yolo basin foundation

BDCP1663.

July 28, 2014

Secretary Jewell
United States Department of the Interior
Bureau of Reclamation
Mid-Pacific Region, Bay-Delta Office
801 I Street, Suite 140
Sacramento, CA 95814-2536

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

Re: Comments of Yolo Basin Foundation (YBF)
on the Public Draft EIR/EIS (EIR/S) of the Bay Delta Conservation Plan (BDCP)

Dear Secretary Jewell and Secretary Laird:

This letter provides comments of the Yolo Basin Foundation (YBF) and its Board of Directors on the BDCP EIR/EIS Public Draft. The Yolo Basin Foundation (http://www.yolobasin.org) is a non-profit organization dedicated to the appreciation and stewardship of wetlands and wildlife through education and innovative partnerships. YBF was founded in 1990 as a community-based organization to assist in the establishment of the Yolo Bypass Wildlife Area. We are universally credited with being the driving force behind the partnership that created the Yolo Bypass Wildlife Area (YBWA). Our most significant partnership is with the California Department of Fish & Wildlife, who owns and manages the YBWA. Yolo Basin Foundation continues as the communication link between many people and organizations involved in creating wetlands and managing the land in the Yolo Bypass. In recognition of its role as an informed communication and relationship facilitator, the Legislature specifically designated an ongoing governance role (non-voting) for YBF In its Delta Conservancy enabling legislation.

YBF's Comments are intended primarily to correct deficiencies, defects and omissions in the Public Draft that will improve its final version. YBF is particularly concerned to point BDCP consultants and drafters to publically available information developed over many years that may have been overlooked or dismissed. YBF understands that the BDCP is a programmatic level document and that the Resources Agency has committed to involving stakeholders including YBF in the development of project specific plans for actions described in BDCP and specifically Conservation Measure 2, Yolo Bypass Fisheries Enhancement (CM2). Nevertheless, YBF believes that an accurate and informed BDCP programmatic document that fully considers locally derived bottom-up perspectives is an important element of a successful conclusion for the BDCP process.

Thank you for consideration of our views.

Sincerely and respectfully,

PETER BONTADELLI
Board Chair

ROBIN KULAKOW
Executive Director

BDCP 1663

**Comments of Yolo Basin Foundation (YBF)
on the Public Draft of the Bay Delta Conservation Plan (BDCP) and the
Public Draft of the BDCP EIR/S**

The BDCP EIR/S is a massive document that is difficult to wade through without an army of consultants and analysts. We have done our best to make Comments on the EIR/S, with references to page and line numbers. Those comments can be found beginning on 23.

Pages 2-22 of this document contain the Comments YBF is submitting on the BDCP Public Draft. The substance of the BDCP Comments pertain to both documents (BDCP and BDCP EIR/S). However, the chapters, pages, and line numbers in the EIR/S are obviously different. Due to lack of time and the enormity of the task we were not able to provide the different EIR/S page and line number references for the comments on pages 2 through 22. That task will have to wait for another time.

Please refer to page 23 for comments on the EIR/S that are page-specific to that document. Additionally we are including by reference the Yolo County comments on the BDCP EIR/S that pertain specifically to the Yolo Bypass Wildlife Area.

Overview of YBF Comments

Review of the thousands of pages of the BDCP has been challenging. Given the volume of BDCP material, the availability of comprehensive Yolo Bypass materials, and the high profile of the Yolo Bypass Wildlife Area, we are puzzled by the superficial description of the habitat values of the Yolo Bypass in general and the Yolo Bypass Wildlife Area (YBWA) in particular, especially in Chapter 2, "*Existing Ecological Conditions*." Chapter 3 *Conservation Strategy* is riddled with inaccuracies, errors, confusion and ambiguity, beginning with the problem that the language describing protected lands in Chapter 3 is ambiguous and very confusing. The effects analysis in Chapter 5, "*Effects Analysis*," is disappointingly and unacceptably vague when the Yolo County agriculture model, Yolo Bypass Wildlife Area Land Management Plan, and waterfowl analysis all provide enough supporting information for a more thorough analysis.

The programmatic level mapping of modeled habitat on conservation lands contains significant errors that could have been more accurate had the readily available local sources published by YBF and Yolo County been consulted (For example, Chapter 3, part 2 maps on modeled habitat on conservation lands). The apparently systematic omission, dismissal and exclusion of the YBF and Yolo County materials would be an abuse of discretion if perpetuated in the final BDCP document. While we concur with much of the programmatic description of CM2, we are concerned that the failures which we describe in more detail below will undercut the efficacy of the CM2 proposal.

YBF comments will focus on descriptions and actions that will directly impact the Yolo Bypass Wildlife Area in Chapters 2, 3 and 5. YBF's comments on specific text in the public draft of BDCP should be read to apply to all substantially similar text appearing in the document. YBF reserves the right to provide additional comments on BDCP as work on it continues.

YBF supports the actions described in the February 25, 2014 letter (attached) from Secretary Laird to the Yolo County Board of Supervisors that commits to flexibility in development of the project level actions to implement CM2 to protect existing land uses. Significantly this letter recognizes that late season flooding is of the greatest concern to Yolo County, which YBF agrees with. The programmatic document should explicitly acknowledge this approach and commitment to the structuring of subsequent project-level activities with full input from local stakeholders.

The Yolo County draft BDCP comment letter is available on the website of the Yolo County Board of Supervisors and was presented in draft form to the Board on July 15, 2014. Please refer to Item 43:http://yoloagenda.yolocounty.org/agenda_publish.cfm?dsp=ag&seq=293 The draft BDCP letter is Attachment B on the website. By reference please include the county letter and attachments including the February 25th letter from Resources Secretary Laird and the Draft Technical Memorandum on Potential Fish Benefits of Yolo Bypass Fish Habitat Proposals.

Yolo Basin Foundation contribution to stakeholder outreach and engagement for BDCP

As a stakeholder with considerable experience in the evolution of land uses in the Yolo Bypass, especially the 16,800-acre Yolo Bypass Wildlife Area, YBF has worked hard to furnish BDCP consultants and agencies with information and experiential resources to assist in informed, reasoned decision-making. YBF appreciates the effort made by the Resources Agency to involve Yolo Bypass stakeholders in the development of Conservation Measure 2, Yolo Bypass Fisheries Enhancement (CM2) through the Yolo Bypass Fisheries Enhancement Planning Team (YBFEPT). YBF has participated fully in the forum created by the YBFEPT. In addition YBF has enhanced stakeholder communication by facilitating numerous Yolo Bypass Working Group[1] meetings that provided an opportunity for dialogue with BDCP staff and the entire Yolo Bypass stakeholder community. YBF has also provided an additional forum to provide additional discussion for agency staff and a wide-ranging group of stakeholders by co-sponsoring the Lower Yolo Bypass Planning Forum with the Delta Protection Commission. YBF has also contributed in furthering stakeholder communication as a member of the Delta Conservancy Board of Directors and the Yolo County Water Resources Association Technical Advisory Committee. YBF board and staff have participated in countless field trips to the Yolo Bypass Wildlife Area and other parts of the Yolo Bypass to assist elected officials, agency staff and water contractors in gaining an on-the-ground understanding of functions of the Bypass and how flood protection, agriculture, managed wetlands and public use are successfully co-existing under current operations.

YBF has also provided valuable information to agency staff and consultants by making the Yolo Bypass Management Strategy (the Strategy) and the Yolo Bypass Wildlife Area Land Management Plan (the Management Plan) easily available at www.yolobasin.org. These documents, developed through inclusive stakeholder processes over many years, address many of issues that BDCP also attempts to address in CM2. They are incorporated by reference in these Comments. The BDCP must take them into account in describing and assessing existing and proposed management regime for *managed* wetlands, which for purposes of the BDCP is defined as a natural community.

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[1] The Yolo Basin Foundation initiated the Yolo Bypass Working Group in 1998 under a CALFED Ecosystem Restoration Grant. Participants include landowners (farmers, ranchers, duck hunters), Department of Water Resources, Central Valley Flood Protection Board, CA Department of Fish and Wildlife, US Fish and Wildlife Service, Natural Resources Conservation Service, Dixon and Yolo Resource Conservation Districts, Sacramento Area Flood Control Agency, Yolo County, City of West Sacramento, City of Davis, California Waterfowl Association, Ducks Unlimited, Sacramento Yolo Mosquito Vector Control District, American Rivers and others. The 2000 Governor's Environmental and Economic Leadership Award was presented to YBF in recognition of the Yolo Bypass Working Group for outstanding contributions in the area of environmental restoration and rehabilitation.

YBF and Yolo County collaborate to address the lack of base line data about land use in the Yolo Bypass

Early in the development of the BDCP, YBF voiced concern that plans were being formulated without basic baseline information on existing land uses. We worked with Yolo County staff and the Yolo County Board of Supervisors to address this deficiency. As far as we know this is the first time in the many years of Delta planning that local government and stakeholders pro-actively took on the task of developing, funding and carrying out independent studies with the goal of contributing data and ideas for mutually acceptable outcomes to address Delta issues.

Yolo County is doing an excellent job of providing impressive levels of technical information on important Yolo Bypass stakeholder issues including an agriculture economic assessment tool, infrastructure documentation and proposed solutions to improve drainage and water supply, a waterfowl energetics model, an independent review of fisheries studies, and hydraulic model review and development. YBF worked closely with the County on development of the studies' scope of work and in acquiring data through communication with Yolo Bypass farmers, wetland managers and conservation organizations to assist the study teams in collecting on the ground information from the people who know the Bypass best. The studies make a unique pro-active contribution to the development the data that should inform the completed BDCP. These documents are available on the Delta e-library webpage on the Yolo County website. From the numerous errors and omissions detailed below, it is clear that the BDCP programmatic document fails to take them into account.

