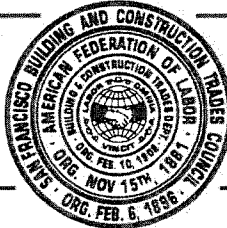


*San Francisco Building and*

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 VICTOR PARRA  
 Vice Presidents

25 July 2014

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

RE: Bay Delta Conservation Plan

Dear Mr. Wulff:

The San Francisco Building and Construction Trades Council, since 1896 the umbrella organization for the City's construction labor unions and the representative of many thousands of working men and women, supports the Bay Delta Conservation Plan (BDCP).

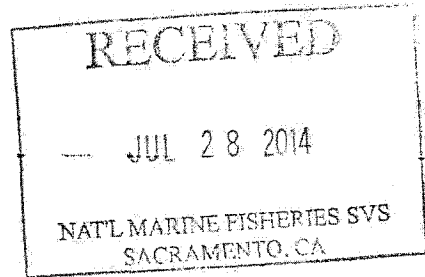
It would be obvious – facile, in fact – to attribute our support to the many jobs that the BDCP will bring to our sisters and brothers.

Our reasons go well beyond these jobs, however. We recognize also that the supply of water from parts of the state relatively well-supplied to parts much less so is critical to the general well-being of all Californians, but that at the same time that this must be achieved in a way that does not harm the environment. We love our Bay and celebrate the gradual improvement of its water quality over the years. Some of us live along the Delta's waterways; others of us depend on them for respite from arduous work. Many of us – myself included – are avid anglers. We believe that the current Delta water system, with its massive fish kills, should no longer be tolerated.

We see the BDCP as a real opportunity to reboot, to provide both jobs and the water that is necessary to the state's general prosperity and at the same time to craft a system that is a great improvement over the current one in terms of its effects on fish and wildlife.

Respectfully yours,

Michael Thériault  
 Secretary-Treasurer



**From:** Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>  
**Sent:** Wednesday, July 30, 2014 9:13 AM  
**To:** bdcf comments - NOAA Service Account  
**Subject:** Fwd: BDCP COMMENTS  
**Attachments:** 20140728 - Lowell Kebschull - Santa Clarita.pdf; 20140728 - Fresno, Madera, Kinds & Tulare Counties - Building & Construction Trades Council.pdf; 20140728 - California Alliance for Jobs.pdf; 20140728 - San Francisco Building & Construction Trades Council.pdf; 20140728 - California Small Business Association.pdf; 20140728 - Carole Main - Brentwood.pdf; 20140728 - Will Risseuw - Redwood City.pdf

Received before end of comment period.

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

**From:** Anita Deguzman - NOAA Affiliate <[anita.deguzman@noaa.gov](mailto:anita.deguzman@noaa.gov)>  
**Date:** Mon, Jul 28, 2014 at 1:46 PM  
**Subject:** BDCP COMMENTS  
**To:** Ryan Wulff - NOAA Federal <[ryan.wulff@noaa.gov](mailto:ryan.wulff@noaa.gov)>

I have attached the following comments for your files.

Copies have been made and are in your mailbox - original letters are up front at the reception desk.

--

~~~~~  
Anita deGuzman  
*Administrative Assistant*  
NOAA Fisheries \* West Coast Region  
U.S. Department of Commerce  
650 Capitol Mall, Suite 5-100  
Sacramento, CA 95814  
[916-930-3600](tel:916-930-3600) - main  
[916-930-3629](tel:916-930-3629) - fax  
[Anita.deGuzman@noaa.gov](mailto:Anita.deGuzman@noaa.gov)



**BDCP1769.**

**FRESNO, MADERA, KINGS AND TULARE COUNTIES**

# **BUILDING & CONSTRUCTION TRADES COUNCIL, AFL-CIO**

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**JUL 28 2014**

**NATIONAL MARINE FISHERIES  
SACRAMENTO, CA**

**CHUCK RIOJAS**  
FINANCIAL SECRETARY/  
TREASURER

**BOB JENNINGS**  
PRESIDENT

July 22, 2014

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

Dear Mr. Wulff:

On behalf of the Fresno Madera Kings and Tulare Building Trades membership and working families we endorse the Bay Delta Conservation Plan (BDCP). We agree with the BDCP's dual goals of restoring the ecological health of the Bay Delta and securing a reliable water supply for 22 million Californians.

Our region's economy has suffered immensely because of a lack of water certainty and reliability, which affects our members, and more importantly the communities where we live and work. Water is the lifeblood of our economy, and we must work together to ensure California's prosperity and environmental wellbeing.

Furthermore, infrastructure investment and rebuilding California's water conveyance system will spur job creation in Central California which will improve our region's economy.

Please approve this plan so California can restore the ecology of the Bay Delta region and provide fresh water to communities throughout California.

Sincerely,



Chuck Riojas  
Secretary

Fresno Madera Kings Tulare Building Trades

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WORKERS #16**

**BOILERMAKERS #549**

**BRICKLAYERS, TILE SETTERS  
& ALLIED CRAFTS #3**

**CARPENTERS #701**

**CARPENTERS #1109**

**DC 16 LU #294 IUPAT**

**DRYWALL/LATHERS #9083**

**ELECTRICIANS #100**

**ELEVATOR  
CONSTRUCTORS #8**

**IRON WORKERS #155**

**LABORERS #294**

**MACHINISTS LODGE #653**

**MILLWRIGHTS #102**

**OPERATING ENGINEERS #3**

**PILE DRIVERS #34**

**PLASTERERS &  
CEMENT MASONS #300**

**PLUMBERS &  
PIPE FITTERS #246**

**ROAD SPRINKLER  
FITTERS #669**

**ROOFERS #27**

**SHEET METAL WORKERS #104**

**TEAMSTERS #431**

**UNDERGROUND UTILITY/  
LANDSCAPE #355**

**From:** Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>  
**Sent:** Wednesday, July 30, 2014 9:13 AM  
**To:** bdcpc comments - NOAA Service Account  
**Subject:** Fwd: BDCP COMMENTS  
**Attachments:** 20140728 - Lowell Kebschull - Santa Clarita.pdf; 20140728 - Fresno, Madera, Kings & Tulare Counties - Building & Construction Trades Council.pdf; 20140728 - California Alliance for Jobs.pdf; 20140728 - San Francisco Building & Construction Trades Council.pdf; 20140728 - California Small Business Association.pdf; 20140728 - Carole Main - Brentwood.pdf; 20140728 - Will Risseuw - Redwood City.pdf

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**To:** Ryan Wulff - NOAA Federal <[ryan.wulff@noaa.gov](mailto:ryan.wulff@noaa.gov)>

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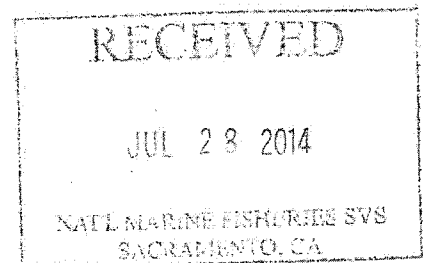
# Yorba Linda Water District

*Reliable and Trusted Service  
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BDCP1770.

July 24, 2014

BDCP Comments  
Ryan Wulff, National Marine Fisheries Services  
650 Capitol Mall Ste 5-100  
Sacramento CA 95814



RE: Comments on the Draft Public Review Bay-Delta Conservation Plan (BDCP), Draft Environmental Impact Report/Environmental Impact Statement and Draft BDCP Implementing Agreement

Dear Mr. Wulff,

Yorba Linda Water District (YLWD) is a retail water provider in north Orange County that is governed by a publicly elected Board of Directors. The District is proud of its history of over 100 years of providing high quality water to our 70,000 customers in the City of Yorba Linda, and portions of the cities of Placentia, Anaheim and Brea. We have worked diligently over many years to build and maintain a premier water system that has the dual capability to provide and deliver groundwater and import water to our customers.

In spite of the world-class efforts of Orange County to provide greater water supply certainty for eight percent of California's population and the \$200 billion economy they represent, Orange County remains dependent on imported water to meet approximately 45 percent of its average annual demand, with the State Water Project (SWP) deliveries from the Delta meeting approximately half of those needs. The Delta ecosystem and water supply conveyance problems have long been recognized, and have remained in a continuing state of degradation, conflict, and stalemate.

Many years and hundreds of millions of dollars have been spent on study efforts while the Delta system continues to be used for water conveyance in a manner for which it was not intended. The longer it takes to begin the resolution, the more expensive it will become. This stalemate has been punctuated by droughts, floods, economic losses, environmental degradation and litigation every decade since the construction of the SWP in the 1960s. We can no longer delay action in the Delta, and urge the State and federal government to quickly move forward with the Preferred Alternative. Failing to act and move forward is not an acceptable alternative.

In recent years the endangered species biological opinions for protection of Delta and Longfin Smelt and Chinook Salmon have resulted in massive cutbacks in exports by over 1.5 million acre-feet per year and without the BDCP further cuts



## Yorba Linda Water District

R. Wulff  
July 24, 2014  
Page 2

of another 1.0 million acre-feet per year could occur with new endangered species listings according to the BDCP briefing documents. This situation is untenable and a solution must be found to stop this hemorrhaging of this critical foundational water supply to southern California. The BDCP is the best hope we have and it must be approved and implemented in a timely and cost-effective manner.

We offer the following specific comments on the BDCP:

1. Yorba Linda Water District strongly supports the BDCP Preferred Alternative (No. 4) and oppose the No Action Alternative: It is critical to the state's economy and environment that both the State and federal government expeditiously follow through with the decision for adopting and implementing the BDCP.
2. Co-Equal Goals: The BDCP must be implemented in a manner consistent with the co-equal goals adopted by the State. Preferred Alternative (No. 4) is consistent with the Delta Reform Act of 2009's co-equal goals.
3. New Facilities and In-Delta Operational Flexibility: The modernization of the Delta conveyance system is essential in order for habitat restoration and conservation to have its intended effect; Preferred Alternative (No. 4), which incorporates the 9,000 cubic feet per second (cfs) three intake, twin tunnel conveyance system, provides the best balance between operational flexibility and modernizing the conveyance system for environmental benefit and water supply reliability.
4. Reduced Future Reliance: The 2009 Delta legislation called for water agencies to reduce future reliance on the Delta, not to become 100 percent "self-reliant." While our major efforts in these areas will continue, it is important to note that "reduced reliance" does not equate to and was never intended to require a move to 100 percent "self-reliance" and the notion of co-equal goals was never intended to result in a future with significant reduction in exports from levels achieved before the 2008 bio-opinions.



R. Wulff  
July 24, 2014  
Page 3

5. Plan Implementation and Regulatory Assurance: The BDCP must provide the needed implementation and regulatory structure and assurances to help achieve the co-equal goals.
  - a. To us, this means that it is virtually impossible to predict the outcome of the BDCP habitat restoration efforts and endangered species population dynamics, and such a standard should not be required in the DEIR/DEIS.
  - b. Furthermore, this means that changed circumstances under the operation of the BDCP, including the potential for new species listing, be incorporated in such a manner to result in a minimum impact on future water supply exports.
6. Sound Science. It is critical that sound science is provided in order to assure the long-term success of the BDCP. We strongly support the inclusion of independent scientific investigation and research to be included in the BDCP process.
7. Cost Allocation: We support the "beneficiary pays principle" in cost allocation for all responsible parties and beneficiaries.
8. Implementing Agreement: The Implementing Agreement is a contractual, legally-binding agreement that spells out the commitments and assurances as well as the terms and conditions for on-going implementation of the BDCP. Clarity in this agreement is essential as well as the balance in implementation of the co-equal goals.
9. Economy, Environment and Water Management: The SWP is critically important to the Orange County economy, environment and water management. Implementation of the BDCP is critical to Orange County's future.
  - a. Orange County and YLWD have invested heavily to diversify our water portfolio but the SWP remains a critical source of low salinity water supply that is currently unacceptably jeopardized by the unsustainability of the current Bay-Delta system.



**Yorba Linda  
Water District**

R. Wulff  
July 24, 2014  
Page 4

- b. Orange County relies on the SWP to support groundwater conjunctive use programs and water recycling programs - it is an essential part of our water reliability strategy that sustains our citizens and businesses.
- c. We support the 9,000 cfs twin tunnel Preferred Alternative (No. 4) provided reasonable assurances are included regarding governance and future decision-making in the process. We strongly advocate for a seat at the table for the water Permittees in the various oversight groups. The investment and decision-making must be structured to achieve a positive outcome for both the SWP and Permittees and the ecosystem restoration in a collaborative, partnership manner.

It is now time for the State and Federal government to adopt and move the BDCP to implementation in order that we can achieve the 2009 legislation's co-equal goals of improving water supply reliability and ecosystem restoration and improved function by implementing the BDCP Preferred Alternative (No. 4).

Thank you for your time and consideration of these comments.

Sincerely,

Steven R. Conklin, P.E.  
Acting General Manager

**From:** Ryan Wulff - NOAA Federal <[ryan.wulff@noaa.gov](mailto:ryan.wulff@noaa.gov)>  
**Sent:** Wednesday, July 30, 2014 9:12 AM  
**To:** bdcpl comments - NOAA Service Account  
**Subject:** Fwd: BDCP COMMENTS  
**Attachments:** 20140728 - Gilbert Labriea AIA, Architect.pdf; 20140728 - County of Placer - Board of Supervisors.pdf; 20140728 - East Contra Costa Irrigation District.pdf; 20140728 - Yorba Linda Water District.pdf; 20140728 - Las Virgenes Municipal Water District.pdf; 20140728 - Mike Hall - Brentwood.pdf

Received before end of comment period.

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**From:** Anita Deguzman - NOAA Affiliate <[anita.deguzman@noaa.gov](mailto:anita.deguzman@noaa.gov)>  
**Date:** Mon, Jul 28, 2014 at 1:43 PM  
**Subject:** BDCP COMMENTS  
**To:** Ryan Wulff - NOAA Federal <[ryan.wulff@noaa.gov](mailto:ryan.wulff@noaa.gov)>

I have attached the following comments for your files.

Copies have been made and are in your mailbox - original letters are up front at the reception desk.

--

~~~~~  
Anita deGuzman  
*Administrative Assistant*  
NOAA Fisheries \* West Coast Region  
U.S. Department of Commerce  
650 Capitol Mall, Suite 5-100  
Sacramento, CA 95814  
916-930-3600 - main  
916-930-3629 - fax  
[Anita.deGuzman@noaa.gov](mailto:Anita.deGuzman@noaa.gov)



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Director, Division 3

**David W. Pedersen, P.E.**

General Manager

**Wayne K. Lemieux**

Counsel

**HEADQUARTERS**

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Fax (818) 251-2349

[www.LVMWD.com](http://www.LVMWD.com)

July 23, 2014

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

Dear Mr. Wulff:

Las Virgenes Municipal Water District (LVMWD) is a Southern California agency that is entirely dependent upon imported supplies for its potable water customers; we have no local sources (groundwater or streams) usable for that purpose. The District processes and distributes recycled water for use in irrigation, helping to reduce its imported water demands. Last year, nearly 20 percent of the water delivered by LVMWD was recycled water. We write to provide the following comments on the draft Bay Delta Conservation Plan (BDCP) and its Environmental Impact Report / Environmental Impact Statement as released on December 13, 2013.

The State Water Project is a vital component of Southern California's water system, providing roughly 30 percent of the region's water needs. As LVMWD and other Southland water agencies expand their respective conservation and recycling efforts, state project water will remain an essential source to replenish groundwater basins and reservoirs and enhance water quality in the region.

In recent years, both state and federal project deliveries have been repeatedly interrupted and reduced due to operational conflicts with threatened and endangered Delta species. Additionally, both projects are at risk for complete failure given the vulnerability of the Delta levee system to catastrophic earthquake and flood events -- threatening water supplies for the central and southern portions of the state for a protracted period of time. These risks are unacceptable, and conditions are expected to worsen with climate change unless steps are taken now to mitigate these concerns. The proposed BDCP, being developed under provisions of the state and federal endangered species protection laws, is the most promising plan developed to date to address these challenges and resolve decades of conflicts among agricultural, urban and environmental water users with a comprehensive solution that achieves California's co-equal goals of a reliable water supply and restored Delta ecosystem.

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

LVMWD supports the BDCP's proposed twin-tunnel conveyance system that isolates and protects drinking water supplies and helps restore natural flow patterns in the Delta for the benefit of native species, along with the complementary habitat restoration, water quality and predator control measures outlined in the BDCP. We also support the plan's recognition that changing conditions in the Delta will require

**BDCP1771.**

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JUL 28 2014

NAT'L MARINE FISHERIES SVS  
SACRAMENTO, CA

ongoing scientific review and real-time monitoring so the plan can effectively adapt an important framework for a range of operational outcomes and a level of certainty necessary for a final plan to merit investment by participating public water agencies and by the state and federal governments.

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

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

- Provide Water Supply Reliability. *Conveyance options need to provide water supply reliability consistent with DWR's most recent State Water Project Reliability Report (2005).* Comment: BDCP has the potential to regain State Water Project supplies and meet this benchmark. BDCP potential water supplies are within the range of recent 20-year averages. For the participating public water agencies, reliable and adequate supplies are necessary to finance this project.
- Improve Export Quality. *Conveyance options should reduce bromide and dissolved organic carbon concentrations. Existing in-Delta intakes cause direct conflict between the need to reduce organic carbon to meet stricter urban drinking water standards, and the need to increase carbon to promote a healthy food web for fish.* Comment: Existing in-Delta supplies have salinity in the range of 300 milligrams per liter. Upstream supplies on the Sacramento River are in the range of 100 milligrams per liter. The construction of intakes in the northern Delta, and BDCP's dual conveyance water operations strategy, would improve and protect export water quality.
- Allow Flexible Pumping Operations in a Dynamic Fishery Environment. *Water supply conveyance options should allow the greatest flexibility in meeting water demands by taking water where and when it is least harmful to migrating salmon and in-Delta fish species. All options should reduce the inherent conflict between fisheries and water conveyance.* Comment: The new screened intakes proposed by BDCP in the northern Delta would eliminate reverse flow conditions when water is diverted in the north and lead to a far more natural flow pattern in the estuary.
- Enhance Delta Ecosystem. *Conveyance options should provide the ability to restore fishery habitat throughout the entire Delta and minimize disruption to tidal food web processes, and provide for fluctuating salinity levels.* Comment: The modernization of the Delta conveyance system as proposed by BDCP is essential in order for the proposed habitat restoration to have its intended effect.
- Reduce Seismic Risks. *Conveyance options should provide significant reductions in risks to export water supplies from seismic-induced levee failure and flooding.* Comment: The twin tunnels to transport northern supplies beneath the Delta would protect this critical supply from future disasters. The twin-tunnel subsurface design also provides important operational redundancy and reduces risks associated with earthquakes, such as levee failure and liquefaction. The twin-tunnel design would also allow for isolation of repairs if needed for specific tunnel segments, rather than compromising the entire Delta water supply. Tunnels

## BDCP Comments

## Page 3

also would prevent salt water contamination, should there be significant or multiple levee failures. Seismic preparedness is crucial for this vulnerable segment of the statewide water delivery system.

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

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

- *Governance Comment:* The final BDCP governance structure must provide for public water agencies to be full participants in the implementation process in a manner that maintains the existing authorities of the state and federal wildlife agencies. Metropolitan must be among the project permittees in order to assure its active participation in BDCP.
- *Assurances Comment:* As a Habitat Conservation Plan under Section 10 of the federal Endangered Species Act and a Natural Community Conservation Plan pursuant to Fish and Game Code Section 2800 et seq, BDCP offers a path of regulatory stability for both public water agencies and wildlife agencies. It is important to better define and describe this regulatory stability so that the final BDCP offers a clearer choice between this approach and today's ineffective species-by-species approach to regulation and ESA enforcement.
- *Co-Equal Goals Comment:* The Delta Reform Act of 2009 passed by the California Legislature established the co-equal goals of a reliable water supply for California and ecosystem restoration for the Delta. The BDCP must be implemented in a manner consistent with those co-equal goals.
- *In-Delta Impacts Comment:* We are encouraged by recent changes in the proposed intake/tunnel project that will reduce by 50 percent the overall footprint of the project. While the hydrological simulation model in the BDCP analysis suggests that Delta salinity objectives may be exceeded in some instances, the DEIR/S explains that this is due to modeling anomalies. In any event, the Project would be operated to meet all Delta Salinity Standards thus it is not expected to have a significant impact to local agriculture.
- *Local Job Creation Comment:* Habitat restoration, meanwhile, is expected to lead to a net increase of 50,000 local Delta-area jobs. Continued efforts to reduce in-Delta impacts and increase in-Delta benefits of BDCP will improve the final project.

LVMWD and Metropolitan's other member agencies have been investing in the State Water Project for more than four decades. It should be noted that the revenues for the State Water Project are derived largely from the rate-paying public. Metropolitan and its member agencies have additionally invested in regional storage and conveyance to allow Southern California to capture water when it is plentiful and reduce demands on imported supplies during dry and critically dry years. These investments are effectively stranded, if water deliveries from the State Water Project continue to degrade.



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

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

LVMWD appreciates the opportunity to comment on this historic draft plan.

Sincerely,

A handwritten signature in black ink, appearing to read "David W. Pedersen", with a stylized flourish at the end.

David W. Pedersen, P.E.  
General Manager

**From:** Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>  
**Sent:** Wednesday, July 30, 2014 9:12 AM  
**To:** bdcg comments - NOAA Service Account  
**Subject:** Fwd: BDCP COMMENTS  
**Attachments:** 20140728 - Gilbert Labriea AIA, Architect.pdf; 20140728 - County of Placer - Board of Supervisors.pdf; 20140728 - East Contra Costa Irrigation District.pdf; 20140728 - Yorba Linda Water District.pdf; 20140728 - Las Virgenes Municipal Water District.pdf; 20140728 - Mike Hall - Brentwood.pdf

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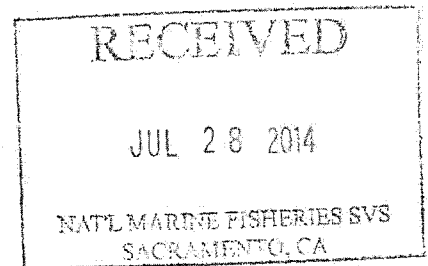
Anita deGuzman  
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NOAA Fisheries \* West Coast Region  
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[Anita.deGuzman@noaa.gov](mailto:Anita.deGuzman@noaa.gov)



## WALNUT GROVE FIRE DISTRICT

P. O. BOX 41 WALNUT GROVE, CALIFORNIA 95690

July 28, 2014



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

Re: Comments to the Bay Delta Conservation Plan Draft EIR/EIS

Dear Mr. Wulff and the BDCP Leadership and Comment Teams:

The Bay Delta Conservation Plan (Nov. 2013) ("**BDCP**") proposes to dramatically alter the way in which the Walnut Grove Fire Protection District (the "**District**") meets its mission and delivers emergency services within District boundaries and in accord with its mutual aid agreements. Those mutual aid agreements include agreements with other fire districts within the Sacramento-San Joaquin Delta.

The District is a unit of local government in the Sacramento-San Joaquin Delta (the "**Delta**"). The District generally covers all of the geographical area south of Lambert Road, west of Interstate Highway 5, east of Steamboat Slough, and South to Poverty Road on Grand Island. The District lies entirely within the legal boundaries of the Delta. The geographical area covered by the District lies entirely within the Plan Area (as defined in the BDCP) and includes the towns of Walnut Grove, Ryde, and Locke. The district has the only marine unit on the Sacramento River from Rio Vista to Sacramento.

The mission and purpose of the District is to provide reliable fire suppression and emergency medical response to the people, residents, structures and businesses within the boundaries of the District. In order to meet this mission and purpose the District relies upon a number of existing physical and economic facts within the District, including:

1. Reliant for the majority of its funding from agricultural land uses and operations, a system of assessments (including special assessments and a portion of general real property taxes) on real property parcels and structures, the maintenance of agricultural viability and land values, and the determination and payment of fees to meet the financial obligations of the District;

BDCP Comments  
Ryan Wulff, NMFS  
July 28, 2014  
Page 2 of 8  
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2. A system of roads and travel routes for the delivery of services both within the District and to facilitate and continue the existing deliveries of as needed mutual aid to and from other fire districts through existing agreements and, through strike teams, throughout California;

3. The on-going system of purchase and maintenance of equipment comprised of rolling stock, personal protection, fire suppression, medical aid, and supportive supplies, materials and equipment; and

4. The maintenance of existing levees and flood protection to reduce the risk of floods and the damage caused by inundation of water.

A number of State and federal entities are discussing formulating various devices, strategies, policies, habitat conservation plans, reports and other procedures (together, "**Plans**") which appear to have the potential to significantly and seriously disrupt or even prevent the District from accomplishing its mission and purpose by alteration of the physical and economic facts listed above. The BDCP is one example of one of these Plans currently under consideration.

