in the watershed in a state where water demand often exceeds water supply. When we consider all the facts, it seems a daunting task to achieve goals of restoration in the delta ecosystem while providing reliable water to all users in the state. However, the Bay Delta Conservation Plan (BDCP) has been put forth with these very goals.

I offer my comments on several **Conservation Measures** (**CM**) put forth by the BDCP and assess how well the plan will alleviate these documented stressors on delta smelt. Not all **CM's** are included in this analysis. A **CM** was not included if: (A) it did not have significant impact on smelt stressors, (B) it shares similar impact on smelt stressor as another **CM** included in this analysis, but to a lesser extent.

Comment 1: Conservation Measure 1-Water Facilities and Operations- CM1 involves the construction of state of the art pumping facilities and fish screens. CM1 is proposed to help improve conditions for the delta smelt by alleviating or minimizing several water flow related issues currently affecting the species such as; "reverse flows in Old River and Middle River, entrainment, salvage, predation due to south delta intakes, delta cross channel effects on fish migration, salinity, flow, habitat in Suisun Marsh, flow modification effects in the Sacramento River, and effects on delta outflows" (BDCP, 2013).

This new facility is to be used in conjunction with current water pumping facilities. The intention of CM1 is to greatly reduce entrainment in the south delta pumping plant by utilizing the new pumping facility located in the north delta. Furthermore, it is the intention of the BDCP that CM1 will help reduce altered flow patterns. Pumping out of the south delta pulls the water from north to south, as opposed to the natural east to west caused by tidal pulses coming into the bay from the ocean, and freshwater flows into the bay from the rivers. By moving the primary

pumping location into the north delta, the BDCP proposes this will alleviate this southward flow by bypassing south delta facilities. The BDCP claims this will keep salinity levels low in critical smelt habitat zones, prevent salt water intrusion into the delta, and prevent reverse flows in Old and Middle Rivers. South delta pumping creates a congregation of the delta smelt around the south intakes leaving them vulnerable to predation, so the use of the north delta pumping facilities may alleviate predation stressors on smelt (BDCP, 2013). However, predation vulnerability in the north delta pumping facility may become a factor for smelt, but the magnitude is not known.

Manipulation of water diversion is the most "readily manageable" stressor on smelt populations based on the fact water diversions can be altered to reduce fish losses (Grimaldo *et al.*, 2009).Water diversions have been linked to several stressors on smelt populations such as; entrainment and salvage, changes in suitable habitat, alterations to the food web, and effects on stock recruitment. Most of the smelt are lost during winter months when there is a greater water export out of the south delta pumping facilities, thereby causing Old and Middle River reverse flows (Grimaldo *et al.*, 2009). Interestingly, operations of the Central Valley Project (CVP) and State Water (SWP) Project reportedly caused these reverse flows in the early 2000's, which coincides with the timing of the Pelagic Organism Decline (POD) (Grimaldo *et al.*, 2009). Changes in suitable habitat for smelt have been attributed to the amount of freshwater outflow into the delta in the winter; therefore, keeping salinity levels suitable for the delta smelt larvae and juveniles around Suisun Bay and Montezuma Slough (Sommer *et al.*, 2007). Smelt require a certain range of turbidity and water temperature to survive, which are both affected by water diversions. According to the effect analysis (Chapter 5) of the BDCP, the implementation of CM1 will cause a decrease in turbidity, therefore increasing predation risks for smelt at any

given stage in their life cycle. In addition, salinity encroachment into the delta caused by excessive freshwater pumping at the south intakes, along with introduced species affects the pelagic food web by lowering primary productivity in the Suisun Bay region (Sommer *et al.*, 2007). Studies have shown phytoplankton has decreased over the last 40 years, shifting species composition and lowering productivity in Suisun Bay (Sommer *et al.*, 2007).The biomass of zooplankton (calanoid copepods), another essential food source for juvenile and larval smelt has been sharply reduced, although reasons are not fully understood, it is thought changes in water quality conditions due to south delta water diversions alters the species composition, thereby changing interactions between species and increasing competition for resources (Manly *et al.*, 2012). In addition, an introduced species of zooplankton (*Limnoithana tetraspina*) that does not provide smelt with proper nutrition is found throughout the delta and competes with the zooplankton that smelt normally feed upon (Manly *et al.*, 2012). Finally, water diversions can affect stock recruitment by changing the migration patterns of the adult smelt trying to reach the low salinity zones to spawn. South pumping facilities divert flows southward, which suck migrating adults (attempting to spawn) into the pumps where they become entrained. These adult smelt never make it to spawning habitat, therefor reducing stock recruitment.