Mitigation of effects of CM2 on existing land uses including managed wetlands in the Yolo Bypass is missing

YBF recognizes that the BDCP is a programmatic document. Mitigation of CM2 effects, is not described in this draft of the BDCP, although verbally committed to at meetings by responsible state and federal officials. The BDCP needs to recognize that the existing managed wetlands and their management regimes, and cultivated lands, are currently providing habitat for covered species. Mitigation of impacts to these lands, including existing management practices and regimes, must be specifically and formally acknowledged in the final BDCP document. This includes specifically impacts on existing management practices and routines for *managed* wetlands.

There may be an implied assumption in **Objective MWNC1.1 (Page 3.4-100, Table 3.4.3-5)** that impacts to existing managed wetlands in the Yolo Bypass can be mitigated for by creating new managed wetlands outside the Bypass. The same assumption may be implied for mitigation due to loss of cultivated land in the Bypass. YBF is concerned that there is not enough available acreage either in the plan area or adjacent to it to provide for the large scale mitigation (i.e. creation of new wetlands or protection of cultivated land that will be needed) Therefore, it is important to avoid the situation where existing cultivated land is taken out of production in order to create managed wetlands for mitigation purposes. We all lose if this conflict (trading off existing cultivated land for new managed wetlands) remains unresolved in implementation of CM2, because cultivated land is often habitat for protected species.

There must be a clear set of goals and objectives in the BDCP that commits to **minimizing CM2 impacts to current land uses on existing conservation lands and managed wetlands in the Yolo Bypass** including managed wetlands, grasslands, cultivated land, non-tidal perennial aquatic habitats and public use. It is equally important that impacts to managed wetlands in the Yolo Bypass not be mitigated by purchasing easements on land already owned in fee by the CDFW. This tactic would result in a significant net loss of conservation lands and especially managed wetlands in the Yolo Bypass Wildlife Area.

YBF suggests the following language for two goals and one objective for CM2:

Goal: *Minimize impacts to managed wetlands and cultivated lands in the Yolo Bypass so as to reduce the need for mitigation in or adjacent to the plan area.*

Goal*: No degradation of terrestrial conditions in the Yolo Bypass for covered species and other wetland dependent species.*

Objective: *Implement covered activities so as not to result in degradation of current conditions for covered terrestrial species and other wetland dependent species, and not to result in net loss of managed wetlands.*

Incomplete or Incorrect Description of the Yolo Bypass and Yolo Bypass Wildlife Area.

Chapter 2 – Existing Ecological Conditions;

Comment: Descriptions of managed wetlands in Chapter 5 are inconsistent with descriptions on Pages 2-18, 2-80, 2-95. The description of the managed wetlands in the Yolo Bypass does not adequately describe the multiple habitat benefits. All descriptions of managed wetlands should include the multiple species that benefit from them. Refer to:

The Yolo Bypass Wildlife Area Wildlife Area Land Management Plan (June 2008) Section 5.2.1 Biological Elements states that there are opportunities to manage for nine sub-elements of species guilds that include waterfowl, shorebirds and wading birds, upland game species, raptors, cavity-nesting birds, neo-tropical birds, other water bird species and special-status species. The management is based on Moist Soil Best Management Practices.

Chapter 3 is riddled with errors relating to the Yolo Bypass and the Yolo Bypass Wildlife Area that can be avoided by referring to and utilizing existing management documents and studies.

Chapter 3 *Conservation Strategies* is substantially deficient in its consideration of the Yolo Bypass and the Yolo Bypass Wildlife Area. The chapter's treatment of these lands and land uses – both descriptive and prescriptive -- appears to be built around a pre-conceived solution, large-scale modification of the Fremont Weir, in search of problem that may not exist if the facts are objectively laid out and considered. Chapter 3 of the final document should accurately reflect existing studies, programs, management regimes their legal and statutory bases. The Public Draft does not.

BDCP species accounts document the importance of the combination of rice fields and wetlands to the giant garter snake and other covered species, as well as migratory waterfowl. The state and federal government, acting pursuant to international treaties and statutory programs of equal dignity and authority with the Endangered Species Act (ESA) have, through the Central Valley Joint Venture and other efforts, spent millions of dollars creating wetlands over the past decade or more in the Yolo Bypass to comply with these requirements. YBF is concerned about the potential impacts of CM2 on existing Yolo Bypass wetlands and therefore important terrestrial species habitat, including giant garter snake and migratory waterfowl habitat. These issues are wholly unaddressed in the Public Draft document. The failure to address them in the final document would be an abuse of discretion.

Yolo Bypass is both a Terrestrial Corridor and an Aquatic Corridor whose unique character must recognized and accounted for

The Public Draft fails to acknowledge the role of the Yolo Bypass and Yolo Bypass Wildlife Area as important corridors for both terrestrial and aquatic species. This is a pervasive error in the BDCP document. Examples include:

(1) Page 3.2-25 Table 3.2-3 Landscape Linkages and the following section Page 3.3-8, Objective 1.3.1 and Page 3.3-46 3.3.5.3, lines 24-27, Fish and Wildlife Movement

Comment: The Yolo Bypass provides for linkages for managed wetlands, alkali seasonal wetlands, grasslands, and riparian habitat that provide habitat for covered terrestrial species including giant garter snake, Swainson's hawk, least Bell's vireo, tri-colored blackbirds and white-tailed kites. It also provides a linkage with Cache Creek, Willow Slough Bypass, and Putah Creek.

Question: Why is the Yolo Bypass categorized as solely an aquatic corridor in Table 3.2-3? It would appear that this characterization is at odds with all of the facts.

(2) Page 3.3-8, Objective 1.3.1 states as an objective:

> Protect and improve habitat linkages that allow terrestrial covered and other native species to move between protected habitats within and adjacent to the Plan Area.

Question: Why isn't the Yolo Bypass and the YBWA explicitly acknowledged as a suitable place for Objective 1.3.1?

(3) Chapter 3, pages 3.2-17-18 states:

Section 3.2.4.2.1 Reserve System Assembly Principles, page 3.2-x, Lines 20-21

Maximize connections between reserves and with existing conservation lands in and adjacent to the Plan Area. Where feasible, build off of existing conservation lands and management systems to increase management efficiency, connectivity, and patch size.

Page 3.2-18, lines 18-19

Juxtapose restored habitats with existing habitats to improve and maintain habitat corridors and connectivity among covered species habitats.

Question: Why isn't the Yolo Bypass and the YBWA explicitly acknowledged as meeting these principles and objectives?

(4) Page 3.3-46 3.3.5.3, lines 24-27, Fish and Wildlife Movement states:

> Goal L3 and its associated objectives address protection of fish and wildlife movement within the reserve system. This goal is met for wildlife through acquisition of lands to assemble an interconnected reserve system (CM3 Natural Communities Protection and Restoration) and through enhancement of acquired lands to increase the ability for wildlife to move through these areas.

Question: Why aren't existing conservation lands such as the Yolo Bypass Wildlife Area explicitly included in the interconnected reserve system for Goal L3?

Definition of reserves vs wildlife areas is unclear

Chapter 3 pages 3.2-13-14 Section 3.2.4 Terrestrial Species…, lines 4,5 and 1,2,3 states:

> The terrestrial resources component of the conservation strategy comprises a comprehensive set of actions that protects existing functioning natural communities, restores new areas of specific natural communities, enhances the function of degraded natural communities for covered species habitat, establishes long-term management of geographically distributed reserves, and establishes monitoring and adaptive management to measure and ensure success of the conservation strategy.

Question: How does the Yolo Bypass Wildlife Area (YBWA) fit into the "geographically distributed reserves" system described in line 2?

Question How would O&M on "geographically distributed reserve" lands be funded?

Question How would O&M on "geographically distributed reserves" be coordinated with existing conservation lands including the YBWA?

Answers to these questions should be provided in the final programmatic BDCP document; a failure to do so could undermine project-specific implementation of mitigation measures by affecting timing, extent and inter-relationship of the projects and the existing land uses affected by CM2.

Page 3.2-20 Table 3.2-2 line 12

Question: Is the Yolo Bypass Wildlife Area classified as a Type 2 Conservation Land?

This should be clarified.

Goals and Objectives for managed wetlands are weak and unclear

A. General Comment The Yolo Bypass is the primary focus of CM2. It is already the subject of several comprehensive management plans developed under international treaty and under federal and state laws. The BDCP programmatic document fails to address the following questions, which must be answered in any final document.

Question: How do the goals/objectives for managed wetlands, and impacts on existing management regimes, affect goals/objectives of the Central Valley Joint Venture Management Plan?

Question: How do the goals/objectives for managed wetlands, and impacts on existing management regimes, affect goals/objectives of the Yolo Bypass Wildlife Area Land Management Plan?

Question: How do the goals/objectives for managed wetlands, and impacts on existing management regimes, affect goals/objectives of the North American Wetlands Conservation Act and the long term commitments made by the grantees and cooperators who received millions of dollars in NAWCA grants to create managed wetlands on the Yolo Bypass Wildlife Area and on thousands of acres of privately owned land?

Question: How do the goals/objectives for managed wetlands, and impacts on existing management regimes, affect goals/objectives of the thousands of acres of privately owned land on which millions of dollars in funding through NRCS and USFWS wetlands programs were used?

B. Specific Comments related to weak and unclear goals and objectives statements

YBF's comments regarding weak and unclear goals and objectives, and the facts underpinning goals and objectives statements, applies to numerous sections throughout Chapter 3 including

(1) Page 3.4-100, Table 3.4.3-5.

Examples of Restoration Projects Implemented in and around the Plan Area, Sorted by Primary Natural Community, which states:

> **Objective MWNC1.1: Protect and enhance 8,100 acres of managed wetland, at least 1,500 acres of which are in the Grizzly Island Marsh Complex.**

Question: What does this objective mean? Where would the 6600 acres that are not located in the Grizzly Island Marsh Complex be protected and enhanced? Are any of these 6600 acres of managed wetlands meant to mitigate for losses to managed wetlands in the Yolo Bypass?