This letter constitutes the formal comments to the Draft Environmental Impact Report and Draft Environmental Impact Statement, issued November 2013 (the "**Draft EIR/EIS**") for public comment.

Currently the District responds to approximately 100 fire suppression calls, and 150 medical aid/response calls, on an annual basis. Assuming choice and construction of one of the alternatives (excluding the no project alternative), the District estimates that its fire suppression calls will increase by 10%, and its requests for medical aid/response increase by 20%, on a yearly basis during the construction phase, and by 5% [fire] and 20% [medical aid/response] per year during post-construction operations.

### **Comments Regarding Surface Water**

The District relies in part on surface waters throughout the District, and elsewhere on mutual aid calls, for fire suppression and emergency response. Chapter 6 purports to analyze the significant and serious effects and impacts because of changes in surface water as a result of the project alternatives.

Chapter 6 focuses almost exclusively on the changes in the level of surface water in and around both the Delta and the State of California as a result of the project alternatives. However, Chapter 6 fails to analyze or discuss the quality or quantity of surface water available or used by existing surface water users as either impacts or effects as a result of any of the project alternatives.

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Ryan Wulff, NMFS  
July 28, 2014  
Page 3 of 8

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Specific to the District, various project alternatives, if not all project alternatives, fail to analyze the significant and substantial impacts or effects of lowered surface water tables, and thus failures or significant or substantial loss of access to water. The District relies heavily on water, carried in all of its rolling equipment, to fight and suppress fires. The anticipated lowering of the surface water elevations, and/or the possible degradation of surface water quality and/or quantity has the serious and very possible of additional and further deterioration of the District's ability to fight and suppress fire both within the District and in response and draw of water outside the District under mutual aid agreements.

Chapter 8 does not appear to address changes in water quality upon District operations. Poor water quality, whether in surface or ground waters, is believed to significantly and seriously deteriorate and negatively affect the efficiency of water use in fire suppression and emergency response, and is further believed to shorten the life of the equipment used by the District to perform its mission. The EIR/EIS must fully analyze serious and significant impacts and effects arising from changes in water quality upon District operations and equipment in order to be complete.

### **Comments Regarding Groundwater**

The District relies in part on groundwater through various existing wells located in the District, for fire suppression and emergency response. Chapter 7 purports to analyze the significant and serious effects and impacts because of changes in groundwater as a result of the project alternatives.

Chapter 7 focuses almost exclusively on the changes in the level of groundwater in and around both the Delta and the State of California as a result of the project alternatives. However, Chapter 7 fails to analyze or discuss the quality or quantity of ground water available or used by existing groundwater users as either impacts or effects as a result of any of the project alternatives.

Specific to the District, various project alternatives, if not all project alternatives, fail to analyze the significant and substantial impacts or effects of lowered groundwater tables, and thus failures or significant or substantial loss of access to water. The District relies heavily on water, carried in all of its rolling equipment, to fight and suppress fires. The anticipated lowering of the ground water tables, and/or the possible degradation of groundwater quality and/or quantity has the serious and very possible of additional and further deterioration of the District's ability to fight and suppress fire both within the District and in response and draw of water outside the District under mutual aid agreements.

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Ryan Wulff, NMFS  
July 28, 2014  
Page 4 of 8  
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## Comments Regarding Agricultural Resources

The District provides substantial fire and emergency response services to the persons, businesses, structures, industrial locations and improvements located out in the District which are primarily characterized by or materially support agriculture land uses. The cross-reference discussion set forth in subsection 14.1, beginning on page 14-1, line 28, through page 14-2, line 2, fails to refer to fire suppression and emergency response as related to agriculture in any other chapter. Failing this, reader expects to see analysis of the serious and significant impacts and effects of each of the proposed project alternatives on agriculture as a result of the serious and substantial impacts and effects on the District operations caused by each of the project alternatives. The lack of such analysis is a fatal and serious flaw in the Draft EIR/EIS.

The substantial and serious connection between the District's income from special assessments (determined by a schedule of fixed amounts) and a portion of general real property taxes (determined by assessed values) and related serious and substantial impacts and effects caused by the various project alternatives is not analyzed at all.

Additionally, serious and substantial impact and effect, and possible reduction in the level of fire suppression and emergency response will have a serious and substantial impact and effect on future agricultural development and per acre values. These impacts, and the serious and significant impacts and effects which may occur related to the District may limit, restrict, stop, or reduce the agricultural infrastructure required for continued existence of all of the crops and agricultural activities identified in Chapter 14.

Section 14.2.2.3, page 14-20, lines 3 to 21, with reference to the Delta Protection Commission ("DPC") and its work fails to mention or analyze the DPC's *Economic Sustainability Plan* ("ESP").<sup>1</sup> Cutting across a number of sections written into the Draft EIR/ESP, but with particular focus on Delta agriculture, the ESP is an important planning and legal document formally adopted by the DPC. Many of the components of the ESP have been incorporated into and made a part of the Delta Plan, formally adopted by the Delta Stewardship Council. This failure is a fatal flaw.

Additionally, the admitted lack of analysis of Williamson Act contract cancellations discussion (e.g., at page 14-75, lines 10-24) fails to include in its analysis the resulting financial impacts resulting on changes in land values, changes and

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<sup>1</sup> The ESP is described and analyzed in subsection 16.2.2.3, beginning at page 16-32. However, the ESP also should be included in the Draft EIR/EIS analysis for Chapter 14.

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Ryan Wulff, NMFS  
July 28, 2014  
Page 5 of 8  
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restrictions in crop plantings, and changes in land uses on the income and operations of the District and the other public entities, utilities, and other organs of the Delta and the Delta communities. This failure is a fatal flaw.

### **Comments Regarding Socioeconomics**

Chapter 16, discussing the Socioeconomics of the Delta, founds its analysis in large and significant part on the thinking and belief, without evidence of this belief, that the "rural communities" of the Delta are the towns of the Delta, the collection of improvements lying within the historic townships in the Delta. The language set out at page 16-3, lines 8-10 is an important example of this thinking.

In truth, the Delta communities are composed of both the townships *together* with their surrounding agricultural lands, each in symbiotic relationship with the other. The Walnut Grove Fire Protection District includes the historic towns of Walnut Grove, Ryde & Locke.

The District is also characterized by an important multi-cultural history. Whether it is the example of farmers who during the Second World War paid the taxes on the lands and building of their fellow Japanese farmers so they would not lose their land during internment, protection of the historic Japanese School, or the example of German POWs choosing to remain in the Delta upon their release in 1945, the Portuguese & Italians, or the large Hispanic population which participates in the life of the Delta, these facts and more demonstrate that the Delta community and its social fabric is not divided along the lines of township vs. non-township.

**ECON 15, analyzed re alt 1A, and throughout, re community character damage, is deeply flawed. See page 16-72, line 3 to page 16-73, line 10.**

The activities, meetings, social gatherings, parades, and other regular and annual events which provide important glue for the community and its social harmony face substantial likelihood of disruption constituting a substantial and serious negative impact and effect.

Chapter 20 of the Draft EIR/EIS claims to describe the public services and utilities in the study area which may be affected by the construction, operations and maintenance of the action alternatives in the Plan Area. (Page 20-1, lines 4 – 6.)

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Ryan Wulff, NMFS  
July 28, 2014  
Page 6 of 8  
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As part of the subsection discussing Fire Protection and Emergency Response, the Draft EIR/EIS states "Response time is broken into three components: alarm processing time (dispatch), turnout time, and travel time. The element of time for alarm processing is in the hands of the dispatch and communication system. The amount of time it takes to turnout fire apparatus is different depending on whether the station is staffed by full-time permanent or otherwise assigned personnel or whether the staffing is recalled (volunteer). Travel time is a function of speed and the availability of a road network to get to the scene of an emergency." (Page 20-3, lines 35-40.)

**Flawed Method of Analysis.** Subsection 20.3.1, from page 20-29, line 16 through page 20-30, line 8, recites a "desktop" method of analysis, limited solely to review of electronic data and telephone calls, perhaps limited to one voice message, and email(s). These two methods are the only listed means attempted by the drafters and proponents of the Draft EIR/EIS to obtain information from the public agencies and utilities the drafters write about.

There is absolutely no data presented in summary, raw or other form making representation of any data collected from the telephone calls and emails. This means that no such analysis was received. The calls and emails, and all information received as a result, should be disclosed in the Draft EIR/EIS. The lack of information is not disclosed, and should be disclosed. The Draft EIR/EIS, presented without any of the information collected via the personal methods, is flawed and defective because without the information obtained by telephone calls and email the readers and reviewers of the Draft EIR/EIS cannot effectively evaluate the Draft EIR/EIS. The conclusion is that the drafters have either hidden or failed to disclose the information received, or that information was received and not disclosed.

The drafters further failed to inventory the equipment and training level of the District or any Delta public entity or utility, failed to estimate the increased service load on the District because of the construction and/or operations of the projects listed in any of the alternatives, and failed to evaluate whether the District, or any other public entity or utility is possessed, and offered no plan, to assist the District or any other public entity or utility would possess the required equipment and training to respond to the increased service demands upon the District caused by any of the projects or proposals listed in the Draft EIR/EIS.

**Further Flaw in Method.** As stated above, Subsection 20.3.1, from page 20-29, line 16 through page 20-30, line 8, recites a "desktop" method of analysis, limited solely to review of electronic data and telephone calls, perhaps limited to one voice message, and email(s). The drafters of the Draft EIR/EIS completely failed to collect the statements of mission, plans, purpose or any other matter from the data and information developed and stored at each public service entity, did not inspect or view



BDCP Comments  
Ryan Wulff, NMFS  
July 28, 2014  
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any of the facilities listed, did not learn the scope, number or type of responses handled by the District, or any public service entity, in the Delta. The District submits that these flaws are fatal and the failures listed are required in order to construct and understand the base line data points upon which the Draft EIR/EIS purports, and should be, based.

As one example, for illustration only, if such basic inquiry has been performed by the drafters of the Draft EIR/EIS, they would have learned that part of the primary mission of the District is to provide emergency medical aid, accident and other non-fire first responder services, and that the annual calls of this type typically number above 75 per year. The drafters would also have learned that many of these calls result from existing and long standing mutual aid agreements with sister Delta fire protection districts. The project, and all of the alternatives, clearly disrupt and delay the delivery of these non-fire responses. It is reasonably believed by the District, based on long experience, that loss of life, serious and permanent injury, some of a debilitating type, with corresponding catastrophic financial, social and quality of life loss.

**Error.** At Page 20-22, line 22, under the section entitled "Yolo County General Plan", the Draft EIR/EIS states that the Yolo General Plan makes provision for public services and utilities within "Solano" County.

**Correction.** The reference should be changed so that the word "Yolo" replaces the word "Solano". Please make this correction and change all analysis accordingly.

**Error.** At Table 20A-4, page 20A-13, of Appendix 20A, in the River Delta School District section, third school from the top of the page, referring to "Delta Elementary (K-6 Charter)" claims and states that the enrollment of the school, as of the date of the release of the plan (November 2013) is 123, with a capacity of 280, and states that capacity is not exceeded.

**Correction.** The correct numbers for the Delta Elementary (K-6 Charter) school are: 345 enrollment, with a capacity of 345, at capacity, with a wait list of 32. Please make this correction and change all analysis accordingly.

**Flawed Environmental Analysis.** Subsection 20.3.1.1, in reference to the Environmental Consequences as applied to Fire Protection states, that "Fire Protection entities have the potential to be affected by construction activities in the same ways as law enforcement agencies." (Page 20-30, line 30.) The "Law Enforcement" section immediately above this quoted sentence on Page 20-30, lines identifies four potential impacts: increased number of construction personnel moving into the Plan Area, construction encroachment on station(s), road impacts, and decreased funding.

This analysis is flawed in the following ways:

BDCP Comments  
Ryan Wulff, NMFS  
July 28, 2014  
Page 8 of 8

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1. The analysis is limited to "construction activities" (Pg. 20-30, line 30.) The effects analysis (referred to below) lists both constructions and operations activities as creating effects. The flaw here is the failure of the scope of environmental analysis limited to "construction", whereas the effects analysis focuses on both construction and operation. The environmental analysis must focus and include operations in addition to constructions. Such expansion of analysis to include operations will require further study, additional data, and expanded outreach to understand the true environmental impacts of the BDCP operations upon public services such as Fire and Emergency Response.

2. The Environmental analysis as applied to fire protection, by simply incorporating the analysis as applied to law enforcement, fails to included emergency response and other first responder effects and activities, fails to

**Flawed Effects Analysis of Both Adverse Effects (NEPA) and Significant Impacts (CEQA).** Subsection 20.3.2, Determination of Effects (beginning at page 20-33, line 1) should be titled "Determination of Effects and Impacts", to cover both NEPA and CEQA analysis.

The effects and impacts analysis on page 20-33 should include "lack of fire suppression equipment to serve the needs of substantially greater, adverse and significantly higher number of calls and events requiring fire suppression services by the District both within its boundaries and through the District's mutual aid agreements.

The effects and impacts analysis on page 20-33 should include "lack of emergency response and medical aid equipment

The District requests that the final EIS/EIS presentation clearly identify show specifically all places where each and every one of the comments above is addressed.

Please contact me if you have any questions.

Very truly yours,  
WALNUT GROVE FIRE PROTECTION DISTRICT

By:   
Mark Rogerson, Chair  
Board of Directors

cc: Board Members, Fire Chief and Fire District Secretary

**From:** Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>  
**Sent:** Wednesday, July 30, 2014 9:14 AM  
**To:** bdcpc comments - NOAA Service Account  
**Subject:** Fwd: BDCP COMMENTS  
**Attachments:** 20140728 - Delta Protection Commission - West Sacramento.pdf; 20140728 - Gayle Vaughan - Benicia.pdf; 20140728 - Walnut Grove Fire District.pdf

Received before end of comment period.

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

**From:** Anita Deguzman - NOAA Affiliate <[anita.deguzman@noaa.gov](mailto:anita.deguzman@noaa.gov)>  
**Date:** Mon, Jul 28, 2014 at 2:58 PM  
**Subject:** BDCP COMMENTS  
**To:** Ryan Wulff - NOAA Federal <[ryan.wulff@noaa.gov](mailto:ryan.wulff@noaa.gov)>

I have attached the following comments for your files.

Copies have been made and are in your mailbox - original letters are up front at the reception desk.

--

~~~~~  
Anita deGuzman  
*Administrative Assistant*  
NOAA Fisheries \* West Coast Region  
U.S. Department of Commerce  
650 Capitol Mall, Suite 5-100  
Sacramento, CA 95814  
[916-930-3600](tel:916-930-3600) - main  
[916-930-3629](tel:916-930-3629) - fax  
[Anita.deGuzman@noaa.gov](mailto:Anita.deGuzman@noaa.gov)

*Auburn Dam Council*

July 29, 2014

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

RECEIVED

JUL 29 2014

NAT'L MARINE FISHERIES SVS  
SACRAMENTO, CA

Dear Mr. Wulff:

After so many years of preparation, the Bay Delta Conservation Plan (BDCP) is not comprehensive enough in addressing Delta issues, since it offers nothing but "twin tunnels". The concentration on tunnels, as the sole remedy in the Delta, does not resolve related problems like sufficient cold water releases for fisheries, adequate water for the X2 mixing zone, and generally a comprehensive treatment of the impact tunnels would have on the joint operations agreement between the State and federal water projects, and the subsequent effects on Northern California water reliability. We believe that the "shrinking pie" of available water is a problem in attempting to address the "Twin Goals" set by the Legislature of meeting both Delta restoration needs and providing a reliable water supply for Californians.

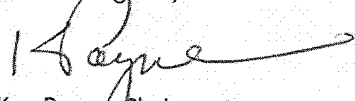
The State's water resources goals should help ensure that the needs of fisheries and people are met. Likewise, absent increases in storage in close proximity to the Delta, there is not a source to enable rapid releases of water to meet key adaptive management goals for Delta and in-river fish species. We believe that looking at increased water supplies, like increasing above-Folsom storage, and other increases in water storage, should be an integrated element of any statewide Delta Solution. From presentations made to our Council, it appears that there are other in-Delta options for both water storage and transport (i.e., the West Delta Intake Concept) which may provide less environmentally damaging alternatives than the proposed tunnels. Increased storage will also allow additional storage releases, above the Delta, for occasions when it can be moved south and can help to provide ground water recharge and storage.

Without specifically endorsing any particular proposal, such as the West Delta Intake Concept, we believe that it, and possibly other alternatives, to address the State's Twin Goals, should be considered as part of the BDCP process. We've attached, for the record, a fact sheet on upstream Folsom Storage (i.e., the Auburn Dam), as an example of what upstream storage can provide. Only additional storage can meet the impacts of Climate Change, including a decreasing snow pack and an extended drought, and simultaneously address some of the State's other goals, like "green" hydroelectric power production.

Alternatives should also include fully integrating the above-Folsom Reservoir (e.g., Auburn Reservoir) water supply potential into the State's overall water delivery system along with other increased storage facilities. As this year's drought shows, current users of Folsom Dam can experience mandated curtailments, to meet statewide operational objectives and environmental needs, thus decreasing their reliable supply, even for those whose water rights pre-date the Bureau of Reclamation in use of "Folsom" water. We believe that, without the increased storage, provided by a multi-purpose facility above the Folsom Reservoir, with close proximity to the Delta for releases of cool water, water needed for fisheries, Delta restoration, and reliable water supplies for users on the Lower American River will not be available in the future, and the Delta Solution will be incomplete and ineffective.

Thank you for this opportunity to comment on the BDCP. If you have any questions or need additional information, please contact me at [kenpayne65@yahoo.com](mailto:kenpayne65@yahoo.com) or (916) 215-7246.

Kindest Regards,

  
Ken Payne, Chairman

## Enclosure

cc: American River Flood Control District  
165 Commerce Circle  
Sacramento, CA 95815

American River Parkway Preservation Society  
2267 University Avenue  
Sacramento, CA 95825-7083

A.C. Covarrubias, Business Rep.  
Laborers Local 185  
1320 National Drive  
Sacramento, CA 95834-1908

Maureen F. Gorsen, Partner  
Alston & Bird, LLP  
1115 11<sup>th</sup> Street  
Sacramento, CA 95814

Mountain Counties Water Resources Association  
P.O. Box 251  
Placerville, CA 95667

North State Water Alliance  
c/o Valley Vision  
2320 Broadway  
Sacramento, Ca 95818

Northern California Water Association  
455 Capitol Mall, Suite 335  
Sacramento, CA 95814-4496

Regional Water Authority  
5620 Birdcage Street, Suite 180  
Citrus hHeights, CA 95610

Robert Pyke, P.E., Ph.D.  
1310 Alma Avenue, Suite W201  
Walnut Creek, CA 94596

Sacramento Area Flood Control Agency  
1007 7<sup>th</sup> Street, 7<sup>th</sup> Floor  
Sacramento, Ca 95814

## AUBURN DAM

Formerly: Auburn-Folsom South Unit

|                     |                     |
|---------------------|---------------------|
| Reservoir Capacity: | 2,326,000 Acre-feet |
| Avg. Annual Inflow  | 1,363,000 Acre-feet |
| Avg. Annual Yield   | 208,000 Acre-feet   |

### COSTS AND BENEFITS<sup>1</sup>

#### Estimate of Project Construction Costs:

| <u>Description</u>                                      | <u>Amount in Millions of \$</u> |
|---------------------------------------------------------|---------------------------------|
| Project General Requirements                            | \$440                           |
| Site Preparation                                        | 79                              |
| Roller Compacted Concrete (RCC)                         | 2,092                           |
| Hydro-Electric Power Plant                              | 578                             |
| Electric Power Transmission, Switchyard, and Substation | 76                              |
| Highway and Road Relocation                             | 469                             |
| Public Access and Recreation                            | 32                              |
| Subtotal                                                | 3,766                           |
| Unlisted Items (@ 20%)                                  | 753                             |
| Contract Cost                                           | 4,519                           |
| Contingencies (@ 20%)                                   | 904                             |
| Field Cost                                              | \$5,423                         |

#### Estimate of Project Non-Contract Costs:

| <u>Description</u>                    | <u>Amount in Millions of \$</u> |
|---------------------------------------|---------------------------------|
| Lands and Rights                      |                                 |
| Reservoir Take-Line                   | \$38                            |
| Environmental Mitigation Lands        | 2,320                           |
| Major Highway Relocations             | 22                              |
| Environmental Mitigation              | 1,480                           |
| Environmental Compliance and Planning | 15                              |
| Engineering and Design                | 100                             |
| Construction Management               | 200                             |
| Total Non-Contract Costs              | \$4,175                         |

#### Revenue/Savings Benefits:

|                                                                 | <u>Millions of \$/year</u> |
|-----------------------------------------------------------------|----------------------------|
| • Hydroelectric Power at 2009 rates (ref. NCPA)                 | 121                        |
| • Water Sales - 208,000 Ac-ft/year @ \$1,000/Ac-ft.             | 208                        |
| • Flood Insurance for 100,000 households a/o 2018 @ \$1025/year | 102.5                      |
| • Avg. Annual Floor Damage <sup>2</sup>                         | .375                       |

<sup>1</sup> Auburn-Folsom South Unit Special Report, December 2006

<sup>2</sup> Note that without Auburn Dam, Flood Damage is increased to \$17 Billion in 2006 with a 1:70 chance of flooding in any given year (i.e., 70-year flood protection).

Millions of \$/year

- State Parks:
    - Auburn – Future (based on year-a-round operation as Folsom)
    - Auburn – Current budget shown as negative revenue
    - Folsom (Two additional seasons of operation, 2X current budget)
    - American River Parkway (year-a-round benefit)
- Total Annual Benefit (Revenue Bond Repayment)
- Total net revenue

**From:** Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>  
**Sent:** Wednesday, July 30, 2014 12:34 PM  
**To:** bdcpl comments - NOAA Service Account  
**Subject:** Fwd: BDCP COMMENTS  
**Attachments:** 20140729 - Auburn Dam Council.pdf; 20140729 - Building Trades Council.pdf; 20140729 - Fresno Economic Opportunities Commission.pdf; 20140729 - Irrigation Drainage - Reclamation District No. 2068.pdf; 20140729 - Patrick E. Kelly - Chico.pdf

postmarked by 7/29

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

**From:** Anita Deguzman - NOAA Affiliate <[anita.deguzman@noaa.gov](mailto:anita.deguzman@noaa.gov)>  
**Date:** Wed, Jul 30, 2014 at 11:48 AM  
**Subject:** Re: BDCP COMMENTS  
**To:** Ryan Wulff - NOAA Federal <[ryan.wulff@noaa.gov](mailto:ryan.wulff@noaa.gov)>

On Tue, Jul 29, 2014 at 3:06 PM, Anita Deguzman - NOAA Affiliate <[anita.deguzman@noaa.gov](mailto:anita.deguzman@noaa.gov)> wrote:  
I have attached the following BDCP comments for your files.

Copies have been made and are in your mailbox - original letters are up front at the reception desk.

--

~~~~~  
Anita deGuzman  
*Administrative Assistant*  
NOAA Fisheries \* West Coast Region  
U.S. Department of Commerce  
650 Capitol Mall, Suite 5-100  
Sacramento, CA 95814  
916-930-3600 - main  
916-930-3629 - fax  
[Anita.deGuzman@noaa.gov](mailto:Anita.deGuzman@noaa.gov)



IRRIGATION



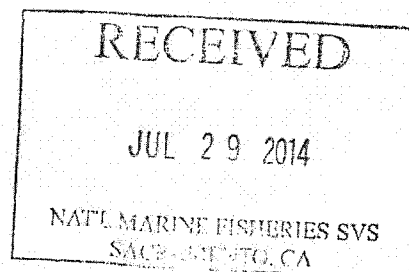
DRAINAGE

## RECLAMATION DISTRICT NO. 2068

July 29, 2014

Via U.S. Mail and E-mail (BDCP.Comments@noaa.gov)

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



Sacramento, CA 95814

Subject: Comments of Reclamation Districts 2068 and 2098 on the Draft Bay-Delta Conservation Plan and EIR/EIS

Mr. Wulff:

On behalf of Reclamation Districts 2068 and 2098, we submit these comments on the Draft Bay Delta Conservation Plan ("BDCP" or "Plan") and the accompanying Draft Environmental Impact Report/Environmental Impact Statement ("EIR/EIS"). Because the BDCP states that the Plan and supporting documents are incorporated into the EIR/EIS, the Districts' comments on the BDCP should also be considered comments the EIR/EIS.

The Districts hereby incorporate by reference the comments on the Plan and EIR/EIS submitted by the North Delta Water Agency, the California Central Valley Flood Control Association, Solano County, Yolo County, Solano County Water Agency and the North State Water Alliance (including all attachments to those comments) as though fully stated herein.

Thank you for your attention to these comments.

