

Marin Audubon Society

P.O. Box 599 | MILL VALLEY, CA 94942-0599 | MARINAUDUBON.ORG

July 28, 2014

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

JUL 29 2014

RE: Comments on the Bay Delta Conservation Plan Draft Programmatic EIR/S

Dear Mr. Wulff:

The Marin Audubon Society appreciates the opportunity to submit comments on the BDCP and its Draft Programmatic Environmental Impact Report/Environmental Impact Statement (DPEIR/S). This massive project with its twin tunnels and complex operating system has the clear potential to result in significant and long-term adverse impacts to the largest estuary on the west coast of our continent and the many species that depend on it, exacerbating existing adverse conditions caused by existing diversions. Although the DPEIR/S is lengthy, there are numerous gaps and deficiencies in the information provided, resulting in the failure to provide decision-makers with adequate information to make informed decisions on the project.

The BDCP also has numerous flaws including: the failure to improve environmental conditions in the Delta, to conserve native species, and to reduce reliance on Delta water and the South Delta facility, all of which are required by various Plans and laws including the Endangered Species Act.

Additionally, the DPEIR/S also has numerous significant flaws. The most obvious fatal flaw is the failure to accurately define the project scope to include San Francisco Bay as an area that would be impacted by the project. Another is the failure to address the potential further loss of fresh water from the estuary as a potentially significant impact. Other deficiencies include the failure to address avoidance of impacts which the CEQA Guidelines calls out as the first mitigation to be considered; inadequate identification and analysis of impacts; highly uncertain feasibility and effectiveness of the proposed mitigation measures; failure to address ongoing impacts; and inaccurate analysis and discussion of the significance of impacts.

We request additional analysis of the following specific issues in the DPEIR/S:

Potential for additional loss of fresh water to the estuary

Increased diversions are a real potential if the proposed North Delta tunnel facility is built. There is concern that because the North Delta facility would make it easier to divert water, it would eventually lead to even more water exported from the estuary water than anticipated and than addressed in the DPEIR/S.

The potential for increased water export must be identified and discussed as an adverse impact, particularly on a cumulative basis. Significant adverse impacts to fish and aquatic habitats of increased diversions should be expected and should be identified and addressed in the DPEIR/S.. Are there any measures that could avoid the potential for ongoing increases in water export over time?

Failure to include San Francisco/San Pablo Bays as areas of impact.

The EIR/s excludes San Francisco/San Pablo Bays from the project boundaries, thereby enabling adverse impacts of the project on Bay resources to be ignored. Existing water rights, the water projects and numerous approvals of multiple diversions have allowed the piecemeal reduction of water diversions over many years, causing fresh water flows through the estuary to be a fraction of historic levels. The BDCP would be yet another project that would or could divert what appears to be small amounts of water, contributing to the cumulative fresh water loss, and hence contribute to the cumulatively significant degradation of the estuary.

Fresh water flows from the Delta through San Pablo and San Francisco Bays provide numerous essential functions for the ecosystem and the species that depend on it, and are essential components of estuarine ecosystems. Fresh water flows are critical to maintaining species, maintaining water quality, and estuary functions. Ecological functions include trigger for anadromous fish migration to the Bay and ocean, transport nutrients to maintain productivity, transport larvae and juvenile fish, maintain fresh/brackish habitat for estuarine species, movement and distributing nutrients and sediments through the estuary, ensuring habitat diversity (i.e. the location of brackish marshes), and the flushing of pollutants. Fresh water flows are important for many species that depend on the Bay including Dungeness crab, Bay shrimp, and California black rail and in particular pulses of fresh water are important for Chinook salmon.

Failing to include San Francisco/San Pablo Bays in the area of impact, enables the DPEIR/S to avoid discussing a whole range of individual and cumulative significant adverse impacts that would occur with the current proposed project under all scenarios. To address this omission, the DPEIR/S should:

- extend the project area to include San Francisco and San Pablo Bays
- discuss the importance of and functions, as discussed above, provided by fresh water to the ecosystem. The discussion should address the value and importance of high and low flows through the estuarine system as occurs in high, normal and low rainfall years.
- address how past diversions have adversely impacted the estuary and the specific functions noted above, and discuss how possible future diversions would or could further cumulatively impact the downstream segments of the estuary. As stated earlier, once tunnels are constructed, the door will be opened to diverting yet more fresh water from the system.
- This impact on the Bay resources should be evaluated as potentially significant, and measures to mitigate them, including reduced fresh water flows, should be identified and recommended.

Availability of Fresh Water

Fresh water is a finite resource while the quantities in any given year can vary significantly in our Mediterranean climate. In addition, current exports severely reduce the quantity of fresh water flowing through the estuary in all years. The current state of the estuary ecosystem, and the degraded status of the species that comprise and depend on it, demonstrate that the estuary is in extreme stress. The greatly reduced flow of fresh water through the estuary is a primary reason for the decline.

The DPEIR/S should address whether there is actually sufficient water in the system in most years (normal and dry) to supply the water projects and existing water rights holders with their contracted amount while maintaining estuarine resources in accord with the goal of the BDCP “to restore and protect ecosystem health, water supply and water quality with a stable regulatory framework.”

Do the current exports from the water projects, current contractors and additional contracted amounts already exceed the available fresh water available in most years? Is there sufficient water available to provide for existing contract holders in normal and dry years and achieve the BDCP’s stated goal? Is the estuary water already over-allocated?

There are no new sources of fresh water, only ways that people’s actions can extend the limited amounts. The EIR/S should provide a comprehensive discussion of measures and actions that could be taken to minimize water diversions and avoid, if possible, and increased diversions, before building the massive facilities proposed by this project.

The discussion should address water conservation measures and efficiency actions that could extend the limited water supply. This discussion should including statewide metering, uniform statewide limits on water use, management of groundwater, water banking, and agricultural practices such as growing crops that require less water.

The DEIR should also address the adverse impacts of each of the conservation/efficiency actions. For example, taking more groundwater can cause land subsidence and collapse. What agencies would be responsible for enacting and implementing these activities? Is the BDCP in control of any of these measures? Identify regulations that would ensure the actions can and would take place?

Finally, the discussion should address how much water could realistically be obtained using these actions? Is the achievable water saving sufficient to maintain the resources of the estuary? What measures can be used to ensure the conserved water stays in the estuary to benefit its species?

Analysis of wildlife/habitat impacts inadequate

Potential adverse impacts on aquatic resources are not adequately addressed. At least six federal and state wildlife agencies have stated in their evaluations that even existing flows from the Delta are not sufficient to protect downstream aquatic resources. The DPEIR/S should address this

central issue: that the current inadequate flows through the estuary are inadequate and what additional losses would mean to anadromous and resident fish species along with a multitude of Bay species.

It is highly unlikely that the BDCP goal “to restore and protect ecosystem health” would be achieved by the project. At best the DPEIR/S evaluates most impacts on fish species as having no change, however, this assessment is disputed by scientists. Discuss how the proposed project would restore and protect ecosystem health given the extensive uncertainties and failure to address all impacts.

Impacts on the endangered Chinook Salmon and Delta smelt are of particular concern. Some scientists predict significant adverse impacts by impingement and predation to some Chinook salmon runs with a North Delta facility. The DPEIR/S should discuss and evaluate the potential adverse impacts on each run of Chinook salmon and the potential for them to become extinct with any further reduction in fresh water flows. What measures, if any, would or could effectively mitigate the impact of reduced water flows on this species?

The South Delta pumps would still operate with the North Delta facility, thereby causing continued destruction of species at the pumps. Would or could management of the pumps change in any way so as to modify or reduce impacts to fish at the pumps? Describe how the management would change, if there would be change, and how that is anticipated to benefit fish. It is unlikely there would be any change in the existing pump impacts if management of the pumps does not change.

Delta smelt are also at risk of extinction. Discuss how the project would impact Delta smelt both by water diversions, habitat loss or possible gain, and continued pumping activity.

Further diversions would result in the movement of X2 upstream. What would movement of X2 further upstream mean to the aquatic resources dependent on those habitats? What effect would the upstream movement of X2 have on the estuary marshes, including Suisun Marsh and San Pablo Bay marshes? Which marshes would be expected to change from brackish to salt, or brackish to saline over time? What would impact would a change in marsh habitat type have on the species that depend on these marshes?

Adequacy, effectiveness, and feasibility of mitigation measures

To be effective and adequate, mitigation measures must be feasible, i.e. able to be implemented, reduce or compensate for the adverse impact, and have reasonable certainty that the mitigations would be effective. While various state and federal plans and laws exist and are cited as assuring that various mitigation measures will occur to protect and replace resources lost or adversely impacted by the project, the permanence and effectiveness and even the certainty that these mitigations would be implemented are uncertain at best. Even if they are enacted, the likelihood that they will effectively mitigate the impacts of the project is uncertain. The following uncertainties should be addressed in the DPEIR/S:

Regulatory: The various state and federal plans and laws that are in place are presented as providing sufficient certainty that the management of the new facility would not be changed or so compromised so as to cause significant further species and habitat losses. It is far from certain that these laws will remain in place as they exist today and not be weakened. For example, right now there are efforts in Congress to weaken the ESA.