Question: Does the BDCP consider Grizzly Island, located in the brackish waters of the San Pablo Bay, to be equivalent to freshwater managed wetlands in the Yolo Bypass and the YBWA?

(2) Page 3.3-51 Table 3.3-2 Expected Extent of Conserved Natural Communities in Plan Area with BDCP Implementation

Managed wetlands protected under BDCP	**8100 acres,**
restored by BDCP	**500 acres,**
Total conserved by BDCP	**8600 acres.**

Question: Do these acreages include wetlands restored by BDCP to mitigate for impacts to managed wetlands in the Yolo Bypass, including the YBWA as a result of CM2 implementation?

(3) Page 3.3-13 states:

> Goal MWNC1: Managed wetland that is managed and enhanced to provide suitable

habitat conditions for covered species and native biodiversity.

Comment: The same questions apply to the managed wetlands goals/objects on the following pages starting at 3.3-83 through 3.3-290

Pages 3.3-83-84, Section 3.3.6.9 Managed Wetlands state:

> Goal L2: Ecological processes and conditions that sustain and reestablish natural communities and native species.
> • Objective L2.6: Increase native species diversity and relative cover of native plant species, and reduce the introduction and proliferation of nonnative species.
>
> Goal MWNC1: Managed wetland that is managed and enhanced to provide suitable habitat conditions for covered species.
> • Objective MWNC1.1: Protect and enhance 8,100 acres of managed wetland, at least 1,500 acres of which are in the Grizzly Island Marsh Complex.

Comment: This is a particularly weak set of goals and objectives considering that there are thousands of acres of existing managed wetlands that benefit covered species and that will be subject to losses as the result of CM2 activities. The weakness is further compounded by the fact that this same set of goals/objectives is used to meet goals/objectives for recovery of terrestrial species including Swainson's hawks page 3.3-255, lines 12-19; white-tailed kites, page 3.3-277 lines 6-13; and western pond turtles, pages 3.3-289 line 23 and 3.3-290, lines 1-8.

Question: Why are there only 2 objectives related to protecting and enhancing managed wetlands when there are thousands of acres of this natural community in the plan area?

Question: Do these objectives apply to wetlands that are to be restored to mitigate for losses to existing managed wetlands (i.e. CM2 in the Yolo Bypass)?

(4) Giant Garter Snake

Page 3.4-195, Section 3.4.10.2 Implementation, 3.4.10.2.1 Restoration Actions- Non tidal marsh, lines 12-13 state:

> The Implementation Office will create 1,200 acres of non-tidal marsh in three conservation zones. The restored non-tidal marsh will consist of two blocks: 600 acres in Conservation Zone 2 outside the Yolo Bypass.

Questions: Will the 600 acres of non-tidal marsh and associated wetlands to serve as giant garter snake habitat. Will the non-tidal marsh be considered managed wetlands? Will they be part of the Yolo Bypass Wildlife Area?

Questions What giant garter snake population is this action mitigating for?

Questions If the 600 acres takes agricultural land out of production will this loss be mitigated?

No degradation on managed wetlands and cultivated lands in the Yolo Bypass must be a specifically stated goal

Page 3.3-162, lines 17-25 state:

Goal FRCS3: No degradation of aquatic habitat conditions for fall-run/late fall–run Chinook salmon upstream of water facilities.

• Objective FRCS3.1: Implement covered activities so as to not result in a degradation of current habitat conditions for fall-run/late fall–run Chinook salmon (e.g., spawning sites, rearing sites, migration corridors) upstream of the Plan Area.

Objective FRCS3.2 Rationale: See rationale for Objective WRCS3.2 for general rationale for this objective.

Implementing covered activities in a way that will support a wide range of life-history strategies (i.e. early migrants as well as later migrants) without favoring any one particular life-history strategy will ensure that the BDCP contributes to a diversity of conditions that supports greater genetic diversity.

Comment: A similar goal and set of objectives should be written for managed wetlands and cultivated lands already existing in the Yolo Bypass Wildlife Area since there are covered species that use the area. Similar language should be used for covered species benefitting from established conservation lands in the Yolo Bypass. A similar rationale would be appropriate.

For example, the final document should contain this language:

> **Goal**: *Implement covered activities in a way that will support a wide range of life-history strategies without favoring any one particular life-history strategy will ensure that the BDCP contributes to a diversity of conditions that supports greater genetic diversity of both aquatic and terrestrial species.*
>
> **Goal**: *No degradation of habitat conditions for terrestrial species benefitting from habitat in the Yolo Bypass.*
>
> **Objective**: *Implement covered activities so as to not result in a degradation of current habitat conditions for covered aquatic and terrestrial species.*
>
> **Objective Rationale**: *Implementing covered activities in a way that will support a wide range of life-history strategies without favoring any one particular life-history strategy will ensure that the BDCP contributes to a diversity of conditions that supports greater genetic diversity of both aquatic and terrestrial species.*

Figures in Chapter 3 contain errors and rely on old or incorrect data sources.

The Public Draft is riddled with factual errors and omission of available correct data. Examples include:
(1) Figures 3.2-10 through 3.2.11 do not represent the correct habitat on the ground in the Yolo Bypass Wildlife Area. They do not use the more recent maps that are contained in studies that were used for reference in this document. The Ducks Unlimited Waterfowl Analysis and the Yolo County Agriculture Impact Study both have accurate maps that could be used in Figures 3.2-10, 3.2-11 and 3.2-12. Google maps also show up to date habitat in the Yolo Bypass. This must be corrected.

(2) Figure 3.2-10 Managed Wetland Natural Communities

Question: Why were several thousand acres of managed wetlands left off of the south (Tule Ranch) portion of the Yolo Bypass Wildlife Area?

Comment: The managed wetlands that are missing on the map were restored by Ducks Unlimited and California Waterfowl for CDFW, using North American Wetlands Conservation Act grants beginning in 2008. An accurate map can be found in the Ducks Unlimited Waterfowl Analysis. This must b corrected.

(3) Figure 3.2-11 Grassland Natural Communities
Question: Why were several thousand acres of grasslands left off of the south (Tule Ranch) portion of the Yolo Bypass Wildlife Area? This must be corrected.

(4) Figure 3.2-12 Cultivated Lands
Question: Do cultivated lands include managed wetlands and grasslands on the south (Tule Ranch) portion of the Yolo Bypass Wildlife Area?

Comment: Figures 3.2-10-11-12 are confusing. It appears from the document that cultivated lands are overlaying managed wetlands, grasslands, and pasture on the south (Tule Ranch) portion of the Yolo Bypass Wildlife Area. This must be corrected.

Question: What maps, GIS layers or photos were used to map out these 3 communities?

(5) The YBWA is missing in Table 3.4.3-5 under non-tidal wetlands, Page 3.4-100, Table 3.4.3-5. Examples of Restoration Projects Implemented in and around the Plan Area, Sorted by Primary Natural Community

Question: Why isn't the Yolo Bypass Wildlife Area listed under non-tidal wetlands?

Comment: About 7,000 acres of seasonal, semi-permanent and permanent managed wetlands have been restored beginning in 1994.

(6) Page, 5-4-35; 5.4.9 Managed Wetland, Lines 18-19 states:
There are 70,698 acres of managed wetlands in the Plan Area, 71% (49,999 acres) of which

are in Suisun Marsh (Conservation Zone 11), and the remainder of which are distributed throughout the Plan Area in all conservation zones.

Question: How many acres of managed wetlands are in Conservation Zone 2?

(7) Inconsistent descriptions of lands available as habitat for certain ESA-significant species:

Swainson's hawk Page 3.3-255, lines 11-19 state:

Goal MWNC1: Managed wetland that is managed and enhanced to provide suitable habitat conditions for covered species and native biodiversity.

• Objective MWNC1.1: Protect and enhance 8,100 acres of managed wetlands at least 1,500 acres of which are in the Grizzly Island Marsh Complex.

• Objective MWNC1.1 Benefits: Achieving this objective will protect and enhance 8,100 acres of managed seasonal wetlands. In addition to supporting wetland elements resulting from seasonal flooding to support wintering waterfowl, this natural community provides Swainson's hawk foraging habitat and is part of the overall foraging landscape. Managed wetlands include upland grassland components and also dry during the spring and become available to foraging Swainson's hawks as prey species recolonize the field. Protection of this natural community will contribute to the conservation of Swainson's hawk habitat.

White-tailed kite Page 3.3-277, lines 17-13 state:

Goal MWNC1: Managed wetland that is managed and enhanced to provide suitable habitat conditions for covered species and native biodiversity.

• Objective MWNC1.1: Protect and enhance 8,100 acres of managed wetland, at least 1,500 acres of which are in the Grizzly Island Marsh Complex.

Objective MWNC1.1 Benefits: Achieving this objective will protect and enhance 8,100 acres of managed seasonal wetlands. In addition to supporting wetland elements resulting from seasonal flooding to support wintering waterfowl, this natural community provides white-tailed kite foraging habitat and is part of the overall foraging landscape. Managed wetlands include upland grassland components and also dry during the spring and become available to foraging white-tailed kites as prey species recolonize the field. Protection of this natural community will contribute to the conservation of white-tailed kite habitat.

Comment: The descriptions of managed wetlands to benefit Swainson's hawk and white-tailed kites are similar. The description of managed wetlands to be enhance western pond turtle habitat (below) seems to say that managed wetland enhancement will focus on highly degraded areas….. Does this apply to another set of enhanced managed wetlands?

Page 3.3-290, lines 1-7 states:

Objective MWNC1.1 Benefit: Achieving this objective is expected to benefit the western pond turtle by enhancing habitat for the species. Portions of the 8,100 acres of protected and enhanced managed wetlands most likely to benefit the species include permanent water areas that are enhanced for breeding waterfowl (primarily on the 6,600 acres protected specifically for waterfowl) and those upland areas where cover is enhanced in areas that support only bare ground or invasive species prior to enhancement. Protection and enhancement of

managed wetlands to meet this objective will focus on highly degraded areas to provide the greatest possible level of enhancement benefit to the managed wetland natural community and associated native species.

