
From: Torneden, Roger <RTorneden@uclaextension.edu>
Sent: Friday, July 25, 2014 11:19 AM
To: BDCP.comments@noaa.gov
Subject: Bay Delta Plan is Missing a Most Important Component

Despite well-intended efforts producing results from "ineffective" to "effective" our conservation, ground water pumping, brown water recycling and Bay Delta plans cost \$Billions and produce wholly inadequate amounts of water for California's growth, if not, survival. We need new water sources and new sources are achievable.

Currently, an ocean submerged fresh water pipeline is under construction between Turkey and Cyprus (pipe is made of composite material and will lay at a 900 foot depth); an additional ocean submerged fresh water pipeline is planned between Turkey and Israel.

NASA/JPL has conducted preliminary feasibility studies of an ocean submerged pipeline from the Columbia River to the Shasta Reservoir...approximately 1% of Columbia River water flow dumping into the Pacific Ocean would create about 2 million acre feet of new fresh water for California.

This is as high a priority as the Bay Delta project.

Roger

Roger L. Torneden, Ph.D., CFP®
Director of Business, Management and Legal Programs
UCLA Extension
10995 Le Conte Avenue, Suite 515
Los Angeles, CA. 90024-1333
(310) 206-1720

From: Gjestson David <davegjestson@comcast.net>
Sent: Friday, July 25, 2014 11:49 AM
To: BDCP.comments@noaa.gov
Subject: Document Request

Dear Sirs:

Please provide me with a PDF copy of the BDCP as soon as possible to facilitate my review.

Sincerely,

David L. Gjestson

davegjestson@comcast.net

From: Michelle Powell <Map117@comcast.net>
Sent: Friday, July 25, 2014 11:15 AM
To: BDCP.Comments@noaa.gov
Subject: No Twin Tunnels!

Dear Mr. Ryan Wulff,

I'm personalizing this letter because I'm not just a forwarder of other people's text...I am strongly opposed to the twin tunnels and hope that you will deny the permit. the Delta ecosystem should not be destroyed for the sake of Agricultural interests in the South. There are citizens in the northern half of the state who depend on the health of the Delta for their livelihoods, and they should be represented as well. Destroying the food supply for wildlife affects the lives of the humans in the area too. Please deny the permit and let's look for a better design that will share an already over-subscribed water supply more equitably.

sincerely,
Michelle Powell

I am writing to strongly oppose the "Twin Tunnels" project (aka Bay Delta Conservation Plan) that threatens to dewater the Sacramento-San Joaquin Delta for the benefit of a few water contractors and agribusinesses.

These tunnels would sharply reduce water flow throughout the delta and harm thousands of sensitive aquatic species, including chinook salmon, steelhead trout, smelt, and green and white sturgeon. The tunnels would also wipe out food sources and habitat for migratory birds and other wildlife that depend on a functioning delta ecosystem to survive.

The project's heads justify this killing by proposing future habitat restoration even as they readily admit uncertainty about where and how to make such a plan work. Further, the \$25-\$60 billion tunnels will rely on taxpayers to fund most of this restoration. Water is a public trust resource, and taxpayers shouldn't have to shoulder the burden of this project while water contractors turn a profit from exporting the delta's water.

California's water crisis is best solved by adopting a combination of water conservation, efficiency, reuse and desalination strategies for both cities and farms. The state and nation should invest in these proven strategies, instead of wasting tax dollars and sacrificing our precious natural resources. Please -- protect the delta and deny this project's permit.

Sincerely,

Michelle Powell
36966 Niles Blvd.
Fremont, CA 94536
US

County of Placer Board of Supervisors

175 FULWEILER AVENUE
AUBURN, CALIFORNIA 95603
530/889-4010 • FAX: 530/889-4009
PLACER CO. TOLL FREE # 800-488-4308

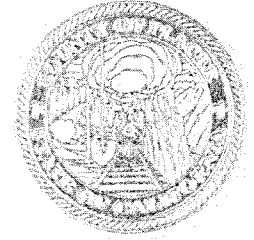
JACK DURAN
District 1

ROBERT M. WEYGANDT
District 2

JIM HOLMES
District 3

KIRK UHLER
District 4

JENNIFER MONTGOMERY
District 5



July 22, 2014

BDCP Comments

Ryan Wulff, National Marine Fisheries Service
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814
BDCP.comments@noaa.gov

Subject: Comments on Draft Bay Delta Conservation Plan (BDCP) and associated BDCP Draft EIR/EIS

Dear Mr. Wulff:

Thank you for providing Placer County the opportunity to comment on the BDCP and associated BDCP Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS).