The DPEIR/S should discuss and evaluate the stability and certainty of the current regulatory system and how a weakening in the regulations would affect the management of the project. Would the project be held to original requirements or change if the regulations/laws are weakened? Unless the operation of the system along with mitigations can be relied upon to avoid, reduce or compensate for impacts, the mitigation measures cannot be considered to be effective or certain, and therefore, they must be considered significant.

Biological: The effectiveness of the proposed habitat restorations that are proposed to mitigate the impacts of the project is highly uncertain. It is not even clear that loss of fresh water is considered an adverse impact. Wetland/habitat restoration is the primary mitigation for the adverse impacts of the project to species and habitats. Wetland habitat restoration is appropriate and suitable mitigation for wetland habitats that would be destroyed by construction of the project. One of the major potential adverse impacts of the project, however, is the cumulative loss of fresh water from the estuary due to additional diversions. This cumulative loss of fresh water will adversely impact fish and other species, as well as the habitats themselves, resulting in increased movement of X2 further up the estuary. There are no effective mitigation measures recommended for the loss of fresh water.

The DEIR needs to address how further reductions in fresh water would be mitigated by the proposed habitat restoration proposals. Why and how would increased acreage of saline or brackish wetlands, in the event there would be sufficient funding to construct these mitigation wetlands, mitigate for the loss of fresh water wetlands and the loss of fresh water flows to the estuary, particularly to San Francisco/San Pablo Bay habitats?

Unless it can be shown that the restoration projects would effectively and functionally compensate for the loss of fresh water throughout the estuary and related habitats and species, the restoration mitigations cannot be considered effective or adequate, and the cumulative loss of fresh water must be evaluated as a significant impact.

Funding: Actually whether the mitigations would be implemented at all is highly uncertain due to the lack of assurance that there would be sufficient, or any, funding to ensure implementation of the promised mitigations. Funding the habitat restoration mitigations depends primarily on the public's passing bond measures and other government funding. So not only is it uncertain that the proposed mitigation measures would actually mitigate for the adverse impacts of the project to habitats, these restorations could not even be implemented if voters reject proposed bond measures and federal funding and other sources do not materialize. There is no committed funding for the mitigation measures.

The DPEIR/S should address the funding uncertainties and how they would affect the implementation of the project mitigations. An option should be recommended that specifies that

construction of any facility would not take place until all funding is in place that would guarantee implementation of effective mitigation measures. Unless funding for the mitigations is certain, their feasibility and effectiveness must be considered highly uncertain, and the impact must be evaluated as being significant.

On-going decision-making: A decision tree process is proposed to address and assure that standards that will protect natural resources are implemented. Such a process has the potential for positive and negative results. It would provide for modifying management actions to benefit the estuary but also allow for decisions to be made that would have adverse impacts on estuary resources. Of particular concern, is that it appears all of the operational scenarios that are proposed to guide decisions decrease total outflows from the Delta.

The DPEIR/S should address why there is such limited range of operational scenarios and how it will be assured, using this process, that there would be adequate outflows from the Delta to sustain the estuary resources, particularly in view of the regulatory and other uncertainties noted above. For these reasons, the potential adverse impacts of the project must be considered significant.

Proposed life of the project

The proposed lifetime of 50 years is far too long. Many major changes and uncertainties could arise within the estuary related to the further decline of its resources as well as political and economic factors that could influence decisions on water releases. The lifetime should not exceed 20 years and there should be periodic reviews during that period.

Conclusion:

The already degraded condition of the estuary, due in large part to the current diversions of water, should not be exacerbated by this project. The estuary's condition should be improved as called for by the BDCP. Considering the degraded state of the estuary and the biological and economic uncertainties discussed above, the lack of effectiveness and feasibility of the proposed mitigation measures, there is no certainty that the project would do anything but worsen environmental conditions. The BDCP should be revised to ensure the goal "to restore and protect ecosystem health" is achieved.

Thank you for responding to our comments.

Sincerely,



Phil Peterson, Co-chair
Conservation Committee

From: GET-GreenTech Save Money <lldenney@gmail.com>
Sent: Wednesday, July 23, 2014 10:03 AM
To: BDCP.Comments@noaa.gov
Subject: "Conservation Plan"? with the Twin Tunnels = Oxymoron

Surely, you jest saying that the Twin Tunnels, can be any part of a "Conservation Plan"! Is that another CONservARTIST's way of redefining "Conservation"?

The twin tunnels will ONLY conserve money into private hands, while further destroying a part of the ecosystem of the California Delta. Then as they steal MORE water than they were SUPPOSED to get... as they were recently found doing... It'll make it harder and MORE expensive to reverse the effects of creeping salt water and high pollution levels. It's a QUICK fix to a ridiculous problem. "BUILD it.. They will come"... and have to steal what they need to live there.

The Delta water is already POISONED to the effect we can't drink it or eat the fish that live in it... Stealing a CLEAN WATER supply from it, would only make it THAT MUCH MORE WORSE!

How about using all those PRIVATES\$ and government eminent domain \$, to pay for a reusable renewable water system for the Southern 1/4 of the State???

LA already CLEANS used water to a higher purity that before they used it, but then they pump it out to the sea! HOW EFFING STUPID is THAT?

Sincerely,

Lance Denney

President

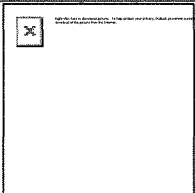
CA Organizing for Democrats

President

Green Environmental Technologies

916.215.3152

www.get-greentech.com/



From: Claire Joaquin <cjoaquin@comcast.net>
Sent: Thursday, July 24, 2014 12:27 PM
To: BDCP.Comments@noaa.gov
Subject: Protect the Delta, Deny Twin Tunnels Permit

Dear Mr. Ryan Wulff,

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

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

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

The originator of this project has not thought through the incredible problems it will create, the many farmers it will bankrupt, the blind arrogance of a crudely devised monstrosity. One good earthquake and our \$60 billion dollars are down the proverbial toilet.

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

Sincerely,

Claire Joaquin
6278 Bucktail Ln
Pollock Pines, CA 95726
US

From: Lesley Hunt <ldhunt@astound.net>
Sent: Friday, July 25, 2014 10:40 AM
To: BDCP.Comments@noaa.gov
Subject: Protect the Delta, Deny Twin Tunnels Permit

Dear Mr. Ryan Wulff,

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

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

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

I do restoration, and I know that you can never replace what you destroy. The only way to keep our delta ecosystem and our salmon is not to allow any project to destroy the delta.

Sincerely,

Lesley Hunt
236 Warwick Dr.
Walnut Creek, CA 94598
US

From: CRAIG Luchin <craigsluchin@me.com>
Sent: Sunday, July 27, 2014 7:23 PM
To: BDCP.Comments@noaa.gov
Subject: Delta Tunnels...

One more ruining move for California.

From: Brian Enbom <b.enbom@icloud.com>
Sent: Sunday, July 27, 2014 7:13 PM
To: BDCP.comments@noaa.gov
Subject: Comment on the twin tunnels

Stupid idea. Let LA build desalination plants so we can grow crops to feed the world.

Brian Enbom
Sent from my iPad

From: bob <bobca@surewest.net>
Sent: Friday, July 25, 2014 5:22 PM
To: BDCP.Comments@noaa.gov
Cc: bob
Subject: Twin Tunnels

Stop the insanity. I have friends down south and they don't even know there is a water problem.
The city of Granite Bay manages to water all of it's landscaping every night. WTF

From: Barbara teal <teelb@comcast.net>
Sent: Saturday, July 26, 2014 8:24 AM
To: BDCP.Comments@noaa.gov
Subject: Folsom water supply.

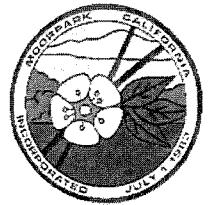
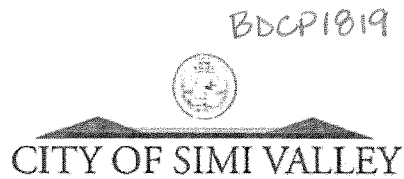
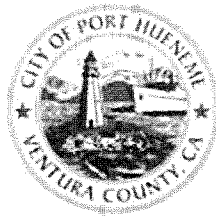
Please find a way to protect the water supply in Folsom dam for use in cities who use this as their source of water.

From: Eric Bergh <EBergh@calleguas.com>
Sent: Friday, July 25, 2014 6:47 AM
To: 'BDCP.comments@noaa.gov'
Subject: Ventura County Coalition Letter in Support of the BDCP
Attachments: Final BDCP support letter - CMWD service area SIGNED.pdf

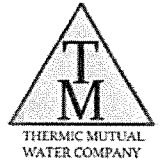
To whom it may concern,

On behalf of 26 cities, agencies, and organizations in Ventura County, California, it is our pleasure to submit the attached coalition letter expressing regional support for the Bay Delta Conservation Plan.