(8) Uncoordinated approach to split-tail habitat outside the Yolo Bypass, as well as channel margins and floodplain terraces.

"The importance of improving channel margins and floodplain terraces relative to the need to flooding the Yolo Bypass for split-tail needs to further be explored. CM2 currently proposes split-tail flooding the Yolo Bypass once every five years if flooding does not occur naturally. This flooding, even if once every five years, could have a significant impact on agriculture and terrestrial species habitat in the Yolo Bypass. If flooding in the Yolo Bypass for split-tail is necessary, flooding should focus on a small area in the lower Yolo Bypass and should not result in upper Bypass inundation unless flooding occurs naturally." (from Yolo Co. draft BDCP comments posted online)

Use of Yolo Bypass to transport water downstream of north Delta Intakes is unclear

Chapter 3, Page 3.2-8, Section 3.2.3.1 Water Facilities, lines 32-33 states:

The conservation measures also include actions to improve flows through the Yolo Bypass floodplain (CM2 Yolo Bypass Fisheries Enhancement), ensure sufficient water for fish transport in the Sacramento River downstream of the north Delta intakes (CM1 Water Facilities and Operation)

Question: Are these flows in addition to the 3,0000 – 6,0000 and up to 8,000 cfs recommended in CM2 for passage of young salmonids through a modified Fremont Weir and onto the floodplain?

Descriptions of managed wetlands and public use at the Yolo Bypass Wildlife Area are incomplete

(1) Page 3.4-48, Section 3.4.2.3.2 Yolo Bypass Fisheries Enhancement Plan and EIR/EIS,

Comment: line 18: add public use.
Comment: Line 26-17 add managed wetlands, wildlife viewing, and environmental education.

(2) Compliance of Page 3.4-49,Lines 23-24 state:
Identify applicable BDCP biological objectives, performance goals, and monitoring metrics. Demonstrate plan compatibility with the flood control functions of the Yolo Bypass as well as habitat management, agricultural uses, and waterfowl use and hunting.

Comments: Lines 23-24 Add managed wetlands, non-consumptive public use activities such as wildlife viewing and environmental education.

(3) Page 3.4-53 line 46 ….accommodate other existing land uses (e.g., wildlife, public, recreation, and agricultural use)

Comment: Edit to say (e.g. managed wetlands, agriculture, public uses including hunting, fishing, wildlife viewing, and environmental education)

(4) Page 3.4-54 Operations Scenarios,Line 36 states: management for agriculture, waterfowl, wetlands, and fish.

Comment: Edit to say management for flood control, agriculture, managed wetlands, aquatic habitat and non consumptive public use.

Comment: Include: "Operations will be conducted so as to minimize impacts to flood control, agriculture, managed wetlands and non-consumptive public use."

(5) Page 3.4-53 Component Project 19: Yolo Bypass Modifications to Direct or Restrain Flow.

Comment: Add reference to including projects described in the Yolo Bypass Drainage and Infrastructure Study (2014)

BDCP should implement drainage and water infrastructure improvements identified in Yolo County's 2014 study, *Yolo Bypass Drainage and Water Infrastructure Improvement Study*, to provide greater management flexibility for the Yolo Wildlife Area."

Goals/Objectives for mitigation of impacts to managed wetlands and public use are missing.

(6) Page 3.4-55 , Line 43 states: The reduction in rice production will be offset through restoration or protection of rice land or equivalent-value habitat at a 1:1 ratio.

Question: Why aren't there similar commitments for mitigation for losses associated with Operations Scenarios for the Fremont Weir on other covered species, managed wetlands and public use? The final document should add commitments to mitigate losses to other functions and uses including managed wetlands and non-consumptive public use.

Remove specific dates and acreages relating to operations following Fremont Weir modification from this programmatic document

This is supposed to be a programmatic document. However, in the specific instance of the proposed Fremont Weir modification, project specific directives creep in. They should be removed. Examples include but are not limited to:

(1) Page 3.4-57 Table 3.4.2-1 Potential Operations Pattern for Fremont Weir Gated Channel and other Considerations

Comment: Remove specific flooding dates and acreage amounts associated with CM2 Refer to Secretary Laird's February 25th letter to Yolo County indicating the programmatic CM2 will not dictate the outcome of the project-level planning process." This comment also applies to **Page 3.4-52, Component Project 12 Water Supply Improvement for Yolo Bypass Wildlife Area, lines 19-26, Line 24 subsidy of Yolo Bypass Wildlife Area pumping costs or procurement of additional water from western tributary sources.**

(2) Page 3.4-52, Component Project 12 Water Supply Improvement for Yolo Bypass Wildlife Area, lines 19-26 statets:

Line 22: by reducing reverse flows in the Toe Drain
Comment: Delete the above phrase, as this action should be decided through the collaborative process established for project specific projects in the YBFEP.

(3) Line 24 subsidy of Yolo Bypass Wildlife Area pumping costs or procurement of additional water from western tributary sources.
Comment: Substitute other sources in place of western tributary sources.

Funding Reliability is not addressed

Page 3.4-52, Line 25 How will BDCP guarantee that there will be enough funding to organize the YBFEPT as well as mitigation and long term O&M for projects in the Yolo Bypass?

Compliance monitoring of impacts to agricultural lands and managed wetlands

Page 3.4-60 Compliance Monitoring

Comment: Compliance monitoring should be done on commitments made regarding flood control, agriculture, managed wetlands and both consumptive and non-consumptive public use.

YBF will continue to participate

Page 3.4-60, Lines 28-32 YBF plans to continue as an active participation with the implementing entity including but not limited to the YBFEPT. Implementation of CM2 should be done in coordination with the Central Valley Flood Control Plan, Central Valley Joint Venture Management Plan and the Yolo Bypass Wildlife Area Land Management Plan.

Chapter 5 – The Effects Analysis is Incomplete and Flawed, in art because it fails to take account of or respond to recent analyses

YBF is particularly concerned about a superficial and misinformed effects analysis, that appears to be unaware of, or ignore, substantial information about existing uses and management regimes for managed wetlands in the Yolo Bypass. The failure to take this information into account and address the management issues would be an abuse of discretion if it were to be perpetuated into the final version of the BDCP.

Inadequate effects analysis regarding Yolo Bypass lands and operations

The Public Draft states at Page 5.4-36; 5.4.9.1.2 Periodic Inundation Lines 10-15 state:

> Yolo Bypass Operations
> Publicly and privately owned managed wetlands in the Yolo Bypass are primarily managed to provide recreational opportunities for the viewing and hunting of overwintering waterfowl, which are primarily dabbling ducks (95% of waterfowl in the Delta are dabbling ducks). Publicly owned managed wetlands in the bypass also provide viewing opportunities for other migratory bird species, including shorebirds and raptors.

Comment: This is an over simplified, dismissive description that does not use the many sources of information available regarding the potential impacts of CM2 on managed wetlands on public and private conservation land in the Yolo Bypass. It specifically fails to acknowledge educational programs for area primary and secondary schools; research activities for area universities; hiking and wildlife viewing of species such as bats; and agriculture. It ignores the many hours of discussion at the more than 23 meetings of the Yolo Bypass Fisheries Enhancement Planning Team where a majority of the conversations and presentations were about the potential effects of an increase in the frequency and duration of flooding on existing management of managed wetlands due to modifications to the Fremont Weir. The information presented at these meetings can be accessed on the Bay Delta Conservation Plan website: http://baydeltaconservationplan.com/PlanningProcess/BDCP/WorkingGroups/WorkingGroup-YoloBypass.aspx

The following statements are similarly misinformed:

Page 5.4-36, Lines 21-24 state:

> All three types of managed wetlands (seasonal, semipermanent, and permanent) are filled with water in the fall to "hunt" or "shoot" water levels. Water levels on seasonal wetlands are managed to maximize to foraging depths for dabbling ducks. Dabbling ducks can forage at depths no greater than 18 inches and prefer depths less than 10 inches.

Page 5.4-36, Line 22 states:
"water in the fall to "hunt" or "shoot" water levels."

Comment: This dismissive statement ignores the complexities of modern day ecosystem based wetland management. Language from the *The Yolo Bypass Wildlife Area Land Management Plan (June 2008)* should be included:

Comment: *The Yolo Bypass Wildlife Area Wildlife Area Land Management Plan (June 2008) Section 5.2.1 Biological Elements* states that there are opportunities to manage for nine sub-elements of species guilds that include waterfowl, shorebirds and wading birds, upland game species, raptors, cavity-nesting birds, neotropical birds, other waterbird species and special-status species. The management is based on Moist Soil Best Management Practices.

Section 5.2.4 of the Land Management Plan, Authorized-public Use Element states that opportunities for public uses at the Yolo Bypass Wildlife Area include hunting, angling, walking, vehicle touring for wildlife observation, nature study, and environmental education and interpretation. Over 4,000 K-12 students from 5 counties participate in the Discover the Flyway school program at the Yolo Bypass Wildlife Area.

Comment: The Wildlife Area is closed when the Fremont Weir is spilling. Any flooding that closes the Wildlife Area impacts these students. Wildlife Area closures due to flooding at the Fremont Weir impacts all public uses. A major effect of increased frequency and duration of flooding will be decreased opportunities for all types public use.