CM1 has the potential for restoration because the new water pumping facilities can beneficially modify flows in ways that will alleviate stressors on smelt. According to the BDCP, "approximately 50% of the exported water will be from the new north Delta intakes, and average monthly diversions at the south delta intakes would correspondingly decrease" (BDCP, 2013). Considering over a 15 year period, 110 million fishes were salvaged at the SWP screens (Baxter *et al.*, 2008); it is likely a 50% reduction will drastically benefit smelt populations. Operating the north delta facility also has the potential to greatly reduce reverse flows in Old and Middle

Rivers by decreasing south facility use. Decreasing the amount of reverse flows at the south pumps may help with alleviating entrainment and salvage, changes in suitable habitat, food web alterations, and stock recruitment. The BDCP effect analysis states CM1 will cause increased water clarity; however, this could have impacts on smelt because they require certain levels of turbidity to survive.

Turbidity is an important habitat characteristic for delta smelt and is directly related to larval feeding success, as well as juvenile distribution (Manly *et al.*, 2012). Additionally, turbid waters decrease the chance smelt will be preyed upon because some predators have difficulty locating smelt through the suspended particles (Manly *et al.*, 2012). Chapter 5 (Effect Analysis) of the BDCP states, "Implementation of dual conveyance under CM1 Water Facilities and Operation was estimated to result in around 8 to 9% less sediment entering the Plan Area" (BDCP, 2013). A decrease in turbidity would have negative impacts on smelt during most of their life. CM1 has many potentially positive effects on smelt populations; however, the success will rely completely upon manipulation of flows, which will benefit and take into account all covered species. When you add the biological complexities into successful timing, frequency, and duration of water export, success seems nearly impossible. Finally, it is a possibility that changing turbidity (habitat) will have adverse effects on the food web, altering species composition and predator prey relationships even further.

CM1 has potential to reduce smelt entrainment and aid in maintaining suitable salinity levels, flow and other habitat related requirements for smelt survival. CM1 is a good attempt to alleviate several documented stressors, and is a great starting point for future restoration goals. However, CM1 will not be beneficial for delta smelt because it may cause a significant change to smelt distribution and habitat quality throughout the plan area due to decreased turbidity.

Comment 2: Conservation Measure 2-Yolo Bypass Fisheries Enhancement– The main goal of CM2 is to improve habitat and passage at the Fremont weir for covered fish species. Measures also involve an increase in flows going into the Yolo Bypass to increase "frequency, duration, and area of floodplain inundation" (BDCP, 2013). The BDCP predicts these actions will increase primary productivity in the Yolo Bypass, which will benefit aquatic species.

Delta smelt are usually found downstream from the Yolo Bypass and do not use this area for any substantial length of time during their life cycle. However, there are ways CM2 can benefit smelt. The BDCP claims increasing floodplain inundation will increase production and therefore food availability for smelt downstream. This is accurate for a few reasons. First, "seasonally inundated floodplains are productive components of their freshwater system" (Benigno & Sommer, 2008). The Yolo Bypass in particular has a high production of zooplankton and macro-invertebrates during periods the Bypass is flooded (Benigno & Sommer, 2008). Secondly, invertebrate drift is greater in the bypass than in the main channel of the Sacramento River (Benigno & Sommer, 2008). Inundating the floodplain has the potential to export phytoplankton, zooplankton, other invertebrates and organic material into the delta providing smelt with more food resources. However, studies have shown the importance of "first flush" (an initial flood event) events in increasing turbidity, which is thought to be a cue for an adult smelt to begin migration (Burau & Bennet, 2011).

It is possible that increasing flood events in the bypass may trigger altered migration patterns for smelt because of localized increases in turbidity. In addition, macro-invertebrates in the floodplain come out during the first flush, but if CM2 operations plan to increase frequency and duration of floodplain inundation, this could decrease the amount sediment and food resources being flushed out over time. Temporary aquatic environments provide habitat for

larvae of the Dipteran family Chironomidae, which is the most abundant invertebrate in the Yolo Bypass (Benigno & Sommer, 2008). Larvae are suspended in the sediments during the summer dry season, but large numbers of active larvae emerge from rehydrated sediment in the beginning of the wet season (Benigno & Sommer, 2008). Periods of non-flooding in the Yolo Bypass are an important component in the Chironomidae life cycle because dry sediment is necessary for successful larvae production (Benigno & Sommer, 2008). Therefore, increasing floodplain inundation may have negative effects on Chironomidae abundance, which may decrease food availability for smelt.