Eric Bergh
Manager of Resources
Calleguas MWD
805-579-7128
www.calleguas.com



United Water
Conservation District



July 25, 2014

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

RE: Draft Bay Delta Conservation Plan – Public Comments

Dear Mr. Wulff:

The agencies and organizations referenced below, representing a diverse coalition of governmental, business, and agricultural interests in Ventura County, California, offer the following comments on the draft Bay Delta Conservation Plan (BDCP) as released on December 13, 2013.

The State Water Project (SWP) is a vital component of Southern California's water system, providing roughly 30 percent of the region's water needs. However, nearly three-quarters of the annual water demand for an estimated 630,000 water users in southern Ventura County is met with about 110,000 acre feet per year of state water supplies. While many efforts are underway to reduce our service area's imported water demand, including groundwater desalination, recycled water, and conservation programs, state project water will remain an essential water source for our region. It will continue to serve as a primary source for our drinking water supply

and recycled water projects. It is also the single largest recharge component of our groundwater basins following treatment and discharge from local municipal wastewater facilities. Moreover, given its comparatively high quality, it allows greater use of our native groundwater that must be blended with imported water to meet state and federal water quality standards. As such, a reliable supply of imported state water is critical for the future social and economic vitality of Ventura County.

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. Since 2007, it is estimated that nearly 3.5 million acre feet of water that normally would have been delivered by the SWP was lost due to these conflicts.

Additionally, both projects risk complete failure given the vulnerability of the Delta levee system to catastrophic earthquake and flood events - threatening water supplies for Southern California, the Bay Area, the Central Coast and the Central Valley for many years. These risks are clearly unacceptable, and conditions are expected to worsen with climate change unless steps are taken now to mitigate these concerns.

Southern California ratepayers have been investing in the SWP for more than four decades, and have additionally invested billions of dollars 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 SWP continue to degrade.

The proposed BDCP, being developed under provisions of the state and federal endangered species protection laws, is the most promising plan developed to date to solve these challenges and resolve decades of conflicts among agricultural, urban, and environmental water users with a comprehensive solution that achieves California's co-equal goals of a reliable water supply and a restored Delta ecosystem for the benefit of all water users.

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

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

While key decisions remain relating to specifics on cost allocations, operations, outflow range, financing, and other issues; the current draft details a workable solution to the challenges facing California's water resources and the Delta. The proposed BDCP is the most comprehensive effort ever undertaken to address the chronic water challenges facing the state and federal

water projects in a manner that is protective of the Delta environment. We remain supportive of the efforts of state and federal water contractors in the development of the BDCP and urge the state to move forward with the draft plan and focus on resolving those remaining issues needed to provide assurances that the plan will achieve California's co-equal goals of water supply reliability and ecosystem restoration in a cost-effective manner.

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

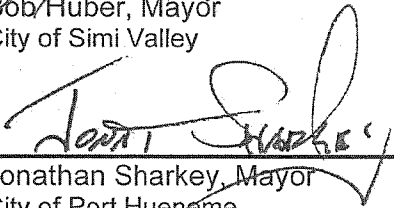
Sincerely,



Bob Huber, Mayor
 City of Simi Valley



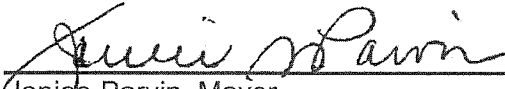
Tim Flynn, Mayor
 City of Oxnard



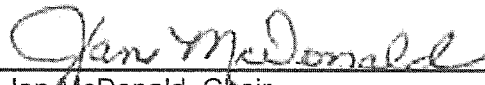
Jonathan Sharkey, Mayor
 City of Port Hueneme



Kevin Kildee, Mayor
 City of Camarillo



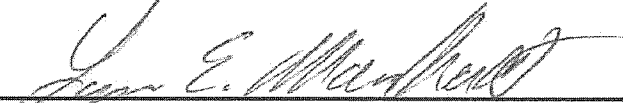
Janice Parvin, Mayor
 City of Moorpark



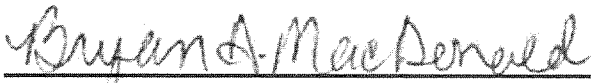
Jan McDonald, Chair
 Ventura Council of Governments



Scott Quady, President
 Calleguas Municipal Water District



Lynn Maulhardt, President
 United Water Conservation District



Bryan MacDonald, President
 Association of Water Agencies of Ventura County



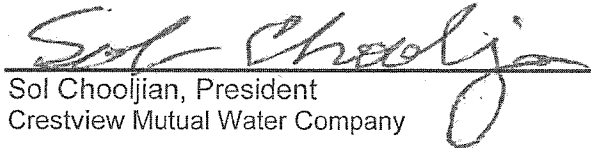
Eugene West, President
 Camrosa Water District



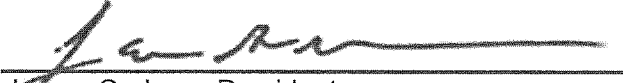
Ed Simon, Vice President of Operations
 California American Water Company



Steven Iceland, Chair
 Triunfo Sanitation District



Sol Chooljian, President
 Crestview Mutual Water Company



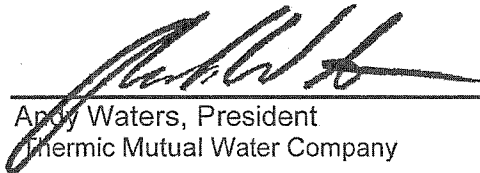
James Graham, President
 Pleasant Valley Mutual Water Company



Craig Underwood, President
 Zone Mutual Water Company



Jane Donlon Waters, President
 Berylwood Mutual Water Company



Andy Waters, President
 Thermic Mutual Water Company



Lynn Gray Jensen, Executive Director
 VC Coalition of Labor Agriculture and Business



Ellen Brown, Chair
 Ventura County Economic Development Association



Gary Cushing, President/CEO
 Camarillo Chamber of Commerce



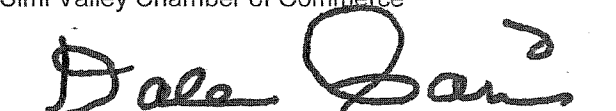
Nancy Lindholm, President/CEO
 Oxnard Chamber of Commerce



Leigh Nixon, President/CEO
 Simi Valley Chamber of Commerce



Jill Lederer, President/CEO
 Greater Conejo Valley Chamber of Commerce



Dale Parvin, President/CEO
 Moorpark Chamber of Commerce



Tracy Sisson Phillips, President/CEO
 Port Hueneme Chamber of Commerce



Scott Eicher, President
 Chambers of Commerce Alliance – Ventura & Santa Barbara

cc: Governor Edmund G. Brown Jr.
 Congress Member Julia Brownley
 Senator Fran Pavley
 Senator Hannah-Beth Jackson
 Assembly Member Jeff Gorell
 Assembly Member Scott Wilk
 Ventura County Board of Supervisors
 Mayor Bob Huber, City of Simi Valley
 Mayor Janice Parvin, City of Moorpark
 Mayor Kevin Kildee, City of Camarillo
 Mayor Tim Flynn, City of Oxnard
 Mayor Jonathan Sharkey, City of Port Hueneme
 Mayor Andy Fox, City of Thousand Oaks
 Randy Record, Board Chair, Metropolitan Water District of Southern California
 Jeffrey Kightlinger, General Manager, Metropolitan Water District of Southern California

From: Kathleen Stein <kathleen.stein@sbcglobal.net>
Sent: Tuesday, July 29, 2014 9:39 PM
To: BDCP.Comments@noaa.gov
Subject: Comment

There is a complete lack of transparency in the process, the reality is that taking more water away from the delta system is in fact decimating the environment. Water should be obtained by desalination plants, capture rain runoff water conservation through drip systems and not building and farming in naturally dry areas. Why are the tunnels the only answer? Money ...

Kathleen Stein

From: Sheri Bargman <sheribargman@me.com>
Sent: Tuesday, July 29, 2014 9:40 PM
To: BDCP.Comments@noaa.gov
Subject: BDCP COmment

From Alan Bargman MD

The BDCP emulates Joseph Goebbels propaganda techniques,i.e. the bigger the lie, the more likely the people will believe it. BDCP is far from a conservation plan. Rather, it is the BD Destruction Plan. Filling those two forty five foot diameter tunnels with clean fresh Sacramento River water and sending it down to southern California to quench the thirst of billionaire owned mega agribusiness is unconscionable as well as illegal. The Delta cannot be destroyed like social water interests destroyed the Owens River and Lake. Cloaking your nefarious plan in the garb of riparian habitat restoration is equally unconscionable.

California's water problems can be solved without destroying the Delta.

Please do the right thing for all of California and rescind this fatally flawed and unfair plan.