Very truly yours,

T. M. Hardesty

cc: Board of Trustees, Reclamation Districts 2068 and 2098  
Solano County  
Yolo County  
Solano County Water Agency

**From:** Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>  
**Sent:** Wednesday, July 30, 2014 12:34 PM  
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postmarked by 7/29

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--

~~~~~  
Anita deGuzman  
*Administrative Assistant*  
NOAA Fisheries \* West Coast Region  
U.S. Department of Commerce  
650 Capitol Mall, Suite 5-100  
Sacramento, CA 95814  
916-930-3600 - main  
916-930-3629 - fax  
[Anita.deGuzman@noaa.gov](mailto:Anita.deGuzman@noaa.gov)



**Fresno  
Economic  
Opportunities  
Commission**

**Chairman of the Board**  
Reverend Paul McCoy

**First Vice Chair**  
Jimi Rodgers

**Second Vice Chair**  
Julia Hernandez

**Treasurer**  
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Frank Franco  
Linda R. Hayes  
Richard Keyes  
Tito A. Lucero  
Deanna Mathies  
Pastor Bruce McAlister  
Joshua Mitchell  
Daniel T. Parra  
Yvette Quiroga  
Catherine Robles  
Esmeralda Soria  
Cheryl Sullivan  
Maiyer Vang  
Juanita Veliz

**Chief Executive Officer**  
Brian Angus

**Executive Office**  
1920 Mariposa Mall,  
Suite 300  
Fresno, CA 93721

(559) 263-1000  
[www.fresnoeoc.org](http://www.fresnoeoc.org)



July 28, 2014

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

Dear Governor Brown,

On behalf of Fresno Economic Opportunities Commission (Fresno EOC), we express our support of the Bay Delta Conservation Plan. Building a modern day water conveyance system as proposed will not only secure a reliable water source to 22 million Californians, but will also protect and restore the ecological health of the Delta.

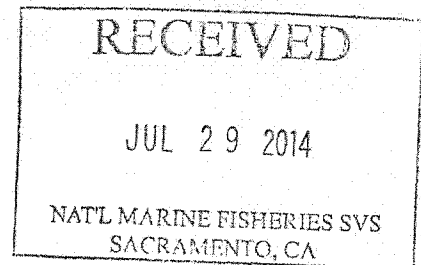
This plan is an investment in the future and stability of California and provides an opportunity to complete the water plan vision that started in the 60's. Not only did the California Aqueduct provide much needed water to Southern California, it also stimulated farming in the Central Valley and has contributed to the growth of agriculture here in Fresno County. Infrastructure investment, including above ground storage and the rebuilding of California's water conveyance system will spur job creation in the Central Valley and help improve our region's suffering economy.

As we continue to face one of the worst droughts in our state's history, we need to plan and implement projects that look to secure water for generations to come. After years of development, refinement and review we feel it is time to move forward with the Bay Delta Conservation Plan.

We appreciate your efforts to move this important project forward.

Sincerely,

Brian Angus  
Chief Executive Officer



**From:** Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>  
**Sent:** Wednesday, July 30, 2014 12:34 PM  
**To:** bdcg comments - NOAA Service Account  
**Subject:** Fwd: BDCP COMMENTS  
**Attachments:** 20140729 - Auburn Dam Council.pdf; 20140729 - Building Trades Council.pdf; 20140729 - Fresno Economic Opportunities Commission.pdf; 20140729 - Irrigation Drainage - Reclamation District No. 2068.pdf; 20140729 - Patrick E. Kelly - Chico.pdf

postmarked by 7/29

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

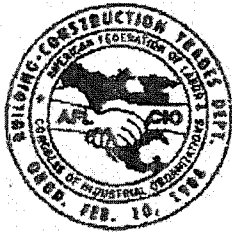
**From:** Anita Deguzman - NOAA Affiliate <[anita.deguzman@noaa.gov](mailto:anita.deguzman@noaa.gov)>  
**Date:** Wed, Jul 30, 2014 at 11:48 AM  
**Subject:** Re: BDCP COMMENTS  
**To:** Ryan Wulff - NOAA Federal <[ryan.wulff@noaa.gov](mailto:ryan.wulff@noaa.gov)>

On Tue, Jul 29, 2014 at 3:06 PM, Anita Deguzman - NOAA Affiliate <[anita.deguzman@noaa.gov](mailto:anita.deguzman@noaa.gov)> wrote:  
I have attached the following BDCP comments for your files.

Copies have been made and are in your mailbox - original letters are up front at the reception desk.

--

~~~~~  
Anita deGuzman  
*Administrative Assistant*  
NOAA Fisheries \* West Coast Region  
U.S. Department of Commerce  
650 Capitol Mall, Suite 5-100  
Sacramento, CA 95814  
916-930-3600 - main  
916-930-3629 - fax  
[Anita.deGuzman@noaa.gov](mailto:Anita.deGuzman@noaa.gov)



## Building Trades Council

Kern, Inyo, & Mono Counties of California AFL-CIO

July 28, 2014

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

Dear Governor Brown,

RECEIVED

JUL 29 2014

NATL MARINE FISHERIES SVS  
SACRAMENTO, CA

I am writing to you to express the support of the Bay Delta Conversation Plan by the Kern, Inyo and Mono Counties Building and Construction Trades Council. Building a modern day water conveyance system as proposed will not only supply much needed water to the rest of the state, but will protect the Delta environmentally.

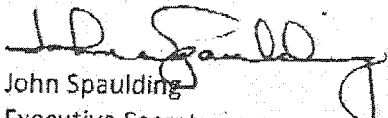
The two tunnel system will be an obvious opportunity for jobs that will stimulate the economy in an area of our state that has suffered a severe financial hardship, but it will complete the transfer of excess water when available to the California Aqueduct for distribution to the other areas of the state. The drought has brought to the forefront the immediate focus by all of Californians that we are not distributing enough excess water to areas that are in dire need, particularly here in the Kern County area.

This plan is a smart investment in the future of California and will provide an opportunity to complete the water plan vision that was started in the 60's. Not only did the California Aqueduct provide much needed water to Southern California, it stimulated farming in the San Joaquin Valley and moved California to the forefront of providing food to rest of the state, the nation and the world.

As we continue to face on to the worst droughts in our state's history, we need to ensure that we are preparing for future generations. After eight years of development, refinement and review, it's time to move forward with the Bay Delta Conservation Plan.

Please know that we are very appreciative of your efforts to move this important project forward.

Sincerely,

  
John Spaulding  
Executive Secretary

JOHN SPAULDING  
EXECUTIVE SECRETARY

661-323-7957 OFFICE  
661-327-8379 FAX

200 WEST JEFFREY STREET  
BAKERSFIELD, CALIFORNIA 93305-2434

**From:** Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>  
**Sent:** Wednesday, July 30, 2014 12:34 PM  
**To:** bdcf comments - NOAA Service Account  
**Subject:** Fwd: BDCP COMMENTS  
**Attachments:** 20140729 - Auburn Dam Council.pdf; 20140729 - Building Trades Council.pdf; 20140729 - Fresno Economic Opportunities Commission.pdf; 20140729 - Irrigation Drainage - Reclamation District No. 2068.pdf; 20140729 - Patrick E. Kelly - Chico.pdf

postmarked by 7/29

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**Date:** Wed, Jul 30, 2014 at 11:48 AM  
**Subject:** Re: BDCP COMMENTS  
**To:** Ryan Wulff - NOAA Federal <[ryan.wulff@noaa.gov](mailto:ryan.wulff@noaa.gov)>

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Anita deGuzman  
*Administrative Assistant*  
NOAA Fisheries \* West Coast Region  
U.S. Department of Commerce  
650 Capitol Mall, Suite 5-100  
Sacramento, CA 95814  
916-930-3600 - main  
916-930-3629 - fax  
[Anita.deGuzman@noaa.gov](mailto:Anita.deGuzman@noaa.gov)

## Anderson-Cottonwood Irrigation District

Brenda Haynes, President  
Audie Butcher, Vice President  
Robert Blankenship, Director

2810 Silver Street, Anderson, Ca. 96007  
(530) 365-7329 - Fax: (530) 365-7623  
[www.andersoncottonwoodirrigationdistrict.org](http://www.andersoncottonwoodirrigationdistrict.org)

Jason Munson, Director  
Kayle Spoon, Director  
Stan Wangberg, GM/Sec

July 29, 2014

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

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JUL 29 2014

Natl Marine Fisheries Svc.  
SACRAMENTO, CA

Dear Mr. Wulff:

Anderson-Cottonwood Irrigation District supports the comment letter dated July 28, 2014 submitted on behalf of the North State Water Alliance, which contains comments on the Bay Delta Conservation Plan, and its associated Implementation Agreement and draft Environmental Impact Statement and Environmental Impact Report. By and through this letter, Anderson-Cottonwood Irrigation District adopts each comment and objection in the July 28 letter as its own, along with all exhibits and attachments to that letter, and incorporates herein by this reference all such comments, objections, and documents.

Sincerely,



Stan Wangberg  
General Manager

**From:** Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>  
**Sent:** Friday, August 01, 2014 1:49 PM  
**To:** bdcg comments - NOAA Service Account  
**Subject:** Fwd: BDCP COMMENTS | Received 07.29.2014  
**Attachments:** 20140729 - Anderson Cottonwood Irrigation District.pdf; 20140729 - Reclamation District No. 800 - Byron Tract.pdf; 20140729 - CalSTA - California State Transportation Agency.pdf; 20140729 - Nancy Schroder - Benicia.pdf; 20140729 - City of Rio Vista.pdf; 20140729 - Pat Borison - Discovery Bay.pdf; 20140729 - BayArea Council.pdf

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

**From:** Anita Deguzman - NOAA Affiliate <[anita.deguzman@noaa.gov](mailto:anita.deguzman@noaa.gov)>  
**Date:** Fri, Aug 1, 2014 at 1:43 PM  
**Subject:** BDCP COMMENTS | Received 07.29.2014  
**To:** Ryan Wulff - NOAA Federal <[ryan.wulff@noaa.gov](mailto:ryan.wulff@noaa.gov)>