CM2 will, therefore, not be beneficial for delta smelt because it fails to substantially alleviate stressors on the smelt population. In the short term, an increase in food availability and turbidity downstream of the Yolo Bypass has the potential to benefit smelt. However, the quantity of food and quality of habitat conditions (turbidity) will reach a point of diminishing returns.

Comment 3: Conservation Measure 4- Tidal Natural Community Restoration– CM4's main goal is to restore 65,000 acres of tidal natural communities and upland transition habitat. "CM4 will be implemented within the Suisun Marsh, Cache Slough, Cosumnes/Mokelumne, West Delta, and South Delta" (BDCP, 2013). The purpose is to create a mosaic of natural tidal communities around the plan area to support foraging needs for covered species by increasing productivity contributing to the local food web (BDCP, 2013). The successful restoration of these tidal communities collectively may cause an increase in suitable habitat for covered fish species (BDCP, 2013).

The restoration of natural tidal communities in Cache Slough and Suisun Bay may affect delta smelt because these areas are in the smelt's range. "Delta smelt spawning has never been

observed in the wild," and actual spawning locations are unknown (Bennett, 2005). In 1976, Peter Moyle noted spawned smelt eggs are adhesive making them suitable for substrata such as vegetation, rocks, gravel beds, and possibly sand near shore (Moyle P. B., 2002). If assumptions regarding smelt spawning habitat are correct, then CM4 may benefit smelt by increasing the amount of suitable spawning habitat (BDCP, 2013). In addition, the restoration of natural tidal communities in Cache Slough and Suisun Bay may increase primary and secondary production adding to resource availability, therefore benefiting smelt (BDCP, 2013).

CM4 will benefit smelt by alleviating habitat and food availability stressors. CM4 doesn't directly benefit smelt, unless assumptions regarding smelt spawning habitat are correct. Increasing productivity within smelt habitat through the restoration of natural tidal communities will benefit smelt by making more resources available.

Comment 4: Conservation Measure 6– Channel Margin Enhancement- The purpose of CM6 is to improve migratory corridors, habitat conditions, and prey resources for covered fish species (BDCP, 2013). Channel margin enhancement includes setbacks of levees and the restoration of 10 miles of riparian habitat along channels (BDCP, 2013). Setting back the levees gives migrating fish more habitat and space. Restoring riparian habitat and vegetation along the channels will result in particulate organic matter (leaves, wood, etc…) inputs into the stream, which contributes to aquatic habitat complexity (Baxter *et al.*, 2005). Overhanging riparian vegetation contributes small invertebrates that drop into the stream providing high quality food recourse for fish (Cloe & Garman, 1996). The importance of energy and resource transfer between riparian and aquatic habitats for fish assemblages is well documented, and may relieve food availability and quality stressors on smelt in this situation (Naiman & Latterell, 2005).

There is a reciprocal relationship between riparian and aquatic habitats. Aquatic food resources usually originate out of the stream, and aquatic environments are essential for riparian organisms (Naiman & Latterell, 2005). Terrestrial arthropods are a significant food resource for fishes (Cloe & Garman, 1996). Arthropods occupying overhanging riparian vegetation contribute to the aquatic food web when they fall into the water column (Cloe & Garman, 1996)). The quantity of arthropods contributed to underlying streams is proportional to the amount of overhanging vegetation (Cloe & Garman, 1996). Therefore, restoring 10 miles of riparian habitat along the rivers could significantly relieve food availability stressors for delta smelt. Additionally, riparian cover also has effects on underlying stream water temperature (Ryan *et al.*, 2013).

Temperature is a critical habitat component for aquatic species. Studies show even a small portion of riparian cover can have significant impacts on stream temperature (Ryan *et al.*, 2013). Riparian cover acts as a buffer for short-wave radiation, thereby regulating stream temperatures to suitable levels for aquatic species (Ryan *et al.*, 2013). With the threat of climate change, uncertainties regarding the delta's future challenges restoration, mitigation, and other future planning efforts. Numerous fish species in the delta like the delta smelt and salmon are at a heightened risk of temperature changes because of their specific habitat requirements. Certainly, the buffering capabilities of riparian habitats would aid in reducing effects of possible temperature changes on aquatic fish species.

CM6 will be beneficial for delta smelt because it has the potential to relieve food availability and habitat quality stressors. Riparian vegetation acts as a temperature buffer and is a significant source of arthropods and other macro-invertebrate's essential to the aquatic food web.

The successful restoration of 10 miles of riparian habitat along the channels may provide substantial inputs of food resources for smelt in the long term.