Sincerely yours,

Alan Bargman MD
1415 990 0122

From: Tadd Perkins <taddcperkins2@gmail.com>
Sent: Tuesday, July 29, 2014 9:56 PM
To: BDCP.comments@noaa.gov
Subject: Comment on EIR

I oppose the BDCP Project because it is too costly, doesn't make sense to irrigate a desert, subsidize a very profitable crop of almonds (which the growers can afford to get water by other means than cheap subsidized state water, has more risks than benefits for the declining fish population in the delta.

At some point, we all have to live with the water we have. We have reached that point. There is no additional pizza.

We are now fighting over the same pizza slices.

□

The proposed twin 40' diameter tunnels have little to do with habitat restoration, and should be separated from the Habitat Conservation Plan (HCP). The EIR for the tunnels should not be a HCP, and, therefore, should include all economic impacts including the impact of reduced property values and tax revenues in the 5 counties, and the impact on the local economy, both during and following construction.

□

The Cost / Benefits Analysis (Table 9-32) identifies a net benefit of \$4.5 to \$5.3 billion, given an incremental cost of \$13.5 billion. There are several flaws in this analysis, including not taking into account the cost of bond interest, the cost of mitigation, which is necessary to experimentally offset the additional water take, the economic loss due to poor water quality in the south delta, and the economic loss of taking productive delta farmland out of production. The analysis uses “apples and oranges” e.g. using 60 years for the benefit, and 50 for the operating costs. The project is only 10% designed: a 37% contingency is inadequate – look at the Bay Bridge cost.

□

(This comment can be used for both the BDCP Project and the EIR) - The BDCP (Chapter 1B.1) and EIR (Table 3.1) fail to include alternatives that actually produce more water for California: Desalination, storage, and re-use. After correcting the BDCP costs noted above, the cost / acre foot exceeds \$1,000, (\$1,900 for urban rate payers) which equals the estimated cost of desalination. Given that pumps would no longer be necessary to transport delta water over the Grapevine, the energy differential is even lower.

☐

The Authorized Entity Group, which has jurisdiction over real-time operation of the tunnels, includes the Water Contractors. The BDCP, Chapter 7.1.5.1, has deferred the actual decision-making roles to a later date.

possibly to avoid comments. Water Contractors should be non-voting members with regard to the amount of water allowed in the tunnels, and pumped out of Clifton Court Forebay, to avoid “the fox guarding the hen house”.

☐

10% of fertile delta cultivated farmland is proposed to be taken (Chapter 3.3.6.13.2) via eminent domain for experimental mitigation efforts, so more desert can be irrigated. This makes no sense given the additional water requirement / acre and delivery expense to irrigate the southern San Joaquin Valley.

☐

The BDCP assumes (as part of its Benefit Analysis, Appendix 9A Sec. 9A.5) massive levee failures over the 50 year life of the Plan (2% probability / year), yet we have never had a levee failure due to earthquake in recorded history, and UCLA researchers could not cause a levee to fail with a simulated 7.0 earthquake. Levee failures have occurred due to high water runoff, a time when pumping would not be affected. Additionally, the BDCP benefit is not reduced by earthquake risk to the tunnels, which would suffer the same liquefaction. The State would be better served by strengthening the San Luis dam and the Aqueduct over the Grape Vine, both of which actually straddle earthquake faults.

☐

No new water sources are identified as part of the BDCP, which makes it a waste of taxpayer / rate payer money. Instead, the State should require mandatory water conservation and re-use, and invest in new sources of water via new water storage and desalination.

☐

Planting of future permanent crops on desert soil should be denied as part of the BDCP, and when permanent crops are plowed under, only seasonal crops should be allowed.

☐

The impact of the costs to rate payers is not in the BDCP. Once they find out, support for the BDCP will dwindle.

☐

The impact on navigation and safety in the Delta has not been adequately addressed.

☐

Proposed recreation mitigation does not benefit the south Delta (EIR Chapter 15).

☐

Tbanks, Tadd Perkins

From: Russell Ooms <russellooms@gmail.com>
Sent: Tuesday, July 29, 2014 10:05 PM
To: BDCP.Comments@noaa.gov
Subject: Tunnel comments

To whom it may concern,

I cannot imagine a more monstrous project for the State of California then the twin 40' tunnels to drain the Sacramento River away from it's historic path to the sea.

To allow one man to buy desert property with no water for \$50.00 an acre and then to take water from the men who bought fertile Delta loam for \$2000.00 an acre, is a crime.

We know the desert land cannot support agriculture in the long term. We know the tunnels will completely change the flora & fauna of the entire Delta by changing the salinity of it's water. The so called unintended consequences seem both intended and known.

Why was the will of the people of California removed from the decision making process? Why were the Delta representatives left completely out of the early talks and decisions?

I live a rocks throw from the Sacramento River. To forever alter and change this ecosystem to satisfy the greed of essentially one man is beyond my human capacity to reason.

Do not build these tunnels.

Russell Ooms

From: Ryan Troughton <ryandavyes@gmail.com>
Sent: Tuesday, July 29, 2014 10:05 PM
To: BDCP.Comments@noaa.gov
Subject: The Delta Tunnels

To whomever it may concern,

As a Delta Valley native currently living in the Los Angeles community these tunnels could not be more of a pressing issue. I understand the threat that we as a state face from all angles. Build the tunnels and pose the risk of destroying one of the most important ecosystems on this planet, or leave a large population of our great state's citizens at risk of going without water. I have a much more detailed stance on this topic but my answer below is short and to the point:

***I am 100% against the construction of the tunnels.**

I have faith in the engineers behind the project, and believe we have the ability and intellect to create alternate solutions. What I have zero faith in is the politicians and organizations behind the distribution of our states water supply. I would love to have more involvement in the issue outside of reducing my own usage and encouraging others to do the same. Unfortunately the issue is so far beyond this that all I can do is choose between Northern California and Southern California. Naturally, I choose to let the water remain in its natural resting place.

-Ryan Troughton
209.609.4347

From: Lois Seebeck <loisseebeck@yahoo.com>
Sent: Tuesday, July 29, 2014 10:12 PM
To: BDCP.comments@noaa.gov
Subject: public comment

The California Groundwater Association in conjunction with all affected landowners should have a direct voice in all aspects and affects of the dewatering procedures of this project. To include:

1. The entire dewatering plan including but not limited to, drilling methods, materials to be used, locations, depths, diameters, and abandonment procedures.
2. The present and future affects on existing wells.
3. The present and future affects on existing aquifers.
4. The mitigation of the present and future adverse affects on wells and aquifers.

Mike and Melvin (Skip) Seebeck
M. E. Seebeck and Sons
Clarksburg, CA 95612

From: Brad <striderxr71@gmail.com>
Sent: Tuesday, July 29, 2014 10:18 PM
To: BDCP.Comments@noaa.gov
Subject: Bad idea

BDCP is a bad idea.

Peripheral Canal or twin tunnels it's still the same bad idea.

Bad for the Delta and bad for Northern California.

Not mention too expensive. Put the money into what makes sense...storage and conservation.

And tell Moonbeam he needs to be open about what he's doing. Just cuz his Daddy wanted it doesn't allow him to do operate behind closed doors!

Be transparent!! Do what is right for ALL of California!!!

Sent from my iPhone

From: miraclecat@calbroadband.net
Sent: Tuesday, July 29, 2014 10:32 PM
To: BDCP.comments@noaa.gov
Subject: questions re tunnel project

Elizabeth J Merwin
38065 Z Line Rd
Clarksburg, CA
95612

July 29, 2014

To the BDCP People:

There is no possible mitigation for what you plan to do to my habitat.

I want to know specifically how you plan to mitigate the fouling of my well: Trucking in water? Will it be potable? Will you ensure that there will be enough water for my family to continue its way of life, farming?

Will the herons, egrets, frogs, minks, coyotes, owls, otters, foxes, clams, crayfish, muskrats, possums, songbirds, hawks, and countless other species that wander my farm, have potable water, or will they die off, or migrate (to where)?

GW 7 from Table 31-1 from Other CEQA/NEPA Requirements reads, "Provide an alternate source of water" as mitigation for fouling ground water. As is evident, there isn't an "alternative source of water," or why would you be putting in these tunnels? I see that the mitigation plan is vague. It is mysterious. I want to know more.

I want to know all about it.

Also, I want to know what you plan to do about the traffic, the ruined pavement on roads, and the danger added by tying up emergency response vehicles with construction congestion. I have personal experience with county maintained roads—the daily, constant gravel truck traffic used to build a large winery has torn up my road. The County hasn't fixed it, despite my polite requests. I want assurance that the construction vehicles will not impact my day, whether it be with traffic jams, rough road, or slowed emergency response time. How do you plan to mitigate these problems, specifically? The counties are broke. Don't expect the counties to clean up your mess.

There is more wrong with this plan than I could address in a year, much less in a letter.

What you can't mitigate, can't pay for, is the negation of generations of work, risk, and loving care of this productive land, my family's farm. My family's history, its legacy to generations that follow. You can't mitigate this loss.