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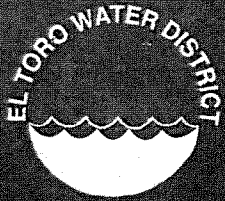
~~~~~  
Anita deGuzman  
*Administrative Assistant*  
NOAA Fisheries \* West Coast Region  
U.S. Department of Commerce  
650 Capitol Mall, Suite 5-100  
Sacramento, CA 95814  
916-930-3600 - main  
916-930-3629 - fax  
[Anita.deGuzman@noaa.gov](mailto:Anita.deGuzman@noaa.gov)



# **L # 1778**

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

(replace original)



# El Toro Water District

*"A District of Distinction"*

Serving the Public - Respecting the Environment

July 24, 2014

BDCP Comments  
c/o Mr. Ryan Wulff  
National Marine Fisheries Services  
650 Capitol Mall, Suite 5-100  
Sacramento, CA 95814

RECEIVED

JUL 29 2014

Nat'l Marine Fisheries Svs.  
Sacramento, CA

Dear Mr. Wulff:

The El Toro Water District (ETWD) is pleased to submit comments on the DRAFT Bay Delta Conservation Plan (BDCP) and DRAFT Environmental Impact/Environmental Impact Statement (EIR/EIS).

ETWD is a retail water provider formed under the provisions of the California Water District Law, Division 13 of the Water Code of the State of California. ETWD is situated within the southern portion of Orange County and provides potable and/or recycled water to over 48,000 residents. ETWD's water customers include residential, commercial, institutional, and dedicated landscape customers within all of the City of Laguna Woods and portions of the cities of Lake Forest, Aliso Viejo, Laguna Hills and Mission Viejo. All potable water served by ETWD is imported from the Metropolitan Water District of Southern California via the State Water Project and the Colorado River Aqueduct.

- 1) BDCP Preferred Alternative No. 4: ETWD supports the BDCP Preferred Alternative No. 4 provided reasonable assurances are included regarding governance and future decision making in the process. It is critical to the state's economy and environment that both the State and Federal government expeditiously follow through with the decision for adopting and implementing the BDCP.

ETWD also strongly advocates for a seat at the table for the water Permittees in the various oversight groups. The investment and decision-making must be structured to achieve a positive outcome for both the State Water Project and Permittees and the ecosystem restoration in a collaborative, partnership manner.

ETWD opposes the No Action Alternative.

- 2) Co-Equal Goals: The BDCP must be implemented in a manner that is consistent with the co-equal goals adopted by the State. Preferred Alternative No. 4 is consistent with those goals as outlined in the Delta Reform Act of 2009.
- 3) New Facilities and In-Delta Operational Flexibility: The modernization of the Delta conveyance system is essential in order for habitat restoration and conservation to have its intended effect. Preferred Alternative No. 4, which incorporates the 9,000 cubic feet per second three in-take, twin tunnel conveyance system, provides the best balance between operational flexibility and modernizing the conveyance system for environmental benefit and water supply reliability.

## Board of Directors

Ted F. Martin  
M. Scott Goldman  
William H. Kahn  
Jerard B. Werner  
Jose F. Vergara

## General Manager

Robert R. Hill

## El Toro Water District

- 4) **Reduced Future Reliance:** The 2009 Delta legislation called for water agencies to reduce future reliance on the Delta, not to become 100 percent "self-reliant". While major efforts in these areas will continue, it is important to note that "reduced reliance" does not equate to and was never intended to require a move to 100 percent "self-reliance" and the notion of co-equal goals was never intended to result in a future with significant reduction in exports from levels achieved before the 2008 bio-opinions.
- 5) **Plan Implementation and Regulatory Assurance:** The BDCP must provide the needed implementation and regulatory structure and assurances to help achieve the go-equal goals. To ETWD, this means that it is virtually impossible to predict the outcome of the BDCP habitat restoration efforts and endangered species population dynamics, and such a standard should not be required in the Draft EIR/EIS. Furthermore, this means that changed circumstances under the operation of the BDCP, including potential for new species listing, be incorporated in such a manner so as to result in a minimum impact on future water supply exports.
- 6) **Implementing Agreement:** The Implementing Agreement is a contractual, legally-binding agreement that spells out the commitments and assurances as well as the terms and conditions for on-going implementation of the BDCP. Clarity in this agreement is essential as well as the balance in implementation of the co-equal goals.
- 7) **Sound Science:** It is critical that sound science is provided in order to assure the long-term success of the BDCP. ETWD strongly supports the inclusion of independent scientific investigation and research to be included in the BDCP process.
- 8) **Cost Allocation:** ETWD supports the "beneficiary pays principle" in cost allocation for all responsible parties and beneficiaries.

The State Water Project is critically important to ETWD and the Orange County economy, environment and water management. Implementation of the BDCP is critical to Orange County's future. We have invested heavily to diversify our water portfolio but the State Water Project remains an essential source of low salinity water supply that is currently unacceptably jeopardized by the unsustainability of the current Bay-Delta System. At the same time, Orange County relies on the State Water Project to support groundwater conjunctive use programs and water recycling programs. It is an essential part of our water reliability strategy that sustains our citizens and businesses.

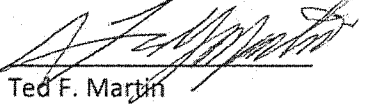
It is now time for the State and Federal government to adopt and move the BDCP to implementation in order that we can achieve the 2009 legislation's co-equal goals of improving water supply reliability and ecosystem restoration and improved function by implementing the BDCP Preferred Alternative No. 4.

# El Toro Water District

Thank you for your time and thoughtful consideration of these comments.

Respectfully Submitted,

EL TORO WATER DISTRICT



Ted F. Martin

President

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

**From:** Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>  
**Sent:** Friday, August 01, 2014 1:50 PM  
**To:** bdcpr comments - NOAA Service Account  
**Subject:** Fwd: BDCP COMMENTS | Received 07.29.2014  
**Attachments:** 20140729 El Toro Water District.pdf; 20140729 - Moulton Niguel Water.pdf; 20140729 - Bella Vista Water District.pdf; 20140729 - Dudley Ridge Water District.pdf; 20140729 - San Francisco Bay Conservation & Development Commission.pdf; 20140729 - Union Pacific Railroad Company.pdf

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

**From:** Anita Deguzman - NOAA Affiliate <[anita.deguzman@noaa.gov](mailto:anita.deguzman@noaa.gov)>  
**Date:** Fri, Aug 1, 2014 at 1:45 PM  
**Subject:** BDCP COMMENTS | Received 07.29.2014  
**To:** Ryan Wulff - NOAA Federal <[ryan.wulff@noaa.gov](mailto:ryan.wulff@noaa.gov)>

I have attached the following comments for your files.

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~~~~~  
Anita deGuzman  
*Administrative Assistant*  
NOAA Fisheries \* West Coast Region  
U.S. Department of Commerce  
650 Capitol Mall, Suite 5-100  
Sacramento, CA 95814  
916-930-3600 - main  
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[Anita.deGuzman@noaa.gov](mailto:Anita.deGuzman@noaa.gov)



**Moulton Niguel Water**  
Leading the Way in Service

July 28, 2014

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JUL 29 2014

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

Natl Marine Fisheries Svs.  
Sacramento, CA

**Re: Comments of Moulton Niguel Water District on the Draft Public Review Bay-Delta Conservation Plan (BDCP), Draft Environmental Impact Report/Environmental Impact Statement and Draft BDCP Implementing Agreement**

Mr. Wulff:

Moulton Niguel Water District is pleased to submit comments on the Draft Bay Delta Conservation Plan (BDCP), Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) and Draft BDCP Implementing Agreement.

Moulton Niguel Water District is a retail water supplier in Orange County that is governed by a publicly elected Board of Directors. In addition, the District is a member agency of the Municipal Water District of Orange County (MWDOC), who in turn is a member agency of the Metropolitan Water District of Southern California (Metropolitan).

In spite of the world-class efforts of Orange County to provide greater water supply certainty for eight percent of California's population and the \$200 billion economy they represent, Orange County remains dependent on imported water from Metropolitan to meet approximately 45 percent of its average annual demand from State Water Project (SWP) deliveries from the Delta meeting approximately half of those needs. The Delta ecosystem and water supply conveyance problems have long been recognized, and have remained in a continuing state of degradation, conflict, and stalemate.

Moulton Niguel Water District has a strong conservation ethos and has worked to provide almost 25% of its water supply from recycled water. However, due to limited local sources, the District is still highly dependent on MWDOC's imported supplies from the Colorado River Aqueduct (CRA) and Bay Delta. In addition, the use of recycled water is dependent upon blending water from the SWP with water from the CRA due to high salinity in CRA water. In the event of a catastrophic levee failure due to seismic activity or a negative court ruling on moving water through the Delta, the District would experience severe supply constraints and be forced into mandatory water use restrictions causing economic loss.

July 28, 2014

Many years and hundreds of millions of dollars have been spent on study efforts while the delta system continues to deteriorate. The longer it takes to begin the resolution, the more expensive it will become. This stalemate has been punctuated by droughts, floods, economic losses, environmental degradation and litigation every decade since the construction of the SWP in the 1960's. We can no longer delay action in the Delta, and urge the State and Federal government to quickly move forward with the Preferred Alternative. Failing to act and move forward is not an acceptable alternative.

In recent years the endangered species biological opinions for protection of Delta Smelt, Longfin Smelt and Chinook Salmon have resulted in massive cutbacks in exports of over 1.5 million acre-feet per year. Without the BDCP, further cuts of another 1.0 million acre-feet per year could occur with new endangered species listings according to the BDCP briefing documents. This situation is untenable and a solution must be found to stop the rapid deterioration of this critical foundational water supply to Southern California. The BDCP is the best hope we have and it must be approved and implemented in a timely and cost-effective manner.

We offer the following specific comments on the BDCP:

1. We strongly support the BDCP Preferred Alternative (No. 4) and oppose the No Action Alternative: It is critical to the state's economy and environment that both the State and Federal government expeditiously follow through with the decision for adopting and implementing the BDCP.
2. Co-Equal Goals: The BDCP must be implemented in a manner consistent with the co-equal goals adopted by the State. Preferred Alternative (No. 4) is consistent with the Delta Reform Act of 2009's co-equal goals.
3. New Facilities and In-Delta Operational Flexibility: The modernization of the Delta conveyance system is essential in order for habitat restoration and conservation to have their intended effect. Moulton Niguel Water District prefers the 15,000 cfs alternative with regards to supply reliability but we support the Preferred Alternative (No. 4), which incorporates the 9,000 cubic feet per second (cfs) three intake, twin tunnel conveyance system, in order to compromise between the balance of operational flexibility and modernizing the conveyance system for environmental benefit and water supply reliability.
4. Reduced Future Reliance: The 2009 Delta legislation called for water agencies to reduce future reliance on the Delta, not to become 100 percent "self-reliant". While our major efforts in these areas will continue, it is important to note that "reduced reliance" does not equate to and was never intended to require a move to 100 percent "self-reliance" and the notion of co-equal goals was never intended to result in a future with significant

July 28, 2014

reduction in exports from levels achieved before the 2008 biological opinions.

5. Plan Implementation and Regulatory Assurance: The BDCP must provide the needed implementation and regulatory structure and assurances to help achieve the co-equal goals. In particular, allowances for changed circumstances and adaptive management that minimize the impact on future water supplies is critical to ensure an effective return on the multi-billion investment that Californians will be making.
6. Sound Science. Decisions to implement and adopt the BDCP must be based on sound science. We strongly support the inclusion of independent scientific investigation and research to be included in the BDCP process.
7. Cost Allocation: We support the "beneficiary pays principle" as a basis to allocate cost among all responsible parties and beneficiaries.
8. Implementing Agreement: The Implementing Agreement is a contractual, legally-binding agreement that spells out the commitments and assurances as well as the terms and conditions for on-going implementation of the BDCP. Clarity in this agreement is essential as well as the balance in implementation of the co-equal goals.
9. Economy, Environment and Water Management: The SWP is critically important to the Orange County economy, environment and water management. Implementing the BDCP is critical to Orange County's future.
  - a. Orange County and Moulton Niguel Water District have invested heavily to diversify our water portfolio but the SWP remains a critical source of low salinity water, which is currently jeopardized under the current Bay-Delta system.
  - b. Orange County relies on the SWP to support groundwater conjunctive use programs and water recycling programs - it is an essential part of our water reliability strategy that sustains our citizens and businesses.
  - c. We support the 9,000 cfs twin tunnel Preferred Alternative (No. 4) provided reasonable assurances are included regarding governance and future decision-making. The investment and decision-making must be structured to achieve a positive outcome for both public water agencies and the ecosystem in a collaborative manner.

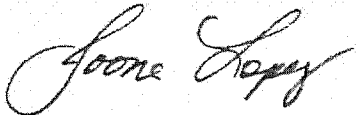


July 28, 2014

State Water Project contractors are accountable for the fixed costs of the State Water Project regardless of deliverables. It is now time for the State and Federal government to adopt and move the BDCP to implementation in order that we can achieve the 2009 legislation's co-equal goals of ecosystem restoration and fulfill the promise of reliable water.

Thank you for your time and consideration of these comments.

Sincerely,

A handwritten signature in cursive script that reads "Joone Lopez".

Joone Lopez  
General Manager  
Moulton Niguel Water District

**From:** Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>  
**Sent:** Friday, August 01, 2014 1:50 PM  
**To:** bdcg comments - NOAA Service Account  
**Subject:** Fwd: BDCP COMMENTS | Received 07.29.2014  
**Attachments:** 20140729 - El Toro Water District.pdf; 20140729 - Moulton Niguel Water.pdf; 20140729 - Bella Vista Water District.pdf; 20140729 - Dudley Ridge Water District.pdf; 20140729 - San Francisco Bay Conservation & Development Commission.pdf; 20140729 - Union Pacific Railroad Company.pdf

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**From:** Anita Deguzman - NOAA Affiliate <[anita.deguzman@noaa.gov](mailto:anita.deguzman@noaa.gov)>  
**Date:** Fri, Aug 1, 2014 at 1:45 PM  
**Subject:** BDCP COMMENTS | Received 07.29.2014  
**To:** Ryan Wulff - NOAA Federal <[ryan.wulff@noaa.gov](mailto:ryan.wulff@noaa.gov)>

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~~~~~  
Anita deGuzman  
*Administrative Assistant*  
NOAA Fisheries \* West Coast Region  
U.S. Department of Commerce  
650 Capitol Mall, Suite 5-100  
Sacramento, CA 95814  
916-930-3600 - main  
916-930-3629 - fax  
[Anita.deGuzman@noaa.gov](mailto:Anita.deGuzman@noaa.gov)

Coalition for a Sustainable Delta

July 29, 2014

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

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JUL 29 2014

Nat'l Marine Fisheries Service  
 Sacramento, CA

Re: Comments on the Bay Delta Conservation Plan

Dear Mr. Wulff:

The Coalition for a Sustainable Delta (Coalition) appreciates the opportunity to comment on the public review draft of the Bay Delta Conservation Plan (BDGP or Plan) and the associated Draft Environmental Impact Report / Environmental Impact Statement (DEIR/EIS).

The Coalition is a California nonprofit corporation comprised of agricultural, municipal, and industrial water users, as well as individuals in the San Joaquin Valley. The Coalition and its members depend on water from the Sacramento-San Joaquin Delta (Delta) for their continued livelihood. Individual Coalition members frequently use the Delta for environmental, aesthetic and recreational purposes; thus, the economic and non-economic interests of the Coalition and its members are dependent on a healthy and sustainable Delta ecosystem.

The Coalition is supportive of the BDGP and appreciates the effort that has gone into the draft Plan and DEIR/EIS. The Coalition believes that the Plan can establish a comprehensive solution that achieves California's co-equal goals of improving water supply reliability and enhancing the Delta ecosystem. Specifically, the Coalition supports the BDGP's proposed twin-tunnel conveyance system, which will isolate and protect drinking water supplies and help restore natural flow patterns in the Delta for the benefit of native species. The Coalition also supports the Plan's recognition that changing conditions in the Delta will require ongoing scientific review and real-time monitoring so the Plan can effectively adapt over time to emerging science and the evolving ecosystem.

While the current draft of the BDGP details a potentially workable solution to the challenges facing California's water resources and the Delta, key decisions remain relating to cost allocations, operations, outflow ranges, financing and other issues. The Coalition believes the successful resolution of the issues set forth below is critical to the ultimate success of the Plan and to solving California's perpetual water supply and Delta ecosystem concerns.

*The Coalition for a Sustainable Delta is an ad hoc group of water users who depend on the delta for a large portion of their water supplies. The Coalition is dedicated to protecting the delta and is committed to promoting a strategy to ensure its sustainability.*

915 L Street, #C-438 • Sacramento, CA 95814  
[www.sustainabledelta.com](http://www.sustainabledelta.com)

## Coalition for a Sustainable Delta

## 1. Regulatory Assurances.

The BDCP involves major, long-term commitments of resources by State Water Project (SWP) and Central Valley Project (CVP) contractors to restore and improve the reliability of water supplies in the Delta and to contribute to the conservation of covered species. In light of this fact, the BDCP must include provisions that provide assurances to the SWP/CVP contractors that their permits to operate the SWP and CVP will remain in place for the full duration of the BDCP.

Certain sections of the BDCP currently include language indicating that, in the event the United States and/or State fail to fulfill their funding commitments, the BDCP permits may be revoked, even if the permittees (including the SWP/CVP contractors) are meeting their funding and other obligations. In other words, a shortfall of federal or state funds could put the project in jeopardy despite the fact that the permittees are meeting all of their obligations. The Coalition strongly recommends including language in the BDCP clarifying that the BDCP permits will not be suspended or revoked in the event the federal or State government fails to meet its funding commitments, provided the permittees are meeting their obligations.

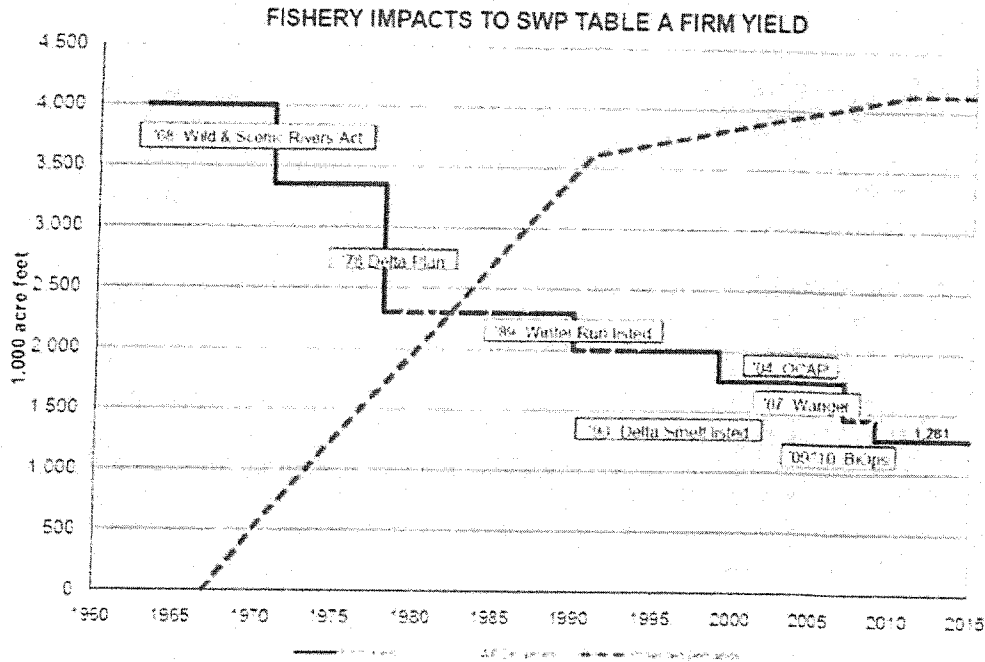
In addition, as a Habitat Conservation Plan (HCP) under section 10 of the federal Endangered Species Act (ESA) and a Natural Community Conservation Plan (NCCP) under California Fish and Game Code sections 2800 *et seq.*, the BDCP offers a path to regulatory stability for both the SWP/CVP contractors and the federal and state wildlife agencies. Over the past several decades, a variety of regulatory measures and other requirements have restricted water deliveries from the SWP, both in terms of firm yield as well as deliveries to SWP contractors (see chart below<sup>1</sup>).

---

<sup>1</sup> Available at <http://www.sustainabledelta.com/waterwatch.html>.

*The Coalition for a Sustainable Delta is an ad hoc group of water users who depend on the delta for a large portion of their water supplies. The Coalition is dedicated to protecting the delta and is committed to promoting a strategy to ensure its sustainability.*

## Coalition for a Sustainable Delta



The Coalition is hopeful that the BDCP will end the ongoing trend of declining yield and highly variable deliveries, and instead offer regulatory stability that increases water supply while restoring the Delta ecosystem. To that end, the BDCP should define and describe the regulatory stability that will be achieved through the Plan, and offer a clearer explanation of how this approach differs from the current highly fragmented regulatory system.

## 2. Real-Time Operations.

The decision criteria described in section 3.4.1.4.5 for real-time operations need to be clarified. For example, the Plan currently requires real-time adjustments to water operations to maximize both water supplies and ecosystem benefits. However, it is unclear how this dual maximization will be achieved. The Coalition believes this type of language restricts the decisions that can be made by the real-time operations team. The Plan should clarify that real time operations cannot be adjusted to achieve potentially greater conservation benefits at the expense of water supply. Specifically, the Coalition strongly recommends clarifying that adjustments that negatively impact water supplies are inconsistent with the purposes of the Plan.

In addition, the decision-making process for real-time operations needs to be revised. As drafted, the Plan provides that real-time operational adjustments will not be made unless there is a consensus. This is not an acceptable approach. As an example, if Old and Middle River (OMR) flows are set at an average of 0 cubic feet per second in response to a delta smelt take event, that determination would remain in effect until the real-time operations team or agency directors can achieve consensus on a less

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restrictive operational regime. This undermines the purpose of the Plan to maximize water supplies. The Plan should be revised to provide that, in the event a consensus cannot be reached, the director of the California Department of Water Resources (DWR) and the regional director of the U.S. Bureau of Reclamation (Bureau) retain authority to make decisions regarding operations of their respective facilities within the parameters set forth in the BDCP.

Furthermore, the draft BDCP establishes a real-time operations team that includes SWP/CVP contractor representatives, but bars those representatives from voting on matters before the team. This arrangement is improper, given both the degree of involvement of the SWP/CVP contractors in the planning, funding, and implementation of the BDCP and the expertise that the SWP/CVP contractors offer. It is typical for permittees (such as the SWP/CVP contractors) to play an important role in the management and implementation of HCPs and NCCPs. For example, the East Contra Costa County Habitat Conservation Plan, which covers approximately 175,000 acres and provides take authorization for 28 special-status species, established a governing board comprised of representatives of all permittees to oversee, manage, and implement the plan. As stated in section 8.1 of the plan, "[p]rimary responsibility for implementing the Plan rests with the Permittees." See <http://www.co.contra-costa.ca.us/depart/cd/water/HCP/archive/final-hcp-rev/pdfs/ch08imp.pdf>. Similarly, the Santa Clara Valley Habitat Plan established a separate agency to implement the plan. The agency has two decision-making bodies, a governing board and an implementation board, which collectively represent all permittees. See <http://scv-habitatagency.org/31/Governance> ("[b]ecause all of the Permittees are responsible for implementing the Habitat Plan, all of the Permittees have a role in the Habitat Agency"). Therefore, the Coalition recommends that the Plan be revised to grant the SWP/CVP contractors voting rights on the real-time operations team, consistent with other HCPs and in light of the level of contribution of the SWP/CVP contractors to Plan development and implementation.

Finally, the current draft of the Plan is problematic with respect to south Delta operations. Specifically, the plan currently does not appear to set operational ranges; instead, it could be interpreted as setting functional caps on water exports with no lower limits. See Table 3.4.1-1. Under this interpretation, the real-time operations team (which currently operates by consensus and includes no SWP/CVP contractor voting members) would have latitude to restrict or eliminate water exports during nine months of the year. The Plan should be revised to establish ranges for south Delta operations, including lower limits to protect public health and safety, rather than only functional caps on water exports.

### 3. Decision Tree Process.

The so-called decision tree process is intended to determine, based on rigorous scientific investigation, whether implementation of specific fall and spring outflow

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requirements is necessary to comply with legal requirements applicable to permits issued under the ESA and the California Natural Community Conservation Planning Act. The premise is that (i) because the BDCP operational criteria will not apply until conveyance facilities are completed, which isn't expected for over ten years and (ii) because of significant disagreement and uncertainty regarding the benefit of fall and spring outflow on the species, the parties to the BDCP propose to engage in a scientific investigation over the next decade to reduce or eliminate that disagreement and uncertainty. The goal is for the parties, through scientific investigation, to form recommendations regarding the efficacy of fall and spring outflow criteria.