Comment 5: CM13– Invasive Aquatic Vegetation Control– The purpose of CM13 is to remove Invasive Aquatic Vegetation (IAV) from the plan area. CM13 may reduce predation risk for covered species in three ways. First, removing IAV may cause an increase in turbidity, which decreases predation risk for some fish including smelt (BDCP, 2013). Second, removing IAV decreases habitat quality for nonnative predatory fish, thereby decreasing predation risk for fishes. Lastly, removing IAV that is a food source for predators may help reduce predation risk for fishes (BDCP, 2013).

April through June has been observed as the season of high delta smelt loss from predation (Manly *et al.*, 2012).During these months, water clarity is at its peak in the estuary and there is an abundance of predator fish, such as inland silversides (Menidia beryllina) and largemouth bass (Micropterus salmoides) (Manly *et al.*, 2012). Inland silversides are an introduced species and share delta smelt range but is often found in near shore vegetation (Brown, 2003). Silversides are an efficient predator of larval smelt and contribute greatly to their decline (Bennett, 2005). Reducing habitat availability for silversides has the potential to greatly reduce predation of smelt larvae.

Invasive Aquatic Vegetation (IAV) often competes with native aquatic vegetation (NAV) in the delta (BDCP, 2013). The spread of IAV results is a reduction in biotic diversity overall. Reducing biodiversity in an ecosystem creates instability for all species (Kricher, 2011). As IAV moves in, NAV is forced out. Species that feed upon NAV may also need to relocate to habitats with food sources resulting in a widespread change in the species composition of the delta.

CM13 will be beneficial for smelt. A reduction in optimal predator habitat will alleviate predation stressors on smelt. Furthermore, smelt will greatly benefit from CM13 because removing IAV may have restorative effects to the delta ecosystem and species composition, thus improving habitat conditions.

Comment 6: Conservation Measure 18– Conservation Hatcheries– CM 18 consists of two programs:

1-The development of a conservation hatchery by the United States Fish and Wildlife Service (USFWS) to house captive populations of the delta smelt (BDCP, 2013). Captive fish will provide a continued source for research (BDCP, 2013).

2.-To expand the current refugial population of the delta smelt (BDCP, 2013)

Delta smelt have been declining overall since the 1980's (Bennett, 2005). The threat of extinction may not fall under the stressor category; however, reaching low numbers can put populations at increased risk of extinction. Keeping significant populations in stock can help maintain a base population level to guard smelt from extinction. There is still much to learn through experimentation about smelt reactions to different stressors. If experiments are successful, knowledge gained can aid in delta smelt conservation efforts and management plans.

Captive breeding programs could be effective in conserving genetic variability within an endangered population that is sharply declining. The USFWS currently runs the Livingston Stone hatchery located at the base of Shasta Dam in Redding, California (U.S. Fish and Wildlife Services, 2013). Also, delta smelt refugial populations were established in 2008 at the University of California, Davis Fish Conservation & Culture Laboratory (FCCL) in Byron, CA, as a result of the record low delta smelt counts (Newman, 2008).Smelt hatcheries have been successful in

maintaining captive populations, however, there is much debate over effectiveness in maintaining genetic variability.

There are some major concerns with fish hatcheries, and it is difficult to apply strategies to conserve genetic diversity due to these issues. Common issues include inbreeding, which leads to reduced viability and fecundity and a decreased population size (Burton *et al.*, 2013). These issues affect the supplemental wild populations by decreasing their fitness (Burton *et al.*, 2013). However, the fish hatchery mortality rates of delta smelt are very low (Burton *et al.*, 2013). Mortality rates of delta smelt in the wild are very high because of the numerous stressors acting upon the population, therefore, hatcheries provide a significant safeguard against the uncertainties of anthropogenic alterations to smelt habitat.

CM18 will be beneficial to smelt because it will help keep smelt population sizes at adequate levels. Losing any species has drastic impacts on the ecosystem and needs to be avoided if possible. Hatcheries are already in operation and have established successes and shortcomings, which will aid in the development of management and operation strategies in the new hatchery facilities. Furthermore, controlled and focused experiments regarding the way smelt react to different stressors will aid in future conservation strategies as knowledge is gained. The problems with captive breeding pale in comparison to issues related to smelt extinction. Therefore, a captive breeding program is not only beneficial, but essential for smelt.