GLOBAL COMMENT

The "Project" is purported to be a Comprehensive Conservation Plan for the Sacramento San Joaquin Delta, meeting the requirements of a Habitat Conservation Plan (HCP) and Natural Community Conservation Plan (NCCP), and analyzed in the present EIR/EIS. However, the County is concerned that the emphasis in the analysis of the objective of a new diversion and conveyance system reveals itself as the actual "project" that is being analyzed in this EIR/EIS. This is particularly evident in the alternatives analysis that includes massive export bypass conveyance features as a common feature to all alternatives of an HCP/NCCP for the Delta. Bypass facilities to continue water exports to serve junior water rights is not a fundamental requirement for species recovery in the Delta but it is for a water bypass project. This diversion and conveyance system/bypass project, if approved, would allow the State Water Project (SWP) and Central Valley Project (CVP) to bypass the Delta for water export operations. By not identifying the true nature of the "project" within the project description of this EIR/EIS and instead characterizing it as a HCP/NCCP, the draft EIR/EIS violates the California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA). By failing to provide and analyze: 1) an accurate purpose and need (P&N) statement, 2) a full without-project (WOP) conditions analysis, 3) a full range of alternatives, 4) disclosure of the full scope of impacts of the actual "project", and 5) identification of all feasible mitigation these documents do not fulfill the statutory obligations of CEQA or NEPA.

Placer County's recommendations for revisions to address the above deficiencies are provided as follows:

1. The P&N should be re-written to state that the true purpose of the Project is to facilitate a sustainable water supply future for export customers through a bypass system, if this is the true purpose of the proposed project.

2. The without-project (WOP) conditions should focus on water supply and habitat in the future in all of the affected physical areas: 1) each of the watersheds feeding the Delta, 2) the Delta itself, and 3) export areas. WOP conditions should be based on the present set of operating rules, regulations, agreements, and water rights, and in the presence of climate change and growth projections. As written, the WOP analysis in the public review draft ignores a number of senior and area of origin water rights, Federal Energy Regulatory Commission (FERC) permit conditions, and fisheries flow and temperature requirements on the American River, the Yuba River and Bear River where Placer County has both participatory license obligations (American) and water contracts (Yuba and Bear via Pacific Gas & Electric water rights).
3. As currently drafted, the WOP analysis is presented in such a way that it is not possible to understand the impacts of the project alternatives. A full range of project alternatives that would meet the revised P&N should be investigated. This must include one or more alternatives that would reduce exports, and one alternative that would eliminate exports, in favor of regional supply development (including ocean desalting), and right-sizing agricultural operations to their water availability. Exports are supported by junior water rights on the system, so it is not unreasonable to expect them to be cut back in shortage situations. In fact, long-standing appropriative water rights law would demand that. As presented, the range of alternatives is inadequate.
4. Impacts to *all* affected areas should be identified and analyzed. Specifically, for Placer County's interests and concerns, all potential impacts to the American River watershed and its jurisdictions including Placer County, and the cities and water agencies within Placer County, should be identified and analyzed. The public review Draft EIR/EIS currently does not analyze impacts to the American River watershed, its stakeholders, or its ecosystems. Because of the lack of an analysis and disclosure of potentially significant impacts, the County does not know the scope of impacts to Placer County. The County does know that its water rights, FERC covenants, and fisheries requirements have not been considered in the WOP analysis.

Once impacts are identified to the Placer County region, all feasible mitigation measures must be identified and implemented. These mitigation measures need to be developed for affected watersheds and affected parties.

These changes warrant a comprehensive re-write and re-circulation of the Draft EIR/EIS.