It is imperative that the decision-tree process be transparent, neutral, and science-driven. The current draft of the BDCP does not fully achieve these goals. Rather, the current draft injects bias into the process before any scientific investigations have begun. That is, the draft (sections 3.4.1.4.4, 5.5.1.1.2, and 5.5.2.1.1) presumes that fall outflow and spring outflow provide a benefit to the species, and anticipates what actions the regulatory agencies will take. This is improper. Not only is such language inconsistent with the premise that uncertainty justifies postponing any decisions regarding outflow criteria, but it reflects a bias that has the potential to undermine the entire decision tree process. In other respects, the Plan provides a biased summary of existing scientific information. For example, section 5.5.1.1.2 includes five conclusions regarding scientific information relevant to the relationship between delta smelt abundance and fall outflow that are not supported. The first of these asserts that the distribution and abundance of delta smelt are correlated with salinity and turbidity. This is not borne out by existing scientific analyses and, therefore, is misleading. The Coalition requests that the draft Plan be revised to provide an impartial description of the contested issues, uncertainties, state of the science, and investigative process.

#### 4. Adaptive Management.

The decision-making process and decision criteria for the adaptive management program need to be more thoroughly developed. Pertinent, available literature on the subject is not considered or incorporated in the draft BDCP. See Dennis D. Murphy and Paul S. Weiland, Science and Structured Decision-Making: Fulfilling the Promise of Adaptive Management for Imperiled Species, *Journal of Environmental Studies and Sciences* (forthcoming) (attached hereto as Exhibit A). The adaptive management framework needs to ensure that the various adaptive management tools and programs have defined limits that protect assurances and maintain durability for environmental and water supply purposes. For example, operational changes implemented through the adaptive management program have the ability to impact yield from the SWP and CVP (Projects). The BDCP should clearly state that the adaptive management program will not cause a net loss of water from the Projects.

The BDCP also needs to provide further details regarding funding for the adaptive management program, including key terms relating to the adaptive management fund.

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The Plan currently defines the Supplemental Adaptive Management Fund as a resource funded by the public water agencies (PWAs), the State, and the federal government to be used to offset any water costs resulting from implementation of the adaptive management program. The fund can apparently be used to purchase additional water to meet adaptive management needs. However, other details regarding this fund are not clearly defined. The Plan should be revised to include such details. Specifically, the Plan should specify that the adaptive management fund is available to address all adaptive management actions (including changed circumstances), and should include a cap on the liability of the PWAs.

Finally, the Plan currently states that, as respects adaptive management, permit holders may be "required to bear some responsibility for the risks associated with uncertainty and assume obligations beyond those reflected in the planned conservation measures set out in the HCP/NCCP." The Plan should be revised to clearly describe the responsibilities and risks that may be imposed on the permit holders.

#### 5. State and Federal Funding Commitments.

The "beneficiary pays" model is the most equitable way to allocate costs between the PWAs and the State and federal governments, between the CVP and SWP contractors, and among the SWP contractors. Under this approach, costs for each portion of the project must be borne by the parties benefiting from that portion of the project. In the case of the conveyance facilities, the PWAs participating in the project should bear the full cost of those facilities. Costs for habitat restoration and other conservation measures providing public benefits should be paid for from public funds. Chapter Eight of the BDCP outlines costs for various conservation measures and allocates to PWAs costs for design, construction, maintenance and mitigation of the proposed conveyance. PWAs cannot afford to pay more than these allocated costs. The BDCP should clearly state that the PWAs are not responsible for paying any costs beyond those expressly set forth in the Plan. The Plan should further specify either the maximum funding obligations of the PWAs or a range of potential funding obligations of the PWAs. This discussion should include any obligations that may be triggered as a result of changed circumstances.

Further, the BDCP is structured in a way that allows for cooperative funding from several agencies at various governmental levels. The Coalition believes that the BDCP can only move forward if the BDCP's federal and State partners are prepared to make the same sort of long-term funding commitment that the other parties to the BDCP are expected to make.

#### 6. Biological Goals and Objectives.

The biological goals and objectives of the BDCP should be determined on the basis of the best available scientific information regarding the covered species, habitats, and



## Coalition for a Sustainable Delta

natural communities. Biological objective DTSM2.1 in the BDCP is not based on the best available scientific information and should be deleted or revised. While the stated intent of DTSM2.1 is to improve delta smelt habitat, it improperly defaults to using salinity as a proxy for delta smelt habitat. Recent scientific information demonstrates that salinity is one characteristic element of delta smelt habitat, but that the species inhabits water with a wide range of salinity and that other biotic and physical factors must be considered when defining delta smelt habitat. This fact was reflected in recent materials submitted by the United States in federal district court.

In a brief (attached hereto as Exhibit B), the United States stated that the "assertion that distribution is necessarily tied to the location of the X2 zone oversimplifies the factors that influence smelt distribution: 'smelt habitat is a complex and dynamic system.'" Along with the brief, the United States filed an expert declaration by Dr. Erwin Van Nieuwenhuysse (attached hereto as Exhibit C), in which he stated that "delta smelt are not confined to the 2 psu portion of the [low salinity zone]," instead "the water mass capable of supporting delta smelt production encompasses salinities ranging between <0.5 to 13 psu." Further, he stated, delta smelt do not "mindlessly follow" the 2 psu portion of the low salinity zone, rather they also respond to temperature and other factors. Other relevant materials also were not considered during the development of the BDCP. *E.g.*, Dennis D. Murphy and Scott A. Hamilton, *Eastward Migration or Marshward Dispersal: Exercising Survey Data to Elicit an Understanding of Seasonal Movement of Delta Smelt*, 11 *San Francisco Estuary and Watershed Science* (2013) (attached hereto as Exhibit D); Joe Merz et al., *Spatial perspective for delta smelt: a summary of contemporary survey data*, 97 *California Fish and Game* 164 (2011) (attached hereto as Exhibit E).

## 7. Reliability.

The BDCP must provide a reliable water supply to all participating contractors. In particular, the proposed conveyance must be operated in such a way that additional water required for fish and wildlife, as well as other public benefits, will be made up with no net loss to the SWP and CVP contractors. Further, operation of the conveyance should allow for increased storage in wet years to compensate for a lack of water in dry years.

As drafted, portions of the Plan have the potential to decrease water supply reliability to the point that they render the BDCP financially infeasible. Measures still under consideration that could alleviate the risk of water supplies falling below the point of affordability must be clearly defined in the final Plan. To ensure that SWP yield is maintained over the term of the BDCP, the Plan should clearly define a floor below which water supplies cannot fall.

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## 8. Non-Project Diversions.

The Plan Area includes numerous non-Project diversions, which are typically used to divert surface waters to support agriculture or to provide water for waterfowl rearing areas, and are not associated with operation of the SWP or CVP. These diversions are often unscreened, and thus cause incidental take of listed species. To address this issue, the Plan includes Conservation Measure 21, which will provide funding for actions to avoid or minimize the incidental take of covered fish species associated with non-Project diversions whose owners voluntarily participate in the conservation measure. For example, if a non-Project diverter participates in the measure, the Plan will provide funding for screening the diversions at issue, will fund the potential reconfiguration and/or consolidation of the relevant diversions, and will provide take coverage for Plan participants.

Conservation Measure 21 will be implemented on a voluntary basis, and currently does not require any showing on behalf of the non-Project diverter that the diversion at issue is being operated in a lawful manner (e.g., the diverter holds the applicable water rights permits, the diverter operates the diversion during the proper times of year, etc.). While the Coalition believes it is important for the Plan to address the incidental take currently caused by non-Project diversions, the current measure seems to provide a windfall for non-Project diverters that elect to participate in the Plan. The Plan should be revised to include a threshold showing of legality in order to qualify for the benefits associated with Conservation Measure 21.

## 9. Independent Science Review.

Chapter 10 of the Plan describes the proposed approach to integrating independent scientific review into development of the BDCP. Not unlike the sections describing the decision-tree process, Chapter 10 is currently not presented in a neutral and even-handed manner. For example, the discussion in section 10.3.7.1 describes the 2010 National Research Council (NRC) report entitled *"A Scientific Assessment of Alternatives for Reducing Water Management Effects on Threatened and Endangered Fishes in California's Bay-Delta."* As drafted, this section selectively includes only certain perspectives, such that the reader is not provided with an accurate understanding of the NRC's conclusions. For example, with respect to the highly controversial X2 action, the Plan currently quotes the NRC report by stating: "The X2 action is conceptually sound in that to the degree that the amount of habitat available for smelt limits their abundance, the provision of more or better habitat would be helpful." The section also adds the following commentary: "This finding has also been supported by further work detailed in the effects analysis in Chapter 5." Not only does this description undermine the alleged uncertainty supporting implementation of the decision tree process, but it injects bias into the Plan's use of independent scientific review. Indeed, notably absent from section 10.3.7.1 is the NRC's statement that "[t]he weak statistical relationship between the location of X2 and the size of smelt populations

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makes the justification for [the fall X2] action difficult to understand." NRC 2010 at 40-41. Chapter 10 should be revised to provide un-biased, scientifically neutral descriptions of already completed independent scientific reviews and how the Plan will integrate independent scientific reviews into the process of Plan implementation.

## 10. Conclusion.

The Coalition is supportive of the ongoing BDCP efforts and is encouraged by the progress made in the draft Plan and DEIR/EIS. In order to succeed, however, the Coalition believes the Plan must be revised to address the comments described above.

Thank you for the time and effort expended on the BDCP stakeholder and public participation process. The Coalition looks forward to working with the involved State and federal agencies as the BDCP process moved forward.

The Coalition appreciates the opportunity to provide these comments. If we can provide additional information on any of the issues described above, please do not hesitate to contact me at (661) 391-3756.

Sincerely,



William D. Phillimore

**From:** Ryan Wulff - NOAA Federal <ryan.wulff@noaa.gov>  
**Sent:** Monday, August 04, 2014 7:11 AM  
**To:** bdcg comments - NOAA Service Account  
**Subject:** Fwd: BDCP COMMENTS | Received 07.29.2014  
**Attachments:** 20140729 - Coalition for a Sustainable Delta.pdf; 20140729 - Ducks Unlimited.pdf; 20140729 - Al Guidice - Chico.pdf; 20140729 - Aimee Zarzynsk - Chico.pdf; 20140729 - Jeremy Laniksmith - Chico.pdf; 20140729 - Jeremy Brummitt - Chico.pdf

received by 7/29

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

**From:** Anita Deguzman - NOAA Affiliate <[anita.deguzman@noaa.gov](mailto:anita.deguzman@noaa.gov)>  
**Date:** Fri, Aug 1, 2014 at 3:54 PM  
**Subject:** BDCP COMMENTS | Received 07.29.2014  
**To:** Ryan Wulff - NOAA Federal <[ryan.wulff@noaa.gov](mailto:ryan.wulff@noaa.gov)>

I have attached the following comments for your files.

Copies have been made and are in your mailbox - original letters are up front at the reception desk.

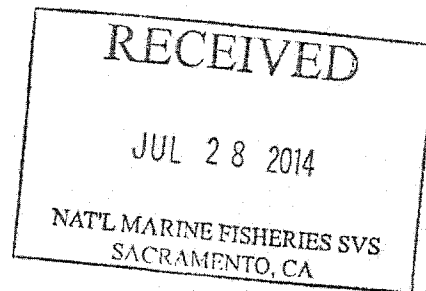
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Clarksburg Fire Protection District

P.O. Box 513  
Clarksburg, CA 95612

July 28, 2014



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

Re: Comments to the Bay Delta Conservation Plan Draft EIR/EIS

Dear Mr. Wulff and the BDCP Leadership and Comment Teams:

The Bay Delta Conservation Plan (Nov. 2013) ("**BDCP**") proposes to dramatically alter the way in which the Clarksburg Fire Protection District (the "**District**") meets its mission and delivers emergency services within District boundaries and in accord with its mutual aid agreements. Those mutual aid agreements include agreements with other fire districts within the northern Sacramento-San Joaquin Delta.

Although the District timely and properly requested cooperating and coordinating agency status with each state and federal regulatory agency responsible for the BDCP by District letter dated November 5, 2009, its requests have been ignored.

The District is a unit of local government in the Sacramento-San Joaquin Delta (the "**Delta**"). The District generally covers all of the geographical area south of the city limits of the City of West Sacramento, west of the Sacramento River, east of the Sacramento Deep Water Ship Channel, and to the southern boundary of Yolo County. The District lies entirely within the legal boundaries of the Delta. The geographical area covered by the District lies entirely within the Plan Area (as defined in the BDCP).

The mission and purpose of the District is to provide reliable fire suppression and emergency medical response to the people, residents, structures and businesses within the boundaries of the District and assist in holding insurance rates as low as possible. In order to meet this mission and purpose the District relies upon a number of existing physical and economic facts within the District, including:

1. Reliant for the majority of its funding from agricultural land uses and operations, a system of assessments (including special assessments and a portion of general real property taxes) on real property parcels and structures, the maintenance of agricultural viability and land values, and the determination and payment of fees to meet the financial obligations of the District;

2. A system of roads and travel routes for the delivery of services both within the District and to facilitate and continue the existing deliveries of as needed mutual aid to and from other fire districts through existing agreements and, through strike teams, throughout California;

3. The on-going system of purchase and maintenance of equipment comprised of rolling stock, personal protection, fire suppression, medical aid, and supportive supplies, materials and equipment; and

4. The maintenance of existing levees and flood protection to reduce the risk of floods and the damage cause by inundation by water.

A number of State and federal entities are discussing formulating various devices, strategies, policies, habitat conservation plans, reports and other procedures (together, "**Plans**") which appear to have the potential to significantly and seriously disrupt or even prevent the District from accomplishing its mission and purpose by alteration of the physical and economic facts listed above. The BDCP is one example of one of these Plans currently under consideration.

This letter constitutes the District's formal comments to the Draft Environmental Impact Report and Draft Environmental Impact Statement, issued November 2013 (the "**Draft EIR/EIS**") for public comment. The comments in this letter are provided by the District so as to protect and enhance the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place. (See, Water Code section 85054.)

Throughout all of these comments, when impacts and/or effects are described or identified in any way, such impacts are to be deemed significant impacts for purposes of CEQA analysis, and such effects are deemed adverse effects for purposes of NEPA analysis.

In a typical year the District responds to approximately 25 fire suppression calls, 75 medical aid calls, and 68 other "first responder" calls. Depending upon the specifics of the actual construction project which may go forward (and specifically not agreeing that any project of any scope should go forward), the District forecasts a significant and substantial increase in call volume due to construction activities and increased traffic in and through the District. After the completion of all construction activity, and as a result of proposed project operations, the District estimates a nominal increase in call volume due to operational and maintenance activities relating to the project. The increased call volumes as a result of construction, and also as a result of operations, will both be substantial, serious and significant impacts and effects on and for the District.

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(See, Appendix A for further information on the call history of the District for the past six years.)

### **Comments Regarding Surface Water**

The District relies in part on surface waters throughout the District, and elsewhere on mutual aid calls, for fire suppression and emergency response. Chapter 6 purports to analyze the significant and serious effects and impacts because of changes in surface water as a result of the project alternatives.

Chapter 6 focuses almost exclusively on the changes in the level of surface water in and around both the Delta and the State of California as a result of the project alternatives. However, Chapter 6 fails to analyze or discuss the quality or quantity of surface water available or used by existing surface water users as either impacts or effects as a result of any of the project alternatives.

Specific to the District, various project alternatives, if not all project alternatives, fail to analyze the significant and substantial impacts or effects of lowered surface water tables, and thus failures of significant or substantial loss of access to water. The District relies heavily on water, carried in all of its rolling equipment, to fight and suppress fires. The anticipated lowering of the surface water elevations, and/or the possible degradation of surface water quality and/or quantity has the serious and very possible of additional and further deterioration of the District's ability to fight and suppress fire both within the District and in response and draw of water outside the District under mutual aid agreements. The project proponents must provide for all water loss.

Chapter 8 does not appear to address changes in water quality upon District operations. Poor water quality, whether in surface or ground waters, is believed to significantly and seriously deteriorate and negatively affect the efficiency of water use in fire suppression and emergency response, and is further believed to shorten the life of the equipment used by the District to perform its mission. The EIR/EIS must fully analyze serious and significant impacts and effects arising from changes in water quality upon District operations and equipment in order to be complete.

### **Comments Regarding Groundwater**

The District relies in part on groundwater through various existing wells located in the District, some within one-half mile of the projects for water intake, for fire suppression and emergency response. Chapter 7 purports to analyze the significant and serious effects and impacts because of changes in groundwater as a result of the project alternatives.

Chapter 7 focuses almost exclusively on the changes in the level of groundwater in and around both the Delta and the State of California as a result of the project alternatives. However, Chapter 7 fails to analyze or discuss the quality or quantity of ground water available or used by existing groundwater users as either impacts or effects as a result of any of the project alternatives.

Specific to the District, various project alternatives, if not all project alternatives, fail to analyze the significant and substantial impacts or effects of lowered groundwater tables, and thus significant or substantial loss of access to water. The District relies heavily on water, carried in all of its rolling equipment, to fight and suppress fires. The anticipated lowering of the ground water tables, and/or the possible degradation of groundwater quality and/or quantity has the serious and very possible of additional and further deterioration of the District's ability to fight and suppress fire both within the District and in response and draw of water outside the District under mutual aid agreements.

The District is also concerned generally that the overall lowering of the groundwater table as admitted in the Draft EIR/EIS will cause, or lead to, ground surface and underground depressions, sinkholes and lowered elevations, cracks in building foundations, and other structural damage as surface and subsurface earth subsides due to lowered groundwater tables, increasing calls for emergency assistance.

### **Comments Regarding Agricultural Resources**

The District provides substantial fire and emergency response services to the persons, businesses, structures, industrial locations and improvements located out in the District which are primarily characterized by or materially support agriculture land uses. The cross-reference discussion set forth in subsection 14.1, beginning on page 14-1, line 28, through page 14-2, line 2, fails to refer to fire suppression and emergency response as related to agriculture in any other chapter. Failing this, reader expects to see analysis of the serious and significant impacts and effects of each of the proposed project alternatives on agriculture as a result of the serious and substantial impacts and effects on the District operations caused by each of the project alternatives. The lack of such analysis is a fatal flaw in the Draft EIR/EIS.

The substantial and serious connection between the District's income from special assessments (determined by a schedule of fixed amounts) and a portion of general real property taxes (determined by assessed values) and related serious and substantial impacts and effects caused by the various project alternatives is not analyzed at all.



Additionally, serious and substantial impact and effect, and possible reduction in the level of fire suppression and emergency response will have a serious and substantial impact and effect on future agricultural development and per acre values. These impacts, and the serious and significant impacts and effects which may occur related to the District may limit, restrict, stop, or reduce the agricultural infrastructure required for continued existence of all of the crops and agricultural activities identified in Chapter 14.

Section 14.2.2.3, page 14-20, lines 3 to 21, with reference to the Delta Protection Commission ("DPC") and its work fails to mention or analyze the DPC's *Economic Sustainability Plan* ("ESP").<sup>1</sup> Cutting across a number of sections written into the Draft EIR/ESP, but with particular focus on Delta agriculture, the ESP is an important planning and legal document formally adopted by the DPC. Many of the components of the ESP have been incorporated into and made a part of the Delta Plan, formally adopted by the Delta Stewardship Council. This failure is a fatal flaw.

Additionally, the admitted lack of analysis of Williamson Act contract cancellations discussion (e.g., at page 14-75, lines 10-24) fails to include in its analysis the resulting financial impacts resulting on changes in land values, changes and restrictions in crop plantings, and changes in land uses on the income and operations of the District and the other public entities, utilities, and other organs of the Delta and the Delta communities. This failure is a fatal flaw.

### **Comments Regarding Socioeconomics**

Chapter 16, discussing the Socioeconomics of the Delta, bases its analysis in large and significant part on the thinking and belief, without evidence of this belief, that the "rural communities" of the Delta are the towns of the Delta, the collection of improvements lying within the historic townships in the Delta. The language set out at page 16-3, lines 8-10 is an important example of this thinking.

In truth, the Delta communities are composed of both the townships *together with* their surrounding agricultural lands, each in symbiotic relationship with the other. In the Clarksburg area this truth is illustrated by the almost weekly meetings, gatherings, two annual district parades, three annual community dinners at the District firehouse, two garden clubs, a boy scout troop that has consistently produced for many years one of the greatest number of Eagle Scouts on an annual basis in the Country, together with innumerable events at the schools, church, library, and with other community groups, all bringing together residents of both the town area of Clarksburg

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<sup>1</sup> The ESP is described and analyzed in subsection 16.2.2.3, beginning at page 16-32. However, the ESP also should be included in the Draft EIR/EIS analysis for Chapter 14.

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with the residents outside the town area, into one cohesive single community unit bound together with unified and common values, united traditions, and family histories going back on the same land as far as seven generations ("**Community Cohesion**").