Comment 7: Conservation Measure 19- Urban Stormwater Treatment- The purpose of CM19 is to reduce contaminants entering the delta by effectively managing storm water runoff (BDCP, 2013). CM 19 intends to accomplish its goals by slowing runoff, filtering and removing particulates and pollutants (BDCP, 2013). CM 19 goals will be achieved by constructing retention ponds to hold runoff, create a network of vegetated buffer strips to slow runoff

velocities, and by constructing curb extensions next to commercial businesses to carry oil and grease away from waterways (BDCP, 2013). Storm water runoff can carry sediments, grease, oils, metals, pesticides, and other toxic chemicals into neighboring waterways, which affects processes relating to fish condition and population abundance (Bennett, 2005).

Exposure to contaminants can have drastic effects on smelt biology. Pyrethroid pesticides and other synthetic compounds used in agriculture and lawn care pose a significant threat to delta smelt (Bennett, 2005). Pyrethroids were found in 79% of tested urban runoff throughout the delta (Weston & Lydy, 2010). Studies show delta smelt contaminated with extremely low doses of synthetic compounds had cancer cells, and suffered from fragmented deoxyribonucleic acid (DNA), which interferes with endocrine development (Bennett, 2005).

CM19 will be beneficial for smelt because it will reduce contamination stressors. Contaminants are abundant in the delta and affect all life within the ecosystem, although the extent to which contaminant exposure affects the smelt population is uncertain, it is known that these compounds negatively impact the delta (Bennett, 2005).

Comment 8: Conservation Measure 2- Recreational Users Invasive Species- CM 20 is intended to reduce the number of invasive clam species (Corbicula fluminea, Corbula amurensis and Potamocorbula) from entering the estuary. Program actions involve routine inspections of recreational watercraft, trailers, and other equipment, as well as education and outreach information provided to recreational water users. Inspections on the ground will be done by various agencies including California Fish and Wildlife Service, the implementation office (BDCP), Reclamation, and local water districts (BDCP, 2013). Boats and other water bound vehicles are common vectors of invasive clams, facilitating there migration throughout the delta (BDCP, 2013).

The Sacramento-San Joaquin delta is relatively unproductive compared to other estuaries (Baxter *et al.*, 2008). Food availability (phytoplankton biomass) for smelt has been declining over the past few decades (Baxter *et al.*, 2008). Smelt caught for research purposes had low glycogen levels in their livers indicating there was a limitation in food availability (Bennett, 2005). Studies have shown the decrease in phytoplankton biomass can be partly attributed to the introduction of the invasive clam, an effective pelagic filter feeder able to out compete with smelt for food (Baxter *et al.*, 2008). These clams have the ability to filter twelve times the water column present above them each day (Baxter *et al.*, 2008). These clams can tolerate a wide range of habitat conditions, making them prevalent throughout the estuary. Unfortunately, these clams share the same habitat and prey needs and are constantly competing for resources. The overbite clam reduces food availability for smelt; however, its relative influence is not known (Baxter *et al.*, 2008).

CM 20 will not significantly alleviate food availability stressors for delta smelt. Slowing the spread of invasive clams can reduce the likelihood competition with smelt will intensify in the future, but it does not remove clams already present in the estuary. Furthermore, it is likely the clams only represent a small portion of factors effecting food availability stressors on smelt.

Conclusion

A century and a half of anthropogenic alterations to waterways and landscapes have compromised the stability of the delta. California's hydrologic regime is almost completely artificial. Urban and agricultural developments have spread through the state, increasing the demand for water. Stakeholders with opposing views are locked in a battle over water that only intensifies with the risk of floods, droughts, earthquakes and climate change. Environmentalists,

developers, water districts, farmers, and government constantly oppose one another, which affects water reliability for many users. For example, the Central Valley Project and State Water Project pumps are required to turn off during salmon runs, which decreases the amount of water received by downstream users. Delta smelt and other species in the delta are innocent bystanders in the human induced chaos they are experiencing. For this reason, numerous monitoring and restoration programs are in place to restore smelt habitat and population size. The newest edition of these plans is the BDCP, a comprehensive delta conservation strategy.

The BDCP is a good start, but there are many uncertainties to the plan that need to addressed before moving forward. Reducing the effects from years of anthropogenic alterations with more alterations doesn't seem wise. However, something needs to be done to restore the delta. The proper decision making needs to be based on scientific facts, with goals of improved ecosystem structure, function, and longevity; rather than the short term monetary or political interests.

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BDCP771

From: James Carlson <carlsonjames53@yahoo.com>
Sent: Tuesday, June 10, 2014 2:14 PM
To: BDCP.Comments@noaa.gov
Cc: Jeffery.Foran@csus.edu
Subject: Comments of James Carlson
Attachments: Comments.Carlson.James.pdf

BDCP772.