Know that there are witnesses to what you do.

Elizabeth J. Merwin

From: Keith Ryan <keith-ryan@comcast.net>
Sent: Tuesday, July 29, 2014 10:39 PM
To: BDCP.Comments@noaa.gov
Subject: BDCP comments Strongly Opposed

I am opposed to this project for numerous reasons. I have lived in a Delta community for close to 30 years and have traveled most of the Delta waterways. There are too many unanswered questions to proceed with a project that will have such a huge impact on so many residents of Delta communities and the Delta wildlife. In addition, no new water sources are identified, which makes it a waste of taxpayer ratepayer money. The impact of these costs to ratepayers is not in the be the BDCP, and when they find out support for this project will dwindle. Another reason I am opposed is the negative impact on navigation and safety in the Delta is not been adequately addressed. For example in the plan there will be a large construction barge that will be placed in channel close to Discovery Bay, which is one of the heaviest traveled boating waterways in the Delta. This will obstruct half of this channel and will cause boats to pass very close to each other head-on. It will only be a matter of time until this causes a very serious boating accident. The cross highways in the Delta (12, 4) are increasingly seeing an increase in commuter traffic and currently see a very high number of vehicles commuter times. How is the additional heavy equipment traffic going to mix with these commuters? Who is going to fix the additional damage to the highway caused by these heavy loads? (these roads are in very bad shape in areas)

There are so many unanswered questions and unknown costs; there needs to me more answers and explore smart alternatives before any of this moves forward.

Thanks for reading my comments.

- Keith Ryan
Discovery Bay

From: Kelly H <kelly.tahoe@gmail.com>
Sent: Tuesday, July 29, 2014 10:58 PM
To: BDCP.comments@noaa.gov
Subject: Bcdp comment

Please don't take away the beautiful delta.

The Delta is a wonderful place for families to come together boating, fishing, hunting, and water skiing. Exploring new restaurants and marinas to escape life for a while.

It was my father's life long dream to own a motor yacht. After he retired and refinanced his house, he was able to purchase a 37 footer and joined a local yacht club. I have never seen him happier. He is a retired teacher.

Life is so good on the delta without breaking the bank. Please dont let the rich corporations corrupt our beautiful state and it's eco system.

Think about the environment, think about the families, think about all the Delta does for Northern CA., think about the RIGHT THING to do.

Thank you for listening.
Please STOP THE TUNNELS!

Sincerely,

Kelly Burns
Bethel Island
925.684.4950

From: burns <burnsreception@gmail.com>
Sent: Tuesday, July 29, 2014 11:13 PM
To: BDCP.comments@noaa.gov
Subject: Save the Delta

I don't want the ecosystem to change.

Kyle Burns
Bethel Island

Sent from Samsung tablet

From: Curtis Damion <bcdamion@yahoo.com>
Sent: Tuesday, July 29, 2014 11:28 PM
To: BDCP.comments@noaa.gov
Subject: comments Drafy EIR/EIS

I am very concerned about the vast quantities of RTM (also known as "muck") that would result from the tunnel borings, as noted in appendix 17D and also throughout other areas of this document. It seems to me that there is a distinct possibility that there might be contaminants such as heavy metals, etc. distributed throughout this RTM. Have you any means of decontaminating this RTM, particularly if you intend to use it throughout Delta sites as levee additions and such, where it would be exposed to humans and wildlife? We certainly don't want another Kesterson, do we? If it is shown to be contaminated and should not be used for those purposes, what else will you do with it, particularly on Staten Island where the cranes nest?

As a Registered Nurse interested in Public Health, I am also concerned about the possible increase in West Nile virus, which already exists in the Delta, and the possible introduction of malaria (from international travelers) through increased mosquitoes in the Yolo Bypass, when environmental work is done there and there is increased standing water. The threat of malaria is not far-fetched. There were outbreaks in California, including 1986 in San Diego County, 1984-1986 in the Sacramento Valley, and 1952 in Nevada County. In 1992 there were 251 cases reported in the State of California. Do you have plans in place to deal with the increase of mosquitoes due to effects of the Yolo Bypass environmental work, and the possibility of their being disease carriers and being a serious threat to Public Health? Sincerely, Barbara Damion

From: Nadia Lucia Peralta <nadialuciaperalta@gmail.com>
Sent: Tuesday, July 29, 2014 11:54 PM
To: BDCP.Comments@noaa.gov
Subject: Comments on the Bay Delta Conservation Plan

To whom it may concern,

From what I have been able to read of the EIR, I understand that the Bay Delta Conservation Plan is said to be for

"The scope of the BDCP is within the Delta itself with a specific purpose to restore and protect its ecosystem health, SWP and CVP water supply, and water quality" (appendix 1A).

It is astounding to me that the wording is so deceiving and misleading. This plan is a desecration to what remains of the mismanaged and mangled California delta. The EIR claims to be a management plan, but the EIR reads between the line as a plan to siphon what water is left in the delta and send it to agricultural interests and water districts in the central valley and southern California. I appreciate that the overview and background of the plan goes into detail the history of the California water project, because it is an important history for Californians to understand, but if anything can be learned from the past it is what not to keep doing. This is wrong. And the EIR leaves out a conversation about the much needed infrastructure repair to other parts of the California Water Project. New piping, a reinforcement of levees in the Delta itself, and water-saving techniques in all parts of the state. This project benefits from the public's lack of education. Please consider my comment, and all the others you've received, as enough reason to not go through with this atrocious plan. All of life will pay for this. Think of your grandchildren.

Nadia Lucia Peralta

From: Robert McGarvey <rmcgarvey@cityofranchocordova.org>
Sent: Tuesday, July 29, 2014 2:31 PM
To: 'BDCP.comments@noaa.gov'
Subject: Public Comment regarding BDCP

As a resident of City of Rancho Cordova, in Sacramento County, I wish to go on record opposing the Bay Delta Conservation Plan. As a hired public servant, it is my responsibility to do whatever I can to serve my city, my region, and my state. I believe that removing even more water from the Delta than is already taken would do irreparable damage to the Delta and the future of the State of California. We are on our third year of drought, and we should have learned that there is only so much water in our state. I believe that we (the citizens of California) would be better served by spending the money from the water bond to create more reservoirs, etc. than continuing to 'spend' our water like the person who believes they still have money in their account because they still have checks. Our water account is overdrawn! Thank you.

Robert J. McGarvey
Council Member



City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670
Phone/Fax: (916) 851-8815

From: Bert <Bertb@vilaconstruction.com>
Sent: Tuesday, July 29, 2014 7:16 PM
To: BDCP.Comments@noaa.gov
Subject: water

Stop the tunnels. The fragile San Francisco bay cannot take any more abuse.
Lack of water means more silt. It has not recovered from the gold rush and that was 150 years ago. We do not need more mud flats.
Spend the money on better irrigation practices. California has the worst irrigation system in the world. Flood the fields and it will grow?
Better water management, not more wasted water is what the state needs.

Bert Brendlinger
Project Manager
Vila Construction Co
cell 707 322 3133

From: pswan@ix.netcom.com
Sent: Tuesday, July 29, 2014 4:12 PM
To: BDCP.Comments@noaa.gov
Subject: Comments on the Draft BDCP EIR / EIS

Thank you for the opportunity to comment.

1. Chapter Five assumes that D 1641 remains in effect. It would be instructive to build a table that show the effect on project yields if X2 was moved further West.
 2. The Preferred Alternative places the intakes in a narrow part of the Sacramento River. Even though the intakes are to be designed similar to that used by the recent EBMUD / Sacramento structure and not positioned out in the River, they will still intrude into the River and decrease the cross section putting added flood risk on those areas up river. Please study the potential impacts of this.
 3. Since the intakes are within the "tidal effect" area of the River, please study the period of time when "sweeping Flows" will be insufficient along the intakes and what the resulting loss of yield would be.
 4. The North Delta agencies have a contract protecting their water supply and ability to operate their intakes. The amount of water needed and the timing of this need to satisfy this contract are not disclosed. How much water is needed, when will it be needed and from whose account is this water being taken from. Will the 1/3 State 2/3 Federal allocation in the Coordinated Operating Agreement be applied here?
 5. The intakes are located close to the discharge of the Sacramento Regional Wastewater Treatment Plant. What is the impact to water quality and or the ability to take water during Critical Dry Years and during HIGH TIDE s?
- What are the financial impacts caused by increased levels of treatment needed to satisfy Drinking Water Regulations. Is it likely that added treatment processes will be required to address Emerging Chemicals of Concern (ECC's) and what is an approximate cost of going to Ozone Treatment to address this?
- Is it good public policy to locate the intake of the drinking water supply for the majority of Californians so close to a major wastewater discharger even though it might meet the minimum standards currently in effect?
6. Work by David Vogel indicates that concentrations of non-native predator fish cluster close to diversion structures which is heightened in narrower sections of the River and within tidal effect areas. Has the impact of this on migrating fish been adequately studied? Even though migrating juvenile fish can swim well they are no match for mature predator fish.
 7. In spite of much discussion about the imminent risk of island failure in the Central Delta, the EIR/EIS assumes that the islands remain intact and water is operated under D 1641. Operations of the project should also be evaluated assuming a single island worst case event.
 8. How is it possible to continue to operate the Delta under D 1641 in light of projected ocean level rise with its increased tidal flows twice a day?
 9. Davis, Woodland, North Bay Aqueduct, and the County of Sacramento are planning on building additional large intakes above the Project intakes and to be in operation prior to the Project completion. Have these upstream diversions been taken into account as to cumulative impacts to fish, and water quality and quantity?
 10. State and Federal Water Agencies have recently requested the Water Rights Section of the State Water Board to investigate diversions in the South and Central Delta as to their right to divert during summer months under riparian or other right. Has the EIR/EIS considered the impacts of added summer month supplies?
 11. When the original Canal system was changed to a tunnel system the intake point was no longer necessary to be located where it is currently proposed. Has various other intake points been evaluated either on the other side of the River or below the Delta Cross Channel, or in the West Delta? Diversity of intakes may provide superior operational flexibility.