OTHER COMMENTS

If the County's assumptions of the true nature of the "project", as articulated above, are incorrect the County of Placer also provides the following comments on the proposed "HCP/NCCP" project:

1. If, upon re-formulation of this project, the Proponents still propose an HCP/NCCP for the Delta, they must not transfer habitat impacts to other regions. On the American River, for example, the document demonstrates that Folsom Reservoir will reach dead pool in 10% of the years under the BDCP operating assumptions (Appendix 29C-17a Folsom Reservoir storage). This would dry and over-warm the Lower American River and imperil salmon and steelhead runs.
2. The Folsom Reservoir dead pool issue must be addressed. It is presented in the Draft EIR/EIS as a WOP condition, which is flawed. Senior water rights, FERC permit conditions, and American River

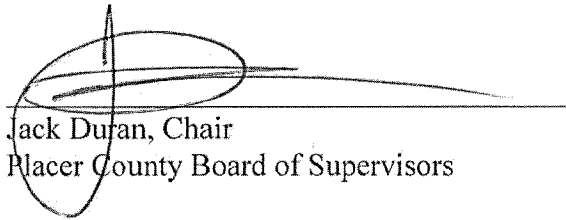
ecosystem requirements trump Delta and export requirements under both WOP and with-project conditions. Many of the water agencies reliant on those senior water rights do not have a second supply of water, so continually running Folsom Reservoir to dead pool would threaten the health and safety of a substantial population; over 500,000 in Placer County alone. Several of the agencies in Placer County are underlied by solid bedrock, so groundwater is not available or sustainable in many parts of Placer County. Long-standing area of origin water rights protections provide for increased diversions to American River stakeholders, gradually decreasing the amount available for others on the SWP and CVP systems, including exporters. That has always been the understanding under which the CVP and SWP were constructed and licensed.

3. Granting a 50-year operating and incidental take permits to the SWP would place the full burden of future changes to climate, habitats, threatened and endangered species populations, regulations, and adaptations, on the shoulders of the other water users in the watershed, nearly all of which are senior to the SWP in priority.
4. Other alternatives exist which result in a sustainable water supply for exporters. Agricultural interests can and should right size their operations to the sustainable water yield available to them. In addition, urban exporters have affordable alternatives, including recycled water, conjunctive use of local storm and floodwater, and seawater desalting. Export curtailment is a reasonable alternative and must be investigated to meet the intent of CEQA and NEPA.
5. Placer County and the incorporated cities within Placer County have approved General Plans that reflect the current conditions and projected growth that also meets the Sacramento Area Council of Governments (SACOG) Blueprint conditions as the accepted balance of growth for the region's future. Numerous legal agreements that reflect those growth plans have been executed based on the assumed accessibility of the senior water rights and capabilities to deliver water during all types of years. The BDCP objectives and the environmental analysis are inconsistent with these adopted plans and agreements. If the BDCP water conveyance facilities are built as proposed in the draft EIR/EIS, it is likely to be very detrimental to the quality of life, economic vitality, and public health conditions of Placer County.
6. The effect of draining Folsom Reservoir would place Placer County in the position of using more groundwater than expected, where it is available in the western part of the County. The County has, for decades, relied upon the use of treated surface water for urban and suburban development, even in the western portion of the County and with the County's available water rights, anticipated that the County could continue to grow by primarily relying upon surface waters. The results of more groundwater use would be to overdraft the County's basin. In addition, other adjacent regional groundwater basins would also have to pump more groundwater, which would increase the likelihood of the potential for contaminated groundwater at the former McClellan AFB site to leak into Placer's healthy basin.
7. Missing from the list of impacts is 1) the loss of the Middle Fork American River Project's (MFP) ability to generate power during times required by the California Independent System Operator, such as peak times in summer, and 2) the loss of power revenues needed to ensure operations of the MFP are stable during low water years.

The County has coordinated the scope of its comments with other Placer County and American River watershed stakeholders, who will be submitting more detailed and/or technical comments. The County specifically incorporates by reference the comments submitted by the Placer County Water Agency on the BDCP Draft EIR/EIS. The County also reserves the right to reference any and all comments submitted by other Placer County and American River watershed stakeholders in subsequent Placer County correspondence on this matter.