From: Friends of the River <info@friendsoftheriver.org> on behalf of larry armstrong <info@friendsoftheriver.org>
Sent: Tuesday, June 10, 2014 6:26 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

Jun 10, 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.

because we turned down the periphial canal you idiots can't let it go.
now this? what a disaster to our way of life in the delta. step back, take a deep breath & look at the mistake you are part of. Is this what you want for your legacy? don't be foolish, stop this stupid boondoggle.

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.

BPCP772

Sincerely,

Mr. larry armstrong
PO Box 5221
Stockton, CA 95205-0221

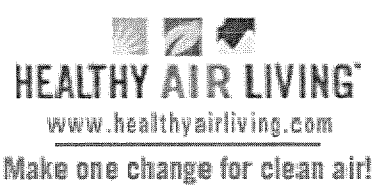
From: Mark Montelongo <Mark.Montelongo@valleyair.org>
Sent: Thursday, June 12, 2014 1:47 PM
To: BDCP.comments@noaa.gov
Subject: SJVAPCD comments on the DEIR/EIS for Bay Delta Conservation Plan
Attachments: SJVAPCD_DEIR-EIS_Comments_on_BDCP.pdf

Good Afternoon,

Please find the attached commenting letter in relation to the Draft Environmental Impact Report/Statement for the Bay Delta Conservation Plan from the San Joaquin Valley Air Pollution Control District. A hard-copy has been sent to the address provided below. Thanks.

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

MARK MONTELONGO
Senior Air Quality Specialist
San Joaquin Valley Air Pollution Control District
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
(559) 230-5905 (Phone)
(559) 230-6061 (Fax)
Mark.Montelongo@valleyair.org



BDCP773

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING™

June 12, 2014

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

Project: Draft Environmental Impact Report/Environmental Impact Statement for the Bay Delta Conservation Plan

District CEQA Reference No: 20130329 and 20140155

Dear Mr. Wulff:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS) for the Bay Delta Conservation Plan (BDCP). The BDCP has been prepared as a required component of the application for the Incidental Take Permits (ITPs)/Natural Community Conservation Plan (NCCP) permit and to support the issuance of these permits for a term of fifty (50) years. The BDCP is a conservation strategy for the Sacramento-San Joaquin Delta (Delta) to advance the planning goal of restoring ecological functions of the Delta and improving water supply reliability in the state of California. The conservation strategy is designed to restore and protect ecosystem health, water supply, and water quality within a stable regulatory framework. The Draft EIR/EIS identifies sixteen (16) alternatives including the No Action Alternative. For the purposes of CEQA, the Department of Water Resources (DWR) has identified Alternative 4 as their preferred option. As a result, the District has carefully reviewed Alternative 4 which includes (1) construction of three intakes, (2) construction of an intermediate forebay and (3) a conveyance facility that would consist of buried pipelines and tunnels. The District offers the following comments.

District Comments

1) The Draft EIR/EIS demonstrates through Mitigation Measure AQ-4a (page 22-239) the "DWR will undertake in good faith effort to enter into a development mitigation contract with SJVAPCD in order to reduce criteria pollutant emissions generated by construction of the water conveyance facilities associated with BDCP within the SJVAPCD."

Seyed Sadredin
Executive Director/Air Pollution Control Officer

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4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
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34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

www.valleyair.org www.healthyairliving.com

As stated in the District's comment letter issued on July 5, 2013 for the Administrative Draft EIR/EIS the District would like to reiterate its recommendation. Rather than expressing a non-enforceable commitment to a "good faith effort" to mitigate criteria pollutants, the District recommends that DWR commit to entering into a development mitigation contract prior to finalizing the EIR/EIS. This would allow DWR to fully disclose to the public the extent of the actual mitigation proposed. Therefore the project proponent or DWR should engage in discussion with the District to adopt a Voluntary Emission Reduction Agreement (VERA) prior to the finalization and certification of the environmental document.

The District has been contacted in the past to discuss the VERA but the communication has halted. The District encourages DWR to contact the District again as soon as practical to restart this process and expand the discussion into the negotiation of the terms of the VERA. Based on District's experience with entering into a VERA, ample amount of time beyond the mentioned two-month timeframe should be planned to discuss the details of the VERA.

2) The Draft EIR/EIS demonstrates through Mitigation Measure AQ-4b (page 22-241) "Should DWR be unable to enter into what they regard as a satisfactory agreement with SJVAPCD by Mitigation Measure AQ-4b, or should DWR enter into an agreement with SJVAPCD but find themselves unable to meet the performance standards set forth in Mitigation Measure AQ-4a, DWR will develop an alternative or complementary offsite mitigation program to reduce criteria pollutant emissions generated by the construction of water conveyance facilities associated with BDCP."