Overall Comment

This process started with a call for any and all proposals to evaluate systems that would address water, environmental,

transportation, economic impacts, agriculture and other infrastructure problems during rising sea level, earthquakes, floods and other challenges. However, from early in the process the appearance has been that only one option was really being considered. Even though that option changed from a canal to a tunnel system and the alignment was altered for various reasons, little real attention was paid to any of the several other solutions put forth other than to find some flaw and discard them. If the same flaw elimination was applied to the current preferred alternative, it too would have been discarded. It appears that the current preferred alternative is the only project that can achieve the objectives of BDCP. One has to wonder how many better and less controversial options have been discarded. It remains curious to me as the one that managed to add the Western Alignment option to the EIR/EIS, that I have never been called to defend it or allowed to modify it to overcome any shortcomings it may have had.

Respectively submitted,

Peer A. Swan

949-497-4488

From: Jen Roche-Krausse <spydog6@gmail.com>
Sent: Tuesday, July 29, 2014 4:31 PM
To: BDCP.comments@noaa.gov
Subject: Delta Elementary Charter School

To Whom It May Concern,

We are residents of Clarksburg. Our children attend Delta Elementary Charter School (DECS). I am very concerned of the impact of construction to the students of DECS. Pollution both physical and noise will undoubtedly be detrimental to the students. The school is located just off of River Road and the sound alone of construction will make it very difficult for the students to concentrate.

Before proceeding the impact to the school should be assessed. A sound survey should be conducted to determine noise level it will produce at the school.

That information should be shared with the residents of Clarksburg, parents of students attending DECS and staff. If necessary proposed mitigation should be shared allowing stakeholders to weigh in.

Thank you
Jennifer Roche
49669 Hamilton Road
Clarksburg Ca 95612

Sent from my iPhone

From: Nellie Fore Hamilton <americanvine@yahoo.com>
Sent: Tuesday, July 29, 2014 4:43 PM
To: BDCP.comments@noaa.gov
Subject: CITIZEN COMMENTS ON EIR/EIS_BDCP

BDCP.comments@noaa.gov

(Email) BDCP.comments@noaa.gov

TO:

Ryan Wulff, National Marine Fisheries Service,
National Oceanic and Atmospheric Administration
United States Department of Commerce
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

TRANSMITTAL:

CITIZEN COMMENTS ON EIR/EIS

UNDER STATE AND FEDERAL CODE- FOR INCLUSION IN
PUBLIC PROCESS

RE: EIS/EIR OF BAY DELTA CONSERVATION PLAN

Dear Sir,

Please add my comments to the Public Input for said project.

I oppose the EIS/EIR Review on the grounds that it is inconclusive and incomplete.

I live a mere ten miles from said project.

I dwell on a ranch that has been in our Family since 1859.

For over one hundred fifty years, our ranch has been productive .

Seasonal flooding in our local area was addressed over one hundred years ago, when my great-grandfather, John Marion Posey, and others envisioned and built our small local dam, Woodbridge Dam. We are not plagued with floods, not severe water shortages. We dwell within the Molkelumne River Watershed, a functioning watershed that supplies urban and rural areas well.

I had the honor to serve for three years as Consultant to the State of California, at the Engineering Firm CH2MHill.

Following that, I served Caltrans for many years. All of the State Projects that I professionally participated in utilize the modern model of 'Land Use Planning at the level of Watershed & Ecosystems.'

As a graduate of University of California at Davis, our Ecology Instructor well trained our minds to perceive, and plan for habitat, connectivity, and shared stakeholder use. I additionally served the City of Orland, California, as Planning Commissioner. My education includes a Bachelor of Science from University of Californai at Davis, as well as Continuing Education Units from UC Davis, with course completion of NEPA/CEQA, EIS/EIR, & College level Training for Planning Commissioners.

I believe I have the qualifications to thoroughly and objective review

Planning Documents under State & Federal Code.

I have read the EIS/EIR as prepared in response to "Requested Take Permits for BDCP". I find the project scope, project proposal, and the subsequent EIS/EIR inadequate.

It is my goal to show the permitting agencies that the EIR/EIS has not done an adequate job of addressing groundwater impacts on growers in areas of San Joaquin County outside the Delta.

My specific reasons are:

1. Watersheds which feed the project area have been severed into parts and not treated as a whole. This negates State Training Manuals for Land Use Planning.
2. Habitat Corridors, likewise, have been severed and not mitigated in adequate measure, or at all.
3. My personal property – my ranch near Lodi California, will certainly be affected by the project, should construction commence. Yet the project boundary excludes my lands as any area of impact. My lands are therefore affected.
4. I irrigate wholly by groundwater.

Not only that, but groundwater is my sole option.

There are no canals, or public water services, to my area. Groundwater in San Joaquin County is precious and we conserve use constantly. The BDCP Project , by transferring away water to Southern California, is exceeding likely to

affect groundwater at my ranch. This is both my personal opinion and my professional opinion, after twenty years of EIS/EIR review for the State of California.

Again, as a fifth generation Californian living on a Family Ranch, I state that:

“the EIR/EIS has not done an adequate job of addressing

groundwater impacts on growers in areas of San Joaquin County outside the Delta.”

The request "take' permits must be declined .

Should altered or updated take requests, and review be performed,

I will again provide

my citizen review.

Thank you for your time.

Nellie Fore Hamilton

Jeremiah Posey Ranch

2515 West Sargent Road

Lodi California. 95242

Email: americanvine@yahoo.com

Registered Voter- County of San Joaquin, California

From: Barbara Butterworth <west12ranch@gmail.com>
Sent: Tuesday, July 29, 2014 7:16 PM
To: BDCP.comments@noaa.gov

TO:

Ryan Wulff, National Marine Fisheries Service,
National Oceanic and Atmospheric Administration
United States Department of Commerce
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

TRANSMITTAL:

CITIZEN COMMENTS ON EIR/EIS

UNDER STATE AND FEDERAL CODE- FOR INCLUSION IN
PUBLIC PROCESS

RE: EIS/EIR OF BAY DELTA CONSERVATION PLAN

Dear Sir,

Please add our comments to the Public Input for said project.

We oppose the EIS/EIR Review on the grounds that it is inaccurate.

We live a mere ten miles from said project.

We are both Graduates of California Polytechnical (California Polytechnic State University in San Luis Obispo, California). We have studied, as well as dealt with the practical side of water use daily.

This ranch was founded by our parents.

We have spent our lives maintaining and improving it.

In the fullness of time our third generation - our two children , will be the stewards here.

We believe that

the EIR/EIS has not done an adequate job of addressing groundwater impacts on growers in areas of San Joaquin County outside the Delta.

Our groundwater comes up via private pumps which feed a system of valves.

Only a few years ago we upgraded the system, repairing and replacing parts as needed.

We have invested our time, energies, and monies into a water system that is conservative and appropriate.

The nearness of our Ranching Operation is exceeding likely to be affected by the proposed project.

We rely on, manage, and conserve our groundwater to run our Ranch.

The Proposed Project impacts groundwater, and will very likely affect our groundwater.

Yet the EIS/EIR does not even show our ranch as within the Project Impact Area.

We believe this is a gross oversight.

The subject of aquifer and underground water movements has not been adequately reviewed in the EIR/EIS.

We have read the EIS/EIR as prepared in response to “ *Requested Take Permits for BDCP*”.

We find the project scope, project proposal, and the subsequent EIS/EIR inadequate.

The request for 'take permits' must be declined.

Thank you for your time.

Matt & Barbara Butterworth

West 12 Ranch
3434 West Highway 12
Lodi • California •
95242

////////////////////////////////////

OUR REFERENCES

Draft EIR/EIS) is identified as a Significant and Unavoidable Adverse Impact under CEQA/NEPA.