Once again, Placer County appreciates the opportunity to provide comments on the draft EIR/IES. The County looks forward to working cooperatively with the Proponents, stakeholders, and regulatory agencies to resolve the County's concerns stated herein.

Sincerely,



Jack Duran, Chair
Placer County Board of Supervisors

cc. Placer County Board of Supervisors
Brett Storey, Senior Management Analyst

From: Beverly Roberts <BRoberts@placer.ca.gov>
Sent: Friday, July 25, 2014 11:46 AM
To: Ryan Wulff
Cc: David Boesch; Holly Heinzen; Michele Kingsbury; Allison Carlos; Brett Storey
Subject: FW: Placer County Comment on Draft Bay Delta Conservation Plan (BDCP) and associated BDCP Draft EIR/EIS...
Attachments: BDCP Comments RWulff 2014 July 22 JDuran BStorey br.pdf

Good Afternoon Mr. Wulff,

I accidently mistyped your e-mail address! So sorry!

Please see below and of course the attached.

Take care,

*Beverly A. Roberts
Executive Assistant to the CEO
Placer County Executive Office
175 Fulweiler Avenue
Auburn, CA 95603
(530) 889-4031
broberts@placer.ca.gov*

From: Beverly Roberts
Sent: Friday, July 25, 2014 11:36 AM
To: 'BCCP.comments@noaa.gov'
Cc: David Boesch; Holly Heinzen; Michael Johnson; Allison Carlos; Brett Storey
Subject: Placer County Comment on Draft Bay Delta Conservation Plan (BDCP) and associated BDCP Draft EIR/EIS...

Good Morning,

Please see the attached letter from Supervisor Jack Duran as approved by the Placer County Board of Supervisors and as noted above. The original has been placed in the USPS for delivery.

Respectfully,

*Beverly A. Roberts
Executive Assistant to the CEO
Placer County Executive Office
175 Fulweiler Avenue
Auburn, CA 95603
(530) 889-4031
broberts@placer.ca.gov*



July 21, 2014

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

Mr. Wulff:

I am the Mayor of the City of Kingsburg. I am writing to demonstrate that I support the goals of the Bay Delta Conservation Plan (BDCP). The San Joaquin Valley's economy and that of the state depend on water. Many of my constituents work in the Agriculture industry and our entire region is at a critical juncture.

I agree with the co-equal goals of securing reliable water supplies through a new Delta conveyance system, and restoring the Sacramento-San Joaquin Delta ecosystem. The Bay Delta Conservation represents the best opportunity to provide a long-term solution to California's water needs. I encourage the state and Federal governments to move this important plan forward.

Sincerely,

Chet Reilly
Mayor
City of Kingsburg

From: Chet Reilly <chet@payality.com>
Sent: Friday, July 25, 2014 1:44 PM
To: BDCP.comments@noaa.gov
Subject: Mayor of Kingsburg comments
Attachments: BDCP Letter of Support Kingsburg.pdf

Please see the attached letter regarding the draft BDCP and BDCP Draft EIR/EIS.

Chet Reilly
Mayor
City of Kingsburg
559-634-1001
chet@payality.com

From: Michael Seaman <michaeljseaman@gmail.com>
Sent: Friday, July 25, 2014 11:33 AM
To: BDCP.Comments@noaa.gov
Subject: Public comment letter on BDCP
Attachments: MyBDCPcommentltr.pdf

Enclosed is my comment letter on the BDCP. In a nutshell, fisheries agencies should reject the plan due to its failure to provide a financial commitment. The tunnels project is an environmental and economic disaster-in-waiting. There are better ways to manage California's water supply. Thank you for your attention to these comments.