The attached document titled "BDCP Conservation Measure" printed on YBF letterhead was prepared in 2008 and submitted to BDCP on several occasions. Six years later, it continues to be a concise summary of YBF's concerns specifically related to the effects of the proposed by CM2 to increase in the frequency and duration of flooding on management of the Wildlife Area. The document outlines the potential effects of CM2 on public use, agriculture, wildlife, public safety, flood control and methyl mercury production. The managed wetlands effects analysis does not address potential impacts related to any of these concerns that have been repeatedly been stated at meetings and in print. The points in the document are stated here:

- **Public use**
  - School Program - ~ 4,000 students annually visit the Wildlife Area as part of the "Discover the Flyway" program. The program attracts students from over 100 schools in 5 counties.
  - Hunting Activity – Over 4,000 hunters utilize the area from throughout northern California. Hunter dollars provide the largest component of the operating budget at Yolo.
  - Wildlife Viewing – It is estimated that 30,000 people a year visit the Wildlife Area to view the large variety and number of birds found throughout the year, primarily during the winter and spring months.
- **Agriculture**
  - Delayed Agricultural Activities – Inability to plant fields until they have dried out enough to begin ground tillage. Delaying this initiation of farming activity severely limits what can be grown here. White rice production will be severely impacted.

  - Forage value of uplands is severely degraded. Invasive weeds prevail, including cocklebur and dock. Conditions would warrant a reduction in grazing lease fees and subsequent reduction in operating funds.
- **Wildlife**
  - Spring nesting is nearly eliminated. Ground nesting birds such as waterfowl, harriers, kites and shorebirds are especially vulnerable to spring flooding.
  - Reduction in rodent numbers results in a reduction in wintering raptor numbers.
- **Public Safety**
  - Uncontrolled flooding in warm weather increases mosquito numbers
  - Established Best Management Practices for wetland management under controlled conditions do not apply. They are the basis for our working relationship with Sac Yolo Mosquito and Vector Control District.
- **Flood Control**
  - Agreed upon vegetation densities will not be manageable with increased spring flooding, which encourages uncontrolled growth of tules, cattails and willows. Water will make the Wildlife Ares non compliant with Army Corps operating agreement.
- **Methyl mercury**
  - Best Management Practices are being developed as part of a TMDL for the Delta, These BMPs may be more difficult to apply with increased flooding. Result could be a net increase in the levels of methyl mercury being transported to the Delta.

Page 5.4-36, Lines 33-36 state:

> Increased water depths will make the more typically flooded portions of the bypass too deep for dabbling ducks. However, areas to the west that are not typically flooded will likely become available, possibly replacing some or all of the lost foraging value depending on the underlying land use type (e.g., corn, rice, pasture).

Comment: This is an incorrect statement based on experience at the Yolo Bypass Wildlife Area. On the Wildlife Area, areas to the west of the toe drain are primarily managed wetlands and rice fields. The managed wetlands already have water in them prior to and throughout the inundation period. Rice fields are flooded for habitat after harvest. They are usually full by late November. So, the shallower edge of toe drain flooding to the west will not replace lost foraging value. It will make managed wetlands and rice fields deeper.

Page 5.4-37, Lines 12-15 state:

> (Ducks Unlimited 2012). Appendix 5.J, *Effects on Natural Communities, Wildlife, and Plants*, provides the method used to estimate periodic inundation effects in the Yolo Bypass. Based on this method, periodic inundation could affect managed wetlands ranging from an estimated 931 acres during a notch flow of 6,000 (B)Table 16 5.4-2) to an estimated 2,612 acres during a notch flow of 4,000 cfs (Table 16 5.4-2).

Question: How was this calculated to show 931 acres during a notch flow of 6,000 cfs compared to 2,612 acres under a lower flow scenario of 4,000 cfs? Wouldn't it make more sense that more acreage would be underwater under the 6,000 cfs flows?

Page 5.4-37, Lines 16-20 state:

However, BDCP-associated inundation of areas that would not otherwise have been inundated is expected to occur in no more than 30% of all years, since Fremont Weir is expected to overtop the remaining estimated 70% of all years, and during those years notch operations will not typically affect the maximum extent of inundation. In more than half of all years under existing conditions, an area greater than the project-related inundation area already inundates in the bypass.

Comment: This is a speculative statement that over simplifies the complexity of inundation patterns. Based on a presentation to the YBFEPT in June 2014, the TuFlow model estimates are showing an inundation footprint that we believe may be more reliable.

Insufficient discussion of uncertainty

Chapter 5 Effects Analysis

Page 5.3-32, Lines 31-40 state:

Although there is scientific information collected from the Delta, Yolo Bypass, and Suisun Marsh areas of the Delta that shows evidence of benefits of aquatic habitat restoration (Sommer et al. 2001a, 2001b; Simenstad et al. 2000), as well as results from a number of restoration projects conducted in the Pacific Northwest that focused on juvenile salmon rearing (Miller and Simenstad 1997; Gray et al. 2002; Bottom et al. 2005a, 2005b), a number of areas of uncertainty remain (Brown 2003a, 2003b, 2003c, 2003d; Davis et al. 2003; Orr et al. 2003). Areas of uncertainty include, but are not limited to the following areas:
The ability of the restored habitat to meet the objectives and expected outcomes, including the time it takes to meet the biological objectives.

Page 5.3-33, Lines 1-8 state:

The risk that the restored habitat will be colonized by invasive species such as nonnative submerged vegetation, nonnative predatory fish, and/or clams.
The change in magnitude of predation mortality on covered fish.
Foodweb responses to habitat restoration actions on both a local and a regional scale.
The risk of adverse effects resulting from unsuitable changes in water quality and exposure to toxic contaminants.
The proportion of the covered species population that actively inhabit restored habitats and the change in growth rate, survival, abundance, life-history strategies, and population dynamics.

Comment: The two statements above approach a discussion of uncertainty. But, overall there is insufficient discussion of uncertainty associated with potential fish benefits of Yolo Bypass inundation either in the species accounts or in CM2.

Comment: Exhibit 3 of the Yolo County BDCP comment letter, *Draft Technical Memorandum: Potential Fish Benefits of Yolo Bypass Fish Habitat Proposals,* discusses areas of uncertainty that should be further described including: "1) the number of juvenile salmon that will access the Yolo Bypass through an operable gate in the Fremont Weir, 2) the importance of the Yolo Bypass for juvenile salmon and split-tail habitat relative to other floodplain habitat outside the

BDCP Plan Area; 3) the benefits to juvenile salmon of providing habitat late in the season, since high temperature or other habitat conditions can reduce benefits; 4) the potential for predation: and 5) the number of acres split-tail need to spawn successfully. "

BDCP should also more fully integrate information about potential uncertainties from *Panel Review of the Draft Bay Delta Conservation Plan: Prepared for the Nature Conservancy and American Rivers* (Mount el al. 2013), especially the discussion pages 38-41.

CONCLUSION

Yolo Basin Foundation's Comments raise the following issues which must be addressed as suggested by the Comments in the final BDCP programmatic document.

- YBF supports the actions described in the February 25, 2014 letter (attached) from Secretary Laird to the Yolo County Board of Supervisors that commits to flexibility in development of the project level actions to implement CM2 to protect existing land uses.

- YBF and Yolo County have made significant contributions to making the BDCP process transparent and accessible to local stakeholders. These bottom-up points of view must be acknowledged and addressed.

- YBF and Yolo County have provided information through independent formal studies and analyses addressing a lack of baseline land use data.

- Mitigation of effects of Conservation Measure 2 (CM2), Yolo Bypass Fisheries Enhancement, on existing land uses including managed wetlands in the Yolo Bypass is completely missing.

- The descriptions of the Yolo Bypass and Yolo Bypass Wildlife Area are incomplete and incorrect.

- Chapter 3, Conservation Strategies, is riddled with errors, lack of clarity and weaknesses relating to the Yolo Bypass and the Yolo Bypass Wildlife Area that can be avoided by referring to and utilizing existing management documents and studies.

    - The Yolo Bypass is both a Terrestrial Corridor and an Aquatic Corridor whose unique character must recognized and accounted for.

    - The definition of reserves vs. wildlife areas is unclear.

- Goals and Objectives for managed wetlands are weak and unclear.

- No degradation on managed wetlands and cultivated lands in the Yolo Bypass must be a specifically stated goal.

- Figures in Chapter 3 contain errors and rely on old or incorrect data sources.

- Use of Yolo Bypass to transport water downstream of north Delta Intakes is unclear.

- Descriptions of managed wetlands and public use at the Yolo Bypass Wildlife Area are incomplete.

- Goals/Objectives for mitigation of impacts to managed wetlands and public use are missing.

- Remove specific dates and acreages relating to operations following Fremont Weir modification from this programmatic document

- Funding Reliability is not addressed

- Compliance monitoring of impacts to agricultural lands and managed wetlands is incomplete.

• Chapter 5 – The Effects Analysis is Incomplete and Flawed, in art because it fails to take account of or respond to recent analyses

- Inadequate effects analysis regarding Yolo Bypass lands and operations ignores significant facts of Yolo Bypass activities, contains inaccurate and dismissive assertions about existing activities and operations, and therefore largely mistakes and misapprehends effects.

- There is an inadequate and insufficient discussion of uncertainties relating to water regimes under various hypothecated scenarios.

EIR/S Chapter Specific comments

The comments in this section concentrate on CM2 (increase in frequency and duration of inundation) impacts to the managed wetlands and non-consumptive public uses on the Yolo Bypass Wildlife Area. Yolo Basin Foundation staff searched through thousands of pages of the EIR/S for mitigation measures related to impacts due to the effects of CM2 (increase in frequency and duration of flooding). We did not find any Avoidance and Minimization Measures (AMM) that apply to CM2 non-construction impacts to managed wetlands. Our comments should be applied to all similar sections under different alternatives and scenarios affecting the YBWA and natural communities and species found in the YBWA.

We found one reference to mitigating for impacts to waterfowl hunting in the recreation section of Chapter 15 and a series of measures about methyl mercury in Chapter 8, Water Quality.

We also found reference to adverse impacts but no associated mitigation measures or AMMs addressing adverse impacts to:

Public use (non-consumptive uses)

Environmental Education; Discover the Flyway School Program - ~ 4,000 students plus 1000 parents annually visit the Wildlife Area as part of this program. Students from 15 school districts in five counties participate in this YBWA based program.