The District is also characterized by an important multi-cultural history. Whether it is the example of farmers who during the Second World War paid the taxes on the lands and buildings of their fellow Japanese farmers so they would not lose their land during internment, protection of the historic Japanese School, or the example of German POWs choosing to remain in the Delta upon their release in 1945, the Portuguese social hall (in the Lisbon District), the residents from Holland, in the area with the same name, or the large Hispanic population which participates in the life of the Delta, these facts and more demonstrate that the Delta community and its social fabric is not divided along the lines of township vs. non-township.

The demographic data set forth for the Delta portion of Yolo County beginning at page 16-7, line 317, to page 16-8, line 13, in the information listed for West Sacramento fails to recognize that only a part of West Sacramento lies within the Delta. The numbers offered for West Sacramento mislead because those numbers describe the whole of West Sacramento, not the Delta portion of the city. The Draft EIR/EIS is inaccurate and misleading to the extent that data derived from outside the Delta is offered as analysis of the Delta. Data should be limited to in-Delta residents, population, employment, etc. This same comment applies to cities and other areas which lie partly within the Delta, but the data for which is given for the entire city or area, not just the portion of the city or area which lies within the Delta.

At subsection 16.2.3.5, beginning at page 16-37, line 24, and throughout, the Draft EIR/EIS failed to mention or include at all in its analysis the 2001 Clarksburg General Plan, duly passed as an integral part of the Yolo County General Plan and is a matter of public record. As Yolo County is a cooperating agency and recognized arm of local government, the portions of its General Plan, specifically the 2001 Clarksburg General Plan, must be given the respect required by both state and federal law. The failure to include and analyze the 2001 Clarksburg General Plan is a fatal flaw.

ECON 15, analyzed in relation to Alternative 1A, and incorporated into various other Alternatives, regarding damage, impact and negative effects on community character, is deeply flawed. (See page 16-72, line 3 to page 16-73, line 10.) In addition to the failures discussed above, the NEPA portion of the analysis (page 16-72, line 5 to page 16-73, line 2) admits that serious and significant impacts would be imposed on Delta communities, while the CEQA portion of the analysis (page 16-73, lines 3-10) claims no physical impacts will occur. Either one statement or the other is true. Both statements cannot be true at the same time.

ECON 15, page 16-72, at lines 27-30 claims that CM3 (the cultivated land natural community strategy) would ensure continued agricultural production, but fails to address in any way the quality, type, values or other characteristics of that claim of continued agricultural production. It is basis and foundational to any NEPA or CEQA analysis to include the basic parameters of anticipated changes in crop quality, type, value and other fundamental characteristics when claiming that "CM3 would ensure the continuation of agricultural production on thousands of acres in the Delta."

The continued health of agriculture in the District in particular, and in the Delta in general, is essential to the financial health and human resources demands upon the District and its ability to continue to satisfy the demands of its mission.

The activities, meetings, social gatherings, parades, and other regular and annual events which provide important glue for the community and its social harmony face substantial likelihood of disruption constituting a substantial and serious negative impact and effect.

### **Comments Regarding Cultural and Historic Resources**

Since its establishment in the 1940s, the District has had an important place in the cultural and historic landscape of the Delta. In no small part due to its place in the Community Cohesion described above, the District has consistently served over time as a key place where members of the Delta Community gather to refresh relationships, discuss community issues, and plan for the future.

The District is also a key area for Native American activity. Sections 18.1.1.3 and .4 in particular, and section 18.1 in general disclose that at no time did the drafters of the Draft EIR/EIS ever reach out to local historians who would have shown the drafters and their agents and associates the location of burial grounds, where arrowheads are generally found, and where other evidence of Native American culture is located.

The failure of analytics used throughout the preparation of the Draft EIR/EIS to even ask for local knowledge on the ground and generally known among families who have lived in the Delta for as much as seven generations is a fatal flaw in analysis and process throughout.

### **Comments Regarding Transportation**

Figures 19-3a, 19-3b, 19-4a and 19-4b, and Segments CT 28, 33 and 34, and YOL 01, 02 and 03, Table 19-1, admit to various serious and significant impacts and effects of each of the Alternatives on the transportation network and routes relied upon by the District to perform its mission.

The analysis overall, and specifically as laid out in Table 19-3, seventh column from the left title "Hourly Volume Range (6AM to 7PM)" specifically fails to take into account morning and evening agricultural activity before and after the stated hours during harvest, planting and growing seasons for various crops. Pear harvest, for example, during July and August, creates heavy traffic before 6AM and after 7 PM. The same is true of grape harvest in August, September and October.

The pavement conditions, Table 19-5, for YOL 01, 02 and 03 are admittedly generally unknown or are already inadequate. When 24-hour traffic diversions, and volunteer rerouting due to extremely heavy dump truck traffic to transport tunnel spoils and construction related vehicular, light equipment and heavy equipment trips, the Draft EIR/EIS admits the already inadequate roads will be damaged beyond repair. This will further fracture and degrade Community Cohesion.

Although the Borges Airport is identified by a green dot in the Chapter 19 maps, it is not analyzed in Section 19.1.5 (page 19-27, line 19 through page 19-31, line 9). The Borges Airport is within the District and may serve as appropriate as an emergency landing zone for certain emergency responses on the part of the District. The Borges Airport may be open to the public on a rental or fee basis. Substantial, adverse and serious impacts and effects on the Borges Airport as a result of each of the Alternatives should be analyzed. Such analysis should include substantial and substantive discussion with the owners and operators of the Borges Airport.

As pointed out in the initial portion of this comment letter, the District made formal request to be designated a coordinating and cooperating public agency for purposes of the Plan and Draft EIR/EIS. The request of the District was ignored. Nonetheless, the District through other correspondence, public testimony, and a number of informal meetings has made its presence noted.

Nowhere in the Determination of Effects, section 19.3.2, page 19-36, line 7 through page 19-39, line 1, was the admitted disruption of traffic operations inclusive of the disruption on fire suppression and emergency response operations maintained by the District. Traffic rerouting, whether directed by governmental authority, or voluntary in nature as people change their transportation routes as a result of, and to avoid construction and operation impacts, will seriously impact and effect the District. Responding to calls in and around construction and operation traffic will certainly delay emergency response. The failure and omission of analysis of these issues is a fatal flaw.

For example and in particular, but not by limitation, the admitted time of "at least 1 hour" during which LOS would be exceeded (see, for example page 19-41, lines

10-11) does not analyze the resulting burden on emergency response. The same failure is true for corresponding analysis for all Alternatives.

Chapter 19 fails to analyze the serious impacts and effects of increased traffic, and in particular the serious impacts and effects of long periods of heavy equipment traffic, on the levee roads. The failure and omission of analysis of these issues is a fatal flaw.

### **Comments Regarding Public Services and Utilities**

Chapter 20 of the Draft EIR/EIS claims to describe the public services and utilities in the study area which may be affected by the construction, operations and maintenance of the action alternatives in the Plan Area. (Page 20-1, lines 4 – 6.)

As part of the subsection discussing Fire Protection and Emergency Response, the Draft EIR/EIS states "Response time is broken into three components: alarm processing time (dispatch), turnout time, and travel time. The element of time for alarm processing is in the hands of the dispatch and communication system. The amount of time it takes to turnout fire apparatus is different depending on whether the station is staffed by full-time permanent or otherwise assigned personnel, or whether the staffing is recalled (volunteer). Travel time is a function of speed and the availability of a road network to get to the scene of an emergency." (Page 20-3, lines 35-40.)

**Flawed Method of Analysis.** Subsection 20.3.1, from page 20-29, line 16 through page 20-30, line 8, recites a "desktop" method of analysis, limited solely to review of electronic data and telephone calls, perhaps limited to one voice message, and email(s). These two methods are the only listed means attempted by the drafters and proponents of the Draft EIR/EIS to obtain information from the public agencies and utilities the drafters write about.

There is absolutely no data presented in summary, raw or other form making representation of any data collected from the telephone calls and emails. This means that no such analysis was received. The calls and emails, and all information received as a result, should be disclosed in the Draft EIR/EIS. The lack of information is not disclosed, and should be disclosed. The Draft EIR/EIS, presented without any of the information collected via the personal methods, is flawed and defective because without the information obtained by telephone calls and email the readers and reviewers of the Draft EIR/EIS cannot effectively evaluate the Draft EIR/EIS. The conclusion is that the drafters have either hidden or failed to disclose the information received, or that information was received and not disclosed.

The drafters further failed to inventory the equipment and training level of the District or any Delta public entity or utility, failed to estimate the increased service load

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on the District because of the construction and/or operations of the projects listed in any of the alternatives, and failed to evaluate whether the District, or any other public entity or utility is possessed, and offered no plan, to assist the District or any other public entity or utility would possess the required equipment and training to respond to the increased service demands upon the District caused by any of the projects or proposals listed in the Draft EIR/EIS.

**Further Flaw in Method.** As stated above, Subsection 20.3.1, from page 20-29, line 16 through page 20-30, line 8, recites a “desktop” method of analysis, limited solely to review of electronic data and telephone calls, perhaps limited to one voice message, and email(s). The drafters of the Draft EIR/EIS completely failed to collect the statements of mission, plans, purpose or any other matter from the data and information developed and stored at each public service entity, did not inspect or view any of the facilities listed, did not learn the scope, number or type of responses handled by the District, or any public service entity, in the Delta. The District submits that these flaws are fatal and the failures listed are required to be corrected in order to construct and understand the base line data points upon which the Draft EIR/EIS purports, and should be, based.

As one example, for illustration only, if such basic inquiry has been performed by the drafters of the Draft EIR/EIS, they would have learned that part of the primary mission of the District is to provide emergency medical aid, accident and other non-fire first responder services, and that annual calls of this type typically number above 75 per year. The drafters would also have learned that many of these calls result from existing and long standing mutual aid agreements with sister Delta fire protection districts. The project, and all of the alternatives, clearly disrupt and delay the delivery of these non-fire responses. It is reasonably believed by the District, based on long experience, that loss of life, serious and permanent injury, some of a debilitating type, with corresponding catastrophic financial, social and quality of life loss.

**Error.** At Page 20-22, line 22, under the section entitled “Yolo County General Plan”, the Draft EIR/EIS states that the Yolo General Plan makes provision for public services and utilities within “Solano” County.

**Correction.** The reference should be changed so that the word “Yolo” replaces the word “Solano”. Please make this correction and change all analysis accordingly.

**Error.** At Table 20A-4, page 20A-13, of Appendix 20A, in the River Delta School District section, third school from the top of the page, referring to “Delta Elementary (K-6 Charter)” claims and states that the enrollment of the school, as of the date of the release of the plan (November 2013) is 123, with a capacity of 280, and states that capacity is not exceeded.

**Correction.** The correct numbers for the Delta Elementary (K-6 Charter) school are: 345 enrollment, with a capacity of 345, at capacity, with a wait list of 32. Please make this correction and change all analysis accordingly.

**Flawed Environmental Analysis.** Subsection 20.3.1.1, in reference to the Environmental Consequences as applied to Fire Protection states, that "Fire Protection entities have the potential to be affected by construction activities in the same ways as law enforcement agencies." (Page 20-30, line 30.) The "Law Enforcement" section immediately above this quoted sentence on Page 20-30, lines identifies four potential impacts: increased number of construction personnel moving into the Plan Area, construction encroachment on station(s), road impacts, and decreased funding.

This analysis is flawed in the following ways:

1. The analysis is limited to "construction activities" (Pg. 20-30, line 30.) The effects analysis (referred to below) lists both constructions and operations activities as creating effects. The flaw here is the failure of the scope of environmental analysis limited to "construction", whereas the effects analysis focuses on both construction and operation. The environmental analysis must focus and include operations in addition to construction. Such expansion of analysis to include operations will require further study, additional data, and expanded outreach to understand the true environmental impacts of the BDCP operations upon public services such as Fire and Emergency Response.
2. The Environmental analysis as applied to fire protection, by simply incorporating the analysis as applied to law enforcement, fails to included emergency response, fire suppression, medical aid and other first responder duties which are difference than law enforcement.

**Flawed Effects Analysis of Both Adverse Effects (NEPA) and Significant Impacts (CEQA).** Subsection 20.3.2, Determination of Effects (beginning at page 20-33, line 1) should be titled "Determination of Effects and Impacts", to cover both NEPA and CEQA analysis.

The effects and impacts analysis on page 20-33 should include "lack of fire suppression equipment to serve the needs of substantially greater, adverse and significantly higher number of calls and events requiring fire suppression services by the District both within its boundaries and through the District's mutual aid agreements.

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### **Comments Regarding Public Health**

The Draft EIR/EIS fails to take into account various flood potential, flood dangers, and flood risks. In particular, the Draft EIR/EIS in final form should include the Lower Sacramento River/Delta North Regional Flood Management Plan (July 2014), its findings, analysis, conclusions and recommendations. Flood risk, flood events, and high water events have been a significant and serious part of life at all levels in the Delta. Flood dangers and risks, and actual flood events, should be an integral part of each and every chapter of the Draft EIR/EIS. The lack of such analysis throughout and in every chapter is a fatal flaw.

### **Comments Regarding Environmental Justice**

The District observed no dedicated outreach to the Hispanic members of our community.

### **Comments Regarding Public Participation, Consultation and Coordination**

The public participation, consultation and coordination activities on the part of the preparers of the Draft EIR/EIS did not include any directed or specific outreach to the District itself.

The largest outpouring of people coming to public meetings occurred in Clarksburg, the heart of the District. (See, e.g., Table 32-1, page 32-2, line 18; Table 32-2, page 32-3, line 6.)

Although the District is a major unit of local government in the Clarksburg area, the lack of outreach from the preparers of the Draft EIR/EIS to the District, is a fatal flaw. The District reached out, both formally and informally on a host of occasions, but none of these substitute for the formal outreach from the preparers of the Draft EIS/EIS to the District.

The District requests that the final EIR/EIS presentation clearly identify and specifically show all places where each and every one of the comments above is specifically addressed. A redline copy of the Draft EIR/EIS, accompanying the Final EIR/EIS, would greatly aid in helping the public understand where and how all comments are addressed in the final product.

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Please contact me if you have any questions.

Very truly yours,  
CLARKSBURG FIRE PROTECTION DISTRICT

By: 

Mark Pruner, Chair  
Board of Directors


We Agree and Affirm:


  
Michael Dutra, Board Vice Chair

  
Hal Shipley, Board Member

  
John R. Webber, Board Member

  
David Merwin, Board Member

  
Craig Hamblin, Fire Chief

  
Richard Bagby, Board Secretary

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

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

Mark Cowin, Director of California Department of Water Resources  
Chuck Bonham, Director of California Department of Fish and Wildlife  
Sally Jewell, Secretary of United States Department of Interior  
Penny Pritzker, Secretary of United States Department of Commerce  
David Murillo, Regional Director of United States Bureau of Reclamation  
Ren Lohofener, Regional Director of United States Fish and Wildlife Service  
Will Stelle, Regional Administrator of United States NOAA Fisheries

# CLARKSBURG FIRE PROTECTION DISTRICT

## APPENDIX A

### Historical Logs and General Analysis of Call History

2008 through 2013

(24 pages, excluding this cover page)

## Incident Reports By Incident Type, Summary

Page 1 of 1

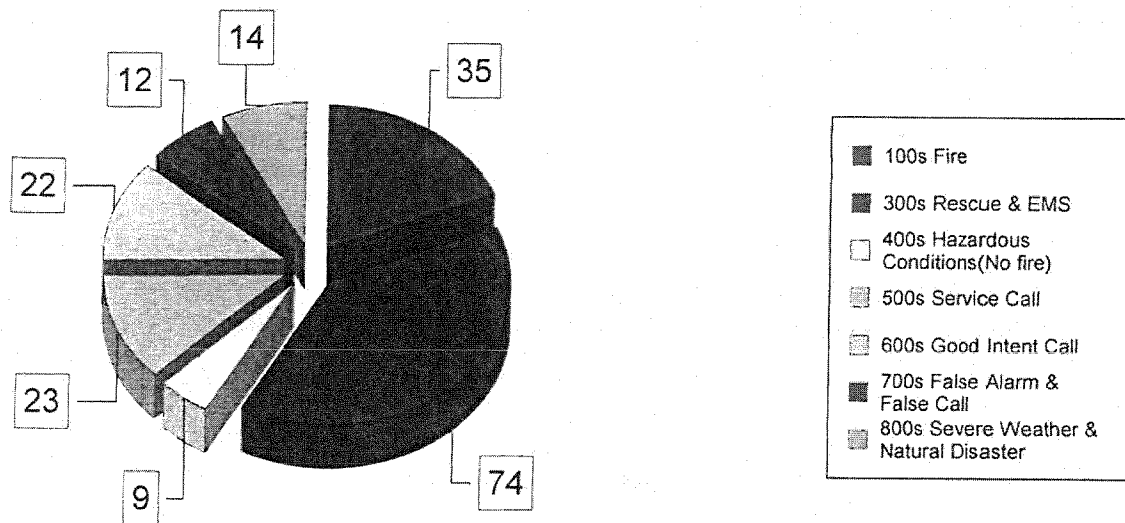
| Incident Type                                          | Total Incidents: |
|--------------------------------------------------------|------------------|
| 111 Building fire                                      | 2                |
| 113 Cooking fire, confined to container                | 1                |
| 131 Passenger vehicle fire                             | 8                |
| 141 Forest, woods or wildland fire                     | 1                |
| 142 Brush, or brush and grass mixture fire             | 4                |
| 143 Grass fire                                         | 9                |
| 150 Outside rubbish fire, other                        | 1                |
| 151 Outside rubbish, trash or waste fire               | 2                |
| 160 Special outside fire, other                        | 3                |
| 161 Outside storage fire                               | 1                |
| 170 Cultivated vegetation, crop fire, other            | 1                |
| 171 Cultivated grain or crop fire                      | 2                |
| 321 EMS call, excluding vehicle accident with injury   | 59               |
| 322 Vehicle accident with injuries                     | 8                |
| 324 Motor vehicle accident with no injuries            | 7                |
| 400 Hazardous condition, other                         | 1                |
| 411 Gasoline or other flammable liquid spill           | 1                |
| 444 Power line down                                    | 4                |
| 460 Accident, potential accident, other                | 3                |
| 510 Person in distress, other                          | 1                |
| 550 Public service assistance, other                   | 4                |
| 552 Police matter                                      | 4                |
| 553 Public service                                     | 2                |
| 561 Unauthorized burning                               | 8                |
| 571 Cover assignment, standby, moveup                  | 4                |
| 600 Good intent call, other                            | 1                |
| 611 Dispatched & canceled en route                     | 16               |
| 621 Wrong location                                     | 1                |
| 622 No incident found on arrival at dispatch address   | 1                |
| 631 Authorized controlled burning                      | 2                |
| 650 Steam, other gas mistaken for smoke, other         | 1                |
| 700 False alarm or false call, other                   | 1                |
| 714 Central station, malicious false alarm             | 1                |
| 734 Heat detector activation due to malfunction        | 2                |
| 735 Alarm system sounded due to malfunction            | 1                |
| 743 Smoke detector activation, no fire - unintentional | 3                |
| 744 Detector activation, no fire - unintentional       | 4                |
| 813 Wind storm, tornado/hurricane assessment           | 14               |

Total Number of Incidents: 189

Total Number of Incident Types: 38

Print Date: 7/27/2014

2008



Graphed Items are sorted by Incident Type

Type Of Incident:

100 Series-Fire  
 300 Series-Rescue & EMS  
 400 Series-Hazardous Conditions(No fire)  
 500 Series-Service Call  
 600 Series-Good Intent Call  
 700 Series-False Alarm & False Call  
 800 Series-Severe Weather & Natural Disaster

Total Of Incidents:

35  
 74  
 9  
 23  
 22  
 12  
 14

Percentage Value:

18.52%  
 39.15%  
 4.76%  
 12.17%  
 11.64%  
 6.35%  
 7.41%

Grand Total: 189

Type Of Incident Most Frequent: 300 Series-Rescue & EMS

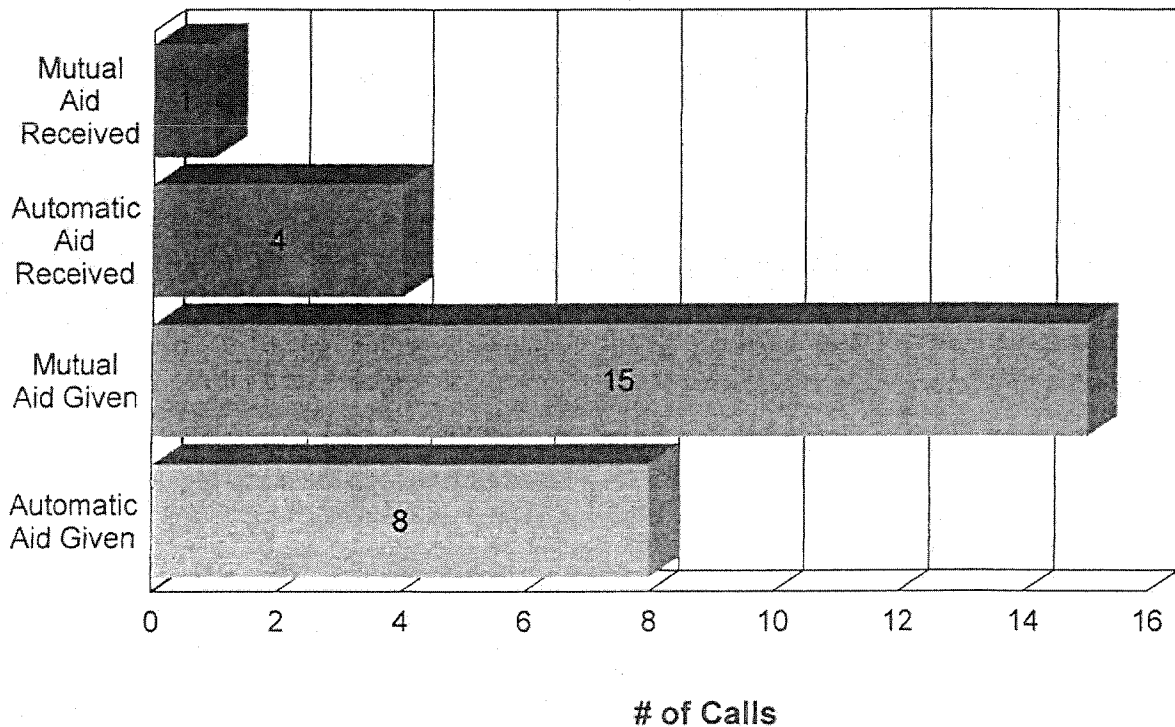
Print Date: 7/27/2014

2008

7/22/2014

Year: 2008

## Mutual Aid Calls Per Year, Summary



### Mutual Aid Received

|     |                               |   |
|-----|-------------------------------|---|
| 171 | Cultivated grain or crop fire | 1 |
|-----|-------------------------------|---|

|  |                                         |          |
|--|-----------------------------------------|----------|
|  | <b>Total # of Incidents by Aid Type</b> | <b>1</b> |
|--|-----------------------------------------|----------|

### Automatic Aid Received

|     |                                        |   |
|-----|----------------------------------------|---|
| 142 | Brush, or brush and grass mixture fire | 4 |
|-----|----------------------------------------|---|

|  |                                         |          |
|--|-----------------------------------------|----------|
|  | <b>Total # of Incidents by Aid Type</b> | <b>4</b> |
|--|-----------------------------------------|----------|

### Mutual Aid Given

|     |               |   |
|-----|---------------|---|
| 111 | Building fire | 1 |
|-----|---------------|---|

|     |                                |   |
|-----|--------------------------------|---|
| 141 | Forest, woods or wildland fire | 1 |
|-----|--------------------------------|---|

|     |            |   |
|-----|------------|---|
| 143 | Grass fire | 1 |
|-----|------------|---|

|     |                                                  |   |
|-----|--------------------------------------------------|---|
| 321 | EMS call, excluding vehicle accident with injury | 1 |
|-----|--------------------------------------------------|---|

|     |                                |   |
|-----|--------------------------------|---|
| 322 | Vehicle accident with injuries | 3 |
|-----|--------------------------------|---|

|     |                                   |   |
|-----|-----------------------------------|---|
| 571 | Cover assignment, standby, moveup | 2 |
|-----|-----------------------------------|---|

|     |                                |   |
|-----|--------------------------------|---|
| 611 | Dispatched & canceled en route | 6 |
|-----|--------------------------------|---|

|                                         |  |           |
|-----------------------------------------|--|-----------|
| <b>Total # of Incidents by Aid Type</b> |  | <b>15</b> |
|-----------------------------------------|--|-----------|

**Automatic Aid Given**

|     |            |   |
|-----|------------|---|
| 143 | Grass fire | 2 |
|-----|------------|---|

|     |                                |   |
|-----|--------------------------------|---|
| 322 | Vehicle accident with injuries | 1 |
|-----|--------------------------------|---|

|     |                                   |   |
|-----|-----------------------------------|---|
| 571 | Cover assignment, standby, moveup | 2 |
|-----|-----------------------------------|---|

|     |                                |   |
|-----|--------------------------------|---|
| 611 | Dispatched & canceled en route | 2 |
|-----|--------------------------------|---|

|     |                               |   |
|-----|-------------------------------|---|
| 631 | Authorized controlled burning | 1 |
|-----|-------------------------------|---|

|                                         |  |          |
|-----------------------------------------|--|----------|
| <b>Total # of Incidents by Aid Type</b> |  | <b>8</b> |
|-----------------------------------------|--|----------|

|                                         |  |           |
|-----------------------------------------|--|-----------|
| <b>Total Mutual Aid Calls for Year:</b> |  | <b>28</b> |
|-----------------------------------------|--|-----------|

## Incident Reports By Incident Type, Summary

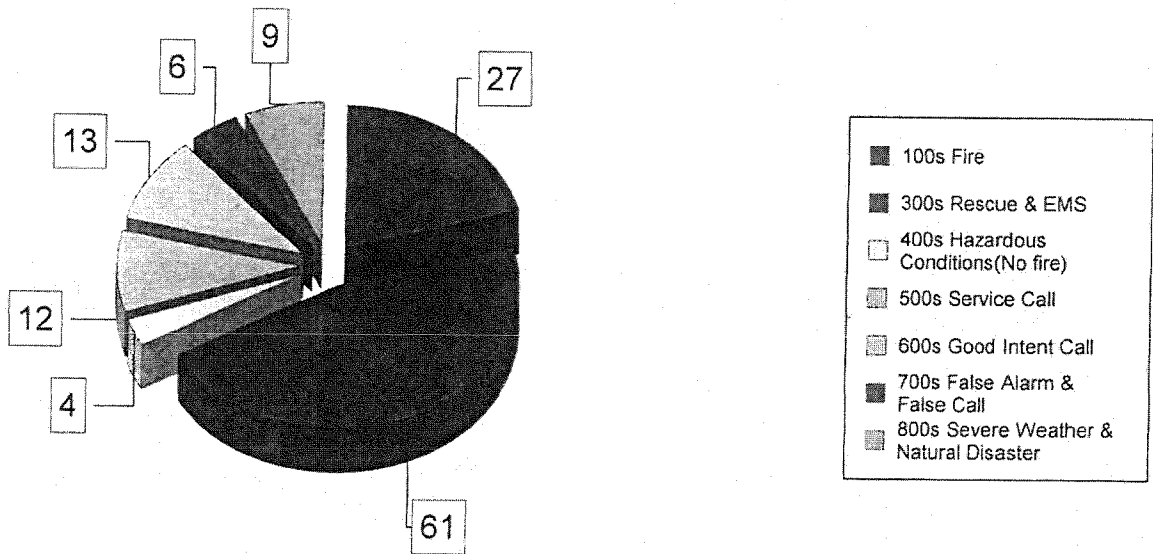
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| Incident Type                                        | Total Incidents: |
|------------------------------------------------------|------------------|
| 111 Building fire                                    | 2                |
| 112 Fires in structures other than in a building     | 1                |
| 130 Mobile property (vehicle) fire, other            | 1                |