The District would like to clarify that since the air quality impacts would be occurring within the jurisdiction of the District, the development of the alternative mitigation strategy should obtain approval from the District before implementation, which should include verification of the construction emissions data required to be submitted to DWR by the contractor. The District has statutory authority over air quality and has developed plans to attain state and federal standards that include emissions inventories to identify the sources and quantities of air pollutant emissions, evaluate how well different control methods have worked, and demonstrate how air pollution will be reduced in the San Joaquin Valley (Valley).

The District has developed incentive program around several core principles: cost-effectiveness, integrity, effective program administration, excellent customer service and accountability. The goal of the incentive program is to assist the District in improving air quality in the Valley. Furthermore, the District's incentive programs are regularly audited by independent outside agencies including professional accountancy corporations on behalf of the federal government, the California Air Resources Board (ARB), California Department of Finance and the California Bureau of State Audits.

Using developer funds to reduce emissions through our incentive program allows the District to track and verify the emissions reductions achieved, which in turn allows the District to certify to project proponents that the mitigation has been achieved, lending the District's expertise in such matters to any necessary defense of the CEQA document and associated air quality mitigation. On the contrary, mitigation efforts performed by others, outside the District's oversight, have generally come up far short in quantity of emissions reductions generated, and in verifiability of those reductions, leaving the CEQA Lead Agency vulnerable to legal action.

The District recommends the mitigation for the BDCP be carried out via Mitigation Measure 4a (i.e, entering into a VERA with the District) and thus the District recommends that the applicant commit to entering into a VERA instead of committing into a good faith effort to do so.

3) The Draft EIR/EIS does not discuss fugitive dust resulting from the potential overdraw of water, thus resulting in a potentially dry basin. Although the air quality in the Valley has improved significantly, the Valley faces many air quality challenges to meet the health-based air pollution standards. The District is currently designated as extreme nonattainment for the 8-hour ozone standard, attainment for PM10 and CO, and attainment for PM2.5 for the federal air quality standards. At the state level, the District is designated as nonattainment for the 8-hour ozone, PM10, and PM2.5 air quality standards.

   The District recommends the Draft EIR/EIS include such discussion and include all feasible mitigation measures to reduce any air quality impacts of such an overdraw that are found to be significant.

4) Regarding the Health Risk Assessment (HRA) performed for Alternative 4, the District offers the following comments:

   a) The "unadjusted cancer risk per million" reported in the Draft EIR/EIS is 0.50 in a million. Based on the available information, the District calculated a risk of 1.71 in a million. In the Draft EIR/EIS it appears the risk was multiplied by a factor corresponding to a 20-year exposure, instead of the typical 70-year exposure. The procedure for estimating cancer risk from annual concentrations of Diesel Particulate Matter (DPM) typically uses a conservative unit risk to calculate 70-year risk from a given DPM concentration.

   b) The Draft EIR/EIS uses the Office of Environmental Health Hazard Assessment's (OEHHA's) Age Specific Factors (ASFs) to adjust the cancer risks. OEHHA has adopted these ASFs in a guidance document that will form a basis for specific guidance for performing risk assessments that will be issued later this year.

Until then, the specific procedures for applying those ASFs to the BDCP are speculative, and applying such factors will certainly result in a higher risk. However, even after applying these revised factors the District anticipates the "CRAF-Adjusted Cancer Risk per million to remain below the District's significance threshold of 10 in a million.

c) Since Sacramento meteorological data was used to model all areas north of SR-12, there is a portion of San Joaquin County that was modeled with Sacramento rather than Stockton data. The District would like to clarify that there are significant differences between meteorological data from these two (2) sites, as is revealed by cursory examination of the respective wind roses.

5) The proposed project may require District permits. Prior to the start of construction the project proponent should contact the District's Small Business Assistance Office at (559) 230-5888 to determine if an Authority to Construct (ATC) is required.

6) The District recommends that a copy of the District's comments be provided to the project proponent.

The above comments and requirements are neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Mark Montelongo at (559) 230- 5905.

Sincerely,

Arnaud Marjollet
Director of Permit Services

Chay Thao
Program Manager

AM: mm

From: Minn, Ken <kminn@ebmud.com>
Sent: Wednesday, June 11, 2014 2:33 PM
To: 'BDCP.comments@noaa.gov'
Subject: Appendices for IA

Where can I find the appendices for IA? Thanks!