Wildlife Viewing and other – It is estimated that 30,000 people a year visit the Wildlife Area to view the large variety and number of birds found throughout the year, primarily during the winter and spring months. At least 2500 of these visitors participate in the annual summer Bat Talk and Walks to see the fly out of 250,000 Mexican free-tailed bats.

However, we were **not** able to find any reference to adverse impacts, associated mitigation measures, environmental commitments or AMMs for the following CM2 impacts to the Yolo Bypass Wildlife Area:

(1) Cultivated Lands

Delayed Agricultural Activities - Inability to plant fields until they have dried out enough to begin ground tillage. Delaying this initiation of farming activity severely limits what can be grown here. White rice production will be severely impacted.

Forage value of uplands is severely degraded. Invasive weeds prevail, including cocklebur and dock. Conditions would warrant a reduction in grazing lease fees and subsequent reduction in operating funds.

(2) Wildlife

Spring nesting is nearly eliminated. Ground nesting birds such as waterfowl, harriers, kites and shorebirds are especially vulnerable to spring flooding.

Reduction in rodent numbers results in a reduction in wintering raptor numbers.

(3) Public Safety

Uncontrolled flooding in warm weather increases mosquito numbers.

Established Best Management Practices for wetland management under controlled conditions do not apply. They are the basis for our working relationship with Sac Yolo Mosquito and Vector Control District.

(4) Flood Control

Agreed upon vegetation densities will not be manageable with increased spring flooding, which encourages uncontrolled growth of tules, cattails and willows.

(5) Existing Legal (statute, treaty) Obligations

Agreements of DFG to manage habitat that is compatible with flood control: Project Modification Report, USACOE and DFG 1992; Other MOUs signed in 1994.

Legal requirements of federal and state easement programs including federal Wetland Reserve Program, Presley Program and others on both public and private lands.

Use of NAWCA funds obligated DFG to manage those constructed wetlands for the benefit of migratory waterfowl and shorebirds.

Wetlands in the Yolo Bypass help achieve the goals of the Central Valley Joint Venture. This is the local part of the continent wide North American Waterfowl Management Plan. Increased spring inundation compromises these long established goals and violates the Department's commitment to manage these wetlands for waterfowl and shorebirds.

Failure to identify impacts and mitigate them in the final document would be an abuse of discretion. Yolo Basin Foundation has been circulating this list since at least 2008 including scoping for this EIR/S. We were disappointed that environmental commitments and mitigation measures were not there or they were not easy to locate within the tens of thousands of pages.

Potential for adverse effects on recreational opportunities in the YBWA

It is interesting to note that in Chapter 15 Recreation, Pages 105-106, lines 1- 35 the following impacts are described.

Under CM2, the Yolo Bypass would be modified to increase the frequency, duration, and magnitude of floodplain inundation. These actions would improve passage and habitat for

Sacramento splittail, Chinook salmon, lamprey, and possibly steelhead. The modifications, which include fish passage improvements and flow management facilities, would be implemented in four phases starting with plan implementation and continuing to approximately 2063. The maximum extent of inundation in the Yolo Bypass would not increase from current conditions, but the frequency and duration of *inundation events would increase. The Yolo Bypass Wildlife Area provides opportunities for upland recreational activities, including waterfowl and upland game bird hunting, hiking and walking, wildlife viewing, botanical viewing, and nature photography. Changes to flood management in the* Yolo Bypass have the potential to result in effects on waterfowl and other recreation uses, including recreational hunting, in this area (Ducks Unlimited 2012). Because the wildlife area closes during periods of inundation, this measure would decrease opportunities for these activities as a result of the longer inundation periods in the Yolo Bypass. Under Existing Conditions, flood-related conditions contribute to Yolo Bypass hunting area closures lasting for up to 2 weeks (14 days) out of the 100-day hunting season. Removal of berms and levees could also decrease recreational access in the Yolo Bypass. Construction activities would also temporarily affect the quality of activities by introducing noise, odors, and unattractive visual scenes into the recreational environment. Longer inundation events would reduce wetland-dependent wildlife species access to food and could result in impacts to upland game birds and failure of nesting birds during spring events. This may decrease hunting and wildlife viewing experiences. Winter flood water levels under CM2 could be deeper than Existing Conditions, waterfowl species (e.g., dabbling duck) that prefer a shallower flooded seasonal wetland area could experience reduced foraging habitat. Another factor that could affect waterfowl populations and related waterfowl hunting and bird watching would be spring seed production loss and related decrease of food resources for these populations (Ducks Unlimited) 2012). Hunting in the Yolo Bypass is most common in the lower elevation portions of the property; thus, low levels of flooding would impact blind areas and free roam areas and reduce hunting opportunities. Two inundation targets have been proposed for CM2, which would attempt to inundate 7,000-10,000 acres from November to May, or 17,000 acres from December through February, every year for 50 years, which could have potential effects on waterfowl and associated recreational opportunities. The hunting season for waterfowl lasts from late October through January, so some months would not be affected by inundation. However, CM2 would still have an adverse effect on upland recreational opportunities. BDCP proponents and agencies will work with CDFW to provide alternate public hunting opportunities and access and address additional

management costs resulting from increased inundation of the Yolo Wildlife Area resulting from CM2.Additionally, environmental commitments are available to reduce the effects of inundation on upland recreational opportunities.

Comment: YBF concurs with the following statement from the Yolo County draft EIR/S letter: "The text in this location (and similar text appearing later in the Chapter in connection with other alternatives) explains the potential for adverse effects on recreational opportunities in the YBWA due to the implementation of CM2 and increased inundation of lands used for hunting, hiking, birdwatching, and other recreational uses. This discussion concludes with the following statement: "BDCP proponents and agencies will work with CDFW to provide alternate public

hunting opportunities and access and address additional management costs resulting from increased inundation of the Yolo Wildlife Area resulting from CM2. Additionally, environmental commitments are available to reduce the effects of inundation on upland recreational opportunities."

"This language is promising but far too vague to be legally adequate or useful to readers. What does it mean to "work with" CDFW to provide alternative hunting opportunities and access? Similarly, what does it mean to "address additional management costs"? What "environmental commitments are "available," specifically—the funding discussed generally in Section 3B.2.3 of the "Environmental Commitments" appendix? The Draft EIR/EIS does not appear to answer any of these questions."

Comment: The following description of CM2 in Chapter 12 concludes differently than Chapter 15: that the managed wetlands community would not be adversely impacted.

Question: Why are the CM2 NEPA and CEQA conclusions in Chapter 12 are different than those reached in Chapter 15?

Page 12-230 Lines 25-39 state:

. In summary, 937–2618 acres of managed wetland community in the study area would be subjected to more frequent inundation as a result of implementing two Alternative 1A conservation measures (CM2 and CM5). ***NEPA Effects:*** Managed wetland community would not be adversely affected because much of the acreage affected is conditioned to periodic inundation. The more frequent inundation could create management problems associated with certain species, especially waterfowl, and result in changes over time in plant species composition. The total acreage of managed wetland would not be expected to change permanently as a result of periodic inundation.

. ***CEQA Conclusion:*** An estimated 937–2,618 acres of managed wetland community in the study area would be subjected to more frequent inundation as a result of implementing CM2 and CM5 under Alternative 1A. Managed wetland community would not be significantly impacted because periodic inundation is already experienced by most of the land that would be affected. There could be increased management problems and a long-term shift in plant species composition. The periodic inundation would not be expected to result in a net permanent reduction in the acreage of this community in the study area. Therefore, there would be a less-than-significant impact on the

The following statement from the Yolo County draft EIR/S letter applies to the numerous instances under different alternatives where there is the conclusion that the CM2 impacts on managed wetlands in the YBWA will be less than significant.

"While this section concludes by stating that related impacts will be "less than significant," this conclusion rests solely on the generalities mentioned above. It is thus lacking in evidentiary support and—even taking into account the text of Section 3B.2.3 of the Environmental Commitments appendix—appears to rely on mitigation that is illusory and inadequate. Section

3B.2.3 of the Environmental Commitments offers only the promise of future mitigation without any accompanying performance standards or other criteria required for legally adequate mitigation under CEQA. Section 3B.2.3 does not constitute legally adequate mitigation because it does not mention the amount of funding that may be made available, it does not assure that such funding will be adequate to reduce the effects of inundation on upland recreation, and it does not even assure that *any funding* will *be made available to the YBWA in connection with CM2-related impacts. It thus cannot be properly considered in assessing the significance of impacts on upland recreational opportunities."*

Chapter 12 Terrestrial Biological Resources

Table 12-7. Programs, Projects, and Policies Included In No Action Alternative for the Terrestrial

Question: Why is the Yolo Bypass Wildlife Area and the YBWA Land Management Plan missing from this table?

Page 12-224, lines 2-25 state:

The conservation components of Alternative 1A would reduce the acreage of managed wetland currently found in the study area. Initial development and construction of CM1, CM2, CM4, and CM6 would result in both permanent and temporary removal of this community (Table 12-1A-9). Full implementation of Alternative 1A would also include the following conservation action over the term of the BDCP to benefit the managed wetland natural community.

l Protect and enhance at least 8,100 acres of managed wetland, at least 1,500 acres of which are in the Grizzly Island Marsh Complex (Objective MWNC1.1, associated with CM3)

Create at least 320 acres of managed wetlands consisting of greater sandhill crane roosting habitat in minimum patch sizes of 40 acres within the Greater Sandhill Crane Winter Use Area in Conservation Zones 3, 4, 5, or 6, with consideration of sea level rise and local seasonal flood events (Objective GSHC1.3, associated with CM10).

Create two wetland complexes within the SLNWR refuge boundary. Each complex would consist of at least three wetlands totaling 90 acres of greater sandhill crane roosting habitat. One of the wetland complexes may be replaced by 180 acres of cultivated lands that are flooded following

Comment: The above text refers to managed wetlands but not long term operational impact of CM2 on managed wetlands in the YBWA.