Impact GW-1: During Construction, Deplete Groundwater Supplies or Interfere with Groundwater Recharge, Alter Local Groundwater Levels, or Reduce the Production Capacity of Preexisting Nearby Wells.

CEQA Conclusion: Construction activities associated with conveyance facilities under CM1, including temporary dewatering and associated reduced groundwater levels, have the potential to temporarily affect the productivity of existing nearby water supply wells. Groundwater levels within 2,600 feet of the areas to be dewatered are anticipated to experience groundwater level reductions of up to 20 feet for the duration of the dewatering activities and up to 2 months after dewatering activities are completed. Nearby domestic and municipal wells could experience significant reductions in well yield, if they are shallow wells, and may not be able to support existing land uses. (Chapter 7, page 7-47)

From: Wade Barrett <bellador@gmail.com>
Sent: Tuesday, July 29, 2014 5:35 PM
To: BDCP.comments@noaa.gov
Subject: Oppose BDCP

My reasons for opposing the twin Delta Tunnels are:

will continue the de-watering of the Delta; will contribute to the further decline of native Delta species will lead to the draining of major Northern reservoirs in CA such as the Trinity reservoir; will be an enormous financial burden on taxpayers will cause a cascade of environmental impacts throughout the region

-Wade Barrett

From: TKO <torgain@comcast.net>
Sent: Tuesday, July 29, 2014 5:40 PM
To: BDCP.comments@noaa.gov
Subject: no on BDCP plan

The project fails to make the case how area of origin water rights will be protected. This is another peripheral canal scam.

Tom Orgain
3014 Ulloa Street
San Francisco, CA

From: Hydroursus Terrestrial <terry.tteckla@gmail.com>
Sent: Tuesday, July 29, 2014 5:44 PM
To: BDCP.comments@noaa.gov
Subject: BDCP Comments

Bay Delta Conservation Plan Draft EIS/EIR

Public Comment

Digging in the Delta and the Sacramento River, as in other fresh inland water bodies that collect upland detritus, will release many MANY tons of methane gas, a powerful Greenhouse gas. (<http://link.springer.com/article/10.1007/s00367-012-0299-6>) The released gas will contribute further to our altered climate and will also impact the fish and other organisms that live in the Delta and rivers and streams.

There are other methods to better manage the Delta that are NOT so destructive and costly. And in the end, would have better outcomes of changing the economic and farming practices around the Delta. For example; rather than digging vast holes, dredging mountains of mud, and diverting water, we should stop rice farming, which has become very important to the Delta community, however, it too contributes to CH₃. (<http://link.springer.com/article/10.1007/s00374-010-0493-5#page-1>)

But in the BIG PICTURE, reality....NOAA and other governmental agencies would be absolutely vital to push other agencies, big businesses and even individuals to use alternate sources of electricity, food sources ~ alternatives that do not produce so much not just CO₂ but CH₃, and, most especially, to not drive oil vehicles. Digging vast holes, killing important fish and other animals in the Delta, diverting more water away from the Delta for crops in the desert (which have a high content of salt in the soils) is just a plain waste of time - time we (California) need to change our ways (economically, socially, health).

That is how we may continue to live on the West Coast...not digging more holes.

Please.

Sincerely yours,

Teresa Young
1271 N. Chester Ave.
Pasadena, Ca. 91104
626 482 3158

From: Tim Regan <tdregan@comcast.net>
Sent: Tuesday, July 29, 2014 5:50 PM
To: BDCP.comments@noaa.gov
Subject: Comment

Dear Mr. Wulff,

I write in opposition to the BDCP plan, EIR and EIS, on each of the following grounds:

- 1. Financing.** I cannot fairly evaluate the project without understanding what are the *firm financing commitments*. These are absent as far as I can tell, so they should be procured and then fully outlined and explained in a NEW PLAN, EIR and EIS.
- 2. Cost.** I think the cost estimates need to be completed and updated, and should include the actual financing costs, and operations and maintenance for 50 years.
- 3. Alternatives.** I object that the alternatives do not consider retiring the toxic soils and drainage-impaired land in the western San Joaquin Valley and Kern County areas. The alternatives also do not adequately address the many available conservation measures to save water.
- 4. Mitigation.** I believe that the required mitigation measures should be paid for by the water contractors, *not* the taxpayers.
- 5. Fish and Wildlife.** As near as I can make out, the project will quite certainly hasten the decline of our once abundant salmon, steelhead trout, and other recreational and commercial fisheries. Habitat restoration as proposed has not been shown to be productive.
- 6. Upstream Storage and Rivers.** The documents do not adequately describe the impacts of the project on the need for more upstream storage facilities, such as raising Shasta Dam and others, and the resulting destruction of habitat and recreational and sacred sites.
- 7. Voter Approval.** I am flabbergasted that the proponents of this project have deftly maneuvered it in such a way that the voters will not have a say on whether to proceed. Let the people decide!

Thank you,

Tim Regan
2132 15th Avenue
San Francisco, CA 94116
tdregan@comcast.net

From: Scott Pellaton <spellaton@sbcglobal.net>
Sent: Tuesday, July 29, 2014 7:14 PM
To: BDCP.Comments@noaa.gov
Subject: No tunnels

This is the craziest idea I have heard in years. Whoever thought this up needs to get a new job. You will never be able to deliver enough water to So Cal, no matter what you do in this region. To spend 60 BILLION dollars to stop a small fish from entering the water delivery system, is crazy . Dedicate these funds to keeping the small fish out of the pumps and a desalinization system in So Cal. Sincerely, SP

Sent from my iPhone

From: Matt Earp <mattearp@yahoo.com>
Sent: Tuesday, July 29, 2014 7:23 PM
To: BDCP.Comments@noaa.gov
Subject: Transparency needed and unbiased thinking about whats best

To who it may concern

I have been a resident in discovery bay for 12 years and have been coming the the delta

since i was 15 years old, fishing skiing and hunting.

I have noticed a decline in fish, bait fish, and wild life in general.

I don't think diverting huge amounts of water and displacing fresh and salt water ratio's are good for a fragile Eco system. You can't expect wildlife and several types of fish to cease

to exist so people down south can plant another 10,000,000 acres of almonds, if an area cant support its own agriculture maybe growth has already reached its limit .

Maybe they need to go on water rationing. Since i love all people i would suggest they look into better growing practices, or new ones that use new technology to work with less rather than more, drip systems, or different soil mixtures that retain moisture
Just a thought

I am 2 feet from the water !
and want to protect it

Thanks Matt

Matt Earp, Realtor,
Discovery Bay, CA
Cell 925-382-8595
Fax # 925-684-4074

Matt Earp, Realtor,
Discovery Bay, CA
Cell 925-382-8595
Fax # 925-684-4074

From: Caprice Krow <capricekrow@hotmail.com>
Sent: Tuesday, July 29, 2014 7:28 PM
To: BDCP.Comments@noaa.gov
Subject: No to the Tunnels!

I am against the Tunnels for many reasons: preservation of the wildlife, the waterways, keeping the salt water out of the estuary.

Caprice Epps

Yosemite Region Resorts

(209)200-9134 cell

209-962-4396 office

800-962-4765 toll free

866-816-3998 fax

www.yosemiteregionresorts.com

From: JOHN READ <johnread370@aol.com>
Sent: Tuesday, July 29, 2014 7:37 PM
To: BDCP.Comments@noaa.gov
Cc: barnes9157@sbcglobal.net; skknca@yahoo.com; davekocher@sbcglobal.net
Subject: Delta Tunnels

I am a concerned citizen and delta friend! I am extremely concerned about the huge mistake that could be made regarding the Twin tunnels project. My concerns are first around the lack of proper EIR specific work, the lack of transparency around the process, as well as the way it is being shoved down the throats of the northern California residents. Also of great concern, is that of our water resources being consumed and the threatening of the environment, not to mention the severe impact on wild life, including our fisheries. In addition, our farmers and local communities will suffer directly from this ill conceived project, creating a huge negative impact to our local economies.

I urge you to stop this project and look for more feasible methods of supplying water to southern California. This is borrowing from Peter to pay Paul, and in the long run has far too many downsides and does not solve our water problems in California.

Get the politics out of this project and look for real long term solutions to the water shortage. Let common sense prevail, Please!

Sincerely John Read

JOHN READ
johnread370@aol.com

From: Nena Larieze <nenalarieze@gmail.com>
Sent: Tuesday, July 29, 2014 7:51 PM
To: BDCP.Comments@noaa.gov
Subject: BDCP/DELTA TUNNELS Comment

To whom it may concern,

As a citizen of Stockton, a mother, and a budding environmentalist I am overwhelmed by the lack of transparency in this process. The BDCP/Delta tunnels plans were not held in local meetings or listed in our ballots. Your decision could dry out multiple cities and cause a further financial strain to San Joaquin county residents, whom are already struggling with crime and high unemployment rates.

THIS IS NOT THE ANSWER. I will do anything I can to have the opportunity to vote and discuss this issue before the water that quenches the thirst of my family and many families, is polluted by your greed.