| 131 Passenger vehicle fire                           | 4                |
| 138 Off-road vehicle or heavy equipment fire         | 1                |
| 140 Natural vegetation fire, other                   | 1                |
| 141 Forest, woods or wildland fire                   | 1                |
| 142 Brush, or brush and grass mixture fire           | 3                |
| 143 Grass fire                                       | 11               |
| 151 Outside rubbish, trash or waste fire             | 1                |
| 160 Special outside fire, other                      | 1                |
| 321 EMS call, excluding vehicle accident with injury | 39               |
| 322 Vehicle accident with injuries                   | 8                |
| 323 Motor vehicle/pedestrian accident (MV Ped)       | 1                |
| 324 Motor vehicle accident with no injuries          | 13               |
| 400 Hazardous condition, other                       | 2                |
| 444 Power line down                                  | 1                |
| 460 Accident, potential accident, other              | 1                |
| 510 Person in distress, other                        | 1                |
| 511 Lock-out                                         | 1                |
| 531 Smoke or odor removal                            | 2                |
| 550 Public service assistance, other                 | 1                |
| 553 Public service                                   | 1                |
| 561 Unauthorized burning                             | 3                |
| 571 Cover assignment, standby, moveup                | 3                |
| 600 Good intent call, other                          | 1                |
| 611 Dispatched & canceled en route                   | 7                |
| 622 No incident found on arrival at dispatch address | 1                |
| 631 Authorized controlled burning                    | 3                |
| 651 Smoke scare, odor of smoke                       | 1                |
| 710 Malicious, mischievous false call, other         | 2                |
| 734 Heat detector activation due to malfunction      | 1                |
| 744 Detector activation, no fire - unintentional     | 3                |
| 813 Wind storm, tornado/hurricane assessment         | 9                |
| Total Number of Incidents:                           | 132              |
| Total Number of Incident Types:                      | 34               |

Print Date: 7/27/2014

2009





Graphed Items are sorted by Incident Type

Type Of Incident:

100 Series-Fire  
 300 Series-Rescue & EMS  
 400 Series-Hazardous Conditions(No fire)  
 500 Series-Service Call  
 600 Series-Good Intent Call  
 700 Series-False Alarm & False Call  
 800 Series-Severe Weather & Natural Disaster

Total Of Incidents:

27  
 61  
 4  
 12  
 13  
 6  
 9

Percentage Value:

20.45%  
 46.21%  
 3.03%  
 9.09%  
 9.85%  
 4.55%  
 6.82%

Grand Total: 132

Type Of Incident Most Frequent: 300 Series-Rescue & EMS

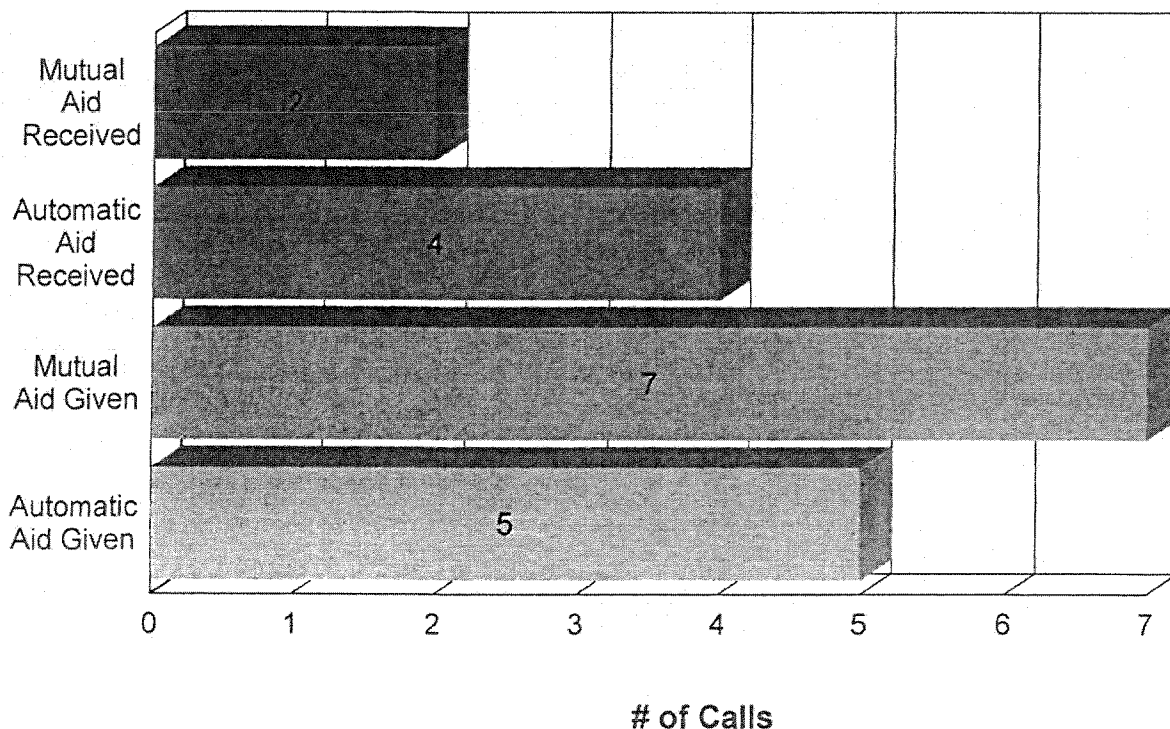
Print Date: 7/27/2014

2009

7/22/2014

Year: 2009

## Mutual Aid Calls Per Year, Summary



### Mutual Aid Received

|     |                                        |   |
|-----|----------------------------------------|---|
| 142 | Brush, or brush and grass mixture fire | 1 |
| 322 | Vehicle accident with injuries         | 1 |

**Total # of Incidents by Aid Type**      **2**

### Automatic Aid Received

|     |                                         |   |
|-----|-----------------------------------------|---|
| 111 | Building fire                           | 1 |
| 324 | Motor vehicle accident with no injuries | 3 |

**Total # of Incidents by Aid Type**      **4**

### Mutual Aid Given

|     |                                                  |   |
|-----|--------------------------------------------------|---|
| 111 | Building fire                                    | 1 |
| 141 | Forest, woods or wildland fire                   | 1 |
| 321 | EMS call, excluding vehicle accident with injury | 1 |
| 571 | Cover assignment, standby, moveup                | 3 |

|                                         |                                         |           |
|-----------------------------------------|-----------------------------------------|-----------|
| 611                                     | Dispatched & canceled en route          | 1         |
| <b>Total # of Incidents by Aid Type</b> |                                         | <b>7</b>  |
| <b>Automatic Aid Given</b>              |                                         |           |
| 143                                     | Grass fire                              | 1         |
| 324                                     | Motor vehicle accident with no injuries | 1         |
| 611                                     | Dispatched & canceled en route          | 3         |
| <b>Total # of Incidents by Aid Type</b> |                                         | <b>5</b>  |
| <b>Total Mutual Aid Calls for Year:</b> |                                         | <b>18</b> |

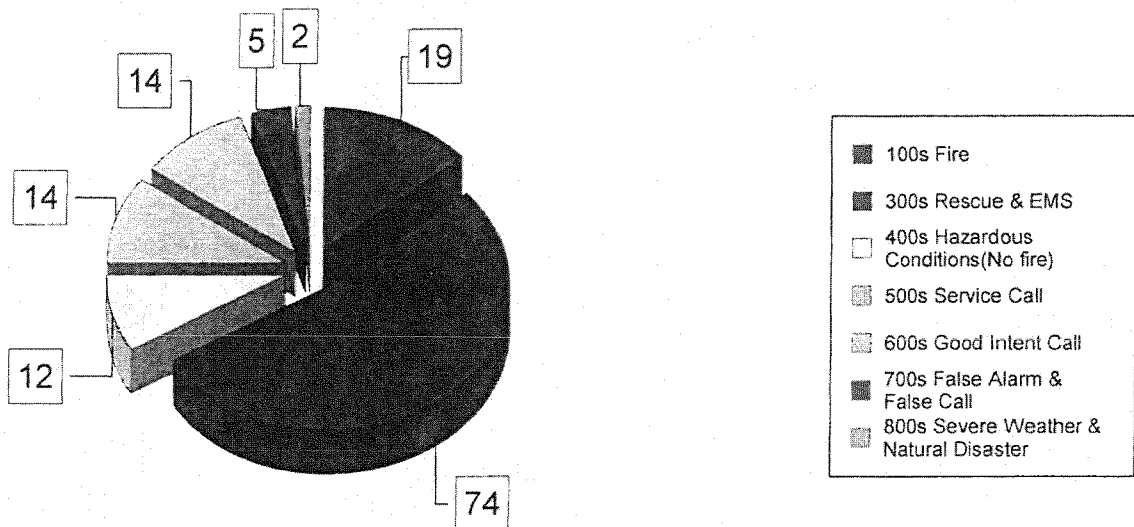
## Incident Reports By Incident Type, Summary

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| Incident Type                                          | Total Incidents: |
|--------------------------------------------------------|------------------|
| 113 Cooking fire, confined to container                | 1                |
| 130 Mobile property (vehicle) fire, other              | 1                |
| 131 Passenger vehicle fire                             | 4                |
| 138 Off-road vehicle or heavy equipment fire           | 2                |
| 141 Forest, woods or wildland fire                     | 1                |
| 143 Grass fire                                         | 8                |
| 160 Special outside fire, other                        | 1                |
| 162 Outside equipment fire                             | 1                |
| 321 EMS call, excluding vehicle accident with injury   | 51               |
| 322 Vehicle accident with injuries                     | 12               |
| 324 Motor vehicle accident with no injuries            | 11               |
| 400 Hazardous condition, other                         | 1                |
| 411 Gasoline or other flammable liquid spill           | 1                |
| 422 Chemical spill or leak                             | 1                |
| 424 Carbon monoxide incident                           | 1                |
| 440 Electrical wiring/equipment problem, other         | 1                |
| 444 Power line down                                    | 1                |
| 445 Arcing, shorted electrical equipment               | 2                |
| 460 Accident, potential accident, other                | 4                |
| 500 Service Call, other                                | 1                |
| 531 Smoke or odor removal                              | 1                |
| 550 Public service assistance, other                   | 1                |
| 552 Police matter                                      | 2                |
| 561 Unauthorized burning                               | 7                |
| 571 Cover assignment, standby, moveup                  | 2                |
| 611 Dispatched & canceled en route                     | 5                |
| 622 No incident found on arrival at dispatch address   | 2                |
| 631 Authorized controlled burning                      | 7                |
| 743 Smoke detector activation, no fire - unintentional | 1                |
| 744 Detector activation, no fire - unintentional       | 1                |
| 745 Alarm system sounded, no fire - unintentional      | 3                |
| 800 Severe weather or natural disaster, other          | 1                |
| 813 Wind storm, tornado/hurricane assessment           | 1                |
| <b>Total Number of Incidents:</b>                      | <b>140</b>       |
| <b>Total Number of Incident Types:</b>                 | <b>33</b>        |

Print Date: 7/27/2014

2010



Graphed Items are sorted by Incident Type

| Type Of Incident:                            | Total Of Incidents: | Percentage Value: |
|----------------------------------------------|---------------------|-------------------|
| 100 Series-Fire                              | 19                  | 13.57%            |
| 300 Series-Rescue & EMS                      | 74                  | 52.86%            |
| 400 Series-Hazardous Conditions(No fire)     | 12                  | 8.57%             |
| 500 Series-Service Call                      | 14                  | 10.00%            |
| 600 Series-Good Intent Call                  | 14                  | 10.00%            |
| 700 Series-False Alarm & False Call          | 5                   | 3.57%             |
| 800 Series-Severe Weather & Natural Disaster | 2                   | 1.43%             |

Grand Total: 140

Type Of Incident Most Frequent: 300 Series-Rescue & EMS

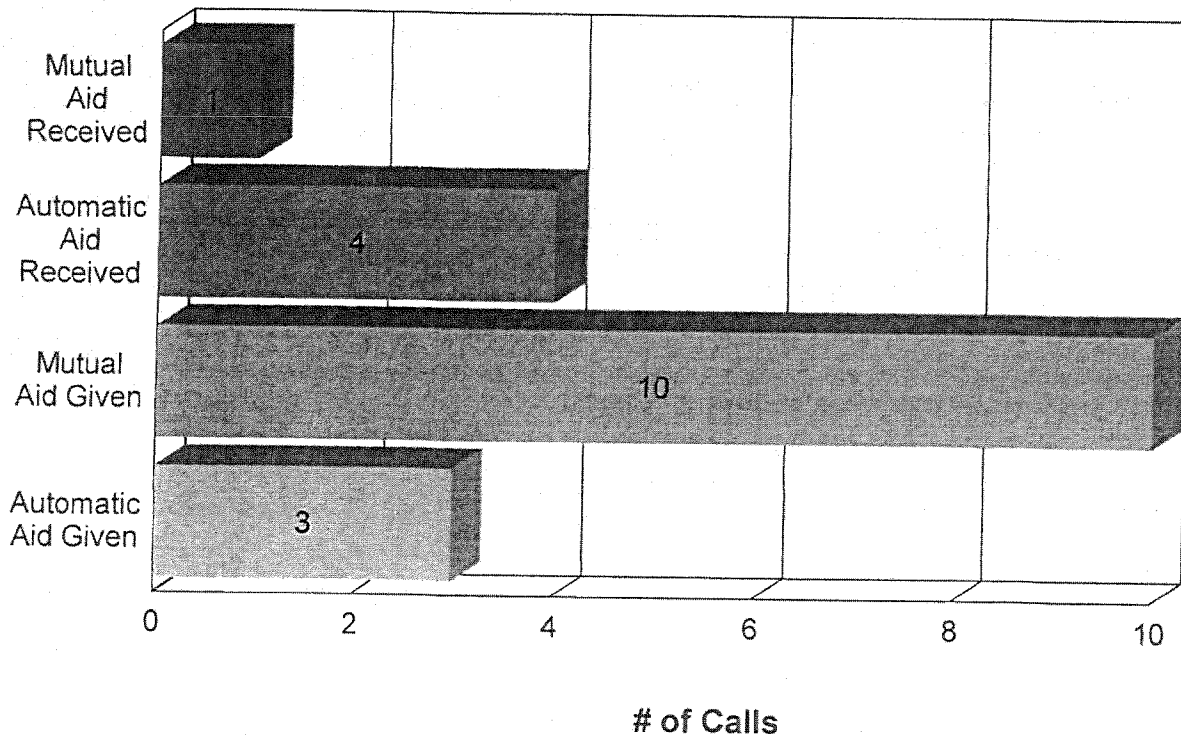
Print Date: 7/27/2014

2010

7/22/2014

Year: 2010

## Mutual Aid Calls Per Year, Summary



### Mutual Aid Received

|     |                            |   |
|-----|----------------------------|---|
| 400 | Hazardous condition, other | 1 |
|-----|----------------------------|---|

|                                         |          |
|-----------------------------------------|----------|
| <b>Total # of Incidents by Aid Type</b> | <b>1</b> |
|-----------------------------------------|----------|

### Automatic Aid Received

|     |            |   |
|-----|------------|---|
| 143 | Grass fire | 1 |
|-----|------------|---|

|     |                                |   |
|-----|--------------------------------|---|
| 322 | Vehicle accident with injuries | 1 |
|-----|--------------------------------|---|

|     |                                         |   |
|-----|-----------------------------------------|---|
| 324 | Motor vehicle accident with no injuries | 1 |
|-----|-----------------------------------------|---|

|     |                                      |   |
|-----|--------------------------------------|---|
| 445 | Arcing, shorted electrical equipment | 1 |
|-----|--------------------------------------|---|

|                                         |          |
|-----------------------------------------|----------|
| <b>Total # of Incidents by Aid Type</b> | <b>4</b> |
|-----------------------------------------|----------|

### Mutual Aid Given

|     |                                |   |
|-----|--------------------------------|---|
| 141 | Forest, woods or wildland fire | 1 |
|-----|--------------------------------|---|

|     |            |   |
|-----|------------|---|
| 143 | Grass fire | 4 |
|-----|------------|---|

|     |                                                  |   |
|-----|--------------------------------------------------|---|
| 321 | EMS call, excluding vehicle accident with injury | 2 |
|-----|--------------------------------------------------|---|

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|     |                                   |   |
|-----|-----------------------------------|---|
| 571 | Cover assignment, standby, moveup | 2 |
| 611 | Dispatched & canceled en route    | 1 |

**Total # of Incidents by Aid Type** 10

**Automatic Aid Given**

|     |                                |   |
|-----|--------------------------------|---|
| 322 | Vehicle accident with injuries | 1 |
| 561 | Unauthorized burning           | 1 |
| 611 | Dispatched & canceled en route | 1 |

**Total # of Incidents by Aid Type** 3

**Total Mutual Aid Calls for Year: 18**

## Incident Reports By Incident Type, Summary

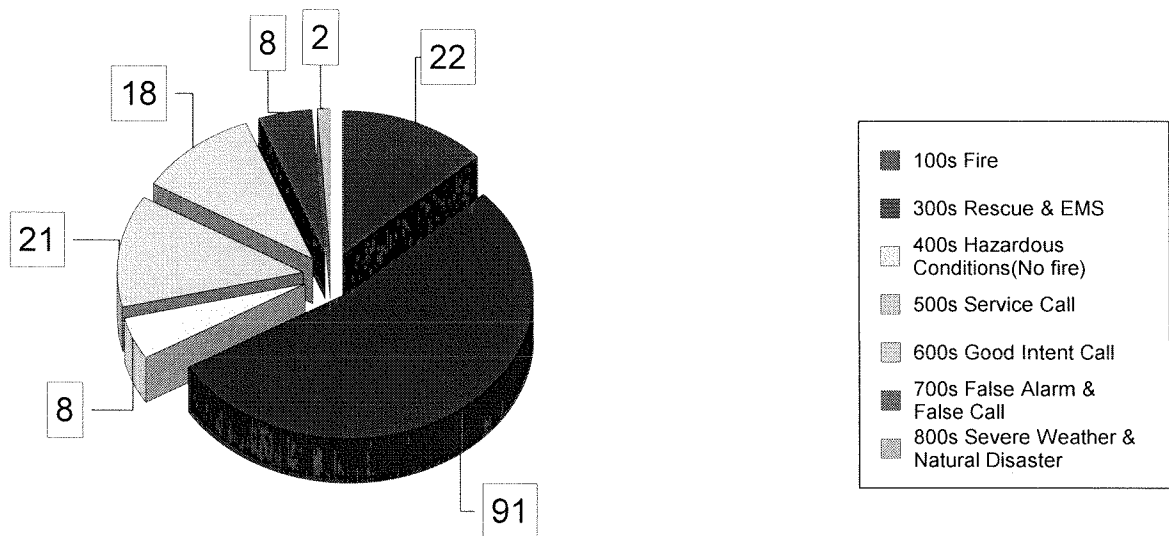
Page 1 of 1

| Incident Type                                          | Total Incidents: |
|--------------------------------------------------------|------------------|
| 111 Building fire                                      | 3                |
| 113 Cooking fire, confined to container                | 2                |
| 115 Incinerator overload or malfunction, fire confined | 1                |
| 131 Passenger vehicle fire                             | 6                |
| 134 Water vehicle fire                                 | 1                |
| 143 Grass fire                                         | 6                |
| 151 Outside rubbish, trash or waste fire               | 1                |
| 160 Special outside fire, other                        | 2                |
| 321 EMS call, excluding vehicle accident with injury   | 72               |
| 322 Vehicle accident with injuries                     | 10               |
| 324 Motor vehicle accident with no injuries            | 9                |
| 400 Hazardous condition, other                         | 3                |
| 444 Power line down                                    | 1                |
| 460 Accident, potential accident, other                | 4                |
| 550 Public service assistance, other                   | 8                |
| 552 Police matter                                      | 2                |
| 553 Public service                                     | 2                |
| 561 Unauthorized burning                               | 6                |
| 571 Cover assignment, standby, moveup                  | 3                |
| 611 Dispatched & canceled en route                     | 13               |
| 621 Wrong location                                     | 2                |
| 622 No incident found on arrival at dispatch address   | 1                |
| 631 Authorized controlled burning                      | 2                |
| 700 False alarm or false call, other                   | 2                |
| 733 Smoke detector activation due to malfunction       | 1                |
| 741 Sprinkler activation, no fire - unintentional      | 1                |
| 743 Smoke detector activation, no fire - unintentional | 2                |
| 744 Detector activation, no fire - unintentional       | 1                |
| 745 Alarm system sounded, no fire - unintentional      | 1                |
| 800 Severe weather or natural disaster, other          | 2                |
| <b>Total Number of Incidents:</b>                      | <b>170</b>       |
| <b>Total Number of Incident Types:</b>                 | <b>30</b>        |

Print Date: 7/27/2014

2011





*Graphed Items are sorted by Incident Type*

**Type Of Incident:**

100 Series-Fire  
 300 Series-Rescue & EMS  
 400 Series-Hazardous Conditions(No fire)  
 500 Series-Service Call  
 600 Series-Good Intent Call  
 700 Series-False Alarm & False Call  
 800 Series-Severe Weather & Natural Disaster

**Total Of Incidents:**

22  
 91  
 8  
 21  
 18  
 8  
 2

**Percentage Value:**

12.94%  
 53.53%  
 4.71%  
 12.35%  
 10.59%  
 4.71%  
 1.18%

**Grand Total:** 170

**Type Of Incident Most Frequent:** 300 Series-Rescue & EMS

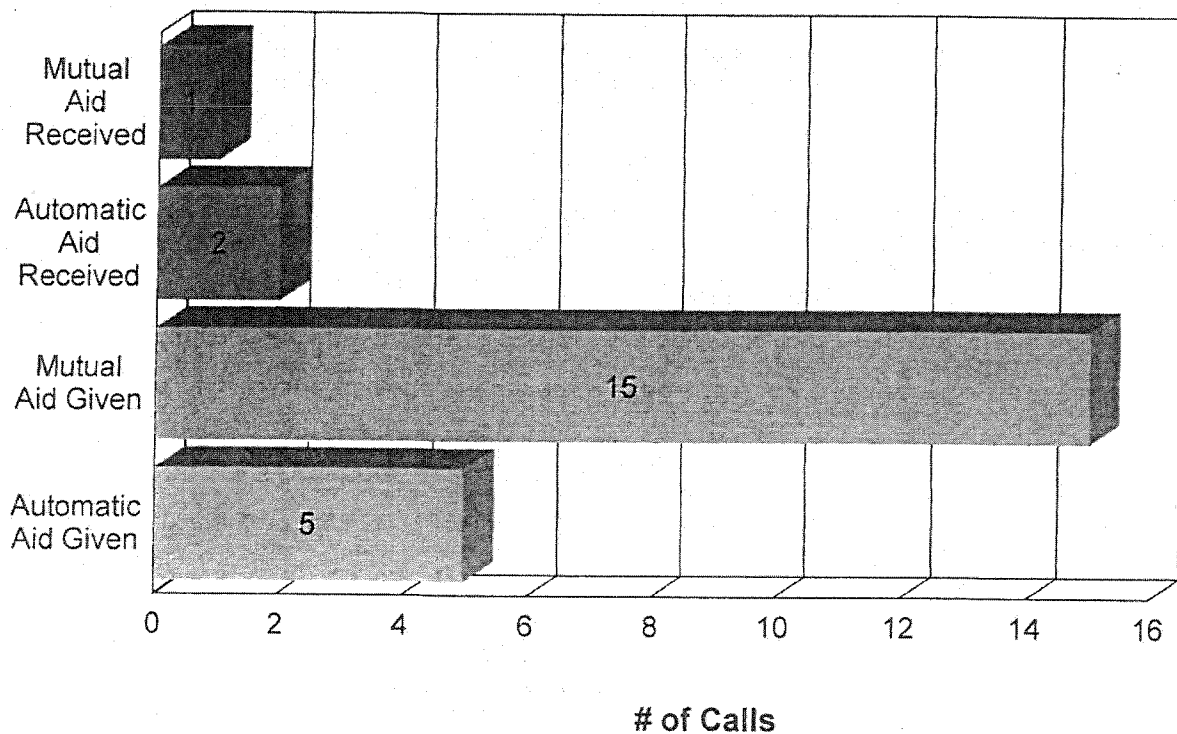
Print Date: 7/27/2014

2011

7/22/2014

Year: 2011

## Mutual Aid Calls Per Year, Summary



### Mutual Aid Received

|     |               |   |
|-----|---------------|---|
| 111 | Building fire | 1 |
|-----|---------------|---|

|                                  |   |
|----------------------------------|---|
| Total # of Incidents by Aid Type | 1 |
|----------------------------------|---|

### Automatic Aid Received

|     |                        |   |
|-----|------------------------|---|
| 131 | Passenger vehicle fire | 1 |
|-----|------------------------|---|

|     |                                |   |
|-----|--------------------------------|---|
| 322 | Vehicle accident with injuries | 1 |
|-----|--------------------------------|---|

|                                  |   |
|----------------------------------|---|
| Total # of Incidents by Aid Type | 2 |
|----------------------------------|---|

### Mutual Aid Given

|     |               |   |
|-----|---------------|---|
| 111 | Building fire | 1 |
|-----|---------------|---|

|     |                        |   |
|-----|------------------------|---|
| 131 | Passenger vehicle fire | 1 |
|-----|------------------------|---|

|     |                    |   |
|-----|--------------------|---|
| 134 | Water vehicle fire | 1 |
|-----|--------------------|---|

|     |            |   |
|-----|------------|---|
| 143 | Grass fire | 2 |
|-----|------------|---|

|     |                             |   |
|-----|-----------------------------|---|
| 160 | Special outside fire, other | 1 |
|-----|-----------------------------|---|

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|     |                                           |   |
|-----|-------------------------------------------|---|
| 322 | Vehicle accident with injuries            | 1 |
| 460 | Accident, potential accident, other       | 1 |
| 571 | Cover assignment, standby, moveup         | 2 |
| 611 | Dispatched & canceled en route            | 4 |
| 800 | Severe weather or natural disaster, other | 1 |

**Total # of Incidents by Aid Type** 15

**Automatic Aid Given**

|     |                                         |   |
|-----|-----------------------------------------|---|
| 324 | Motor vehicle accident with no injuries | 1 |
| 571 | Cover assignment, standby, moveup       | 1 |
| 611 | Dispatched & canceled en route          | 3 |

**Total # of Incidents by Aid Type** 5

**Total Mutual Aid Calls for Year:** 23

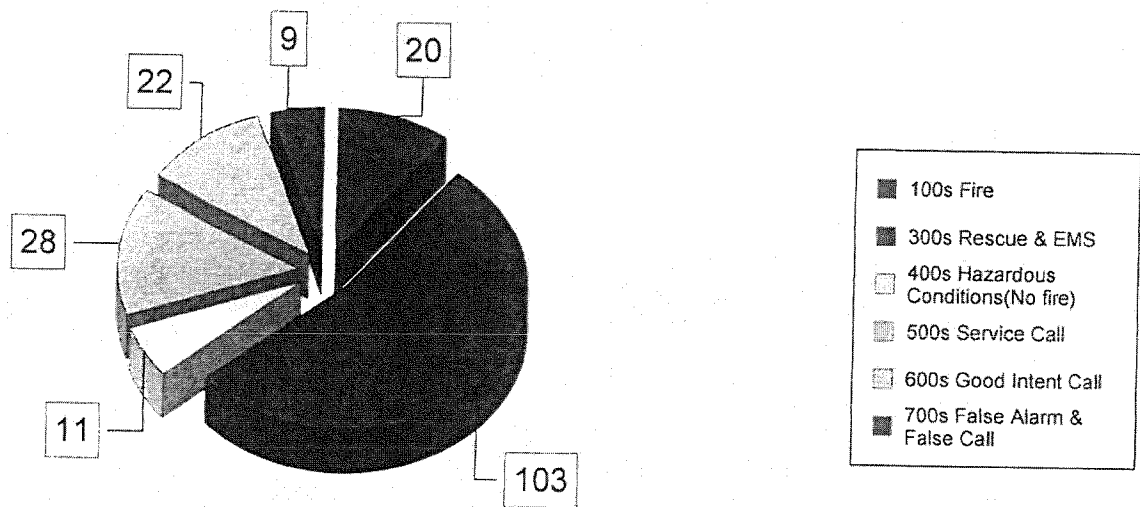
## Incident Reports By Incident Type, Summary

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| Incident Type                                          | Total Incidents: |
|--------------------------------------------------------|------------------|
| 111 Building fire                                      | 1                |
| 131 Passenger vehicle fire                             | 2                |
| 141 Forest, woods or wildland fire                     | 2                |
| 142 Brush, or brush and grass mixture fire             | 1                |
| 143 Grass fire                                         | 9                |
| 151 Outside rubbish, trash or waste fire               | 1                |
| 154 Dumpster or other outside trash receptacle fire    | 1                |
| 160 Special outside fire, other                        | 2                |
| 171 Cultivated grain or crop fire                      | 1                |
| 321 EMS call, excluding vehicle accident with injury   | 77               |
| 322 Vehicle accident with injuries                     | 14               |
| 323 Motor vehicle/pedestrian accident (MV Ped)         | 1                |
| 324 Motor vehicle accident with no injuries            | 11               |
| 421 Chemical hazard (no spill or leak)                 | 1                |
| 444 Power line down                                    | 3                |
| 460 Accident, potential accident, other                | 7                |
| 500 Service Call, other                                | 1                |
| 511 Lock-out                                           | 1                |
| 541 Animal problem                                     | 1                |
| 550 Public service assistance, other                   | 1                |
| 551 Assist police or other governmental agency         | 1                |
| 552 Police matter                                      | 2                |
| 553 Public service                                     | 1                |
| 561 Unauthorized burning                               | 8                |
| 571 Cover assignment, standby, moveup                  | 12               |
| 600 Good intent call, other                            | 1                |
| 611 Dispatched & canceled en route                     | 16               |
| 631 Authorized controlled burning                      | 5                |
| 700 False alarm or false call, other                   | 1                |
| 734 Heat detector activation due to malfunction        | 1                |
| 735 Alarm system sounded due to malfunction            | 1                |
| 740 Unintentional transmission of alarm, other         | 1                |
| 743 Smoke detector activation, no fire - unintentional | 4                |
| 745 Alarm system sounded, no fire - unintentional      | 1                |
| Total Number of Incidents:                             | 193              |
| Total Number of Incident Types:                        | 34               |

Print Date: 7/27/2014

2012



*Graphed Items are sorted by Incident Type*

**Type Of Incident:**

100 Series-Fire  
 300 Series-Rescue & EMS  
 400 Series-Hazardous Conditions(No fire)  
 500 Series-Service Call  
 600 Series-Good Intent Call  
 700 Series-False Alarm & False Call

**Total Of Incidents:**

20  
 103  
 11  
 28  
 22  
 9

**Percentage Value:**

10.36%  
 53.37%  
 5.70%  
 14.51%  
 11.40%  
 4.66%

**Grand Total: 193**

**Type Of Incident Most Frequent: 300 Series-Rescue & EMS**

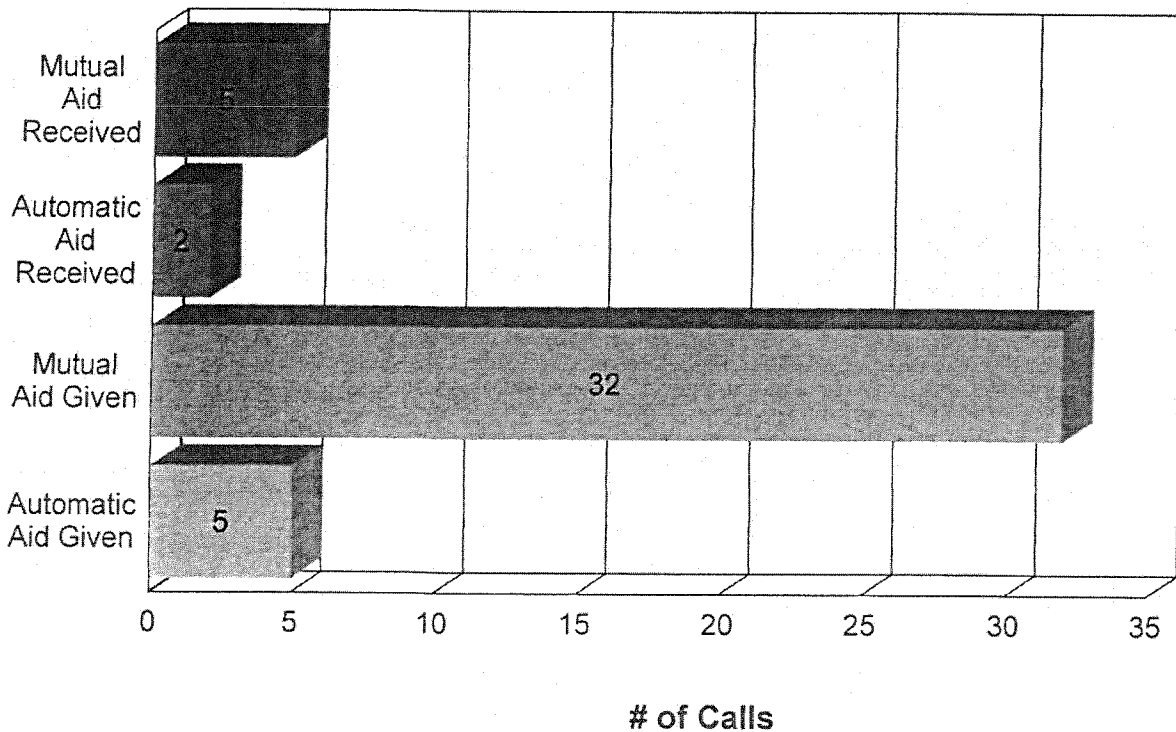
Print Date: 7/27/2014

2012

7/22/2014

Year: 2012

## Mutual Aid Calls Per Year, Summary



### Mutual Aid Received

|     |                                      |   |
|-----|--------------------------------------|---|
| 143 | Grass fire                           | 1 |
| 151 | Outside rubbish, trash or waste fire | 1 |
| 322 | Vehicle accident with injuries       | 2 |
| 611 | Dispatched & canceled en route       | 1 |

**Total # of Incidents by Aid Type** 5

### Automatic Aid Received

|     |                                            |   |
|-----|--------------------------------------------|---|
| 111 | Building fire                              | 1 |
| 323 | Motor vehicle/pedestrian accident (MV Ped) | 1 |

**Total # of Incidents by Aid Type** 2

### Mutual Aid Given

|     |                                |   |
|-----|--------------------------------|---|
| 141 | Forest, woods or wildland fire | 2 |
| 143 | Grass fire                     | 2 |

|                                         |                                                  |           |
|-----------------------------------------|--------------------------------------------------|-----------|
| 171                                     | Cultivated grain or crop fire                    | 1         |
| 321                                     | EMS call, excluding vehicle accident with injury | 1         |
| 322                                     | Vehicle accident with injuries                   | 1         |
| 324                                     | Motor vehicle accident with no injuries          | 3         |
| 552                                     | Police matter                                    | 1         |
| 571                                     | Cover assignment, standby, moveup                | 11        |
| 611                                     | Dispatched & canceled en route                   | 10        |
| <b>Total # of Incidents by Aid Type</b> |                                                  | <b>32</b> |

**Automatic Aid Given**

|                                         |                                                  |          |
|-----------------------------------------|--------------------------------------------------|----------|
| 321                                     | EMS call, excluding vehicle accident with injury | 1        |
| 322                                     | Vehicle accident with injuries                   | 1        |
| 571                                     | Cover assignment, standby, moveup                | 1        |
| 611                                     | Dispatched & canceled en route                   | 2        |
| <b>Total # of Incidents by Aid Type</b> |                                                  | <b>5</b> |

**Total Mutual Aid Calls for Year: 44**

## Incident Reports By Incident Type, Summary

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| Incident Type                                          | Total Incidents: |
|--------------------------------------------------------|------------------|
| 100 Fire, other                                        | 1                |
| 111 Building fire                                      | 2                |
| 131 Passenger vehicle fire                             | 6                |
| 134 Water vehicle fire                                 | 1                |
| 140 Natural vegetation fire, other                     | 1                |
| 141 Forest, woods or wildland fire                     | 1                |
| 142 Brush, or brush and grass mixture fire             | 1                |
| 143 Grass fire                                         | 21               |
| 151 Outside rubbish, trash or waste fire               | 1                |
| 160 Special outside fire, other                        | 4                |
| 171 Cultivated grain or crop fire                      | 1                |
| 321 EMS call, excluding vehicle accident with injury   | 70               |
| 322 Vehicle accident with injuries                     | 21               |
| 324 Motor vehicle accident with no injuries            | 13               |
| 412 Gas leak (natural gas or LPG)                      | 1                |
| 444 Power line down                                    | 1                |
| 460 Accident, potential accident, other                | 4                |
| 500 Service Call, other                                | 3                |
| 510 Person in distress, other                          | 1                |
| 550 Public service assistance, other                   | 3                |
| 551 Assist police or other governmental agency         | 2                |
| 552 Police matter                                      | 2                |
| 553 Public service                                     | 3                |
| 561 Unauthorized burning                               | 8                |
| 571 Cover assignment, standby, moveup                  | 1                |
| 611 Dispatched & canceled en route                     | 13               |
| 622 No incident found on arrival at dispatch address   | 3                |
| 631 Authorized controlled burning                      | 5                |
| 700 False alarm or false call, other                   | 3                |
| 730 System malfunction, other                          | 1                |
| 733 Smoke detector activation due to malfunction       | 1                |
| 741 Sprinkler activation, no fire - unintentional      | 1                |
| 743 Smoke detector activation, no fire - unintentional | 5                |
| 744 Detector activation, no fire - unintentional       | 1                |
| 745 Alarm system sounded, no fire - unintentional      | 3                |
| Total Number of Incidents:                             | 209              |
| Total Number of Incident Types:                        | 35               |

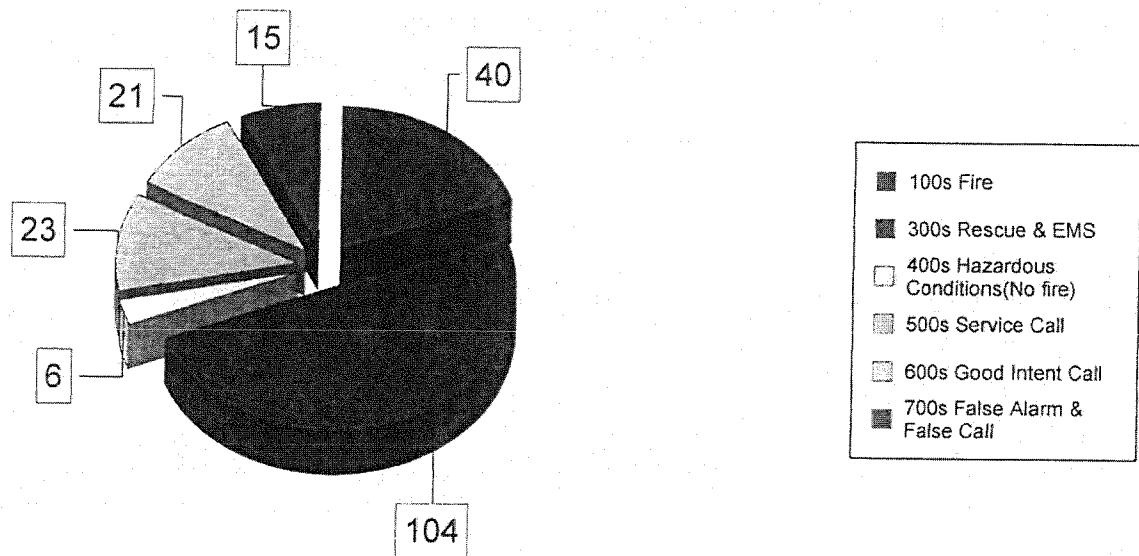
Print Date: 7/27/2014

2013



## Incident Report, By Type Of Incident

Page 1 of 1



Graphed Items are sorted by Incident Type

## Type Of Incident:

100 Series-Fire  
 300 Series-Rescue & EMS  
 400 Series-Hazardous Conditions(No fire)  
 500 Series-Service Call  
 600 Series-Good Intent Call  
 700 Series-False Alarm & False Call