Question: Is there text in other alternatives that addresses long term operational impacts of CM2 on managed wetlands in the YBWA?

Page 12-229 states:

The 931-acre increase in inundation would be associated with a notch flow of 8,000 cubic feet per second (cfs), and the 2,612-acre increase would result from a notch flow of 4,000 cfs.

Question: Why would there be a 931-acre increase in inundation with a notch flow of 8,000 cfs and a large area, 2612-acre increase from a smaller notch flow of 4,000 cfs?

Similar statements are made under different alternatives and scenarios A-G.

Page 12-312, lines 27-28 state:

The BDCP also includes AMM1–AMM7, AMM10, AMM16, and AMM37, all of which are directed at minimizing or avoiding potential impacts on….

Comment: These avoidance measures do not address issues relating to minimizing impacts to managed wetlands due to consequences of CM2.

Chapter 12, page 12-1343, lines 9-16 state:

Nontidal Wetlands

> **Yolo Basin:** As a result of tidal restoration (CM4) and Fisheries Enhancement activities (CM2) within the Yolo Basin, 313 acres of nontidal wetland habitat would be permanently converted; 119 acres of which are protected. In addition, 11 acres of nontidal wetland habitat would be temporarily lost by construction-related activities associated with Fisheries Enhancement activities (CM2) (Table 2, ICF International 2013). Periodic flooding in Yolo Bypass associated with ongoing Fremont Weir operation (CM2) would affect 305 acres of nontidal wetlands in Yolo Basin, specifically nontidal perennial aquatic habitat.

Comment: This section of Chapter 12 discusses impacts to managed wetlands as a result of CM4 presumably in the lower Yolo Bypass. The above section is the only one that we found that also specifically relates to CM2. There are similar statements under each alternative and a range of covered habitats and covered species.

Question: Is there a similar section for the effects of CM2 on managed wetlands, grasslands, riparian, and cultivated lands or waterfowl and shorebirds in the Yolo Bypass Wildlife Area?

Question If not, why is this?

Comment: Our detailed review of Chapter 12 leads us to believe that the long term operational impacts of CM2 on managed wetlands resulting from modifications to the Fremont Weir are not addressed. The near term impacts of construction are addressed and CM2 impacts on riparian, tidal, nontidal wetlands, alkali and others except for managed wetlands. Impacts to shorebirds and waterfowl are addressed for Suisun Marsh, Stone Lakes NWR, and others but not the YBWA. After the over 23 meetings of the YBFEPT we expected to read something about the impacts discussed in great detail at the meetings.

Question: Why is this?

Figure 12-1 Distribution of Natural Communities in the Plan Area

Comment: The managed wetlands on the Tule Ranch section of the YBWA are not shown on the map. A more accurate map is available in the Waterfowl Analaysis (DU) or the Agriculture Impact Analysis (Howitt)

Figure 12-2 Essential Habitat Connectivity

Question: Does the yellow area and pink line through the YBWA refer to terrestrial and aquatic connectivity and linkages?

Question: What is the significance of this connectivity through the Yolo Bypass?

Table 12-6B Late Long term Effects of Restoration Activities shows:

Late long term permanent effects of CM2 on managed wetlands 24 acres, grasslands 388 acres and cultivated lands 629.

Comment: Please explain how this acreage was calculated. It does not make sense based on maps and models presented at the YBFEPT meetings or the Ag Impacts Analysis.

Section 12.3.3.12

Page 12-1206, lines 4-29 and Page 1207 lines 1- 20 states:

Page 1206:

. ***NEPA Effects*:** Alternative 6B would not have adverse effects on the terrestrial natural communities, special-status species and common species that occupy the study area except for an adverse effect on giant garter snake population connectivity and on wildlife movement corridors in general. The construction of the canal would substantially inhibit the movement of giant garter snakes and other wildlife from moving within and outside of the Delta. This alternative would not significantly increase the risk of introducing invasive species, result in a net loss of wetlands and other waters of the United States, reduce the value of habitat for waterfowl and shorebirds, or conflict with plans and policies that affect the study area. As with Alternative 1B, there would be large acreages of existing habitat converted by the Plan's conservation actions, including the construction of the water conveyance canal from the north Delta to Clifton Court Forebay in the south Delta. The temporarily affected habitat would be restored to its pre-project condition and the restoration conservation measures (CM2–CM10) would permanently replace primarily cultivated land and managed wetland with tidal and nontidal marsh, riparian vegetation, and grassland. The increases in acreage and value of the sensitive natural communities in the study area would have beneficial effects on covered and noncovered species. Where conservation actions would not fully offset effects, the Plan has developed AMMs and this document has included additional mitigation measures to avoid and minimize adverse effects to the maximum extent practicable. Alternative 6B would not require mitigation measures beyond what is proposed for Alternative 1B to offset effects.

CEQA Conclusion: Alternative 6B would not have significant and unavoidable impacts on the terrestrial natural communities, special-status species and common species that occupy the study area except for giant garter snake habitat connectivity, or to wildlife movement corridors in general. The construction of the canal would substantially inhibit the movement of giant garter snakes and other wildlife from moving within and outside of the Delta. The alternative would not increase the risk of introducing invasive species, result in a net loss of wetlands and other waters of the United States, reduce the value of habitat for waterfowl and shorebirds, or conflict with plans and policies that affect the study area. As with Alternative 1B, there would be large acreages of existing habitat

Page 12-1207

converted by the Plan's conservation actions, including the construction of water conveyance tunnels from the north Delta to Clifton Court Forebay in the south Delta. The temporarily affected habitat would be restored to its pre-project condition and the restoration conservation measures

(CM2–CM10) would permanently replace primarily cultivated land and managed wetland with tidal and nontidal marsh, riparian vegetation, and grassland. The increases in acreage and value of the sensitive natural communities in the study area would have beneficial effects on covered, noncovered, and common species. Where conservation actions would not fully offset impacts, the

Plan has developed AMMs and this document has included additional mitigation measures to avoid and minimize significant impacts. Alternative 6B would not require mitigation measures beyond what is proposed for Alternative 1B to offset effects. Despite these measures, there would remain significant and unavoidable impacts on giant garter snake population connectivity and wildlife movement corridors from Alternative 6B. As with Alternative 1B, Alternative 6B would require several mitigation measures to be adopted to reduce effects on terrestrial biological resources to less-than-significant levels when possible. These mitigation measures would be needed beyond the impact offsets provided by Alternative 6B AMMs and CM2–CM22 conservation actions. The relevant mitigation measures, which are included in detail

Comments The above section (page12-1206) relating to CM2-CM10 states "Alternative 6B would not have adverse effects on the terrestrial natural communities, special-status species and common species that occupy the study area except for an adverse effect on giant garter snake.." This statement is in direct conflict with statements in Chapter 15 regarding impacts of CM2. It is not factual for the Yolo Bypass Wildlife Area.

Question: How was this statement of no significant impact determined as it relates to CM2?

Question: Why is there a difference?

Question: Does this finding of no significant impact under CEQA and NEPA pertain to impacts to managed wetlands on the YBWA?

Comment: The same section goes on to state: (CM2–CM10) would permanently replace primarily cultivated land and managed wetland with tidal and nontidal marsh, riparian vegetation, and grassland. The increases in acreage and value of the sensitive natural communities in the study area would have beneficial effects on covered and noncovered species."

Question: Will impacts to the managed wetlands of the YBWA be considered replaceable with restored tidal and nontidal marsh, riparian vegetation, and grassland in other conservation zones?

Comment: Mitigation measures similar to those found on Page 12-1207 should be included in this section of the EIR/S) stating 1) that impacts should be minimized on managed wetlands of the YBWA 2) degradation of existing managed wetlands on the YBWA should be avoided.

Other comments:

Chapter 3 Description of Alternatives

Page 3-126-127

Component Project 12: Water Supply Improvement for the Yolo Bypass Wildlife Area.

"by reducing reverse flows in the Toe Drain"

Comment: Delete "by reducing reverse flows in the Toe Drain' as this action should be decided through the collaborative process established for project specific projects in the YBFEP. This is ambiguous language and should be part of the project development rather than determined in the programmatic EIR/S.

"subsidy of Yolo Bypass Wildlife Area pumping costs or procurement of additional water from western tributary sources."
Comment: Substitute *other sources* in place of 'western tributary sources.'

Page 3-127, lines 1-22 state:

"Sacramento Weir. No change in current operations. Improve upstream fish passage facilities."

Line 9 Lisbon Weir. No change in current operations. Improve upstream fish passage facilities.

Comment: "Improve upstream fish passage facilities" should be part of the project specific planning. YBF suggests also looking at potential designs to prevent adult fish from moving further upstream in the Yolo Bypass.

Fremont Weir gate operations. *From December 1 to April 30 (may be extended to May 15, depending on hydrologic conditions and measures to minimize land use and ecological conflicts), open the 17.5-foot and 11.5-foot elevation gates when Sacramento River flow at*

Freeport is greater than 25,000 cfs to provide local and regional flood management benefits,

Comment: CM2 is a programmatic element that the BDCP says will be further developed and analyzed in future technical and environmental reviews. Therefore remove language referring to dates of gate operation and inundation flows. Apply this comment to all references to Fremont Weir gate operations throughout the EIR/S including other alternatives and scenarios A-G. This includes statements made in Section 3.6.2.1, page 3-196, 3-198.

"to provide local and regional flood management benefits"

Comment: This is the first and only reference we have seen that refers to flood management.

Question: Is this statement compatible with regional flood management plans?

Question: Is there a goal and set of objectives for flood management in the EIR/EIS?

Add component project 20 establish a governance such as that currently under discussion with Yolo County.

Add component project 21 establish an O&M plan with guaranteed funding sources. Refer to the Yolo Bypass Drainage and Infrastructure recommendations on a Yolo Bypass wide O&M entity.