Warm Regards,

Nena Weinstein de Guzman
nenalarieze@gmail.com
209-518-1015

From: Susan Seymour <sue.seymour@verizon.net>
Sent: Tuesday, July 29, 2014 7:53 PM
To: BDCP.Comments@noaa.gov
Subject: Comment on the BDCP EIR

Hello,

I am a fourth generation Sacramentan and also a co-owner of property on Steamboat Slough in the Delta at 14401 Grand Island Rd, Walnut Grove, CA. This property has been in my family over 100 years, and was first purchased by my great great great granduncle's daughter, Caroline Wilsey and her husband, and then, later, by my grandfather, Arthur M. Seymour in 1917. It has been continuously farmed during all these years.

My aunt and uncle, the William M. Beck's, lived on and worked the land from approximately 1920 until 1975, and their daughter Dorothy Beck Wheeler is still living there today, although the farming operation is now leased out to another landholder in Grand Island.

Throughout all these years, from my grandfather to my father and then to me, this ranch land has been nurturing generations of my family: providing food, recreation, and inspiration. Which is why it is troubling to learn that its very existence is jeopardized by the what is known as the Delta Tunnels plan.

Specifically with regard to the placement of the tunnels in the Sacramento River upstream of Steamboat Slough, I can find no information as to how much water will be diverted from the Slough. And secondly, how will the salt water incursion from SF Bay upriver through Rio Vista and Isleton be stopped. These are major issues to the farmers along Steamboat Slough and Grand Island, as well as the other islands downstream of us who depend on a good flow of water downstream.

It is also unclear to me from the draft EIR what sort of inventory is being made of endangered species and where a map of same is located. What will become of them if they are not currently known?

It would appear that taking no notice of these few issues (among many that others have catalogued) means that the farmers, others who use the Delta for recreation, and the waterfowl species are being written off.

I urge you to look into one of the many viable alternatives that have been suggested this past year, particular storage. For it is only better storage that will provide the additional water that is desired.

Sincerely,

Susan J. Seymour
105 Chestnut St.
Wrentham, MA 02093

From: Janis McLean <janismclean@yahoo.com>
Sent: Tuesday, July 29, 2014 7:58 PM
To: BDCP.Comments@noaa.gov
Subject: Stop the Tunnels

There has been a shocking effort to muscle this project through and overwhelm the opposition. I point particularly to the wholehearted support of the project by elected officials and government entities before the financial and environmental costs are fully known. There has also been a significant focus on obtaining water and insufficient concern for the immense environmental harm.

Moreover, as a frequent visitor to Courtland, I find it unfathomable that this project may be located there. This area is one of the few bucolic, agricultural regions left in California. This project will destroy the area. Have any of you visited Courtland to see what you will ruin?

Lastly, the Delta waterway is already highly stressed and this project will advance its degradation.

Stop this flawed process and ill-conceived plan.

Janis Shank McLean
1912 Placer Gold Court
Gold River, CA. 95670

Sent from my iPhone

From: Roberto Valdez <roberto58valdez@hotmail.com>
Sent: Tuesday, July 29, 2014 8:02 PM
To: BDCP.Comments@NOAA.gov
Subject: Individual Comments re: Draft BDCP & Associate EIR/EIS.

July 29, 2014

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

Subject: Individual Comments re: Draft Bay Delta Conservation Plan (BDCP), associated Draft EIR/EIS, and Solano County.

Dear Mr. Wulff:

As a long-time public stakeholder with the proposed Multi-Species Habitat Conservation Plan of Solano County, I am inclined to support the both the Draft BDCP and associated EIR/EIS to restore the (California) Bay Delta " where the Sacramento and the San Joaquin River meet, near the middle of the State(of California) to quote the late Edwin Markham, Vacaville's native son, in his monumental work, California the Wonderful (c. 1923) for the following reasons from Solano County: this necessary plan will protect at least 22 terrestrial species of the 37 targeted species within the proposed HCP of Solano County, including 4 fishes; it will enhance environmentally both the Suisun Marshlands and the Cache Slough through its Restoration Opportunity Areas (ROA) in on-going negotiations with the Department of Resource Management (Solano County) and Solano County Water Agency (SWCA) respectively; more importantly, it will cover the biological connectivity between Solano County and at least four other HCP/NCCPs in Yolo, Sacramento, Contra Costa, and San Joaquin Counties within Northern California. Thus, the Draft BDCP with its associated Draft EIR/EIS will be able to benefit Solano County in numerous ways through its restoration efforts to improve the Bay Delta water-wise which every Californian generation has done in the past to paraphrase, Kevin Starr, a well-known Californian historian and former State librarian.

Also, as a participatory stakeholder who has attended at least 15 public information meetings re: BDCP process, I want to acknowledge, recognize the superb work that the BDCP staff from the CA Department of Water Resources (DWR) has performed to respond consistently to the BDCP stakeholders' concerns, inquiries about both the BDCP/EIR/EIS during the past 3 years. For example, they were quick to reformat the online website to make it easier for online users to obtain relevant materials re: BDCP process in a transparent manner; this writer particularly appreciated the multiple brochures which clarified valuable information as well as made it easier for the ordinary person to understand bilingually the BDCP process in a non-technical framework with countless graphs as well as colorful pictures. So, that I thank again both Mr. Jerry Meral and his BDCP staff for their outstanding help with regards to my stakeholder's interests in both the BDCP and associated EIR/EIS.

In addition, even though I realized that the amount of water flow was reduced from 15K CFU to 9K CFU during the BDCP discussions with regards to the water flowing through the dual-tunnel conveyance system, I still do not understand why the tunnels need to be constructed underground rather than above ground from an engineering viewpoint. While, I am still concerned that the realignment of the underground tunnels will impact eventually the Sandhill cranes & associate species in the State public lands within the Staten Island area.

Furthermore, considering the increasing drought and socioeconomic impacts to our agricultural lands within Solano County, I would like to encourage both the BDCP staff and the Delta Stewardship Council to work cooperatively with both our governmental agencies such Department of Resource Management (Solano County) as well as local farmers, land/property owners, urban/rural residents to expedite the BDCP & associate EIR/EIR process in both fair and impartial manner. While, clarifying the necessary funding sources to implement the BDCP restoration with regards to water-usage in an equitable method; based proportionally on the heavy water-users.

Finally, reflecting on the Bus trip with the BDCP independent scientific panel/board with regards the scientific criteria to preserving the targeted fishes such as Delta/Longfin Smelts, Chinook Salmons, Sacramento Splittail, Central Valley Steelhead fishes & associate species such as Western Pond Turtle within the Bay Delta waterways such as Sacramento & San Joaquin Rivers as well as its tributaries, I would strongly suggest that an effective state-wide conservation plan be simultaneously implemented and continued to reinforce the restoration efforts to improve the Bay Delta (or regional Bay Deltas) and anticipate environmental problems such as levee deterioration, increasing salinity, as well as climatic changes within the BDCP project site during its 50-year period.

Thank you very much for your assistance on this important matter.

Yours Sincerely,

Roberto Valdez, Solano Resident.

From: Roberto Valdez <roberto58valdez@hotmail.com>
Sent: Wednesday, July 30, 2014 12:06 AM
To: BDCP.Comments@NOAA.gov
Subject: RE: Amended Comments re: Draft BDCP & Associate EIR/EIS.

In first paragraph: they are:

Fishes: D/LFS, CVF & LF-R CS, Sh & St.

Plants: M.L.

Reptiles: GGS & WPT.

Amphibians: CRLF, CTS.

Invertebrates: VPTS, CFS, VPTFS, VPF, & VELB.

Birds: TBB, WBO, CBR, CCR, SH.

In last paragraph: Bus trip (4/17-18/14).

From: roberto58valdez@hotmail.com
To: bdcpc.comments@noaa.gov
Subject: Individual Comments re: Draft BDCP & Associate EIR/EIS.
Date: Tue, 29 Jul 2014 20:01:37 -0700

July 29, 2014

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

Subject: Individual Comments re: Draft Bay Delta Conservation Plan (BDCP), associated Draft EIR/EIS, and Solano County.

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Thank you very much for your assistance on this important matter.

Yours Sincerely,

Roberto Valdez, Solano Resident.

From: Roberto Valdez <roberto58valdez@hotmail.com>
Sent: Wednesday, July 30, 2014 12:35 AM
To: BDCP.Comments@NOAA.gov
Subject: RE: Individual Comments re: Draft BDCP & Associate EIR/EIS.

Dear Mr. Wulff,

Please pardon my typo in last paragraph, because I meant "an effective state-wide (Water) Conservation Plan" rather than just voluntary regional water conservation plans through our Golden State.

Thank you again.

From: roberto58valdez@hotmail.com
To: bdcplcomments@noaa.gov
Subject: Individual Comments re: Draft BDCP & Associate EIR/EIS.
Date: Tue, 29 Jul 2014 20:01:37 -0700

July 29, 2014

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

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