--

Michael Seaman
Arden Arcade CA 95825
Energy efficiency 1st in the loading order.
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Ryan Wulff
NMFS 650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

July 25, 2014

RE: BDCP Comments

Dear Mr. Wulff:

NMFS and other state and federal agencies should refuse to issue permits that will allow the Bay Delta Conservation Plan (BDCP) and its ill-conceived twin tunnels to go forward. The BDCP is a blueprint for taking water from an already over-committed system with a wide variety of significant, adverse effects upon the Delta ecosystem, involved fisheries and the regional economy. Funding to implement the BDCP scheme is speculative. Despite the best efforts of the BDCP's proponents to keep the public at arms length from knowledge about those serious flaws, people are becoming aware and not liking what they see.

The fundamental problems with the BDCP are: the premise that removing most of the inflow to the Delta is somehow good for the Delta, San Francisco Bay, and fisheries (it isn't); the notion that water supplies are improved by the project (which provides no new water and creates winners among the takers and losers throughout the Delta); and the totally foolish idea that Californians are happy to pay billions upon billions of dollars (including possible rate increases and property tax hikes), despite the lack of secured financing for an expensive public works project for the essentially exclusive benefit of few Corporate Welfare Queens.

Before take permits can be issued under a habitat conservation plan, it must be shown that there is sufficient funding for all proposed activities, with identification of all financial contributors and planned allocation of funds. Beware of the Implementing Agreement that BDCP planners eventually submit, because they have not provided the public a reasonable amount of time to evaluate the funding proposal

before the close of the EIR/EIS comment period. This means all public comments are made on a plan for which there is no financing commitment.

The State and federal water contractors are adamant that the diversion tunnels should be built because they have spent a quarter of a billion dollars promoting it (via the draft BDCP and environmental documents) Yet the engineering for the actual tunnels is only 10% complete. This is a poor basis for estimating the cost of building the tunnels that are the centerpiece of the plan. Further, the emerging consensus among the state's water stakeholders, including purveyors at the receiving end, is that the project will wind up in court for years, if not decades (and perhaps even beyond the 50-year window of a "take" permit). That will add enormous costs at the risk of considerable uncertainty.

It is no surprise that water users that would be the beneficiaries of BDCP are balking at paying for a massively expensive project which does not guarantee more water. With the effects of prolonged drought now in plain sight, it is obvious to users that the tunnels will not result in a more reliable supply of less water, despite suspensions of water protections for fish and upstream users. Metropolitan Water District (MWD) member agencies in Southern California are seeking their own water supply alternatives. They could opt out of taking water from the state water project, resulting in MWD failing to meet its financial obligations to the BDCP. Similarly, agricultural users in the San Joaquin Valley have clarified that they will not be able to pay for the cost of water delivered by the tunnels. When contractors fail to meet their financial obligations for the project, taxpayers will get stuck with the bill. Taxpayers, particularly those who see no direct benefit from the project, will feel a strong aversion to participating. The speculative financing for the BDCP is thus a fatal flaw.

The water contractors have redefined ecosystem work as a public benefit in the hopes of getting someone else to pay for

the habitat restoration portions of the BDCP. They are looking to federal assistance and public bonds to cover the plan's habitat restoration (while overlooking the habitat destruction brought on by the infrastructure investments). There is no guarantee whatsoever that California voters will approve a water bond in 2014 or later years, or that any bond they might approve will include BDCP funding. Furthermore, it is highly doubtful that Congress will fund \$4 billion toward a habitat conservation plan for California as assumed by the BDCP.

The massive list of significant and unavoidable adverse impacts (Table 31-1 of the BDCP) is a clue that "habitat restoration" is a code word for an environmental disaster. It demonstrates that the 2009 Delta Reform Legislations' intent to protect the Delta as an evolving place (CA Water Code 85020(b)) is not met. California voters have proven over and over again they are reluctant to be stuck with the bill for large, expensive public works projects with questionable benefits, particularly projects that promise both environmental and financial mayhem.

The BDCP documents are supposed to enable the public to comment. But the documents are inadequate because the public is kept in the dark about how the scheme will be paid for and whether it can be implemented successfully. This does not make sense. Because the BDCP does not provide a financing commitment and since no one wants to pay for the boondoggle that is the BDCP, fisheries agencies should refuse to issue permits that would enable it to go forward.

Thank you for your attention to these comments.

Michael Seaman
Arden Arcade, CA