CONCLUSION

The EIR/S does not address impacts to the managed wetlands of the Yolo Bypass Wildlife Area due CM2 (increase in frequency and duration of inundation) because the impacts are determined to be less than significant. This is not factually supported and contradicts information from existing studies, hydraulic models and presentations made at YBFEPT meetings.

There are no mitigation measures to address the significant impacts to non-consumptive public uses on the YBWA.

Discussion of the role of the YBFEPT in developing the YBFEP is not in the document.

We are concerned that mitigation for CM2 (increase in frequency and duration of inundation) falls under mitigation for managed wetlands in general and that the project proponents are considering replacement of managed wetlands with restored or protected tidal and nontidal marsh, riparian vegetation, and grassland.

The document contains factual errors based on out of date information and also provided contradicting conclusions of CM2 operational impacts to managed wetlands on the YBWA.

ATTACHMENT A

LETTER OF SECRETARY LAIRD dated February 25, 2014

To YOLO COUNTY BOARD OF SUPERVISORS

BDCP1663

CALIFORNIA natural resources AGENCY

EDMUND G. BROWN JR., Governor
JOHN LAIRD, Secretary for Natural Resources

February 25, 2014

Chair Don Saylor and Members of the Board
Yolo County Board of Supervisors
625 Court Street
Woodland, CA 95695

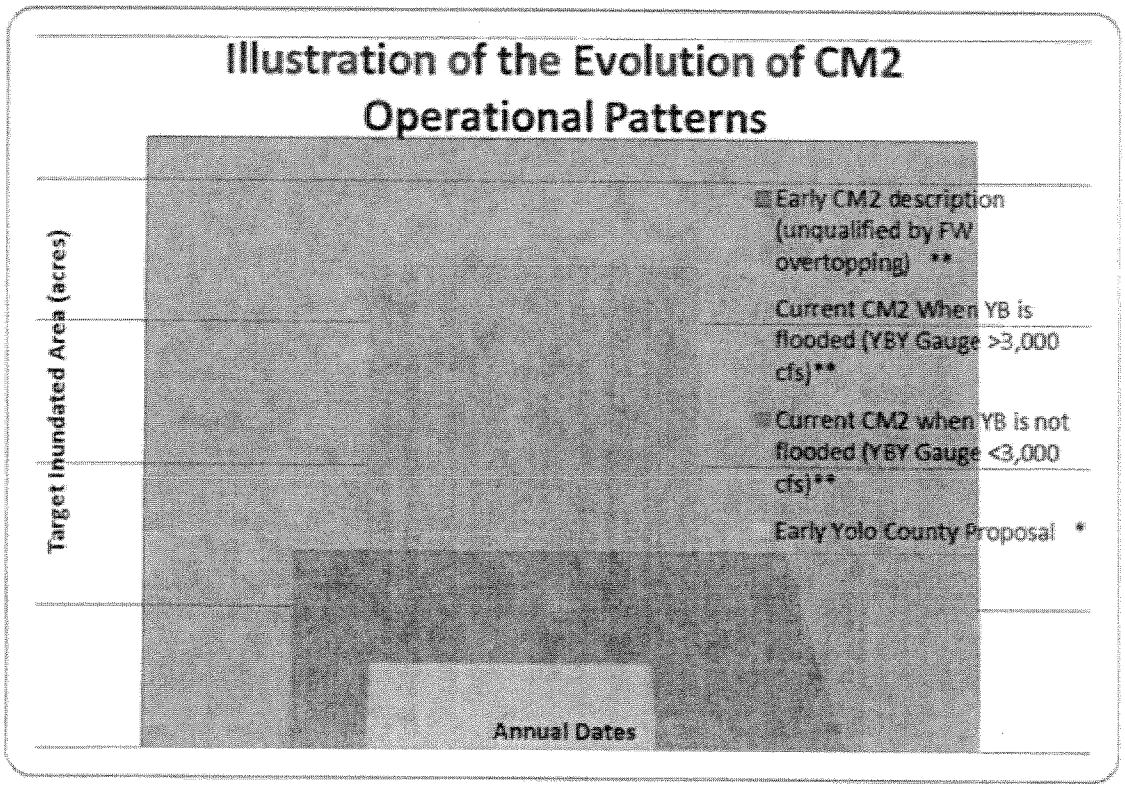
Dear Chair Saylor and Members of the Board:

I am writing to provide an update on the Bay Delta Conservation Plan (BDCP) Conservation Measure 2 (CM2) and to reassure you the state will continue to coordinate with Yolo County staff and elected officials to refine CM2 to address any further concerns prior to the final BDCP. This update will illustrate how extensively the conservation measure has been modified over the last two years in response to Yolo County requests and concerns. It is the Natural Resources Agency's goal to continue balancing the need of BDCP to enhance habitat for covered species with the existing uses of the Yolo Bypass such as agriculture, waterfowl and other terrestrial species habitat, bird watching, hunting, and other recreation.

The intent of CM2 is to provide high quality rearing habitat to achieve the greatest biological benefit (i.e., 30 days of inundation of 7,000 acres in 70 percent of years). In 2011, DWR established the Yolo Bypass Fishery Enhancement Planning Team (YBFEPT) to develop and refine CM2 in collaboration with the many stakeholders in and near the Yolo Bypass. This planning team has met 23 times since June 2011; Yolo County staff was present at many of these planning team meetings. Over the course of these meetings, revisions to CM2 in response to Yolo County concerns have been incorporated based on ongoing discussions and joint evaluations that have provided an improved appreciation of the design of a project that balances new and existing uses.

Figure 1 below highlights the changes that have occurred related to the CM2 operational patterns as a result of discussions with Yolo County. Figure 1 highlights the differences between the earlier CM2 inundation patterns proposed in the 2010 BDCP Administrative Draft compared to those proposed by Yolo County, in terms of extent and duration of Yolo Bypass inundation. The figure was developed to show the operational range that may be typical of, but not necessarily identical to, actual operational guidelines that will be developed in the course of subsequent project-specific design, planning and environmental documentation. As a result of discussions with Yolo County, the extent and duration of Yolo Bypass inundation described in the Public Draft BDCP is currently somewhere in the middle of these two starting points, though of course that description is subject to further refinement.

1416 Ninth Street, Suite 1311, Sacramento, CA 95814 Ph. 916.653.5656 Fax 916.653.8102 http://resources.ca.gov



* Only in years when Fremont Weir overtopping occurs

** When hydrology allows

It is important to recall that the ranges of amount and timing of flooding in the Yolo Bypass presented in the programmatic CM2 are flexible and do not dictate the outcome of the project-level planning process that will follow. The Department of Water Resources (DWR) will work with the YBFEPT and Yolo County to define operational parameters based on the needs of covered species, seasonal hydrologic conditions, agricultural operations, and other variables yet to be defined; moreover, it is not DWR's intention to make operational parameters for the extent, duration, timing and frequency of flooding events binding.

DWR recognizes that late season flooding in the bypass is of the greatest concern to Yolo County. While late-season flows may be necessary in some years to meet the BDCP biological goals and objectives, the frequency and acreage affected by late flows could be managed well enough such that current land uses in the Yolo Bypass would be largely maintained. Furthermore, BDCP acknowledges the uncertainty associated with the operation of the Yolo Bypass. A reasonable degree of flexibility is also provided, allowing for refinement of the metrics within objectives as the uncertainty is addressed over time. The biological objectives for the BDCP, for example, state "Create a viable alternate migratory path through Yolo Bypass in >70% of years for out-migrating fall-run/late fall-run Chinook salmon juveniles by year 15". Such language allows for flexibility in achieving the objective because the objective does not specify the number of acres or other criteria. Uncertainty will be addressed through the adaptive management and monitoring program of the BDCP, a process in which we expect Yolo County will have a significant level of involvement.

As described in the BDCP, the YBFEP and the YBFEP EIR/S will further refine CM2 during project-level planning. Through this process, the component projects of CM2 will be evaluated and refined with scientific and stakeholder input, including Yolo County. Part of this evaluation will include the development and evaluation of alternatives. These alternatives are expected to vary in ways that include the duration, extent and timing of Bypass inundation. DWR plans to fully engage with Yolo County and its representatives during the development and evaluation of these alternatives to ensure your concerns are heard and a sustainable balance of important land uses is achieved. Furthermore, the state is interested in developing a memorandum of understanding with Yolo County that could address issues related to CM2, such as: 1) funding for county participation in BDCP planning and implementation; 2) mitigation for the loss of farmland and economic impacts; 3) assurances and benefits for the Yolo Bypass Wildlife Area; and 4) other topics as needed.

As proponents of the BDCP, the state expects to develop a governance structure that includes Yolo County as a partner in the planning, environmental review, and operation of CM2. Since there is uncertainty associated with future operations of the gate in the Fremont Weir and other elements of CM2, BDCP will allow a reasonable degree of flexibility and refinement of the metrics within biological objectives as research and monitoring efforts provide new information for consideration by the state and Yolo County, as well as other relevant state and federal agencies. The state will work with Yolo County and other stakeholders to determine the manner, timing and extent of new seasonal floodplain habitat in the Yolo Bypass to achieve a sustainable balance of conservation projects and existing land uses.

Thank you for your participation in the BDCP process. I look forward to continuing to work together to improve the Delta ecosystem and provide a more reliable water supply for California.

Sincerely,

John Laird

John Laird
Secretary for Natural Resources

cc: David Murillo, Mike Connor, Mark Cowin, Chuck Bonham

I hope this letter is just one point in our continued discussions that in good faith work to resolve outstanding issues consistent with all of our goals.

BDCP1663

From: Robin Kulakow <robin@yolobasin.org>
Sent: Tuesday, July 29, 2014 2:44 PM
To: BDCP.comments@noaa.gov
Subject: BDCP EIR/EIS Comment Letter 7-29-14
Attachments: YBF BDCP EIR-S comment let 7-29-14 final.pdf

Robin Kulakow
Executive Director
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