## Total Of Incidents:

40  
 104  
 6  
 23  
 21  
 15

## Percentage Value:

19.14%  
 49.76%  
 2.87%  
 11.00%  
 10.05%  
 7.18%

Grand Total: 209

Type Of Incident Most Frequent: 300 Series-Rescue &amp; EMS

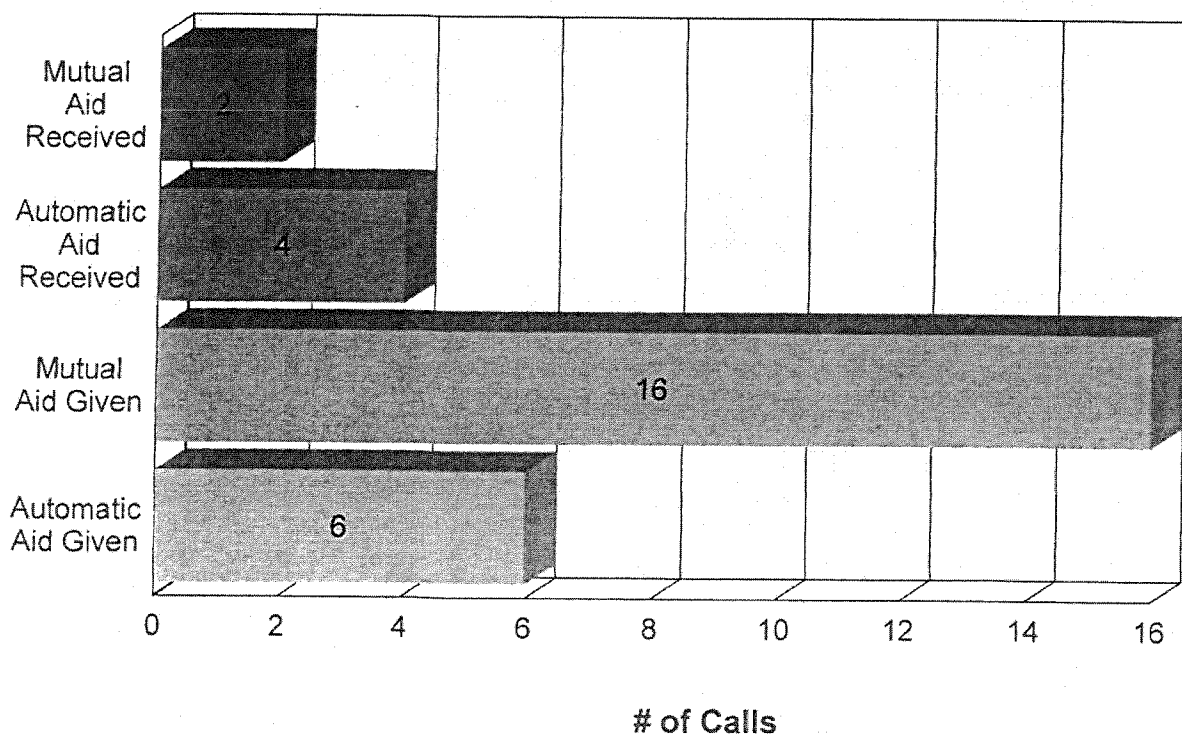
Print Date: 7/27/2014

2013

7/22/2014

Year: 2013

## Mutual Aid Calls Per Year, Summary



### Mutual Aid Received

|     |                                                  |   |
|-----|--------------------------------------------------|---|
| 321 | EMS call, excluding vehicle accident with injury | 1 |
| 700 | False alarm or false call, other                 | 1 |

**Total # of Incidents by Aid Type**      **2**

### Automatic Aid Received

|     |                                         |   |
|-----|-----------------------------------------|---|
| 111 | Building fire                           | 1 |
| 324 | Motor vehicle accident with no injuries | 3 |

**Total # of Incidents by Aid Type**      **4**

### Mutual Aid Given

|     |                                |   |
|-----|--------------------------------|---|
| 111 | Building fire                  | 1 |
| 131 | Passenger vehicle fire         | 1 |
| 141 | Forest, woods or wildland fire | 1 |
| 143 | Grass fire                     | 3 |

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|     |                                      |   |
|-----|--------------------------------------|---|
| 151 | Outside rubbish, trash or waste fire | 1 |
| 322 | Vehicle accident with injuries       | 2 |
| 500 | Service Call, other                  | 2 |
| 611 | Dispatched & canceled en route       | 5 |

**Total # of Incidents by Aid Type** 16

**Automatic Aid Given**

|     |                                                  |   |
|-----|--------------------------------------------------|---|
| 321 | EMS call, excluding vehicle accident with injury | 1 |
| 571 | Cover assignment, standby, moveup                | 1 |
| 611 | Dispatched & canceled en route                   | 4 |

**Total # of Incidents by Aid Type** 6

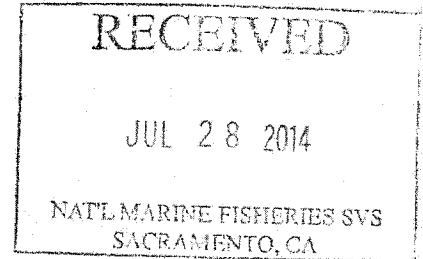
**Total Mutual Aid Calls for Year:** 28

**FRIENDS OF CLARKSBURG SCHOOLS**  
**dba Delta Elementary Charter School**

P.O. Box 303  
 Clarksburg, CA 95612

July 28, 2014

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



Re: Comments to the Bay Delta Conservation Plan Draft EIR/EIS

Dear Mr. Wulff and the BDCP Leadership and Comment Teams:

This letter constitutes the formal comments to the Draft Environmental Impact Report and Draft Environmental Impact Statement, issued November 2013 (the "Draft EIR/EIS") for public comment.

Throughout all of these comments, when impacts and/or effects are described or identified in any way, such impacts are to be deemed significant impacts for purposes of CEQA analysis, and such effects are deemed adverse effects for purposes of NEPA analysis.

**Comments Regarding**

**Background and Environmental Justice Chapter 28 of the EIR/EIS  
 Impact on the Learning of Children in Meaningfully Greater Minority and  
 Low Income Communities such as Clarksburg**

The Bay Delta Conservation Plan (Nov. 2013) ("BDCP") proposes to dramatically alter the way in which the Delta Elementary Charter School ("DECS") meets its mission of delivering the finest education possible for its students meeting all state standards with a special emphasis on agriculture, music, art and project based learning. Its agricultural program in particular relies on the health of the local Clarksburg Ag community which is an integral part of making the Ag education happen at DECS. DECS provides this education to the 384 students it serves. (BDCP contains an erroneous enrollment figure which should be corrected – citation given later in this comment letter.) DECS is located in Clarksburg in the Delta. Clarksburg, Hood and Courtland are three Delta communities defined in the Draft EIR/EIS Chapter 28 Environmental Justice 28.2.1.3 "Hispanic Residents" lines 39 and 40 as amongst "the small towns along the Sacramento River" where "meaningfully greater proportions of Hispanic residents are present". DECS is a Clarksburg "Public School" funded almost exclusively with public funds. It educates all its students tuition free.

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 Ryan Wulff, NMFS  
 July 28, 2014  
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Chapter 28.5.8.7 line 1 – 15 summarizes Noise issues and resolutions with the following conclusion (underlining is added for emphasis): “Chapter 23, Noise, identifies mitigation measures that would reduce noise and vibration effects.

Mitigation Measure NOI-1a: Employ Noise-Reducing Construction Practices during Construction

Mitigation Measure NOI-1b: Prior to Construction, Initiate a Complaint/Response Tracking Program

Mitigation Measure NOI-2: Employ Vibration-Reducing Construction Practices during Construction of Water Conveyance Facilities

In addition, the environmental commitment to develop and implement a Noise Abatement Plan would reduce these effects (Appendix 3B, Environmental Commitments). Although these mitigation measures and environmental commitment would be available to reduce these effects, it is not anticipated that feasible measures would be available in all situations to reduce construction noise to levels below the applicable thresholds. The effect of exposing noise-sensitive land uses to noise increases above thresholds is considered adverse. Although mitigation measures are available to address this temporary effect, because the noise and vibration effects would occur in areas with meaningfully greater minority and low-income populations, this represents a disproportionate effect. This effect is considered adverse.”

The conclusion is that this impact represents a disproportionate effect and is adverse. While there was a passing mention of “schools” in the impact section, you failed to analyze the sound impact of construction noise on the learning of various categories of students of at least seven years of enormous amount of pile driving strikes each day at each intake facility. DECS is ½ mile from Intake #2. This is a very significant impact and should not have been neglected in the EIR/EIS. The pulsating noise from pile driving during the construction of Intake #2 will have a significant negative impact on the educational environment for students at DECS. The incessant pulsating noise to unacceptable levels during the school day will drastically impact their ability to attend to instruction and make academic progress. The distraction that this level of noise will cause will require constant teacher redirection which will decrease both time on task and instructional time overall. In addition to impeding the learning of typically developing students, the noise caused by the pile driving will have a profound effect on students with disabilities. At our school we have students with Autism Spectrum Disorders, Attention Deficit Disorders as well as students with other learning disabilities. Often, these students have sensory processing disorders and have difficulty being able to regulate their senses in the face of drastic change such as the spiking of noise levels with each pile driving strike. In addition, it is often difficult for students with these disabilities to attend to and focus on instruction in optimal environments, let alone when their senses are being overloaded by the proposed level of pulsating noise from seven plus years of pile driving ½ mile from the school. It should also be known that there are two other public schools in Clarksburg (Clarksburg Middle School & Delta

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High School) that will be similarly impacted. While we do not speak for these schools, the impact on the learning of the children in these schools should be analyzed as well. It is our professional opinion that pile driving 1/2 mile and more from DECS will significantly reduce the ability of our students to concentrate on their studies and progress in their learning and even more adversely impact those students in our population who have learning disabilities that make concentration a real challenge without 7 years of pile driving 1/2 mile away! We believe that it may be so adverse as to make functioning as a school impossible during the 7 year construction period.

We contend that the conclusion in the BDCP underlined above related to "feasibility" of mitigations is completely unacceptable. It indicates that mitigating for these impacts won't be done as they are not feasible. It should be noted that the costs for BDCP have been estimated from a low of \$16 billion in the document to other estimates of over \$40 billion from various sources. That is a very broad cost range as well as being huge at either end. All elements necessary to achieving the goals of BDCP are accommodated even if it adds a few more billion dollars to the cost. However, a completely different standard is utilized when considering the mitigation of BDCP impacts (indicating that solving a large number of the problems BDCP causes isn't feasible and therefore won't be done). While those putting forth the BDCP, continue to contend that the residents and businesses in the Delta will benefit from BDCP, local residents and farmers many of whose families have made the Delta what it is today over as many as seven generations who have spoken at the vast majority of public hearings conducted over the last 5 or so years indicate quite the opposite. Accordingly, if the vast majority of the benefit from the BDCP will be outside of the Delta in the southern part of the state, and if it is so critical to be done for the good of those in the south, then the least that can be done is to make sure that citizens, businesses and farmers in the Delta are made whole from ALL the negative impacts of the project. And further, actually indicating in BDCP that it is assumed that many of the residents in Hood and other places close to facilities to be built may simply have to abandon their homes and not be compensated is not acceptable either. To do this is to deprive one group of people their property without compensation for others who then don't have to pay their fair share of the true cost of the BDCP.

In summary for this section, I ask that the standards used to determine what mitigations "are not feasible" be revisited and ensure that there is appropriate and adequate budget in BDCP to compensate ALL of those who will be deprived of the use of their property not just those that experience the legal "taking" of their property (being under a physical Intake Station that has to be taken under eminent domain.) More specifically an approach that should be considered follows: if the impacts of BDCP are not feasible to be mitigated for in a certain area and are within an area of unacceptable impact that would reasonably cause someone to leave their homes just to be able to live during the 7 year pile driving construction period or period of unacceptable impact, then they should

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be able to opt into having their property taken by eminent domain. specified proximity outright or rendering it unusable. If this means compensation for "takes" outside of the normal standards for eminent domain then that must be done to not deprive property owners of the enjoyment of their property rights.

As it relates to DECS, we propose a solution to the sound problems caused by BDCP over a large number of years which is to build another school for use during the seven year pile driving construction period close by that would be sound proof to the extent of not having the pile driving increase the sound in the class room or equivalent measures.

The mission and purpose of DECS is to provide a quality education to its students. In order to meet this mission and purpose DECS relies upon a number of existing physical and economic facts, including:

1. A system of roads and travel routes for bringing students to DECS as well as suppliers to bring purchased materials to the school;
2. The maintenance of existing levees and flood protection to reduce the risk of floods and the damage to DECS cause by inundation by water.

A number of State and federal entities are discussing formulating various devices, strategies, policies, habitat conservation plans, reports and other procedures (together, "Plans") which appear to have the potential to significantly and seriously disrupt or even prevent the DECS from accomplishing its mission and purpose by alteration of the physical and economic facts listed above. The BDCP is one example of one of these Plans currently under consideration.

This letter constitutes the formal comments to the Draft Environmental Impact Report and Draft Environmental Impact Statement, issued November 2013 (the "Draft EIR/EIS") for public comment.

Throughout all of these comments, when impacts and/or effects are described or identified in any way, such impacts are to be deemed significant impacts for purposes of CEQA analysis, and such effects are deemed adverse effects for purposes of NEPA analysis.

### **Comments Regarding Groundwater**

Chapter 8 does not appear to address changes in water quality upon DECS operations. Poor water quality in groundwater, is believed to significantly and seriously deteriorate and negatively affect the efficiency of water use most importantly as drinking water in the school. The EIR/EIS must fully analyze serious and significant impacts and

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effects arising from changes in water quality upon DECS operations in order to be complete.

DECS relies to a great degree on groundwater through an existing well located on school property. The well supplying DECS water is within one-half mile of the project's #2 water intake pumping station. Chapter 7 purports to analyze the significant and serious effects and impacts because of changes in groundwater as a result of the project alternatives.

Chapter 7 focuses almost exclusively on the changes in the level of groundwater in and around both the Delta and the State of California as a result of the project alternatives. However, Chapter 7 fails to analyze or discuss the quality or quantity of ground water available or used by existing groundwater users as either impacts or effects as a result of any of the project alternatives. Further, it fails to provide a mechanism for an unbiased testing of water quality before the project commences so there will be a benchmark against which to measure the ultimate impact.

Specific to DECS, various project alternatives, if not all project alternatives, fail to analyze the significant and substantial impacts or effects of lowered groundwater tables, and thus failures or significant or substantial loss of access to water.

### **Comments Regarding Socioeconomics**

Chapter 16, discussing the Socioeconomics of the Delta, founds its analysis in large and significant part on the thinking and belief, without evidence of this belief, that the "rural communities" of the Delta are the towns of the Delta, the collection of improvements lying within the historic townships in the Delta. The language set out at page 16-3, lines 8-10 is an important example of this thinking.

In truth, the Delta communities are composed of both the townships *together with* their surrounding agricultural lands, each in symbiotic relationship with the other. In the Clarksburg area this truth is illustrated by the almost weekly meetings, gatherings, two annual district parades, three annual community dinners at the district firehouse, two garden clubs, a boy scout troop that has consistently produced for many years one of the greatest number of Eagle Scouts on an annual basis in the United States of America, together with innumerable events at the schools, church, library, and with other community groups, all bringing together residents of both the town area of Clarksburg with the residents outside the town area, into one cohesive single community unit bound together with unified and common values, united traditions, and family histories going back on the same land as far as seven generations ("**Community Cohesion**").



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Ryan Wulff, NMFS  
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The Clarksburg community is also characterized by an important multi-cultural history. Whether it is the example of farmers who during the Second World War paid the taxes on the lands and building of their fellow Japanese farmers so they would not lose their land during internment, protection of the historic Japanese School, or the example of German POWs choosing to remain in the Delta upon their release in 1945, the Portuguese social hall (in the Lisbon District), the residents from Holland, in the area with the same name, or the large Hispanic population which participates in the life of the Delta, these facts and more demonstrate that the Delta community and its social fabric is not divided along the lines of township vs. non-township.

The demographic data set forth for the Delta portion of Yolo County beginning at page 16-7, line 317, to page 16-8, line 13, in the information listed for West Sacramento fails to recognize that only a part of West Sacramento lies within the Delta. The numbers offered for West Sacramento mislead because those numbers describe the whole of West Sacramento, not the Delta portion of the city. The Draft EIR/EIS is inaccurate and misleading to the extent that data derived from outside the Delta is offered as analysis of the Delta. Data should be limited to in-Delta residents, population, employment, etc. This same comment applies to cities and other areas which lie partly within the Delta, but the data for which is given for the entire city or area, not just the portion of the city or area which lies within the Delta.

At subsection 16.2.3.5, beginning at page 16-37, line 24, and throughout, the Draft EIR/EIS failed to mention or include at all in its analysis the 2001 Clarksburg General Plan, duly passed as an integral part of the Yolo County General Plan and is a matter of public record. As Yolo County is a cooperating agency and recognized arm of local government, the portions of its General Plan, specifically the 2001 Clarksburg General Plan, must be given the respect required by both state and federal law. The failure to include and analyze the 2001 Clarksburg General Plan is a fatal flaw.

ECON 15, analyzed in relation to Alternative 1A, and incorporated into various other Alternatives, regarding damage, impact and negative effects on community character, is deeply flawed. (See page 16-72, line 3 to page 16-73, line 10.) In addition to the failures discussed above, the NEPA portion of the analysis (page 16-72, line 5 to page 16-73, line 2) admits that serious and significant impacts would be imposed on Delta communities, while the CEQA portion of the analysis (page 16-73, lines 3-10) claims no physical impacts will occur. Either one statement or the other is true. Both statements cannot be true at the same time.

ECON 15, page 16-72, at lines 27-30 claims that CM3 (the cultivated land natural community strategy) would ensure continued agricultural production, but fails to address in any way the quality, type, values or other characteristics of that claim of continued agricultural production. It is basis and foundational to any NEPA or CEQA

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analysis to include the basic parameters of anticipated changes in crop quality, type, value and other fundamental characteristics when claiming that "CM3 would ensure the continuation of agricultural production on thousands of acres in the Delta."

The continued health of agriculture in the Clarksburg community in particular, and in the Delta in general, is essential to the financial health and human resources demands upon DECS and its ability to continue to satisfy the demands of its mission.

The activities, meetings, social gatherings, parades, and other regular and annual events which provide important glue for the community and its social harmony face substantial likelihood of disruption constituting a substantial and serious negative impact and effect.

### **Comments Regarding Cultural and Historic Resources**

The Clarksburg community is also a key area for Native American activity. Sections 18.1.1.3 and .4 in particular, and section 18.1 in general disclose that at no time did the drafters of the Draft EIR/EIS ever reach out to local historians who would have shown the drafters and their agents and associates the location of burial grounds, where arrowheads are generally found, and where other evidence of Native American culture is located.

The failure of analytics used throughout the preparation of the Draft EIR/EIS to even ask for local knowledge on the ground and generally known among families who have lived in the Delta for as much as seven generations is a fatal flaw in analysis and process throughout.

### **Comments Regarding Transportation**

Figures 19-3a, 19-3b, 19-4a and 19-4b, and Segments CT 28, 33 and 34, and YOL 01, 02 and 03, Table 19-1, admit to various serious and significant impacts and effects of each of the Alternatives on the transportation network and routes relied upon by DECS to perform its mission.

The analysis overall, and specifically as laid out in Table 19-3, seventh column from the left title "Hourly Volume Range (6AM to 7PM) specifically fails to take into account morning and evening agricultural activity before and after the stated hours during harvest, planting and growing seasons for various crops. Pear harvest, for example, during July and August, creates heavy traffic before 6AM and after 7 PM. The same is true of grape harvest in August, September and October.

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The pavement conditions, Table 19-5, for YOL 01, 02 and 03 are admittedly generally unknown or are already inadequate. When 24-hour traffic diversions, and volunteer rerouting due to extremely heavy dump truck traffic to transport tunnel spoils and construction related vehicular, light equipment and heavy equipment trips, the Draft EIR/EIS admits the already inadequate roads will be damaged beyond repair. This will further fracture and degrade Community Cohesion.

Nowhere in the Determination of Effects, section 19.3.2, page 19-36, line 7 through page 19-39, line 1, was the admitted disruption of traffic operations inclusive of the parents bringing children to school and then getting them home. Traffic rerouting, whether directed by governmental authority, or voluntary in nature as people change their transportation routes as a result of, and to avoid construction and operation impacts, will seriously impact and effect DECS

For example and in particular, but not by limitation, the admitted time of "at least 1 hour" during which LOS would be exceeded (see, for example page 19-41, lines 10-11) does not analyze the resulting burden on emergency response. The same failure is true for corresponding analysis for all Alternatives.

Chapter 19 fails to analyze the serious impacts and effects of increased traffic, and in particular the serious impacts and effects of long periods of heavy equipment traffic, on the levee roads. Observable information related to the negative impact can be provided through actual observation of impacts in a home 60 feet away from the levee and 90 feet from Highway 160. The failure and omission of analysis of these issues is a fatal flaw.

### **Comments Regarding Public Services and Utilities**

Chapter 20 of the Draft EIR/EIS claims to describe the public services and utilities in the study area which may be affected by the construction, operations and maintenance of the action alternatives in the Plan Area. (Page 20-1, lines 4 – 6.)

As part of the subsection discussing Fire Protection and Emergency Response, the Draft EIR/EIS states "Response time is broken into three components: alarm processing time (dispatch), turnout time, and travel time. The element of time for alarm processing is in the hands of the dispatch and communication system. The amount of time it takes to turnout fire apparatus is different depending on whether the station is staffed by full-time permanent or otherwise assigned personnel, or whether the staffing is recalled (volunteer). Travel time is a function of speed and the availability of a road network to get to the scene of an emergency." (Page 20-3, lines 35-40.) As the Clarksburg Fire Department is a volunteer fire department, the ability of the volunteers

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to get to the fire station over the roadway network is critical for a timely response to a fire at DECS.

**Error.** At Table 20A-4, page 20A-13, of Appendix 20A, in the River Delta School District section, third school from the top of the page, referring to "Delta Elementary (K-6 Charter)" claims and states that the enrollment of the school, as of the date of the release of the plan (November 2013) is 123, with a capacity of 280, and states that capacity is not exceeded.

**Correction.** The correct numbers for the Delta Elementary Charter School (K-6) are: 345 enrollment, with a capacity of 345, at capacity, with a wait list of 32 as of November 2013. Please make this correction and change all analysis accordingly. Note: As of August 2014 the enrollment figure is 384.

### **Comments Regarding Public Health**

The Draft EIR/EIS fails to take into account various flood potential, flood dangers, and flood risks. In particular, the Draft EIR/EIS in final form should include the Lower Sacramento River/Delta North Regional Flood Management Plan (July 2014), its findings, analysis, conclusions and recommendations. Flood risk, flood events, and high water events have been a significant and serious part of life at all levels in the Delta. Flood dangers and risks, and actual flood events, should be an integral part of each and every chapter of the Draft EIR/EIS. The lack of such analysis throughout and in every chapter is a fatal flaw.

### **Comments Regarding Public Participation, Consultation and Coordination**

The public participation, consultation and coordination activities on the part of the preparers of the Draft EIR/EIS did not include any directed or specific outreach to DECS itself.


The largest outpouring of people coming to public meetings occurred in Clarksburg. (See, e.g., Table 32-1, page 32-2, line 18; Table 32-2, page 32-3, line 6.)

Although DECS is a major public entity in the Clarksburg area, the lack of outreach from the preparers of the Draft EIR/EIS to DECS, is a fatal flaw. DECS requests that the final EIR/EIS presentation clearly identify and show specifically all places where each and every one of the comments above is addressed.

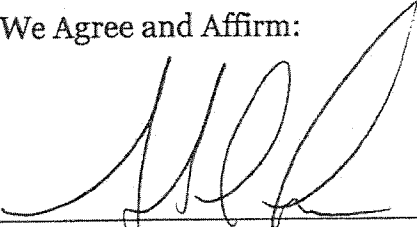
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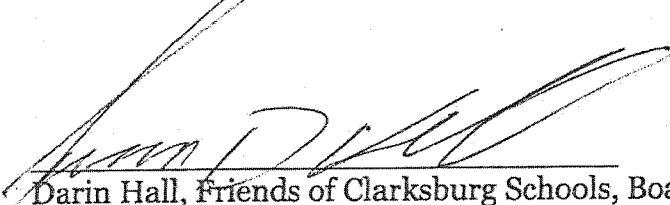
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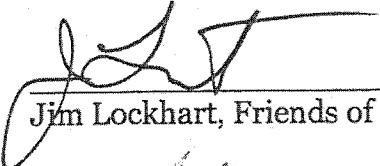
Very truly yours,  
DELTA ELEMENTARY CHARTER SCHOOL

By:   
Peter Stone, Chief Business Officer

We Agree and Affirm:

  
Steve Lewis, Delta Elementary Charter School, Superintendent/Principal

  
Darin Hall, Friends of Clarksburg Schools, Board President

  
Jim Lockhart, Friends of Clarksburg Schools, CFO

  
Matt Taylor, Friends of Clarksburg Schools, Board Member