Kenneth K. Minn, P.E.
EBMUD
(510) 287-0668

From: Robert Crandall <rac72@surewest.net>
Sent: Wednesday, June 11, 2014 3:57 PM
To: BDCP.Comments@noaa.gov
Subject: BDCP

As a long time professional in the water and environmental field, I am deeply concerned about the BDCP. There are serious questions about both scientific and policy matters related to this plan. The approach is inconsistent with desired conflict resolution in natural resources management. Without reiterating the concerns expressed by opponents of the plan, I wholeheartedly support the communities, organizations, and other individuals who oppose the plan.

I request that you suspend action on the plan until the concerns and objections have been satisfactorily resolved. To do otherwise will only increase animosity toward the State as many will view the failure to reach consensus as heavy-handedness.

Sincerely,

Robert Crandall

From: nevergiveup68591@aol.com
Sent: Wednesday, June 11, 2014 5:22 PM
To: BDCP.Comments@noaa.gov
Subject: BDCP Plan

To whom it may concern:

I realize that the general public will not be able to vote on the BDCP plan but I would like to say that the people in the general public, to whom I've talked, are unanimously against this plan. It's proposed and written by the water agencies who would benefit from the diversion of more water, not Sacramento, and is only going to hurt the Sacramento area. The plan states that "the BDCP would capture large amounts of winter flood flow." The greater Sacramento area needs that winter flood flow for its own residents. We're in a drought and are being asked to ration water - I see no way that diverting more water for the land south of Sacramento is going to help that situation.

The plan lists the acquisition of 69,275 acres of land for habitat restoration but this land has not been secured. Only proposals for how to secure it are outlined in the Plan, one of which is to use mitigation credits. Mitigation credits will only benefit Public Relations talk for the Department of Water Resources. Credits are nothing but thin air and talk - just like carbon credits.

The Plan also requires public funds for habitat restoration and those are not in place yet. The BDCP has not been approved yet, as is required, by the CDFW; so, as of now, no money is available.

I have looked at the before-and-after pictures and projections that were recently posted online. The town of Hood will be essentially destroyed as it is sandwiched in between an intake facility and a sludge "pond." Clarksburg will be equally affected. Their housing values will plummet. Who would want to purchase a home across from those facilities?

I realize that I don't have the scientific or engineering expertise to address my concerns but as a Sacramento area (Elk Grove) resident, I think that nothing but harm will come from this Plan. Please reconsider and look to other means of gaining more water - such as dams or desalination.

Thank you,
Genie Holleman

From: Greta Lacin <gretal@lacin.com>
Sent: Thursday, June 12, 2014 12:50 PM
To: BDCP.Comments@noaa.gov
Cc: Paula Sugarman; Jeff Harris; Nate Grow; Sofia Lacin; Hennessy Christophel; Kent Lacin
Subject: Bay Delta Conservation Plan comments due June 13

To Whom It May Concern,
I am writing to express my opposition to the Bay Delta Conservation Plan as proposed. This plan will lock in public policies for the next 50 years,with minimal flexibility, despite the fact that no one can predict what California's water situation will be during that half century. This plan will severely constrict options and future policy decisions, surrendering the authority of the state to the narrow interests of water contractors, despite the obvious conflicts of interest.

The proposed massive tunnels will be paid for by the water contractors, because it will benefit their interests. Who will pay for the habitat restoration and conservation? What permanent staff has been assigned to this daunting task? The future fluctuating water supplies will be drained off, while the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Fish and Wildlife will be prohibited from making adaptive changes to policy, regardless of the impact on the environment. As written, those agencies would have to prove that no other alternative is available before approving a change to permits. The conflict of interest by water contractors will cause them to naturally oppose any changes not in their favor. Under such circumstances, it is highly unlikely that any significant habitat restoration or conservation will take place.

The state needs to allow adaptive change, given that as it stands, the misnamed "conservation plan" gives all the authority of the state and federal agencies over to the narrow interests of those who would benefit from the massive tunnels the most, the water contractors.

In addition, common sense tells us that removing this quantity of fresh water from the Delta on an ongoing basis will cause the further intrusion of salt water, degrading the troubled habitat that remains. The fisheries will be irreparably harmed: no fish screen will protect them from the sea water that will inexorably move inland. Even if the science of the future warrants it, changes will be nearly impossible under this plan.

It would be far wiser to invest in developing water purification methods on the vast scale that will be needed, given that droughts have been known to last for hundreds of years, evident in the historical records of the state. This so called Conservation Plan is nothing of the sort. It is a plan that offers no innovative solutions to the very real problem of severe fresh water shortages which are sure to last our lifetimes and beyond.

Sincerely,
Greta Lacin
5340 Monalee Avenue
Sacramento CA 95819